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

THE
DIPLOMATIC CORRESPONDENCE

OF THE
AMERICAN REVOLUTION;

BEING

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

TOGETHER WITH

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

ALSO,

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

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BY JARED SPARKS.

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THE
CORRESPONDENCE
OF
BENJAMIN FRANKLIN,
COMMISSIONER AND MINISTER PLENIPOTENTIARY TO
THE COURT OF FRANCE, AND COMMISSIONER
FOR NEGOTIATING A PEACE.

AT the beginning of the Revolution, DR FRANKLIN was in England, where he had resided several years as an agent for Pennsylvania, Massachusetts, New Jersey and Georgia. He returned to America in the spring of 1775, and was shortly after elected a member of Congress. In that body he held the rank, to which his great talents and patriotism entitled him, and was chosen one of the Committee of Secret Correspondence for transacting foreign affairs.

On the 26th of September, 1776, he was elected a Commissioner to the Court of France, in conjunction with Silas Deane and Thomas Jefferson. Immediately after his appointment he hastened preparations for his departure. Meantime Mr Jefferson declined serving, and Arthur Lee was chosen in his place. Dr Franklin set off from Philadelphia on his voyage, October 26th, and entered Quiberon Bay, on the coast of France, November 29th, after a fatiguing passage. He was now seventyone years of age. He proceeded to Nantes, where he remained a few days to recruit himself, and arrived in Paris about the 20th of December. Here he found Mr Deane, and they were soon after joined by Mr Lee.

Little was done by the Commissioners in Paris for more than a year, as France was not then prepared to take an open part against England. The success of the American arms against Burgoyne became the turning point in the French Cabinet, and they immediately consented to make treaties of amity and commerce with the United States, which were definitively signed on the 6th of February,

1778. This great work being finished, Congress deemed it expedient to dissolve the Commission by appointing a Minister Plenipotentiary to the Court of France. The choice fell on Dr Franklin, and, notwithstanding his advanced age, and the arduous nature of the office, he accepted the appointment, and discharged the entire duties of it to the end of the Revolution.

While holding the place of joint Commissioner in France, Congress elected him, on the 1st of January, 1777, to a separate mission to the Court of Spain. Upon this mission, however, he never entered, and it was afterwards transferred to Arthur Lee.

Towards the close of the war, Dr Franklin strenuously urged Congress to permit him to return to his own country, requesting that a successor might be sent out, whose years and strength would better qualify him to endure the labors and perform the services of his station. But Congress did not listen to this petition. His counsels and experience were thought essential to the management of the important concerns then pending. He took a leading part in all the negotiations for peace, and, in conjunction with John Adams, John Jay, and Henry Laurens, signed the preliminary articles, November 30th, 1782, and the definitive treaty, September 3d, 1783. On the 3d of April, of the same year, he concluded a treaty of amity and commerce, with the Swedish Minister in Paris, between Sweden and the United States.

Mr Jefferson at length arrived in Paris as his successor, and Dr Franklin returned to Philadelphia in September, 1785, after an absence of nine years, during the whole of which time he had been engaged in a most active, laborious, and successful service for his country.

THE
CORRESPONDENCE
OF
BENJAMIN FRANKLIN.



TO JOHN HANCOCK, PRESIDENT OF CONGRESS.

Nantes, December 8th, 1776.

Sir,

In thirty days after we left the Capes of Delaware, we came to an anchor in Quiberon Bay. I remained on board four days, expecting a change of wind proper to carry the ship into the river Loire ; but the wind seemed fixed in an opposite quarter. I landed at Aury, and with some difficulty got hither, the road not being well supplied with means of conveyance. Two days before we saw land, we met a brigantine from Bordeaux belonging to Cork, and another from Rochefort belonging to Hull, both of which were taken. The first had on board staves, tar, turpentine, and claret ; the other coniac brandy and flaxseed. There is some difficulty in determining what to do with them, as they are scarce worth sending to America, and the mind of the French Court, with regard to prizes brought into their ports, is not yet known. It is certainly contrary to their treaties with Britain, to permit the sale of them, and we have no regular means of trying and con-

demning them. There are, however, many here, who would purchase prizes, we having already had several offers from persons who are willing to take upon themselves all consequences as to the illegality. Captain Wickes, as soon as he can get his refreshment, intends to cruise in the channel.

Our friends in France have been a good deal dejected with the Gazette accounts of advantages obtained against us by the British troops. I have helped them here to recover their spirits a little, by assuring them that we still face the enemy, and were under no apprehension of their armies being able to complete their junction. I understand that Mr Lee has lately been at Paris, that Mr Deane is still there, and that an underhand supply is obtained from the government of two hundred brass field pieces, thirty thousand firelocks, and some other military stores, which are now shipping for America, and will be convoyed by a ship of war. The Court of England (Mr Penet tells me, from whom I have the above intelligence) had the folly to demand Mr Deane to be delivered up, but were refused.

Our voyage, though not long, was rough, and I feel myself weakened by it, but I now recover strength daily, and in a few days shall be able to undertake the journey to Paris. I have not yet taken any public character, thinking it prudent first to know whether the Court is ready and willing to receive Ministers publicly from the Congress, that we may neither embarrass her on the one hand, nor subject ourselves to the hazard of a disgraceful refusal on the other. I have despatched an express to Mr Deane, with the letters that I had for him from the Committee, and a copy of our commission, that he may immediately make the proper inquiries, and give me information. In

the mean time I find it generally supposed here, that I am sent to negotiate, and that opinion appears to give great pleasure, if I can judge by the extreme civilities I meet with from numbers of the principal people, who have done me the honor to visit me.

I have desired Mr Deane, by some speedy and safe means, to give Mr Lee notice of his appointment. I find several vessels here laden with military stores for America, just ready to sail; on the whole, there is the greatest prospect that we shall be well provided for another campaign, and much stronger than we were last. A Spanish fleet has sailed with seven thousand land forces foot and some horse. Their destination unknown, but supposed against the Portuguese in Brazil. Both France and England are preparing strong fleets, and it is said, that all the powers of Europe are preparing for war, apprehending that a general one cannot be very far distant. When I arrive at Paris I shall be able to write with more certainty. I beg you to present my duty to Congress, and assure them of my most faithful endeavors in their service.

With the sincerest esteem and respect, I have the honor to be, &c.

B. FRANKLIN.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Nantes, December 8th, 1776.

Gentlemen,

After a short but rough passage of thirty days, we anchored in Quiberon Bay, the wind not suiting to enter the Loire. Captain Wickes did everything in his power to make the voyage comfortable to me; and I was much

pleased with what I saw of his conduct as an officer, when on supposed occasions we made preparation for engagement, the good order and readiness with which it was done, being far beyond my expectations, and I believe equal to anything of the kind in the best ships of the king's fleet. He seems to have also a very good set of officers under him. I hope they will all in good time be promoted. He met and took two prizes, brigantines, one belonging to Cork, laden with staves, pitch, tar, turpentine, and claret; the other to Hull, with a cargo of flaxseed and brandy. The captains have made some propositions of ransom, which, perhaps, may be accepted, as there is yet no means of condemning them here, and they are scarce worth sending to America. The ship is yet in Quiberon Bay, with her prizes. I came hither from thence, seventy miles, by land. I am made extremely welcome here, where America has many friends. As soon as I have recovered strength enough for the journey, which I hope will be in a very few days, I shall set out for Paris. My letter to the President will inform you of some other particulars.

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

B. FRANKLIN.

P. S. December 10th. I have just learnt that eighty pieces of cannon, all brass, with carriages, braces, and everything fit for immediate service, were embarked in a frigate from Havre, which is sailed; the rest were to go in another frigate of thirtysix guns.

FROM THE COMMITTEE OF SECRET CORRESPONDENCE
TO BENJAMIN FRANKLIN.

Baltimore, January 1st, 1777.

Sir,

Congress, relying on your wisdom and integrity, and well knowing the importance of the case, have appointed you their Commissioner to negotiate a treaty of friendship and commerce with the Court of Spain.* The idea of Congress on this subject you will find in the instructions sent by this opportunity to yourself, and the other Commissioners, at the Court of France. Your commission for this special service we have now the honor to enclose you.

We are, with great respect and esteem, honorable Sir, yours, &c.

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

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, January 4th, 1777.

Gentlemen,

I arrived here about two weeks since, where I found Mr Deane. Mr Lee has since joined us from London. We have had an audience of the Minister, Count de Vergennes, and were respectfully received. We left for his consideration a sketch of the proposed treaty.† We are

* See the *Secret Journals of Congress*, Vol. II. pp. 38, 41, 42.

† See this sketch in the *Secret Journals of Congress*, Vol. II. p. 7.

to wait upon him tomorrow with a strong memorial, requesting the aids mentioned in our instructions. By his advice, we have had an interview with the Spanish Ambassador, Count d'Aranda, who seems well disposed towards us, and will forward copies of our memorials to his Court, which will act, he says, in perfect concert with this.

Their fleets are said to be in fine order, manned and fit for sea. The cry of this nation is for us, but the Court, it is thought, views an approaching war with reluctance. The press continues in England. As soon as we can receive a positive answer from these Courts, we shall despatch an express with it.

I am, Gentlemen, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Paris, January 20th, 1777.

Dear Sir,

The bearer, Captain Balm, is strongly recommended to me as a very able officer of horse, and capable of being extremely useful to us, in forming a body of men for that service. As he has otherwise an excellent character, I take the liberty of recommending him to my friends as a stranger of merit, worthy of their civilities, and to the Congress as an officer, who if employed may greatly serve a cause, which he has sincerely at heart.

With great respect, &c.

B. FRANKLIN.

TO THE COUNT D'ARANDA, SPANISH AMBASSADOR TO
THE COURT OF FRANCE.

Passy,* April 7th, 1777.

Sir,

I left in your Excellency's hands, to be communicated, if you please, to your Court, a duplicate of the commission from Congress, appointing me to go to Spain as their Minister Plenipotentiary. But, as I understand, that the receiving such a Minister is not at present thought convenient, and I am sure the Congress would have nothing done that might incommode in the least a Court they so much respect, I shall therefore postpone that journey till circumstances may make it more suitable. In the mean time, I beg leave to lay before his Catholic Majesty, through the hands of your Excellency, the propositions contained in a resolution of Congress, dated December 30th, 1776, viz.

“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; provided the inhabitants of the United States shall have the free navigation of the Mississippi, and the use of the harbor of Pensacola; and will, (provided it shall be true, that his Portuguese Majesty has insultingly expelled the vessels of these States from his ports, or has confiscated any such vessels,) declare war against the said King, if that measure shall be agreeable to, and supported by, the Courts of France and Spain.”

* Passy is a small town about three miles from Paris, on the banks of the Seine. Dr Franklin lived here during the whole of his residence in France.

It is understood, that the strictest union subsists between those two Courts ; and in case Spain and France should think fit to attempt the conquest of the English sugar islands, Congress have further proposed to furnish provisions to the amount of two millions of dollars, and to join the fleet employed on the occasion, with six frigates of not less than twentyfour guns each, manned and fitted for service ; and to render any other assistance which may be in their power, as becomes good allies ; without desiring for themselves the possession of any of the said islands.

These propositions are subject to discussion, and to receive such modification as may be found proper.

With great respect, I have the honor to be your Excellency's most obedient and most humble servant,

B. FRANKLIN.

TO GENERAL WASHINGTON.

Paris, June 13th, 1777.

Sir,

The bearer, M. le Comte Kotkouski, a Polish officer, is recommended to me by several persons of worth here, as a man of experience in military affairs, and of tried bravery. He has lost his family and estate in Poland, by fighting there in the cause of liberty, and wishes, by engaging in the same cause, to find a new country and new friends in America. Count Pulaski, who was a General of the confederates in Poland, and who is gone to join you, is esteemed one of the greatest officers in Europe. He can give you the character of this M. Kotkouski, who served under him as Lieutenant Colonel.

It is with regret that I give letters of introduction to

foreign officers, fearing that you may be troubled with more than you can provide for, or employ to their and your own satisfaction. When particular cases seem to have a claim to such letters, I hope you will excuse my taking the liberty. I give no expectations to those who apply for them; I promise nothing, I acquaint them that their being placed when they arrive is a great uncertainty, and that the voyage being long, expensive, and hazardous, I counsel them not to undertake it. This honest gentleman's zeal is not to be discouraged by such means; he determines to go and serve as a volunteer, if he cannot be employed immediately as an officer; but I wish and hope that your Excellency may find a better situation for him, and that he will be a useful officer. He has the advantage of understanding English, and will soon speak it intelligibly. He also speaks German, and some other European languages, and the Latin.

With the truest esteem and respect, I have the honor to be, &c.

B. FRANKLIN.

TO GENERAL WASHINGTON.

Paris, June 13th, 1777.

Sir,

The person, who will have the honor of delivering this to your Excellency, is Monsieur le Baron de Frey, who is well recommended to me as an officer of experience and merit, with a request that I would give him a letter of introduction. I have acquainted him, that you are rather overstocked with officers, and that his obtaining employment in your army is an uncertainty; but his zeal for the

American cause is too great for any discouragements I can lay before him, and he goes over at his own expense, to take his chance, which is a mark of attachment that merits our regard. He will show your Excellency the commissions and proofs of his military service hitherto, and I beg leave to recommend him to your notice.

With the sincerest esteem and respect,

B. FRANKLIN.



M. DUBOURG TO B. FRANKLIN.

Translation.

Paris, September 8th, 1777.

My dear Sir,

I should be much obliged to you, if you would be so good as to give a letter of recommendation to some one of the chiefs of your army, in favor of a young man full of courage, and also of distinguished talents, who is at Bordeaux, ready to embark for America, where he proposes to settle himself in Pennsylvania, after having served in quality of volunteer, or otherwise, during the war. His name is Gerard. He carries with him a little adventure, sufficient for supporting him some years, and afterwards, if it is there customary, his father will make over to him his portion. I interest myself particularly in his favor, because he is the brother in law of one of our honestest commissaries.

I have the honor to wish you a good day, and to reiterate the assurances of my inviolable attachment.

DUBOURG.

TO RICHARD PETERS.

Passy, September 12th, 1777.

Sir,

The bearer Monsieur Gerard is recommended to me by M. Dubourg, a gentleman of distinction here, and a hearty friend to our cause. I enclose his letter, that you may see the favorable manner in which he speaks of M. Gerard. I thereupon take the liberty of recommending the young gentleman to your civilities and advice, as he will be quite a stranger there, and to request that you would put him in the way of serving as a volunteer in our armies.

I am, Sir, &c.

B. FRANKLIN.

REMARKS ON A LOAN FOR THE UNITED STATES.*

In borrowing money, a man's credit depends on some, or all, of the following particulars.

First, His known conduct respecting former loans, and his punctuality in discharging them.

Secondly, His industry.

Thirdly, His frugality.

Fourthly, The amount and the certainty of his income, and the freedom of his estate from the incumbrances of prior debts.

Fifthly, His well founded prospects of greater future

* This paper was written by Dr Franklin in the summer of 1777, with the view of convincing Europeans, that it was more eligible to lend money to the United States at that time, than to England. It was translated and sent to different parts of Europe. In Mr Arthur Lee's letter to the Baron de Schulenbug, dated September 21st, 1777, he mentions having sent a copy of it to that Minister.

ability, by the improvement of his estate in value, and by aids from others.

Sixthly, His known prudence in managing his general affairs, and the advantage they will probably receive from the loan which he desires.

Seventhly, His known probity and honest character, manifested by his voluntary discharge of debts, which he could not have been legally compelled to pay. The circumstances, which give credit to an *individual*, ought to have, and will have, their weight upon the lenders of money to *public bodies* or nations. If then we consider and compare Britain and America in these several particulars, upon the question, "To which is it safest to lend money?" We shall find,

1. Respecting *former loans*, that America, who borrowed ten millions during the last war, for the maintenance of her army of 25,000 men and other charges, had faithfully discharged and paid that debt, and all her other debts, in 1772. Whereas Britain, during those ten years of peace and profitable commerce, had made little or no reduction of her debt; but on the contrary, from time to time, diminished the hopes of her creditors, by a wanton diversion and misapplication of the sinking fund destined for discharging it.

2. Respecting *industry*; every man in America is employed; the greater part in cultivating their own lands, the rest in handicrafts, navigation, and commerce. An idle man there is a rarity; idleness and inutility are disgraceful. In England the number of that character is immense, fashion has spread it far and wide; hence the embarrassments of private fortunes, and the daily bankruptcies arising from a universal fondness for appearance

and expensive pleasures ; and hence, in some degree, the mismanagement of public business ; for habits of business, and ability in it, are acquired only by practice ; and where universal dissipation, and the perpetual pursuit of amusement are the mode, the youth educated in it can rarely afterwards acquire that patient attention and close application to affairs, which are so necessary to a statesman charged with the care of national welfare. *Hence* their frequent errors in policy, and hence the weariness at public councils, and backwardness in going to them, the constant unwillingness to engage in any measure that requires thought and consideration, and the readiness for postponing every new proposition ; which postponing is therefore the only part of business they come to be expert in, an expertness produced necessarily by so much daily practice. Whereas in America, men bred to close employment in their private affairs attend with ease to those of the public when engaged in them, and nothing fails through negligence.

3. Respecting *frugality* ; the manner of living in America is more simple and less expensive than in England ; plain tables, plain clothing, and plain furniture in houses prevail, with few carriages of pleasure ; there an expensive appearance hurts credit, and is avoided ; in England it is often assumed to gain credit, and continued to ruin. Respecting *public* affairs, the difference is still greater. In England the salaries of officers and emoluments of office are enormous. The king has a million sterling per annum, and yet cannot maintain his family free of debt ; secretaries of state, lords of treasury, admiralty, &c. have vast appointments ; an auditor of the exchequer has sixpence in the pound, or a fortieth part of all the pub-

lic money expended by the nation ; so that when a war costs forty millions, one million is paid to him ; an inspector of the mint, in the last new coinage, received as his fee £65,000 sterling per annum ; to all which rewards no service these gentlemen can render the public is by any means equivalent. All this is paid by the people, who are oppressed by taxes so occasioned, and thereby rendered less able to contribute to the payment of necessary national debts. In America, salaries, where indispensable, are extremely low ; but much of the public business is done gratis. The honor of serving the public ably and faithfully is deemed sufficient. *Public spirit* really exists there, and has great effects. In England it is universally deemed a nonentity, and whoever pretends to it is laughed at as a fool, or suspected as a knave. The committees of Congress which form the board of war, the board of treasury, the board of foreign affairs, the naval board, that for accounts, &c. all attend the business of their respective functions without any salary or emolument whatever, though they spend in it much more of their time, than any lord of the treasury or admiralty in England can spare from his amusements. A British Minister lately computed, that the whole expense of the Americans in their *civil* government, over three millions of people, amounted to but £70,000 sterling, and drew from thence a conclusion, that they ought to be taxed, until their expense was equal in proportion to that which it costs Great Britain to govern eight millions. He had no idea of a contrary conclusion, that if three millions may be well governed for £70,000, eight millions may be as well governed for three times that sum, and that therefore the expense of his own government should be diminished. In that corrupted

nation, no man is ashamed of being concerned in lucrative *government jobs*, in which the public money is egregiously misapplied and squandered, the treasury pillaged, and more numerous and heavy taxes accumulated, to the great oppression of the people. But the prospect of a greater number of such jobs by a war is an inducement with many to cry out for war upon all occasions, and to oppose every proposition of peace. Hence the constant increase of the national debt, and the absolute improbability of its ever being discharged.

4. Respecting the *amount and certainty of income, and solidity of security*; the whole thirteen States of America are engaged for the payment of every debt contracted by the Congress, and the debt to be contracted by the present war is the *only* debt they will have to pay; all, or nearly all, the former debts of particular Colonies being already discharged. Whereas England will have to pay not only the enormous debt this war must occasion, but all their vast preceding debt, or the interest of it,—and while America is enriching itself by prizes made upon the British commerce, more than ever it did by any commerce of its own, under the restraints of a British monopoly, and the diminution of its revenues, and of course, less able to discharge the present indiscreet increase of its expenses.

5. Respecting prospects of greater *future ability* Britain has none such. Her islands are circumscribed by the ocean; and excepting a few parks or forests, she has no new land to cultivate, and cannot therefore extend her improvements. Her numbers, too, instead of increasing from increased subsistence, are continually diminishing from growing luxury, and the increasing difficulties of maintaining families, which of course discourage early marriages.

Thus she will have fewer people to assist in paying her debts, and that diminishing number will be poorer. America, on the contrary, has, besides her lands already cultivated, a vast territory yet to be cultivated; which, being cultivated, continually increases in value with the increase of people; and the people, who double themselves by a *natural propagation* every twentyfive years, will double yet faster by the accession of *strangers*, as long as lands are to be had for new families; so that every twenty years there will be a double number of inhabitants obliged to discharge the public debts; and those inhabitants being more opulent may pay their shares with greater ease.

6. Respecting *prudence* in general affairs, and the advantages to be expected from the loan desired; the Americans are cultivators of land; those engaged in fishery and commerce are few, compared with the others. They have ever conducted their several governments with wisdom, avoiding wars and vain expensive projects, delighting only in their peaceable occupations, which must, considering the extent of their uncultivated territory, find them employment still for ages. Whereas England, ever unquiet, ambitious, avaricious, imprudent, and quarrelsome, is half of the time engaged in war, always at an expense infinitely greater than the advantages to be obtained by it, if successful. Thus they made war against Spain in 1739, for a claim of about £95,000, (scarce a groat for each individual of the nation) and spent forty millions sterling in the war, and the lives of fifty thousand men; and finally made peace without obtaining satisfaction for the sum claimed. Indeed, there is scarce a nation in Europe, against which she has not made war on

some frivolous pretext or other, and thereby imprudently accumulated a debt, that has brought her on the verge of bankruptcy. But the most indiscreet of all her wars is the present against America, with whom she might for ages have preserved her profitable connexion only by a just and equitable conduct. She is now acting like a mad shop keeper, who, by beating those that pass his doors, attempts to make them come in and be his customers. America cannot submit to such treatment, without being first ruined, and, being ruined, her custom will be worth nothing. England, to effect this, is increasing her debt, and irretrievably ruining herself. America, on the other hand, aims only to establish her liberty, and that freedom of commerce which will be advantageous to all Europe; and by abolishing that monopoly which she labored under, she will profit infinitely more than enough to repay any debt, which she may contract to accomplish it.

7. Respecting *character in the honest payment of debts*; the punctuality with which America has discharged her public debts was shown under the first head. And the general good disposition of the people to such punctuality has been manifested in their faithful payment of *private* debts to England, since the commencement of this war. There were not wanting some politicians (in America) who proposed *stopping that payment*, until peace should be restored, alleging, that in the usual course of commerce, and of the credit given, there was always a debt existing equal to the trade of eighteen months; that the trade amounting to five millions sterling per annum, the debt must be seven millions and a half; that this sum paid to the British merchants would operate to prevent that distress, intended to be brought upon Britain, by our stoppage

of commerce with her ; for the merchants receiving this money, and no orders with it for further supplies, would either lay it out in public funds, or in employing manufactures to accumulate goods for a future hungry market in America upon an expected accommodation, by which means the funds would be kept up and the manufacturers prevented from murmuring. *But against this it was alleged*, that injuries from ministers should not be revenged on merchants ; that the credit was in consequence of private contracts made in confidence of good faith ; that these ought to be held sacred and faithfully complied with ; for that, whatever public utility might be supposed to arise from a breach of private faith, it was unjust, and would in the end be found unwise, honesty being in truth the best policy. On this principle the proposition was universally rejected ; and though the English prosecuted the war with unexampled barbarity, burning our defenceless towns in the midst of winter, and arming savages against us ; the debt was punctually paid, and the merchants of London have testified to the Parliament, and will testify to all the world, that from their experience in dealing with us they had, before the war, no apprehension of our unfairness, and that since the war they have been convinced that their good opinion of us was well founded. England, on the contrary, an old, corrupt government, extravagant and profligate nation, sees herself deep in debt, which she is in no condition to pay, and yet is madly and dishonestly running deeper, without any possibility of discharging her debt but by a public bankruptcy.

It appears, therefore, from the general industry, frugality, ability, prudence, and virtue of America, that she is a much safer debtor than Britain ; to say nothing of the sat-

isfaction generous minds must have in reflecting, that by loans to America they are opposing tyranny, and aiding the cause of liberty, which is the cause of all mankind.

TO DAVID HARTLEY, MEMBER OF PARLIAMENT.

Passy, October 14th, 1777.

Dear Sir,

I received duly your letter of May 2d, 1777, including a copy of one you had sent me the year before, which never came to hand, and which it seems has been the case with some I wrote to you from America. Filled, though our letters have always been, with sentiments of good will to both countries, and earnest desires of preventing their ruin and promoting their mutual felicity, I have been apprehensive that if it were known that a correspondence subsisted between us, it might be attended with inconvenience to you. I have therefore been backward in writing, not caring to trust the post, and not well knowing who else to trust with my letters. But being now assured of a safe conveyance, I venture to write to you, especially as I think the subject such a one as you may receive a letter upon without censure.

Happy should I have been, if the honest warnings I gave, of the fatal separation of interests as well as of affections, that must attend the measures commenced while I was in England, had been attended to, and the horrid mischief of this abominable war been thereby prevented. I should still be happy in any successful endeavors for restoring peace, consistent with the liberties, the safety, and the honor of America. As to our submitting to the government of Great Britain, it is vain to think of it. She has

given us, by her numberless barbarities, (by her malice in bribing slaves to murder their masters, and savages to massacre the families of farmers, with her baseness in rewarding the unfaithfulness of servants, and debauching the virtue of honest seamen, intrusted with our property) in the prosecution of the war, and in the treatment of the prisoners, so deep an impression of her depravity, that we never again can trust her in the management of our affairs and interests. It is now impossible to persuade our people, as I long endeavored, that the war was merely ministerial, and that the nation bore still a good will to us. The infinite number of addresses printed in your gazettes, all approving the conduct of your government towards us, and encouraging our destruction by every possible means, the great majority in Parliament constantly manifesting the same sentiments, and the popular public rejoicings on occasion of any news of the slaughter of an innocent and virtuous people, fighting only in defence of their just rights; these, together with the recommendations of the same measures by even your celebrated moralists and divines, in their writings and sermons, that are still approved and applauded in your great national assemblies, all join in convincing us, that you are no longer the magnanimous enlightened nation we once esteemed you, and that you are unfit and unworthy to govern us, as not being able to govern your own passions.

But, as I have said, I should be nevertheless happy in seeing peace restored. For though if my friends and the friends of liberty and virtue, who still remain in England, could be drawn out of it, a continuance of this war to the ruin of the rest would give me less concern. I cannot, as that removal is impossible, but wish for peace for their sakes, as well as for the sake of humanity, and preventing further carnage.

This wish of mine, ineffective as it may be, induces me to mention to you, that between nations long exasperated against each other in war, some act of generosity and kindness towards prisoners on one side has softened resentment, and abated animosity on the other, so as to bring on an accommodation. You in England, if you wish for peace, have at present the opportunity of trying this means with regard to the prisoners now in your gaols. They complain of very severe treatment. They are far from their friends and families, and winter is coming on, in which they must suffer extremely, if continued in their present situation; fed scantily on bad provisions, without warm lodging, clothes, or fire, and not suffered to invite or receive visits from their friends, or even from the humane and charitable of their enemies.

I can assure you, from my own certain knowledge, that your people, prisoners in America, have been treated with great kindness; they have been served with the same rations of wholesome provisions with our own troops, comfortable lodgings have been provided for them, and they have been allowed large bounds of villages in the healthy air, to walk and amuse themselves with on their parole. Where you have thought fit to employ contractors to supply your people, these contractors have been protected and aided in their operations. Some considerable act of kindness towards our people would take off the reproach of inhumanity in that respect from the nation, and leave it where it ought with more certainty to lay, on the conductors of your war in America. This I hint to you, out of some remaining good will to a nation I once loved sincerely. But as things are, and in my present temper of mind, not being over fond of receiving obligations, I shall

content myself with proposing, that your government would allow us to send or employ a commissary to take some care of those unfortunate people. Perhaps on your representations this might speedily be obtained in England, though it was refused most inhumanly at New York.

If you could have leisure to visit the gaols in which they are confined, and should be desirous of knowing the truth relative to the treatment they receive, I wish you would take the trouble of distributing among the most necessitous according to their wants, five or six hundred pounds, for which your drafts on me here shall be punctually honored. You could then be able to speak with some certainty to the point in Parliament, and this might be attended with good effects.

If you cannot obtain for us permission to send a commissary, possibly you may find a trusty, humane, discreet person at Plymouth, and another at Portsmouth, who would undertake to communicate what relief we may be able to afford those unfortunate men, martyrs to the cause of liberty. Your king will not reward you for taking this trouble, but God will. I shall not mention the gratitude of America; you will have what is better, the applause of your own good conscience. Our captains have set at liberty above two hundred of your people, made prisoners by our armed vessels and brought into France, besides a great number dismissed at sea on your coasts, to whom vessels were given to carry them in. But you have not returned us a man in exchange. If we had sold your people to the Moors at Sallee, as you have many of ours to the African and East India Companies, could you have complained?

In revising what I have written, I found too much warmth in it, and was about to strike out some parts. Yet

I let them go, as they will afford you this one reflection ; “If a man naturally cool, and rendered still cooler by old age, is so warmed by our treatment of his country, how much must those people in general be exasperated against us? And why are we making inveterate enemies by our barbarity, not only of the present inhabitants of a great country, but of their infinitely more numerous posterity ; who will in future ages detest the name of *Englishman*, as much as the children in Holland now do those of *Alva* and *Spaniard*.” This will certainly happen, unless your conduct is speedily changed, and the national resentment falls, where it ought to fall heavily, on your ministry, or perhaps rather on the king, whose will they only execute.

With the greatest esteem and affection, and best wishes for your prosperity, I have the honor to be, dear sir, &c.

B. FRANKLIN.

TO JAMES LOVELL.

Paris, December 21st, 1777.

Sir,

I see in a vote of Congress, shown me by Captain Franval, that Mr Deane is disowned in some of his agreements with officers. I, who am upon the spot, and know the infinite difficulty of resisting the powerful solicitations of great men, who if disobliged might have it in their power to obstruct the supplies he was then obtaining, do not wonder, that being then a stranger to the people, and unacquainted with the language, he was at first prevailed on to make some such agreements, when all were recommended, as they always are, as *officiers expérimentés, braves comme leurs épées, pleins de courage, des talents, et de zèle, pour notre*

cause, &c. &c. in short mere Cesars, each of whom would have been an invaluable acquisition to America. You can have no conception how we are still besieged, and worried on this head, our time cut to pieces by personal applications, besides those contained in dozens of letters by every post, which are so generally refused, that scarce one in a hundred obtains from us a simple recommendation to civilities.

I hope, therefore, that favorable allowance will be made to my worthy colleague, on account of his situation at the time, as he has long since corrected that mistake, and daily approves himself to my certain knowledge an able, faithful, active, and extremely useful servant of the public; a testimony I think it my duty to take this occasion of giving to his merit, unasked, as, considering my great age, I may probably not live to give it personally in Congress, and I perceive he has enemies.

You will see the general news in the papers in particular; I can only say at present, that our affairs go well here; and that

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

B. FRANKLIN.*

* A letter from Dr Franklin to the President of Congress, respecting Mr Deane, dated March 31st, 1778, will be found in Mr Deane's Correspondence, Vol. I. p. 120.

TO JAMES HUTTON.*

Passy, February 1st, 1778.

My dear old Friend,

You desired, that if I had no proposition to make, I would at least give my advice.

I think it is Ariosto who says, that all things lost on earth, are to be found in the moon; on which somebody remarked, that there must be a great deal of good advice in the moon. If so there is a good deal of mine formerly given and lost in this business. I will, however, at your request give a little more, but without the least expectation, that it will be followed; for none but God can at the same time give good counsel, and wisdom to make use of it.

You have lost by this mad war, and the barbarity with which it has been carried on, not only the government and commerce of America, and the public revenues and private wealth arising from that commerce, but what is more, you have lost the esteem, respect, friendship, and affection of all that great and growing people, who consider you at present, and whose posterity will consider you, as the worst and wickedest nation upon earth. A peace you may undoubtedly obtain, by dropping all your pretensions to govern us; and by your superior skill in huckstering negotiation, you may possibly make such an apparently advantageous bargain, as shall be applauded in your Parliament;

* This gentleman was for many years Secretary to the Society of Moravians, and sustained a very estimable character. He seems to have gone to Paris on some private agency with reference to a peace. An intimate friendship subsisted between him and Dr Franklin. He died in England, on the 25th of April, 1795, in his 80th year.

but if you cannot, with the peace, recover the affections of that people, it will not be a lasting nor a profitable one, nor will it afford you any part of that strength, which you once had by your union with them, and might (if you had been wise enough to take advice) have still retained.

To recover their respect and affection, you must tread back the steps you have taken.

Instead of honoring and rewarding the American advisers and promoters of this war, you should disgrace them; with all those who have inflamed the nation against America by their malicious writings; and all the ministers and generals who have prosecuted the war with such inhumanity. This would show a national change of disposition, and a disapprobation of what had passed.

In proposing terms, you should not only grant such as the necessity of your affairs may evidently oblige you to grant, but such additional ones as may show your generosity, and thereby demonstrate your good will. For instance, perhaps you might, by your treaty, retain all Canada, Nova Scotia, and the Floridas. But if you would have a real friendly as well as able ally in America, and avoid all occasion of future discord, which will otherwise be continually arising on your American frontiers, you should throw in those countries. And you may call it, if you please, an indemnification for the burning of their towns, which indemnification will otherwise be some time or other demanded.

I know your people will not see the utility of such measures, and will never follow them, and even call it insolence and impudence in me to mention them. I have,

however, complied with your desire, and am, as ever, your affectionate friend,

B. FRANKLIN.

P. S. February 12th, 1778. I wrote the above some time before I received yours, acquainting me with your speedy and safe return, which gave me pleasure. I doubted after I had written it, whether it would be well to send it; for as your proud nation despises us exceedingly, and demands and expects absolute and humble submission, all talk of treaty must appear imprudence, and tend to provoke rather than conciliate. As you still press me by your last to say something, I conclude to send what I had written, for I think the advice is good, though it must be useless; and I cannot, as some amongst you desire, make propositions, having none committed to me to make; but we can treat if any are made to us; which however we do not expect. I abominate with you all murder, and I may add, that the slaughter of men in an unjust cause is nothing less than murder; I therefore never think of your present ministers and their abettors, but with the image strongly painted in my view, of their hands, red, wet, and dropping with the blood of my countrymen, friends, and relations. No peace can be signed by those hands.

Peace and friendship will, nevertheless, subsist for ever between Mr Hutton and his affectionate friend,

B. F.

—◆—
TO DAVID HARTLEY.

Passy, February 12th, 1778.

Dear Sir,

A thousand thanks for your so readily engaging in the means of relieving our poor captives, and the pains you

have taken, and the advances you have made for that purpose. I received your kind letter of the 3d instant, and send you enclosed a bill of one hundred pounds. I much approve of Mr Wren's prudent, as well as benevolent conduct in the disposition of the money, and wish him to continue doing what shall appear to him and to you to be right, which I am persuaded will appear the same to me and my colleagues here. I beg you will present him, when you write, my respectful acknowledgments.

Your "earnest caution and request, that nothing may ever persuade America to throw themselves into the arms of France, for that times may mend, and that an American must always be a stranger in France, but that Great Britain may for ages to come be their home," marks the goodness of your heart, your regard for us, and love of your country. But when your nation is hiring all the cut-throats it can collect, of all countries and colors, to destroy us, it is hard to persuade us not to ask or accept aid from any power, that may be prevailed with to grant it; and this only from the hope, that though you now thirst for our blood, and pursue us with fire and sword, you may in some future time treat us kindly. This is too much patience to be expected of us; indeed I think it is not in human nature.

The Americans are received and treated here in France with a cordiality, a respect, and affection they never experienced in England when they most deserved it; and which is now (after all the pains taken to exasperate the English against them, and render them odious as well as contemptible) less to be expected there than ever. And I cannot see why we may not, upon an alliance, hope for a continuance of it, at least as much as the Swiss enjoy,

with whom France have maintained a faithful friendship for two hundred years past, and whose people appear to live here in as much esteem as the natives. America has been *forced* and *driven* into the arms of France. She was a dutiful and virtuous daughter. A cruel mother in law turned her out of doors, defamed her, and sought her life. All the world knows her innocence, and takes her part; and her friends hope soon to see her honorably married. They can never persuade her return and submission to so barbarous an enemy. In her future prosperity, if she forgets and forgives, it is all that can be reasonably expected of her. I believe she will make as good and useful a wife as she did a daughter, that her husband will love and honor her, and that the family, from which she was so wickedly expelled, will long regret the loss of her.

I know not whether a peace with us is desired in England; I rather think it is not at present, unless on the old impossible terms of submission and receiving pardon. Whenever you shall be disposed to make peace upon equal and reasonable terms, you will find little difficulty, if you get first an honest Ministry. The present have all along acted so deceitfully and treacherously, as well as inhumanly, towards the Americans, that I imagine, that the absolute want of all confidence in them will make a treaty, at present, between them and the Congress impracticable.

The subscription for the prisoners will have excellent effects in favor of England and Englishmen. The Scotch subscriptions for raising troops to destroy us, though amounting to much greater sums, will not do their nation half so much good. If you have an opportunity, I wish you would express our respectful acknowledgments and thanks to your committee and contributors, whose benefac-

tions will make our poor people as comfortable as their situation can permit. Adieu, my dear friend. Accept my thanks for the excellent papers you enclosed to me. Your endeavors for peace, though unsuccessful, will always be a comfort to you, and in time, when this mad war shall be universally execrated, will be a solid addition to your reputation.

I am ever, with the highest esteem, &c.

B. FRANKLIN.

P. S. An old friend of mine, Mr Hutton, a chief of the Moravians, who is often at the Queen's palace, and is sometimes spoken to by the King, was over here lately. He pretended to no commission, but urged me much to propose some terms of peace, which I avoided. He has written to me since his return, pressing the same thing, and expressing with some confidence his opinion, that we might have everything short of absolute independence, &c. Enclosed I send my answers open, that you may read them, and if you please copy, before you deliver or forward them. They will serve to show you more fully my sentiments, though they serve no other purpose. B. F.

TO DAVID HARTLEY.

Passy, February 26th, 1778.

Dear Sir,

I received yours of the 18th and 20th of this month, with Lord North's proposed bills. The more I see of the ideas and projects of your Ministry, and their little arts and schemes of amusing and dividing us, the more I admire the prudent, manly, and magnanimous propositions contained

in your intended motion for an address to the King. What reliance can we have on an act expressing itself to be only a declaration of the *intention* of Parliament, concerning the *exercise* of the right of imposing taxes in America, when in the bill itself, as well as in the title, a right is supposed and claimed, which never existed; and a *present intention* only is declared not to use it, which may be changed by another act next session, with a preamble, that this *intention* being found expedient, it is thought proper to repeal this act, and resume the exercise of *the right* in its full extent. If any solid permanent benefit was intended by this, why is it confined to the Colonies of North America, and not extended to the loyal ones in the sugar islands? But it is now endless to criticise, as all acts that suppose your future government of the Colonies can be no longer significant.

In the act for appointing Commissioners, instead of full powers to agree upon terms of peace and friendship, with a promise of ratifying such treaty as they shall make in pursuance of those powers, it is declared, that their agreements shall have no force nor effect, nor be carried into execution till approved of by Parliament; so that every thing of importance will be uncertain. But they are allowed to proclaim a cessation of arms, and revoke their proclamation, as soon as in consequence of it our militia have been allowed to go home; they may suspend the operation of acts, prohibiting trade, and take off that suspension when our merchants, in consequence of it, have been induced to send their ships to sea; in short, they may do everything that can have a tendency to divide and distract us, but nothing that can afford us security. Indeed, Sir, your Ministers do not know us. We may not be quite

so cunning as they, but we have really more sense, as well as more courage, than they have ever been willing to give us credit for; and I am persuaded, these acts will rather obstruct peace than promote it, and that they will not answer in America the mischievous and malevolent ends for which they were intended. In England they may indeed amuse the public creditors, give hopes and expectations, that shall be of some present use, and continue the mismanagers a little longer in their places. *Voilà tout!*

In return for your repeated advice to us, not to conclude any treaty with the House of Bourbon, permit me to give (through you) a little advice to the whigs in England. Let nothing induce them to join with the tories in supporting and continuing this wicked war against the whigs of America, whose assistance they may hereafter want to secure their own liberties; or whose country they may be glad to retire to for the enjoyment of them.

If peace, by a treaty with America upon equal terms, were really desired, your Commissioners need not go there for it; supposing, as by the bill they are empowered "to treat with such person or persons, as in their wisdom and discretion they shall think meet," they should happen to conceive, that the Commissioners of the Congress at Paris might be included in that description.

I am ever, dear Sir, &c.

B. FRANKLIN.

P. S. Seriously, on further thoughts, I am of opinion, that if wise and honest men, such as Sir George Saville, the Bishop of St Asaph, and yourself, were to come over here immediately with powers to treat, you might not only obtain peace with America, but prevent a war with France.

TO JAMES HUTTON.

Passy, March 24th, 1778.

My dear old friend was in the right, not "to call in question the sincerity of my words, where I say, February the 12th, *we can treat if any propositions are made to us.*" They were true then, and are so still, if Britain has not declared war with France; for in that case we shall undoubtedly think ourselves obliged to continue the war as long as she does. But methinks you should have taken us at our word, and have sent immediately your propositions in order to prevent such a war, if you did not choose it. Still I conceive it would be well to do it, if you have not already rashly begun the war. Assure yourself, nobody more sincerely wishes perpetual peace among men than I do; but there is a prior wish, that they would be equitable and just, otherwise such peace is not possible, and indeed wicked men have no right to expect it.

Adieu! I am ever yours most affectionately,

B. FRANKLIN.

NOTE FROM WILLIAM PULTNEY TO B. FRANKLIN.*

March 29th, 1778.

Mr Williams returned this morning to Paris, and will be glad to see Dr Franklin, whenever it is convenient for the Doctor, at the Hotel Frasiliere, Rue Tournon. It is near the hotel where he lodged when the Doctor saw him a fortnight ago. He does not propose to go abroad, and therefore the Doctor will find him at any hour. He understands that Mr Alexander is not yet returned from Dijon, which he regrets.

* Mr Pultney writes under the assumed name of Williams.

TO WILLIAM PULTNEY.

Passy, March 30th, 1778.

Sir,

When I first had the honor of conversing with you on the subject of peace, I mentioned it as my opinion, that every proposition, which implied our voluntarily agreeing to return to a dependence on Britain, was now become impossible; that a peace on equal terms undoubtedly might be made; and that though we had no particular powers to treat of peace with England, we had general powers to make treaties of peace, amity, and commerce, with any State in Europe, by which I thought we might be authorised to treat with Britain; who, if sincerely disposed to peace, might save time and much bloodshed by treating with us directly.

I also gave it as my opinion, that in the treaty to be made, Britain should endeavor, by the fairness and generosity of the terms she offered, to recover the esteem, confidence, and affection of America, without which the peace could not be so beneficial, as it was not likely to be lasting; in this I had the pleasure to find you of my opinion.

But I see by the propositions you have communicated to me, that the Ministers cannot yet divest themselves of the idea, that the power of Parliament over us is constitutionally absolute and unlimited; and that the limitations they may be willing now to put to it by treaty are so many favors, or so many benefits, for which we are to make compensation.

As our opinions in America are totally different, a treaty on the terms proposed appears to me utterly impracticable,

either here or there. Here we certainly cannot make it, having not the smallest authority to make even the declaration specified in the proposed letter, without which, if I understood you right, treating with us cannot be commenced.

I sincerely wish as much for peace as you do, and I have enough remaining of good will for England to wish it for her sake as well as for our own, and for the sake of humanity. In the present state of things, the proper means of obtaining it, in my opinion, are to acknowledge the independence of the United States, and then enter at once into a treaty with us for a suspension of arms, with the usual provisions relating to distances; and another for establishing peace, friendship, and commerce, such as France has made. This might prevent a war between you and that kingdom, which in the present circumstances and temper of the two nations an accident may bring on every day, though contrary to the interest and without the previous intention of either. Such a treaty we might probably now make, with the approbation of our friends; but if you go to war with them, on account of their friendship for us, we are bound by ties, stronger than can be formed by any treaty, to fight against you with them, as long as the war against them shall continue.

May God at last grant that wisdom to your national councils, which he seems long to have denied them, and which only sincere, just, and humane intentions can merit or expect.

With great personal esteem, I have the honor to be,
Sir, &c.

B. FRANKLIN.

TO DR BANCROFT.

Passy, April 16th, 1778.

Dear Sir,

I wish you would assure our friend, that Dr Franklin never gave any such expectations to Mr Pultney. On the contrary, he told him, that the commissioners could not succeed in their mission, whether they went to recover the *dependence* or to *divide*. His opinion is confirmed by the enclosed resolves, which perhaps it may not be amiss to publish in England. Please to send me the newspaper.

Yours affectionately,

B. FRANKLIN.

 DAVID HARTLEY TO B. FRANKLIN.

Paris, April 23d, 1778.

Dear Sir,

I will take care of all your commissions. This moment a second packet of infinite value is received, which I shall cherish as a mark of affection from you. I opened the letter by mistake, which came with it, and soon saw it was not for me. I hope you will excuse it. I choose rather to throw myself upon your goodness for the excuse, than anything else. I shall not set out till between one and two; therefore, if you will be so good as to send me another copy, I will take care of it and deliver it safely.

God bless you, my dear friend. No exertion or endeavor on my part shall be wanting, that we may some time or other meet again in peace. Your powers are infinitely more influential than mine. To those powers I trust my last hopes. I will conclude, blessed are the peace makers.

Your affectionate friend,

D. HARTLEY.

P. S. 'If tempestuous times should come, take care of your own safety; events are uncertain, and men may be capricious.

ANSWER.

I thank you for your kind caution, but having nearly finished a long life, I set but little value on what remains of it. Like a draper, when one chaffers with him for a remnant, I am ready to say, "As it is only the fag end, I will not differ with you about it; take it for what you please." Perhaps the best use such an old fellow can be put to, is to make a martyr of him.

B. FRANKLIN.

 TO COUNT DE VERGENNES.

Passy, April 24th, 1778.

Sir,

Mr Hartley, a member of Parliament, an old acquaintance of mine, arrived here from London on Sunday last. He is generally in the opposition, especially on American questions, but has some respect for Lord North. In conversation he expressed the strongest anxiety for peace with America, and appeared extremely desirous to know my sentiments of the terms, which might probably be acceptable if offered; whether America would not, to obtain peace, grant some superior advantages in trade to Britain, and enter into an alliance offensive and defensive; whether, if war should be declared against France, we had obliged ourselves by treaty to join with her against England.

My answers have been, that the United States were not fond of war, and with the advice of their friends would probably be easily prevailed with to make peace

on equitable terms ; but we had no terms committed to us to propose, and I did not choose to mention any ; that Britain, having injured us heavily by making this unjust war upon us, might think herself well off, if *on reparation of those injuries* we admitted her to *equal* advantages with other nations in commerce ; but certainly she had no reason to expect *superior* ; that her known fondness for war, and the many instances of her readiness to engage in wars on frivolous occasions, were probably sufficient to cause an immediate rejection of every proposition for an *offensive* alliance with her ; and that if she made war against France on our account, a peace with us, at the same time, was impossible ; for that having met with friendship from that generous nation, when we were cruelly oppressed by England, we were under ties stronger than treaties could form, to make common cause ; which we should certainly do to the utmost of our power.

Here has also been with me a Mr Chapman, who says he is a member of the parliament of Ireland, on his way home from Nice, where he had been for the recovery of his health. He pretended to call on me only from motives of respect for my character, &c. But after a few compliments, he entered on a similar discourse, urging much to know what terms would satisfy America, and whether, on having *peace and independence granted* to us, we should not be willing to submit to the navigation act, or give equivalent privileges in trade to Britain. The purport of my answer to him was in short, that peace was of equal value to England as to us, and independence we were already in possession of ; that, therefore, England's offer to grant them to us could not be considered as pro-

posing any favor, or as giving her a right to expect peculiar advantages in commerce. By his importunity, I found his visit was not so occasional as he represented it; and from some expressions, I conjectured he might be sent by Lord Shelburne to sound me, and collect some information. On the whole, I gather from these conversations, that the opposition as well as the Ministry are perplexed with the present situation of affairs, and know not which way to turn themselves, whether it is best to go backward or forward, or what steps to take to extricate that nation from its present dangerous situation.

I thought it right to give your Excellency an account of these interviews, and to acquaint you with my intention of avoiding such hereafter, as I see but little prospect of utility in them, and think they are very liable to hurtful misrepresentations.

By advices from London we learn, that a fleet for Quebec, with goods valued at five hundred thousand pounds sterling, is to sail about the end of this month, under convoy only of a single frigate of thirty guns, in which is to go Governor Haldimand.

Enclosed I send a paper I have just received from London. It is not subscribed by any name, but I know the hand. It is from an old friend of general and great acquaintance, and marks strongly the present distress and despair of considerate people in England.

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

B. FRANKLIN.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versailles, April 25th, 1778.

I have made known to the King, Sir, the substance of the letter, which you did me the honor of writing to me yesterday ; and I am directed by his Majesty to express to you the satisfaction he has experienced from the information, which you have communicated on your conferences with Mr Hartley. The grand principle of the English policy has always been to excite divisions ; and it is by such means she expects to sustain her empire ; but it is not upon you, nor upon your colleagues, that she can practise such arts with success. I entertain the same sentiments of confidence in the United States. As to the rest, it is impossible to speak with more dignity, frankness, and firmness, than you have done to Mr Hartley ; he has no reason to be very well satisfied with his mission. I doubt whether this member of Parliament has any mission for us ; but he desires to see me, and I expect him in the course of the morning. I should not be at all surprised, if his purpose be to sow distrust between us, by proposing a double negotiation. That I can obviate ; but whatever passes between us, however trifling it may be, you shall be made acquainted with.

I have the honor to be, with the most perfect consideration, Sir, your most humble and most obedient servant,

DE VERGENNES.

JAMES LOVELL TO B. FRANKLIN.

Yorktown, June 20th, 1778.

Sir,

By a most unlucky mistake, I did not forward the resolve of the 5th of May, with the ratifications of the treaties sent in that month, in the packets A B C, but I have sent it in D E via Martinique, and now forward it via Boston in F G, not allowing myself to wait for the concurrence of the Committee in a joint letter.

Our troops were in the city of Philadelphia on the morning of the 18th. The intentions of the enemy in evacuating it cannot yet be explained. Our army is in motion and will press them. The Gazettes contain every thing material. By the arrival of Messrs Simeon Deane, May 2d, Courter, May 18th, Stevenson, June 10th, Holker and Carmichael, June 18th, we have the favors of yourself and other friends in continuance. Commissioners will be particularly nominated to transact affairs for us at Lisbon and the Hague, if those Courts are well disposed towards us. We are now growing anxious about our worthy friend J. Adams.

Your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.

ANSWER TO A LETTER FROM BRUSSELS.

Passy, July 1st, 1778.

Sir,

I received your letter, dated at Brussels the 16th past.

My vanity might possibly be flattered by your expressions of compliment to my understanding, if your proposals did not more clearly manifest a mean opinion of it.

You conjure me in the name of the omniscient and just God, before whom I must appear, and by my hopes of future fame, to consider if some expedient cannot be found to put a stop to the desolation of America, and prevent the miseries of a general war. As I am conscious of having taken every step in my power to prevent the breach, and no one to widen it, I can appear cheerfully before that God, fearing nothing from his justice in this particular, though I have much occasion for his mercy in many others. As to my future fame, I am content to rest it on my past and present conduct, without seeking an addition to it in the crooked, dark paths, you propose to me, where I should most certainly lose it. This, your solemn address, would therefore have been more properly made to your sovereign and his venal Parliament. He and they, who wickedly began, and madly continue, a war for the desolation of America, are alone accountable for the consequences.

You endeavor to impress me with a bad opinion of French faith; but the instances of their friendly endeavors to serve a race of weak princes, who, by their own imprudence, defeated every attempt to promote their interest, weigh but little with me, when I consider the steady friendship of France to the Thirteen United States of Switzerland, which has now continued inviolate two hundred years. You tell me that she will certainly cheat us, and that she despises us already. I do not believe that she will cheat us, and I am not certain that she despises us; but I see clearly that you are endeavoring to cheat us by your conciliatory bills; that you actually despised our understandings when you flattered yourselves those artifices would succeed; and that not only France, but all Europe, yourselves included, most certainly and for ever would

despise us, if we were weak enough to accept your insidious propositions.

Our expectations of the future grandeur of America are not so magnificent, and therefore not so vain or visionary, as you represent them to be. The body of our people are not merchants, but humble husbandmen, who delight in the cultivation of their lands, which, from their fertility and the variety of our climates, are capable of furnishing all the necessaries and conveniences of life without external commerce; and we have too much land to have the least temptation to extend our territory by conquest from peaceable neighbors, as well as too much justice to think of it. Our militia, you find by experience, are sufficient to defend our lands from invasion; and the commerce with us will be defended by all the nations who find an advantage in it. We, therefore, have not the occasion you imagine, of fleets, or standing armies, but may leave those expensive machines to be maintained for the pomp of princes, and the wealth of ancient states. We propose, if possible, to live in peace with all mankind; and after you have been convinced to your cost, that there is nothing to be got by attacking us, we have reason to hope that no other power will judge it prudent to quarrel with us, lest they divert us from our own quiet industry, and turn us into corsairs preying upon theirs. The weight therefore of an independent empire, which you seem certain of our inability to bear, will not be so great as you imagine. The expense of our civil government we have always borne, and can easily bear, because it is small. A virtuous and laborious people may be cheaply governed. Determining as we do, to have no offices of profit, nor any sinecures or useless appoint-

ments, so common in ancient or corrupted states, we can govern ourselves a year, for the sum you pay in a single department, or for what one jobbing contractor, by the favor of a Minister, can cheat you out of in a single article.

You think we flatter ourselves, and are deceived into an opinion that England *must* acknowledge our independency. We, on the other hand, think you flatter yourselves in imagining such an acknowledgment a vast boon, which we strongly desire, and which you may gain some great advantage by granting or withholding. We have never asked it of you; we only tell you, that you can have no treaty with us but as an independent State; and you may please yourselves and your children with the rattle of your right to govern us, as long as you have done with that of your King's being King of France, without giving us the least concern, if you do not attempt to exercise it. That this pretended right is indisputable, as you say, we utterly deny. Your Parliament never had a right to govern us, and your King has forfeited it by his bloody tyranny. But I thank you for letting me know a little of your mind, that even if the Parliament should acknowledge our independency, the act would not be binding to posterity, and that your nation would resume and prosecute the claim as soon as they found it convenient from the influence of your passions, and your present malice against us. We suspected before, that you would not be actually bound by your conciliatory acts, longer than till they had served their purpose of inducing us to disband our forces; but we were not certain, that you were knaves by principle, and that we ought not to have the least confidence in your offers, promises, or treaties, though confirmed by Parliament.

I now indeed recollect my being informed, long since, when in England, that a certain very great personage, then young, studied much a certain book, entitled *Arcana imperii*. I had the curiosity to procure the book and read it. There are sensible and good things in it, but some bad ones; for, if I remember rightly, a particular king is applauded for his politically exciting a rebellion among his subjects, at a time when they had not strength to support it, that he might, in subduing them, take away their privileges, which were troublesome to him; and a question is formally stated and discussed, *Whether a prince, who, to appease a revolt, makes promises of indemnity to the revolters, is obliged to fulfil those promises?* Honest and good men would say, aye; but this politician says, as you say, no. And he gives this pretty reason, that though it was right to make the promises, because otherwise the revolt would not be suppressed, yet it would be wrong to keep them, because revolters ought to be punished to deter future revolts.

If these are the principles of your nation, no confidence can be placed in you; it is in vain to treat with you, and the wars can only end in being reduced to an utter inability of continuing them.

One main drift of your letter seems to be to impress me with an idea of your own impartiality, by just censures of your Ministers and measures, and to draw from me propositions of peace, or approbations of those you have enclosed to me, which you intimate may by your means be conveyed to the King directly, without the intervention of those Ministers. You would have me give them to, or drop them for, a stranger whom I may find next Monday in the church of Notre Dame, to be known by a rose in his hat. You your-

self, Sir, are quite unknown to me ; you have not trusted me with your true name. Our taking the least step towards a treaty with England through you, might, if you are an enemy, be made use of to ruin us with our new and good friends. I may be indiscreet enough in many things ; but certainly, if I were disposed to make propositions (which I cannot do, having none committed to me to make) I should never think of delivering them to the Lord knows who, to be carried to the Lord knows where, to serve no one knows what purposes. Being at this time one of the most remarkable figures in Paris, even my appearance in the church of Notre Dame, where I cannot have any conceivable business, and especially being seen to leave or drop any letter to any person there, would be a matter of some speculation, and might, from the suspicions it must naturally give, have very mischievous consequences to our credit here. The very proposing of a correspondence so to be managed, in a manner not necessary where fair dealing is intended, gives just reason to suppose you intend the contrary. Besides, as your Court has sent Commissioners to treat with the Congress, with all the powers that would be given them by the crown under the act of Parliament, what good purpose can be served by privately obtaining propositions from us ? Before those Commissioners went, we might have treated in virtue of our general powers, (with the knowledge, advice, and approbation of our friends) upon any propositions made to us. But under the present circumstances, for us to make propositions, while a treaty is supposed to be actually on foot with the Congress, would be extremely improper, highly presumptuous with regard to our constituents, and answer no good end whatever.

I write this letter to you, notwithstanding, (which I think I can convey in a less mysterious manner, and guess it may come to your hands ;) I write it because I would let you know our sense of your procedure, which appears as insidious as that of your conciliatory bills. Your true way to obtain peace, if your Ministers desire it, is to propose openly to the Congress fair and equal terms, and you may possibly come sooner to such a resolution when you find that personal flatteries, general cajolings, and panegyrics on our *virtue* and *wisdom* are not likely to have the effect you seem to expect ; the persuading us to act basely and foolishly in betraying our country and posterity into the hands of our most bitter enemies, giving up or selling of our arms and warlike stores, dismissing our ships of war and troops, and putting those enemies in possession of our forts and ports.

This proposition of delivering ourselves bound and gagged, ready for hanging, without even a right to complain, and without a friend to be found afterwards among all mankind, you would have us embrace upon the faith of an act of Parliament ! Good God ! an act of your Parliament ! This demonstrates that you do not yet know us, and that you fancy we do not know you ; but it is not merely this flimsy faith that we are to act upon ; you offer us *hope*, the hope of PLACES, PENSIONS, and PEERAGES. These, judging from yourselves, you think are motives irresistible. This offer to corrupt us, Sir, is with me your credential, and convinces me that you are not a private volunteer in your application. It bears the stamp of British court character. It is even the signature of your King. But think for a moment in what light it must be viewed in America. By PLACES, you mean places among us, for you

take care by a special article to secure your own to yourselves. We must then pay the salaries in order to enrich ourselves with these places. But you will give us PENSIONS, probably to be paid too out of your expected American revenue, and which none of us can accept without deserving, and perhaps obtaining, a *suspension*. PEERAGES! alas! Sir, our long observation of the vast servile majority of your peers, voting constantly for every measure proposed by a minister, however weak or wicked, leaves us small respect for that title. We consider it as a sort of *tar-and-feather* honor, or a mixture of foulness and folly, which every man among us, who should accept it from your King, would be obliged to renounce, or exchange for that conferred by the mobs of their own country, or wear it with everlasting infamy.

I am, Sir, your humble servant,

B. FRANKLIN.

—◆—
TO JAMES LOVELL.

Passy, July 22d, 1778.

Sir,

I received your favor of May 15th, and was glad to find that mine of December 25th had come to hand. Mr Deane's brother writes it was not signed, which was an accidental omission. Mr Deane is himself I hope with you long before this time, and I doubt not every prejudice against him is removed. It was not alone upon the proceedings of Congress, that I formed my opinion that such prejudices existed. I am glad to understand that opinion was groundless, and that he is likely to come back with honor in the commission to Holland, where matters are already so ripe for his operations, that he cannot fail (with his abilities) of being useful.

You mention former letters of the Committee, by which we might have seen the apprehensions of the resentment of foreign officers, &c. Those letters never came to hand. And we, on our part, are amazed to hear, that the Committee had had no line from us for near a year, during which we had written, I believe, five or six long and particular letters, and had made it a rule to send triplicates of each, and to replace those that we happened to hear were lost, so that of some there were five copies sent, and as I hear that Captain Young is arrived, who had some of them, I think it probable that one of each, at least, must have come to your hands before this time. Mr Deane's information, however, may supply the want of them, whose arrival, as he went with a strong squadron of men of war, is more likely than that of this vessel, or any other single one by which we might send more copies.

The affair with M. de Beaumarchais will be best settled by his assistance after his return. We find it recommended to us, but we know too little of it to be able to do it well without him.

There has been some inaccuracy in sending us the last despatches of the Committee. Two copies of the contract with M. Francy, and the invoices came by the same vessel, Captain Niles. And though one of your letters mentions sending enclosed a resolution of Congress, relative to two articles of the treaty, that resolution is not come to hand. There are circumstances in the affair of those articles, that make them, in my opinion, of no consequence if they stand, while the proposing to abrogate them has an displeasing appearance, as it looks like a desire of having it in our power to make that commercial kind of war, which no honest State can begin, which no

good friend or neighbor ever did, or will begin, which has always been considered as an act of hostility, that provoked as well as justified reprisals, and has generally produced such as rendered the first project as unprofitable as it was unjust. Commerce among nations, as well as between private persons, should be fair and equitable, by equivalent exchanges and mutual supplies. The taking unfair advantage of a neighbor's necessities, though attended with temporary success, always breeds bad blood. To lay duties on a commodity exported, which our neighbors want, is a knavish attempt to get something for nothing. The statesman who first invented it had the genius of a pickpocket, and would have been a pickpocket if fortune had suitably placed him. The nations, who have practised it, have suffered fourfold as pickpockets ought to suffer. Savoy, by a duty on exported wines, lost the trade of Switzerland, which thenceforth raised its own wine; and (to waive other instances) Britain, by her duty on exported tea, has lost the trade of her Colonies. But as we produce no commodity that is peculiar to our country, and which may not be obtained elsewhere, the discouraging the consumption of ours by duties on exportation, and thereby encouraging a rivalry from other nations in the ports we trade to, is absolute folly, which indeed is mixed more or less with all knavery. For my own part, if my protest were of any consequence, I should protest against our ever doing it, even by way of reprisal. It is a meanness with which I would not dirty the conscience or character of my country.

The objections stated against the last of the two articles, had all been made and considered here; and were sent, I imagine, from hence by one who is offended, that they

were not thought of weight sufficient to stop the signing of the treaty, till the King should, in another council, reconsider those articles, and after agreeing to omit them, order new copies to be drawn, though all was then ready engrossed on parchment as before settled. I did not think the articles of much consequence ; but I thought it of consequence, that no delay should be given to the signing of the treaty after it was ready. But if I had known that those objections would have been sent to the Committee, I should have sent the answers they received, which had been satisfactory to *all* the Commissioners when the treaty was settled, and until the mind of one* of them was altered by the opinion of two other persons.† It is now too late to send those answers. But I wish for the future, if such a case should again happen, that Congress would acquaint their Commissioners with such partial objections, and hear their reasons before they determine that they have done wrong. In the meantime this only to you in private ; it will be of no use to communicate it, as the resolutions of Congress will probably be received and executed before this letter comes to hand.

Speaking of Commissioners in the plural, puts me in mind of inquiring if it can be the intention of Congress to keep *three* Commissioners at this Court ; we have indeed four with the gentleman intended for Tuscany, who continues here, and is very angry that he was not consulted in making the treaty, which he could have mended in several particulars ; and perhaps he is angry with some reason, if the instructions to him do, as he says they do, require us

* Arthur Lee.—See his Correspondence, Vol. II. p. 127.

† Ralph Izard and William Lee.—See Mr Izard's Correspondence, Vol. II. p. 372.

to consult him. We shall soon have a fifth, for the envoy to Vienna not being received there, is, I hear, returning hither. The necessary expense of maintaining us all, is, I assure you, enormously great. I wish that the utility may equal it. I imagine every one of us spends nearly as much as Lord Stormont did. It is true, he left behind him the character of a niggard; and when the advertisement appeared for the sale of his household goods, all Paris laughed at an article of it, perhaps very innocently expressed, "*Une grande quantité du linge de table, qui n'a jamais servi.*" "*Cela est tres vraisemblable,*" say they, "*car il n'a jamais donné à manger.*" But as to our number, whatever advantage there might be in the joint counsels of three for framing and adjusting the articles of the treaty, there can be none in managing the common business of a resident here. On the contrary, all the advantages in negotiation that result from secrecy of sentiment, and uniformity in expressing it, and in common business from despatch, are lost. In a Court, too, where every word is watched and weighed, if a number of Commissioners do not every one hold the same language, in giving their opinion on any public transaction, this lessens their weight; and when it may be prudent to put on, or avoid certain appearances of concern, for example, or indifference, satisfaction, or dislike, where the utmost sincerity and candor should be used, and would gain credit, if no semblance of art showed itself in the inadvertent discourse, perhaps of only one of them, the hazard is in proportion to the number. And where every one must be consulted on every particular of common business, in answering every letter, &c. and one of them is offended if the smallest thing is done without his consent, the difficulty

of being often and long enough together, the different opinions, and the time consumed in debating them, the interruptions by new applicants in the time of meeting, &c. &c. occasion so much postponing and delay, that correspondence languishes, occasions are lost, and the business is always behindhand.

I have mentioned the difficulty of being often and long enough together; this is considerable, where they cannot all be accommodated in the same house; but to find three people whose tempers are so good, and who like so well one another's company and manner of living and conversing, as to agree well themselves, though being in one house, and whose servants will not by their indiscretion quarrel with one another, and by artful misrepresentations draw their masters in to take their parts, to the disturbance of necessary harmony, these are difficulties still greater and almost insurmountable. And in consideration of the whole, I wish Congress would separate us.

The Spanish galiots, which have been impatiently expected, are at length happily arrived. The fleet and army returning from Brazil is still out, but supposed to be on the way homewards. When that and the South Sea ships are arrived, it will appear whether Spain's accession to the treaty has been delayed for the reasons given, or whether the reasons were only given to excuse the delay.

The English and French fleets of nearly equal force are now both at sea. It is not doubted but that if they meet, there will be a battle, for though England through fear affects to understand it to be still peace, and would excuse the depredations she has made on the commerce of France, by pretences of illicit trade, &c. yet France considers the war begun, from the time of the King's message

to Parliament, complaining of the insult France had given by treating with us, and demanding aids to resist it, and the answer of both Houses offering their lives and fortunes. And the taking several frigates are deemed indisputable hostilities. Accordingly, orders are given to all the fleets and armed ships to return hostilities, and encouragement is offered to privateers, &c. An Ambassador from Spain is indeed gone to London, and joyfully received there, in the idea that peace may be made by his mediation. But as yet we learn nothing certain of his mission, and doubt his effecting anything of the kind.

War in Germany seems to be inevitable, and this occasioning great borrowings of money in Holland and elsewhere, by the powers concerned, makes it more difficult for us to succeed in ours. When we engaged to Congress to pay their bills for the interest of the sums they should borrow, we did not dream of their drawing on us for other occasions. We have already paid of Congress' drafts, to returned officers, eightytwo thousand two hundred and eleven livres, and we know not how much more of that kind we have to pay, because the Committee have never let us know the amount of those drafts, or their account of them never reached us, and they still continue coming in. And we are now surprised with advice of drafts from Mr Bingham, to the amount of one hundred thousand more. If you reduce us to bankruptcy here, by a non-payment of your drafts, consider the consequences. In my humble opinion, no drafts should be made on us without first learning from us that we shall be able to answer them.

M. de Beaumarchais has been out of town ever since the arrival of your power to settle with him. I hope he will

be able to furnish the supplies mentioned in the invoice and contract. The settlement may be much better made with the assistance of Mr Deane, we being not privy to the transactions.

We have agreed to give Monsieur Dumas two hundred louis a year, thinking that he well deserves it.

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

B. FRANKLIN.



INSTRUCTIONS TO B. FRANKLIN, AS MINISTER PLENIPO-
TENTIARY TO THE COURT OF FRANCE.

We, the Congress of the United States of North America, having thought it proper to appoint you their Minister Plenipotentiary to the Court of His Most Christian Majesty, you shall in all things, according to the best of your knowledge and abilities, promote the interest and honor of the said States, at that Court, with a particular attention to the following instructions.

1. You are immediately to assure His Most Christian Majesty, that these States entertain the highest sense of his exertions in their favor, particularly by sending the respectable squadron under the Count d'Estaing, which would probably have terminated the war in a speedy and honorable manner, if unforeseen and unfortunate circumstances had not intervened.

You are further to assure him, that they consider this speedy aid not only as a testimony of his Majesty's fidelity to the engagements he has entered into, but as an earnest of that protection, which they hope from his power and magnanimity, and as a bond of gratitude to the union, founded on mutual interest.

2. You shall, by the earliest opportunity, and on every necessary occasion, assure the King and his Ministers, that neither the Congress, nor any of the States they represent, have at all swerved from their determination to be independent in July, 1776. But as the declaration was made in the face of the most powerful fleet and army, which could have been expected to operate against them, and without any the slightest assurance of foreign aid, so, although in a defenceless situation, and harassed by the secret machinations and designs of intestine foes, they have, under the exertions of that force, during those bloody campaigns, persevered in their determination to be free. And that they have been inflexible in this determination, notwithstanding the interruption of their commerce, the great sufferings they have experienced from the want of those things, which it procured, and the unexampled barbarity of their enemies.

3. You are to give the most pointed and positive assurances, that although the Congress are earnestly desirous of peace, as well to arrange their finances and recruit the exhausted state of their country, as to spare the further effusion of blood, yet they will faithfully perform their engagements, and afford every assistance in their power to prosecute the war for the great purposes of the alliance.

4. You shall endeavor to obtain the King's consent to expunge from the treaty of commerce the eleventh and twelfth articles, as inconsistent with that equality and reciprocity, which form the best security to perpetuate the whole.

5. You are to exert yourself to procure the consent of the Court of France, that all American seamen, who may

be taken on board of British vessels, may, if they choose, be permitted to enter on board of American vessels. In return for which, you are authorised to stipulate, that all Frenchmen who may be taken on board of British vessels, by vessels belonging to the United States, shall be delivered up to persons appointed for that purpose by His Most Christian Majesty.

6. You are to suggest to the Ministers of His Most Christian Majesty the advantage, that would result from entering on board the ships of these States British seamen, who may be made prisoners, thereby impairing the force of the enemy, and strengthening the hands of his ally.

7. You are also to suggest the fatal consequences, which would follow to the commerce of the common enemy, if, by confining the war to the European and Asiatic seas, the coasts of America could be so far freed from the British fleets, as to furnish a safe asylum to the frigates and privateers of the allied nations and their prizes.

8. You shall constantly inculcate the certainty of ruining the British fisheries on the Banks of Newfoundland, and consequently the British Marine, by reducing Halifax and Quebec; since, by that means they would be exposed to alarm and plunder, and deprived of the necessary supplies formerly drawn from America. The plan proposed to Congress for compassing these objects is herewith transmitted for your more particular instruction.*

9. You are to lay before the Court the deranged state of our finances, together with the causes thereof; and show the necessity of placing them on a more respectable

* For a copy of this Plan, see the *Secret Journals*, Vol. II. p. 111.

footing, in order to prosecute the war with vigor on the part of America. Observations on that subject are herewith transmitted,* and more particular instructions shall be sent, whenever the necessary steps previous thereto shall have been taken.

10. You are, by every means in your power, to promote a perfect harmony, concord, and good understanding, not only between the allied powers, but also between and among their subjects, that the connexion so favorably begun may be perpetuated.

11. You shall in all things take care not to make any engagements, or stipulations, on the part of America, without the consent of America previously obtained.

We pray God to further you with his goodness in the several objects hereby recommended; and that he will have you in his holy keeping.

Done at Philadelphia, the 26th day of October, 1778.

By the Congress.

H. LAURENS, *President.*

COMMITTEE OF FOREIGN AFFAIRS TO B. FRANKLIN.

Philadelphia, October 28th, 1778.

Sir,

As the Marquis de Lafayette will deliver this, we refer you to his conversation, in addition to the gazettes, for an account of the movements of the enemy. He will doubtless gain some further knowledge of them, than we are yet possessed of before he leaves Boston. We shall speedily have opportunities of forwarding duplicates and triplicates of what he now carries; and upon any material

* See the *Secret Journals*, Vol. II. p. 118.

event we shall despatch a vessel occasionally. Enclosed with other papers is a resolve of Congress of the 22d, which we have officially sent to all the Commissioners.

We must earnestly request, that, as we shall have opportunities of frequently conveying to you gazettes and other species of intelligence, you would strive to communicate, in the speediest and best way, to the gentlemen at the other Courts, what they are alike interested to know, that they may prosecute in the best manner the service of these States abroad. An exact copy of your credentials is among the papers herewith sent.

We wish you success in your new commission, and are, with much regard, &c.

R. H. LEE,
JAMES LOVELL.

—◆—

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, December 8th, 1778.

Sir,

By Mr Cummins, on the 28th of last month, I forwarded several papers of importance, triplicates of which Mr Bromfield, the bearer of this, will deliver. But an accident then took place obliging me to hold back a letter, which I had written to you. Time was wanting in which to write another, the vessel having fallen down to Reedy Island, and the express being mounted. My letter was chiefly on the circumstances of an intended plan of operations, which was enclosed, but detained for alterations to be made in Congress.

Our only important struggle now is with our currency. We shall be able at least to keep it from growing worse;

but we want the aid of skilful financiers, and of monied men, to bring about any considerable appreciation, as you will more clearly perceive by one of the papers herewith to be delivered.

I am, Sir, &c.

JAMES LOVELL,
For the Committee of Foreign Affairs.

DR PRICE TO B. FRANKLIN.

London, January 18th, 1779.

Doctor Price returns his best thanks to the Honorable Benjamin Franklin, Arthur Lee, and John Adams, for conveying to him the resolution of Congress of the 6th of October last,* by which he is invited to become a member of the United States, and to give his assistance in regulating their finances. It is not possible for him to express the sense he has of the honor, which this resolution does him, and the satisfaction with which he reflects on the favorable opinion of him which has occasioned it. But he knows himself not to be sufficiently qualified for giving such assistance; and he is so connected in this country, and also advancing so fast in the evening of life, that he cannot think of a removal. He requests the favor of the Honorable Commissioners to transmit this reply to Congress, with assuran-

* *In Congress, October 6th, 1778.*—"Resolved, That the Honorable Benjamin Franklin, Arthur Lee, and John Adams, or any of them, be directed forthwith to apply to Dr Price, and inform him that it is the desire of Congress to consider him a citizen of the United States; and to receive his assistance in regulating their finances. That if he shall think it expedient to remove with his family to America, and afford such assistance, a generous provision shall be made for requiting his services."

ces that Dr Price feels the warmest gratitude for the notice taken of him, and that he looks to the American States, as *now* the hope, and likely *soon* to become the refuge of mankind.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, January 29th, 1779.

Sir,

By the way of Martinique, I send you a large course of newspapers. In those of late date you will see, that the enemy are exerting their force but too successfully in Georgia. We hope the Count d'Estaing will be able to operate with us by a detachment from his fleet, so that we may wrest from our foes the fruits of their present success. You will know by letters from Martinique, whether these our hopes are well or ill founded.

We have not had a line from you since the short letter of information respecting Byron's sailing, which you signed jointly with Mr Adams. I hope this does not arise from any other circumstance, than want of a good conveyance for important despatches. We have had a few short letters from Mr Adams, with gazettes. Late as it is, I enclose a quadruplicate of your credentials; and I wish you success and every satisfaction in your important agency, being with much respect,

Sir, &c.

JAMES LOVELL,

For the Committee of Foreign Affairs.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, February 8th, 1779.

Sir,

The Marquis de Lafayette having sailed from Boston the day before the arrival there of letters sent from hence for you by the President of Congress, I now forward to you duplicates of those letters, with a course of newspapers via St Eustatia, having a very fine opportunity to that Island, and hoping they will reach you securely from thence in a Dutch bottom.

I am, &c.

JAMES LOVELL,
For the Committee of Foreign Affairs.

—◆—
TO DAVID HARTLEY.

Passy, February 22d, 1779.

Dear Sir,

I received your proposition for removing the stumbling-block. Your constant desire of peace ought to endear you to both sides ; but this proposition seems to be naturally impracticable. We can never think of quitting a solid alliance, made and ratified, in order to be in a state for receiving unknown proposals of peace, which may vanish in the discussion. The truth is, we have no kind of faith in your government, which appears to us as insidious and deceitful as it is unjust and cruel ; its character is that of the Spider in Thomson,

————— cunning and fierce,
Mixture abhorr'd!

Besides, we cannot see the necessity of our relinquishing

our alliance with France in order to a treaty, any more than of your relinquishing yours with Holland.

I am, very affectionately, yours,

N. A.*

LETTER RESPECTING CAPTAIN COOK.

Passy, March 10th, 1779.

To all Captains and Commanders of armed Ships, acting by Commission from the Congress of the United States of America, now at War with Great Britain.

Gentlemen,

A ship having been fitted out from England, before the commencement of this war, to make discoveries of new countries in unknown seas, under the conduct of that most celebrated navigator, Captain Cook,—an undertaking truly laudable in itself, as the increase of geographical knowledge facilitates the communication between distant nations, in the exchange of useful products and manufactures, and the extension of arts, whereby the common enjoyments of human life are multiplied and augmented, and science of other kinds increased, to the benefit of mankind in general,

This is therefore most earnestly to recommend to every one of you, that in case the said ship, which is now expected to be soon in the European seas on her return, should happen to fall into your hands, you would not consider her as an enemy, nor suffer any plunder to be made of the effects contained in her, nor obstruct her immediate return to England, by detaining her or sending her into any other part of Europe or America, but that you would treat the said Captain Cook and his people with all

* North America.

civility and kindness, affording them, as common friends to mankind, all the assistance in your power, which they may happen to stand in need of. In so doing, you will not only gratify the generosity of your own dispositions, but there is no doubt of your obtaining the approbation of Congress, and of your own American owners.

I have the honor to be, &c.

B. FRANKLIN,
*Minister Plenipotentiary from the Congress of the
 United States to the Court of France.*

TO DAVID HARTLEY.

Passy, March 21st, 1779.

Dear Sir,

I received duly yours of the 2d instant. I am sorry you have had so much trouble in the affair of the prisoners. You have been deceived as well as I. No cartel ship has yet appeared; and it is now evident, that the delays have been of design, to give more opportunity of seducing the men by promises and hardships to seek their liberty in engaging against their country; for we learn from those who have escaped, that there are persons continually employed in cajoling and menacing them; representing to them that we neglect them; that your government is willing to exchange them; and that it is our fault it is not done; that all the news from America is bad on their side; we shall be conquered and they will be hanged, if they do not accept the gracious offer of being pardoned, on condition of serving the King, &c. A great part of your prisoners have been kept these six months on board a ship in Brest road, ready to be de-

livered; where I am afraid they were not so comfortably accommodated, as they might have been in French prisons. They are now ordered on shore. Doctor Bancroft has received your letter here. He did not go to Calais.

Knowing how earnestly and constantly you wish for peace, I cannot end a letter to you without dropping a word on that subject, to mark that my wishes are still in unison with yours. After the barbarities your nation has exercised against us, I am almost ashamed to own that I feel sometimes for her misfortunes and her insanities. Your veins are open, and your best blood continually running. You have now got a little army into Georgia, and are triumphing in that success. Do you expect ever to see that army again? I know not what General Lincoln or General Thomson may be able to effect against them, but if they stay through the summer in that climate, there is a certain *General Fever*, that I apprehend will give a good account of most of them. Perhaps you comfort yourselves that our loss of blood is as great as yours. But as physicians say, there is a great difference in the facility of repairing that loss between an old body and a young one. America adds to her numbers annually one hundred and fifty thousand souls. She, therefore, grows faster than you can diminish her, and will out-grow all the mischief you can do her. Have you the same prospects? But it is unnecessary for me to represent to you, or you to me, the mischiefs that each nation is subjected to by the war; we all see clear enough the nonsense of continuing it; the difficulty is, where to find sense enough to put an end to it.

Adieu, my dear friend, and believe me, &c.

B. FRANKLIN.

DAVID HARTLEY TO B. FRANKLIN.

London, April 22d, 1779.

My Dear Friend,

The bearer of this, and some other papers, is a very sensible and worthy gentleman, with whom I had the pleasure of contracting an acquaintance since the commencement of the American troubles, originally upon the business of the American prisoners. It is a satisfaction to me at all times to have found him a friend to the restoration of peace between the two countries. It has likewise been an additional satisfaction and confirmation to me in my own thoughts upon that subject, to find that his sentiments, I think upon most, or all of the subjects upon which we have conversed, have coincided with mine. We both seem possessed of the opinion, that some plan of opening a negotiation upon preliminaries, which each side might find to be a sufficient security to itself, might be practicable; and then your sentiment, which you gave me in a letter some years ago, might have its free scope and effect, viz, *A little time given for cooling might have excellent effects.*

The sentiments I have opened to you in my late letters for some months past, and which I have reduced in an enclosed paper into a more specific shape, seem to me, upon very repeated reflection, to promise the fairest ground of good expectation. These propositions originate from myself, as a mediator; I have communications with both sides, but certainly no authority to make proposals from either; and perhaps neither side, if I were to make the propositions separately to each, (being myself unauthorised) might give me positive consent. Each side

separately might say, No, from what is called political prudence ; and yet each side might secretly wish that the offer could be made, with a *done first*, from the other party. I think the proposition of a truce for five or seven years, leaving all things in the present dispute *in statu quo*, must be advantageous to all parties, if it were only in consideration that a general satisfactory peace to all parties may come among the *excellent effects of time given for cooling*. We can but fight it out at last. War never comes too late ; wisdom may step in between. These matters have stolen upon us, and have arisen to great and formidable consequences, from small and unexpected beginnings ; but henceforward, we should know by experience what to expect. If the rage of war could but be abated for a sufficient length of time for reason and reflection to operate, I think it would never revive. I cannot pretend to forecast the result of any negotiation, but I think war would not revive ; which is all that I want for my argument. Peace is a *bonum in se* ; whereas the most favorable events of war are but relatively lesser evils ; certainly they are evils ; *mala in se*, not *bona in se*.

I hope that a cessation of hostilities would produce a renewal of reflection ; but even to take the argument at the worst advantage, the two parties are at a cooling distance of three thousand miles asunder. If the flames of war could be but once extinguished, does not the Atlantic ocean contain cold water enough to prevent their bursting out again ? I am very strongly of opinion that the two nations of Great Britain and North America, would accord to the proposition of a truce *for cooling*. I cannot say whether a British ministry would accord to it, because they will not tell me ; nor can I say whether an American

Plenipotentiary would accord to it, because, probably, you will not tell me. I put myself into your hands, however, when I tell you frankly, I am of opinion that both would accord to it, if there could be a *done first* on either side, to bind the bargain fast. You have the odds of me in this matter, because you know one half of the question; and I cannot give you any proof on the other side, but only my own presumptive judgment upon observation, and upon a course of reasoning in my own thoughts.

But for France. My judgment would be, that if the proposition of the proposed preliminaries should be agreeable to America, France would do very unhandsomely to defeat it by their refusal. I likewise think it the interest of France, because their interest leads them to go to a certain point, and no further. There is a disparity in the operation of the terms of the alliance on the part of France, and on the part of America. The more vigorously France interposes, the better for America; in proportion to their exertions, they create, less or more, a diversion of the British force; this reasoning goes straight forward for America; but it is not so with France. There is a certain point to France, beyond which their work would fail, and recoil upon themselves; if they were to drive the British Ministry totally to abandon the American war, it would become totally a French war. The events of a twelvemonth past seem to bear testimony to this course of reasoning. The disadvantage upon the bargain to America is, that the efficacy of the French alliance to them presupposes their continuance in the war. The demur to France is, that the liberation of their new ally recoils with double weight of the war upon themselves, without any ulterior points of advantage in view, as de-

pendent upon that alliance. I think the interest of all parties coincides with the proposition of preliminaries.

The proposed preliminaries appear to me to be just and equitable to all parties; but the great object with me is to come to some preliminaries. I could almost add, whatever those preliminaries might be, provided a suspension of arms for an adequate term of years were one, I think it would be ten thousand to one against any future renewal of the war. It is not necessary to enter at large into the reasons which induce me to think, that the British Ministry, as well as the American Plenipotentiary, would consent to the terms of the proposed preliminaries; for indeed I do not know that I am founded in that opinion with respect to either, but still I believe it of both. But what can a private person do in such a case, wishing to be a mediator for peace, having access to both parties, but equally uncertain of the reception of his mediation on either side? I must hesitate to take any public step, as by a proposition in Parliament, or by any other means to drive the parties to an explanation upon any specific proposals; and yet I am very unwilling to let the session pass without some proposition, upon which the parties may meet, if they should be so inclined, as I suspect them to be. I have been endeavoring to feel pulses for some months, but all is dumb show. I cannot say that I meet with anything discouraging, to my apprehension, either as to equitableness or practicability of the proposition for preliminaries. If I could but simply receive sufficient encouragement, that I should not run any hazard of obstructing any other practicable propositions by obtruding mine, I should be very much satisfied to come forward in that

case with mine, to furnish a beginning at least, which might lead to peace.

There is nothing that I wish so much as to have an opportunity of seeing and conversing with you, having many things to say to you ; but if that cannot yet happen, I have only to say, that whatever communication you may think proper to make to me, which may lead to peace, you may be assured that I shall be most strenuous in applying it to that end. In all cases of difficulty in human life, there must be confidence somewhere, to enable us to extricate nations from the evils attendant upon national disputes, as they arise out of national passions, jealousies, and points of honor. I am not sure whether the extreme caution and diffidence of persons in political life be not the cause, almost as frequently, of the unnecessary protraction of the miseries of war, as of the final production of any superior good to any State. Peace now is better than peace a twelvemonth hence, at least by all the lives that may be lost in the meanwhile, and by all the accumulated miseries that may intervene by that delay. When I speak of the necessity of confidence, I would not have you to think, that I trust to all professions, promiscuously, with confidence ; my thoughts are free respecting all parties ; and for myself, if I thought it necessary for the end of attaining any additional confidence in your esteem, to enable me to co-operate the more effectually towards the restoration of peace, there is nothing that I would wish you to be assured of but this ; that no fallacious offers of insincerity, nor any pretexts for covering secret designs, or for obtaining unfair advantages, shall ever pass through my hands.

Believe me truly to be, not only a lover of my country, but a sincere friend to peace and to the rights of mankind ; and ever most affectionately yours.

D. HARTLEY.

Observations by Mr Hartley.

Lord North consented to Mr Hartley's proposition, for endeavoring to procure from the American Plenipotentiary or Plenipotentiaries some opening, that they would be willing to commence a parley, on propositions of peace between Great Britain and America ; and supposed the terms, which Mr Hartley had in view, would be something like a tacit cession of independence to America, with a truce for a certain term of years, to serve as a basis for a general treaty of accommodation and final settlement.

This last application (which was made on the 20th of April, 1779) of Mr Hartley to Lord North, after several previous conferences on the subject, is the ground of the present confidential communication with Dr Franklin, on the part of Mr Hartley, who states to Dr Franklin, as he did to Lord North, that an auspicious beginning of a negotiation is *dimidium facti*.

Mr Hartley's ideas of the probable course of the negotiation would be to the following effect ;

1. Five Commissioners (or any three of them) to be appointed on the part of His Britannic Majesty to treat, consult, and agree upon the final settlement and pacification of the present troubles, upon safe, honorable, and permanent terms, subject to ratification by Parliament.
2. That any one of the aforesaid Commissioners may be empowered to agree, as a preliminary, to a suspension

of hostilities by sea and land, for a certain term of five or seven years.

3. That any one of the aforesaid Commissioners be empowered to agree, as a second preliminary, to suspend the operation and effect of any and all acts of Parliament respecting America, for a certain term of five or seven years.

4. That it is expected, as a third preliminary, that America should be released, free and unengaged, from any treaties with foreign powers, which may tend to embarrass or defeat the present proposed negotiation.

5. That a general treaty for negotiation shall be set on foot as soon as may be, after the agreement of the foregoing preliminaries.

N. B. A doubt seeming to arise from Lord North, relative to the probability of any explanatory communication on the part of Dr Franklin, Mr Hartley expressed, he thought it possible, that as a known friend to peace, he might be considered by Dr Franklin as a depot of any communications, which may serve from time to time to facilitate the terms of peace; which therefore prevents this communication from being considered as any direct overture from Lord North to Dr Franklin, or from Dr Franklin to Lord North; but as it is merely a mediatorial proposition of Mr Hartley, as a private person, for the purpose of bringing the parties to a parley.

INSTRUCTIONS

To John Paul Jones, Commander of the American Squadron in the Service of the United States, now in the Port of L'Orient.

1st. His Majesty, having been pleased to grant some troops for a particular expedition, proposed to annoy our common enemy, in which the sea-force under your command might have an opportunity of distinguishing itself, you are to receive on board the ships of war, and the other vessels destined for that purpose, the troops that shall present themselves to you, afford them such accommodation as may be most proper for preserving their health, and convey them to such port or place as their commander shall desire to land them at.

2dly. When the troops are landed, you are to aid, by all means in your power, their operations, as they will be instructed in like manner to aid and support those you may make with your ships, that so by this concurrence and union of your different forces, all that such a compounded strength is capable of may be effected.

3dly. You are during the expedition never to depart from the troops, so as not to be able to protect them in case of a repulse, and in all events you are to endeavor to effect their complete re-embarkation on board the ships and transports under your command, when the expedition shall be ended.

4thly. You are to bring to France all the English seamen you may happen to take prisoners, in order to complete the good work you have already made such progress in, of delivering by an exchange the rest of our countrymen now languishing in the gaols of Great Britain.

5thly. As many of your officers and people have lately escaped from English prisons, either in Europe or America, you are to be particularly attentive to their conduct towards the prisoners, which the fortune of war may throw into your hands, lest resentment of the more than barbarous usage by the English in many places towards the Americans should occasion a retaliation, and an imitation of what ought rather to be detested and avoided, for the sake of humanity and for the honor of our country.

6thly. In the same view, although the English have burnt wantonly many defenceless towns in America, you are not to follow this example, unless where a reasonable ransom is refused, in which case your own generous feelings, as well as this instruction, will induce you to give timely notice of your intention, that sick and ancient persons, women, and children may be first removed.

Done at Passy, this 28th day of April, 1779.

B. FRANKLIN,

*Minister Plenipotentiary from the United
States to the Court of France.*

TO DAVID HARTLEY.

Passy, May 4th, 1779.

Dear Sir,

I received your several favors, viz. one of April the 10th, one of the 20th, and two of the 22d, all on the same day, but by different conveyances.

I need not repeat, what we have each of us so often repeated, the wish for peace. I will begin, by frankly assuring you, that though I think a direct, immediate peace, the best mode of present accommodation for Britain, as well as

for America, yet if that *is not* at this time practicable, and a truce is practicable, I should not be against a truce; but this is merely on motives of *general humanity*, to obviate the evils men devilishly inflict on men in time of war, and to lessen as much as possible the similarity of earth and hell. For with regard to particular advantages, respecting the States I am connected with, I am persuaded it is theirs to continue the war, till England shall be reduced to that perfect impotence of mischief, which alone can prevail with her to let other nations enjoy, "*Peace, Liberty, and Safety.*" I think, however, that a *short* truce, which must, therefore, be an *armed* truce, and put all parties to an almost equal expense with a continued war, is by no means desirable.

But this proposition of a truce, if made at all, should be made to France at the same time it is made to America. They have each of them too much honor, as well as too much sense, to listen separately to any propositions, which tend to separate them from each other.

I will now give you my thoughts on your ideas of a negotiation, in the order you have placed them. If you will number them in your copy, you will readily see to which my observations refer, and I may therefore be more concise.

To the 1st.—I do not see the necessity or use of five Commissioners. A number of talkers lengthens discussions, and often embarrasses instead of aiding a settlement. Their different particular views, private interests, and jealousies of each other, are likewise so many rubs in the way, and it sometimes happens, that a number cannot agree to what each privately thinks reasonable, and would have

agreed to, or perhaps proposed, if alone. But this as the parties please.

To the 2d,—The term of twentyone years would be better for all sides. The suspension of hostilities should be expressed to be between all parties at war; and that the British troops and ships of war now in any of the United States be withdrawn.

To the 3d,—This seems needless, and is a thing that may be done or omitted as you please; America has no concern about those acts of parliament.

To the 4th,—The reason of proposing this is not understood, nor the use of it, nor what inducement there can be for us to agree to it. When you come to treat with both your enemies, you may negotiate away as much of these engagements as you can; but powers, who have made a firm solid league, evidently useful to both, can never be prevailed with to dissolve it, for the vague expectation of another *in nubibus*; nor even on the certainty, that another will be proposed, without knowing what are to be its articles. America has no desire of being free from her engagements to France. The chief is, that of continuing the war in conjunction with her, and not making a separate peace; and this is an obligation not in the power of America to dissolve, being an obligation of *gratitude and justice* towards a nation, which is engaged in a war on her account, and for her protection; and would be forever binding, whether such an article existed or not in the treaty; and though it did not exist, an honest American would cut off his right hand, rather than sign an agreement with England contrary to the spirit of it.

To the 5th,—As soon as you please.

If you had mentioned France in your proposed suspen-

sion of arms, I should have immediately shown it to the Minister, and have endeavored to support that idea. As it stands, I am in doubt whether I shall communicate your paper or not, though by your writing it is so fair it seems as if you intended it. If I do, I shall acquaint you with the result.

The bill, of which you send me a copy, was an excellent one at the time, and might have had great and good effects, if, instead of telling us haughtily, that our humble petition should receive no answer, the Ministry had received and enacted that bill into a law. It might have erected a wall of brass round England, if such a measure had been adopted, when Friar Bacon's brazen head cried out, *TIME IS!* But the wisdom of it was not seen, till after the fatal cry of *TIME'S PAST!*

I am, my dear friend, &c.

B. FRANKLIN.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Passy. May 26th, 1779.

Gentlemen,

The Marquis de Lafayette, who arrived here the 11th of February, brought me yours of October 28th, and the new commission, credentials, and instructions, which the Congress have honored me with. I have not since had an opportunity of writing, that I could trust, for I see by several instances, the orders given to private captains to throw their despatches into the sea, when likely to be taken, are sometimes neglected, and sometimes so badly executed, that the letters are recovered by the enemy, and much inconvenience has attended their interception. You mention, that you should speedily have opportunities of forwarding duplicates,

and triplicates of the papers; none of them has ever come to hand, nor have I received any other line from you of later date.

I immediately acquainted the Minister of Foreign Affairs with my appointment, and communicated to him as usual, a copy of my credential letter, on which a day was named for my reception. A fit of the gout prevented my attendance at that time, and for some weeks after, but as soon as I was able to go through the ceremony I went to Versailles, and was presented to the King, and received in all the forms. I delivered the letter of Congress into his Majesty's own hands, who in the most gracious manner expressed his satisfaction. And I have since constantly attended the levee every Tuesday, with the other Foreign Ministers, and have taken every proper occasion of repeating the assurances I am instructed to give, of the grateful sentiments of Congress, and their determined resolution to fulfil religiously their engagements. Much pains is constantly taken by the enemy to weaken the confidence of this Court in their new allies, by representing our people as weary of the war, and of the government of Congress; which body, too, they represent as distracted by dissensions, &c. but all this has very little effect; and when on some occasions it has seemed to make a little impression, and create some apprehensions, I have not found it difficult to remove them. And it is my firm opinion, that notwithstanding the great losses suffered by the commerce of this kingdom, since the commencement of the war, the disposition of the Court to continue it (till its purpose of establishing our independence is completed,) is not the least changed, nor their regard for us diminished.

The end of that part of the instructions, which relates to

American seamen, taken by the French in English ships, had already been obtained, Captain Jones having had for some time an order from Court, directed to the keepers of the prisoners, requiring them to deliver to him such Americans as should be found in their hands, that they might be at liberty to serve under his command. Most of them have accordingly been delivered to him, if not all. The Minister of the Marine, having entertained a high opinion of him, from his conduct and bravery in taking the Drake, was desirous of employing him in the command of a particular enterprise, and to that end requested us to spare him, which we did, and sent the Ranger home, under the command of his Lieutenant. Various accidents have hitherto postponed his equipment, but he now has the command of a fifty gun ship with some frigates, all under American commissions and colors, fitted out at the King's expense, and will sail, it is said, about the 1st of June.

The Marquis de Lafayette was, with some land troops, to have gone with him, but I now understand the Marquis is not to go, the plan being a little changed. The Alliance being weakly manned at first, and the Captain judging it necessary to be freed from thirtyeight of his men, who had been concerned in a conspiracy, and unwilling to take French seamen, I thought it best to send him directly home, as his ship might be of some protection to the vessels then about sailing to America, and Mr Adams, who was desirous of returning soon, might be accommodated with a passage in a swift sailing vessel. I accordingly offered her as a convoy to the trade at Nantes, but the gentlemen concerned did not think fit to wait for getting ready, as a French convoy offered, for at least part of the voyage, and the Minister requesting she might be added to

Captain Jones's little squadron, and offering to give a passage to Mr Adams in the frigate with the new Ambassador, and to complete the Alliance's compliment of men, I thought it best to continue her a little longer in Europe, hoping she may, in the projected cruise, by her extraordinary swiftness, be a means of taking prisoners enough to redeem the rest of our countrymen, now in the English gaols. With this view, as well as to oblige the Minister, I ordered her to join Captain Jones at L'Orient, and obey his orders, where she is now accordingly. There have been great misunderstandings between the officers of that ship and their Captain, and great discontents among the men for want of clothes and money. I have been obliged to make great advances to appease those discontents, and I now hope the authority and prudence of Captain Jones will be able to remove, or at least to prevent, the ill effects of those misunderstandings. The conspirators are detained in prison, and will remain there subject to such directions as Congress may think fit to give concerning them. The courts here would not, because they properly could not, undertake to try them; and we had not Captains enough to make a Court martial for the purpose. The sending them to America, with evidence to convict them, will be a great trouble and expense, and perhaps their offence cannot be so clearly made out as to justify a punishment sufficient to deter by its exemplary severity. Possibly, the best use that can be made of them, is to give them in exchange for as many Americans in the cartel now operating here. The perfidious conduct of the English and Scotch sailors in our service, a good deal discourages the idea of taking them out of those prisons in order to employ them.

This cartel is at length brought about by the indefatigable endeavors of an old friend of mine, and a long declared one to America, Mr Hartley, member of Parliament for Hull. The ship employed has already brought us one cargo from the prison at Plymouth. The number was intended for a hundred, but proved ninetyseven, and she is returned with as many in exchange, to bring us a second number from the prison at Portsmouth. This is to continue till all are exchanged. The Americans are chiefly engaged with Captains Jones and Landais. This exchange is the more remarkable, as our people were all committed as for high treason.

Agreeable to the seventh instruction, I have earnestly recommended the reduction of Halifax and Quebec. The Marquis de Lafayette joined me warmly in the application for this purpose, and I hope we shall in due time see some good effects from it. I have also in various ways, and through different channels, laid before the Ministry the distressed state of our finances in America. There seems a great willingness in all of them to help us, except in the Controller, Monsieur Necker, who is said not to be well disposed towards us, and is supposed to embarrass every measure proposed to relieve us by grants of money. It is certain, that under the resolution, perhaps too hastily declared, of the King's imposing no new taxes on his subjects for this year, the Court has great difficulties in defraying present expense, the vast exertions to put the navy in a condition to equal that of England having cost immense sums.

There is also a prevailing opinion, that the most effectual service to us is to be expected from rendering their marine superior to that of England. The King has, how-

ever, to encourage our loan in Holland, been so good as to engage under his hand, to be security for our payment of the interest of three millions of livres, but that loan has not yet amounted to more than about eighty thousand florins. Doctor Price, whose assistance was requested by Congress, has declined that service, as you will see by the copy of his letter enclosed. To me it seems, that the measure recommended by the wisdom of Congress, for diminishing the quantity of paper by taxes of large nominal sums; must have very salutary effects.

As to your finances here, it is fit that you should know the state of them. When the Commissioners of Congress made the proposition of paying the interest at Paris of the money borrowed in America, they understood the loan to be of five millions of dollars. They obtained from government sums more than sufficient for the interest of such a sum. That sum has been increased, and if they could otherwise have provided for it, they have been from time to time drained by a number of unforeseen expenses, of which the Congress had no knowledge, and of others, occasioned by their orders and drafts; and the cargoes sent to the Commissioners by the Committee have some of them been treacherously run away with by the seamen, or taken by the enemy, or, when arrived, have been hitherto applied toward the payment of debts, the tobaccos to the Farmers-General according to contract, and the rice and indigo to Messrs Hortalez & Co. from whom, by the way, we have not yet been able to procure any account.

I have lately employed an accountant, the son of our banker, to form complete books of our accounts, to be sent to Congress. They are not yet ready. When they

are, I shall send them by the first safe opportunity. In the meantime, I may just mention some particulars of our disbursements. Great quantities of clothing, arms, ammunition, and naval stores, sent from time to time ; payment of bills from Mr Bingham, one hundred thousand livres ; Congress bills in favor of Haywood & Co. above two hundred thousand ; advanced to Mr Ross, about twenty thousand pounds sterling ; paid Congress drafts in favor of returned officers, ninetythree thousand and eighty livres ; to our prisoners in England, and after their escape to help them home, and to other Americans here in distress, a great sum ; I cannot at present say how much ; supplies to Mr Hodge for fitting out Captain Cunningham, very considerable ; for the freight of ships to carry over the supplies, great sums ; to Mr William Lee, and Mr Izard, five thousand five hundred pounds sterling ; and for fitting the frigates Raleigh, Alfred, Boston, Providence, Alliance, Ranger, &c. I imagine not less than sixty or seventy thousand livres each, taken one with another ; and for the maintenance of the English prisoners, I believe, when I get in all the accounts, I shall find one hundred thousand livres not sufficient, having already paid above sixtyfive thousand on that article. And now the drafts of the Treasurer of the loans, coming very fast upon me, the anxiety I have suffered, and the distress of mind lest I should not be able to pay them, has for a long time been very great indeed.

To apply again to this Court for money for a particular purpose, which they had already over and over again provided for and furnished us, was extremely awkward ; I therefore repeated the *general* applications, which we had made when together, for aids of money, and received the

general answers, that the expense of government for the navy was so great, that at present it was exceedingly difficult to furnish the necessary supplies. That France, by sending a fleet to America, obliged the enemy to divide their forces, and left them so weak on the continent, as to aid us by lessening our expense, if it could not by giving us money, &c. &c. and I was asked if we did not receive money from Spain? I know indeed of some money received from thence, and I have heard of more, but know not how much, Mr Arthur Lee, as Minister for Spain, having taken to himself all the management of that affair, and will account to Congress. I only understand, that there is none of it left to assist in paying Congress bills. I at length obtained, as abovementioned, the King's *bon* for payment of the interest of three millions, if I could borrow it in Holland, or elsewhere, but though two eminent houses in Amsterdam have undertaken it, and had hopes of success, they have both lately written to me, that the great demands of money for Germany and for England had raised interest above our limits, and that the successes of the English in Georgia and St Lucia, and in destroying the French trade, with the supposed divisions in Congress, all much magnified by the British Minister, and the pressing application to borrow by several of our States separately, had made the monied people doubtful of our stability, as well as our ability to repay what might be lent us, and that it was necessary to wait a more favorable moment for proceeding with our loan.

In this situation, I have been applied to by Mr William Lee, and lately through our banker, by Mr Izard, for more money for their expenses, and I am told there is much anger against me for declining to furnish them, and that I

am charged with *disobeying an order of Congress*,* and with cruelly attempting to distress gentlemen, who are in the service of their country. They have indeed produced to me a resolve of Congress, *empowering them to draw* on the Commissioners in France for their expenses at foreign Courts; and doubtless Congress, when that resolve was made, intended to enable us to pay those drafts; but as that has not been done, and the gentlemen (except Mr Lee for a few weeks) have not incurred any expense at foreign Courts, and if they had, the five thousand five hundred guineas, received by them in about nine months, seemed an ample provision for it, and as both of them might command money from England, I do not conceive that I *disobeyed an order* of Congress, and that if I did, the circumstances will excuse it; and I could have no intention to distress them, because I must know it is out of my power, as their private fortunes and credit will enable them at all times to pay their own expenses.

In short, the dreadful consequences of ruin to our public credit, both in America and Europe, that must attend protesting a single Congress draft for interest, after our funds were out, would have weighed with me against the payment of more money to those gentlemen, if the demand had otherwise been well founded. I am, however, in the judgment of Congress; and if I have done amiss, must submit dutifully to their censure. Thanks to God, I have this last week got over the difficulty, so far as relates to the bills, which will all be punctually paid; but if the Navy Board sends more ships here to be fitted, or the Congress continue to draw for the payment of other debts, the ships

* See Mr Izard's Correspondence, Vol. II. p. 446.

will be disappointed, and I shall probably be made a bankrupt, unless funds are at the same time sent over to discharge such demands.

With regard to the fitting out of ships, receiving and disposing of cargoes, and purchasing of supplies, I beg leave to mention, that besides my being wholly unacquainted with such business, the distance I am from the ports renders my having anything to do with it extremely inconvenient. Commercial agents have indeed been appointed by Mr William Lee, but they and the captains are continually writing for my opinion or orders, or leave to do this or that, by which much time is lost to them, and much of mine taken up to little purpose, from my ignorance. I see clearly, however, that many of the captains are exorbitant in their demands, and in some cases I think those demands are too easily complied with by the agents, perhaps because the commissions are in proportion to the expense. I wish, therefore, the Congress would appoint the consuls they have a right to appoint by the treaty, and put into their hands all that sort of employment. I have in my desk, I suppose, not less than fifty applications from different ports, praying the appointment, and offering to serve gratis for the honor of it, and the advantage it gives in trade; but I imagine that if consuls are appointed, they will be of our own people from America, who, if they should make fortunes abroad, might return with them to their country.

The commissions demanded by the agents seem to me in some cases very high. For instance, Mr Schweighauser, in a late account, charges five per cent on the simple delivery of the tobaccos to the officer of the Farmers-General in the port, and by that means makes the com-

mission on the delivery of the two last cargoes amount to about six hundred and thirty pounds sterling. As there was no sale in the case, he has, in order to calculate the commission, valued the tobacco at ninety livres the hundred weight, whereas it was, by our contract with the Farmers, to be delivered at about forty livres. I got a friend, who was going upon change, to inquire among the merchants what was the custom in such cases of delivery. I send-enclosed the result he has given me of his inquiries. In consequence, I have refused to pay the commission of five per cent on this article; and I know not why it was, as is said, agreed with him at the time of his appointment, that he should have five per cent on his transactions, if the custom is only two per cent, as by my information.

I have mentioned above the applications of separate States to borrow money in Europe, on which I beg leave to remark, that when the General Congress are endeavoring to obtain a loan, these separate attempts interfere, and are extremely inconvenient, especially where some of the agents are empowered to offer a higher interest, and some have powers in that respect unlimited. We have likewise lately had applications from three several States to this Court, to be furnished with great quantities of arms, ammunition, and clothing, or with money upon credit to buy them; and from one State to be supplied with naval stores and ships of war. These agents, finding that they had not interest to obtain such grants, have severally applied to me, and seem to think it my duty, as Minister for the United States, to support and enforce their particular demands. I have endeavored to do so, but I find the Ministers do not like these separate applications, and seem

to think that they should properly come only through Congress, to whom the several States in such cases ought first to make known their wants, and then the Congress could instruct their Minister accordingly. This would save the King's Ministers a good deal of trouble, and the several States the expense of these particular agents; concerning whom I would add a little remark, that we have in America, too readily, in various instances, given faith to the pretensions of strangers from Europe, and who offer their services as persons who have powerful friends, and great interest in their own country, and by that means obtain contracts, orders, or commissions, to procure what we want, and who, when they come here, are totally unknown, and have no other credit but what such commissions give them, or if known, the commissions do not add so much to their credit as they diminish that of their employers.

I have received two letters from a Frenchman, settled in one of the ports of Barbary, offering himself to act as our Minister with the Emperor, with whom he pretended to be intimate, and acquainting me that his Imperial Majesty wondered we had never sent to thank him for being the first power on this side of the Atlantic that had acknowledged our independence, and opened his ports to us; advising that we should send the Emperor a present. On inquiry at the office in whose department Africa is included, I learnt the character of this man to be such, that it was not safe to have any correspondence with him, and therefore I did not answer his letters. I suppose Congress has received the memorial we presented to this Court respecting the Barbary States, and requesting the King's good offices with them, agreeable to the treaty; and also

the answer, expressing the King's readiness to perform those good offices whenever the Congress should send us instructions, and make provision for the necessary presents;* or if those papers have not yet got to hand, they will be found among the copies carried over by Mr Adams, and therefore I only mention them by way of remembrance. Whenever a treaty with the Emperor is intended, I suppose some of our naval stores will be an acceptable present, and the expectation of continued supplies of such stores, a powerful motive for entering into and continuing a friendship.

I should send you copies of several other memorials and public papers; but as Mr Adams goes in the same ship, and has the whole of our transactions during his time, it is not so necessary by this vessel. The disposition of this nation in general continues friendly towards us and our cause, and I do not see the least diminution of it, except among the West India merchants and planters, whose losses have rendered them a little discontented. Spain has been long acting as a mediator, but arming all the time most vigorously. Her naval force is now very great indeed, and as her last proposition of a long truce, in which America should be included and treated as independent in fact, though not expressly acknowledged as such, has been lately rejected by England, it is now thought, that her open junction with France in the war is not far distant.

The Commissioners here have a power in general terms to treat of peace, friendship, and commerce with European States, but I apprehend this is scarce explicit

* Correspondence of the Commissioners at the Court of France. Vol. I. pp. 431, 453, 462.

enough to authorise me to treat of such a truce, if the proposition should again come upon the *tapis*. I therefore wish the Congress to consider of it, and give such powers as may be necessary to whom they may think proper, that, if a favorable opportunity of making an advantageous treaty should offer, it may not be missed.

Admiral Arbuthnot, who was going to America with a large convoy and some troops, has been detained by a little attempt upon Jersey ; and contrary winds, since that affair was over, have detained him further, till within these few days.

Since I began writing this letter, I have received a packet from the Committee, by way of Eustatia and Holland, sent by Mr Lovell, containing his letters of December the 8th, January the 29th, and February the 8th, with one from the President, dated January the 3d. Several papers are mentioned as sent with them, and by other opportunities, but none are come to hand, except the resolution to postpone the attempt on Canada, and these are the first despatches received here since the date of those sent by the Marquis de Lafayette. I have just received a letter from Mr Bingham, acquainting me, that the ship Deane, and the General Gates, are just arrived at Martinique, and apply to him to be careened, refitted, and procure a fresh supply of provisions ; and that though he has no orders, he must draw upon me for the expense. I think it right to acquaint you thus early, that I shall be obliged to protest his bills.

I have just obtained from his Majesty orders to the government of Guadaloupe, to make reasonable reparation to Captain Giddens of Newbury for the loss of his vessel, sunk in mistake by a battery of that island. Great prepar-

ations are making here, with much activity in all the sea ports, taking up transports, and building small vessels proper for the landing of troops, &c. so that many think an invasion of England or Ireland is intended. The intention, whatever it is, may change, but the opinion of such an intention, which seems to prevail in England, may tend to keep their troops and ships at home.

General and Lord Howe, Generals Cornwallis and Grey, Colonel Montresor, and Captain Hammond, and others, have formally given it as their opinion in Parliament, that the conquest of America is impracticable. This week, as we hear, John Maxwell, Joseph Galloway, Andrew Allen, John Patterson, Theophilus Morris, Enoch Story, and Jabez Fisher are to be examined to prove the contrary. One would think the first set were likely to be the best judges.

Be pleased to present my dutiful respects to the Congress, and assure them of my most faithful services.

I have the honor to be, &c.

B. FRANKLIN.

TO JAMES LOVELL.

Passy, June 2d, 1779.

Sir,

I received a few days since, via Eustatia and Holland, the triplicates of your several favors, of December the 8th, January the 29th, and February the 8th. The preceding copies of the same dates never came to hand. I thank you very much for the newspapers, though the disputes I see in them give me pain. You observe rightly, that the want of good conveyances obstructs much the punctuality of your correspondence. The number of long letters I

have written to America has almost discouraged me from writing, except by such an opportunity as this. You may judge of the uncertainty of letters getting to hand, when I tell you, that though you mention the having sent me quadruplicates of my credentials, only those by the Marquis de Lafayette have yet appeared.

I am glad to understand, that you are taking measures to restore the value of your money, by taxing largely to reduce the quantity. I believe no financier in the world can put you upon a more effectual method. The English have had a little flow of spirits lately, from their success against the trade of France, and the news of the imagined conquest of Georgia, but the growing apprehension of a war with Spain, also, begins to sober them, and, like people who have been drunk with drams, they now seem to have both the head and heart ache. The late letters from thence are in a more humble style, and some printed papers by the last post, known to be ministerial, appear intended to prepare the minds of the people for propositions of peace. But these ebbs and flows are common with them, and the duration of neither is to be relied on.

As I do not find, by any of yours, that a long letter of mine to you in July last, has come to hand, I send you herewith a copy of it, (though now a little stale,) as it serves to show my continued good opinion of a gentleman, who, by the papers you have sent me, seems to be hardly used. I have never meddled with the dispute between him 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 indeed by the papers, have been writing liberally, or rather illiberally, against me, to prevent, as one of them says here, any impressions my writings against them might occasion to their prejudice, but I have never before mentioned them in any of my letters.

Our scheme here for packet boats did not continue.* I wish Congress could fall on some method of sending some little light vessels once a month, to keep up a correspondence more regular. Even the receiving of letters of a certain date, though otherwise of no importance, might serve to refute the false news of our adversaries on both sides of the water, which have sometimes too long their intended effect before the truth arrives. I see that frequently little pilot boats, of twentyfive or thirty tons burthen, arrive safe from Virginia; the expense of such would not be great.

I beg leave to recommend earnestly to your civilities M. le Chevalier de la Luzerne, who goes over to succeed M. Gerard, as the King's Minister to the Congress. He bears here a most amiable character, has great connexions, and is a hearty friend to the American cause.

With great esteem, I am, Sir, your most obedient and most humble servant,

B. FRANKLIN.

* This scheme may be found in the Correspondence of the Commissioners, Vol. I. p. 284.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, June 13th, 1779.

Sir,

By way of Martinique I forward to you gazettes, journals, and one or two pamphlets. The situation of things in Congress has been such for some time past, that the Committee of Foreign Affairs have been drawn on to look daily for some interesting decisions to communicate to you, which must account for their silence many weeks. I am once again left alone, and therefore in too delicate circumstances to give you any detail of matters agitated, but not concluded, respecting your commission. I enclose a late resolve,* to which I beg your attention, and I entreat that you will believe me to be, with much respect, Sir, your most obedient servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, July 9th, 1779.

Sir,

I send by this opportunity journals and gazettes, with some letters, which were to have gone by way of Martinique some time ago, with others that I hope will reach you by that channel. I add a complete set of Journals, as far as they are printed, viz. 1st volume, 2d volume, and from

* *In Congress, June 5th, 1779.*—"Resolved, that the Committee for Foreign Affairs be directed to write immediately to the Commissioners at the Court of France, and desire them to transmit an account of their proceedings in Mr Beaumarchais's accounts, pursuant to the order of Congress of the 13th day of April, 1778."

January 9th to June 12th this year, with two spare pamphlets of Nos. 2, 3, 11, 12, to make those already sent complete. Perhaps I may have the honor of writing again before the vessel sails out, though she is now falling down the river.

Your most obedient humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



JAMES LOVELL TO B. FRANKLIN.

Philadelphia, July 16th, 1779.

Sir,

We find by the Minister of France, that your appointment has given high satisfaction to his Court, and we are encouraged to expect proofs of its most confidential reliance upon your character. We have not had a line from you of this year's date; indeed, I believe your latest is November the 7th, 1778. Two days ago we received several letters from Doctor Lee and one from Mr Izard; the latter of March 4th, the former up to April 6th. The vessel was from Rochelle about the middle of May.

It was unfortunate that we did not get the information of Mr Lee earlier, respecting the designs of the enemy against Connecticut. They had accomplished a part of them a few days before. Will no one under a commission from these United States retaliate on the coast of England, for the burning of our beautiful Fairfield. A single privateer might, I think, show there a striking sample of the species of war carried on by Britain against America. We are told this evening, that General Lincoln has had an advan-

tage over Prevost, in an open field fight, in which the militia behaved to admiration, on the 20th of June.

We forward two letters for "our great, faithful, beloved friend and ally, Louis Sixteenth, King of France and Navarre." We submit, however, the superscription to your judgment.

You will manage the invoices by your best abilities. The probability of success was held out to us by one, who doubtless makes known by this opportunity how much our present circumstances render such aids essential to us. A report of the treasury, respecting the just stipend of our late and present Ministers at foreign Courts, is not quite determined upon. A decision is peculiarly necessary as to Mr Lee and Mr Iward, after the proceedings here of June 8th. I put up for you a set of the Journals, which have been printed this year, adding some spare numbers to complete what have been sent in part of No. 15.

Presuming from report, and a passage of a letter from Doctor Lee, that Mr Adams is on his return hither, we do not write to him more. Should he remain in France, we beg he may be made acquainted with the cause of our omission. Good as this opportunity is, we expect a much better one shortly, when we shall renew assurances of being, &c.

JAMES LOVELL,

For the Committee of Foreign Affairs.

P. S. The letters and papers respecting M. de Francy's agency, were only this day delivered to us from the Secretary's office; but M. de Francy had sextuples before.

INSTRUCTIONS FROM CONGRESS TO B. FRANKLIN.

In Congress, August 14th, 1779.

Sir,

Having determined, in order to put a period to the present war, conformably to the humane dispositions, which sway the allied powers, that we would not insist on a direct acknowledgment by Great Britain of our right in the fisheries, this important matter is liable to an incertitude, which may be dangerous to the political and commercial interests of the United States; we have therefore agreed and resolved, that our right should in no case be given up; that we would not form any treaty of commerce with Great Britain, nor carry on any trade or commerce whatsoever with her, unless she shall make an express stipulation on that subject; and that if she shall, after a treaty of peace, disturb the inhabitants of these States in the exercise of it, we will make it a common cause to obtain redress for the parties injured.

But notwithstanding the precautions, as Great Britain may again light up the flames of war, and use our exercise of the fisheries as her pretext; and since some doubts may arise, whether this object is so effectually guarded by the treaty of alliance with His Most Christian Majesty, that any molestation therein on the part of Great Britain is to be considered as a *casus federis*, you are to endeavor to obtain of his Majesty an explanation on that subject upon the principle, that notwithstanding the high confidence reposed in his wisdom and justice, yet considering the uncertainty of human affairs, and how doubts may be afterwards raised in the breasts of his royal successors, the great importance of the fisheries renders the citizens of these States

very solicitous to obtain his Majesty's sense with relation to them, as the best security against the ambition and rapacity of the British Court. For this purpose, you will propose the following article, in which nevertheless such alterations may be made, as the circumstances and situation of affairs shall render convenient and proper. Should the same be agreed to and executed, you are immediately to transmit a copy thereof to our Minister at the Court of Spain.

Whereas by the treaty of alliance between the Most Christian King and the United States of North America, the two parties guaranty mutually from that time, and for ever, against all other powers, to wit; the United States to His Most Christian Majesty, the possessions then appertaining to the crown of France in America, as well as those which it may acquire by the future treaty of peace; and His Most Christian Majesty guaranties, on his part, to the United States, their liberty, sovereignty, and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests, that their confederation might obtain during the war, according to the said treaty; and the said parties did further agree and declare, that in case of a rupture between France and England, the said reciprocal guarantee should have its full force and effect, the moment such war should break out; and whereas doubts may hereafter arise how far the said guarantee extends to this case, to wit; that Great Britain should molest or disturb the subjects and inhabitants of France, or of the said States, in taking fish on the banks of Newfoundland, and other the fishing banks and seas of North America, formerly and usually frequented by the subjects and inhabitants respec-

tively ; and whereas the said king and the United States have thought proper to determine with precision the true intent and meaning of the said guarantee in this respect ;

Now, therefore, as a further demonstration of their mutual good will and affection, it is hereby agreed, concluded, and determined as follows, to wit ; that if, after the conclusion of the treaty or treaties, which shall terminate the present war, Great Britain shall molest or disturb the subjects or inhabitants of the said United States in taking fish on the banks, seas, and places formerly used and frequented by them, so as not to encroach on the territorial rights, which may remain to her after the termination of the present war as aforesaid ; and war should thereupon break out between the said United States and Great Britain, or if Great Britain shall molest or disturb the subjects and inhabitants of France in taking fish on the banks, seas, and places, formerly used and frequented by them, so as to encroach on the territorial rights of Great Britain, as aforesaid, and war should thereupon break out between France and Great Britain, in either of those cases of war, as aforesaid, His Most Christian Majesty and the said United States shall make it a common cause, and aid each other mutually with their good offices, their counsels, and their forces, according to the exigence of conjunctures, as becomes good and faithful allies ; provided always, that nothing herein contained shall be taken or understood as contrary to, or inconsistent with the true intent and meaning of the treaties already subsisting between His Most Christian Majesty and the said States ; but the same shall be taken and understood as explanatory of, and conformable to those treaties.

I have the honor to be, &c.

JOHN JAY, *President.*

TO THE MARQUIS DE LAFAYETTE.

Passy, August 24th, 1779.

Sir,

The Congress, sensible of your merit towards the United States, but unable adequately to reward it, determined to present you with a sword, as a small mark of their grateful acknowledgment. They directed it to be ornamented with suitable devices. Some of the principal actions of the war, in which you distinguished yourself by your bravery and conduct, are therefore represented upon it. These, with a few emblematic figures, all admirably well executed, make its principal value. By the help of the exquisite artists France affords, I find it easy to express everything but the sense we have of your worth, and our obligations to you. For this, figures, and even words, are found insufficient. I therefore only add, that, with the most perfect esteem,

I have the honor to be, &c.

B. FRANKLIN.

P. S. My grandson goes to Havre with the sword, and will have the honor of presenting it to you.



THE MARQUIS DE LAFAYETTE TO B. FRANKLIN.

Havre, August 29th, 1779.

Sir,

Whatever expectations might have been raised from the sense of past favors, the goodness of the United States for me has ever been such, that on every occasion it far surpasses any idea I could have conceived. A new proof of

that flattering truth, I find in the noble present which Congress has been pleased to honor me with, and which is offered in such a manner by your Excellency, as will exceed anything but the feelings of my unbounded gratitude.

In some of the devices I cannot help finding too honorable a reward for those slight services, which in concert with my fellow soldiers, and under the godlike American hero's orders, I had the good luck to render. The sight of these actions, where I was a witness of American bravery and patriotic spirit, I shall ever enjoy with that pleasure, which becomes a heart glowing with love for the nation, and the most ardent zeal for their glory and happiness. Assurances of gratitude, which I beg leave to present to your Excellency, are much too inadequate to my feelings, and nothing but those sentiments may properly acknowledge your kindness towards me. The polite manner in which Mr Franklin was pleased to deliver that inestimable sword, lays me under great obligations to him, and demands my particular thanks.

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

LAFAYETTE.

TO JAMES LOVELL.

Passy, September 30th, 1779.

Sir,

I have within these few days received a number of despatches from you, which have arrived by the Mercury and other vessels. Hearing this instant of an opportunity from Bordeaux, and that the courier sets out from Versailles at five this evening, I embrace it just to let you know, that I have delivered the letters from Congress to

the King, and have laid the invoices of supplies desired (with a translation) before the Ministers, and though I have not yet received a positive answer, I have good reason to believe I shall obtain most of them, if not all. But as this demand will cost the Court a vast sum, and their expenses in the war are prodigious, I beg I may not be put under the necessity, by occasional drafts on me, of asking for more money than is required to pay our bills for interest. I must protest those I have advice of from Martinique and New Orleans, (even if they were drawn by permission of Congress) for want of money; and I wish the Committee of Commerce would caution their correspondents not to embarrass me with their bills.

I put into my pocket nothing of the allowance Congress has been pleased to make me. I shall pay it all in honoring their drafts and supporting their credit, but do not let me be burthened with supporting the credit of every one, who has claims on the Board of Commerce or the navy. I shall write fully by the Mercury.

I send you some of the latest newspapers, and have the honor to be, &c. &c.

B. FRANKLIN.

—◆—
TO MR. BRIDGEN.

Passy, October 2d, 1779.

Dear Sir,

I received your favor of the 17th past, and the two samples of copper are since come to hand. The metal seems to be very good, and the price reasonable, but I have not yet received the orders necessary to justify my making the purchase proposed. There has, indeed, been

an intention to strike copper coin, that may not only be useful as small change, but serve other purposes. Instead of repeating continually upon every half penny, the dull story, that every body knows, and what it would have been no loss to mankind if nobody had ever known, that George the Third is King of Great Britain, France, and Ireland, &c. &c. to put on one side some important proverb of Solomon, some pious moral, some prudential or economical precept, the frequent inculcation of which, by seeing it every time one receives a piece of money, might make an impression upon the mind, especially of young persons, and tend to regulate their conduct; such as on some, *The fear of the Lord is the beginning of wisdom*; on others, *Honesty is the best policy*; on others, *He that by the plough would thrive, himself must either lead or drive*; on others, *Keep thy shop, and thy shop will keep thee*; on others, *A penny saved is a penny got*; on others, *He that buys what he has no need of, will soon be forced to sell his necessaries*; on others, *Early to bed and early to rise, will make a man healthy, wealthy, and wise*; and so on, to a great variety.

The other side it was proposed to fill with good designs, drawn and engraved by the best artists in France, of all the different species of barbarity with which the English have carried on the war in America, expressing every abominable circumstance of their cruelty and inhumanity that figures can express, to make an impression on the minds of posterity, as strong and durable as that on the copper. This resolution has been a long time forborne, but the late burning of defenceless towns in Connecticut, on the flimsy pretence that the people fired from behind their houses, when it is known to have been premedi-

tated, and ordered from England, will, probably, give the finishing provocation, and may occasion a vast demand for your metal. I thank you for your kind wishes respecting my health. I return them most cordially fourfold into your own bosom.

Adieu,

B. FRANKLIN.

TO JOHN JAY, PRESIDENT OF CONGRESS.

Passy, October 4th, 1779.

Sir,

I received the letter your Excellency did me the honor to write to me of the of June last, enclosing acts of Congress, respecting bills of exchange for two millions four hundred thousand livres tournois, drawn on me in favor of M. de Beaumarchais. The bills have not yet appeared, but I shall accept them when they do, relying on the care of Congress to enable me to pay them. As to the accounts of that gentleman, neither the Commissioners, when we were all together, nor myself since, have ever been able to obtain a sight of them, though repeatedly promised, and I begin to give over all expectation of them. Indeed if I had them, I should not be able to do much with them, or to controvert anything I might doubt in them, being unacquainted with the transactions and agreements on which they must be founded, and having small skill in accounts. Mr Ross and Mr Williams, pressing me to examine and settle theirs, I have been obliged to request indifferent persons, expert in such business, to do it for me, subject to the revision of Congress; and I could wish that my time and attention were not taken up by any concerns in mer-

cantile affairs, and thereby diverted from others more important.

The letters of Congress to the King were very graciously received. I have earnestly pressed the supplies desired, and the Ministers (who are extremely well disposed towards us) are now actually studying the means of furnishing them. The assistance of Spain is hoped for. We expect to hear from thence in a few days. The quantity is great, and will cost a vast sum. I have this day accepted three of your drafts, part of the three hundred and sixty thousand livres, drawn for on the 9th of June, but when I ask for money to pay them, I must mention, that as they were drawn to purchase military stores, an abatement equal to the value may be made of the quantity demanded from hence, for I am really ashamed to be always worrying the Ministers for more money. And as to the private loans expected, I wrote in a former letter, that our public credit was not yet sufficiently established, and that the loan in Holland had not exceeded eighty thousand florins, to which there has since been no addition. A Mr Neufville came from thence to me last spring, proposing to procure great sums, if he might be employed for that purpose, and the business taken away from the house that had commenced it. His terms at first were very extravagant, such as that all the estates real and personal in the Thirteen Provinces should be mortgaged to him; that a fifth part of the capital sum borrowed should every year, for five years, be laid out in commodities, and sent to Holland, consigned to him, to remain in his hands till the term (ten years) stipulated for final payment was completed, as a security for the punctuality of it, when he was to draw the usual commissions; that all vessels or merchandise coming from

America to Europe should be consigned to him or his correspondents, &c. &c. As I rejected these with some indignation, he came down to the more reasonable one of doing the business as it was done by the other house, who, he said, could do no more, being destitute of the interest which he possessed.

I did not care abruptly to change a house, that had in other respects been very friendly and serviceable to us, and thereby throw a slur upon their credit, without a certainty of mending our affairs by it, and therefore told Mr Neufville, that if he could procure and show me a list of subscribers, amounting to the sum he mentioned, or near it, I would comply with his proposition. This he readily and confidently undertook to do. But after three months, during which he acquainted me from time to time, that the favorable moment was not yet come, I received, instead of the subscription, a new set of propositions, among the terms of which were an additional *one per cent*, and a patent from Congress, appointing him and his sons "*Commissioners for Trade and Navigation, and Treasurers of the General Congress and of every private State of the Thirteen United States of North America, through the Seven United Provinces,*" with other extravagancies, which I mention, that it may be understood why I have dropped a correspondence on this subject with a man, who seemed to me a vain promiser, extremely self-interested, and aiming chiefly to make an appearance without solidity, and who I understand intends applying directly to Congress, some of his friends censuring me as neglecting the public interest in not coming into his measures.

The truth is, I have no expectations from Holland, while interest received there from other nations is so high,

and our credit there so low ; while particular American States offer higher interest than the Congress, and even our offering to raise our interest tends to sink our credit. My sole dependence now is upon this Court ; I think reasonable assistance may be obtained here, but I wish I may not be obliged to fatigue it too much with my applications, lest it should grow tired of the connexion.

Mr Ross has lately demanded of me near twenty thousand pounds sterling, due to him from the Committee of Commerce, but I have been obliged to refuse him, as well as an application made last week by Mr Izard for more money, though he has already had 2500 guineas, and another from Mr Arthur Lee, though he has had five hundred guineas since the news of his being out of this Commission.* He writes me, that he will return to America forthwith, if I do not undertake to supply his expenses. As I see no likelihood of his being received at Madrid, I could not but approve his resolution.

We had reason to expect some great events, from the action of the fleets this summer in the Channel, but they are all now in port, without having effected anything. The junction was late, and the length of time the Brest fleet was at sea, equal to an East India voyage, partly on the hot Spanish coast, occasioned a sickness among the people, that made their return necessary ; they had chased the English fleet, which refused combat. The sick men are recovering fast since they were landed ; and the proposed descent on England does not yet seem to be quite given up, as the troops are not withdrawn from the ports.

Holland has not yet granted the succors required by the

* Ralph Izard's Correspondence, Vol. II. p. 446 ; and Arthur Lee's Correspondence, p. 262, 268, 272.

English, nor even given an answer to the requisition presented by Sir Joseph Yorke. The aids will be refused, and as the refusal must be disagreeable, it will be postponed from time to time. The expectations of assistance from Russia and Prussia seem also to have failed the English, and they are as much at a loss to find effective friends in Europe, as they have been in America.

Portugal seems to have a better disposition towards us than heretofore. About thirty of our people, taken and set ashore on one of her islands by the English, were maintained comfortably by the Governor, during their stay there, furnished with every necessary and sent to Lisbon, where, on inquiry to whom payment was to be made for the expense they had occasioned, they were told, that no reimbursement was expected, that it was the Queen's bounty, who had a pleasure in showing hospitality to strangers in distress. I have presented thanks, by the Portuguese Ambassador here in behalf of Congress, and I am given to understand, that probably in a little time the ports of that nation will be open to us, as well as those of Spain. What relates to Spain, I suppose Mr Lee informs you of.

The sword ordered by Congress for the Marquis de Lafayette being at length finished, I sent it down to him at Havre, where he was with the troops intended for the invasion. I wrote a letter with it, and received an answer, copies of which I enclose, together with a description of the sword, and drawings of the work upon it, which was executed by the best artists in Paris, and cost altogether two hundred guineas. The present has given him great pleasure, and some of the circumstances have been agreeable to the nation.

Our cartel goes on, a second cargo of American prisoners, one hundred and nineteen in number, being arrived and exchanged. Our privateers have dismissed a great number at sea, taking their written paroles to be given up in exchange for so many of our people in their gaols. This is not yet quite agreed to on the other side, but some expectations are given me that it may take place. Certainly, humanity would find its account in the practice of exchanging on parole, as all the horrors of imprisonment, with the loss of time and health, might be prevented by it.

We continue to insult the coasts of these *lords of the ocean* with our little cruisers. A small cutter, which was fitted out as a privateer at Dunkirk, called the *Black Prince*, has taken, ransomed, burnt, and destroyed above thirty sail of their vessels within these three months. The owners are about to give her a consort, called the *Black Princess*, for whom they ask a commission. The prisoners brought in serve to exchange our countrymen, which makes me more willing to encourage such armaments, though they occasion a good deal of trouble. Captain, now Commodore Jones, put to sea this summer with a little squadron, consisting of a ship of forty guns, the *Alliance*, another frigate of twenty, with some armed cutters; all under American colors, with Congress commissions. He has sent in several prizes, has greatly alarmed the coast of Ireland and Scotland, and we just now hear that going north about, he fell in with a number of ships from the Baltic, convoyed by a fifty gun ship and a twentyfour gun frigate, both of which he took after an obstinate engagement, and forced several of the others ashore. This news is believed, but we wait the confirmation and the particulars.

The blank commissions remaining, of those sent to us here, are all signed by Mr Hancock, which occasions some difficulty. If Congress approves of my continuing to issue commissions, I wish to have a fresh supply, with the other necessary instructions, rules, bonds, &c. of which none are now left.

M. le Comte de Mallebois, esteemed one of the best Generals in this country, and who loves our cause, has given me a memorial, containing a project for a corps here for your service, which I promised to lay before Congress, and accordingly enclose a copy. I know nothing of the sentiments of Congress on the subject of introducing foreign troops among us, and therefore could give no expectation that the plan would be adopted. It will, however, be a pleasure to him to know, that his good will to serve them has been acceptable to the Congress.

A Major Borre, who has been in America, and some other officers who have quitted our service in disgust, endeavor to give an idea, that our nation does not love the French. I take all occasions to place in view the regard shown by Congress to good French officers, as a proof that the slight these gentlemen complain of is particular to themselves, and probably the effect of their own misbehavior. I wish for the future, when any of this sort of people leave our armies to come home, some little sketch of their conduct or character may be sent me, with the real causes of their resignation or departure, that I may be the more able to justify our country.

Here are returned in the last cartel a number of French sailors, who had engaged with Captain Cunningham. Were taken in coming home in one of his prizes, and have been near two years in English prisons. They de-

mand their wages and share of prize money. I send their claim, as taken before the officers of the classes at Dunkirk. I know nothing of the agreement which they allege was made with them. Mr Hodge perhaps can settle the affair, so that they may have justice done them. These sort of things give me a great deal of trouble. Several of those men have made personal applications to me, and I must hear all their stories, though I cannot redress them. I enclose also the claim of two gunners, upon a prize made by the Boston, Captain Tucker. I am persuaded that Congress wish to see justice done to the meanest stranger that has served them. It is justice that establishes a nation.

The Spanish Ambassador here delivered me several complaints against our cruisers. I imagine that all the injuries complained of are not justly chargeable to us, some of the smaller English cruisers having pillaged Spanish vessels under American colors, of which we have proof upon oath. And also, that no such American privateers, as are said to have committed these robberies after coming out of Nantes, have ever been known there, or in any other part of France, or even to have existed. But if any of the complaints are well founded, I have assured the Ambassador that the guilty will be punished, and reparation made.

The Swedish Ambassador also complains of the taking of a ship of his nation by Captain Landais, the master of which lays his damages at sixty thousand livres. I understand it was his own fault that he was stopped, as he did not show his papers. Perhaps this, if proved, may enable us to avoid the damages.

Since writing the above, I have received the following

further particulars of the action between Commodore Jones and the English men of war. The fortyfour gun ship is new, having been but six months off the stocks; she is called the Serapis; the other of twenty guns is the Countess of Scarborough. He had before taken a number of valuable prizes, particularly a rich ship bound to Quebec, which we suppose he may have sent to America. The English, from mistaken intelligence, imagining he had a body of troops with him to make descents, have had all their northern coasts alarmed, and have been put to very expensive movements of troops, &c.

The extravagant luxury of our country, in the midst of all its distresses, is to me amazing. When the difficulties are so great to find remittances to pay for the arms and ammunition necessary for our defence, I am astonished and vexed to find upon inquiry, that much the greatest part of the Congress interest bills come to pay for tea, and a great part of the remainder is ordered to be laid out in gewgaws and superfluities. It makes me grudge the trouble of examining, and entering, and accepting them, which indeed takes a great deal of time.

I yesterday learnt from M. de Monthieu, that everything necessary for equipping two frigates, of thirtysix guns each, such as sailcloth, cordage, anchors, &c. &c. which we sent to the Congress from hence two years since, remains stored in the warehouses of his correspondent, Mr Carrabass, at Cape Francois, having never been called for. Probably by the miscarriage of letters, the Navy Board never heard of those goods being there. I shall, nevertheless, leave the application I have lately made for materials for a frigate of thirtysix guns to take its course. But I send you herewith copies of two invoices of the

cargo of the *Therese*, one of which is what was sent by us, the other by M. de Beaumarchais, to the end that inquiry may be made after the whole.

On this occasion give me leave to remark, that of all the vast quantities of goods we have sent you by many different vessels since my being in France, we never were happy enough to receive the least scrip of acknowledgment that they had ever come to hand, except from Mr Langdon, of a cargo arrived at Portsmouth, and I think of one more. This is doubtless owing to the interruption our correspondence has met with, and not altogether to neglect. But as such advices of receipt may be made in short letters, it would be well to send more copies. The following is a matter of less importance. It is two years, I believe, since I sent the monument of General Montgomery. I have heard that the vessel arrived in North Carolina, but nothing more. I should be glad to know of its coming to hand, and whether it is approved. Here it was admired for the goodness and beauty of the marble, and the elegant simplicity of the design. The sculptor has had an engraving made of it, of which I enclose a copy. It was contrived to be affixed to the wall within some church, or in the great room where the Congress met. Directions for putting it up went with it. All the parts were well packed in strong cases.

With the greatest respect, &c.

B. FRANKLIN.

P. S. October 28th. I kept the packet in hopes of sending a more explicit account of what might be expected in regard to the supplies. The express, which was daily

expected from Spain, when I began this letter, arrived but a few days since. I am now informed, that Court is understood to be in treaty with the Congress in America, to furnish a sum of hard money there, and on that account excuses itself from sharing in the expense of furnishing these supplies. This has a little deranged the measures intended to be taken here, and I am now told, that the whole quantity of goods demanded can hardly be furnished, but that as soon as the Court returns from Marly, the Ministers will consult and do the best they can for us. The arms, I hear, are in hand at Charleville. I am unwilling to keep the packet any longer, lest she should arrive on our coasts too far in the winter, and be blown off. I therefore send away the despatches; but if I have the result of the Council in time to reach her by post, I will send it in a separate letter. The hearty good will of the ministry may be depended on; but it must be remembered, that their present expenses are enormous.

B. F.

TO JAMES LOVELL.

Passy, October 17th, 1779.

Sir,

The foregoing is a copy of my last. I have now before me your several favors therein mentioned, viz. of June 13th, July 9th and 16th, and August 6th. I received the Journals of Congress from January 1st to June 12th, which you took care to send me; but the volumes 1 and 2, which you mention, are not yet come to hand. I hear they are at Madrid. I know not how they came there, nor well how to get them from thence. Perhaps you can easier send me another set.

As I hear of the arrival of the Chevalier de la Luzerne, by whom I wrote a long letter to your Committee, I presume you have received it, and that it is not necessary to send more copies. By this opportunity I write largely to the President. You ask, "will no one, under a commission from the United States," &c. Enclosed I send you a copy of the instructions I gave to Commodore Jones, when it was intended to send with him some transports and troops to make descents in England.* Had not the scheme been altered, by a general one of a grand invasion, I know he would have endeavored to put some considerable towns to a high ransom, or have burnt them. He sailed without the troops, but he nevertheless would have attempted Leith, and went into the Firth of Edinburgh with that intention, but a sudden hard gale of wind forced him out again. The late provocations, by the burning of Fairfield and other towns, added to the preceding, have at length demolished all my moderation, and were such another expedition to be concerted, I think so much of that disposition would not appear in the instructions. But I see so many inconveniences in mixing the two nations together, that I cannot encourage any further proposal of the kind. This has ended better than I expected, and yet a mortal difference has arisen between Captains Jones and Landais, that makes me very uneasy about the consequences. I send you the journal of the cruise.

I am glad to understand, that Congress will appoint some person here to audit our accounts. Mine will give but little trouble, and I wish much to have them settled. And for the future, I hope I shall have none to settle but what relate to my expenses.

* See p. 77, of the present volume.

The quarrel you mention, between Mr Deane and Mr Lee, I have never meddled with, and have no intention to take any part in it whatever. I had and have still a very good opinion of Mr Deane, for his zeal and activity in the service of his country ; I also thought him a man of integrity. But if he has embezzled public money, or traded with it on his private account, or employed it in stockjobbing, all which I understand he is charged with, I give him up. As yet, I think him innocent. But he and his accusers are able to plead their own causes, and time will show what we ought to think of them.

I send you with this, a piece written by a learned friend of mine on the taxation of free States, which I imagine may give you some pleasure. Also a late royal edict, for abolishing the remains of slavery in this kingdom. Who would have thought, a few years since, that we should live to see a king of France giving freedom to slaves, while a king of England is endeavoring to make slaves of freemen.

There is much talk all over Europe of an approaching peace by the mediation of Russia and Holland. I have no information of it to be depended on, and believe we ought to lay our account on another campaign, for which I hope you will receive in time the supplies demanded. Nothing is wanting on my part to forward them ; and I have the satisfaction to assure you, that I do not find the regard of this Court for the Congress and its servants in any respect diminished. We have just heard from Norway, that two of the most valuable prizes taken by the Alliance, Captain Landais, in the squadron of Commodore Jones, are safe arrived at Bergen, viz. the ship from London to Quebec, laden with naval stores, and that from Liv-

erpool to New York and Jamaica. They were letters of marque, of twentytwo guns and eightyfour men each; I wish we may get them safe to America. The squadron itself is got into Holland, with the two prize men of war, where they are all refitting. Great damage has been done to the English coal trade, and four hundred prisoners have been taken, which will more than redeem the rest of our people from their captivity in England, if we can get them safe from Holland to France; but I suppose the English will endeavor to intercept us, and recover their ships, if possible.

With great esteem for yourself and the Committee, I have the honor to be, &c.

B. FRANKLIN.

TO R. BERNSTORF, MINISTER OF FOREIGN AFFAIRS IN
DENMARK.

Passy, December 22d, 1779.

Sir,

I have received a letter from M. de Chezaulx, Consul of France at Bergen in Norway, acquainting me that two ships, viz. the Betsey and the Union, prizes taken from the English on their coasts by Captain Landais, Commander of the Alliance frigate, appertaining to the United States of North America, which prizes having met with bad weather at sea, that had damaged their rigging, and had occasioned leaks, and been weakly manned, had taken shelter in the supposed neutral port of Bergen, in order to repair their damages, procure an additional number of sailors, and the necessary refreshments; that they were in the said port enjoying, as they conceived, the common rights of hospi-

tality, established and practised by civilized nations under the care of the above said Consul, when, on the 28th of October last, the said ships, with their cargoes and papers, were suddenly seized by officers of his Majesty, the King of Denmark, to whom the said port belongs; the American officers and seamen turned out of their possession, and the whole delivered to the English Consul.

M. de Chezaulx has also sent me the following as a translation of his Majesty's order, by which the above proceedings are said to be authorised, viz. "The English Minister having insisted on the restitution of two vessels, which had been taken by the American privateer called the *Alliance*, commanded by Captain Landais, and which were brought into Bergen, viz. the *Betsey* of Liverpool, and the *Union* of London, his Majesty has granted this demand on this account, because he has not as yet acknowledged the independence of the Colonies associated against England, and because that these vessels for this reason cannot be considered as good and lawful prizes. Therefore, the said two ships shall be immediately liberated and allowed to depart with their cargoes." By a subsequent letter from the same Consul, I am informed, that a third prize belonging to the United States, viz. the *Charming Polly*, which arrived at Bergen after the others, has also been seized and delivered up in the same manner; and that all the people of the three vessels, after being thus stripped of their property, (for every one had an interest in the prizes) were turned on shore to shift for themselves, without money, in a strange place, no provision being made for their subsistence, or for sending them back to their country.

Permit me, Sir, to observe on this occasion, that the United States of America have no war but with the English;

they have never done any injury to other nations, particularly none to the Danish nation ; on the contrary, they are in some degree its benefactors, as they have opened a trade of which the English made a monopoly, and of which the Danes may now have their share, and by dividing the British Empire, have made it less dangerous to its neighbors. They conceived, that every nation whom they had not offended was by the rights of humanity their friend ; they confided in the hospitality of Denmark, and thought themselves and their property safe when under the roof of his Danish Majesty. But they find themselves stripped of that property, and the same given up to their enemies, on this principle only, that no acknowledgment had yet been formally made by Denmark of the independence of the United States ; which is to say, that there is no obligation of justice towards any nation with whom a treaty, promising the same, has not been previously made. This was indeed the doctrine of ancient barbarians, a doctrine long since exploded, and which it would not be for the honor of the present age to revive, and it is hoped, that Denmark will not, by supporting and persisting in this decision, obtained of his Majesty apparently by surprise, be the first modern nation, that shall attempt to revive it.*

* "The ancients," says Vattel, "did not conceive themselves bound under any obligation towards a people with whom they were not connected by a treaty of friendship. At length the voice of nature was heard by civilized nations ; they acknowledged all mankind as brothers." An injustice of the same kind, done a century or two since by some English in the East Indies, Grotius tells us "was not without its partisans, who maintained, that by the ancient laws of England, no one was liable to punishment in that kingdom for outrages committed against foreigners, when no treaty of alliance had been contracted with them." But this principle he condemns in the strongest terms.—*History of the Troubles in the Netherlands, Book 16th.*

The United States oppressed by, and at war with one of the most powerful nations of Europe, may well be supposed incapable in their present infant state of exacting justice from other nations not disposed to grant it; but it is in human nature, that injuries as well as benefits received in times of weakness and distress, national as well as personal, make deep and lasting impressions; and those Ministers are wise, who look into futurity and quench the first sparks of misunderstanding between two nations, which, neglected, may in time grow into a flame, all the consequences whereof, no human prudence can foresee, which may produce much mischief to both, and cannot possibly produce any good to either. I beg leave, through your Excellency, to submit these considerations to the wisdom and justice of his Danish Majesty, who I infinitely respect, and who, I hope, will reconsider and repeal the orders above recited, and that, if the prizes which I hereby reclaim in behalf of the United States of America, are not actually gone to England, they may be stopped and re-delivered to M. de Chezaulx, the Consul of France at Bergen, in whose care they before were, with liberty to depart for America when the season shall permit. But if they should be already gone to England, I must then claim from his Majesty's equity the value of the said prizes, which is estimated at fifty thousand pounds sterling, but which may be regulated by the best information that can by any means be obtained.

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

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, February 2d, 1780.

Dear Friend,

It is some time since I procured the discharge of your Captain Stephenson. He did not call here in his way home. I hope he arrived safely, and had a happy meeting with his friends and family.

I have long postponed answering your letter of the 29th of June. A principal point in it, on which you seemed to desire my opinion, was, the conduct you thought America ought to hold, in case her allies should, from motives of ambition or resentment of former injuries, desire her to continue the war, beyond what should be reasonable and consistent with her particular interests. As often as I took up your letter in order to answer it, this suggestion displeased me, and I laid it down again. I saw no occasion for discussing such a question at present, nor any good end it could serve to discuss it before the case should happen; and I saw inconveniences in discussing it. I wish therefore you had not mentioned it. For the rest, I am as much for peace as ever I was, and as heartily desirous of seeing the war ended, as I was to prevent its beginning; of which your Ministers know I gave a strong proof before I left England, when, in order to an accommodation, I offered at my own risk, without orders for so doing, and without knowing whether I should be owned in doing it, to pay the whole damage of destroying the tea at Boston, provided the acts made against that Province were repealed. This offer was refused. I still think it would have been wise to have accepted it. If the Congress have therefore intrusted to others rather than to me, the

negotiations for peace, when such shall be set on foot, as has been reported, it is perhaps because they may have heard of a very singular opinion of mine, that there hardly ever existed such a thing as a bad peace, or a good war, and that I might therefore easily be induced to make improper concessions. But at the same time they and you may be assured, that I should think the destruction of our whole country, and the extirpation of our whole people, preferable to the infamy of abandoning our allies.

As neither you nor I are at present authorised to treat of peace, it seems to little purpose to make or consider propositions relating to it. I have had so many such put into my hands, that I am tired of them. I will however give your proposal of a ten years' truce this answer, that, though I think a solid peace made at once a much better thing, yet, if the truce is practicable and the peace not, I should be for agreeing to it. At least I see at present no sufficient reasons for refusing it, provided our allies approve of it. But this is merely a private opinion of mine, which perhaps may be changed by reasons, that at present do not offer themselves. This, however, I am clear in, that withdrawing your troops will be best for you, if you wish a cordial reconciliation, and that the truce should produce a peace. To show that it was not done by compulsion, being required as a condition of the truce, they might be withdrawn beforehand, for various good reasons. But all this is idle chat, as I am persuaded, that there is no disposition for peace on your side, and that this war will yet last many years. I know nothing and believe nothing of any terms offered to Sir Henry Clinton.

The prisoners taken in the Serapis and Countess of Scarborough being all treated for in Holland, and ex-

changed there, I hope Mr Brown's son is now safe at home with his father. It grieved me, that the exchange there, which you may remember I immediately proposed, was so long delayed. Much human misery might have been prevented by a prompt compliance; and so might a great deal by the execution of parole promises taken at sea; but since I see no regard is paid to them in England, I must give orders to our armed ships that cruise in Europe to secure their prisoners as well as they can, and lodge them in French or Spanish prisons. I have written something on this affair to Mr Hodgson, and sent to him the second passport for a cartel to Morlaix, supposing you to be out of town. The number of prisoners we now have in France is not easily ascertained. I suppose it exceeds one hundred; yet you may be assured, that the number which may be brought over by the two cartels shall be fully exchanged, by adding to those taken by us as many as will make up the compliment out of those taken by the French, with whom we have an account since the exchange in Holland of those we carried in there. I wish therefore you would, as was proposed, clear your prisons of the Americans, who have been so long confined there. The cartels, that may arrive at Morlaix, will not be detained.

You may have heard, that accounts upon oath have been taken in America, by order of Congress, of the British barbarities committed there. It is expected of me to make a school book of them, and to have thirtyfive prints designed here by good artists, and engraved, each expressing one or more of the different horrid facts, to be inserted in the book, in order to impress the minds of children and posterity with a deep sense of your bloody, and

insatiable malice and wickedness. Every kindness I hear of, done by an Englishman to an American prisoner, makes me resolve not to proceed in the work, hoping a reconciliation may yet take place. But every fresh instance of your devilism weakens that resolution, and makes me abominate the thought of a reunion with such a people. You, my friend, have often persuaded me, and I believed it, that the war was not theirs, nor approved by them. But their suffering it so long to continue, and the wretched rulers to remain who carry it on, makes me think you have too good an opinion of them.

Adieu, my dear friend, &c.

B. FRANKLIN.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, February 24th, 1780.

Sir,

I forward the gazettes to Boston for you, as usual, without knowing when they will find a passage from thence. Your letters of September the 30th, and one from Arthur Lee, of December the 8th, came to hand two days ago, your prior being May the 26th, received August the 17th. I hope you have got newspapers from me often, though I have written few letters. The Commercial Committee is impressed with your sentiments respecting drafts. They are a mere name at present. I hope that branch will, for a time, be conducted by the Admiralty Board, till a new arrangement can be formed, to be executed by persons not members of Congress. We are about calling on the States according to their staples,

so that the prospect of suitable remittances is enlarged. This plan is consequent upon a resolve of December the 14th.

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

JAMES LOVELL.

P. S. The Chevalier de la Luzerne expressed to me anxiety because we do not correspond in cypher. I early communicated to you from Baltimore a very good one, though a little tedious, like that of M. Dumas. I enclose you a sample at this time.

TO SAMUEL HUNTINGTON, PRESIDENT OF CONGRESS.

Passy, March 4th, 1780.

Sir,

M. Gerard, under whose care I understand the despatches from Congress to me were forwarded, is not yet arrived here, and I have not received them. I cannot, therefore, at present answer anything that may be contained in them. He is, however, expected next week, and I may afterwards have time to write further by the Alliance. Mr Adams is come, but did not bring duplicates of those despatches. I have, in obedience to the order of Congress, which he produced to me, furnished him with one thousand louis d'ors. I have also given a credit to Mr Jay upon the correspondent of our banker at Madrid for an equal sum. I have not yet heard of his arrival there. His letter to me was from Cadiz, of the 28th of January.

In my last I gave some account of the success of our little squadron under Commodore Jones. Three of their

prizes sent into Bergen, in Norway, were at the instance of the British Minister seized by order of the Court of Denmark, and delivered up to him. I have, with the approbation of the Ministry here, drawn up and sent to that Court a memorial reclaiming those prizes. It went through the hands of the French Minister residing there, who has delivered it; but I have yet no answer. I understand from the French Consul at Bergen, that the prizes remain still in that port, and it is said there is some hope that the order may be reversed, but this is doubtful, and I suppose the Congress will immediately consider this important affair, and give me such instructions upon it as they may judge proper. With this, I send a copy of the memorial.

During the cruise a mortal quarrel took place between the Commodore and Captain Landais. On their arrival in Holland, M. de Sartine, Minister of the Marine, proposed to me the sending for Landais, in order to inquire into his conduct. I doubted the propriety of my meddling in the affair, but Captain Landais' friends conceiving it a measure that might be serviceable to him, and pressing it, I complied, and he came accordingly to Paris. I send the minutes of the inquiry for the consideration of Congress. I have not presumed to condemn or acquit him, doubting as well my own judgment as my authority. He proposes to demand a Court Martial in America. In his absence from the ship, the Commodore took the command of her, and on quitting the Texel made a cruise through the channel to Spain, and is since returned to L'Orient, where the ship is now refitting in order to return to America. Captain Landais has not applied to me to be replaced in her, and I imagine has no thought of that kind,

having before on several occasions expressed to me and others his dissatisfaction with his officers, and his inclination on that account to quit her. Captain Jones will therefore carry her home, unless he should be prevailed with to enter another service, which, however, I think is not likely, though he has gained immense reputation all over Europe for his bravery.

As vessels of war under my care create me a vast deal of business, of a kind too, that I am unexperienced in, and by my distance from the coast is very difficult to be well executed, I must repeat my earnest request, that some person of skill in such affairs may be appointed in the character of Consul, to take charge of them. I imagine that much would by that means be saved in the expense of their various refittings and supplies, which to me appears enormous.

Agreeable to the order of Congress, I have employed one of the best artists here in cutting the dies for the medal intended for M. de Fleury. The price of such work is beyond my expectation, being a thousand livres for each die. I shall try if it is not possible to have the others done cheaper.

Our exchange of prisoners has been for some time past at a stand, the English admiralty refusing, after long consideration, to give us any men in return for those who had been dismissed by our armed vessels on parole, and the actual prisoners we had being all exchanged. When the squadron of Commodore Jones arrived in the Texel with five hundred English prisoners, I proposed exchanging there; but this was declined, in expectation, as I heard from England, of retaking them in their way to France. The stay of our ships in Holland, through the favor of the

States, being prolonged, and the squadrons stationed to intercept us being tired of cruising for us, the British Ministry consented at length to a cartel with France, and brought Frenchmen to Holland to exchange for those prisoners instead of Americans. These proceedings have occasioned our poor people to be kept longer in confinement, but the Minister of the Marine, having given orders that I should have as many English, another cartel charged with Americans is now daily expected, and I hope in a few months to see them all at liberty. This for their sakes, and also to save expense; for their long and hard imprisonment induces many to hazard attempts of escaping, and those who get away through London and Holland, and come to Paris in their way to some seaport in France, cost one with another, I believe, near twenty pounds sterling a head.

The delays in the exchange have I think been lengthened by the Admiralty, partly with the view of breaking the patience of our people, and inducing them to enter the English service. They have spared no pains for this purpose, and have prevailed with some. The number of these has not indeed been great, and several of them lost their lives in the blowing up of the Quebec. I am also lately informed from London, that the flags of truce with prisoners from Boston, one of which is seized as British property, will obtain no Americans in exchange; the returned English being told, that they had no authority or right to make such agreements with rebels, &c. This is not the only instance in which it appears, that a few late successes have given that nation another *hour of insolence*. And yet their affairs upon the whole wear a very unpromising aspect. They have not yet been able to find any

allies in Europe. Holland grows daily less and less disposed to comply with their requisitions; Ireland is not satisfied, but is making new demands; Scotland, and the Protestants in England are uneasy, and the associations of counties in England, with committees of correspondence to make reforms in the government, all taken together, give a good deal of apprehension at present, even to their mad Ministers, while their debt, on the point of amounting to the amazing sum of two hundred millions, hangs as a millstone upon the neck of their credit, and must ere long sink it beyond redemption.

The disposition of this Court continues as favorable as ever, though it cannot comply with all our demands. The supplies required, in the invoice sent me by the Committee, appeared too great and numerous to be immediately furnished. Three millions of livres were, however, granted me, with which, after deducting what will be necessary to pay the interest bills, and other late drafts of Congress, I could not venture on ordering more than ten thousand suits of clothes. With these, we shall have fifteen thousand arms and accoutrements. A good deal of the cloth goes over in the Alliance, purchased by Mr Röss, which, it is computed, may make seven or eight thousand suits more. But although we have not obtained that invoice of goods, this Court being at immense expense in the preparations for the next campaign, I have reason to believe that a part of those preparations will be employed in essential assistance to the United States, and I hope effectual, though at present I cannot be more particular.

I have sent to Mr Johnson the vote of Congress relative to the settlement of the accounts. He has expressed his

readiness to enter on the service. Mr Deane is soon expected here, whose presence is very necessary, and I hope with his help they may be gone through without much difficulty. I could have wished it had suited Mr Lee to have been here at the same time.

The Marquis de Lafayette, who, during his residence in France, has been extremely zealous in supporting our cause on all occasions, returns again to fight for it. He is infinitely esteemed and beloved here, and I am persuaded will do everything in his power to merit a continuance of the same affection from America.

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

B. FRANKLIN.



FROM R. BERNSTORF, MINISTER OF FOREIGN AFFAIRS IN DENMARK, TO B. FRANKLIN.

Translation.

Copenhagen, March 8th, 1780.

Sir,

Were you a person less known and respected, I should have been quite at a loss on the subject of the letter, which I have had the honor of receiving from you, which did not come to hand till the 31st of January. I should have considered it as a measure calculated to place us under a new embarrassment as painful as the first; but there is no fear nor risk with such a sage as you are, Sir, generally respected by that universe, which you have enlightened, and known for that prevailing love for truth, which characterises the good man and the true philosopher. These are the titles, which will transmit your name to the remotest posterity, and in which I am particularly interested at the time,

when the situation of affairs imposes on me the necessity of divesting myself of every public character, in writing to you, and only to aspire at appearing to you what I truly am, the passionate friend of peace, truth, and merit.

This mode of thinking not only decides my personal sentiments with respect to you, but also those I have respecting the unfortunate affair, which you have thought fit to mention to me, and which, from its commencement, has given me the utmost pain. You will readily agree with me, Sir, in granting that there are perplexing situations in which it is impossible to avoid displeasing one party. You are too equitable not to enter into ours. There would be no consolation in such cases, nor would the persons who have been led into them ever be forgiven, were it not that opportunities sometimes present themselves of being heard, and preventing in future such essential embarrassments.

The Baron de Blome will speak to you in confidence, and with the utmost freedom on this subject, and if my wishes can be accomplished I shall be recompensed for all my pains, and there will only remain the agreeable recollection of having had the satisfaction of assuring you, from under my hand, of that superior and perfect esteem with which I have the honor of being, Sir, &c.

R. BERNSTORF.

TO JAMES LOVELL.

Passy, March 16th, 1780.

Dear Sir,

The Marquis de Lafayette, our firm and constant friend, returning to America, I have written a long letter by him

to the President, of which a copy goes by this ship. M. Gerard is since arrived, and I have received the despatches you mentioned to me, but no letter in answer to mine, a very long one, by the Chevalier de la Luzerne, nor any acknowledgment that it came to hand.

By the many newspapers and pamphlets I send, you will see the present state of European affairs in general. Ireland continues to insist on complete liberty, and will probably obtain it. The meetings of counties in England, and the committees of correspondence they appoint, alarm a good deal the Ministry, especially since it has been proposed to elect out of each committee a few persons to assemble in London, which, if carried into execution, will form a kind of Congress, that will have more of the confidence and support of the people than the old Parliament. If the nation is not too corrupt, as I rather think it is, some considerable reformation of internal abuses may be expected from this. With regard to us, the only advantage to be reasonably expected from it is a peace, the general bent of the nation being for it.

The success of Admiral Rodney's fleet against our allies has a little elated our enemies for the present, and probably they will not now think of proposing it. If the approaching campaign, for which great preparations are making here, should end disadvantageously to them, they will be more treatable, for their debts and taxes are daily becoming more burthensome, while their commerce, the source of their wealth, diminishes, and though they have flattered themselves with obtaining assistance from Russia and other powers, it does not appear they are likely to succeed; on the contrary, they are in danger of losing the neutrality of Holland.

Their conduct with regard to the exchange of prisoners has been very unjust. After long suspense and affected delays for the purpose of wearing out our poor people, they have finally refused to deliver us a man in exchange for those set at liberty by our cruisers on parole. A letter, which I enclose from Captain Mitchell, will show the treatment of the late flags of truce from Boston. There is no gaining anything from these barbarians by advances of civility or humanity.

Enclosed I send for Congress the justification of this Court against the accusation published in the late English memorials.

With great esteem, &c.

B. FRANKLIN.

TO JOSEPH REED, PRESIDENT OF THE STATE OF
PENNSYLVANIA.

Passy, March 19th, 1780.

Sir,

I have just received the pamphlet you did me the honor to send me by M. Gerard, and have read it with pleasure. Not only as the clear state of facts it does you honor, but as it proves the falsehood of a man, who also showed no regard to truth in what he said of me, "*that I approved of the propositions he carried over.*" The truth is this. His brother, Mr Pultney, came here with those propositions; and after stipulating, that if I did not approve of them, I should not speak of them to any person, he communicated them to me. I told him frankly, on his desiring to know my sentiments, that I DID NOT *approve of them, and that I was sure they would not be accepted in America.* But, I said, there are two other Commissioners here; I will, if you

please, show your propositions to them, and you will hear their opinions. I will also show them to the ministry here, without whose knowledge and concurrence we can take no step in such affairs. No, said he, as you do not approve of them, it can answer no purpose to show them to anybody else; the reasons that weigh with you will also weigh with them; therefore I now pray that no mention may be made of my having been here, or my business. To this I agreed, and therefore nothing could be more astonishing to me, than to see in an American newspaper, that direct lie, in a letter from Mr Johnstone, joined with two other falsehoods relating to the time of the treaty, and to the opinion of Spain!

In proof of the above I enclose a certificate of a friend of Mr Pultney's, the only person present at our interview;*

* TO B. FRANKLIN.

Dear Sir,

I send you adjoined the certificate you desire, and am perfectly convinced, from conversations I have since had with Mr Pultney, that nobody was authorised to hold the language, which has been imputed to him on that subject; and as I have a high opinion of his candor and worth, I know it must be painful to him to be brought into question in matters of fact with persons he esteems. I could wish that this matter may receive no further publicity, than what is necessary for your justification.

I am, &c.

W. ALEXANDER.

Paris, March 19th, 1780.

I do hereby certify whom it may concern, that I was with Mr Pultney and Dr Franklin at Paris, when in a conversation between them, on the subject of certain propositions for a reconciliation with America, offered by Mr Pultney, Dr Franklin said, he did not approve of them, nor did he think they would be approved in America, but that he would communicate them to his colleagues and the French ministry. This Mr Pultney opposed, saying that it would answer no good end, as he was persuaded, that what weighed with Dr Franklin would weigh also with them; and therefore desired, that no mention might be made of

and I do it the rather at this time, because I am informed that another calumniator (the same who formerly in his private letters to particular members accused you, with Messrs Jay, Duane, Langdon, and Harrison, of betraying the secrets of Congress in a correspondence with the ministry) has made this transaction with Mr Pultney an article of accusation against me, as having approved the same propositions. He proposes, I understand, to settle in your government. I caution you to beware of him; for in sowing suspicions and jealousies, in creating misunderstandings and quarrels among friends, in malice, subtlety, and indefatigable industry, he has I think no equal.

I am glad to see that you continue to preside in our new State, as it shows that your public conduct is approved by the people. You have had a difficult time, which required abundance of prudence, and you have been equal to the occasion. The disputes about the Constitution seem to have subsided. It is much admired here, and all over Europe, and will draw over many families of fortune to settle under it, as soon as there is a peace. The defects that may on seven years' trial be found in it can be amended, when the time comes for considering them.

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

B. FRANKLIN.

his having offered such propositions, or even of his having been here on such business; but that the whole might be buried in oblivion, agreeable to what had been stipulated by Mr Pultney, and agreed to by Dr Franklin, before the propositions were produced; which Dr Franklin accordingly promised.

W. ALEXANDER.

is really the property of the subjects of the King of England, though attempted to be masked as neutral. I do therefore request, that after the cargo shall be landed, you would cause the said ship *Flora* to be immediately restored to her captain, and that you would oblige the captors to pay him his full freight according to his bills of lading, and also to make good all the damages he may have sustained by plunder or otherwise; and I further request, that as the cargo is perishable, you would cause it to be sold immediately, and retain the produce deposited in your hands, to the end, that if any of the freighters, being subjects of their High Mightinesses the States-Generals, will declare upon oath, that certain parts of the said cargo were *bona fide* shipped on their own account and risk, and not on the account and risk of any British or Irish subjects, the value of such parts may be restored; or, that if the freighters, or any of them, should think fit to appeal from this judgment to the Congress, the produce so deposited may be disposed of according to their final determination.

I have the honor to be, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, May 22d, 1780.

Sir,

The Baron d'Arendt, Colonel in the armies of the United States, having expressed to me a desire of returning to the service in America, though not entirely cured of his wound, which occasioned his voyage to Europe, I endeavored to dissuade him from the undertaking. But he having procured a letter to me from M. de Vergennes, of which I send your Excellency a copy herewith, I have

been induced to advance him twentyfive louis d'ors towards enabling him to proceed. To justify his long absence, he intends laying before Congress some letters from William Lee, which he thinks will be sufficient for that purpose.

With great respect, &c.

B. FRANKLIN.

TO AN AGENT OF AMERICAN CRUISERS.

Passy, May 30th, 1780.

Sir,

In my last, of the 27th instant, I omitted one thing I had intended, viz. to desire you would give absolute orders to your cruisers not to bring in any more Dutch vessels, though charged with enemy's goods, unless contraband. All the neutral States of Europe seem at present disposed to change what had before been deemed the law of nations, to wit; that an enemy's property may be taken wherever found; and to establish a rule that free ships shall make free goods. This rule is itself so reasonable, and of a nature to be so beneficial to mankind, that I cannot but wish it may become general. And I make no doubt but that the Congress will agree to it, in as full an extent as France and Spain. In the meantime, and until I have received their orders on the subject, it is my intention to condemn no more English goods found in Dutch vessels, unless contraband; of which I thought it right to give you this previous notice, that you may avoid the trouble and expense likely to arise from such captures, and from the detention of them for a decision. With great regard, and best wishes for the success of your enterprise,

I have the honor to be, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, May 31st, 1780.

Sir,

I wrote to your Excellency the 4th of March past, to go by this ship, the Alliance, then expected to sail immediately. But the men refusing to go till paid their shares of prize money, and sundry difficulties arising with regard to the sale and division, she has been detained thus long to my great mortification, and I am yet uncertain when I shall be able to get her out. The trouble and vexation which these maritime affairs give me is inconceivable. I have often expressed to Congress my wish to be relieved from them, and that some person better acquainted with them, and better situated, might be appointed to manage them; much money as well as time would, I am sure, be saved by such an appointment.

The Alliance is to carry some of the cannon long since ordered, and as much of the powder, arms, and clothing, (furnished by government here) as she, together with a frigate, the Ariel, we have borrowed, can take. I hope they may between them take the whole, with what has been provided by Mr Ross. This gentleman has, by what I can learn, served the Congress well in the quality and prices of the goods he has purchased. I wish it had been in my power to discharge his balance here, for which he has importuned me rather too much. We furnished him with about twenty thousand pounds sterling to discharge his first accounts, which he was to replace as soon as he received remittances from the Committee of Commerce. This has not been done, and he now demands another nearly equal sum, urging as before, that the

credit of the States as well as his own will be hurt by my refusal.

Mr Bingham too complains of me for refusing some of his drafts, as very hurtful to his credit, though he owns he had no orders from Congress to authorise those drafts. I never undertook to provide for more than the payment of the interest bills of the first loan. The Congress have drawn on me very considerably for other purposes, which has sometimes greatly embarrassed me, but I have duly accepted and found means to pay their drafts; so that their credit in Europe has been well supported. But if every agent of Congress in different parts of the world is permitted to run in debt, and draw upon me at pleasure to support his credit, under the idea of its being necessary to do so for the honor of Congress, the difficulty upon me will be too great, and I may in fine be obliged to protest the interest bills. I therefore beg that a stop may be put to such irregular proceedings.

Had the loans proposed to be made in Europe succeeded, these practices might not have been so inconvenient, but the number of agents from separate States running all over Europe, and asking to borrow money, has given such an idea of our distress and poverty as makes every body afraid to trust us. I am much pleased to find that Congress has at length resolved to borrow of our own people, by making their future bills bear interest. This interest duly paid in hard money, to such as require hard money, will fix the value of the principal, and even make the payment of the interest in hard money for the most part unnecessary, provided always that the quantity of principal be not excessive.

A great clamor has lately been made here by some

merchants, who say they have large sums in their hands of paper money in America, and that they are ruined by some resolution of Congress, which reduces its value to one part in forty. As I have had no letter explaining this matter, I have only been able to say, that it is probably misunderstood, and that I am confident the Congress have not done, nor will do, anything unjust towards strangers, who have given us credit. I have indeed been almost ready to complain, that I hear so little and so seldom from Congress, or from the Committee of Correspondence, but I know the difficulty of communication, and the frequent interruption it meets in this time of war. I have not yet received a line this year, and the letters written by the Confederacy, as I suppose some must have been written by her, have not yet come to hand.

I mentioned, in a former letter, my having communicated to Mr Johnson of Nantes, the order of Congress appointing him to examine the account, and his acceptance of the appointment. Nothing, however, has yet been done in pursuance of it; for Mr Deane having written that he might be expected here by the middle of March, and as his presence would be very useful in explaining the mercantile transactions, I have waited his arrival to request Mr Johnson's coming to Paris, that his detention here from his affairs at Nantes might be as short as possible. Mr Deane is not yet come; but as we have heard of the arrival of the *Fendant* in Martinique, in which ship he took his passage, we imagine he may be here in some of the first ships from that island.

The medal for M. de Fleury is done and delivered to his order, he being absent; I shall get the others prepared as soon as possible by the same hand, if I cannot find a

cheaper equally good, which I am now inquiring after. Two thousand livres appear to me a great sum for the work.

With my last I sent a copy of my memorial to the Court of Denmark. I have since received an answer from the Minister of that Court for Foreign Affairs, a copy of which I enclose. It referred me to the Danish Minister here, with whom I have had a conference on the subject. He was full of professions of the good will of his Court to the United States, and would excuse the delivery of our prizes to the English, as done in conformity to treaties, which it was necessary to observe. He had not the treaty to show me, and I have not been able to find such a treaty on inquiry. After my memorial, our people left at Bergen were treated with the greatest kindness by an order from Court, their expenses during the winter that they had been detained there all paid, necessaries furnished to them for their voyage to Dunkirk, and a passage thither found for them all at the King's expense. I have not dropped the application for a restitution, but shall continue to push it, not without some hopes of success. I wish, however, to receive instructions relating to it, and I think a letter from Congress to that Court might forward the business; for I believe they are sensible they have done wrong, and are apprehensive of the inconveniences that may follow. With this I send the protests taken at Bergen against the proceeding.

The Alliance, in her last cruise, met with and sent to America a Dutch ship, supposed to have on board an English cargo. The owners have made application to me. I have assured them, that they might depend on the

justice of our courts, and that if they could prove their property there, it would be restored. M. Dumas has written to me about it. I enclose his letter, and wish despatch may be given to the business, as well to prevent the inconveniences of a misunderstanding with Holland, as for the sake of justice.

A ship of that nation has been brought in here by the Black Prince, having an English cargo. I consulted with Messrs Adams and Dana, who informed me that it was an established rule with us in such cases to confiscate the cargo, but to release the ship, paying her freight, &c. This I have accordingly ordered in the case of this ship, and hope it may be satisfactory. But it is a critical time with respect to such cases, for whatever may formerly have been the law of nations, all the neutral powers at the instance of Russia seem at present disposed to change it, and to enforce the rule that *free ships shall make free goods*, except in the case of contraband. Denmark, Sweden, and Holland, have already acceded to the proposition, and Portugal is expected to follow. France and Spain, in their answers, have also expressed their approbation of it. I have, therefore, instructed our privateers to bring in no more neutral ships, as such prizes occasion much litigation, and create ill blood.

The Alliance, Captain Landais, took two Swedes in coming hither, who demand of us for damages, one, upward of sixty thousand livres, and the other near five hundred pounds sterling; and I cannot well see how the demand is to be settled. In the newspapers that I send, the Congress will see authentic pieces expressing the sense of the European powers on the subject of neutral navigation.

I hope to receive the sense of Congress for my future government, and for the satisfaction of the neutral nations now entering into the confederacy, which is considered here as a great stroke against England.

In truth, that country seems to have no friends on this side of the water ; no other nation wishes it success in its present war, but rather desires to see it effectually humbled ; no one, not even their old friends the Dutch, will afford them any assistance. Such is the mischievous effect of pride, insolence, and injustice on the affairs of nations, as well as on those of private persons !

The English party in Holland is daily diminishing, and the States are arming vigorously to maintain the freedom of their navigation. The consequence may possibly be a war with England, or a serious disposition in that mad nation to save what they can by a timely peace.

Our cartel for the exchange of American prisoners has been some time at a stand. When our little squadron brought near five hundred into Holland, England would not at first exchange Americans for them there, expecting to take them in their passage to France. But at length an agreement was made between the English and French ambassadors, and I was persuaded to give them up, on a promise of having an equal number of English delivered to my order at Morlaix. So those were exchanged for Frenchmen. But the English now refuse to take any English in exchange for Americans, that have not been taken by American cruisers. They also refuse to send me any Americans in exchange for their prisoners released, and sent home by the two flags of truce from Boston. Thus they give up all pretensions to equity and

honor, and govern themselves by caprice, passion, and transient views of present interest.

Be pleased to present my duty to Congress, and believe me to be with great respect, your Excellency's, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, June 1st, 1780.

Sir,

Commodore Jones, who by his bravery and conduct has done great honor to the American flag, desires to have that also of presenting a line to the hands of your Excellency. I cheerfully comply with his request, in recommending him to the notice of Congress, and to your Excellency's protection, though his actions are a more effectual recommendation, and render any from me unnecessary. It gives me, however, an opportunity of showing my readiness to do justice to merit, and of professing the esteem and respect with which I am

Your Excellency's, &c.

B. FRANKLIN.

TO C. W. F. DUMAS.

Passy, June 5th, 1780.

Dear Sir,

The gentleman, whose name you wished to know, in one of your late letters, is *M. Westhuysen, Echevin et Conseiller de la Ville de Harlem*. I shall probably send an order to that place for some of the types, of which you have sent me the prices, *before I leave Europe*. I think them very good and not dear.

A Dutch ship belonging to Messrs Little, Dale, & Co. of Rotterdam, being brought into France as having an English cargo on board, I have followed your opinion with regard to the condemnation of the cargo, which I think the more right, as the English have in the West Indies confiscated several of our cargoes found in Dutch ships. But to show respect to the declaration of the Empress of Russia, I have written to the owners of our privateers, a letter of which I enclose a copy, together with a copy of the judgment, for your use, if you hear of any complaint. I approve much of the principles of the confederacy of the neutral powers, and am not only for respecting the ships as the house of a friend, though containing the goods of an enemy, but I even wish for the sake of humanity, that the law of nations may be further improved, by determining, that even in time of war, all those kinds of people who are employed in procuring subsistence for the species, or in exchanging the necessaries or conveniences of life, which are for the common benefit of mankind, such as husbandmen on their lands, fishermen in their barques, and traders in unarmed vessels, shall be permitted to prosecute their several innocent and useful employments without interruption or molestation, and nothing taken from them, even when wanted by an enemy, but on paying a fair price for the same.

I think you have done well to print the letter of Clinton, for though I have myself had suspicions whether some parts of it were really written by him, yet I have no doubt of the facts stated, and think the piece valuable, as giving a true account of the state of British and American affairs in that quarter. On the whole, it has the appearance of a letter written by a general, who did not approve of the

expedition he was sent upon, who had no opinion of the judgment of those who drew up his instructions, who had observed, that the preceding commanders, Gage, Burgoyne, Keppel, and the Howes, had all been censured by the Ministers for having unsuccessfully attempted to execute injudicious instructions with unequal force, and he therefore wrote such a letter, not merely to give the information contained in it, but to be produced in his vindication, when he might be recalled, and his want of success charged upon him as a crime; though, in truth, owing to the folly of the Ministers, who had ordered him on impracticable projects, and persisted in them, notwithstanding his faithful informations, without furnishing the necessary number of troops he had demanded. In this view much of the letter may be accounted for, without supposing it fictitious; and therefore if not genuine, it is ingeniously written. But you will easily conceive, that if the state of public facts it contains were known in America to be false, such a publication there would have been absurd, and of no possible use to the cause of the country.

I have written to M. Neufville concerning the bills you mention. I have no orders or advice about them, know nothing of them, and therefore cannot prudently meddle with them; especially as the funds in my power are not more than sufficient to answer the Congress bills for interest and other inevitable demands. He desired to know whether I would engage to reimburse him, if he should accept and pay them; but as I know not the amount of them, I cannot enter into any such engagement; for though, if they are genuine Congress bills, I am persuaded all possible care will be taken by Congress to provide for their punctual payment, yet there are so many accidents,

by which remittances are delayed or intercepted in the time of war, that I dare not hazard for these new bills the possibility of being rendered unable to pay the others.

With great esteem, I am, &c.

B. FRANKLIN.

COUNT DE VERGENNES TO B. FRANKLIN.

Versailles, June 30th, 1780.

Sir,

I did not until this day receive the letter, which you did me the honor to write to me on the 24th of this month.

You request, in consequence of an application made to you by Mr Adams, that the orders given to the Chevalier de la Luzerne relative to a resolution of Congress of the 18th of March last should be revoked, or at least suspended, as that Plenipotentiary is able to prove, that these orders are founded on false reports.

Mr Adams on the 22d sent me a long dissertation on the subject in question, but it contains only abstract reasonings, hypothesis, and calculations, which have no real foundation, or which at least do not apply to the subjects of the King, and in fine principles, than which nothing can be less analogous to the alliance subsisting between his Majesty and the United States.

By this, Sir, you can judge that the pretended proofs mentioned by Mr Adams are not of a nature to induce us to change our opinion, and consequently cannot effect a revocation or suspension of the orders given to the Chevalier de la Luzerne. The King is so firmly persuaded, Sir, that your private opinion respecting the effects of that resolution of Congress as far as it concerns strangers, and especially Frenchmen, differs from that of Mr Adams,

that he is not apprehensive of laying you under any embarrassments by requesting you to support the representations, which his Minister is ordered to make to Congress. And that you may be enabled to do this with a complete knowledge of the case, his Majesty has commanded me to send you a copy of my letter to Mr Adams, the observations of that Plenipotentiary, and my answer to him.

The King expects that you will lay the whole before Congress, and his Majesty flatters himself that that assembly, inspired with principles different from those which Mr Adams has discovered, will convince his Majesty, that they know how to prize those marks of favor, which the King has constantly shown to the United States.

However, Sir, the King does not undertake to point out to Congress the means, which may be employed to indemnify the French, who are holders of the paper money. His Majesty, with respect to that, relies entirely on the justice and wisdom of that assembly.

I have the honor to be, &c.

DE VERGENNES.

COMMITTEE OF FOREIGN AFFAIRS TO B. FRANKLIN.

Philadelphia, July 11th, 1780.

Sir,

After the repeated remonstrances, which you have made to Congress on the subject of bills of exchange, the enclosed resolution we are well aware will need an apology. We regret, that you should have so much trouble, and be put to so many expedients in matters of this kind,

well knowing how delicate a point it is to solicit further advances, after so many have already been made. Congress, attending to your letters and representations, have taken this step with reluctance; but the present crisis, when not only the preparations for a vigorous campaign call for large expenditures, but the expectation of a co-operating force makes great additions necessary, has induced them to risk the sum mentioned. The bills will not be drawn faster than indispensable exigencies may require, and it is to be hoped, that this mode of commanding cash will not be again resorted to.

We are, Sir, &c.

JAMES LOVELL,
W. C. HOUSTON.

THE COMMITTEE OF FOREIGN AFFAIRS TO B. FRANKLIN.

Philadelphia, July 11th, 1780.

Sir,

Congress having appointed the Honorable Henry Laurens to solicit a loan of money in the United Provinces of the Low Countries, in order to facilitate his success the enclosed resolution has been passed. We need say nothing to explain or urge it, except that it is thought a mark of attention and confidence due to those powers named in it, that their interest, if the state of politics inclines them to exert it, will have a good effect; and, that the want of money makes this loan a very capital object to the United States. You will, we are sure, give Mr Laurens every assistance in your power, and solicit the countenance of the Court where you reside to forward his negotiations.

Until Mr Laurens shall arrive, Mr Adams is commis-

sioned and empowered to undertake that business, and, in case of his disability, Mr Dana is in like manner commissioned and empowered.

We are, Sir, your humble servants,

JAMES LOVELL,
W. C. HOUSTON.

THE COMMITTEE OF FOREIGN AFFAIRS TO B. FRANKLIN.

Philadelphia, July 11th, 1780.

Sir,

We are to communicate to you, that Congress entertain a favorable sense of the attention and services of Mons. de Chezaulx, his Most Christian Majesty's Consul at the port of Bergen in Norway, in the late affair of the prizes sent in there by the squadron commanded by Captain Jones, and we beg you will present, through the proper channel, the acknowledgment to be made for the polite respect shown to the interests of the citizens of these States.

We are, Sir, your very humble servants,

JAMES LOVELL,
W. C. HOUSTON.

COMMITTEE OF FOREIGN AFFAIRS TO H. DOHRMAN, MERCHANT, LISBON.

Philadelphia, July 11th, 1780.

Sir,

Mr George Anderson, of Virginia, having informed us of the humane and benevolent attention uniformly given by you to the citizens of these States, who have been so unfortunate as to be captivated at sea and carried into the ports of Portugal, we represented the same to Congress,

to whom it gave much pleasure to know, that those men had found a patron and friend disposed to alleviate their distresses.

The enclosed Resolve constitutes you an Agent of Congress, and you will, from time to time, receive powers and instructions from that body through this Committee. At present we need only say in general, that the affairs of the citizens of America, applying for relief in captivity, are committed to your discretion, and your countenance and advice in matters of business are solicited for others.

We wish to learn from you in what manner you would be repaid, trusting that though the war in which this republic is engaged oppresses it with expense, and calls now for all its resources, you will by no means fail in the end of compensation.

You must be governed in your advances on account of these United States more by that economy, which their circumstances make essential, than by the liberality of your own habits, which American subjects in distress will probably but too often stimulate. You ought to know that Doctor Franklin and others, who have advanced monies to Americans under the misfortune of captivity, have transmitted receipts regularly, so that due charges may be made against those who are in public service, and repayment may be had of those who are in condition to make it while in private employ.

You will correspond with our Ministers and Agents in France, Spain, and Holland, whenever you may thereby promote the interests of these United States, for which you have manifested already so much regard.

We are, Sir, your most humble servants,

JAMES LOVELL,

WILLIAM C. HOUSTON.

DAVID HARTLEY TO B. FRANKLIN.

London, July 17th, 1780.

My Dear Friend,

Enclosed I send you a copy of a conciliatory bill,* which was proposed in the House of Commons on the 27th of last month. It was rejected. You and I have had so

* *Draft of a proposed Bill for Conciliation with America.*

A Bill to invest the Crown with sufficient Powers to treat, consult, and finally to agree upon the Means of restoring Peace with the Provinces of North America.

Whereas many unfortunate subjects of contest have of late years subsisted between Great Britain and the several Provinces of North America, hereinafter recited, viz. New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, which have brought on the calamities of war between Great Britain and the aforesaid provinces, to the end therefore that the further effusion of blood may be prevented, and that peace may be restored, may it please your Majesty that it be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, that it shall and may be lawful for his Majesty, by letters patent, under the great seal of Great Britain, to authorise and empower any person or persons, to treat, consult, and finally to agree with any person or persons properly authorised on the part of the aforesaid provinces of North America, upon the means of restoring peace between Great Britain and the aforesaid provinces, according to the powers in this act contained.

And be it further enacted, that in order to facilitate the good purposes of this act, his Majesty may lawfully enable any such person or persons, so appointed by his Majesty's letters patent, as aforesaid, to order and proclaim a cessation of hostilities, on the part of his Majesty's forces, by sea and land, for any time, and under any conditions or restrictions.

And be it further enacted, that in order to lay a good foundation for

much intercourse upon the subject of restoring peace between Great Britain and America, that I think there is nothing further left to be said upon the subject. You will perceive by the general tenor of the bill, that it proposes a general power to treat. It chalks out a line of negotiation

a cordial reconciliation and lasting peace between Great Britain and the aforesaid provinces of North America, by restoring an amicable intercourse between the same as soon as possible, his Majesty may lawfully enable any such person or persons, so appointed by his Majesty's letters patent, as aforesaid, to enter into and to ratify from time to time, any article or articles of intercourse and pacification, which article or articles, so entered into and ratified from time to time, shall remain in full force and effect for the certain term of ten years, from the first day of August, one thousand seven hundred and eighty.

Provided also, and be it further enacted, by the authority aforesaid, that in order to remove any obstructions, which may arise to the full and effectual execution of any article or articles of intercourse and pacification, as before mentioned, that it shall and may be lawful for his Majesty, by any instrument under his sign manual, countersigned by one or more of his Majesty's principal Secretaries of State, to authorise and empower any such person or persons, so appointed by his Majesty's letters patent, as aforesaid, to suspend for the term of ten years from the first day of August, one thousand seven hundred and eighty, the operation and effect of any act or acts of Parliament, which are now in force, respecting the aforesaid provinces of North America, or any clause or clauses, proviso or provisos, in any such act or acts of Parliament contained; inasmuch as they, or any of them, may obstruct the full effect and execution of any such article or articles of intercourse and pacification, which may be entered into and ratified as beforementioned, between Great Britain and the aforesaid provinces of North America.

And be it further enacted, that in order to establish perpetual reconciliation and peace between Great Britain and the aforesaid provinces of North America, it is hereby required, and be it enacted, that all or any article or articles of intercourse and pacification, which shall be entered into and ratified, for the certain term of ten years, as beforementioned, shall from time to time be laid before the two Houses of Parliament, for their consideration, as the perpetual basis of reconcil-

in very general terms. I remain in the sentiments which I ever have, and which I believe I ever shall entertain, viz. those of seeking peace upon honorable terms. I shall always be ready, and most desirous to join in any measures which may facilitate peace.

I am ever your most affectionate,

D. HARTLEY.



TO C. W. F. DUMAS.

Passy, July 26th, 1780.

Dear Sir,

I wrote to Messrs de Neufville by the last post, in answer to theirs of the 14th. I hope they received my letter. It signified, that I could accept the bills drawn on Mr Laurens. I find by a vote of Congress on the 4th of March, that they then stopped drawing, and I am informed no more bills have been issued since. I could not relish those gentlemen's proposal of mortgaging *all our estates*, for the little money Holland is likely to lend us. But I am obliged to them for their zeal in our cause.

I received, and thank you for the protest relating to the election of the coadjutor. You seem to be too much affected with the taking of Charleston. It is so far a damage to us, as it will enable the enemy to exchange a great part of the prisoners we had in our hands, otherwise

ment and peace between Great Britain and the aforesaid provinces of North America; and that any such article or articles of intercourse and pacification as beforementioned, when the same shall have been confirmed in Parliament, shall remain in full force and effect forever.

And be it further enacted, that this act shall continue to be in force until the thirtyfirst day of December, one thousand seven hundred and eightyone.

their affairs will not be much advanced by it. They have successively been in possession of the capitals of five provinces, viz. Massachusetts Bay, Rhode Island, Pennsylvania, New York, and Georgia; but were not therefore in possession of the provinces themselves. New York and Georgia still continue their operations as free States; and so I suppose will South Carolina. The cannon will be recovered with the place; if not, our furnaces are constantly at work in making more. The destroying of our ships by the English, is only like shaving our beards, which will grow again. Their loss of provinces is like the loss of a limb, which can never again be united to their body. I was sorry to hear of your indisposition. Take care of yourself. Honey is a good thing for obstructions in the reins. I hope your health is by this time re-established.

I am less committed than you imagine in the affair between Jones and Landais. The latter was not dispossessed by me of his command, but quitted it. He afterwards took it into his head to resume it, which the former's too long stay at Paris gave him an opportunity of effecting. Captain Jones is going in the *Ariel* frigate to America, where they may settle their affairs as they can.

The captain commandant of Dunkirk, who occasioned the loss of our despatches, is himself taken by the English. I have no doubt of the truth of what Mr White told you about the facility with which the tax was collected.

The same Baron de Wulffen has not pleased me, having left little debts behind him unpaid, though I furnished him with twenty guineas. As he had been with his brother at Venloo, before he saw you, where he might get money, I wonder at his borrowing of you.

This will be delivered to you by his Excellency John Adams, whom I earnestly recommend to your best civilities. He has never been in Holland, and your counsels will be of use to him.

My best wishes attend you, being ever, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, August 9th, 1780.

Sir,

With this your Excellency will receive a copy of my last, dated May 31st, the original of which, with copies of preceding letters, went by the Alliance, Captain Landais, who sailed the beginning of last month, and who I wish may arrive safe in America, being apprehensive that by her long delay in port, from the mutiny of the people, who after she was ready to sail refused to weigh anchor till their wages were paid, she may fall in the way of the English fleet now out, or that her crew, who have ever been infected with disorder and mutiny, may carry her into England. She had, on her first coming out, a conspiracy for that purpose, besides which, her officers and Captain quarrelled with each other, the Captain with Commodore Jones, and there have been so many broils among them, that it was impossible to get the business forward while she staid, and she is at length gone, without taking the quantity of stores she was capable of taking, and was ordered to take.

I suppose the conduct of that Captain will be inquired into by a Court Martial. Captain Jones goes home in the Ariel, a ship we have borrowed of government here, and carries one hundred and fortysix chests of arms, and four

hundred barrels of powder. To take the rest of the stores, I have been obliged to freight a ship, which being well armed and well manned will, I hope, get in safe. The clothes for ten thousand men are, I think, all made up; there are also arms for fifteen thousand, new and good, with two thousand barrels of powder. Besides this, there is a great quantity of cloth I have bought, of which you will have the invoices sent by Mr Williams; another large quantity purchased by Mr Ross; all going in the same ship.

The little authority we have here to govern our armed ships, and the inconvenience of distance from the ports, occasion abundance of irregularities in the conduct of both men and officers. I hope, therefore, that no more of those vessels will be sent hither, till our code of laws is perfected respecting ships abroad, and proper persons appointed to manage such affairs in the sea ports. They give me infinite trouble; and though I endeavor to act for the best, it is without satisfaction to myself, being unacquainted with that kind of business. I have often mentioned the appointment of a consul or consuls. The Congress have, perhaps, not yet had time to consider that matter.

Having already sent you, by different conveyances, copies of my proceedings with the Court of Denmark, relative to the three prizes delivered up to the English, and requested the instructions of Congress, I hope soon to receive them. I mentioned a letter from the Congress to that Court, as what I thought might have a good effect. I have since had more reasons to be of that opinion.

The unexpected delay of Mr Deane's arrival has retarded the settlement of the joint accounts of the com-

mission, he having had the chief management of the commercial part, and being therefore best able to explain difficulties. I have just now the pleasure to hear that the Fier Rodrique, with the convoy from Virginia, arrived at Bordeaux all safe except one tobacco ship, that foundered at sea, the men saved, and I have a letter from Mr Deane that he is at Rochelle, proposes to stop a few days at Nantes, and then proceed to Paris, when I shall endeavor to see that business completed with all possible expedition.

Mr Adams has given offence to the Court here, by some sentiments and expressions contained in several of his letters written to the Count de Vergennes. I mention this with reluctance, though perhaps it would have been my duty to acquaint you with such a circumstance, even were it not required of me by the Minister himself. He has sent me copies of the correspondence, desiring I would communicate them to Congress; and I send them herewith.* Mr Adams did not show me his letters before he sent them. I have, in a former letter to Mr Lovell, mentioned some of the inconveniences that attend the having more than one Minister at the same Court, one of which inconveniences is, that they do not always hold the same language, and that the impressions made by one, and intended for the service of his constituents, may be effaced by the discourse of the other. It is true, that Mr Adams's proper business is elsewhere, but the time not being come for that business, and having nothing else here wherewith to employ himself, he seems to have endeavored supplying what he may suppose my negotiations defective in. He thinks, as he tells me himself, that

* These letters will be found in Mr Adams's Correspondence in the month of June, 1780.

America has been too free in expressions of gratitude to France; for that she is more obliged to us than we to her; and that we should show spirit in our applications. I apprehend that he mistakes his ground, and that this Court is to be treated with decency and delicacy. The King, a young and virtuous Prince, has, I am persuaded, a pleasure in reflecting on the generous benevolence of the action in assisting an oppressed people, and proposes it as a part of the glory of his reign. I think it right to increase this pleasure by our thankful acknowledgments, and that such an expression of gratitude is not only our duty, but our interest. A different conduct seems to me what is not only improper and unbecoming, but what may be hurtful to us. Mr Adams, on the other hand, who, at the same time means our welfare and interest as much as I, or any man can do, seems to think a little apparent stoutness, and a greater air of independence and boldness in our demands, will procure us more ample assistance. It is for the Congress to judge and regulate their affairs accordingly.

M. de Vergennes, who appears much offended, told me yesterday that he would enter into no further discussions with Mr Adams, nor answer any more of his letters. He is gone to Holland to try, as he told me, whether something might not be done to render us less dependent on France. He says the ideas of this Court and those of the people in America are so totally different, that it is impossible for any Minister to please both. He ought to know America better than I do, having been there lately, and he may choose to do what he thinks will best please the people of America. But when I consider the expressions of Congress in many of their public acts, and

particularly in their letter to the Chevalier de la Luzerne, of the 24th of May last, I cannot but imagine that he mistakes the sentiments of a few for a general opinion. It is my intention, while I stay here, to procure what advantages I can for our country, by endeavoring to please this Court; and I wish I could prevent anything being said by any of our countrymen here, that may have a contrary effect, and increase an opinion lately showing itself in Paris, that we seek a difference, and with a view of reconciling ourselves to England. Some of them have of late been very indiscreet in their conversations.

I have received, eight months after their date, the instructions of Congress relating to a new article for guaranteeing the fisheries. The expected negotiations for a peace appearing of late more remote, and being too much occupied with other affairs, I have not hitherto proposed that article. But I purpose doing it next week. It appears so reasonable and equitable, that I do not foresee any difficulty. In my next I shall give you an account of what passes on the occasion.

The silver medal ordered for the Chevalier de Fleury, has been delivered to his order here, he being gone to America. The others for Brigadier General Wayne, and Colonel Stewart, I shall send by the next good opportunity.

The two thousand pounds I furnished to Messrs Adams and Jay, agreeable to an order of Congress, for themselves and Secretaries, being nearly expended, and no supplies to them arriving, I have thought it my duty to furnish them with further sums, hoping the supplies promised will soon arrive to reimburse me, and enable me to pay the bills drawn on Mr Laurens in Holland, which I have engaged for, to save the public credit, the holders of those bills

threatening otherways to protest them. Messrs de Neufvilles of Amsterdam had accepted some of them. I have promised those gentlemen to provide for the payment before they become due, and to accept such others as shall be presented to me. I hear, and hope it is true, that the drawing of such bills is stopped, and that their number and value is not very great.

The bills drawn in favor of M. de Beaumarchais for the interest of his debt are paid.

The German Prince, who gave me a proposal some months since for furnishing troops to the Congress, has lately desired an answer. I gave no expectation that it was likely you would agree to such a proposal, but being pressed to send it to you, it went with some of my former letters.

M. Fouquet, who was employed by Congress to instruct people in making gunpowder, is arrived here, after a long passage; he has requested me to transmit a memorial to Congress, which I do enclosed.

The great public event in Europe of this year, is the proposal by Russia of an armed neutrality for protecting the liberty of commerce. The proposition is accepted now by most of the maritime powers. As it is likely to become the law of nations, *that free ships should make free goods*, I wish the Congress to consider, whether it may not be proper to give orders to their cruisers not to molest foreign ships, but conform to the spirit of that treaty of neutrality.

The English have been much elated with their success at Charleston. The late news of the junction of the French and Spanish fleets, has a little abated their spirits; and I hope that junction, and the arrival of the French troops

and ships in North America, will soon produce news, that may afford us also in our turn some satisfaction.

Application has been made to me here, requesting that I would solicit Congress to permit the exchange of William John Mawhood, a Lieutenant in the 17th regiment, taken prisoner at Stony Point, July 15th, 1779, and confined near Philadelphia, or if the exchange cannot conveniently be made, that he may be permitted to return to England on his parole. By doing this at my request, the Congress will enable me to oblige several friends of ours, who are persons of merit and distinction in this country.

Be pleased, Sir, to present my duty to Congress, and believe me to be, with great respect, &c.

B. FRANKLIN.

P. S. A similar application has been made to me in favor of Richard Croft, Lieutenant in the 20th regiment, a prisoner at Charlottesvillle. I shall be much obliged by any kindness shown to that young gentleman, and so will some friends of ours in England, who respect his father.

B. F.

TO JAMES LOVELL.

Passy, August 10th, 1780.

Sir,

I received on the 12th of June, 1780, copies of your several favors of April the 29th, 1779, June the 13th, 1779, July the 9th and 16th, August and September the 16th, 1779. You will see by this what delays our correspondence sometimes meets with. I have lately received two of fresher date, viz. February the 24th, and May the 4th. I thank you much for the newspapers and

journals you have from time to time sent me ; I endeavor to make full returns in the same way. I could furnish a multitude of despatches with confidential informations taken out of the papers I send you, if I chose to deal in that kind of manufacture ; I know the whole art of it, for I have had several volunteer correspondents in England, who have in their letters for years together communicated to me secrets of state, extracted from the newspapers, which sometimes came to hand in those papers by the same post, and sometimes by the post before. You and I send the papers themselves. Our letters may appear the leaner, but what fat they have is their own.

I wrote to you the 17th of October, and the 16th of March, and have sent duplicates, some of which I hope got to hand. You mention receiving one of September the 30th, and one of December the 30th, but not that of October the 17th. The cypher you have communicated, either from some defect in your explanation, or in my comprehension, is not yet of use to me ; for I cannot understand by it the little specimen you have written in it. If you have that of M. Dumas, which I left with Mr Morris, we may correspond by it when a few sentences are required only to be written in cypher, but it is too tedious for a whole letter.

I send herewith copies of the instruments annulling the 11th and 12th articles of the treaty.* The treaty printed here by the Court omitted them, and numbered the subsequent articles accordingly.

I write fully to the President. The frequent hinderances the Committee of Correspondence meet with in writing

* For these instruments, see the Correspondence of the Commissioners in Paris, Vol. I. p. 432.

as a committee, which appear from the excuses in your particular letters, and the many parts of my letters, that have long been unanswered, incline me to think, that your foreign correspondence would be best managed by one secretary, who could write when he had an opportunity, without waiting for the concurrence or opinions of his brethren, who cannot always be got conveniently together. My chief letters will, therefore, for the future be addressed to the President, till further orders.

I send you enclosed some more of Mr Hartley's letters. He continues passionately to desire peace with America, but wishes we could be separated from France.

With great esteem, &c.

B. FRANKLIN.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, August 15th, 1780.

Sir,

Though I cannot procure the signatures of the Committee of Foreign Affairs at this moment, nor the resolve of Congress respecting bills to be drawn on you for one hundred thousand dollars, passed two or three days ago, the bills payable at ninety days sight, yet I should be blameable if I did not thus far notify you. The breach upon our taxes at the southward by the possession, which the enemy have there, made this disagreeable step necessary for the express purpose of supporting General Gates in that department.

Notwithstanding the mention made in our journals long ago of giving you a Secretary, no vote has lately been taken for the purpose.

Mr Laurens will be able, on any questions from you in corresponding, to give you whatever the gazettes do not convey. I am, Sir, your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.

P. S. *August 27th, 1780.* I now add the resolves.



JAMES LOVELL TO B. FRANKLIN.

September 7th, 1780.

Sir,

With triplicate and duplicate of former dates I have to enclose to you some further proceedings of Congress, respecting bills of exchange drawn upon you, and to acknowledge the receipt of your letter of May the 31st. I think I can venture now to assure you, that not a single draft more will be made upon you, let the occasion be ever so pressing; but you must be entreated to work with all energy as to the past. You cannot conceive of the whole train of necessities, which led to such decisions, after what you had written. Congress have lately called for three millions more than formerly, estimating in silver, to be paid by the last of December. Nothing but the weight of taxes will put an end to the levity with which our currency is treated.

New York has empowered its delegates to cede part of her western claims, and it is recommended to others to relinquish also a portion, and Maryland is anew invited to close the ratification of the confederating articles. We must as a whole show more vigor than of late.

I am, Sir, your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.

TO C. W. F. DUMAS.

Passy, October 2d, 1780.

Dear Sir,

I received duly your several letters of the 12th, 15th, 17th, 19th, and 21st of September. I am much pleased with the intelligence you sent me, and with the papers you have had printed.

Mr Searle is a military officer in the Pennsylvania troops, and a member of Congress. He has some commission to execute for that province, but none that I know of from Congress. He has an open letter for you from Mr Lovell, which he has show'd me. It is full of expressions of his esteem; and I understand from Mr Searle, that you stand exceedingly well with the Committee and with the Congress in general. I am sorry to see any marks of uneasiness and apprehension in your letters. M. Chaumont tells me, that you want some assurance of being continued. The Congress itself is changeable at the pleasure of their electors, and none of their servants have, or can have, any such assurance. If, therefore, anything better for you, and more substantial should offer, nobody can blame you for accepting it, however satisfied they may be with your services. But as to the continuance of what you may enjoy, or of something as valuable in the service of the Congress, I think you may make yourself easy, for your appointment seems more likely to be increased than diminished, though it does not belong to me to promise anything.

Mr Laurens was to sail three days after Mr Searle, who begins to fear he must be lost, as it was a small vessel he intended to embark in. He was bound directly to Holland.

I enclose some extracts of letters from two French officers of distinction in the army of M. de Rochambeau, which are pleasing, as they mark the good intelligence that subsists between the troops, contrary to the reports circulated by the English.

They will do perhaps for your Leyden Gazette.

With great esteem and affection, I am ever, &c:

B. FRANKLIN.

TO C. W. F. DUMAS.

Passy, October 9th, 1780.

Dear Sir,

I received yours of the 29th of September and 3d of October. It is a very good addition you have made to your Memoir for the Ministers of Russia and Sweden. I am glad to find you are again on such good terms with the Ambassador, as to be invited to his comedy. I doubt not of your continuing to cultivate that good understanding. I like much your insertions in the gazettes. Such things have good effects.

Your information relative to the transactions at Petersburg and in Denmark are very interesting, and afforded me a good deal of satisfaction, particularly the former. Mr Searle will have the pleasure of seeing you. I recommend him warmly to your civilities. He is much your friend, and will advise Mr Laurens to make you his secretary, which I hope you will accept. I have given it as my opinion, that Mr L. can nowhere find one better qualified, or more deserving. The choice is left to that Minister, and he is empowered to give a salary of £500 sterling a year. I am in pain on account of his not being yet ar-

rived, but I hope you will see him soon. I request you would find means to introduce Mr Searle to the Portuguese Ambassador. Pray consider the enclosed papers, and after advising with your friend, give me your opinion as to the manner of the application to the States-General, whether I should make it through their Ambassador, or directly with a letter to the Grand Pensionary, or in what other manner. You know we wrote to him formerly, and received no answer.

With great esteem, I am, &c.

B. FRANKLIN.

P. S. You say nothing of Mr Adams? How do you stand with him? What is he doing?

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, October 28th, 1780.

Sir,

A Committee was appointed on the 6th to draft "a letter to our Ministers at the Courts of Versailles and Madrid, to enforce the instructions given by Congress to Mr Jay, by their resolutions of the 4th instant, and so to explain the reasons and principles on which the same are founded, that they may respectively be enabled to satisfy those Courts of the justice and equity of the intentions of Congress."

That Committee reported a draft of a letter to Mr Jay, "and that a copy of it be communicated to Doctor Franklin, together with the resolution directing the draft."

There is no member of the Committee for Foreign Affairs attending Congress but myself, nor have the Com-

mittee had a secretary or a clerk since T. Paine's resignation. I must entreat you, therefore, Sir, to excuse the economy of my request, that you would transmit to Mr Jay all the papers which happen to reach you directed for him, taking copies of such as are left open, for your information. I persuade myself you will readily communicate to Mr Adams what appears so much connected with his commission, though it has not been specially ordered by the report of the Committee on the draft.

I am, Sir, your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



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.

CHARLES VERNON, LIEUTENANT GOVERNOR OF THE
TOWER OF LONDON, TO SIR GREY COOPER.

Hampstead, November 27th, 1780.

Dear Sir,

I am much ashamed to think that I shall appear so dilatory in answering the favor of your letter, but the truth is, I was not in town when the messenger left it in Cork Street, and by the neglect of my servants I received it only on Sunday last. I went immediately to the Tower, to know from Mr Laurens himself if he had any cause of complaint, and if he had availed himself of the indulgence allowed him by the Secretary of State, of walking within the Tower whenever it was agreeable to himself. His answer to me was full and frank to the questions, that he had received every reasonable indulgence since his confinement, and that by the liberty allowed him of walking, he found his health much mended. He said, at the same time, that he had always thought himself highly honored by the distinguished place of his confinement, and regretted much it was not in his power to make known to all the world, the acknowledgments he had more than once made to me upon this subject.

I beg you will do me the favor to communicate these particulars to Lord George Germain as soon as convenient.

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

CHARLES VERNON.

SIR GREY COOPER TO B. FRANKLIN.

London, November 29th, 1780.

Sir,

I have received the honor of your letter, in which you acquainted me, that you understood that the health of Mr Laurens suffered by the closeness and rigor of his confinement in the Tower, and after complaining of the harshness of the proceeding, you request me to endeavor to obtain for Mr Laurens such a degree of air and liberty, as may be necessary for his health and comfort. The enclosed letter, which I received from the Lieutenant Governor of the Tower, will show that I have not been inattentive to your request, and at the same time prove, that the intelligence you receive of what passes in this country, is not always to be depended on for its accuracy and correctness.

I have the honor to be, &c.

GREY COOPER.



INSTRUCTIONS FROM CONGRESS TO B. FRANKLIN.

In Congress, November 29th, 1780.

Sir,

The letters to His Most Christian Majesty, which accompany these instructions, you will deliver without loss of time; you will on all occasions, and in the strongest terms, represent the unalterable resolutions of these United States to maintain their liberties and independence, and invariably to adhere to the alliance at every hazard, and in every event. That the misfortunes of the last campaign, instead of repressing, have redoubled their ardor. That Congress are resolved to employ every resource in their

power to expel the enemy from every part of the United States, by the most vigorous and decisive co-operation with the marine and troops of their illustrious ally ; that they have called for a powerful army and ample supplies of provisions, and that the States are disposed effectually to a compliance with their requisitions. That if, in aid of our own exertions, the Court of Spain can be prevailed on to assume a naval superiority in the American seas, to furnish the arms, ammunition, and clothing specified in the estimate herewith transmitted, and to assist us with the loan mentioned in the letter, we flatter ourselves, that under the divine blessing the war must be speedily terminated, with glory and advantage to both nations. To procure these necessary aids you will employ unremitting attention and your utmost abilities ; your own knowledge of our circumstances, and the fact suggested in the letter, will supply you with abundant argument to enforce our requisitions.

You will give Colonel Palfrey, late Paymaster General for our armies, and now our Consul in France, all the support which is necessary for the exercise of his Consular functions, as well as for the effectual execution of the special authority and instructions, which he will communicate. The sufferings of our army for the want of the clothing and arms, which the grant of His Most Christian Majesty, and your own despatch gave us reason to expect, and the absolute and increasing necessity of their being immediately forwarded to give efficacy to our future operations, will especially impress upon you the dangerous consequences of a further disappointment.

With respect to the loan, we foresee, that the sum we

ask will be greatly inadequate to our wants. We wish, however, to depend as much as possible on our internal exertions. In this negotiation the state of our finances requires, that you should endeavor to procure as long a respite after the war for payment of the principal as may be in your power. You may agree for an interest not exceeding the terms allowed or given on national security, in endeavoring to suspend the discharge of the interest for two or three years if possible.

The loan must prove ineffectual, unless the specie is actually remitted. Experience has shown, that the negotiations of bills is attended with insuperable loss and disadvantage. His Most Christian Majesty, we are persuaded, will see in the strongest light the necessity of despatching an effective naval armament to the American seas. This is a measure of such vast moment, that your utmost address will be employed to give it success. By such a conveyance the specie may be remitted by different ships of war with a prospect of safety.

You are instructed to procure a correspondence with Monsieur Stephen d'Andibert Caille, Consul for unrepresented nations at the Court of the Emperor of Morocco. Assure him in the name of Congress, and in the most respectful terms, that we entertain a sincere disposition to cultivate the most perfect friendship with the Emperor of Morocco, and are desirous of entering into a treaty of commerce with him, and that we shall embrace a favorable opportunity to announce our wishes in form. You are to take upon yourself, as far as may be consistent with your present functions, the office of adjusting preliminaries for a treaty with that Prince, according to the articles herewith forwarded; provided, that you shall conceive it for the

honor and interest of the United States to make such overtures, and it shall be agreeable to the Court at which you reside.

I have the honor to be, &c.

SAMUEL HUNTINGTON, *President.*

TO JAMES LOVELL.

Passy, December 2d, 1780.

Sir,

I duly received your several favors of August the 15th, and September the 7th, with the resolves of Congress for drawing on me bills extraordinary, to the amount of near three hundred thousand dollars. To keep up the credit of Congress I had already engaged for those drawn on Mr Laurens. You cannot conceive how much these things perplex and distress me ; for the practice of this government being yearly to apportion the revenue to the several expected services, any after demands made, which the treasury is not furnished to supply, meet with great difficulty, and are very disagreeable to the Ministers. To enable me to look these drafts in the face, I have agreed to a proposal contained in the enclosed letter to the President of furnishing provisions to the King's forces in America, which proposal I hope will be approved and executed, and that the Congress will strictly comply with the assurance you have given me, not to draw on me any more without first knowing that they have funds in my hands.

I wrote to you more fully by Captain Jones. He sailed sometime since in the Ariel, but met with a severe storm,

that entirely dismasted him, and obliged him to put back for France. He has been long refitting, but will sail again soon. Every thing goes well here.

With great esteem, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, December 2d, 1780.

Sir,

The many mutual advantages, that must arise from carrying into execution the proposition already communicated to Congress, of furnishing provisions to the King's forces in America, to be paid for here, have, I make no doubt, already induced them to begin that operation. But as the proposition has lately been renewed to me, on occasion of my requesting further aids of money, to answer the unexpected drafts drawn upon me ordered by the resolutions of May and August last, which drafts it is absolutely necessary I should find funds to pay; and as the Congress have long desired to have the means of forming funds in Europe, and an easier, cheaper, and safer method cannot possibly be contrived, and as I see by the journals of February, that the several States were to furnish provisions in quantities instead of supplies in money, whereby much will be in the disposition of Congress, I flatter myself that they will not disapprove of my engaging in their behalf with the Minister of the Finances here, that they will cause to be delivered for the King's land and sea forces in North America such provisions, as may be wanted from time to time, to the amount of four hundred thousand dollars, the said provisions to be furnished at the current prices, for which they might be bought with silver specie.

I have constantly done my utmost to support the credit of Congress, by procuring wherewith punctually to pay all their drafts, and I have no doubt of their care to support mine in this instance by fulfilling honorably my engagement; in which case, receipts in due form should be taken of the person to whom the provisions are delivered in the several States, and those receipts sent to me here.

With great respect, &c.

B. FRANKLIN.

P. S. This value, 400,000 dollars, is to be considered as exclusive of any provisions already furnished, but the receipts for those should also be sent me, if not paid for there.



TO THE PRESIDENT OF CONGRESS.

Passy, December 3d, 1780.

Sir,

I duly received the letter your Excellency did me the honor of writing to me on the 12th of July past, by Mr Searle, and have paid the bills drawn on me by order of Congress in favor of the President and Council of Pennsylvania, for one thousand pounds sterling, which were presented by him. He is at present in Holland.

The news of Mr Laurens having been taken must have reached you long since; he is confined in the Tower, but of late has some more liberty for taking air and exercise than first was allowed him. Certain papers found with him relating to the drafts of a treaty proposed in Holland, have been sent over to the Stadtholder, who laid them before their High Mightinesses, who communicated them to the government of the city of Amsterdam, which justified

the transaction. This has drawn from England a memorial, delivered by Sir Joseph Yorke, demanding that the Pensionary and Magistrates of that city should be punished, and declaring that the King will resent a refusal of the States to comply with this demand. What answer will be given to this insolent memorial we do not yet know. But I hear it has produced much displeasure in Holland, and it is thought to have occasioned a more prompt accession to the armed neutrality, which had before met with obstructions from the English party there.

We have met with a variety of unaccountable delays and difficulties in the affair of shipping the clothing and stores. The Alliance went away without taking her part. The Ariel sailed, but met a storm at sea that dismasted her, and obliged her to return to France. She is nearly again ready to sail. Mr Ross, with his cargo of clothes in the Duke of Leinster, sailed under convoy of the Ariel, but did not return with her, and I hope may get safe to America. The great ship we hired to come to L'Orient, and take in the rest of what we had to send, has been long unexpectedly detained at Bordeaux. I am afraid the army has suffered for want of the clothes; but it has been as impossible for me to avoid, as it was to foresee these delays.

The late Minister of the Marine here, M. de Sartine, is removed, and his place supplied by M. le Marquis de Castries. But this change does not effect the general system of the Court, which continues favorable to us.

I have received a copy of the resolutions of Congress of the 19th of May, and the 9th, 15th, 23d, and 30th of August, directing bills to be drawn on me for near 300,000 dollars. I shall accept the bills, hoping the Congress will approve of, and readily comply with the proposition, con-

tained in a letter to your Excellency, accompanying this, dated the 2d instant. Probably an answer may arrive here before many of those bills shall become due, as few of them are yet arrived. If that answer ratifies the agreement I have made, I shall have no difficulty in finding means to pay the rest. If not, I shall scarce be able to bear the reproaches of merchants, that I have misled them to their loss by my acceptations, which gave a promise of payment, that not being fulfilled, has deranged their affairs, to say nothing of the power I am told the Consul's Court here has over the persons, even of Ministers, in the case of bills of exchange. Let me, therefore, beg your Excellency to use your endeavors with Congress, that this matter may be immediately attended to.

Mr Jay, no doubt, has acquainted you with his difficulties respecting the drafts upon him. I am sorry I cannot extricate him, but I hope he will still find means.

The Mars, an armed ship belonging to the State of Massachusetts, in her way to France, took and sent to New England a Portuguese ship bound to Cork, with salt, belonging to some merchants there. The Portuguese Captain, who is brought in here, complains heavily of ill usage and plunder, besides taking his vessel, and the Ambassador of that nation has communicated to me these complaints, together with all the papers proving the property of the vessel, &c. representing at the same time the good disposition of the Queen towards our States, and his wishes that nothing might lessen it, or tend to prevent or delay a complete good understanding between the two nations. I advised that the owners should send over their claim, and empower some person to prosecute it, in which case I did not doubt our courts would do them justice. I hope the

Congress may think fit to take some notice of this affair, and not only forward a speedy decision, but give orders to our cruisers not to meddle with neutral ships for the future, it being a practice apt to produce ill blood, and contrary to the spirit of the new league, which is approved by all Europe; and the English property found in such vessels will hardly pay the damages brought on us by the irregular proceedings of our Captains, in endeavoring to get at such property.

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

B. FRANKLIN.



JAMES LOVELL TO B. FRANKLIN.

Philadelphia, December 21st, 1780.

Sir,

The bearer, William Palfrey, our late Paymaster General, has been appointed Consul in France, with powers adequate to a general agency in our commercial concerns there. But, while I take up my pen to introduce him to your patronage, I ought to use it rather, perhaps, by way of apologising for myself, in the line of a member of the Committee of Foreign Affairs, from whom you will find no letter. There was a prospect of much business being committed to you by this opportunity, but it was altogether depending upon the President and Secretary to transmit it, which, it seems, they were prevented from doing, by an arrangement being but partly accomplished, which Congress has thought fit to connect with those affairs. This proceeding is of a nature not to admit of my enlarging upon it, because neither my head nor heart suggests anything of eulogium, and my conscience forbids me to pursue the usual style of minorities.

The Journals which I send you will show that we have had no letter from you since that of May last, except two short ones lately, respecting the private concerns of two officers, Baron d'Arendt, and another, whose name is not now in my memory. Colonel Palfrey will be able to give you information additional to the gazettes.

I am, Sir, your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



ADDITIONAL INSTRUCTIONS FROM CONGRESS TO B.
FRANKLIN.

In Congress, December 27th, 1780.

Sir,

Since your last instructions* Congress have thought it expedient to send Colonel John Laurens, with powers to negotiate specially the important affairs to which they more immediately relate. This gentleman, from the nature of his services and situation, has had opportunities of information, which peculiarly qualify him for giving to His Most Christian Majesty a more lively idea of our circumstances, of our indispensable wants, and of the great advantages which must result to the allies from his Majesty's complying with our request.

The negotiation is, besides, so critically important, that it was deemed highly requisite by the mission of this special Minister, to guard against the accident of your want of health, and the consequent delay in making the application.

Notwithstanding this appointment, should the duplicates

* See above, p. 176.

of the despatches reach you before this Minister's arrival, you will consider it as the desire of Congress, that you take, with all possible expedition, every step in your power for effecting the business, or at least for disposing His Most Christian Majesty and his Ministers to take a favorable impression from the representation which Colonel Laurens, from his advantages of fuller information, may be better able to make.

It is intended, and it is well known to be his own disposition, to avail himself of your information and influence, and Congress doubt not that the success of this measure will be much promoted by the assistance he will derive from you ; and they desire you to consider your attention to him as a matter, which will be very satisfactory to Congress and advantageous to your country.

I have the honor to be, &c.

SAMUEL HUNTINGTON, *President.*



TO COUNT DE VERGENNES.

Passy, February 13th, 1781.

Sir,

I have just received from Congress their letter for the King, which I have the honor of putting herewith into the hands of your Excellency. I am charged at the same time, to "represent in the strongest terms, the unalterable resolution of the United States to maintain their liberties and independence ; and inviolably to adhere to the alliance at every hazard, and in every event ; and that the misfortunes of the last campaign, instead of repressing, have redoubled their ardor ; that Congress are resolved to employ every resource in their power to expel the enemy from every part

of the United States, by the most vigorous and decisive co-operation with marine and other forces of their illustrious ally ; that they have accordingly called on the several States for a powerful army and ample supplies of provisions ; and that the States are disposed effectually to comply with their requisitions. That, if in aid of their own exertions, the Court of France can be prevailed on to assume a naval superiority in the American seas, to furnish the arms, ammunition, and clothing, specified in the estimate heretofore transmitted, and to assist with the loan mentioned in the letter, they flatter themselves, that under the divine blessing, the war must speedily be terminated, with glory and advantage to both nations."

By several letters to me from intelligent persons, it appears, that the great and expensive exertions of the last year, by which a force was assembled capable of facing the enemy, and which accordingly drew towards New York, and lay long near that city, was rendered ineffectual by the superiority of the enemy at sea, and that their successes in Carolina had been chiefly owing to that superiority, and to the want of the necessary means for furnishing, marching, and paying the expense of troops sufficient to defend that province. The Marquis de Lafayette writes to me, that it is impossible to conceive, without seeing it, the distress which the troops have suffered for want of clothing, and the following is a paragraph of a letter from General Washington, which I ought not to keep back from your Excellency, viz. "I doubt not that you are so fully informed by Congress of our political and military State, that it would be superfluous to trouble you with anything relative to either. If I were to speak on topics of the kind, it would be to show that

our present situation makes one of two things essential to us; a peace, or the most vigorous aid of our allies, particularly in the article of *money*. Of their disposition to serve us, we cannot doubt; their generosity will do everything which their means will permit." They had in America great expectations, I know not on what foundation, that a considerable supply of money would be obtained from Spain; but that expectation has failed, and the force of that nation in those seas has been employed to reduce small forts in Florida, without rendering any direct assistance to the United States; and indeed the long delay of that Court, in acceding to the treaty of commerce, begins to have the appearance of its not inclining to have any connexion with us; so that for effectual friendship, and for the aid so necessary in the present conjuncture, we can rely on France alone, and in the continuance of the King's goodness towards us.

I am grown old. I feel myself much enfeebled by my late long illness, and it is probable I shall not long have any more concern in these affairs. I therefore take this occasion to express my opinion to your Excellency, that the present conjuncture is critical, that there is some danger lest the Congress should lose its influence over the people, if it is found unable to procure the aids that are wanted; and that the whole system of the new government in America may thereby be shaken. That if the English are suffered once to recover that country, such an opportunity of effectual separation as the present may not occur again in the course of ages; and that the possession of those fertile and extensive regions, and that vast sea-coast, will afford them so broad a basis for future greatness, by the rapid growth of their commerce, and breed of sea-

men and soldiers, as will enable them to become the *terror of Europe*, and to exercise with impunity that insolence, which is so natural to their nation, and which will increase enormously with the increase of their power.

I am, with great respect, your Excellency's, &c.

B. FRANKLIN.

TO THE COUNT DE VERGENNES.

Passy, March 6th, 1781.

Sir,

By perusing the enclosed instructions to Colonel Laurens and myself, your Excellency will see the necessity I am under of being importunate for an answer to the application lately made for aids of stores and money. As vessels are about to depart for America, it is of the utmost importance that the Congress should receive advice by some of them, of what may or may not be expected. I therefore earnestly entreat your Excellency to communicate me, as soon as possible, the necessary information.

With sincere esteem, I am, &c.

B. FRANKLIN.

JAMES LOVELL TO B. FRANKLIN.

March 9th, 1781.

Sir,

I forward gazettes, journals, and some particular Resolves of Congress, via Amsterdam.

The arrival of the *Ariel* has given us despatches from you, long expected, of June 1st, August 9th, December 23d. Congress had, before the receipt of your letters of February 19th, written to Mr Adams, January 10th, and

signified their concurrence in opinion with Count de Vergennes, as to the time and circumstances of announcing his (Mr Adams's) powers to Great Britain. They had also on December 12th expressed their sentiments upon his letters of June 24th, enclosing to them his correspondence relative to the act of March 18th, calling in the old paper money.

I send you extracts from the Journals for your fuller information on these points, and I shall forward yet for a time all acts of Congress intended for your guidance whenever they are finished; but I most earnestly look for the appointment of a Secretary for Foreign Affairs, agreeably to their determinations of January 10th. Such an officer may authoritatively communicate his opinions, and in many ways make your station more easy and reputable to you, than it can have been under great want of information of our circumstances.

Your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



TO M. DE RAYNEVAL, SECRETARY TO THE COUNCIL OF STATE.

Passy, March 11th, 1781.

Sir,

I have examined the list of supplies wanted in America, which I received yesterday from you, in order to mark as desired what may be most necessary to forward thither. As that list is of old date, and I do not know what part of it may have been already procured by other channels, and I understand by my letters that a new list has been

made out, which is given to Colonel Laurens, and though mentioned to be sent to me also is not yet come to my hands, I have thought it may be well for the present to order the making of a quantity of soldiers' and officers' clothing, equal to one third part of what has been demanded from page 31 to page 42 inclusive ; and to collect and get ready also one third of the other articles mentioned in the said pages, which I have marked with a red line in the margin, the whole to be sent by the first good opportunity. I think it would be well also to send five thousand more good fusils, with fifty tons of lead, and two hundred thousand flints for fusils. If these could go with the fleet, it would be of great service. More powder is not necessary to be sent at present, as there goes in the Marquis de Lafayette the remainder of the two thousand barrels granted last year, and also two hundred tons of salt-petre, which they will make into powder. For the other articles that may be wanted, as Colonel Laurens will come fully instructed, as well by the list given to him as from his own observation and experience in the army, and from the information he will receive from General Washington, with whom and the Marquis de Lafayette he was to consult before his departure, I conceive it will be best to wait a little for his arrival.

I return the lists, and having by some unaccountable accident mislaid and lost the paper you gave me, containing what Count de Vergennes said to me yesterday, I must beg the favor of you to repeat it, and send it by the bearer. I am ashamed to give you this trouble, but I wish to be exact in what I am writing of it to Congress.

With the greatest esteem, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, March 12th, 1781.

Sir,

I had the honor of receiving on the 13th of last month your Excellency's letter of the 1st of January, together with the instructions of November 28th, and December 27th, a copy of those to Colonel Laurens, and the letter to the King. I immediately drew a memorial, enforcing as strongly as I could the requests that are contained in that letter, and directed by the instructions, and I delivered the same with the letter, which were both well received; but the Ministry being extremely occupied with other weighty affairs, and I obtaining for some time only general answers, that something would be done for us, &c. and Mr Laurens not arriving, I wrote again and pressed strongly for a decision on the subject, that I might be able to write explicitly by this opportunity, what aids the Congress were or were not to expect, the regulation of their operations for the campaign depending on the information I should be enabled to give.

Upon this I received a note, appointing Saturday last for a meeting with the Minister, which I attended punctually. He assured me of the King's good will to the United States, remarking, however, that being on the spot, I must be sensible of the great expense France was actually engaged in, and the difficulty of providing for it, which rendered the lending us twentyfive millions at present impracticable; but he informed me, that the letter from the Congress, and my memorials, had been under his Majesty's consideration, and observed, as to loans in general, that the sum we wanted to borrow in Europe was

large, and that the depreciation of our paper had hurt our credit on this side of the water ; adding also, that the King could not possibly favor a loan for us in his dominions, because it would interfere with and be a prejudice to those he was under the necessity of obtaining himself to support the war ; but that, to give the States a signal proof of his friendship, his Majesty had resolved to grant them the sum of six millions, not as a loan, but as a free gift. This sum the Minister informed me was exclusive of the three millions, which he had before obtained for me to pay the Congress drafts for interest, &c. expected in the current year. He added, that as it was understood the clothing, &c. with which our army had been heretofore supplied from France, was often of bad quality and dear, the Ministers would themselves take care of the purchase of such articles as should be immediately wanted, and send them over ; and it was desired of me to look over the great invoice, that had been sent hither last year, and mark out those articles ; that as to the money remaining after such purchases, it was to be drawn for by General Washington, upon M. d'Harvelay, Garde du Tresor Royal, and the bills would be duly honored ; but it was desired they might be drawn gradually as the money should be wanted, and as much time given for the payment after sight as conveniently could be, that the payment might be more easy.

I assured the Minister, that the Congress would be very sensible of this token of his Majesty's continued goodness towards the United States ; but remarked, that it was not the usage with us for the General to draw, and proposed that it might be our Treasurer, who should draw the bills for the remainder ; but I was told that it was his Majesty's order. And I afterwards understood from the Secretary

of the Council, that as the sum was intended for the supply of the army, and could not be so large as we had demanded for general occasions, it was thought best to put it into the General's hands, that it might not get into those of the different Boards or Committees, who might think themselves under a necessity of diverting it to other purposes. There was no room to dispute on this point, every donor having the right of qualifying his gifts with such terms as he thinks proper.

I took with me the invoice, and having examined it, I returned it immediately with a letter, of which a copy is enclosed, and I suppose its contents will be followed, unless Colonel Laurens on his arrival should make any changes. I hope he and Colonel Palfrey are safe, though, as yet, not heard of.

After the discourse relating to the aid was ended, the Minister proceeded to inform me, that the Courts of Petersburg and Vienna had offered their mediation; that the King had answered, that it would to him personally be agreeable, but that he could not yet accept it, because he had allies whose concurrence was necessary. And that his Majesty desired I would acquaint the Congress with this offer and answer, and urge their sending such instructions as they may think proper to their Plenipotentiary, it being not doubted that they would readily accept the proposed mediation, from their own sense of its being both useful and necessary. I mentioned that I supposed Mr Adams was already furnished with instructions, relating to any treaty of peace that might be proposed.

I must now beg leave to say something relating to myself, a subject with which I have not often troubled the Congress. I have passed my seventyfifth year, and I find that

the long and severe fit of the gout, which I had the last winter, has shaken me exceedingly, and I am yet far from having recovered the bodily strength I before enjoyed. I do not know that my mental faculties are impaired; perhaps I shall be the last to discover that; but I am sensible of great diminution in my activity, a quality I think particularly necessary in your Minister for this Court. I am afraid, therefore, that your affairs may some time or other suffer by my deficiency. I find also that the business is too heavy for me, and too confining. The constant attendance at home, which is necessary for receiving and accepting your Bills of Exchange, (a matter foreign to my ministerial functions) to answer letters, and perform other parts of my employment, prevents my taking the air and exercise, which my annual journeys formerly used to afford me, and which contributed much to the preservation of my health. There are many other little personal attentions, which the infirmities of age render necessary to an old man's comfort, even in some degree to the continuance of his existence, and with which business often interferes.

I have been engaged in public affairs, and enjoyed public confidence, in some shape or other, during the long term of fifty years, and honor sufficient to satisfy any reasonable ambition, and I have no other left but that of repose, which I hope the Congress will grant me, by sending some person to supply my place. At the same time, I beg they may be assured, that it is not any the least doubt of their success in the glorious cause, nor any disgust received in their service, that induces me to decline it, but purely and simply the reasons abovementioned. And as I cannot at present undergo the fatigues of a sea voyage, (the last having been almost too much for me) and

would not again expose myself to the hazard of capture and imprisonment in this time of war, I purpose to remain here at least till the peace ; perhaps it may be for the remainder of my life ; and if any knowledge or experience I have acquired here may be thought of use to my successor, I shall freely communicate it, and assist him with any influence I may be supposed to have, or counsel that may be desired of me.

I have one request more to make, which, if I have served the Congress to their satisfaction, I hope they will not refuse me ; it is, that they will be pleased to take under their protection my grandson, William Temple Franklin. I have educated him from his infancy, and I brought him over with an intention of placing him where he might be qualified for the profession of the law ; but the constant occasion I had for his service as a private Secretary during the time of the Commissioners, and more extensively since their departure, has induced me to keep him always with me ; and indeed being continually disappointed of the secretary Congress had at different times intended me, it would have been impossible for me, without this young gentleman's assistance, to have gone through the business incumbent on me. He has therefore lost so much of the time necessary for law studies, that I think it rather advisable for him to continue, if it may be, in the line of public foreign affairs, for which he seems qualified by a sagacity and judgment above his years, and great diligence and activity, exact probity, a genteel address, a facility in speaking well the French tongue, and all the knowledge of business to be obtained by a four years' constant employment in the Secretary's office, where he may be said to have served a kind of apprenticeship. After all

the allowance I am capable of making for the partiality of a parent to his offspring, I cannot but think he may in time make a very able foreign Minister for Congress, in whose service his fidelity may be relied on. But I do not at present propose him as such, for though he is now of age, a few years more of experience 'will not be amiss. In the meantime, if they should think fit to employ him as a Secretary to their Minister at any European Court, I am persuaded they will have reason to be satisfied with his conduct, and I shall be thankful for his appointment as a favor to me.

My accounts have been long ready for the examination of some person to be appointed for that purpose. Mr Johnson having declined it, and Mr Dana residing at present at Paris, I requested him to undertake it, and to examine at the same time those of Mr Deane; but he also declines it, as being unacquainted with accounts. If no fresh appointment has been made by Congress, I think of desiring Mr Palfrey to perform that service when he arrives, which I hope will be approved, for I am uneasy at the delay.

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

B. FRANKLIN.

TO FRANCIS LEWIS AND THE BOARD OF ADMIRALTY.

Passy, March 17th, 1781.

Gentlemen,

I received the honor of yours, dated January the 2d, containing sundry questions relating to the ship Alliance, and the expedition under the command of John Paul Jones.

I apprehend, that the letters and papers sent by the

Alliance, if they came to your hands, and those which went in the *Ariel*, taken together, would pretty well inform you on the most of the particulars you inquire about, and the deficiencies might be supplied by Captain Jones himself and others, who were engaged in the expedition. But as I learn from Colonel Laurens, that his arrival was not heard of at Boston the 11th of February, though he sailed the 18th of December, and possibly he may have mis-carried, I shall endeavor to answer as well as I can your several queries, and will hereafter send you duplicates of the papers that may be lost.

But I would previously remark, as to the expedition in general, that this Court having, I suppose, some enterprise in view, which Captain Jones, who had signalised his bravery in taking the *Drake*, was thought a proper person to conduct, had soon after that action requested we would spare him to them, which was the more readily agreed to, as a difference subsisted between him and his Lieutenant, which laid us under a difficulty, that was by that means got over. Some time passed, however, before any steps were taken to employ him in a manner agreeable to him, and possibly the first project was laid aside, many difficulties attending any attempt of introducing a foreign officer into the French marine, as it disturbs the order of their promotions, &c. and he himself choosing to act rather under the commission of Congress. However, a project was at length formed of furnishing him with some of the King's ships, the officers of which were to have temporary American commissions, which being posterior in date to his commission, would put them naturally under his command for the time; and the final intention, after various changes, was to intercept the Baltic fleet.

The Alliance was at that time under orders to carry Mr Adams back to America, but the Minister of the Marine, by a written letter requesting I would lend her to strengthen the little squadron, and offering a passage for Mr Adams in one of the King's ships, I consented to the request, hoping, that besides obliging the Minister, I might obtain the disposition of some prisoners to exchange for our countrymen in England.

Question 1st. "Whether the ships with which the frigate Alliance was concerted in an expedition, of which Captain John Paul Jones had the command, were the property of private persons, and if so, who were the owners of those ships?"

Answer. The ships with which the Alliance was concerted, were 1st. The Bon Homme Richard, bought and fitted by the King, on purpose for Captain Jones. 2dly. The Pallas frigate. 3dly. The Vengeance, a corvette. 4thly. The Cerf, a cutter. All belonging to the King, and the property of no private person whatever, as far as I have ever heard or believe.

Two privateers, the *Monsieur* and the *Granville*, were indeed with the little squadron in going out; I suppose to take advantage of the convoy, but being on their own account, and at their own discretion, the *Monsieur* quitted company on the coast of Ireland, and the *Granville* returned about the same time to France. I have not heard, that the *Monsieur* ever claimed any part of the prizes. The *Granville* has made some claim, on account not only of what were taken, while she was with the squadron, but of the whole taken after her departure, on this pretence, that some prisoners being put on board of her, and losing company, she found herself obliged to go back with them,

not having wherewith to maintain them, &c. but this claim is opposed by the other ships, being regarded as frivolous, as she was not concerted. The claim, however, is not yet decided, but hangs in the courts. These circumstances show, that these vessels were not considered as a part of the armament. But it appears more plainly by the *Concordat* of the Captains, whereof I send you a copy. Who the owners were of those privateers I have not heard. I suppose they may be inhabitants of Bordeaux and Granville.

Question 2d. "Whether any agreement was made by you, or any person in your behalf, with the owners of the ships concerted with the Alliance in that expedition, respecting the shares they were severally to draw of the prizes, which might be taken during said expedition?"

Answer. I never made any such agreement, nor any person in my behalf. I lent the vessel to the King simply at the Minister's request, supposing it would be agreeable to Congress to oblige their ally, and that the division, if there should be anything to divide, would be according to the laws of France, or of America, as should be found most equitable. But the Captains before they sailed entered into an agreement, called the *Concordat* abovementioned, to divide according to the rules of America, as they acted under American commissions and colors.

Question 3d. "Whether the Serapis and Scarborough, and other captures made during said expedition, were divided among the captors, and the distribution made according to the resolutions of Congress, and if not, what mode was pursued in making the distribution?"

Answer. No division has yet been made of the Serapis and Scarborough. It is but lately that I have heard of

the money being ready for division at L'Orient. I suppose the mode will be that agreed on by the captains.

Question 4th. "What were the net proceeds of the Serapis, Scarborough, and the other prizes taken during the said expedition?"

Answer. I have not yet heard what were the net proceeds of the prizes, nor have I seen any account. As soon as such shall come to my hands, I will transmit it to you, and will endeavor to obtain it speedily. No satisfaction has yet been obtained for the prizes carried into Norway, and delivered up by the King of Denmark.

Question 5th. "What benefit the United States of America have received from the prisoners made during said expedition?"

Answer. I did expect to have had all the prisoners taken by the squadron, to exchange for Americans, in consideration of my having lent the Alliance, and Captain Pearson engaged in behalf of the British government by a written instrument, that those set on shore in Holland should be considered as prisoners of war to the United States, and exchanged accordingly. But I was, nevertheless, disappointed in this expectation. For an exchange of all the prisoners being proposed to be made in Holland, it was found necessary at that time by the Dutch government, in order to avoid embroiling their State with England, that those prisoners should be considered as taken by France, and they were accordingly exchanged for Frenchmen, on the footing of the French cartel with England. This I agreed to on the request of the French Ambassador at the Hague, and also to avoid the risk of sending them by sea to France, (the English cruising with seven ships off the Texel to retake them) and as it would be

more convenient and certain for us to have an equal number of English delivered to me by France at or near Morlaix, to be sent over in the cartel. But the English government afterwards refused very unjustly to give any Americans in exchange for English, that had not been taken by Americans. So we did not reap the benefit we hoped for.

Question 6th. "What orders were given to Captain Landais?"

Answer. That he should obey the orders of Captain Jones.

Question 7th. "What was the ground of dispute between Captain Jones and him?"

Answer. That when at sea together, he refused to obey Captain Jones's orders.

Question 8th. "What were the disbursements on the Alliance, from the time of her first arrival in France, until she left that kingdom?"

Answer. The disbursements on the Alliance from the time of her first arrival in France, till the commencement of the cruise under Captain Jones, as appears by the accounts of Mr Schweighauser, agent appointed by William Lee, amounted to which I paid. The disbursements on her refit in Holland were paid by the King, as were also those on her second refit after her return to L'Orient, as long as she was under the care of Captain Jones. But Captain Landais, when he resumed the command of her, thought fit to take what he wanted of Mr Schweighauser's agent, to the amount of 31,668 livres, 12s. 3d., for which, being contrary to my orders given to Mr Schweighauser, on his asking them upon the occasion, I refused to pay, (my correspondence with him

will show you my reasons) and of those paid by the King I have no account.

Question 9th. “Why the Alliance lay so long at Port L’Orient, after her arrival there from the Texel, and in general every information in your power respecting the Alliance and the expedition referred to?”

Answer. Her laying so long at L’Orient was first occasioned by the mutinous disposition of the officers and men, who refused to raise the anchors till they should receive wages and prize money. I did not conceive they had a right to demand payment of wages in a foreign country, or anywhere but at the port they came from, no one here knowing on what terms they were engaged, what they had received, or what was due to them. The prize money I wished them to have, but as that could not soon be obtained, I thought it wrong in them to detain the vessel on that account, and as I was informed many of them were in want of necessaries, I advanced twentyfour thousand livres on account, and put it into Captain Jones’s hands to relieve and pacify them, that they might go more willingly. But they were encouraged by some meddling passengers to persist. The King would have taken the prizes and paid for them, at the rate *per gun*, &c. as he pays for warlike vessels taken by his ships, but they raised a clamor at this, it being put into their heads, that it was a project for cheating them, and they demanded a sale by auction. The Minister, who usually gives more when ships are taken for the King than they will produce by auction, readily consented to this when I asked it of him, but then this method required time to have them inventoried, advertised in different ports, to create a fuller concurrence of buyers, &c. Captain Jones came

up to Paris to hasten the proceedings. In his absence, Captain Landais, by the advice of Mr Lee and Comodore Gillon, took possession of the ship and kept her long, writing up to Paris, waiting answers, &c.

I have often mentioned to Congress the inconvenience of putting their vessels under the care of persons living perhaps one hundred leagues from the port they arrive at, which necessarily creates delays, and of course enormous expenses, and for a remedy I have as often recommended the appointment of consuls, being very sensible of my own insufficiency in maritime affairs, which have taken up a vast deal of my time, and given me abundance of trouble, to the hinderance, sometimes, of more important business. I hope these inconveniences will now be soon removed by the arrival of Mr Palfrey.

As the Ministry had reasons, if some of the first plans had been pursued, to wish the expedition might be understood as American, the instructions were to be given by me, and the outfit was committed to Monsieur de Chaumont, known to be one of our friends, and well acquainted with such affairs. Monsieur le Marquis de Lafayette, who was to have been concerned in the execution, can probably acquaint you with those reasons. If not, I shall do it hereafter. It afterwards continued in the hands of M. de Chaumont to the end. I never paid or received a farthing directly or indirectly on account of the expedition; and the captains having made him their trustee and agent, it is to him they are to apply for their proportions of the captures. There may be something, though I believe very little, coming to the United States from the Alliance's share of a small ransom made contrary to orders.

No account has been rendered to me of that ransom,

therefore I cannot say how much, but I will inquire about it and inform you hereafter.

Most of the colliers taken were burnt or sunk. The ships of war taken, I understand belong wholly to the captors. If any particulars remain, on which you desire information, be pleased to mention them. I think it my duty to give you all the satisfaction in my power, and shall do it willingly.

Being with great regard, Gentlemen, &c.

B. FRANKLIN.

—
 AGREEMENT,

*Between Captain John Paul Jones and the Officers of
 the Squadron.*

Translation.

Agreement between Messieurs John Paul Jones, Captain of the *Bon Homme Richard*; Pierre Landais, Captain of the *Alliance*; Dennis Nicolas Cottineau, Captain of the *Pallas*; Joseph Varage, Captain of the *Stag*; and Philip Nicolas Ricot, Captain of the *Vengeance*; composing a squadron, that shall be commanded by the oldest officer of the highest grade, and so on in succession in case of death or retreat. None of the said commanders, whilst they are not separated from the said squadron, by order of the Minister, shall act but by virtue of the brevet, which they shall have obtained from the United States of America, and it is agreed that the flag of the United States shall be displayed.

The division of prizes to the superior officers and crews of the said squadron, shall be made agreeably to the American laws; but it is agreed, that the proportion of the whole, coming to each vessel in the squadron, shall be

regulated by the Minister of the Marine Department of France, and the Minister Plenipotentiary of the United States of America.

A copy of the American laws shall be annexed to the present agreement, after having been certified by the commander of the *Bon Homme Richard* ; but as the said laws cannot foresee nor determine as to what may concern the vessels and subjects of other nations, it is expressly agreed, that whatever may be contrary to them shall be regulated by the Minister of the French Marine, and the Minister Plenipotentiary of the United States of America.

It is likewise agreed, that the orders given by the Minister of the French Marine, and the Minister Plenipotentiary of the United States of America, shall be executed.

Considering the necessity there is of preserving the interests of each individual, the prizes that shall be taken shall be remitted to the orders of Monsieur le Ray de Chaumont, Honorary Intendant of the Royal Hotel of Invalids, who has furnished the expenses of the armament of the said squadron.

It has been agreed, that M. le Ray de Chaumont be requested not to give up the part of the prizes coming to all the crews, and to each individual of the said squadron, but to their order, and to be responsible for the same in his own proper name.

Whereas the said squadron has been formed for the purpose of injuring the common enemies of France and America, it has been agreed that such armed vessels, whether French or American, may be associated therewith, as by common consent shall be found suitable for the purpose, and that they shall have such proportion of the prizes, which shall be taken, as the laws of their respective countries allow them.

In case of the death of any one of the beforementioned commanders of vessels, he shall be replaced agreeably to the order of the tariff, with liberty, however, to choose whether he will remain on board his own vessel, and give up to the next in order the command of the vacant ship.

It has moreover been agreed, that the commander of the Stag shall be excepted from the last article of this present agreement, because in case of a disaster to M. de Varage, he shall be replaced by his second in command, and so on by the other officers of his cutter, the Stag.

J. P. JONES,
P. LANDAIS,
DE COTTINEAU,
VARAGE,
P. RICOT,
LE RAY DE CHAUMONT.

JAMES LOVELL TO B. FRANKLIN.

March 31st, 1781.

Sir,

I send you a few newspapers, and the last monthly journals which have come from the press. The enemy will tell their own story of the naval engagement on the 16th. They have ventured nearer to truth in Rivington's Royal Gazette than almost at any one time before, since the very commencement of hostilities. Our allies conducted most gallantly, and the enemy are so convinced of the activity of the French commander, that they have not ventured to remain in the Chesapeake Bay, to do all the

damage which the event of the battle had put in their power.

I send you General Greene's account of an affair between him and Cornwallis on the 15th. It differs but little from the prints. I will endeavor to have it struck at the press. You shall have it, at least, with our good Secretary's attestation, which is in the best credit, even with the enemy.

The opportunity of sending is too precarious to admit of my enlarging.

Your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



JAMES LOVELL TO B. FRANKLIN.

Philadelphia, May 9th, 1781.

Sir,

Mr Samuel Curson and Mr Isaac Gouverneur, Jun. of St Eustatia, after that place was taken, were sent to England in the Vengeance man of war, Commodore Hotham, stripped of everything but their wearing apparel; their books, papers, and slaves having been taken from them, and Mrs Gouverneur, with a young infant, turned out of doors. Special severity, it is supposed, has been shown to them in consequence of their acting as agents to Congress. Doctor John Witherspoon, Jun. also, who was surgeon of the De Graaff letter of marque, taken at St Eustatia, is sent to England in the Alimena man of war, and very hardly treated on account of his father being a member of Congress, as is supposed.

Your particular attention to the exchange of these per-

sons will tend to give confidence to all, who being connected specially with Congress are exposed to captivity, and will also very particularly oblige the relations of these unfortunates, who have requested Congress to mention these circumstances to you.

Your most humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.



TO M. DE LAFAYETTE.

Passy, May 14th, 1781.

Dear Sir,

You are a very good correspondent, which I do not deserve, as I am a bad one. The truth is, I have too much business upon my hands, a great deal of it foreign to my function as a minister, which interferes with my writing regularly to my friends. But I am nevertheless extremely sensible of your kindness in sending me such frequent and full intelligence of the state of affairs on your side of the water, and in letting me see by your letters, that your health continues, as well as your zeal for our cause and country.

I hope, that by this time the ship, which has the honor of bearing your name, is safely arrived. She carries clothing for nearly twenty thousand men, with arms, ammunition, &c. which will supply some of your wants, and Colonel Laurens will bring a considerable addition, if Providence favors his passage. You will receive from him the particulars, which makes my writing more fully by him unnecessary.

Your friends have heard of your being gone against the

traitor Arnold, and are anxious to hear of your success, and that you have brought him to punishment. Enclosed is a copy of a letter from his agent in England, captured by one of our cruisers, and by which the price or reward he received for his treachery may be guessed at. Judas sold only one man, Arnold three millions. Judas got for his one man thirty pieces of silver, Arnold not a halfpenny a head. A miserable bargain! especially when one considers the quantity of infamy he has acquired to himself, and entailed on his family.

The English are in a fair way of gaining still more enemies; they play a desperate game. Fortune may favor them as it sometimes does a drunken dicer; but by their tyranny in the East, they have at length roused the powers there against them, and I do not know that they have in the West a single friend. If they lose their India commerce, (which is one of their present great supports,) and one battle at sea, their credit is gone, and their power follows. Thus empires, by pride, folly, and extravagance, ruin themselves like individuals. M. de la Motte Piquet has snatched from between their teeth a good deal of their West India prey, having taken twentytwo sail of their homeward bound prizes. One of our American privateers has taken two more, and brought them into Brest, and two were burnt; there were thirtyfour in company, with two men of war of the line and two frigates, who saved themselves by flight, but we do not hear of their being yet got in.

I think it was a wise measure to send Colonel Laurens here, who could speak knowingly of the state of the army. It has been attended with all the success that perhaps could reasonably be expected, though not with all that was

wished. He has fully justified your character of him, and returns thoroughly possessed of my esteem; but that cannot and ought not to please him so much, as a little more money would have done for his beloved army. This Court continues firm and steady in its friendship, and does everything it can for us. Can we not do a little more for ourselves? My successor (for I have desired the Congress to send me one) will find it in the best disposition towards us, and I hope he will take care to cultivate that disposition. You, who know the leading people of both countries, can perhaps judge better than any member of Congress of a person suitable for this station. I wish you may be in a way to give your advice, when the matter is agitated in that assembly. I have been long tired of the trade of minister, and wished for a little repose before I went to sleep for good and all. I thought I might have held out till the peace, but as that seems at a greater distance than the end of my days, I grow impatient. I would not, however, quit the service of the public, if I did not sincerely think that it would be easy for the Congress, with your counsel, to find a fitter man. God bless you, and crown all your labors with success.

With the highest regard and most sincere affection, I am, dear Sir, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, May 14th, 1781.

Sir,

I did myself the honor of writing to your Excellency pretty fully on the 12th of March, to which I beg leave to

refer. Colonel Laurens arriving soon after, we renewed the application for more money.

His indefatigable endeavors have brought the good dispositions of this Court to a more speedy determination of making an addition, than could well have been expected so soon after the former grant. As he will have an opportunity of acquainting you personally with all the particulars of importance, a circumstantial account of the transaction from me is unnecessary. I would only mention, that as it is the practice here to consider early in the year the probable expenses of the campaign, and appropriate the revenues to the several necessary services, all subsequent and unexpected demands are extremely inconvenient and disagreeable, as they cannot be answered without difficulty, occasion much embarrassment, and are sometimes impracticable. If, therefore, the Congress have not on this occasion obtained all they wished, they will impute it to the right cause, and not suppose a want of good will in our friends, who indeed are such, most firmly and sincerely.

The whole supply for the current year now amounts to twenty millions; but out of this are to be paid your usual drafts for interest money, those in favor of M. de Beaumarchais, and those heretofore drawn on Mr Jay and Mr Laurens, which I have already either paid or engaged for, with the support of your several Ministers, &c. &c. which I mention, that the Congress may avoid embarrassing my successor with drafts, which perhaps he may not have the means in his hands of honoring. Besides paying the second year's salaries of Messrs Adams and Dana, Jay and Carmichael, I have furnished Mr Dana with £1,500 sterling credit on Petersburg, for which place I suppose he is now on his way.

You will receive from Holland advices of the late declaration of that Court, with regard to the English refusal of its mediation, and of the assistance requested by the States-General. I hope Mr Dana will find it well disposed towards us.

I have received no answer yet to my letters relating to the proposed mode of lodging funds here, by supplying the French fleet and army. Having as yet heard nothing of Colonel Palfrey, and it being now more than four months since he sailed, there is great reason to fear he may be lost. If that should unhappily be the case, the Congress cannot too soon appoint another consul, such an officer being really necessary here. Your Minister Plenipotentiary has hitherto had all that sort of business upon his hands, and as I do not now speak for myself, I may speak more freely, I think he should be freed from the burden of such affairs, from all concerns in making contracts for furnishing supplies, and from all your bill of exchange business, &c. &c. that he may be more at liberty to attend to the duties of his political function.

The prisoners in England are increasing by the late practice of sending our people from New York, and the refusal of the English Admiralty to exchange any Americans for Englishmen not taken by American armed vessels. I would mention it for the consideration of Congress, whether it may not be well to set apart five or six hundred English prisoners, and refuse them all exchange in America, but for our countrymen now confined in England.

Agreeably to the vote of Congress, and your Excellency's letter of the 4th of January, I have requested the assistance of this 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.*

I hope the Alliance, with the sloop *Marquis de Lafayette* under her convoy, is by this time arrived, as they sailed the 27th of March. I flatter myself that the supplies of clothing, &c. which they carry, will be found good of the kind, and well bought. I have by several late opportunities sent copies of the government letters taken in the New York packet. Your Excellency will see, that they are written in the perfect persuasion of our submitting speedily, and that the Commissioners are cautioned not to promise too much, with regard to the future constitutions to be given us, as many changes of the old may be necessary, &c. One cannot read those letters from the American Secretary of State, and his Under-Secretary, Knox, without a variety of reflections on the state we should necessarily be in, if obliged to make the submission they so fondly hope for, but which I trust in God they will never see. Their affairs in the East Indies, by the late accounts, grow worse and worse; and twentytwo ships of the prey they made in the West are wrenched out of their jaws by the squadron of M. de la Motte Piquet.

I mentioned in a former letter, my purpose of remaining here for some time after I should be superseded. I mean it with the permission of Congress, and on the supposition of no orders being sent me to the contrary; and I hope it will be so understood.

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

B. FRANKLIN.

* The reference here is to the letters of Sir Grey Cooper, and Mr Charles Vernon. See this volume, pages 174, 175, 176.

TO THOMAS LEWIS.

Passy, May 16th, 1781.

Sir,

I received the letter you did me the honor of writing to me the 1st of January. The bill for four thousand four hundred and fortyfour Mexican dollars, which you remitted to Mr Schweighauser, being refused payment by Mr Jay, for want of a regular endorsement by Mr Laurens, in whose favor it was drawn, and which endorsement could not now be obtained, Mr Schweighauser applied to me, informing me that he should not send the things ordered by your Board, unless the bill was paid; and it appearing on the face of the bill, that it was drawn for public service, I concluded to take it up, on which he has purchased the things and shipped them. Colonel Laurens has put on board some other supplies for the army, and I suppose she will now sail directly.

The drafts from Congress upon me for various services, and those on Mr Jay and Mr Laurens, all coming upon me for payment, together with the expenses on the ships, &c. &c. have made it impracticable for me to advance more for loading the Active; but as we have obtained lately promises of a considerable aid for this year, I shall now try what I can do, as the money comes in, towards supplying what is demanded in the invoice you mention. You will receive, I hope, twentyeight cannon, and a large quantity of powder and saltpetre, by the ship Marquis de Lafayette.

I have by several opportunities written in answer to your questions relative to the ship Alliance.

I have the honor to be, &c.

B. FRANKLIN.

P. S. Please to present my respects to the Board.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, May 17th, 1781.

Sir,

Doctor Putnam, whose letter is enclosed, by the uniformity of his attachment to our public cause, merits your patronage. And I enclose for your information some former proceedings of Congress, in which this same gentleman is interested; requesting, Sir, that you would obtain a knowledge of the proceedings consequent upon efforts which M. Gerard has undoubtedly made to obtain compensation for the sloop, which Count d'Arband restored to the Governor of Antigua, after it had been taken by Doctor Putnam and others.

Your most humble servant,

JAMES LOVELL.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versailles, June 8th, 1781.

Sir,

I have received the letter you did me the honor to write me on the 4th instant. I do not know whether Mr Laurens has purchased the clothing in Holland on account of Congress; I only know (and you were likewise informed of it at the same time) that this officer was *to employ for his purchases in France* part of the six millions, which the King has granted to Congress, and that the residue of this sum was intended to be sent to America, with a view of re-establishing the credit of the United States.

If Mr Laurens, instead of paying ready money in Hol-

land, has contented himself with giving bills on you, I have no concern in it, and the King can furnish no means for your reimbursement.

As to the monies arising from the loan opened in Holland, we have no pretensions to regulate the employment of them, as they belong to the United States. You must, therefore, Sir, apply to Congress for the power of disposing of them, in discharge of the drafts drawn on you from all quarters.

I have the honor of being, &c.

DE VERGENNES.

TO THE PRESIDENT OF CONGRESS.

Passy, June 11th, 1781.

Sir,

I have lately done myself the honor of writing largely to your Excellency by divers conveyances, to which I beg leave to refer. This is chiefly to cover the copy of a letter I have just received from the Minister, relative to the disposition of the late loans; by which will be seen the situation I am in with respect to my acceptances of the quantities of bills drawn by Congress on Mr Jay, Mr Laurens, Mr Adams, and myself, which I entered into, in the expectation, which both Colonel Laurens and myself entertained, that a part of these loans might be applied to the payment of these bills, but which I am now told cannot be done without an express order from Congress.

I shall endeavor to change the sentiments of the Court in this respect, but I am not sure of succeeding. I must therefore request that a resolution of Congress may immediately be sent, empowering me to apply as much of those

loans as shall be necessary for the discharge of all such drafts of Congress, or for the repayment of such sums, as I may in the meantime be obliged to borrow for the discharge of those drafts.

I have the honor to be, &c.

B. FRANKLIN.

TO JOHN ADAMS.

Passy, June 11th, 1781.

Sir,

Mr Grand has communicated to me a letter from your Excellency to him, relating to certain charges in your account, on which you seem to desire to have my opinion. As we are all new in these matters, I consulted, when I was making up my account, one of the oldest foreign Ministers here, as to the custom in such cases. He informed me, that it was not perfectly uniform with the Ministers of all Courts, but that in general, where a salary was given for service and expenses, the expenses understood were merely those necessary to the man, such as housekeeping, clothing, and coach; but that the rent of the hotel in which he dwelt, the payment of couriers, the postage of letters, the salary of clerks, the stationary for his bureau, with the feasts and illuminations made on public occasions, were esteemed the expenses of the Prince, or State that appointed him, being for the service or honor of his Prince or nation; and either entirely, or in great part, expenses that, as a private man, he would have been under no necessity of incurring. These, therefore, were to be charged in his accounts. He remarked, it was true that the Minister's housekeeping as well as his house was usually, and in some sort necessarily more expensive,

than those of a private person, but this he said was considered in his salary to avoid trouble in accounts; but that where the Prince or State had not purchased or built a house for their Minister, which was sometimes the case, they always paid his house rent.

I have stated my own accounts according to this information; and I mention them, that if they seem to you reasonable, we may be uniform in our charges, by your charging in the same manner; or if objections to any of them occur to you, that you would communicate them to me for the same reason.

Thus you see my opinion, that the articles you mention of courtage, commission, and port de lettres, are expenses that ought to be borne, not by you, but by the United States. Yet it seems to me more proper, that you should pay them, and charge them with the other articles abovementioned, than that they should be paid by me, who, not knowing the circumstances, cannot judge (as you can) of the truth or justice of such an account when presented, and who, besides, have no orders to pay more on your account, than your net salary.

With regard to that salary, though your receipts to Fitzeaux and Grand, shown to me, might be quite sufficient to prove they had paid you the sums therein mentioned, yet, as there are vouchers for them, and which they have a right to retain, I imagine it will be clearest, if you draw upon me, agreeably to the order of Congress, and if this is quarterly, it will be the most convenient to me.

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

B. FRANKLIN.

THE PRESIDENT OF CONGRESS TO B. FRANKLIN.

In Congress, June 19th, 1781.

Sir,

Congress have received your letter of the 12th of March last, with the papers enclosed. The prospect of conferences being soon opened in Europe, under the mediation of the imperial Courts of Petersburgh and Vienna, for accommodating the disputes between the belligerent powers, which must necessarily involve the essential interests of these United States, has determined us to increase the number of our ministers for negotiating a peace with Great Britain. We have, therefore, added yourself, Messrs Jay, H. Laurens, and Thomas Jefferson to Mr Adams, to repair to such place as shall be fixed on for transacting this important business.

A compliance with your request to retire from public employment would be inconvenient at this particular juncture, as it is the desire of Congress to avail themselves of your abilities and experience at the approaching negotiation. Should you find repose necessary after rendering the United States this further service, Congress, in consideration of your age and bodily infirmities, will be disposed to gratify your inclination.

You will present the letter to His Most Christian Majesty, and communicate to him the instructions to our Ministers for negotiating a peace, attended with such a memorial as your prudence shall suggest, and the importance of the subject requires.

With great esteem, I am, &c.

SAMUEL HUNTINGTON,
President of Congress.

TO MAJOR WILLIAM JACKSON.

Passy, June 28th, 1781.

Sir,

Since my acceptance of your bills, I have applied to the Ministry for more money to discharge the other engagements I entered into for payment of the Congress bills drawn on Holland and Spain. I find so much difficulty, and even impossibility of obtaining it at this time, that I am under the absolute necessity of stopping the cash that is in Holland, or of ruining all the credit of the States in Europe, and even in America, by stopping payment.

This is therefore to order, that, in case the said cash has been delivered to you by Messrs Fizeaux and Grand, you would immediately return it into their hands to remain there at my disposal. I am sorry that this operation is necessary, but it must be done, or the consequences will be terrible.

I have the honor to be, &c.

B. FRANKLIN.

MAJOR WILLIAM JACKSON TO B. FRANKLIN.

Amsterdam, June 29th, 1781.

Sir,

I have the honor to inform your Excellency that I got to Amsterdam on Tuesday morning. It has been thought advisable to wait a few days, that we may sail with a Dutch squadron of fourteen sail, destined as a convoy to the Baltic. The loss of the ship Marquis de Lafayette, which is confirmed by Lloyd's list, renders every precaution necessary, and essential to prevent a further disappointment in supplies.

I hope your Excellency will approve of the reasons for delaying our departure, which must be amply compensated by the benefit of a convoy through the North Sea. I beg leave to request that Colonel Laurens's servant may be informed, should he apply to your Excellency, that, if he leaves Paris immediately and travels with despatch, he will reach this place in time to embark with us for America. Any commands, which your Excellency may please to honor me with, and which may be transmitted by him, will be faithfully attended to.

I beg you will present my best respects to your grandson.

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

W. JACKSON.

TO DAVID HARTLEY.

Passy, June 30th, 1781.

I received my dear friend's kind letter of the 15th instant, and immediately communicated your request of a passport to the Count de Vergennes. His answer, which I have but just received, expresses an opinion, that the circumstance of his granting a passport to you, as you mention the purpose of your coming to be the discoursing with me on the subject of peace, might, considering your character, occasion many inconvenient reports and speculations, but that he would make no difficulty of giving it, if you assured me that you were authorised for such purpose by your ministry, which he does not think at all likely; otherwise he judges it best that I should not encourage your coming. Thus it seems I cannot have at present the pleasure you were so kind as to propose for me. I can

only join with you in earnest wishes for peace, a blessing which I shall hardly live to see.

With the greatest esteem and respect, I am ever, dear Sir,

B. FRANKLIN.

MAJOR WILLIAM JACKSON TO B. FRANKLIN.

Amsterdam, July 2d, 1781.

Sir,

I was yesterday honored with your Excellency's letter of the 28th ult. while at the Texel, superintending some matters relating to the ship. Equally concerned for the cause, as surprised at the manner in which Mr Fizeaux was resolved to execute it, in case the money had been already shipped, I must beg leave to inform you fully of this business, and to request your Excellency's final determination thereon.

Colonel Laurens, as your Excellency knows, was sent by Congress to the Court of Versailles, with a special commission; the purport of his mission you are well acquainted with; it was to obtain certain supplies in specie and military stores.

By the most unremitting assiduity, he so far succeeded as to procure, amongst others, a sum of money to be shipped in Holland by the South Carolina frigate, which was deemed, by the Court of France, a safe and convenient conveyance, as it would divide the risk which must have been incurred by placing the whole on board of one vessel. That sum was sent to this place by M. Necker, and lodged in the house of Fizeaux and Grand, to be by them delivered to me, agreeably to the following order, the original

of which is now in my possession, having very fortunately for me recovered it from them after they received your instructions.

Translation.

“Paris, May 12th, 1781.

“Gentlemen,

“This letter will be delivered to you by Mr William Jackson, captain of infantry in the service of the United States, to whom I request you to deliver the 130,655 dollars, and the 720,000 livres in crowns, which you have received on my account by the way of Brussels. Mr Jackson will give you a receipt for it, in which he will express that these two sums have been delivered to him pursuant to the intention of Mr John Laurens, an American officer now at Paris, whose orders he will follow on this subject. You will be pleased to send me afterwards this receipt, with a statement of all the expenses due to you. I will have them reimbursed here to M. Grand.

“I am, Gentlemen, &c.

NECKER.

M. M. Grand, Fizeaux, & Co. Amsterdam.”

Messrs Fizeaux and Grand have, in pursuance of your Excellency's directions, refused to deliver it. This, Sir, being a distinct transaction, executed altogether at the instance of the honorable John Laurens, special Minister at the Court of Versailles from the United States, and by him committed to my further care, I conceive myself indispensably bound to remonstrate to your Excellency, on the late order given by you to Messrs Fizeaux and Grand, directing the detention of that money, and to inform you that if they are not repealed, I must embark

without it ; and however I may lament the disappointment and distress in which this measure must involve Congress, whose arrangements are undoubtedly taken on the certainty of this supply being sent from Europe ; however much I may regret Colonel Laurens's absence which induces it, I shall possess the pleasing reflection of having done my duty, in demanding, conformably to the intentions of M. Necker, and by his order, that money which the Court of France had accorded to the United States by the application of Colonel Laurens, in virtue of his special commission, and which was particularly and expressly destined to reanimate the credit of the continental currency.

The ship waits for nothing else but this money. I shall attend your Excellency's ultimate decision thereon, which I expect to receive by return of the express, who only waits your commands.

I have the honor to be, &c.

W. JACKSON.

P. S. M. Fizeaux informed me that he had resolved to arrest the ship, had the money been on board. I need not inform your Excellency, that a like opportunity may not again offer to transport this essential supply, rendered still more so by the capture of the ship Marquis de Lafayette.

W. J.

My fever, which was greatly increased by my late jaunt to Passy, will not admit of my waiting upon your Excellency in person, and I am persuaded your justice will render it unnecessary, after this representation.

W. J.

MAJOR WILLIAM JACKSON TO B. FRANKLIN.

Amsterdam, July 2d, 1781.

Sir,

Since the departure of my express, I find myself obliged, in conformity to Colonel Laurens's instructions (from which, as his agent I cannot recede, unless compelled thereto by forcible means, and which unless such are practised against me, I must carry into execution) to retain the money, which he has confided to my care, and which the Minister of Finance's order makes deliverable to me specially; and to arrest it in the hands of M. Fizeaux, should he continue to refuse the delivery of it but by your Excellency's orders.

I rely upon your Excellency's attachment to the welfare of America, to prevent this painful operation, which must inevitably take place should your determination decide otherwise, for as this money is subject to no other control in Europe, but the immediate order of the Court of France, I cannot relinquish my charge of it, but by their special order.

I have the honor to be, &c.

W. JACKSON.

MAJOR WILLIAM JACKSON TO B. FRANKLIN.

Amsterdam, July 2d, 1781.

Sir,

Your Excellency will not wonder at the determination which I have adopted, to arrest the money now in M. Fizeaux's hands, (and which I have communicated to you by a second express this afternoon) when you reflect, that

this money is absolutely committed to my charge for a special purpose, and that I stand accountable for the execution of this commission. Your Excellency must likewise be sensible, that you cannot have the disposal of it, as it was obtained without either your knowledge or concurrence by Colonel Laurens, appointed special Minister for that purpose. These considerations, and the knowledge I have how much America must suffer from a disappointment in this supply, about to be transported by so excellent a conveyance, must plead my excuse individually for this plain and candid avowal of circumstances, and my determination thereon. I am further persuaded, that the Court of France is not disposed, was there even a shadow of an excuse for an alteration of the allotment of this money, to infringe their honor and injure the essential interests of America by detaining it. I must therefore again entreat your Excellency's repeal of those orders to M. Fizeaux, which now detain the ship and supplies so much required in America.

I have the honor to be, &c.

W. JACKSON.

TO MAJOR WILLIAM JACKSON.

Passy, July 5th, 1781, at 6 in the morning.

Sir,

I have this instant received your letter of the 2d, urging the delivery of the money. I must be short in my reply, as your express waits.

Colonel Laurens indeed obtained a promise of ten millions, to be raised by a loan in Holland. I understood while he was here, that that loan was in train, and that the

million and a half to be sent with you was a part of it. I since learn, that nothing has yet been obtained in Holland, that the success is not yet certain, and that the money in question is a part of the six millions I had obtained before his arrival, upon the strength of which I accepted the bills drawn on his father, and on Mr Jay, and without which acceptances the Congress' credit in America would have been ruined, and a loss incurred of twenty per cent upon the protests. I cannot obtain more money here at present, and those bills being accepted must be paid, as well as those I accepted on your earnest request, for the great unexpected purchase you made in Holland.

Colonel Laurens has carried two millions and a half of that six millions with him, which will serve till the loan in Holland produces a further supply. In the meantime I cannot suffer the credit of our country to be destroyed, if by detaining this money it may be saved. And if I were to consent to its going, our banker would be obliged to arrest great part of it as belonging to the States, he being in advance for them, which would occasion much disagreeable noise, and very ill consequences to our credit in Europe.

I find by Mr Viemerange's account just received, that Mr Laurens's orders have more than absorbed all the money he did not take with him. I applaud the zeal you have both shown in the affair, but I see, that nobody cares how much I am distressed, provided they can carry their own points. I must, therefore, take what care I can of mine, theirs and mine being equally intended for the service of the public. I am sorry to learn, that the vessel is detained for this express. I understood by your last, that she waited for convoy. I heartily wish you a good voyage, and am, with great esteem, &c.

B. FRANKLIN.

TO MAJOR WILLIAM JACKSON.

Passy, July 5th, 1781.

Sir,

I received your letter of the 2d instant, by your first express, this morning at six, answered it, and sent him away immediately. I have just now received your second express of the same date, in which you threaten me with a proceeding, that I apprehend exceedingly imprudent, as it can answer no good end to you, must occasion much scandal, and be thereby very prejudicial to the affairs of the Congress.

But I cannot, therefore, consent to suffer their bills, to the amount of more than a million accepted and expected, to go back protested for want of this money. I have nothing to change in the answer abovementioned. You will however follow your own judgment, as I must follow mine, and you will take upon yourself the consequences.

I have the honor to be, &c.

B. FRANKLIN.

TO MAJOR WILLIAM JACKSON.

Passy, July 6th, 1781.

Sir,

I received and answered two of your expresses yesterday morning, and in the evening I received a third letter from you, all dated the 2d instant.

In this last you tell me, "that I must be sensible I cannot have the disposal of the money, as it was obtained without either my knowledge or concurrence, by Colonel Laurens, appointed special Minister for that purpose." I do not desire to diminish the merit of Colonel Laurens.

I believe he would have been glad, if it had been in his power to have procured ten times the sum ; and that no application or industry on his part for that purpose would have been wanting. But I cannot let this injurious assertion of yours pass, without expressing my surprise, that you, who were always with that gentleman, should be so totally ignorant of that transaction. The six millions, of which he took with him two and a half, of which one and a half were sent to Holland, and of which more than the remainder is ordered in stores from hence, was a *free gift* from the King's goodness (not a *loan* to be *repaid with interest*,) and was obtained by *my application*, long before Colonel Laurens's arrival.

I had also given in a list of the stores to be provided, though on his coming I cheerfully gave up the further prosecution of that business into his hands, as he was better acquainted with the particular wants of the army, than I could be, and it was one of the purposes of his appointment.

Thus no part of the affair was done without my "*knowledge and concurrence*," except the sending a million and a half of the specie to Holland. This was indeed a secret to me. I had heard of that sum's being ready there to embark, but I always till lately understood it to be a part of the Dutch loan, which I am about to mention, or I should certainly have opposed that operation. What Colonel Laurens really obtained, and a great service I hope it will prove, was a loan upon interest of ten millions, to be borrowed on the credit of this Court in Holland. I have not heard, that this loan has yet produced anything, and, therefore, I do not know that a single livre exists, or has existed in Europe, of his procuring for the States. On

the contrary, he and you have drawn from me considerable sums, as necessary for your expenses, and he left me near forty thousand livres to pay for the Alliance, and, moreover, engaged me in a debt in Holland, which I understood might amount to about fifteen thousand pounds sterling, and which you contrived to make fifty thousand pounds.

When I mentioned to him the difficulty I should find to pay the drafts, he said, you have the remainder of the six millions. He gave me no account of the dispositions he had made, and it is but lately I have learnt, that there is no remainder. To gratify you, and to get that ship out, which could not have stirred without me, I have engaged for the vast sum abovementioned, which I am sure I shall be much distressed to pay, and therefore have not deserved at your hands the affront you are advised to menace me with.

And since I find you make it a point of reflection upon me, that I want to apply money to the payment of my engagements for the Congress, which was obtained by Colonel Laurens for other purposes, I must request, that you will upon this better information take occasion to correct that error, if you have communicated it to any other person.

By the letters you showed me, that had passed between Mr Adams and you, I perceived he had imbibed an opinion, that Colonel Laurens had, as he expressed it, done more for the United States in the short time of his being in Europe, than all the rest of their Diplomatic Corps put together. I should never have disputed this, because I had rather lend a little credit to a friend, than take any from him, especially when I am persuaded he will make a good use of it; but when his friends will make

such suppositious credit a matter of reproach to me, it is not right to continue silent.

As to the safety of the excellent conveyance you mention, I must own, I have some doubts about it, and I fear I shall hear of the arrival of that ship in England, before she sees America. Be that as it may, I am clear that no use can possibly be made of the money in America for supporting the credit of the States, equal in any degree to the effect it must have for the same purpose, when applied to the payment of their bills here, which must otherwise go back protested. And I am sure it will be exceedingly prejudicial to their credit, if by the rash proceeding you threaten, this situation of their affairs becomes the subject of public talk and discussion in Europe.

I am, &c.

B. FRANKLIN.

P. S. I request you would read again and consider well my first letter to you on this subject. The reasons therein contained subsist still in their full force.



TO THE PRESIDENT OF CONGRESS.

Passy, July 11th, 1781.

Sir,

The number of Congress bills that have been drawn on the Ministers in Spain and Holland, which I am by my acceptances obliged to pay, as well as those drawn upon myself, the extreme importance of supporting the credit of Congress, which would be disgraced in a political, as well as a pecuniary light, through all the Courts of Europe, if those bills should go back protested, and the unexpected delays arising with regard to the intended loan in Holland,

all those considerations have compelled me to stop the one million five hundred thousand livres, which were to have been sent by way of Amsterdam. As soon as more money can be furnished to me by this Court, I shall take care to replace that sum, and forward with it as great an addition as possible. I am now soliciting supplies of clothing, arms, ammunition, &c. to replace what has been unfortunately lost in the Marquis de Lafayette; and hope to succeed.

Captain Jackson, who is truly zealous for the service, has been exceedingly solicitous and earnest with me to induce me to permit the money to go in this ship, but for the reasons abovementioned, I find it absolutely necessary to retain it for the present, which I doubt not will be approved by Congress.

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

B. FRANKLIN.

JAMES LOVELL TO B. FRANKLIN.

Philadelphia, July 21st, 1781.

Sir,

It does not appear that the resolutions of June 26th, affecting yourself and colleagues, as well as Mr Dana, have been transmitted. Mr President Mc Kean will take other opportunities of writing. I think it essential, however, in the meantime, to forward duplicates, which may serve for information, and perhaps authority, to all concerned.

Your humble servant,

JAMES LOVELL,

For the Committee of Foreign Affairs.

P. S. Please to give copies where proper.

TO C. W. F. DUMAS.

Passy, August 6th, 1781.

Dear Sir,

I have received several letters from you lately, enclosing others for the President of Congress, and for Spain, all of which are sealed and forwarded, except the last for the President, contained in yours of the 26th past, which shall go by the first opportunity. The reading of those letters gave me much information, and therefore pleasure; though since the fixing of Mr Adams there I do not attend so much to the affairs of your country as before, expecting indeed but little from it to our advantage; for though it was formerly in the same situation with us, and was glad of assistance from other nations, it does not seem to *feel* for us, or to have the least inclination to help us; it appears to want magnanimity.

Some writer, I forget who, says, that Holland is no longer a *nation*, but a *great shop*; and I begin to think it has no other principles or sentiments but those of a shop-keeper. You can judge of it better than I, and I shall be happy to find myself mistaken. You will oblige me, however, by continuing the history either directly to me, or in your letters to Congress; but when you enclose a sealed letter in another to me, please to observe to place the second seal on one side, and not directly over the first; because the heat of the second is apt to deface the impression of the first, and to attach the paper to it, so as to endanger tearing the enclosed in opening the cover.

With best wishes for your health and prosperity, I am ever, dear Sir, &c.

B. FRANKLIN.

P. S. I pity the writer of the enclosed, though I have no other acquaintance with him, than having seen him once at Hanover, where he then seemed to live genteely and in good credit. I cannot conceive what should reduce him to such a situation, as to engage himself for a soldier. If you can procure him any friends among the philosophers of your country, capable of relieving him, I wish you could do it. If not, and he must go to the Indies, please to give him three or four guineas for me, to buy a few necessaries for his voyage. B. F.

TO C. W. F. DUMAS.

Passy, August 10th, 1781.

Dear Sir,

Enclosed I send you a late paper received from Rhode Island. You will see in it the advantages our troops have gained in South Carolina. Late advices directly from Philadelphia say, that the enemy have now nothing left in Georgia, but Savannah; in South Carolina, but Charleston; nor in North Carolina, but Wilmington. They are, however, in force in Virginia, where M. de Lafayette has not sufficient strength to oppose them, till the arrival of the reinforcements, which were on their march to join him from Maryland and Pennsylvania.

In looking over my last to you, I apprehend I may have expressed myself perhaps a little too hardly of your country; I foresee you will tell me that we have many friends there; I once thought so too; but I was a little out of humor when I wrote, on understanding that no loan could be obtained there for our use, though the credit of this kingdom was offered to be engaged for assuring the pay-

ment, and so much is lent freely to our enemies. You can best tell the reason ; it will be well not to let my letter be seen.

I am ever, dear Sir, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Passy, September 13th, 1781.

Sir,

I duly received the two letters your Excellency did me the honor of writing to me, both dated the 19th of June, together with the letter addressed to the King and the three Commissioners, with the instructions relative to the negotiations for peace. I immediately went to Versailles and presented the letter, which was graciously received. I communicated also to Count de Vergennes a copy of your instructions after having decyphered them. He read them while I was with him, and expressed his satisfaction with the unreserved confidence placed in his Court by the Congress, assuring me that they never would have cause to regret it, for that the King had the honor of the United States at heart, as well as their welfare and independence. Indeed this has already been manifested in the negotiations relative to the Plenipotentiaries, and I have had so much experience of his Majesty's goodness to us, in the aids afforded us from time to time, and of the sincerity of this upright and able Minister, who never promised me anything which he did not punctually perform, that I cannot but think the confidence well and judiciously placed, and that it will have happy effects.

I have communicated to Mr Adams and to Mr Jay the purport of your despatches. Mr Adams already had

received the same ; by the first safe conveyance I shall acquaint the Congress with the steps that have been taken in the negotiation. At present I would only say, that the settling of preliminaries meets with difficulty, and will probably take much time, partly from the remoteness of the mediators, so that any relaxation of our warlike preparations in expectation of a speedy peace, will be imprudent as it may be pernicious.

I am extremely sensible of the honor done me by the Congress in this new appointment. I beg they would accept my thankful acknowledgments ; and since they judge I may be serviceable, though I had requested leave to retire, I submit dutifully to their determination, and shall do my utmost to merit in some degree the favorable opinion they appear to have of me. I am the more encouraged in this resolution, as within the last three months I find my health and strength considerably re-established.

I wish, however, that a consul general may soon be appointed for this kingdom ; it would ease me of abundance of troublesome business to which I am not equal, and which interferes with my own important functions.

The King having graciously complied with my request, of replacing the supplies lost in the Marquis de Lafayette, many hands are employed in providing them, who work hard to have them ready and shipped, so that they may arrive before winter.

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

B. FRANKLIN.

P. S. The copying machine for Mr Secretary Thompson is in hand, and will soon be finished and sent to him.

JOHN ADAMS TO B. FRANKLIN.

Amsterdam, October 4th, 1781.

Sir,

Your Excellency's letter of June 11th, is yet unanswered. I have the honor to agree with your Excellency in opinion, that it is reasonable that articles of rent of the hotel, payment of couriers, postage of letters, salaries of clerks, stationary for the bureau, and feasts and illuminations made upon public occasions, should be deemed expenses of the States. Indeed, otherwise it will be impossible for American Ministers to live in any such manner as is expected of them, both by Europeans and Americans.

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

JOHN ADAMS.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, October 20th, 1781.

Dear Sir,

Congress having lately thought it advisable to alter the arrangement of their great executive departments, and to dissolve the Boards and Committees under whose direction they formerly were, I am to inform you, that they have done me the honor to appoint me their Secretary of Foreign Affairs; in which capacity they have made it my duty, as it will always be my inclination, to maintain an intimate and regular correspondence with you. I have this day taken the oaths of office, and as the recital of fortunate events is the most pleasing task annexed to it, I shall give you a short sketch of the state of our military operations.

When General Washington was fully apprized, that Count de Grasse was to visit this Continent, he made every provision for the attack of New York, where the enemy had about six thousand troops, and seven ships of the line, which were thought inadequate to its defence. He collected the troops, as well those of allies as our own, and made a movement towards New York. The delay of our recruits in coming in, a small reinforcement to the enemy from Europe, and some other circumstances, gave us reason to be apprehensive for the event of this attempt, though the magnitude of the object still urged the General to undertake it. It was the enemy's place of arms, the repository of their magazines, and the only harbor for large ships left them on this side of Halifax. Every preparation was accordingly made, when some circumstances deemed unfortunate at the time, but which like many others of our supposed evils have in the end been productive of good, occasioned an alteration in the destination of Count de Grasse. He sailed for the Chesapeake. The General still appearing to prosecute his first design moved his army, and made such preparations as induced the enemy to believe, that he meant to possess himself of Staten Island, as preparatory to his design upon New York.

In the meantime the army filed off through Hackensack and Newark, to keep up the deception, and arrived by expeditious marches at the head of the Elk. Count de Grasse arrived at the critical moment, and Cornwallis, at the head of about seven thousand men, found himself completely invested at Yorktown by an army of near fourteen thousand regular troops. The British fleet, which arrived at New York about the time that Count de Grasse

reached the Chesapeake, made an ineffectual attempt to relieve their army. They were defeated and compelled to return to New York, after losing the *Terrible*, a seventy-four, and two frigates; by which means, a junction of the fleet from Rhode Island was formed with that under the *Count de Grasse*. It arrived the day after the action, and narrowly escaped falling in with the English fleet.

Our batteries were opened on the 7th. The enemy having evacuated their principal outworks and been repulsed in one or two sallies, our second parallel was begun on the 11th, within three hundred yards of their lines, and the least sanguine among the officers fix the end of the month as the era of Cornwallis's captivity. His whole force at York, and on the opposite side of the river, including seamen and regulars, amounts to about seven thousand men.

The enemy sailed from Sandy Hook yesterday, with twentythree ships of the line, and three fiftys, with several frigates, and a number of fire ships. They have nine thousand of their best troops, if we are rightly informed, on board their ships of war. They are resolved to make some attempt for the relief of Cornwallis, whose capture must draw after it the loss of all the posts they hold in the Southern States, and the total ruin of their affairs in America. Georgia has re-established her government, where the enemy have no other footing than in Savannah. South Carolina is about doing the same. General Greene has very prudently wasted the strength of the enemy, and raised the confidence of the militia, by fighting them in detail. His late victory, which I enclose you an account of, in his own words, affords the most promising

prospect of speedily recovering the possession of that country.

Congress are, however, looking forward to another campaign. They have voted twentyfive thousand men for the ensuing year. These, when raised and appointed, together with the success which has hitherto, and which we may promise ourselves will still continue to attend the allied arms, will enable you to open your diplomatic campaign with great advantage, and permit you, Sir, to rejoice in the close of that great work, to which you have so sedulously and ably contributed.

I need not tell you, Sir, how anxious I shall be to hear from you on every occasion. Nothing short of the most constant and regular information will satisfy the expectations of Congress. We have much to learn, and but few opportunities of acquiring information. Your situation enables you not only to let us know what passes with you, but to extend your inquiries to Courts where we have no Ministers, and of whose politics we would not choose to be ignorant, though they may but remotely concern us at present. For my own part, I freely confess, that I rely much upon your knowledge and experience to supply my want of both.

I propose to write so frequently to you as to keep you fully informed, not only of what is, but of what is not done, since the last may sometimes be as important to you as the first.

As far, Sir, as you may find a similar task consistent with your health, your leisure, and your various avocations, you will render us essential services in imposing it upon yourself.

Congress having resolved, that all communications with

their Ministers abroad, shall pass through this office, you will do me the honor, Sir, to direct in future all your public letters to me.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, October 24th, 1781.

Dear Sir,

I three days since did myself the honor to write to you, informing you of my appointment to the Secretaryship of Foreign Affairs; and preparing you for the happy event which has taken place. Enclosed you have the capitulation of Yorktown and Gloucester, by which a British army of 5600 men was surrendered to the allied arms of France and America; and no inconsiderable fleet, with 800 seamen, to the navy of His Most Christian Majesty.

Since my last, which was written the day after I entered upon office, I have seen yours of the 14th of May. There are many things in it which deserve the attention I mean to pay it, when the first hurry that the intelligence I communicate occasions is over. But, Sir, there is a part which I cannot delay to take notice of, because I feel myself interested in opposing the resolution that you seem to have formed of quitting the station, which, for the honor of the United States, you now hold. I shall be impatient till I hear, that you comply with the wishes of Congress on this subject, as communicated long since. Though the new powers with which you are invested impose additional burthens upon you, yet as they at once contain the amp-

lest testimonials of the approbation of Congress, and directly lead to the completion of the great cause in which you so early engaged, I cannot but flatter myself that you will take it upon you. I sent with my first letter to you one to the Count de Vergennes, informing him of my appointment. You will do me the honor to present it.

I am, Sir, &c.

ROBERT R. LIVINGSTON.

TO THOMAS MC'KEAN, PRESIDENT OF CONGRESS.

Passy, November 5th, 1781.

Sir,

Herewith you will receive a copy of my last; since which I have been honored with two letters from the late President, the one dated March 2d, relating to Captain Jones's cross of merit, which I have communicated as directed; the other, dated July 5th, respecting the release and exchange of Mr Laurens.

Having no direct communication with the British Ministers, and Mr Burke appearing, by a letter to me, warmly interested in favor of his friend, General Burgoyne, to prevent his being recalled I have requested and empowered him to negotiate that exchange, and I soon expect his answer. The late practice of sending to England prisoners taken in America, has greatly augmented the number of those unfortunate men, and proportionally increased the expense of relieving them. The subscriptions for that purpose in England have ceased. The allowance I have made to them of sixpence each per week during the summer, though small, amounts to a considerable sum; and during the winter, I shall be obliged to double, if not

treble it. The Admiralty there will not accept any English in exchange, but such as have been taken by Americans, and absolutely refuse to allow any of the paroles given to our privateers by English prisoners discharged at sea, except in one instance, that of fiftythree men taken in the Snake sloop, by the Pilgrim and Rambler, which was a case attended, as they say, with some particular circumstances. I know not what the circumstances were, but shall be glad to see the fiftythree of our people, whom they promised to send me by the first cartel. I have above five hundred other paroles solemnly given in writing, by which the Englishmen promised either to send our people in exchange, or to surrender themselves to me in France, not one of which has been regarded, so little faith and honor remain in that corrupted nation. Our privateers, when in the European seas, will rarely bring in their prisoners when they can get rid of them at sea. Some of our poor brave countrymen have been in that cruel captivity now near four years. I hope the Congress will take this matter into immediate consideration, and find some means for their deliverance, and to prevent the sending more from America. By my last accounts, the number now in the several prisons amounts to upwards of eight hundred.

I request also some direction from Congress (having never received any) respecting the allowance to be made to them while they remain there. They complain that the food given them is insufficient. Their petition to the English government to have an equal allowance with the French and Spanish prisoners has been rejected, which makes the small pecuniary assistance I can send them more necessary. If a certain number of English prisoners could be set apart in America, treated exactly in the same

manner, and their exchange refused till it should be agreed to set these at liberty in Europe, one might hope to succeed in procuring the discharge of our people. Those, who escape and pass through France to get home, put me also to a great expense for their land journies, which could be prevented if they could be exchanged, as they would be landed here in ports.

The Ambassador of Venice told me, that he was charged by the senate to express to me their grateful sense of the friendly behavior of Captain Barry, commander of the Alliance, in rescuing one of the ships of their State from an English privateer, and setting her at liberty; and he requested me to communicate this acknowledgment to Congress. There is a complaint from Holland against Captain Jones, for having taken the brigantine Berkenbosch and sending her to America, and I have been desired to lay before Congress the enclosed depositions relating to that capture, and to request their attention to it.

The Ambassador of Portugal also frequently asks me if I have received any answer to their complaint, long since sent over. I wish it was in my power to give one of some kind or other. But none has yet come to my hands. I need not mention the importance of attending to the smallest complaints between nations, the neglect of them having sometimes very serious consequences.

The mediation proposed is not agreed to by England, who refuses to treat with our United States but as a Sovereign with subjects, and I apprehend that a change in that resolution is only to be expected from time, the growing insupportable expense of the war, or a course of misfortunes in the progress of it. The spirits of that nation have

been continually kept up by the flattering accounts sent over, of our being weary of the contest, and on the point of submission. Their Ministers, as appears by their intercepted letters, have been themselves so far deceived as to expect daily those submissions, and to have the pleasure of laying them before the King. We may, perhaps, be able to guess a little by the King's speech at the approaching new session of Parliament, whether they still continue under this delusion. As long as it subsists peace is not to be expected.

A loan has been proposed to be obtained for us of the States of Holland on the credit of this government. All public operations are slow in that country, and though the affair is at length said to be concluded, it is not yet executed. Considerable advances have, however, been made here in expectation of being reimbursed by it. The last aids granted us have been so absorbed by my payment of the drafts on Mr Jay and Mr Adams, and acceptance of those for the enormous unexpected purchases in Holland, which were to have gone in Captain Gillon's ship, but left behind, that I shall have nothing to spare for extraordinaries, unless some of the Holland loan comes soon into my hands. I am now told from Amsterdam, that the two ships freighted there to carry those goods are detained, as their contract was to sail under convoy of the South Carolina, which left them; and they must now take more men to defend them, and of consequence claim a higher freight, and to have it paid before they sail, unless I will buy the ships, and send them on account of Congress, neither of which is in my power to do. It was with reluctance I engaged in that affair, having little confidence in Captain Gillon's management, and fearing some embarrass-

ment of our credit. I consented in fine to engage for the payment of ten thousand pounds sterling, being the value of the goods suitable for Congress, said to be already shipped in that vessel, and as there was said to be still some room, and she was thought a safe conveyance, I concluded to furnish an additional sum to fill that supposed vacancy, which I limited to five thousand pounds sterling more. You will judge of my surprise, when I saw the accounts of that additional purchase, which amounted, instead of five, to fifty thousand pounds sterling. I at first absolutely refused to pay for them. But Captain Jackson came to me from thence express, urged that the purchase was made by order of Colonel Laurens; that the goods were on board; that if I would not undertake to pay for them, they must be relanded, and returned or sold, which would be a public disgrace to us; that they were all articles exceedingly wanted in America, &c. &c. In fine, I was prevailed on, and accepted the bills, and was obliged to go with this after-clap to the Ministers, a proceeding always disagreeable, after the dispositions of the funds of the year have been arranged; and more so in this case, as the money was to be paid for the manufactures of other countries, and not laid out in those of this kingdom, by whose friendship it was furnished. This fresh grant was at first absolutely refused; at length I obtained it, and I hoped the difficulty was over.

But after all, the officers declare the ship was overloaded, that there was not room to lodge the people and provisions, nor to act in fighting her; the goods are turned out into two other ships, those are left, and it is now proposed to me, either to buy them, or to advance a freight nearly equal to their value. I cannot make a new demand

for this purpose ; and I shall not wonder if this government, observing how badly our shipping and transporting the supplies are managed, should take that business for the future entirely into their own hands, as they have begun to do in the case of replacing the cargo of the Marquis de Lafayette, and indeed, till some active, intelligent person, skilled in maritime affairs, is placed here as consul, I cannot but think it will be much better executed, and more for our advantage. Some considerable parts of that new cargo are already shipped, and the rest I hear are in great forwardness.

The very friendly disposition of this Court towards us still continues, and will, I hope, continue forever. From my own inclination, as well as in obedience to the orders of Congress, everything in my power shall be done to cultivate that disposition ; but I trust it will be remembered, that the best friends may be over burthened ; that by too frequent, too largé, and too importunate demands upon it, the most cordial friendship may be wearied, and as nothing is more teasing than repeated, unexpected large demands for money, I hope the Congress will absolutely put an end to the practice of drawing on their Ministers, and thereby obliging them to worry their respective Courts for the means of payment. It may have otherwise very ill effects in depressing the spirit of a Minister, and destroying that freedom of representation, which, on many occasions, it might be proper for him to make use of.

I heartily congratulate you, Sir, on your being called to the honorable and important office of President, and wish you every kind of prosperity.

Be pleased to present my dutiful respects to the Congress, and believe me to be, with great and sincere esteem and respect, &c.

B. FRANKLIN.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, November 24th, 1781.

Sir,

Major General du Portail will have the honor to present this. Congress, in consideration of their long and faithful services in this country, have granted permission to him and Colonels de Laumoy and de Gourion, to revisit their friends in Europe for the winter.

As the merit of these gentlemen has procured for them particular marks of the esteem of Congress, they wish them to be distinguished by the notice of their sovereign, and for that purpose have directed that they be recommended to you, and that you be requested to present them at Court, in such a manner as will bespeak for them the attention they justly merit.

Congress are persuaded that this task will be particularly agreeable to you, as they are indebted to your care for the useful services of these gentlemen, and as nothing is more acceptable to a man of real merit, than to be made the means of displaying it in others.

This is the third letter I have had the honor to write to you since my entering upon office, and you will find it numbered in the margin accordingly. I beg you will be pleased to number all your letters to me in the same man-

ner, that I may know those which by any means may be prevented from coming to hand.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, November 26th, 1781.

Dear Sir,

The Marquis de Lafayette, who has obtained leave to revisit his family for the winter, does me the honor to be the bearer of this, and duplicates of two former letters to you. The degree of estimation in which he is held here, you will collect from the enclosed resolutions relative to him, so that you may converse freely with him, and I doubt not that he will be able to satisfy your inquiries on many important questions relative to this country, on which account I may confine myself more to general heads than I would otherwise do.

As to intelligence, there is little of importance, the army all having gone into winter quarters, after the late glorious campaign, the enemy having been defeated on every hand. A party of about six hundred of them, who fell upon the western frontier of New York, were the last that quitted the stage; having been driven off by an inferior number of militia, with the loss of their leaders, and many privates killed, and about fifty, including the wounded, made prisoners. A body of troops is detached to the southward to reinforce General Greene, with orders to attempt Wilmington on their way, which the enemy occupy with about five hundred men, and keep up a connexion with the disaffected counties in North Carolina.

We have not in a long time heard either from you or Mr Jay, so that we are much in the dark respecting the probable prospect of a negotiation this winter, or rather are led to conclude from your silence, that the prospect is extremely remote; in which case, all your objects will centre in preparing for the ensuing campaign, and directing the operations as far as possible to this country. The success of the combined operations this summer will give great weight to your arguments, especially as they are such as would deserve, independent of that, the most serious attention. But, Sir, you will have a difficult card to play, to induce France to do what not only our but her interests essentially require. Never was there a time in which money was more necessary to us than at present. The total abolition of paper, the length of the war, the restricted commerce we have carried on for the first five years of it, the arrears of debts, and the slender thread by which public credit hangs, put it totally out of our power to make any great exertions without the immediate supply of money. Taxation will be carried as far as it can go, but this will fall very far short of our wants. The richest nations in Europe, unable to carry on a war by taxation only, are compelled to borrow. How then will it be expected that a nation, which has had every difficulty to struggle with, an enemy in the heart of its country, and all its considerable towns at one time or another in their possession, a superior navy on its coasts, and the consequential ruin of its agriculture and commerce, how, I say, can it be expected that such a nation should find resources within itself for so long and bloody a war? And yet in this situation, we are alarmed by our advices from you, by representations from the Minister of France, by assurances from every quar-

ter, that we must expect no further assistance in money. Surely it is not possible that France, after having done so much for us, after having brought us within view of the desired haven, should oblige us to lose the advantage of all she has done ; and yet be assured that the most serious consequence may attend her stopping her hand at this critical time. Public credit, which is growing very fast, will drop to the ground. The contracts made for the ensuing campaign must be given up ; the troops, who were made to expect pay in specie, will be dissatisfied ; and upon the least ill fortune, a failure in supplies will show their discontents ; recruiting will be checked, and the conclusion of the war on those advantageous terms, which one vigorous exertion next spring in this country would secure, will be postponed to a later period, when in fact all we wish, to enable us to accomplish these great objects, is less than one year's continuance of the war will cost France. You will, therefore, show the necessity of setting our credit upon a firm basis, the prospect we have of accomplishing it, from the great confidence in the integrity and abilities of the financier, from the economy which is introduced into our departments, from the industry which money excites, and which a fluctuating medium had destroyed, and from the total debility which much attend another shock to public credit.

You are perfectly acquainted, Sir, with the natural resources of the country, you know the value of our exports, and the security they afford for any debt that we may contract ; in short, there are a thousand arguments on this subject, which will suggest themselves to you, not one of which will you, upon this occasion, omit to urge, since you must be perfectly convinced of its importance in every

view, both to France and to us. The Superintendent will write more fully upon this subject, which relates so particularly to his department.

I would beg leave to remind you of another want, which we depend on your representations, and the good dispositions of the Court of Versailles, to remove. The chase here seems to be pretty well over, the enemy, tired of running across the country, have taken to their burrows, and the whole business that remains to us, is to take measures for unearthing them next spring. In order to this, ships are absolutely necessary. The situation of New York and Charleston renders them untenable against a naval force, and extremely strong against an attack by land; besides that success in such an operation would not be decisive, since, after putting us to immense expense of men and ammunition of every kind, while they keep the command of the water, they might change their position and be as troublesome as ever. At any rate, the reduction of both these places, from their distance, and the difficulty of removing the men and stores, cannot be effected the same campaign without a naval force, and with it, it will be the business of a few weeks. The advantage to France, independent of her interests as they stand connected with ours, in keeping a great naval force on this continent, is obvious.

1st. The expense to which they put the English, by obliging them to maintain an equal force at this distance from home, at four times the cost at which the French navy may be maintained in this country; which, with proper management, need not exceed what they expend even in France.

2dly. The number of seamen they employ in the transport service, being so many deducted from what might

supply their navy, with the same expense as if so employed.

3dly. The protection afforded to the trade on this coast, and the prospect of capturing the enemy's victuallers, and the consequent ruin of their affairs.

4thly. But above all, the decided advantage it will afford our combined operations, and the speedy termination of the war, by an advantageous peace. It is true, France may have other objects, which may interfere with these. To this we can say nothing; she must judge for herself. All we can do is to point out what we conceive will be most useful to her as well as to us, and submit to her determination. It would be well, however, if we were apprized of it as soon as possible.

If a negotiation should open this winter, or there should be a probable prospect of it, you will do me the favor to give me the earliest advices of it. There are many delicate points, on which you would like to know the sentiments of people on this side of the water, which I will endeavor to acquaint you with.

I should inform you, that Congress have discharged the commission for negotiating a treaty of commerce with Great Britain, and taken that burthen from Mr Adams's shoulders; that in compliment to the Marquis de Lafayette, they have made him the bearer of a letter to the King of France, which I enclose; that in answer to your favor of the 11th of June, they have passed the enclosed resolution.

Mr Morris will write to you on this subject, and enable you to discharge the bills. Should France send a fleet next spring, it would be advantageous to have it unincumbered with such orders, as may prevent its taking

advantage of circumstances. This has unhappily prevented this campaign from being absolutely decisive. But neither this, nor any other great object can escape your observation, bent as it is upon promoting the happiness of your country.

In order to enable you to meet the claim of the tories to the property that has been confiscated, I am endeavoring to collect for you an accurate account of the damages wantonly done by the enemy in this country, which will at least serve to set against that claim.

Congress are preparing for an active campaign. They have directed eight millions of dollars to be raised by tax. There is not, however, the least idea that this, or even one half of it, will be collected in the time specified; you will not, therefore, suffer the Court to deceive themselves, by hopes of exertions founded on this measure, but urge again and again the absolute necessity of supplying money.

I have conversed so freely with the Marquis de Lafayette on the general state of our politics, that I would rather refer you to him, than trouble you with a longer letter on the subject.

I cannot however close this, without desiring you to inquire whether any intercepted letters from Mr Deane to persons in this country have been published in Europe. Rivington has given us many, which are generally believed to be his.

The Marquis will satisfy your inquiries about them.

I am, dear Sir, with sentiments of the highest respect and esteem, &c.

ROBERT R. LIVINGSTON.

WILLIAM ALEXANDER TO B. FRANKLIN.

Paris, December 15th, 1781.

My Dear Sir,

I told you the last time I had the pleasure of seeing you at Passy, that I would make a trip to London, but had no notion it would be so soon. On coming to town last evening, I found such pressing letters, that I propose setting off this evening, or tomorrow at latest. I would have called, if possible, to receive your commands, but as I am pinched in time, I must content myself with sending for them. The bearer will call for them an hour after receiving this letter.

I shall probably be interrogated about the dispositions in this country to peace. My own idea is, that you seek only your independence, and that *this* country, were that secured, will be moderate in other matters, as the object of the war does not seem to be conquest. Let me know if this is proper language. I notice that a courtly argument has been used in Parliament for continuing the continental war, that withdrawing would make you insolent, and give France exclusive advantages. Were it not proper that this were contradicted flatly? Any commissions you may have will be taken care of, and I shall be back, barring accidents, in three weeks.

Wishing you everything that is good, I remain, with equal esteem and respect, dear Sir, your most obedient humble servant.

W. ALEXANDER.

TO WILLIAM ALEXANDER.

Passy, December 15th, 1781.

Dear Sir,

I thank you for informing me of your intended journey. You know so well the prevailing sentiments here, and mine in particular, that it is unnecessary for me to express them; and having never been believed on that side of the water, it would be useless. I will say, however, that I think the language you mention very proper to be held, as it is the truth; though the truth may not always be proper.

Wishing you a good voyage, and happy return to your children, I am, with great esteem, dear Sir, yours, &c. &c.

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, December 15th, 1781.

My Dear Friend,

I received your favor of September 26th, containing your very judicious proposition of securing the spectators in the opera and play houses from the danger of fire. I communicated it where I thought it might be useful. You will see by the enclosed, that the subject has been under consideration here. Your concern for the security of life, even the lives of your enemies, does honor to your heart and your humanity. But what are the lives of a few idle haunters of play houses, compared with the many thousands of worthy men and honest industrious families, butchered and destroyed by this devilish war! O! that we could find some happy invention to stop the spreading of the flames, and put an end to so horrid a conflagration!

Adieu, I am ever yours most affectionately,

B. FRANKLIN.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, December 16th, 1781.

Dear Sir,

Since my last, of which I send you a duplicate by this conveyance, nothing material has happened here, unless it be the evacuation of Wilmington, which is, perhaps, the most important post of communication with the disaffected people of the country of any they have held in America. The Tories of North Carolina possessed a boldness and spirit, which were not found elsewhere, and upon occasion appeared openly in arms. They are by these means abandoned to the enemy, and the resentment of their country.

The cypher, which I shall use with you, is No. 4 of those sent by Mr Morris; in that, the duplicate is written which went uncyphered by the Marquis de Lafayette.

I enclose a resolution of Congress for erecting a pillar to commemorate the victory at Yorktown. I must request your assistance in enabling me to carry it into effect, so far as it relates to me, by sending the sketch they require, with an estimate of the expense with which it will be attended. I could wish it to be such, as may do honor to the nations, whose union it designs to celebrate, and for that reason should think the execution ought to be deferred till our finances are in a better situation than they are at present; but as this lies with Congress only, you will be so obliging as to enable me to do my duty, by laying the sketch before them as soon as you can conveniently get the same executed.

I have also the honor to enclose an ordinance of Congress, which comprises all their former resolutions with respect to captures, with the addition of some others; among them, one for "prohibiting the importation of British goods," unless such as may have been taken from the

enemy. This will make some arrangements with the Court of France necessary. The high duties upon prize goods consumed in France render them considerable articles of exportation, and unless some mode is fallen upon to evidence their having been captured, they will be liable to seizure here. I would propose that the Lieutenants of the Admiralty, or some other officers in the seaport towns, should, to an inventory of the goods shipped, annex a certificate under hand and seal, of their having been captured from the enemy, and that this should be done without any charge to the purchaser. You, Sir, who are better acquainted with the interior of the government of France, than I can be supposed to be, will be pleased to suggest some mode of executing this business; or if none better presents itself, to use means for carrying what I propose into effect. I send by this conveyance a number of American papers, and beg in return to be favored with those of France, or any new publication that may deserve attention.

I am, dear Sir, with great respect and esteem, &c.

ROBERT R. LIVINGSTON.

Enclosed.

1. An ordinance, ascertaining what captures on the waters shall be lawful.
2. Resolve, directing the Secretary of Foreign Affairs to prepare a sketch of emblems, &c.
3. Resolves for raising eight millions of dollars, and the proportion of each State.
4. Recommendations to the several States for enacting laws against the infraction of the laws of nations.
5. Letter to Messrs Wallace, Johnson, and Muir, at Nantes.

DAVID HARTLEY TO B. FRANKLIN.

London, January 2d, 1782.

My Dear Friend,

I have received the favor of yours of the 15th of December by Mr Alexander. I most heartily join with you in the wish, that we could find some means to stop the spreading flames of this *devilish war*. I will not despair. The communications, which he has imparted to me from you, have revived my hopes of peace. I laid them before the Minister immediately. We are at a suspense for the present upon a very material preliminary. I did intend writing to you at the present pause, that we might make our ground good as we go on, but an accident which has happened obliges me to do it without delay. For having had a most essential question transmitted to me from Lord North for explanation, when I would have applied to Mr Alexander, I could not find him; and now I find that he has left his hotel these four or five days, and his return being uncertain, I must apply to you. I will state to you what has passed.

Upon my first interview with Mr Alexander, he told me, that the late events would make no difference in the prospect of peace; that America had no other wish than to see a termination of this war; that no events would make them unreasonable on that subject, which sentiments likewise your letter expresses; and that no formal recognition of independence would be required. I thought this a very fair opening; but the next point, which he explained to me, seemed to be still more material towards peace, viz. that America was disposed to enter into a separate treaty with Great Britain, and their allies were disposed to consent to it. I believe that it has been the unfortunate union of

common cause between America and France, which has for the last three years turned aside the wish of the people of England for peace. I verily believe (so deep is the jealousy between England and France,) that this country would fight for a straw to the last man, and the last shilling, rather than be dictated to by France. I therefore consider this as the greatest rub out of the way. I have often argued this point with you upon former occasions, having at all times foreseen, that it would be the greatest rub in the road to peace, and I have often stated it to you as an act of *justice* due to America from her allies, not to drag her through a war of European resentments and jealousies, beyond her original views and engagements; and moreover, I think the separation of the causes in the negotiation promises much the shortest road to a general peace.

Upon Mr Alexander's opening thus much to me, I told him I would apply for the earliest opportunity of laying these matters before the Minister. Accordingly on Friday morning, December the 21st, I applied through the means of the Earl of Guilford, father to Lord North, a nobleman of a most respectable character, advanced in years, and attached by every possible tie to a son now in the most arduous situation. I therefore requested the favor through his hands, as giving me the most conciliatory access to the Minister, to whom I was preparing to make an application for peace. After the appointment was made with Lord North for Friday evening, I returned to Mr Alexander, to consider the specific manner and terms in which I should make my application. It had occurred to me, from what Mr Alexander had stated to me, that the Conciliatory Bill,*

* See this bill above, pp. 157, 158.

which I had moved in the last Parliament, on June, the 27th, 1780, would still serve as a foundation to proceed upon ; I therefore carried it with me.

He told me, that he and you knew the sense of the bill very well, and that it would be entirely consonant to your sentiments, that I should state it to Lord North, as drawing an outline for a negotiation of peace. However, to avoid all errors, I read the bill through to him, and explained the view of each clause, viz. the style of *Provinces of North America*, a general phrase, to avoid any term denoting dependence or independence ; the truce for an indefinite term ; the articles of intercourse for ten years certain ; to restore an amicable correspondence, and to abate animosities ; the suspension of certain acts of Parliament ; to avoid every possible question of dependence or independence ; and to finish the work, by a ratification of each article of intercourse as agreed to, thereby to prevent all possible return of war. I compared the articles of intercourse for a short term, and their ratification into a permanent peace, to a well known mode of proceeding in the laws of England, by lease and release, from temporary to perpetual amity and peace.

Upon these grounds I took my commission from him for Lord North, viz. the question of dependence or independence *sub silentio*, a separate treaty with America, and to state the Conciliatory Bill of June, 1780, as the outline of negotiation. I saw Lord North in the evening, and stated the foregoing propositions to him, as I have now stated them to you. After having stated the compromise *sub silentio* and the separate treaty, I left with Lord North the copy of the bill of June, 1780, together with a paper, entitled, *Conciliatory Propositions*, as explanatory of that

bill, both enclosed with this. The next morning, viz. Saturday, December the 22d, I saw Mr Alexander, and reported to him what I had stated to Lord North, and showed him a copy of the paper, entitled *Conciliatory Propositions*. He told me, that I had executed my commission perfectly to his intelligence of the matter. I should tell you, that at the conclusion of my conversation with Lord North, we both settled jointly the result thus; "I recommend to your Lordship the propositions, which I have had the honor of stating to you, as *general grounds of a proposed negotiation, leading towards peace, under liberal constructions*." Lord North said in answer, "so I understand them."

Upon this footing, matters rested for some days. On Sunday last, December the 30th, I received a message from Lord North, through the means of Lord Guilford, requesting an explanation of this point, viz. "Who is authorised to treat on the part of America? whether you or Mr Adams, or both jointly; and whether the propositions above stated would be acknowledged, as general grounds of negotiation towards peace, by the person or persons authorised to treat; because it was necessary, before he could lay a matter of so great importance before the Cabinet Council, that he should be entitled to say, these propositions and general outlines come to me from responsible and authorised persons." The moment I received the request of Lord North, I agreed entirely with the necessity of an explanation on that head. I had partly expected such an inquiry, and it gave me satisfaction when it came, as I thought it the first reply towards a parley. If the propositions had not gained some attention, it would have been of very little importance to have inquired

whence they came. As to the caution itself, it appears to me not only prudent but indispensable. The forms of caution in such cases are the essentials of caution. I had determined on my own account before this message to have written to you, that I might have received your sentiments directly from yourself without any other intervention, that we might proceed with caution and certainty in a matter of such infinite importance. This message has only quickened my despatch. The two points of explanation requested, I take to be these; whether the outlines above recited are properly stated, always considering that they imply no further than *general grounds of negotiation towards peace, under liberal constructions*; and secondly, by what authorised person or persons any answer on this subject would be accepted; in short, a requisition of credentials preparatory to a formal answer, which is so much the more necessary on the supposition of a favorable reception of the first hint towards negotiation.

When I last saw Mr Alexander, viz. about four or five days ago, he had met with some desponding impressions, as if the Ministry were indisposed to peace, and that things would not do, &c. He did not tell me upon what ground he had formed such apprehension; however, lest he should have imparted any such by letter to you, I will state that point to you, because it may have infinite ill consequences to be too touchy on such occasions. A premature jealousy may create the very evil it suspects. The Ministry in this country are not everything. The sense of the people, when really expressed and exerted, would be most prevalent. Suppose then it were a proved point, that every man in the Ministry were in his heart adverse to peace. What then? withhold all overtures! By no

means. I should advise the very contrary in the strongest manner. I should say, let the overtures be made so much the more public and explicit by those who do wish for peace. It is the unfortunate state of things, which has hitherto bound the cause of France to any possible treaty with America, and which has thereby thrown a national damp upon any actual public exertions to procure a negotiation for peace with America. I have the strongest opinion, that if it were publicly known to the people of England, that a negotiation might be opened with America, upon the terms above specified, that all the Ministry together, if they were ill disposed to a man, would not venture to thwart such a measure.

But why should it be supposed, that the Ministry, to a man, are ill disposed to a peace? Suppose them to be half and half, and the public wish and voice of the people in favor of negotiation, it is evident on which side the balance would incline. But why should we seek to throw a damp prematurely upon any chance? Why presume even against any individual? I grant, that it would be a bitter trial of humility to be brought to a formal recognition of independence at the haughty command of France, and I believe every part of the nation would proceed to every extremity before they would submit to that. But if that touchy point can be provided for, *sub silentio*, and if the proposed treaty with America may be carried on free from control by France, let us give the cause of peace a fair trial; at the worst we should but be where we were if we should fail. But why should we expect to fail, when the greatest rub is removed, by the liberty of entering separately into a treaty? I think it a most favorable event, leading towards peace. Give us a truce with its

concomitants, and a little time so given for cooling will have most excellent effects on both sides. Eternal peace and conciliation may then follow.

I send this to you by the quickest despatch, that we may bring this point to a fair issue before the meeting of Parliament. God prosper the blessed work of peace.

I am ever yours most affectionately,

D. HARTLEY.

P. S. January 8th, 1782. Since writing this letter, I have seen Mr Alexander, and shall see him from time to time to communicate with him. I do not suppose I shall have an answer from Lord North till the preliminary points are so settled, as to enable him to give an answer in form. The Ministry might undoubtedly give a short negative, if they thought proper; but I do not expect that. You may be assured, that I have and shall continue to enforce every argument in the most conciliatory manner to induce a negotiation. I am very sorry for Mr A.'s confinement, on his own account, and on that of his friends, and because probably in the future state of this business his personal exertions may be very serviceable in the cause of peace. Every assistance and every exertion of mine will always be most heartily devoted to that cause. I have nothing further to add, either upon my own reflections or from my subsequent conversations with Mr Alexander, to what I have stated in the foregoing letter. If we once make a good beginning upon the plan there stated, I should hope that such a negotiation, founded on such principles, would promise fair to produce every salutary and pacific consequence in the event.

D. H.

REMARKS ON THE CONCILIATORY BILL.

In the title and preamble of the bill, the words *Provinces of North America* are used as general words, neither implying dependence or independence.

CLAUSE I. *The Truce* is taken from the Conciliatory Act of 1778, and is indefinite as to the proposed duration of the truce. Under this clause it might be proposed to negotiate three points, viz. the removal of the British troops from the Thirteen Provinces of North America, and connectedly with this article, a stipulation for the security of the friends of the British government. The third article might be a stipulation, that the respective parties, during the continuance of the truce, should not either directly or indirectly give assistance to the enemies of each other.

CLAUSE II. *Articles of Intercourse and Pacification.* Under this clause some arrangements might be settled, for establishing a free and mutual intercourse, civil and commercial, between Great Britain and the aforesaid Provinces of North America.

CLAUSE III. *Suspension of certain Acts of Parliament.* By this clause a free communication may be kept open between the two countries, during the negotiation for peace, without stumbling against any claim of rights, which might draw into contest the question of dependence or independence.

CLAUSE IV. *The Ratification by Parliament.* The object of this clause is to consolidate peace and conciliation, step by step, as the negotiation may proceed; and to prevent, as far as possible, any return of war, after the first declaration of a truce. By the operation of this

clause, a temporary truce may be converted into a perpetual and permanent peace.

CLAUSE V. *A Temporary Act.* This clause, creating a temporary act for a specific purpose of negotiation in view, is taken from the act of 1778.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, January 7th, 1782.

Dear Sir,

As it does not appear improbable, that the humiliation and misfortunes of Great Britain may produce the same sentiments, which a spirit of moderation dictates to the other belligerent powers, and lead her to concur with them in their wishes for peace, it cannot be improper to acquaint you with the objects America most wishes to attain, and to furnish you with the arguments on which they found their claim to them. For such is the confidence, not only in the justice of His Most Christian Majesty, but in his friendship, that they firmly persuade themselves, that he will not only preserve for them their undoubted rights, but that he will even go so far as to procure for them those advantages they may reasonably demand, on the close of a successful war; and I am perfectly satisfied, that the loose hints that a detail of their sentiments may afford you, and our other Commissioners, will be strengthened and improved by your lights in such manner, as to come before his Majesty in the most advantageous form.

The first point of discussion will be the limits of the United States. The instructions given Mr Adams on the day of last, explain the wishes of Con-

gress on that subject, nor can they admit of many doubts, except so far as they relate to our southern extent. The boundary between us and Canada being very well ascertained by grants, charters, proclamations, and other acts of government, and more particularly by the settlements of people, who are engaged in the same cause with us, and who have the same rights with the rest of the subjects of the United States.

Our western and northwestern extent will probably be contested with some warmth, and the reasoning on that subject be deduced from general principles, and from proclamations and treaties with the Indians.

The subject is undoubtedly intricate and delicate, yet, upon candid investigation, I believe it will appear, that our extension to the Mississippi is founded in justice; and that our claims are at least such as the events of the war give us a right to insist upon. Your situation, furnishing you amply with the various documents on which Great Britain founded her claim to all the country east of the Mississippi previous to the treaty of Paris, I will not trouble you with references to them, which would at any rate be imperfect, from the want which prevails here of books and papers. Taking it for granted, that the King of Great Britain was entitled to that extent of country, (which he at least cannot contravene) it only remains to examine how far he considers it as within the limits of some of the United States, because he can no more pretend to abridge those limits, than claim any other right of which the United States are in possession.

His idea of these limits is apparent from charters granted by the crown; and from recent grants made by its representatives in several of the States, it appears that they

considered their authority to grant lands to the westward, as coextensive with the right of Great Britain, unless they were restricted by their interference with other governments. Upon this principle, the servants of the crown in New York granted land on the borders of Lake Erie, to the westward of Niagara. And Virginia, even after the proclamation in 1763, patented considerable tracts upon the Ohio, far beyond the Appalachian mountains. It is true, the several governments were prohibited at different times from granting lands beyond certain limits, but these were clearly temporary restrictions, which the policy of maintaining a good understanding with the natives dictated, and were always broken through after a short period, as is evinced by the grants abovementioned, made subsequent to the proclamation in 1763. And indeed the proclamation itself furnishes a substantial argument of the opinion of Britain, with respect to the right which some of the States had to extend to the westward of the limits it prescribed, otherwise it would not have been necessary to prohibit their governors from granting, as their patents would, in such cases, have been invalid, and themselves subjected to the censure of their master upon whom they were dependent. Unless, therefore, these proclamations absolutely destroyed the right, they must be considered as proofs of its existence at least, and after they were issued. The slightest examination of them shows, that they did not take away, but restrained an existing right, and the subsequent grants by the governors evidence that they were, as is before asserted, mere temporary restrictions. The same reasoning applies to the treaty at Fort Stanwix, and to other agreements taken from treaties with the Indians. Strong evidence in our favor is also

found in the map made by the King's geographer, in which Virginia and the Carolinas are laid down as extending to the Mississippi, shortly after the last war. Arguments may be drawn against us by the Quebec Bill, but as this is one of the laws that occasioned the war, to build anything upon it would be to urge one wrong in support of another. But this matter may perhaps be seen in a different light, and our pretensions placed upon a more extensive basis by recurring to general principles, and asking whence Great Britain derived her right to the waste lands in America.

Evidently, from the allegiance which a subject is supposed to carry with him wherever he goes, even though he dislikes his constitution and seeks one that pleases him better, upon this false principle, the oppressed subjects of Great Britain, seeking freedom in the wilds of America, were supposed to extend to it the sovereignty of the kingdom they had left. The rights of the King of Great Britain then to America were incident to his right of sovereignty over those of his subjects that settled America, and explored the lands he claims. For the idea of right derived from mere discovery, and the vain ceremony of taking possession without planting and continuing that possession, is now fully exploded. If then we admit what is necessary to our independence, that the right of sovereignty over the people of America is forfeited, it must follow, that all rights founded in that sovereignty are forfeited with it; and that upon our setting up a new sovereign in America, the rights which the first claimed as such, devolve upon the second. Upon this principle, Great Britain is left without a foot of land in America beyond the limits of those governments which acknowledge her jurisdiction.

It is in vain to say, that the King of Great Britain holds these back lands by a cession from other powers. Since those cessions were grounded upon a prior claim, derived through the people of America, and only served to confirm the right which they gave the King of Great Britain while he was their sovereign, and which he loses with his sovereignty over them. This mode of reasoning is warranted by the practice Great Britain uniformly held of treating with the Indian nations through their American governors, who have frequently executed with them the most solemn acts, and sometimes extended the King's protection to the nations who occupy the waste lands, which are the subject of our present claim. The expense of retaining these in friendship almost always devolved upon the respective States, who, till lately, particularly in New York, voted the sums necessary to support smiths among them, and to procure the presents which were annually made them. From hence, then, it follows, that if the King of Great Britain has any right over the back lands in America, it must be as King of the people of America; ceasing to be King of those people, his right also ceases. If he has no right over the back lands, but merely as protector of the savage nations that inhabit them, that connexion and duty also devolve upon us, since they evidently claimed that protection from him as King of the Colonies, and through the governors of those Colonies, and not as sovereign of a country three thousand miles from them. This country having chosen a new sovereign, they may rightfully claim its protection.

There is some reason to believe, that Great Britain considered their rights in many instances as extending no further than their right of preemption and protection, as

may be inferred from passages in the negotiations for a peace with France in the year 1761, referred to in the margin. This suggests a new idea, which, however, I am not warranted by any act of Congress in mentioning, and therefore you will only consider it as the sentiment of an individual. If the mediators should not incline to admit our claim, but determine on restricting our limits, either by the extent of our grants, the course of the mountains, the sources of the rivers, or any other of those arbitrary rules that must be sought for when solid principles are relinquished, perhaps it would not be difficult to bring them to agree, that the country beyond those limits belongs to the nations which inhabit it; that it should enjoy its independence under the guarantee of France, Spain, Great Britain, and America, and be open to the trade of those whose lands border upon them.

This, though restrictive of our rights, would free us from the well grounded apprehensions, that the vicinity of Great Britain and her command of the savages would give us. They already possess Canada and Nova Scotia; should that immense territory, which lies upon the rear of the States, from the Gulf of St Lawrence to the Gulf of Mexico, be acknowledged to be vested in Great Britain, it will render our situation truly hazardous. The lands, as you know, are infinitely better than those on the coast; they have an open communication with the sea by the rivers St Lawrence and the Mississippi, and with each other by those extensive inland seas with which America abounds. They will be settled with the utmost rapidity from Europe, but more particularly from these States. Attachment to the government, freedom from taxes, a prospect of bettering their fortunes, and the fertility of the soil, will invite num-

bers to leave us. This, co-operating with the leaven of dissatisfaction, which will continue to work here for many years, may produce the most dangerous effects, especially upon the Southern States, which will, from the nature of their soil and husbandry, be thinly settled for many years, while the lands, which lie near them beyond the mountains, will soon be filled with a hardy race of people inimical to them, who to their own strength will be enabled to join that of the savages, subject to their command.

If it is an object with the maritime powers to lessen the power, and by that means diminish the dangerous dominion that Great Britain has in some measure usurped over the ocean, they must prevent her possessing herself of the country in question, since, besides the whole fur and peltry trade, that she will thereby engross, the demands of this great country will give a new spring to her manufactures, which, though the Floridas should be ceded to Spain, will find their way into it by the river St Lawrence, and through the numerous lakes and rivers which communicate with it. Add to this, that settlements are already formed beyond the Appalachian mountains by people who acknowledge the United States, which not only give force to our claims, but render a relinquishment of their interest highly impolitic and unjust. These, and a variety of other reasons, which will suggest themselves to you and the gentlemen joined in the commission with you, will doubtless be urged in such terms as to convince the Court of France, that our mutual interests conspire to keep Great Britain from any territory on this continent beyond the bounds of Canada. Should the Floridas be ceded to Spain, she will certainly unite with you on this point, as the security of that cession will depend upon its success.

The *Fisheries* will probably be another source of litigation, not because our rights are doubtful, but because Great Britain has never paid much attention to rights, which interfere with her views.

The arguments on which the people of America found their claim to fish on the Banks of Newfoundland arise, first, from their having once formed a part of the British empire, in which state they always enjoyed, as fully as the people of Britain themselves, the right of fishing on those Banks. They have shared in all the wars for the extension of that right, and Britain could with no more justice have excluded them from the enjoyment of it, (even supposing that one nation could possess it to the exclusion of another,) while they formed a part of that empire, than they could exclude the people of London or Bristol. If so, the only inquiry is, how have we lost this right. If we were tenants in common with Great Britain, while united with her, we still continue so, unless by our own act we have relinquished our title. Had we parted with mutual consent, we should doubtless have made partition of our common rights by treaty. But the oppressions of Great Britain forced us to a separation, (which must be admitted, or we have no right to be independent) and it cannot certainly be contended that those oppressions abridged our rights, or gave new ones to Britain. Our rights then are not invalidated by this separation, more particularly as we have kept up our claim from the commencement of the war, and assigned the attempt of Great Britain to exclude us from the fisheries as one of the causes of our recurring to arms.

The second ground upon which we place our right to fish on the Banks of Newfoundland, provided we do not

come within such distance of the coasts of other powers, as the law of nations allows them to appropriate, is the right which nature gives to all mankind to use its common benefit, so far as not to exclude others. The sea cannot in its nature be appropriated ; no nation can put its mark upon it. Though attempts have sometimes been made to set up an empire over it, they have been considered as unjust usurpations, and resisted as such, in turn, by every maritime nation in Europe. The idea of such empire is now fully exploded by the best writers.

The whale fishery in every sea, and even upon the coasts of princes, who do not exercise it themselves, is considered as a common right, and is enjoyed by those nations that choose to pursue it. The cod fishery, upon the Dogger Bank, and other parts of the European seas, is claimed exclusively by no nation. The herring fishery is carried on daily by the Dutch on the coast of England, and if the Banks of Newfoundland are not equally common, it is because some nations have relinquished their rights, and others find it impossible to exercise them, for want of harbors to receive their vessels, or shores to dry their fish on.

When we say we are willing to exercise it under these inconveniences, there can certainly be no further dispute about our right, and the only remaining questions will be the distance that we ought to keep from the shores possessed by the enemy ; though, strictly speaking, from our first principle, we have a common right in them.

This subject is treated so much at large by Grotius and Vattel, that I do not think it necessary to detail arguments, which, though urged by people here from their feelings, you will find much better stated there. Give me leave however to urge some, that may arise from our particular

circumstances. All the New England States are much interested in this point; the State of Massachusetts more particularly; it has no staple; it does not raise its own bread; its principal commerce consisted before the war in fish, which it supplied to the rest of the continent in exchange for rice, flour, &c, and to the West Indies for rum, sugar, and molasses. It shipped little to Europe; first, because it could not fish so cheap as the people of England; secondly, because their fish was not so well cured in general, owing to their fishing at improper seasons, and to their using salt which is said to be of a more harsh nature, than what the European vessels bring out with them. Should this State and New Hampshire, which is almost in similar circumstances, be excluded from the fisheries, they must be reduced to great distress. It will be impossible for them to pay for the necessaries they must receive from abroad. They will see with pain their sister States in the full enjoyment of the benefits, which will result from their independence, while their own commerce is checked, and their State impoverished. They will consider their interests as sacrificed to the happiness of others, and can hardly forbear to foster that discontent, which may be productive of disunion, and the most dangerous divisions.

An idea has also gone forth, and it is fomented by the disaffected, that France wishes, from interested views, to monopolise the fisheries; or, at least to exclude all other competitors but Great Britain. Those, who have attended to the disinterested conduct of France during the war, oppose to this sentiment the honor and good faith of their ally, the little interest that he can have in excluding a people from a right, which would not interfere with his,

since France does little more than supply herself; and the New England fishery, for the most part, only supplies the continent and islands of America. They see the care with which France has endeavored to cultivate a good understanding between that Kingdom and these States, and they are persuaded so inconsiderable an object will not be put in competition with the harmony, which ought to subsist between them, or administer food to those unworthy jealousies. And so much does this sentiment prevail in Congress, that their prospects have not induced them to alter your instructions; more particularly as they have received through the Minister of France assurances, that his Majesty was pleased with the proofs Congress had given him of their confidence, and that he would in no event make any sacrifices of their essential interests, which necessity should not compel him to do; that he had no reason to apprehend from the events of the war, that such necessity would exist. These events have become so much more favorable since the date of the letter, which contained these assurances, that Congress persuade themselves his Majesty will not be driven to make sacrifices equally painful to him and injurious to us; but that, as we owe our success in war to his magnanimity and generosity, we may be equally indebted to his justice and firmness for an honorable peace.

It is not improbable, that Great Britain will endeavor to make some stipulations in favor of their American partizans, who have been banished the country, or whose property has been forfeited. You will doubtless be sensible of the inconvenience and danger, to which their return will subject us, and the injustice of restoring to them what they have so justly forfeited; while no compensation is made to

us for the loss of property, and the calamities they have occasioned.

There can be little doubt, that every society may rightfully banish from among them those, who aim at its subversion, and forfeit the property, which they can only be entitled to by the laws, and under the protection of the society, which they attempt to destroy. Without troubling you, therefore, on the point of right, I will just mention a few of the consequences that would result from a stipulation in their favor.

In the first place, it will excite general dissatisfaction and tumults. They are considered here as the authors of the war. Those who have lost relations and friends by it, those who have been insulted by them while starving in prisons and prison-ships, those who have been robbed and plundered, or who have had their houses burned and their families ill treated by them, will, in despite of all law, or treaties, avenge themselves, if the real or supposed authors of these calamities ever put themselves in their power; nor will the government be able to prevent what the feeling of the body of the people will justify.

Should they be permitted to reside among us, they will neglect no means to injure and subvert our constitution and government, and to sow divisions among us in order to pave the way for the introduction of the old system. They will be dangerous partizans of the enemy, equally unfriendly to France and to us, and will show themselves such upon every occasion. To restore their property in many instances is now become impossible. It has been sold from hand to hand; the money arising from it has been sunk by depreciation in the public treas-

ury. To raise the value by taxes, or to wrest the lands from the hands of the proprietors, is equally unjust and impossible. Many of the very people, who would demand the restitution, have grown rich by the spoil and plunder of this country. Many others, who were beggars at the beginning of this war, owe their present affluence to the same cause.

So that at least the account between the two nations should be liquidated, before any claim can be set up by the aggressors. How far it will be possible to obtain a compensation for the injuries wantonly done by the enemy, you will be best able to judge; be assured that it is anxiously desired.

Give me leave to mention to you the necessity of stipulating for the safe delivery of all records, and other papers of a public and private nature, which the enemy have possessed themselves of; particularly of the records of New York, which Mr Tryon sent to England; and the private papers of many gentlemen of the law in different parts of the continent, by which the rights of individuals may be materially affected.

Thus, Sir, I have touched upon the principal points, that America wishes to attain in the peace, which must end this bloody war. Perhaps in so doing I have given both you and myself unnecessary trouble, since I have urged nothing but what your own knowledge of the country, and that of the other gentlemen in the commission, would have suggested to you. However, conceiving that circumstances might render it necessary for you to declare, that you spoke nothing more than the prevailing sentiments of your Court, this letter will serve to vouch for the assertion.

Should the Floridas be ceded to Spain, as there is

nothing Congress have more at heart than to maintain that friendly intercourse with them, which this revolution has happily begun, it will be essential to fix their limits precisely, for which purpose the instructions to Mr Adams will serve as your directions.

Affairs here are in the same state that they were when I last wrote, except that the enemy in South Carolina have called in all their outposts, and shut themselves up in Charleston, where they will be closely invested when General St Clair joins, which must have happened about the last of December. The brilliant expedition to St Eustatia does the highest honor to the Marquis de Bouillé and the French nation. I flatter myself that it will be of singular use in Mr Adams's negotiations.

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

ROBERT R. LIVINGSTON.



TO DAVID HARTLEY.

Passy, January 15th, 1782.

Dear Sir,

I received a few days since your favor of the 2d instant, in which you tell me, that Mr Alexander had informed you, "America was disposed to enter into a separate treaty with Great Britain." I am persuaded, that your strong desire for peace has misled you, and occasioned your greatly misunderstanding Mr Alexander; as I think it scarce possible he should have asserted a thing *so utterly void of foundation*. I remember that you have, as you say, often urged this on former occasions, and that it always gave me more disgust than my friendship for you

permitted me to express. But since you have now gone so far as to carry such a proposition to Lord North, as arising from us, it is necessary that I should be explicit with you, and tell you plainly, that I never had such an idea, and I believe there is not a man in America, a few *English Tories* excepted, that would not spurn at the thought of deserting a noble and generous friend, for the sake of a truce with an unjust and cruel enemy.

I have again read over your Conciliatory Bill, with the manuscript propositions that accompany it, and am concerned to find, that one cannot give vent to a simple wish for peace, a mere sentiment of humanity, without having it interpreted as *a disposition to submit to any base conditions* that may be offered us, rather than continue the war; for, on no other supposition could you propose to us a truce of ten years, during which we are to engage not to assist France, while you continue the war with her. A truce too, wherein nothing is to be mentioned that may weaken your pretensions to dominion over us, which you may therefore resume at the end of the term, or at pleasure; when we should have so covered ourselves with infamy, by our treachery to our first friend, as that no other nation can ever after be disposed to assist us, however cruelly you might think fit to treat us. Believe me, my dear friend, America has too much understanding, and is too sensible of the value of the world's good opinion, to forfeit it all by such perfidy. The Congress will never instruct their Commissioners to obtain a peace on such ignominious terms; and though there can be but few things in which I should venture to disobey their orders, yet, if it were possible for them to give me such an order as this, I should certainly refuse to act; I should instantly renounce their

commission, and banish myself forever from so infamous a country.

We are a little ambitious too of your esteem; and as I think we have acquired some share of it, by our manner of making war with you, I trust we shall not hazard the loss of it, by consenting meanly to a dishonorable peace.

Lord North was wise in demanding of you some authorised acknowledgment of the proposition from authorised persons. He justly thought it too improbable to be relied on, so as to lay it before the Privy Council. You can now inform him, that the whole has been a mistake, and that no such proposition as that of a separate peace has been, is, or is ever likely to be made by me; and I believe by no other authorised person whatever in behalf of America. You may further, if you please, inform his Lordship, that Mr Adams, Mr Laurens, Mr Jay, and myself, have long since been empowered, by a special commission, to treat of peace whenever a negotiation shall be opened for that purpose; but it must always be understood, that this is to be in conjunction with our allies, conformably to the solemn treaties made with them.

You have, my dear friend, a strong desire to promote peace, and it is a most laudable and virtuous desire. Permit me then to wish, that you would, in order to succeed as a mediator, avoid such invidious expressions as may have an effect in preventing your purpose. You tell me that no stipulation for our independence must be in the treaty, because you "verily believe, so deep is the jealousy between England and France, that England would fight for a straw, to the last man and the last shilling, rather than be *dictated to* by France." And again, that, "the nation would proceed to every extremity, rather than be

brought to a formal recognition of independence at the *haughty command* of France." My dear Sir, if every proposition of terms for peace, that may be made by one of the parties at war, is to be called and considered by the other as *dictating*, and a *haughty command*, and for that reason rejected, with a resolution of fighting to the last man rather than agree to it, you see that in such case no treaty of peace is possible.

In fact we began the war for independence on your government, which we found tyrannical, and this before France had anything to do with our affairs; the article in our treaty whereby the "two parties engage, that neither of them shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained; and mutually engage, not to lay down their arms until the independence of the United States shall have been formally or *tacitly* assured, by the treaty or treaties, that shall terminate the war," was an article inserted at our instance, being in our favor. And you see, by the article itself, that your great difficulty may be easily got over, as a formal acknowledgment of our independence is not made necessary. But we hope by God's help to enjoy it; and I suppose we shall fight for it as long as we are able.

I do not make any remarks upon the other propositions, because I think, that unless they were made by authority, the discussion of them is unnecessary and may be inconvenient. The supposition of our being disposed to make a separate peace I could not be silent upon, as it materially affected our reputation and its essential interests. If I have been a little warm on that offensive point, reflect on your repeatedly urging it, and endeavor to excuse me.

Whatever may be the fate of our poor countries, let you and me die as we have lived, in peace with each other.

Assuredly I continue, with great and sincere esteem, my dear friend, yours most affectionately,

B. FRANKLIN.

TO THE COUNT DE VERGENNES.

Passy, January 18th, 1782.

Sir,

I received the letter your Excellency did me the honor of writing to me this day, enclosing a Memorial,* which relates to the interests of some subjects of the Emperor, residing at Ostend, who allege that a ship of theirs has been taken by an American privateer, and carried into Boston, on pretence that the property was English, &c. I shall immediately transmit the Memorial to Congress, as desired. But there being Courts of Admiralty established in each of the United States, I conceive, that the regular steps to be taken by the complainants would be an application for justice to those Courts by some person on the spot, duly authorised by them as their agents, and in case the judgment of the Court is not satisfactory, that then they appeal to the Congress, which cannot well take cognisance of such matters in the first instance.

The merchants of Ostend may possibly not have as yet correspondents established in all the States, but any merchant of credit in the country would transact such business on receiving their request, with the proper power of attorney; or if His Imperial Majesty should think fit to appoint a Consul General to reside in those States, such an officer

* See this Memorial in Franklin's Works, Vol. V. p. 122.

might at all times assist his compatriots with his counsels and protection, in any affairs that they might have in that country. I am the more particular in mentioning this to your Excellency, because I apprehend these cases may hereafter be frequent, and if the complaints are to be addressed to you and me, we are likely to have a great deal of trouble, as I am informed that it is become a daily practice for outward bound English ships to put into Ostend, make a formal pretended sale of ship and cargo to a merchant of the place, who furnishes imperial papers for the voyage under his own name, and receives a certain sum per cent for the operation.

This is said to be a branch of great profit to the Flemish merchants, and that a very great number of English ships are now at sea with such papers, and I suspect even from their own manner of stating the transaction, that the ship and cargo reclaimed by the complainants are of that kind. This seems to me an abuse of the neutrality, as these fictitious profits are added to the advantage of real carriage for the belligerent nations, they make it too much the interest of neutral neighbors to foment wars and obstruct peace, that such profits may continue. And if it is to be understood as a settled point, that such papers are to protect English property, the fitters out of privateers from France, Spain, Holland, and America, will in another year be all ruined, for they will find none but Flemish ships upon the ocean.

With the greatest respect, &c.

B. FRANKLIN.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, January 23d, 1782.

Dear Sir,

An express just going to the Chesapeake, gives me an opportunity of sending by the *Hermione*, a resolution passed yesterday. My letters by this conveyance are so long, that they leave me nothing to add, unless it be, that we have just received letters from Mr Deane, (copies are enclosed) which confirm the authenticity of those published in his name by Mr Rivington, mentioned in my former letters. In one of those publications he expressly advises a return to the government of Great Britain; and, as this could not be effected through Congress, that it should be done by committees, which the people should choose for that express purpose. These, of which I now send you copies, were delivered here by the person to whom Mr Deane gave them, so that there can be no doubt of their authenticity.

We have nothing new except what you will learn from the papers herewith transmitted. As I doubt not you are upon the most confidential terms with the Marquis de Lafayette, I could wish him to see my last letter. You will observe, that I have omitted (for reasons that you will easily conceive) to make use of the arguments, which may be derived from the 11th and 12th articles of our treaty with France. The Commissioners will exercise their own discretion in applying them, when a negotiation shall be opened.

We were much surprised at not receiving a single line by the frigate, which lately arrived at the Chesapeake, from any one of our foreign Ministers. It is upwards of

three months since we have had a letter of intelligence from Europe. Congress complains of these neglects, (for such they consider them) and I flatter myself, that in future, as a channel is now open through this office for a regular correspondence, this cause of complaint will be removed, and that letters and papers will be lodged with our consuls to go by every conveyance.

Be persuaded, Sir, that I shall omit no opportunity to give you every information, which may contribute to your private amusements or the public benefit.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

P. S. I have this moment received resolutions from Congress, (copies of which I enclose) which serve to show their sense of the importance of the fisheries and their western extent, and add new weight to the arguments which I had the honor to urge. You will be pleased to transmit copies of them to Mr Jay and Mr Adams.

DAVID HARTLEY TO B. FRANKLIN.

London, January 24th, 1782.

My Dear Sir,

I received yours of the 15th instant this day. I must take the earliest opportunity of setting you right in one mistake, which runs through your whole letter, and which to you, under that mistake, must be a very delicate point. You seem to apprehend that America has been stated in the proposition to Lord North, as "disposed to enter into a separate treaty with Great Britain;" but you meet the condition, viz. in the words immediately following, "*and*

that their allies were disposed to consent to it." There cannot possibly be any supposition of treachery to allies, in any proposition to which they may *consent*. A separate treaty, with the *consent* of the allies of America, was the proposition communicated to me by Mr Alexander, and which I laid before the Minister, and which I reported back again to Mr Alexander in writing, when I showed him the paper entitled "Conciliatory Propositions," which I took care to reduce to writing, with a view of avoiding mistakes ; therefore, I have not *misunderstood* Mr Alexander. I have since seen Mr A. many times, and he has always stated one and the same proposition, viz. that America was disposed to enter into a separate treaty, because their *allies were disposed to consent that they should* ; therefore there cannot exist a suspicion of treachery. It occurred to me once while I was writing, to bar against that misconstruction, but having specified the *consent of the allies of America* in the same sentence, I could not conceive such a misconstruction to have been possible.

You have mistaken another point greatly. You say, "a truce for *ten* years." There is not in the bill any such disposition or thought ; on the contrary, it is specified in the enclosed paper that it is kept *indefinite*, for the sole purpose of avoiding the suspicion which you have suggested. The truce may be for twenty, or fifty, or one hundred years ; in my opinion the longer the better. But in any case, what I mean now to state is the *indefinite* term in the bill. The articles of intercourse are only proposed for ten years certain, just to strew the way with inviting and conciliatory facilities, in the hope that *a little time given for cooling* would confirm a perpetual peace. If I were permitted to be the mediator, I should certainly

propose the truce for twenty years; but if no more than ten years could be obtained, I would certainly not refuse such a ground of pacification and treaty. I refer you to several of my letters two or three years ago, for the justification of my sentiments on that head.

Another point; look at all my letters since 1778, and see if I have at any time suggested any breach of treaty or of honor; on the contrary, I think a faithless nation, if exterminated, would not deserve the pity of mankind. I speak of all I know in the treaty between America and France, and what I think reasonable upon the case itself. If America is further bound than we know of, they must abide by it. I speak to the apparent and public foundation of the treaty, article second, with the provision of *tacitly*, from article eighth; and now I refer you to my letter to you, as long ago as April 10th, 1779; "If beyond this essential and directed end, and upon grounds totally unconnected with that alliance, not upon motives of magnanimity *for the relief of an innocent people*, but from distinct and unconnected motives of private European sentiments, America should be dragged into the consequence of a general European war, she may apply to France the apostrophe of the poet, speaking in the person of Helen to Paris, "*non hoc pollicitus tuæ.*" You see, therefore, that our sentiments have been uniform, and as I think, reasonable, because I still remain in those sentiments.

Suppose, for instance, (and you may call it the case of a straw if you please) that Great Britain and France should continue the war for ten years, on the point of a commissary at Dunkirk, aye or no;—would it be *reasonable*, or a *casus fæderis*, that America should be precluded from a separate treaty for ten years, and therefore in-

volved in the consequential war, after the *essential and direct ends* of the treaty of February 6th, 1778, were accomplished? As far as my judgment goes, upon the knowledge of such facts as are public, I should think it was neither *reasonable* nor a *casus fiederis*. This is the breviate of the argument, in which there is no thought or suggestion of any breach of faith or honor. I did conclude that France was disposed to give their *consent*, because Mr Alexander informed me so, and because I thought it reasonable that France should consent, and reasonable that America should enjoy the benefit of that consent. I transmitted it to Lord North, as a proposition temperate and pacific on the part of America, and consented to by their allies, and on no other ground did I transmit or propose it. All that your letter tells me, is, "that America will not break with her allies, and that her Commissioners will not entertain such a thought;" but give me leave to add, that they, as honest men, cannot disdain such a thought more than I do; every honest man ought to disdain the office, or the thought of proposing a breach of faith to them. I have often told you, that such an office or such a thought shall never be mine.

But you have not told me that France would not be disposed to consent to a separate treaty of peace, for that ally whose peace was the original declared object of the alliance, in the case supposed, viz. of certain supposed or real punctillios between two proud and belligerent nations, which might possibly involve America for years in a war totally unconnected with the objects of the alliance. Besides, if any rubs should occur in the road to a general peace, France is too proud a nation to say, that beyond the *policy* of contributing to the separation of America

from Great Britain in any contest of rivalship, they cannot meet their rivals in war, without the assistance of America. I cannot conceive that the Minister of a great belligerent nation could entertain such a thought, as affecting their own sense of honor, or be so unreasonable to their allies, as to withhold consent to their peace, when *the essential and direct ends* of the alliance were satisfied. Observe, I do not contend against a general peace; on the contrary, I mean to recommend the most prudent means for producing it. But, as an anxious lover of peace, I feel terrors which dismay me, and I consider the dangers which may obstruct a general peace, arising from the pride and prejudices of nations, which are not to be controlled in their heat by arguments of reason or philosophy.

Can any man in reason and philosophy tell me, why any two nations in the world are called natural enemies, as if it were the ordinance of God and nature? I fear it is too deeply engraved in the passions of man, and for that reason I would elude and evade the contest with such passions. I would strew the road to peace with flowers, and not with thorns. *Haughty, and dictating, and commands,* are no words of mine; I abhor them, and I fear them. I would elude their force by gentle means, and step by step. In article eighth, there are the following words; "By the treaty or treaties that shall terminate the war." Let us have one treaty begun, and I think the rest would follow. I fear when contending passions are raised, lest we should lose all by grasping at too much.

January 25th. I have just seen Mr Alexander, and have talked the matter over with him. I send you a copy of his sentiments upon it, which, for the sake of avoiding further mistakes, he committed to paper, and which, I

think, justify me in saying, that I understood from him, that France was *disposed to give their consent*, as he *explained* it to me, and as I explained it to the Minister. He did not say, nor did I understand him to say, that he was *authorised* by the French Ministry, or by any one else, to declare that France had bound herself to consent, or that any such requisition had been made to her ; but that it was his opinion that France would consent, and that I might proceed upon that presumption, so far as to recommend overtures of negotiation. Accordingly, the phrase of my letter to you is, that he *explained* to me, *that their allies were disposed to consent*. You see what his opinion is on this day ; and as you have not told me that France will consent, the *reasonable* probability which still remains with me, for the hopes of opening an amicable treaty, remains as it did.

I could not delay saying thus by the very first mail, upon a point equally delicate to me as well as to yourself. My dear friend, I beg of you not to think, either that you can be considered as capable of entertaining, or that I should be capable of suggesting any unworthy or dishonorable propositions. If there has been any misunderstanding, it is now cleared up ; and the ground for negotiation remains open as before. I therefore still entertain my hopes.

I am ever your affectionate,

D. HARTLEY.

Explanatory Letter to Mr Hartley, referred to in the preceding.

Dear Sir,

As I had not the opportunity of seeing your correspondence at this time, I was unable to prevent the misunder-

standing that seems to have arisen. There is no proposition of which I am more convinced, than that, "Nothing can be done without the concurrence of allies." But, as the chief obstruction towards an accommodation seemed to me to lie in the personal character of some, who have great weight in this matter, and as the object of the war (the independence of America) seems, in the opinion of all men, to be secured, my own opinion was, and still is, that there was so much wisdom and moderation where prejudice prevents us from seeing it, that, provided the ends of the war are accomplished to the satisfaction of all parties, they will be very ready to let us out of it in the most gentle manner, by consenting equally that the business shall go on in one, two, or three separate deeds, as shall be most palatable here; and to doubt that our friends are desirous of finishing the contest, with the approbation of their allies, is to doubt their understanding.

I am, with the greatest esteem, yours, &c.

W. ALEXANDER.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, January 26th, 1782.

Dear Sir,

I do myself the honor to enclose you a convention for the establishment of Consul, which has just passed Congress. You will find that you are empowered either to sign it in France, or if any alterations are made to send it here to be executed.

Nothing new since I wrote you; we are still in the dark with respect to European intelligence, not having heard from any gentleman in public character since the

5th of October, when we had a short letter from Mr Carmichael.

I have the honor to be, Sir, with great respect and esteem, your most obedient humble servant.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON, SECRETARY OF FOREIGN AFFAIRS.

Passy, January 28th, 1782.

Sir,

I received at the same time, your several letters of October 20th, 24th, and November 26th, which I purpose to answer fully by the return of the Alliance. Having just had a very short notice of the departure of this ship, I can only at present mention the great pleasure your appointment gives me, and my intention of corresponding with you regularly and frequently, as you desire. The information contained in your letters is full and clear; I shall endeavor that mine, of the state of affairs here, may be as satisfactory.

With great esteem, &c.

B. FRANKLIN.

DAVID HARTLEY TO B. FRANKLIN.

London, February 1st, 1782.

My Dear Friend,

I write to you one line by this mail, only to tell you that I have seen the Minister since I last wrote to you, and that he never did entertain the idea one moment of any propositions being thrown out on your part, in the least

degree inconsistent with the strictest honor and faith to the allies. I had no occasion to guard against, or to explain any such thought, having at all times conveyed the contrary to him in the most explicit terms. I transmit this to you for your full satisfaction. We have had much conversation on the subject of peace, which you may be sure I have most zealously endeavored to enforce. I should not do him justice, if I did not add that I believe his wishes are for peace, and that he gives the most serious attention to every argument, and to the suggestion of every practicable means on that subject. I have stated many things for his consideration, and for consultation with others, after which I shall see him again. I heartily wish the result may be favorable to the prospect of peace.

I am ever your affectionate,

DAVID HARTLEY.

THE DANISH MINISTER TO THE COUNT DE VERGENNES.

Translation.

Paris, February 6th, 1782.

Three American vessels, one of which was three masted, and called the Norfolk, Captain Lines, and two brigs, the Ariel, Captain Maller, and the Virginia, Captain Hodsheadson, all three armed in Philadelphia, committed a most grievous outrage on the 2d of December last on the coast of Norway, where they seized two English merchantmen and burnt them, after plundering them and sending away their crews. The circumstances are more particularly detailed in the protest enclosed, made on the spot.* It has

* See this protest in Franklin's Works, Vol. V. p. 129.

moreover been proved by the report of his Danish Majesty's grand bailiff at Christiansand, that the aforesaid American vessels having anchored in the port of Fleckeroe, before their meeting with the Englishmen, and displayed French colors, he had asked of the French Consul information respecting their sea papers, and that the latter, on examining their contents, declared that they were not furnished with any letters of marque on the part of Congress. Their conduct proves this also in having burnt their prizes, notwithstanding the offers of ransom made them by the English captains. It therefore follows, that they can only be considered as pirates, whose crimes are greatly aggravated by a manifest infraction of his Danish Majesty's territorial rights.

The undersigned, his Envoy Extraordinary, has received precise orders to communicate these particulars to his Excellency, the Count de Vergennes, requesting with every possible confidence the intervention of his Most Christian Majesty with the United States of America, to effect not only the punishment of the guilty persons, but also to obtain an indemnification for the vessels and cargoes that were burnt, of which an exact statement shall be furnished; and this satisfaction is due to repair the excesses committed on his Majesty's territory.

DE BLOME.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, February 13th, 1782.

Dear Sir,

We have been extremely alarmed at some communications, which the Minister of France made me from his last letters. They look extremely as if the Count de Vergennes

imagined, that neither Spain nor Holland was anxious for our success. They discourage the idea of a loan from them, or even from France. Our letters from Holland confirm these conjectures, so far as they relate to that State. Mr Adams seems almost to despair of doing anything with respect to an alliance or loan, and from Mr Jay we have heard nothing in a very long time, and are ignorant of any steps he may have taken since the appointment of M. Del Campo to treat with him.

These mortifying disappointments oblige us, though reluctantly, to call upon France for further assistance. Your solicitations will be infinitely useful to your country, if they procure for it what I will venture to pronounce essential to their safety. In this spirit, the instruction, which I do myself the honor to enclose, has passed Congress, and a second resolution, which I also enclose, which leads to such information as will enable you to convince the Court of France, that their navy can nowhere be more effectually employed to distress the common enemy than in America. I own this consideration is a great relief to my feelings, when we make these importunate demands for money; and I hope it will enable you to press them with some degree of dignity.

That France can aid us is not to be doubted, for it is certain she never carried on a war that distressed her finances less. She has no expensive subsidies to pay; her money is expended either at home, or in a country from which it returns. Her army is not greatly increased, and her commerce under the protection of her fleets enjoys a security, that it seldom has experienced before. I would not, however, have you suppose, that this is the language I hold here. I know too well the necessity of

making every exertion, which in our present impoverished situation we are capable of; and I neglect no means, which my present station puts in my power to call forth.

Congress have taken every wise measure for that purpose, and I firmly persuade myself, that we shall be able to form the most vigorous co-operation with such force as his Majesty may please to send out. I am confident that the peace must be made in America. Every blow here is fatal to the grand object of the present war; to the hopes, to the wishes, and to the pride of Great Britain. Other conquests she expects to have restored upon a peace; what is lost here she knows to be lost forever.

The daily complaints that we receive from seamen confined in England concur with humanity, and the national honor, to render some expedient for their relief necessary. I need not, I am persuaded, recommend this to your particular care. We have not yet obtained, at least as far as I can learn, a compensation for the prisoners taken by Paul Jones and returned to England. Is it impossible, either to settle a cartel in Europe, or to have the Americans confined there sent to New York for exchange? The last proposition is so much in favor of England, that it would probably be acceded to, and yet such is the distress of the people who have been long confined, that it would be desirable to have the offer made. I am just now applied to by a Mrs Simmonds, whose husband is the mate of a vessel, and has been two years confined in Mill Prison; it would be an act of charity to attempt to procure his relief. You will do me the favor to collect and transmit a list of the numbers confined in England, and, as far as possible, for the satisfaction of their friends, of the names.

We have not a word of intelligence to communicate,

unless it be some little disturbances in the country, which has been distinguished by the names of New Hampshire Grants, and Vermont; and which it may be proper to mention to you, since the facility with which the British deceive themselves, and the address with which they deceive others, may render it a matter of moment in Europe, though in fact it is none in America. The bulk of the people of that country are "*New England Presbyterian Whigs.*" Some of those, in possession of the powers of government, have more address than principle. Finding themselves exposed to inroads from Canada, they have tampered with that government, and pretended to be willing to form a treaty of neutrality with them during the war, and to return to the obedience of Britain on a peace. This has had the effect they intended, and in some measure defeated an expedition, which the enemy made last year, and retained their main body in inaction at Ticonderoga, while the parties they sent to the westward were beaten and dispersed by our militia. The secret has been discovered, is disavowed by the people, and such measures are now taken, that by the time the King of Great Britain and his Council, (before whom the propositions now lie) have formed a plan in consequence of them, they will be made the means of drawing them into new difficulties.

I presume that you keep up a constant correspondence with Mr Jay and Mr Adams, and assist them with your information and advice. I must beg the favor of you to transmit them this intelligence, that they may be prepared to meet any assertions of the enemy on that head. I take leave to repeat to you my desire to have the papers and political publications sent regularly to this office.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO DAVID HARTLEY.

Passy, February 16th, 1782.

Dear Sir,

I received your favor of the 24th past. You have taken pains to rectify a mistake of mine relating to the aim of your letters. I accept kindly your replication, and I hope you will excuse my error, when you reflect, that I knew of no consent given by France to our treating separately of peace, and that there has been mixed in some of your conversations and letters various reasonings, to show, that if France should require something of us that was unreasonable, we then should not be obliged by our treaty to join with her in continuing the war. As there had never been such requisition, what could I think of such discourses? I thought as I suppose an honest woman would think, if a gallant should entertain her with suppositions of cases, in which infidelity to her husband would be justifiable. Would not she naturally imagine, seeing no other foundation or motive for such conversation, that if he could once get her to admit the general principle, his intended next step would be to persuade her, that such a case actually existed. Thus knowing your dislike of France, and your strong desire of recovering America to England, I was impressed with the idea, that such an infidelity on our part would not be disagreeable to you; and that you were therefore aiming to lessen in my mind the horror I conceived at the idea of it. But we will finish here by mutually agreeing, that neither you were capable of proposing, nor I of acting on such principles.

I cannot however forbear endeavoring to give a little possible utility to this letter, by saying something on your

case of Dunkirk. You do not see why two nations should be deemed natural enemies to each other. Nor do I, unless one or both of them are naturally mischievous and insolent. But I can see how enmities long continued, even during a peace, tend to shorten that peace, and to rekindle a war; and this is when either party, having an advantage in war, shall exact conditions in the treaty of peace, that are goading and constantly mortifying to the other. I take this to be the case of your "Commissioner at Dunkirk." What would be your feelings if France should take, and hold possession of Portsmouth, or Spain of Plymouth, after a peace, as you formerly held Calais, and now hold Gibraltar? Or on restoring your ports, should insist on having an insolent Commissioner stationed there, to forbid your placing one stone upon another by way of fortification? You would probably not be very easy under such a stipulation. If therefore you desire a peace, that may be *firm* and durable, think no more of such extravagant demands. It is not necessary to give my opinion further on that point, yet I may add frankly, as this is merely private conversation between you and me, that I do think a faithful ally, especially when under obligations for such great and generous assistance as we have received, should fight as long as he is able, to prevent, as far as his continuing to fight may prevent, his friends being compelled again to suffer such an insult.

My dear friend, the true pains you are taking to restore peace, whatever may be the success, entitle you to the esteem of all good men. If your Ministers really desire peace, methinks they would do well to *empower* some person to make propositions for that purpose. One or other of the parties at war must take the first step. To do this

belongs properly to the wisest. America being a novice in such affairs, has no pretence to that character ; and indeed, after the answer given by Lord Stormont (when we proposed to him something relative to the mutual treatment of prisoners with humanity) that "*the King's Ministers receive no applications from rebels, unless when they come to implore his Majesty's clemency,*" it cannot be expected, that we should hazard the exposing ourselves again to such insolence. All I can say further at present is, that in my opinion your enemies do not aim at your destruction, and that if you propose a treaty you will find them reasonable in their demands, provided that on your side they meet with the same good dispositions. But do not dream of dividing us ; you will certainly never be able to effect it.

With great regard and affection, I am ever, dear Sir,
your most obedient and most humble servant,

B. FRANKLIN.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versailles, February 24th, 1782.

Sir,

You will find enclosed an official despatch,* which has been sent me from the Court of Copenhagen, respecting some excesses that are said to have been committed near the Coast of Norway, by three American vessels. I make no doubt but you will take the earliest opportunity to transmit it to Congress, that they may decide agreeably to the principles of the laws of nations upon the claim of his Danish Majesty.

I have the honor, &c.

DE VERGENNES.

* See above, p. 296.

DAVID HARTLEY TO B. FRANKLIN.

February 28th, 1782.

My Dear Friend,

I have not as yet anything to communicate to you. I have upon many occasions recommended the road to peace in the most earnest way. I am not without hopes. I think I may venture to say, that the arguments which I have stated have made an impression. I have not expected to receive the final answer from Lord North, till after the Parliamentary arrangements of the year are settled. I am just for three or four days in the country, upon a little business, but upon a furlough, as I may say, with the knowledge of Lord North, who, during the budget week, cannot possibly want to see me. I have therefore taken that week for a little private business in the country, and if Lord North should happen to wish to see me, my brother keeps watch, and is to send express for me. Public report will tell you, that on Friday last there was a division in the house on an American question, of one hundred and ninetyfour to one hundred and ninetythree.

I cannot answer for the dispositions of Ministers, but in point of justice I ought to say, that I think, and as far as I can judge from the conferences which I have had, that I have found good dispositions towards peace. I do not pledge myself, because I may be deceived; however, that is my opinion; and I say thus much lest my silence should appear suspicious, and create alienation in other parties. I think I have seen good dispositions from the first commencement of my conferences on peace. My brother sends me word, that Mr Alexander is to return by the next mail. I therefore write this to send either by him or

at least in the same packet. I have had much conversation with him, and he will tell you that I have done my utmost to serve the cause of peace. I will conclude this with a quotation, which I have applied to another person in argument respecting peace.

Consulere patriæ, parcere afflictis, ferâ cæde abstinere,
 Iræ tempus dare, oibi quietem, seculo pacem suo,
 Hæc summa virtus,—hæc cælum petitur viâ.

God bless you and prosper our pacific endeavors. I shall probably write again to you soon.

Your affectionate,

D. HARTLEY.

EDMUND BURKE TO B. FRANKLIN.*

London, February 28th, 1782.

Dear Sir,

Your most obliging letter demanded an early answer. It has not received the acknowledgment which was so justly due to it. But Providence has well supplied my deficiencies, and the delay of the answer has made it much more satisfactory, than at the time of my receipt of your letter I dared to promise myself it could be. I congratulate you, as the friend of America; I trust, as not the enemy of England; I am sure, as the friend of mankind;

* This letter was written in answer to one from Dr Franklin, requesting Mr Burke to negotiate an exchange of Henry Laurens, when in the Tower, for General Burgoyne. Mr Laurens was at the time under some mistake in regard to this subject, as he supposed, that Mr Burke first applied to Dr Franklin to effect such an exchange, and imagined that Dr Franklin neglected him; whereas he took the most prompt and efficient means in his power to procure Mr Laurens's release. See Henry Laurens's letter, dated May 30th, 1782, Vol. II. p. 463.

on the resolution of the House of Commons, carried by a majority of nineteen, at two o'clock this morning, in a very full house. It was the declaration of two hundred and thirtyfour; I think it was the opinion of the whole. I trust it will lead to a speedy peace between the two branches of the English nation, perhaps to a general peace; and that our happiness may be an introduction to that of the world at large. I most sincerely congratulate you on the event. I wish I could say, that I had accomplished my commission. Difficulties remain. But as Mr Laurens is released from his confinement, and has recovered his health tolerably, he may wait, I hope, without a great deal of inconvenience, for the final adjustment of his troublesome business. He is an exceedingly agreeable and honorable man. I am much obliged to you for the honor of his acquaintance. He speaks of you as I do; and is perfectly sensible of your warm and friendly interposition in his favor.

I have the honor to be, with the highest possible esteem and regard, dear Sir, your most faithful and obedient humble servant.

EDMUND BURKE.

P. S. General Burgoyne presents his best compliments to you, with his thanks for your obliging attentions towards him.

TO THE COUNT DE VERGENNES.

Passy, March 3d, 1782.

Sir,

I received the letter your Excellency did me the honor of writing to me, the 24th past, enclosing an official paper on the part of the Danish Court, relating to the burning of

some English vessels on the coast of Norway, by three American ships. I shall not fail to transmit the same immediately to the Congress, who will, I make no doubt, inquire into the facts alleged, and do thereupon what shall appear to be just and right, it being their constant and earnest desire to avoid giving any offence to neutral nations, as will appear by their instructions to all armed vessels, of which I have the honor to present a copy.

In the meantime, as it is natural to expect, that those who exact a rigorous observation of the laws of nations when their own interest or honor seems affected, should be themselves ready to show an example of their own regard for those laws, where the interest of others is concerned, I cannot but hope the Court of Denmark will at length attend to a demand, long since made by me, but hitherto without effect, that they would restore to the United States the value of three vessels, amounting to fifty thousand pounds sterling. These vessels were fair and good prizes, which had been made by our ships of war, not on the coast of Denmark, but far distant on the high seas, and were sent into Bergen as into a port truly neutral, but there, contrary to the laws of hospitality, as well as the other laws of nations, they were forcibly wrested out of our hands by the government of that place, and delivered back to our enemies. The Congress have not lost sight of this violence, but constantly expected justice from the equity and wisdom of his Danish Majesty.

I am, with the greatest respect, &c.

B. FRANKLIN.

TO ROBERT R. LIVINGSTON.

Passy, March 4th, 1782.

Sir,

Since I wrote the two short letters, of which I herewith send you copies, I have been honored with yours, dated the 16th of December.

Enclosed I send two letters from Count de Vergennes, relating to certain complaints from Ostend and Copenhagen against our cruisers. I formerly forwarded a similar complaint from Portugal, to which I have yet received no answer. The Ambassador of that kingdom frequently teazes me for it. I hope now that by your means this kind of affairs will be more immediately attended to; ill blood and mischief may be thereby sometimes prevented.

The Marquis de Lafayette was at his return hither received by all ranks with all possible distinction. He daily gains in the general esteem and affection, and promises to be a great man here. He is warmly attached to our cause; we are on the most friendly and confidential footing with each other, and he is really very serviceable to me in my applications for additional assistance.

I have done what I could in recommending Messieurs Duportail and Gouvion, as you desired. I did it with pleasure, as I have much esteem for them.

I will endeavor to procure a sketch of an emblem for the purpose you mention. This puts me in mind of a medal I have had a mind to strike, since the late great event you gave me an account of, representing the United States by the figure of an infant Hercules in his cradle, strangling the two serpents; and France by that of Minerva, sitting by as his nurse, with her spear and helmet,

and her robe specked with a few *fleurs de lis*. The extinguishing of two entire armies in one war is what has rarely happened, and it gives a presage of the future force of our growing empire.

I thank you much for the newspapers you have been so kind as to send me. I send also to you, by every opportunity, packets of the French, Dutch, and English papers. Enclosed is the last *Courier of Europe*, wherein you will find a late curious debate on continuing the war with America, which the Minister carried in the affirmative only by his own vote. It seems the nation is sick of it; but the King is obstinate. *There is a change made of the American Secretary*, and another is talked of in the room of Lord Sandwich. But I suppose we have no reason to desire such changes. If the King will have a war with us, his old servants are as well for us as any he is likely to put in their places. The Ministry you will see declare, that the war in America is for the future to be only *defensive*. I hope we shall be too prudent to have the least dependence on this declaration. It is only thrown out to lull us; for, depend upon it, the King hates us cordially, and will be content with nothing short of our extirpation.

I shall be glad to receive the account you are preparing of the wanton damages done our possessions. I wish you could also furnish me with one, of the barbarities committed on our people. They may both be of excellent use on certain occasions. I received the duplicate of yours in cypher. Hereafter, I wish you would use that in which those instructions were written, that relate to the future peace. I am accustomed to that, and I think it very good and more convenient in the practice.

The friendly disposition of this Court towards us continues. We have sometimes pressed a little too hard, expecting, and demanding, perhaps, more than we ought, and have used improper arguments, which may have occasioned a little dissatisfaction, but it has not been lasting. In my opinion, the surest way to obtain liberal aid from others, is vigorously to help ourselves. People fear assisting the negligent, the indolent, and the careless, lest the aids they afford should be lost. I know we have done a great deal, but it is said we are apt to be supine after a little success, and too backward in furnishing our contingents. This is really a generous nation, fond of glory, and particularly that of protecting the oppressed. Trade is not the admiration of their noblesse, who always govern here. Telling them their *commerce* will be advantaged by our success, and that it is their *interest* to help us, seems as much as to say, help us, and we shall not be obliged to you. Such indiscreet and improper language has been sometimes held here by some of our people, and produced no good effects.

The constant harmony subsisting between the armies of the two nations in America, is a circumstance that has afforded me infinite pleasure. It should be carefully cultivated. I hope nothing will happen to disturb it. The French officers, who have returned to France this winter, speak of our people in the handsomest and kindest manner; and there is a strong desire in many of the young noblemen to go over to fight for us; there is no restraining some of them; and several changes among the officers of their army have lately taken place in consequence.

You must be so sensible of the utility of maintaining a perfect good understanding with the Chevalier de la Lu-

zerne, that I need say nothing on that head. The affairs of a distant people in any Court of Europe will always be much affected, by the representations of the Minister of that Court residing among them.

We have here great quantities of supplies, of all kinds, ready to be sent over, and which would have been on their way before this time, if the unlucky loss of the transports, that were under M. de Guichen, and other demands for more ships, had not created a difficulty to find freight for them. I hope, however, that you will receive them with the next convoy.

The accounts we have of the economy introduced by Mr Morris begin to be of service to us here, and will by degrees obviate the inconvenience, that an opinion of our disorders and mismanagements had occasioned. I inform him by this conveyance of the money aids we shall have this year. The sum is not so great as we could wish; and we must so much the more exert ourselves. A small increase of industry in every American, male and female, with a small diminution of luxury, would produce a sum far superior to all we can hope to beg or borrow from all our friends in Europe.

There are now near a thousand of our brave fellows prisoners in England, many of whom have patiently endured the hardships of that confinement several years, resisting every temptation to serve our enemies. Will not your late great advantages put it in your power to do something for their relief? The slender supply I have been able to afford, of a shilling a week to each, for their greater comfort during the winter, amounts weekly to £50 sterling. An exchange would make so many of our countrymen happy, add to our strength, and diminish our

expense. But our privateers who cruise in Europe will not be at the trouble of bringing in their prisoners, and I have none to exchange for them.

Generals Cornwallis and Arnold are both arrived in England. It is reported, that the former, in all his conversations, discourages the prosecution of the war in America; if so, he will of course be out of favor. We hear much of audiences given to the latter, and of his being present at councils.

You desire to know whether any intercepted letters of Mr Deane have been published in Europe? I have seen but one in the English papers, that to Mr Wadsworth, and none in any of the French and Dutch papers, but some may have been printed, that have not fallen in my way. There is no doubt of their being all genuine. His conversation, since his return from America, has, as I have been informed, gone gradually more and more into that style, and at length come to an open vindication of Arnold's conduct; and within these few days he has sent me a letter of twenty full pages, recapitulating those letters, and threatening to write and publish an account of the treatment he has received from Congress, &c. He resides at Ghent, is distressed both in mind and circumstances, raves and writes abundance, and I imagine it will end in his going over to join his friend Arnold in England. I had an exceeding good opinion of him when he acted with me, and I believe he was then sincere and hearty in our cause. But he is changed, and his character ruined in his own country and in this, so that I see no other but England to which he can now retire. He says that we owe him about £12,000 sterling, and his great complaint is, that we do not settle his accounts and pay him. Mr Johnston having

declined the service, I proposed engaging Mr Searle to undertake it, but Mr Deane objected to him, as being his enemy. In my opinion he was, for that reason, even fitter for the service of Mr Deane, since accounts are of a mathematical nature, and cannot be changed by an enemy, while that enemy's testimony, that he had found them well supported by authentic vouchers, would have weighed more than the same testimony from a friend.*

With regard to negotiations for a peace, I see but little probability of their being entered upon seriously this year, unless the English Minister had failed in raising his funds, which it is said he has secured, so that we must provide for another campaign, in which I hope God will continue to favor us, and humble our cruel and haughty enemies; a circumstance which, whatever Mr Deane may say to the contrary, will give pleasure to all Europe.

This year opens well, by the reduction of Port Mahon, and the garrison prisoners of war, and we are not without hopes, that Gibraltar may soon follow. A few more signal successes in America will do much towards reducing our enemies to reason. Your expressions of good opinion with regard to me, and wishes of my continuance in this employment, are very obliging. As long as the Congress think I can be useful to our affairs, it is my duty to obey their orders; but I should be happy to see them better executed by another, and myself at liberty, enjoying, before I quit the stage of life, some small degree of leisure and tranquillity.

With great esteem, &c.

B. FRANKLIN.

* See Deane's Correspondence, Vol. I, p. 217.

TO ROBERT R. LIVINGSTON.

Passy, March 9th, 1782.

Sir,

I have just received the honor of yours dated January the 7th. Your communications of the sentiments of Congress, with regard to many points that may come under consideration in a treaty of peace, give me great pleasure, and the more, as they agree so perfectly with my own opinions, and furnish me with additional arguments in their support. I shall be more particular on this subject in my next, for having notice from Captain Barry last night, that he will not go to Brest, as I expected, to take in some of our goods, but will sail immediately on the return of the post, which sets out today, I am obliged to be short.

You will see in the enclosed newspapers the full debate in the House of Commons, on the subject of declining the war with North America. By private advices I learn, that the whole opposition, now become the majority, went up in a body with the address to the King, who answered that he would pay a due regard to the advice of his faithful Commons, and employ his forces with more vigor against the ancient enemies of the nation, or to that purpose; and that orders were immediately given for taking up a great number of large transports, among which are many old India ships, whence it is conjectured, that they intend some great effort in the West Indies, and perhaps mean to carry off their troops and stores from New York and Charleston. I hope, however, that we shall not, in expectation of this, relax in our preparations for the approaching campaign. I will procure the books you write for, and send them as soon as possible.

Present my duty to the Congress, and believe me to be, with sincere esteem, &c.

B. FRANKLIN.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, March 9th, 1782.

Dear Sir,

The enclosed letter from the Superintendent of Finance was written in consequence of the resolutions of which I sent you a copy in my last. I then detailed so fully on the subject, that I can give you no further information on that head, than is contained in the enclosed, which, as I was just going out of town, I have requested Mr Morris to put in his cypher.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

DAVID HARTLEY TO B. FRANKLIN.

London, March 11th, 1782.

My Dear Friend,

Mr Digges, who will deliver this to you, informs me, that having been applied to for the purpose of communicating with Mr Adams, on the subject of his commission for treating of peace, he is now setting out for Amsterdam, and that he intends afterwards to go to Paris to wait upon you. I understand the occasion to have arisen, by some mention having been made in Parliament by General Conway, of persons not far off having authority to treat of peace, which was supposed to allude to Mr Adams, and some friends of his in London. The Ministry were therefore induced to make some inquiries themselves. This is what I am informed of the matter.

When the proposal was made to Mr Digges, he consulted me, I believe from motives of caution, that he might know what ground he had to stand upon; but not in the least apprized that I had been in any degree in course of corresponding with you on the subject of negotiation. As I had informed the Ministry from you, that other persons besides yourself were investèd with powers of treating, I have nothing to say against their consulting the several respective parties. That is their own concern. I shall at all times content myself with observing the duties of my own conduct, attending to all circumstances with circumspection, and then leaving the conduct of others to their own reasons. I presume that Ministry have only done what others would have done in their situation, to procure the most ample information that the case will admit. I rest contented to act in my own sphere, and if my exertions can be applied to any public good, I shall always be ready to take my part with sincerity and zeal.

I am, my dear friend, your ever affectionate,

D. HARTLEY.

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DAVID HARTLEY TO B. FRANKLIN.

London, March 12th, 1782.

My Dear Friend,

Enclosed with this I transmit to you the public Parliamentary proceedings respecting the American war. If you will compare these proceedings with some others in several of the counties of this kingdom about two years ago, you will at once see the reason why many persons, who from principles of general and enlarged philanthropy do most certainly wish universal peace to mankind, yet seem restrained in their mode of endeavoring to obtain

that object. We must accommodate our endeavors to practicabilities, in the strong hope, that if the work of peace was once begun, it would soon become general. Parliament having declared their sentiments by their public proceedings; a general bill will soon pass to enable administration to treat with America, and to conclude.

As to the sincerity of the Ministry, that will be judged of by their conduct in any treaty. The first object is to procure a meeting of qualified and authorised persons. You have told me that four persons are empowered by a special commission to treat of peace. Are we to understand that each separately has power to conclude, or in what manner? The four persons whom you have mentioned are in four different parts of the world, viz. three of them in hostile States, and the fourth under circumstances very peculiar for a negotiator. When I told Mr Laurens that his name was in the commission, I found him entirely ignorant of every circumstance relating to it. I understand that the Ministry will be ready to proceed towards opening a negotiation as soon as the bill shall pass, and therefore it is necessary to consult time, and place, and manner, and persons, on each side. The negotiation itself will speak the rest.

I have been informed, that some gentlemen in this country (not in administration) have lately entered into a correspondence with Mr Adams, relating to his commission of treating for peace, and that their previous inquiries having been spoken of in public, the Ministry have been induced to make some inquiry themselves from Mr Adams on that subject. In whatever way a fair treaty may be opened, by whomsoever or with whomsoever, I shall heartily wish good success to it for the common good and

peace of mankind. I know these to be your sentiments, and I am confident that they will ever remain so, and hope that you will believe the same of me.

I am ever your most affectionate,

D. HARTLEY.

DAVID HARTLEY TO B. FRANKLIN.

London, March 21st, 1782.

My Dear Friend,

You will have heard before this can reach you, that Lord North declared yesterday in the House of Commons, that his Majesty intended to change his Ministers. The House is adjourned for a few days to give time for the formation of a new Ministry. Upon this occasion, therefore, I must apply to you, to know whether you would wish me to transfer the late negotiation to the successors of the late Ministry; in these terms; (*vide* yours to me of January 15th, 1782,) viz. "that you are empowered by a special commission to treat of peace, whenever a negotiation for that purpose shall be opened. That it must be always understood, that it is to be in conjunction with your allies, conformable to the solemn treaties made with them. That the formal acknowledgment of the independence of America is not made necessary." And may I add, that upon these terms you are disposed to enter into a negotiation. It is not known who will succeed the late Ministry, but from the circumstances which preceded its dissolution, we are to hope that they will be disposed to enter into a negotiation of peace, upon fair and honorable terms. I have no doubt that there were some persons in the late Ministry of that disposition.

I told you in my last letters to you, of the 11th and 12th instant, that I had received information, whilst I was in the course of correspondence with the Ministry myself, on the subject of peace, that some part of the Ministry were transmitting some communications or inquiries upon that subject with Mr Adams, unknown to me. I had informed the Ministry from you, of the names of the four persons empowered to treat. I saw the Minister upon the occasion. (I should now call him the late Minister.) I took the liberty of giving him my opinion upon the matter itself. So far as it related personally to me, I expressed myself fully to him, that there was no occasion that such a step should have been taken unknown to me, for that I was very free to confess, that if they thought my partiality towards peace was so strong, that they could drive a better bargain through another channel, I could not have any right of exclusion upon them. I relate this to you, because I would wish to have you make a corresponding application to your own case. If you should think *that my strong desire for peace, although most laudable and virtuous in itself, should mislead me*, and that my being as you may suppose misled, may be of any prejudice to the cause committed to your trust, I desire by no means to embarrass your free conduct by any considerations of private or personal regard to myself. Having said thus much, I will now add, that I am not unambitious of the office of a peace maker; that I flatter myself the very page which I am now writing will bear full testimony from both sides, of the impartiality of my conduct. And I will add once more, what I often said and repeated to each side, viz. that no fallacy or deception, knowing, or suspecting it to be such, shall ever pass through my hands.

Believe me, I sympathise most cordially and sincerely with you in every anxiety of yours for peace. I hope things are tending (although not without rubs) yet in the main, to that end—soon! as soon as the course of human life may be expected to operate on the great scale and course of national events, or rather in the creation and establishment of a new world. I am sometimes tempted to think myself in patient expectation the elder sage of the two; I say the elder, not the better.

Yours, &c.

D. HARTLEY.

T. DIGGES TO B. FRANKLIN.

Amsterdam, March 22d, 1782.

Sir,

I left England a few days back, and until my conversation and some consultations with Mr Adams, on a matter which will be mentioned to you by him, and more particularly explained in this letter, my determination was to have seen you, as well on that business as on a matter of much consequence to my private reputation. I feel the disadvantages under which I labor, when writing to you on a matter, which cannot be explained or cleared up but by personal conversation. I do not give up my intended purpose of personally speaking to you; but it being found better and more convenient to my purpose to return immediately hence to England, and from thence to Paris, in preference to going first to Paris, it must be unavoidably delayed for some days.

It would take up more than the length of a letter to explain the whole opening and progression of a matter I am here upon, which was and is meant to be jointly communi-

ated to you with Mr Adams; I will therefore take the liberty to give you an abbreviation of it in as few words as I can.

About a fortnight ago a direct requisition from the Ministry, through Lord Beauchamp, was made to Mr R. Penn, to know if he could ascertain *that any person or persons in Europe were commissioned by Congress to treat for peace, whether they were now willing to avail themselves of such commission, and of the present sincere disposition in the Ministry to treat, and whether they would receive an appointed Commissioner to speak for a truce, and mention a place for the meeting, &c.*

Mr Penn's referring Lord Beauchamp to me, as knowing the nature of Mr Adams's former commission, was the sole cause of my being privy to, or a party, in the matter. I had various meetings with Lord Beauchamp in company with Mr Penn on the subject; the particular memorandums of which, and Lord Beauchamp's statement of what the Ministry wanted to obtain, together with every other circumstance relative to the matter, I regularly consulted Mr Laurens and Mr D. Hartley upon; and the result was, my taking the journey hither, and to Paris, in order to put the questions (as they are before stated from Lord B. to Mr Penn) and to bring an answer thereto. I am well convinced, by Lord Beauchamp's pledge of his personal honor, as well as from Mr Hartley's telling me he knew the matter to come directly from Lord North, (for he visited him more than once to ascertain the fact) that it is a serious and sincere requisition from the Ministry, and that they will immediately take steps to open a treaty, provided I go back with assurances, that there is a power vested in Americans in Europe to treat and con-

clude, and that they are willing to avail themselves of such power when properly applied to.

I have stated the whole transaction to Mr Adams, read every memorandum I had made, informed him of every circumstance I knew, and when I put the questions (as they are before stated from Lord Beauchamp to Mr Penn) he replied, "that there were certainly Commissioners in Europe, of which body he was one, who had powers to treat and conclude upon peace; that he believed them willing to enter into such a treaty, provided a proper offer was made; but that no questions now, or to be made in future, could be answered by him, without previously consulting his colleagues, and afterwards acquainting the Ministers of the belligerent powers thereof." Mr Adams recommended that any future questions might be made directly to you, for that the present, as well as any subsequent propositions, would be immediately communicated to you and to M. de Vergennes.

His answers to my questions were nearly what I foretold and expected, and are substantially what Lord Beauchamp seemed so anxious to procure. When I relate this answer to his Lordship, my business will be finished in that quarter. I will here explain to you my only motive for being a messenger from him, whom I had never known nor been in company with before. It will enable me to say, "I have done one favor for you, and I claim of you another, viz. to obtain a restoration of my papers from Lord Hillsborough's office, which were in a most illegal and unjustifiable manner seized from me near a twelve-month ago, and are yet withheld, notwithstanding the personal applications for them from Lord Coventry, Lord Nugent, and Mr Jackson, each of whom has explained

the injury and very extraordinary mischief the want of my papers for so long a time has and is now doing me."

On my first conversation with Mr Adams, I had concluded to go to you, partly by his advice to do so, but as the expense of two journies, where one may serve, is of some import to me, and from supposing your answer would be substantially the same as that from Mr Adams, I have thought it better to go back immediately to London, and then set out for Paris, with the probability of being able to bear my papers.

I will take the liberty to trouble you with another letter, if anything occurs on my arrival in London. I am to leave this with Mr Adams for forwardance; and for the present, I have only to beg a line acknowledging the receipt of it. If your letter is put under a cover to Mr Stockdale, Bookseller, Piccadilly, London, it will the more readily get to hand.

I am, with great respect, Sir, your very obedient servant,

T. DIGGES.

P. S. Ostend, March 26th.—On my last visit to Mr Adams, Friday evening, to explain to him the substance of the foregoing letter, and ask his forwardance of it to you, we had some further conversation on the matter, the ultimate conclusion of which was, that it was thought better I did not send the annexed letter to you, or mention my business with him, until my going in person from England. Mr Adams's reasons were these. That if I made the communication *then*, he should be necessitated to state the matter in a long letter to you and others of his colleagues; that the matter as it then stood was not of such importance, but he could save himself the trouble of the

explanation; and that as he recommended any future questions or applications to be made directly to you, your situation making it more convenient sooner to inform the French Court thereof, he thought my letter had better be postponed, and the substance of it given in person as soon as I could possibly get from London to Paris. I acquiesced, though reluctantly, and having thought much on the matter on my journey hither, I have at length determined to forward the foregoing letter with this postscript, and at the same time to inform Mr Adams of my exact feelings on the matter, viz. that my wishes and intentions, which, when I left England, were to see and make known the matter to you, that through Mr Hartley or some other channel you must hear that I had been at Amsterdam, and my seemingly turning my back upon you might be thought oddly of; and finally, that I could not answer for carrying the enclosure from Mr Hartley back to England, not knowing the consequence it might be of. I hope and think I have done right in this matter.

The purpose for my moving in the business I went to Mr Adams upon, has, I own, been with a double view of serving myself in a matter of much consequence to me, for after delivering the explanations I carry, I can with some degree of right, and a very great probability of success, claim as a gratuity for the trouble and expense I have been at, the restoration of my papers; the situation of which I have already explained to Lord Beauchamp, in order to get him to be a mover for them, and I have very little doubt that a few days will restore them to me, and give me an opportunity to speedily speak to you on a matter, which gives me much uneasiness, vexation, and pain. Excuse the hurry in which I write, for I am very near

the period of embarkation. Paul Wentworth embarked this day for England. I trod on his heels the chief of the way from the Hague, which he left suddenly. General Fawcett is on his road hence to Hanover.

T. D.

JOHN ADAMS TO B. FRANKLIN.

The Hague, March 26th, 1782.

Sir,

One day last week I received at Amsterdam a card from Mr Digges, enclosing two letters to me from David Hartley. The card desired to see me upon business of importance; and the letters from Mr Hartley contained an assurance, that to his knowledge the bearer came from the highest authority. I answered the card, that in the present situation of affairs here and elsewhere, it was impossible for me to see any one from England without witness; but if he were willing to see me in the presence of Mr Thaxter, my secretary, and that I should communicate whatever he should say to me to Dr Franklin, and the Count de Vergennes, I should wait for him at home at ten o'clock; but that I had rather he should go to Paris without seeing me, and communicate what he had to say to Dr Franklin, whose situation enabled him to consult the Court without any loss of time. At ten, however, he came, and told me a long story about consultations with Mr Penn, Mr Hartley, Lord Beauchamp, and at last Lord North, by whom he was finally sent, to inquire of me, if I, or any other, had authority to treat with Great Britain of a truce. I answered, that "I came to Europe with full powers to make peace, that those powers had been announced to the public upon my arrival, and continued in

force until last summer, when Congress sent a new commission, containing the same powers to four persons, whom I named ; that if the King of England were my father, and I the heir apparent to his throne, I could not advise him ever to think of a truce, because it would be but a real war under a simulated appearance of tranquillity, and would end in another open and bloody war, without doing any real good to any of the parties."

He said that "the Ministry would send some person of consequence over, perhaps General Conway, but they were apprehensive that he would be ill treated or exposed." I said, "that if they resolved upon such a measure, I had rather they would send immediately to Dr Franklin, because of his situation near the French Court. But there was no doubt, if they sent any respectable personage, properly authorised, who should come to treat honorably, he would be treated with great respect ; but that if he came to me, I could give him no opinion upon anything without consulting my colleagues, and should reserve a right of communicating everything to them, and to our allies."

He then said, that "his mission was finished ; that the fact to be ascertained was simply, that there was a commission in Europe to treat and conclude ; but that there was not one person in Great Britain, who could affirm or prove that there was such a commission, although it had been announced in the gazettes."

I desired him, and he promised me, not to mention Mr Laurens to the Ministry without his consent, (and without informing him, that it was impossible he should say anything in the business, because he knew nothing of our instructions) because, although it was possible that his

being in such a commission might induce them to release him, yet it was also possible it might render them more difficult concerning his exchange.

The picture he gives of the situation of things in England is gloomy enough for them. The distresses of the people, and the distractions in administration and Parliament, are such as may produce any effect almost that can be imagined.

The only use of all this I think is to strike the decisive strokes at New York and Charleston. There is no position so advantageous for negotiation, as when we have all an enemy's army prisoners. I must beg the favor of you, Sir, to send me, by one of the Count de Vergennes' couriers to the Duc de la Vauguyon, a copy in letters of your peace instructions. I have not been able to decipher one quarter part of mine. Some mistake has certainly been made.

Ten or eleven cities in Holland have declared themselves in favor of American independence; and it is expected that today or tomorrow this Province will take the decisive resolution of admitting me to my audience. Perhaps some of the other Provinces may delay it for three or four weeks. But the Prince has declared, that he has no hopes of resisting the torrent, and, *therefore*, that he shall not attempt it. The Duc de la Vauguyon has acted a very friendly and honorable part in this business, without, however, doing any ministerial act in it.

With great respect, I have the honor to be, Sir, your most obedient and most humble servant,

JOHN ADAMS.

TO ROBERT R. LIVINGSTON

Passy, March 30th, 1782.

Sir,

In mine of the ninth instant I acknowledged the receipt of yours of January 7th, and I have not since received any of later date. The newspapers, which I send you by this conveyance, will acquaint you with what has, since my last, passed in Parliament. You will there see a copy of the bill, brought in by the Attorney General, for empowering the King to make peace with the colonies. They still seem to flatter themselves with the idea of dividing us; and rather than name the Congress, they empower him generally to treat with any *body or bodies of men, or any person or persons, &c.* They are here likewise endeavoring to get us to treat separately from France, at the same time they are tempting France to treat separately from us, equally without the least chance of success. I have been drawn into a correspondence on this subject, which you shall have with my next.

I send you a letter of Mr Adams's, just received, which shows also that they are weary of the war, and would get out of it if they knew how. They had not then received the certain news of the loss of St Christopher's, which will probably render them still more disposed to peace. I see that a bill is also passing through the House of Commons, for the exchange of American prisoners, the purport of which I do not yet know.

In my last, I promised to be more particular with respect to the points you mentioned, as proper to be insisted on in the treaty of peace. My ideas on those points are, I assure you, full as strong as yours. I did intend to have

given you my reasons for some addition, and if the treaty were to be held on your side the water, I would do it; otherwise, it seems on second thoughts to be unnecessary, and, if my letter should be intercepted, may be inconvenient. Be assured, I shall not willingly give up any important right or interest of our country, and unless this campaign should afford our enemies some considerable advantage, I hope more may be obtained than is yet expected.

I have purchased for you all the books you desired, except four, which we have sent for to England. I shall request our excellent friend, the Marquis de Lafayette, to take them under his care, and I hope they will get safe to hand. The others shall follow by the first opportunity, after I receive them.

Our affairs go on, generally, well in Europe. Holland has been slow, Spain slower, but time will I hope smooth away all difficulties. Let us keep up, not only our courage, but our vigilance, and not be laid asleep by the pretended half peace the English make with us without asking our consent. We cannot be safe while they keep armies in our country.

With great esteem, &c.

B. FRANKLIN.

TO JOHN ADAMS.

Passy, March 31st, 1782.

Sir,

I received yours of the 10th instant, and am of opinion with you, that the English will evacuate New York and Charleston, as the troops there, after the late resolutions of Parliament, must be useless, and are necessary to defend

their remaining islands, where they have not at present more than three thousand men. The prudence of this operation is so obvious, that I think they can hardly miss it; otherwise, I own, that considering their conduct for several years past, it is not reasoning consequentially to conclude they will do a thing, because the doing it is required by common sense.

Yours of the 26th is just come to hand. I thank you for the communication of Digges's message. He has also sent me a long letter, with two from Mr Hartley. I shall see M. de Vergennes tomorrow, and will acquaint you with everything material that passes on the subject. But the Ministry, by whom Digges pretends to be sent, being changed, we shall, by waiting a little, see what tone will be taken by their successors. You shall have a copy of the instructions by the next courier. I congratulate you cordially on the progress you have made among those slow people. Slow however as they are, Mr Jay finds his* much slower. By an American, who goes in about ten days to Holland, I shall send you a packet of correspondence with Mr Hartley, though it amounts to little.

With great esteem, I have the honor to be your Excellency's most obedient and most humble servant,

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, March 31st, 1782.

Dear Sir,

I have just received your favors of March the 11th and 12th, forwarded to me by Mr Digges, and another of the 21st per post. I congratulate you on the returning good

* The Spaniards.

disposition of your nation towards America, which appears in the resolutions of Parliament, that you have sent me ; and I hope the change of your Ministry will be attended with salutary effects. I continue in the same sentiments expressed in my former letters ; but as I am but one of five in the commission, and have no knowledge of the sentiments of the others, what has passed between us is to be considered merely as private conversation. The five persons are Messrs Adams, Jay, Laurens, Jefferson, and myself ; and in case of the death or absence of any, the remainder have power to act or conclude. I have not written to Mr Laurens, having constantly expected him here, but shall write to him next post ; when I shall also write more fully to you, having now only time to add, that I am ever, with great esteem and affection, dear Sir, your most obedient and most humble servant,

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, April 5th, 1782.

My Dear Friend,

I wrote a few lines to you the 31st past, and promised to write more fully. On perusing again your letters of the 11th, 12th, and 21st, I do not find any notice taken of one from me, dated February the 16th. I therefore now send you a copy made from it in the press. The uncertainty of free transmission discourages a free communication of sentiments on these important affairs ; but the inutility of discussion between persons, one of whom is not authorised, but in conjunction with others, and the other not authorised at all, as well as the obvious inconveniences

that may attend such previous handling of points, that are to be considered, when we come to treat regularly, is with me a still more effectual discouragement, and determines me to waive that part of the correspondence.

As to Digges, I have no confidence in him, nor in anything he says, or may say, of his being sent by Ministers. Nor will I have any communication with him, except in receiving and considering the justification of himself, which he pretends he shall be able and intends to make, for his excessive drafts on me, on account of the relief I have ordered to the prisoners, and his embezzlement of the money.

You justly observe in yours of the 12th, that the first object is to procure a "meeting of qualified and authorised persons," and that you understand the Ministry will be ready to proceed towards opening a negotiation as soon as the bill shall pass, and therefore it is necessary to consult time and place, and manner and persons, on each side. This you wrote while the old Ministry existed. If the new have the same intentions, and desire a general peace, they may easily discharge Mr Laurens from those engagements, which make his acting in the commission improper, and except Mr Jefferson, who remains in America, and is not expected here, we the Commissioners of Congress can easily be got together ready to meet yours, at such place as shall be agreed to by the powers at war, in order to form the treaty. God grant, that there may be wisdom enough assembled to make, if possible, a peace that shall be perpetual, and that the idea of any nations being natural enemies to each other, may be abolished for the honor of human nature.

With regard to those who may be commissioned from

your government, whatever personal preferences I may conceive in my own mind, it cannot become me to express them. I only wish for wise and honest men. With such, a peace may be speedily concluded. With contentious wranglers the negotiation may be drawn into length, and finally frustrated.

I am pleased to see in the votes and Parliamentary speeches, and in your public papers, that in mentioning America, the word *reconciliation* is often used. It certainly means more than a mere peace. It is a sweet expression. Revolve in your mind, my dear friend, the means of bringing about this *reconciliation*. When you consider the injustice of your war with us, and the barbarous manner in which it has been carried on, the many suffering families among us from your burning of towns, scalping by savages, &c. &c., will it not appear to you, that though a cessation of the war may be a peace, it may not be a reconciliation? Will not some voluntary acts of justice, and even of kindness on your part, have excellent effects towards producing such a *reconciliation*? Can you not find means of repairing in some degree those injuries? You have in England and Ireland twelve hundred of our people prisoners, who have for years bravely suffered all the hardships of that confinement, rather than enter into your service, to fight against their country. Methinks you ought to glory in descendants of such virtue. What if you were to begin your measures of *reconciliation* by setting them at liberty? I know it would procure for you the liberty of an equal number of your people, even without a previous stipulation; and the confidence in our equity, with the apparent good will in the action, would give very good impressions of your change of disposition

towards us. Perhaps you have no knowledge of the opinions lately conceived of your king and country, in America; the enclosed copy of a letter will make you a little acquainted with them, and convince you how impossible must be every project of bringing us again under the dominion of such a sovereign.

With great esteem, I am, dear Sir, your most obedient and most humble servant,

B. FRANKLIN.

TO ROBERT R. LIVINGSTON.

Passy, April 8th, 1782.

Sir,

Since my last, an extraordinary revolution has taken place in the Court of England. All the old Ministers are out, and the chiefs of the opposition are in their places. The newspapers that I send will give you the names as correctly as we yet know them. Our last advices mention their kissing hands, but they had yet done nothing in their respective offices, by which one might judge of their projected measures, as whether they will ask a peace, of which they have great need, the nation having of late suffered many losses, men grown extremely scarce, and Lord North's new taxes proposed as funds for the loan meeting with great opposition; or whether they will strive to find new resources, and obtain allies to enable them to please the King and nation by some vigorous exertions against France, Spain, and Holland.

With regard to America, having while in opposition carried the vote for making no longer an offensive war with us, they seem to have tied their own hands from acting against us. Their predecessors had been tampering with

this Court for a separate peace. The King's answer gave me great pleasure. It will be sent to M. de la Luzerne, and by him communicated to Congress. None of their attempts to divide us meet with the least encouragement, and I imagine the present set will try other measures.

My letters from Holland give pleasing accounts of the rapid progress our affairs are making in that country. The packet from M. Dumas, which I forward with this, will give you the particulars. The Prince de Broglie will do me the favor of delivering this to you. He goes over to join the French army with the more pleasure, as it is employed in the cause of liberty, a cause he loves, and in establishing the interests of America, a country for which he has much regard and affection. I recommend him earnestly to the civilities and services it may be in your power to render him, and I request you would introduce him to the President of Congress, and to the principal members civil and military.

Our excellent friend, the Marquis de Lafayette, will sail in about three weeks. By that time we may have more interesting intelligence from England, and I shall write you fully.

With great esteem, &c.

B. FRANKLIN.

TO HENRY LAURENS.

Passy, April 12th, 1782.

Sir,

I should sooner have paid my respects to you by letter, if I had not till lately expected you here, as I understood it to be your intention. Your enlargement gave me great pleasure, and I hope that the terms exacted by the late

Ministry will now be relaxed, especially when they are informed, that you are one of the Commissioners appointed to treat of peace. Herewith I send you a copy of the commission; the purport of which you can communicate to the Ministers if you find it proper. If they are disposed to make peace with us and our allies at the same time, I will, on notice from you, send to Mr Jay to prepare for meeting at such time and place as shall be agreed on.

As to our treating separately, and quitting our present alliance, which the late ministry seemed to desire, it is impossible. Our treaties and our instructions, as well as the honor and interest of our country, forbid it. I will communicate those instructions to you, as soon as I have the pleasure of seeing you. If you have occasion for money, please to acquaint me with the sum you desire, and I will endeavor to supply you.

With very great esteem and respect, I have the honor to be, Sir, &c.

B. FRANKLIN.

M. DE RAYNEVAL TO B. FRANKLIN.

Translation.

Versailles, April 12th, 1782.

Sir,

I have laid before the Count de Vergennes, the different letters, which Mr Hartley had written to you, as well as your proposed reply; the Minister has given his entire approbation to the manner in which you have expressed yourself. I subjoin a postscript concerning Mr Forth;* the Count de Vergennes, who has given it a perusal, finds

* Mr Forth was a secret agent sent over to France by the British Ministry, to propose a separate treaty with the French Court.

that you may without impropriety transmit it to your correspondent.

I have the honor to be, Sir, with the most sincere attachment, your very humble and obedient servant,

DE RAYNEVAL.

P. S. Since my letter was written, Sir, I have considered anew the different overtures which it embraces. In your opinion, the late English Minister sincerely desired a reconciliation with us, and proposed with this view a separate peace. At the time you were transmitting this wish of Lord North to me, this exminister employed an emissary here to sound the Minister of France on the pacific disposition of his Court, and offer very advantageous propositions. You will be able to judge from this, Sir, of the opinion which I ought to have of the intention of Lord North and his colleagues. To convince you of the truth of the suggestions which I communicate, I will confide to you, that the emissary was a Mr Forth, and that he was charged to reply to the English Minister, "*that the King of France is as desirous of peace as the King of England; and that he would accede to it as soon as he could with dignity and safety; but it is a matter of the last importance for His Most Christian Majesty to know, whether the Court of London is disposed to treat on equal terms with the allies of France.*" Mr Forth has set out for London with this answer; but it is probable he will not arrive till after the Ministers, who have sent him, have retired from office.

You may, Sir, without the least hesitation, make use of these details if you judge it expedient. They will make known to the Minister in place the principles of the Court

of France, and they will convince him, I hope, that the project of disuniting us will be as illusory as it will prove injurious to us. As to the reply sent by Mr Forth, I cannot foresee (if the new ministers are instructed on this point) in what manner they will think they ought to consider it; if they love peace, as they have persuaded the English nation and all Europe, they need not be embarrassed; France has opened a way in which they can, in my opinion, act without wounding the dignity of their master; if they do not adopt it, they flatter themselves, without doubt, that the chance of war will procure for England the success, which heretofore has been denied her; it will be for Providence to crown or frustrate their hopes.

TO ROBERT R. LIVINGSTON.

Passy, April 12th, 1782.

Sir,

Being at Court on Tuesday, I learnt from the Dutch Minister, that the new English Ministry have offered, through the Ministers of Russia, a cessation of arms to Holland, and a renewal of the treaty of 1674. M. de Berkenrode seemed to be of the opinion, that the offer was intended to gain time, to obstruct the concert of operations with France for the ensuing campaign, and to prevent the conclusion of a treaty with America. It is apprehended, that it may have some effect in strengthening the hands of the English party in that country, and retard affairs a little, but it is hoped, that the proposal will not be finally agreed to. It would indeed render the Dutch ridiculous. A, having a cane in his hand, meets his neighbor B, who happens to have none, takes the advantage and

gives him a sound drubbing. B, having found a stick, and coming to return the blows he received, A says, my old friend, why should we quarrel? We are neighbors, let us be good ones, and live peaceably by each other as we used to do. If B is so easily satisfied, and lays aside his stick, the rest of the neighbors, as well as A, will laugh at him. This is the light in which I stated it. Enclosed I send you a copy of the proposition.

I see by the newspapers, that the Spaniards, having taken a little post called St Joseph, pretend to have made a conquest of the Illinois country. In what light does this proceeding appear to Congress? While they decline our offered friendship, are they to be suffered to encroach on our bounds, and shut us up within the Appalachian mountains? I begin to fear they have some such project.

Having seen in the English prints an article from Lisbon, that two American ships, under French colors, being arrived in that port, were seized by the government, I asked the Portuguese Ambassador if it was true. He said he had no advice of it, as he certainly should have had if such a thing had happened; he therefore did not give the least credit to it, and said, we might make ourselves perfectly easy; no such treatment would in his opinion be offered us in their ports; and he further observed, on the falsehood of English newspapers, their having lately asserted, that the Congress had issued letters of marque for cruising against the Portuguese.

With great esteem, &c.

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, April 13th, 1782.

Dear Sir,

Since mine of the 5th, I have thought further of the subject of our late letters. You were of opinion, that the late Ministry desired *sincerely* a reconciliation with America, and with that view a separate peace with us was proposed. It happened, that, at the same time, Lord North had an emissary here to sound the French Ministers with regard to peace, and to make them very advantageous propositions, in case they would abandon America. You may judge from hence, my dear friend, what opinion I must have formed of the intentions of your Ministers. To convince you of the truth of this, I may acquaint you, that the emissary was a Mr Forth; and that the answer given him to carry back to the English Ministers, was, "*that the King of France is as desirous of peace as the King of England; and that he would accede to it as soon as he could with dignity and safety; but it is a matter of the last importance for His Most Christian Majesty to know, whether the Court of London is disposed to treat on equal terms with the allies of France.*"

Mr Forth went off with this answer for London, but probably did not arrive till after the dismissal of the Ministers that sent him. You may make any use of this information, as you judge proper. The new Ministry may see by it the principles that govern this Court; and it will convince them, I hope, that the project of dividing us is as vain as it would be to us injurious. I cannot judge what they will think or do in consequence of the answer sent by Mr Forth, if they have seen it. If they love

peace, as they have persuaded the English nation and all Europe to believe, they can be under no difficulty. France has opened a path, which in my opinion they may use, without hurting the dignity of their master, or the honor of the nation. If they do not choose it, they doubtless flatter themselves, that a war may still produce successes in favor of England, that have hitherto been withheld. The crowning or frustrating such hopes belongs to Divine Providence; may God send us all more wisdom!

I am ever, my dear friend, yours most affectionately,
B. FRANKLIN.

—◆—
TO JOHN ADAMS.

Passy, April 13th, 1782.

Sir,

Enclosed with this, I send to your Excellency the packet of correspondence between Mr Hartley and me, which I promised in my last. You will see, that we held nearly the same language; which gives me pleasure.

While Mr Hartley was making propositions to me, with the approbation or privity of Lord North, to treat separately from France, that Minister had an emissary here, a Mr Forth, formerly a Secretary of Lord Stormont's, making proposals to induce this Court to treat without us. I understand, that several sacrifices were offered to be made, and among the rest Canada to be given up to France. The substance of the answer appears in my last letter to Mr Hartley. But there is a sentence omitted in that letter, which I much liked, viz. "*that whenever the two Crowns should come to treat, His Most Christian Majesty*

would show how much the engagements he might enter into were to be relied on, by his exact observance of those he already had with his present allies."

If you have received anything in consequence of your answer by Digges, you will oblige me by communicating it. The Ministers here were much pleased with the account given them of your interview by the Ambassador.

With great respect, I am, Sir, your Excellency's, &c.

B. FRANKLIN.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versailles, April 23d, 1782.

Sir,

The Baron de Blome has just sent me the annexed Memorial, and the only use I can make of it is to communicate it to you, persuaded that you will forward it to Congress.

I have the honor to be, &c.

DE VERGENNES.

Complaint from Denmark against an American Privateer called the Henry.

Translation.

The Court of Denmark has been informed, that the ship Providence of Christiana in Norway, destined from London for St Thomas, a Danish Island, with a cargo of divers merchandise, has been stopped in the latitude of Antigua, by an American privateer called the Henry, Captain Thomas Benson, and has been conducted into a

port of New England, under the pretence, that the cargo might be English property.

As this act is prejudicial to the credit, security, and liberty of the Danish flag, the underwritten has been charged, by order of his Court, to communicate the same to his Excellency the Count de Vergennes, requesting, that he will be pleased to effect, by his intervention, a prompt and entire restitution of the said vessel and cargo, with damages proportioned to the unjust detention; and that he will be kind enough at the same time to endeavor to obtain, that precise orders be given to the American privateers not to trouble in anywise the navigation and commerce of Denmark, but to respect its flag.

The Court has the greater right to expect this compliance on the part of the Americans, as they continue to enjoy every liberty, and to find every assistance in its American islands, and they will always experience the same kind treatment on the part of Denmark, provided they correspond by proceedings equally amicable.

DE BLOME.

DAVID HARTLEY TO B. FRANKLIN.

London, May 1st, 1782.

My Dear Friend,

I have received a packet from you containing several letters of various dates. As I shall probably have a safe opportunity of conveyance to you when Mr Laurens leaves this country, I am now sitting down to write to you an *omnium* kind of letter of various matters as they occur. The late Ministry being departed, I may now speak of things more freely. I will take a sentence in one of your letters for my text. Vide yours of April 13th, 1782, in

which you say, *you were of opinion that the late Ministry desired SINCERELY a reconciliation with America, and with that view a separate peace* with us was proposed. I must qualify this sentence much before I can adopt it as my opinion. As to *reconciliation*, I never gave much credit to them for that wish. *It is a sweet expression. It certainly means MORE than peace.* The utmost I ever gave the late Ministry credit for, was a wish for peace. And I still believe, that the wisest among them grew from day to day more disposed to peace, or an abatement of the war, in proportion as they became more alarmed for their own situations and their responsibility. Had the war been more successful, I should not have expected much relenting towards peace or reconciliation. That this has always been the measure of my opinion of them, I refer you to some words in a letter from me to you, dated January 5th, 1780, for proof—"but for the point of sincerity; why, as to that, I have not much to say; I have at least expected some hold upon their *prudence.*"

My argument runs thus, it is a *bargain* for *you* (Ministers) to be sincere *now*. Common *prudence* may hint to you to look to yourselves. It has amazed me beyond measure, that this principle of common selfish *prudence* has not had the effect which I expected. I have not been disposed to be deceived by any conciliatory professions, which I considered only as arising from *prudence*, and I hope that I have not led you into any deception, having so fully explained myself to you on that head. Had the American war been more prosperous on the part of the late Ministry, I do not believe the late resignation would have taken place. But it is evident, from the proposition to the Court of France, which you have com-

municated to me, (and which I have communicated to the present Ministry with your letter) that even to the last hour some part of the late Ministry were still set upon the American war to the last extremity ; and probably another more *prudent* part of the Ministry would proceed no further ; which, if it be so, may reasonably be imputed as the cause of the dissolution of the late Ministry.

These have been the arguments, which I have always driven and insisted upon with the greatest expectation of success, viz. *prudential* arguments from the total impracticability of the war, responsibility, &c. I have been astonished beyond measure, that these arguments have not sooner had their effect. If I could give you an idea of the many conferences, which I have had upon the subject, I should tell you, that many times *Felix has trembled*. When reduced by the terror of responsibility either to renounce the American war, or to relinquish their places, they have chosen the latter ; which is a most wretched and contemptible retribution either to their country or to mankind, for the desolation in which they have involved every nation, that they have ever been connected with. Peace they would not leave behind them. Their legacy to their country, and to mankind has been, *let darkness be the burier of the dead !*

As to the proposal of a separate peace arising from a desire of *reconciliation*, it certainly was so on the part of the people of England, but on the part of the late Ministry, it probably arose from the hopes of suggesting to France ideas of some infidelity on the part of America towards them. If you should ask me, why I have *scemed* to conspire with this, my answer is very plain. In the first place, if I could have prevailed with the late Ministry to

have actually made an irrevocable offer, *on their own part*, of a separate peace to America, that very offer would in the same instant have become on their part also a consent to a general peace ; because *they* never had any wish to a separate contest with France, and America being out of the question, *they* would have thought of nothing after that but a general peace. I never could bring them even to this. *They* wished that *America* should make the offer of a separate treaty, for obvious views. *My* proposal was, that *they* should offer irrevocable terms of peace to America. If they had meant what they pretended, and what the people of England did really desire, they would have adopted that proposition. Then the question would have come forward upon the fair and honorable construction of a treaty between France and America, *the essential and direct end* of which was fully accomplished. When I speak of Great Britain offering irrevocable terms of peace to America, I mean such terms as would have effectually satisfied the provision of the treaty, *viz.* tacit independence.

I send you a paper entitled a *Breviate*, which I laid before the late Ministry, and their not having acted upon it, was a proof to me that the disposition of their heart to America was not altered, but that all their relenting arose from the impracticability of that war, and their want of success in it. But desponding as they were at last, it was not inconsistent with my expectations of their conduct, that they should make great offers to France to abandon America. It was the only weapon left in their hands. In course of negotiating with the late Ministry, I perceived their courage drooping from time to time, for the last three or four years, and it was upon that ground I gave them credit for an increasing disposition towards peace. Some dropped

off, others sunk under the load of folly, and at last they all failed. My argument *ad homines* to the late Ministry might be stated thus. *If you don't kill them, they will kill you.* But the war is impracticable *on your part*; ergo, the best thing you can do *for your own sake* is to make *peace*. This was reasoning to men, and through men to things. But there is no measure of rage in pride and disappointment,

Spicula cæca relinquunt

Infixa venis, animasque in vulnere ponunt.

So much for the argument of the *breviate*, as far as it respected the late Ministry. It was a test which proved that they were not sincere in their professions. If they had been in earnest to have given the war a turn towards the House of Bourbon, and to have dropped the American war, a plain road lay before them. The sentiments of the people of England were conformable to the argument of that *breviate*; or rather I should say, what is the real truth, that the arguments of the *breviate* were dictated by the notoriety of that sentiment in the people of England. My object and wish always has been to strike at the root of the evil, the American war.

If the British nation have jealousies and resentments against the House of Bourbon, yet still the first step in every case would be to rescind the American war, and not to keep it lurking in the rear, to become hereafter, in case of certain events, a reversionary war with America for unconditional terms. This reversionary war was never the object of the people of England; therefore the argument of the *breviate* was calculated *bona fide* to accomplish their views, and to discriminate the fallacious pretences of the late administration from the real wishes

of the country, as expressed in the circular resolution of many counties in the year 1780, first moved at York, on March 28th, 1780. Every other principle and every mode of conduct only imply, as you very justly express it, a secret hope that war may still produce successes, and then—. The designs which have been lurking under this pretext could not mean anything else than this. Who knows but that we may still talk to America at last. The only test of clear intentions would have been this, to have cut up the American war, and all possible return to it for any cause, or under any pretext. I am confident that the sentiment of the people of England is, and always has been, to procure peace and reconciliation with America, and to vindicate the national honor in the contest with the House of Bourbon. If this intention had been pursued in a simple and direct manner, I am confident that the honor and safety of the British nation would long ago have been established in a general peace with all the belligerent powers. These are the sentiments upon which I have always acted in those negotiations, which I have had upon the subject of peace with the late Ministry; reconciliation with America, and peace with all the world, upon terms consistent with the honor and safety of my own country.

Peace must be sought in such ways, as promise the greatest degree of practicability. The sentiments of individuals as philanthropists may be overborne by the power of ancient prejudices, which too frequently prevail in the aggregates of nations. In such case, the philanthropist, who wishes the good of his own country and of mankind, must be the bulrush bending to the storm, and not the sturdy oak, unavailingly resisting. National prejudices are, I hope, generally upon the decline. Reason and humanity

gain ground every day against their *natural* enemies, folly and injustice. The ideas of nations being *natural* enemies to each other are generally reprobated. But still *jealousies* and ancient rivalships remain, which obstruct the road to peace among men. If one belligerent nation will entertain a standing force of three or four hundred thousand fighting men, other nations must have defended frontiers and barrier towns, and the barrier of a neighboring island, whose constitution does not allow a standing military force, must consist in a superiority at sea. It is necessary for her own defence. If all nations by mutual consent will reduce their *offensive* powers, which they only claim under the pretext of necessary *defence*, and bring forward the reign of the millennium ; then away with your frontiers and barriers, and your Gibaltars, and the key of the Baltic, and all the hostile array of nations,

Aspera compositis nitescant sæcula bellis.

These must be the sentiments of every philanthropist in his interior thoughts. But if we are not to seek peace by some practicable method, accommodated to the remaining prejudices of the multitude, we shall not in our own time, I fear, see that happy day. If Great Britain and France are ancient rivals, then, until the reign of the millennium shall approach, arrange that rivalry upon equitable terms, as the two leading nations of Europe, set them in balance to each other ; the one by land, the other by sea. Give to France her elevated rank among the nations of Europe. Give to Great Britain the honor of her flag, and the security of her island by her wooden walls, and there would be no obstruction to general and perpetual peace. The prejudices of disrespect between nations prevail only among the inferior ranks. Believe me, for one at least, I have the

highest sentiments of respect for the nation of France. I have no other sentiments of hostility but what are honorable towards them, and which, as a member of a rival State at war with them, consists in the duty of vigilance which I owe towards the honor and interests of my own country. I am not conscious of a word or a thought, which *on the point of honor* I would wish to have concealed from a French Minister.

In the mode which I have proposed of unravelling the present subjects of jealousy and contest, I would make my proposals openly to France herself. Let America be free, and enjoy happiness and peace forever. If France and Great Britain have jealousies or rivalships between themselves, as European nations, I then say to France, let us settle these points between ourselves, if unfortunately we shall not be able by honorable negotiation to compromise the indispensable points of national honor and safety. This would be my language to France, open and undisguised. In the meanwhile I desire you to observe, that it would not be with reluctance that I should offer eternal freedom, happiness, and peace to America. You know my thoughts too well to suspect that. I speak only as in a state of war, desirous to arrange the complicated interests, and to secure the respective honor of nations. My wishes are, and always have been for the peace, liberty, and safety of mankind. In the pursuit of those blessed objects, not only this country and America, but France herself and the House of Bourbon, may justly claim the conspiring exertions of every free and liberal mind, even among their temporary enemies and rivals.

I am, &c.

D. HARTLEY.

Breviate mentioned in the preceding Letter.

February 7th, 1782.—It is stated, that America is disposed to enter into a negotiation of peace with Great Britain, without requiring any formal recognition of independence; always understood, that they are to act in conjunction with their allies, conformable to treaties.

It is therefore recommended to give for reply, that the Ministers of Great Britain are likewise disposed to enter into a negotiation for peace, and that they are ready to open a general treaty for that purpose.

If the British Ministers should see any objection to a general treaty, but should still be disposed to enter into a separate treaty with America, it is then recommended to them to offer such terms to America as shall induce her to apply to her allies for their consent, that she should be permitted to enter into a separate treaty with Great Britain. The condition of which being the consent of allies, no proposition of any breach of faith can be understood to be required by them, by the requisition of a separate treaty.

The British Ministers are free to make any propositions to America, which they may think proper, provided they be not dishonorable in themselves, which in the present case is barred by the supposition of consent being obtained. In this case, therefore, if they should be inclined to offer a separate treaty, it is recommended to them to offer such terms to America, as should induce her to be desirous of closing with the proposal of a separate treaty, on the grounds of national security and interests, and likewise such as may constitute to them a case of reason and justice, upon which they may make requisition to their allies for their consent. It is suggested, that the offer to America

of a truce of sufficient length, together with the removal of the British troops, would be equivalent to that case, which is provided for in the treaty of February 6th, 1778, between America and France, viz. *tacit* independence; and the declared ends of that alliance being accomplished, it would not be reasonable that America should be dragged on by their allies in a war, the continuance of which, between France and Great Britain, could only be caused by separate European jealousies and resentments (if unfortunately for the public peace any such should arise) between themselves, independent and unconnected with the American cause. It is to be presumed, that France would not in point of honor to her allies refuse her consent so requested, as any rivalry or punctilios between her and Great Britain, as European nations, (principles which too frequently disturb the peace of mankind) could not be considered as *casus fœderis* of the American alliance; and their pride as a belligerent power would not permit them to claim the assistance of America as necessary to their support, thereby proclaiming their nation unequal to the contest in case of the continuance of a war with Great Britain, after the settlement and pacification with America. Their consent, therefore, is to be presumed. But if they should demur on this point, if Great Britain should be disposed to concede *tacit* independence to America by a long truce, and the removal of the troops, and if the obstruction should evidently occur on the part of France, under any equivocal or captious construction of a *defensive* treaty of alliance between America and France, Great Britain would from thenceforward stand upon advantage ground, either in any negotiation with America, or in the continuance of a war including America, but not

arising from any further resentments of Great Britain towards America, but imposed reluctantly upon both parties by the conduct of the Court of France.

These thoughts are not suggested with any view of giving any preference in favor of a separate treaty above a general treaty, or above any plans of separate but concomitant treaties, like the treaties of Munster and Osnaburgh, but only to draw out the line of negotiating a separate treaty, in case the British Ministry should think it necessary to adhere to that mode. But in all cases it should seem indispensable to express some disposition, on the part of Great Britain, to adopt either one mode or the other. An absolute refusal to treat at all must necessarily drive America into the closest connexion with France, and all other foreign hostile powers, who would take that advantage for making every possible stipulation to the future disadvantage of British interests, and above all things would probably stipulate, that America should never make peace with Great Britain, without the most formal and explicit recognition of their independence, absolute and unlimited.



ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, May 22d, 1782.

Dear Sir,

I expected to have written you a long letter, more particularly as it is some time since you have received any information from this country, the enemy having effectually blocked up our ports for some months past. But I find myself so extremely hurried, that I have hardly leisure to

write this, the vessel by which it is to be sent going sooner than I apprehended.

You will receive herewith a letter to His Most Christian Majesty, which you will present, and a copy, which you will be pleased to deliver to the Count de Vergennes. This I believe is the usual form. You will also receive in the enclosed papers an account of the marks of respect, with which the annunciation of the birth of the Dauphin was received. These are of some importance, at a time when Great Britain is endeavoring to represent us as weary of the alliance, and anxiously wishing to return to our connexion with them. It is probable, that the late changes in the British Administration, and the conciliatory measures they propose, may excite apprehensions of our firmness. I have the pleasure of assuring you, that it has not produced the least effect; all orders of people seem to agree, that it should redouble our vigilance, and while it argues the weakness of the enemy, it serves as a spring to our exertions.

Sir Guy Carleton, shortly after his arrival, wrote a complimentary letter to General Washington, sending him an account of his appointment, and the prints which contained the Parliamentary debates, and requesting leave to send his Secretary with despatches to Congress. The General refused the passport, till he had the sense of Congress thereon; and upon Sir Guy's letter being laid before them, they came to the resolution enclosed.

The papers I send you contain also resolutions of the State of Maryland, and of the Executive Council of Pennsylvania, which I believe speak the language of all the States, which will, I doubt not, make similar declarations when their legislatures shall be convened. So that you

may safely assure His Majesty's Ministers, that no art which Great Britain can put in practice will have the least influence in lessening the attachment of the people of this country to the principles of the alliance. It is true their expectations of powerful assistance this campaign are very high. They saw with some pain last year, that the fleet was withdrawn when the enemy were absolutely at their feet, and when one month's stay would have reduced either New York or Charleston. They look eagerly for the return of the fleet. They generally believe this to be the last campaign in America. There is no knowing what effect a disappointment in this hope would have. I believe, from the present view of things, that they would bear it with fortitude, but I should be sorry to see it put to the trial.

Our trade has suffered astonishingly of late; the influence which this will have upon our internal resources is much to be apprehended. It is to be wished, that France would see the great advantages she would derive from keeping a superiority on this coast, where her fleets would be maintained cheaply while they protected our commerce, and compelled England either to risk her army, or to keep a regular fleet here at five times their expense. Enclosed is a statement of our trade drawn up by Mr Morris. You are requested to communicate this to the Court of Versailles, and to use every means in your power to bring the Court to concur in adopting it.

I also enclose a resolution of Congress, to request you to apply for the prisoners due to us, in order that they may be sent here and exchanged for our seamen, who are confined without the hope of relief. Is it impossible to devise some means for the enlargement of those, who are confined in England? Can no cartel be settled? Or no means

devised for sending them here to be exchanged? Their case is really pitiable.

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

ROBERT R. LIVINGSTON.

DAVID HARTLEY TO B. FRANKLIN.

London, May 25th, 1782.

My Dear Friend,

Yours of the 13th instant I received by Mr Oswald. I did not doubt but that the news of a general and absolute release of the American prisoners, which Lord Shelburne was so good as to communicate to me, in answer to that part of your letter of the 5th of April, in which you speak so pathetically of *sweet reconciliation*, would give you much sincere and heartfelt pleasure. God send that it may be the happy omen of final *reconciliation* and *durable peace*. I should be very happy to hear that good news from you, and in any way to contribute to it. Having on that subject communicated the preliminaries, dated May, 1782, to Lord Shelburne, you may be assured that I have no reservations upon that head respecting America, in any circumstances or condition whatever. You know all my thoughts upon that subject, and the principles upon which they are founded, and therefore that they are not changeable.

It would give me the greatest pleasure, if I could hope for any opportunity of seeing you. I could say many things, which are otherwise incommunicable, and which perhaps would contribute to facilitate the road to peace. I think I see in many parts much matter to work with, out of which a peace, honorable to all parties and upon dura-

ble principles, might be established. *No degrading or mortifying conditions to shorten peace and rekindle war.* Perhaps I might not say too much if I were to add, that simply the adoption of *reason* among nations, and the mere rectification of obsolete and gothic absurdities, which carry no gratification, would afford a fund of remuneration to all parties for renouncing those objects of mutual contention, which, *in the eye of reason*, are no better than creatures of passion, jealousy, and false pride. Until the principles of *reason* and equity shall be adopted in national transactions, peace will not be durable amongst men.

These are reflections general to all nations. As to the mutual concerns between Great Britain and North America, *reconciliation* is the touchstone to prove those hearts, which are without alloy. If I can be of any assistance to you, in any communications or explanations conducive to peace, you may command my utmost services. Even if a French Minister were to overhear such an offer, let him not take it in jealous part. Zealously and affectionately attached to my own country and to America, I am nevertheless most perfectly of accord with you, that justice and honor should be observed towards all nations. Mr Oswald will do me the favor to convey this to you. I heartily wish him success in his pacific embassy.

Yours ever most affectionately,

DAVID HARTLEY.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, May 30th, 1782.

Dear Sir,

Since my last of the 22d instant, I have been honored with yours of the 30th of March, together with the letter

from Mr Adams to you enclosed, and the papers, for which I am extremely obliged to you.

I am not at all disappointed at the manner in which the British administration have declared their wish for peace, or at the reluctance they show in parting with this country. To a proud nation the loss of 3,000,000 subjects is mortifying. Every journeyman weaver in every petty village in England conceived himself a sovereign, even while working for the slaves of his supposed subjects. It requires a degree of magnanimity, of which they are incapable, to surrender with dignity what they are no longer able to hold. But they must suppose the politics of the rest of the world to move upon weaker principles than their own, if they imagine the offers they propose to hold out to the belligerent powers will detach them from their alliance with each other, till all the objects of it are attained. Of what avail would the cessions they made in the West Indies be to France, if we were again connected with England. What security would she have for those cessions, or even for the rest of her islands? What she has offered to Spain I know not. To us she has offered nothing, as I have yet heard, but her friendship and the blessings of her government. A seven years' enmity has taught us to put very little value on the former; and the present happiness of the people of England and Ireland has enabled us to form a just estimate of the latter.

I have told you, that we have nothing to apprehend here from the offers of Britain. I have had no reason since to change that opinion. The way, however, to put it out of doubt is to enable us to expel the enemy from this continent. The task is not difficult, and the object is sufficiently important not to let it depend upon other operations.

I am instructed to prepare a memorial to the Court of Versailles, on the subject of the prize money due to Paul Jones, and the officers and men that sailed under his command. Continual complaints are made on that subject. Surely M. de Chaumont has had sufficient time to settle this business. I must beg the favor of you to press it, and to draw and present a memorial to the Court, if it cannot otherwise be accomplished. Mr Barclay will have orders to receive the money for them. I enclose an extract of a letter from Captain Jones on the subject, together with the list of the ships and their force, agreeable to which the division should be made.

I also send his account of the detention of the brigantine Berkenbosch, together with a copy of De Nief's certificate, that the property belonged to British owners. This I think at first view is a sufficient justification of his conduct, and I hope will be deemed satisfactory, especially when it is considered that our courts are open for a further prosecution of the inquiry, if any injury has been unjustly sustained. I shall take the earliest opportunity to inquire into the other cases you mention. If I am rightly informed, the insult to the Court of Norway is already avenged, the vessels, which are said to have committed it, having been lost at sea. This puts a stop to any further inquiry about it. I shall however endeavor to get this fact more fully ascertained, and write to you again. I should be glad to know on what principle these applications are made to the Court of France. If the powers, who suppose themselves injured, consider us as the subjects of Great Britain, they should carry their complaints to the Court of St James's. If they consider us as independent of them, they should address themselves to us or to you directly.

I am very happy to find you have not lost sight of the prizes detained by the Danish Court, and that you so happily availed yourself of the opportunity they afforded you, to renew your application. This object ought to be pushed, not so much on account of the value of the vessels, as to show that we know what is due to *ourselves*.

Enclosed is a resolution of Congress on the subject of accounts, which you will be pleased to take the earliest opportunity to carry into execution.

You draw an agreeable picture of the French Court, and their favorable dispositions. They stand very high in the esteem of this country; and though we sometimes entertain the hope of repaying by our commerce and alliance the friendship they have shown us, we are not on that account the less sensible of our obligation to them. The distrust and jealousies, which secret enemies have endeavored to excite, have died away. One successful exertion in our favor will secure to them forever the affections of this country. I take an interest in the happiness of the Marquis de Lafayette, which makes me learn with great pleasure the reception he has met with. No man is more worthy of the esteem he enjoys, both at home and here. I have forborne to write to him for some time, in expectation that he was on his way. The same reasons restrain me now. Should any extraordinary event have detained him, you will be so obliging as to mention this as my apology. I am charmed with your idea of a medal to perpetuate the memory of York and Saratoga. The thought is simple, elegant, and strikingly expressive of the subject. I cannot however but flatter myself, that before it can be executed, your Hercules will have tasked your invention for a new emblem.

I enclose a number of letters, that have passed between Generals Washington, Clinton, Robinson, and Sir Guy, chiefly on the subject of Captain Huddy, who, having been taken prisoner and confined some time at New York, was carried by a Captain Lippincott and a party of soldiers to the Jersey shore, and there hanged without the least pretence. You will see an account of the whole transaction in some of the papers I sent. The General, in pursuance of his determination, has ordered the lot to be cast among the British Captains. It has fallen upon the Honorable Captain Asgill of the Guards, who is now on his way to camp. A friend of his, Captain Ludlow, is gone to New York to see if anything can be done to save him. It is really a melancholy case, but the repeated cruelties of this kind, that have been practised, have rendered it absolutely necessary to execute the resolution to retaliate, which we have so often taken, and so frequently been prevented, by our feelings, from carrying into execution.

We are yet totally ignorant of the event of the battle fought on the 12th of April, in the West Indies, of which you will see various and contradictory accounts in our papers. You will have more certain information in Europe. Providence is taken by the Spaniards. Gillon commanded the fleet on the occasion. He yesterday came to this port with a number of the Havana vessels, for which we were in great pain.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

RICHARD OSWALD TO B. FRANKLIN.

Paris, June 5th, 1782.

Sir,

While Mr Laurens was under confinement in England, he promised, that on condition of his being liberated upon his parole, he would apply to you for an exchange in favor of Lord Cornwallis, by a discharge of his Lordship granted upon the surrender of his garrison at the village of York in Virginia; and, in case of your being under any difficulty in making such exchange, he undertook to write to the Congress, and to request it of that assembly, making no doubt of obtaining a favorable answer, without loss of time.

This proposal, signed by Mr Laurens's hand, I carried and delivered, I think, in the month of December last, to his Majesty's then Secretaries of State, which was duly attended to; and in consequence thereof Mr Laurens was soon after set at full liberty. And though not a prisoner under parole, yet it is to be hoped, a variation in the mode of discharge will not be supposed of any essential difference.

And with respect to Mr Laurens, I am satisfied he will consider himself as much interested in the success of this application, as if his own discharge had been obtained under the form, as proposed by the representation, which I delivered to the Secretaries of State, and, I make no doubt, will sincerely join my Lord Cornwallis in an acknowledgment of your favor and good offices, in granting his Lordship a full discharge of his parole abovementioned.

I have the honor to be, with much respect, Sir, your most obedient humble servant,

RICHARD OSWALD.

P. S. Major Ross has got no copy of Lord Cornwallis's parole. He says it was in the common form, as in like cases.

Since writing the above, I recollect I was under a mistake, as if the proposal of exchange came first from Mr Laurens; whereas, it was made by his Majesty's Secretaries of State to me, that Mr Laurens should endeavor to procure the exchange of Lord Cornwallis, so as to be discharged himself. Which proposal I carried to Mr Laurens, and had from him the obligation abovementioned, upon which the mode of his discharge was settled.

R. O.

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TO RICHARD OSWALD.

Passy, June 5th, 1782.

Sir,

I received the letter you did me the honor of writing to me, respecting the parole of Lord Cornwallis. You are acquainted with what I wrote some time since to Mr Laurens. Tomorrow is post day from Holland, when possibly I may receive an answer, with a paper drawn up by him for the purpose of discharging that parole, to be signed by us jointly. I suppose the staying at Paris another day will not be very inconvenient to Major Ross, and if I do not hear tomorrow from Mr Laurens, I will immediately, in compliance with your request, do what I can towards the liberation of Lord Cornwallis.

I have the honor to be, with great respect, Sir, your most obedient humble servant,

B. FRANKLIN.

JOHN ADAMS TO B. FRANKLIN.

The Hague, June 13th, 1782.

Sir,

I had yesterday, at Amsterdam, the honor of receiving your Excellency's letter of June the 2d.

The discovery, that Mr Grenville's power was only to treat with France, does not surprise me at all. The British Ministry are too divided among themselves, and have too formidable an opposition against them, in the King and the old Ministers, and are possessed of too little of the confidence of the nation, to have courage to make concessions of any sort, especially since the news of their successes in the East and West Indies. What their vanity will end in God only knows; for my own part, I cannot see a probability, that they will ever make peace, until their finances are ruined, and such distresses brought upon them, as will work up their parties into a civil war.

I wish their enemies could by any means be persuaded to carry on the war against them in places, where they might be sure of triumphs, instead of insisting on pursuing it where they are sure of defeat. But we must take patience, and wait for time to do what wisdom might easily and soon do.

I have not as yet taken any engagements with the Dutch not to make peace without them; but I will take such engagements in a moment, if the Dutch will take them, and I believe they would very cheerfully. I shall not propose it, however, till I have the concurrence of the Duc de la Vauguion, who will do nothing without the instructions of his Court. I would not delay it a moment from any expectation, that the English will acknowledge our indepen-

dence and make peace with us, because I have no such expectations. The permanent friendship of the Dutch may be easily obtained by the United States; that of England, never; it is gone with the days before the flood. If we ever enjoy the smallest degree of sincere friendship again from England, I am totally incapable of seeing the character of a nation or the connexion of things; which however may be the case for what I know. They have brought themselves into such a situation! Spain, Holland, America, the armed neutrality, have all such pretensions and demands upon them, that where is the English Minister, or Member of Parliament, that dares vote for the concession to them? The pretensions of France I believe would be so moderate, that possibly they might be acceded to. But it is much to be feared, that Spain, who deserves the least, will demand the most; in short, the work of peace appears so impracticable and chimerical, that I am happy in being restrained to this country, by my duty, and by this means excused from troubling my head much about it.

I have a letter from America, that informed me, that Mr Jay had refused to act in the commission for peace; but if he is on the way to Paris, as you suppose, I presume my information must be a mistake, which I am very glad of. Mr Laurens did me the honor of a very short visit, in his way to France, but I was very sorry to learn from him, that in a letter to your Excellency from Ostend, he had declined serving in the commission for peace. I had vast pleasure in his conversation; for I found him possessed of the most exact judgment concerning our enemies, and of the same noble sentiments in all things, which I saw in him in Congress.

What is the system of Russia? Does she suppose, that England has too many enemies upon her, and that their demands and pretensions are too high? Does she seek to embroil affairs, and to light up a general war in Europe? Is Denmark in concert with her, or any other power? Her conduct is a phenomenon. Is there any secret negotiation or intrigue on foot to form a party for England among the powers of Europe, and to make a balance against the power of the enemies of England?

The States of Holland and several other provinces have taken a resolution against the mediation for a separate peace; and this nation seems to be well fixed in its system, and in the common cause.

My best respects and affections to my old friend, Mr Jay, if you please. I have the honor to be, Sir, your most obedient and most humble servant,

JOHN ADAMS.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, June 23d, 1782.

Dear Sir,

This will be sent with duplicates of some of my former letters to the southward, to embrace the first opportunity, that shall offer from thence. By so uncertain a conveyance you can expect nothing. Nor indeed does our present situation furnish anything, that calls for your immediate attention, unless it be the unanimity with which the people of all ranks agree in determining to listen to no proposals from England, which have not the alliance with France for their basis. Perhaps the joy they have discovered, in celebrating the birth of the Dauphin, will be

considered as a proof of their sincere attachment to the present illustrious monarch of France and his family.

Leslie has endeavored to bring General Greene to agree to a suspension of arms for the Southern Department, which he has very prudently refused.

Nothing has yet been determined, or rather executed, with respect to Captain Asgill. The enemy are holding a Court Martial on Lippincott, the executioner of Captain Huddy; on their decision the life of Captain Asgill will depend. Such is the melancholy necessity, which the cruelty of the enemy has imposed.

You enclosed a letter from the Count de Vergennes, on the subject of the pension due M. Tousard. Congress are too sensible of that gentleman's merit to deprive him of it. But as it is necessary, that everything of this kind be transacted at one office, it is proper that he direct some person as his agent to apply to the Treasury office here, and produce your certificate of the time to which the last payment was made, or at least transmit a statement of his account, on which the balance will be paid, and his pension regularly settled with his attorney in future.

The case of the brigantine *Ernten* has been decided upon in the inferior courts, and in the Court of Appeals. The latter have been prevailed upon at my request to give a rehearing, which is not yet determined. Should its determination be against the vessel or cargo, on a conviction, that she was British property, Congress will not choose to interfere in the execution of the sentence, which the court they have instituted is competent to award.

I could wish to know from you what allowance you make to your private Secretary, and to have an accurate estimate of those contingent expenses of your office, which

you think ought to be charged as distinct from your salary.

I enclose a copy of a letter from Mr Deane to Governor Trumbull, with his answer, which you will please to forward. A copy of the answer is also enclosed.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Passy, June 25th, 1782.

Sir,

I have received your respective letters of January 26th and February 13th. The first was accompanied with a form of a convention for the establishment of consuls. Mr Barclay having been detained these six months in Holland, though in continual expectation of returning hither, I have yet done nothing in that business, thinking his presence might be of use in settling it. As soon as he arrives I shall move the completion of it.

The second enforces some resolutions of Congress, sent me with it, respecting a loan of 12,000,000 of livres, to be demanded of France for the current year. I had already received the promise of six millions, together with the clearest and most positive assurances, that it was all the King could spare to us, that we must not expect more, that if drafts and demands came upon me beyond that sum, it behoved me to take care how I accepted them, or where I should find funds for the payment, since I could certainly not be further assisted out of the royal treasury. Under this declaration, with what face could I ask for another six millions? It would be saying, you are not to be believed,

you can spare more ; you are able to lend me twice the sum if you were but willing. If you read my letter to Mr Morris of this date, I think you will be convinced how improper any language, capable of such a construction, would be to such a friend. I hope, however, that the loan Mr Adams has opened in Holland for three millions of florins, which it is said is likely to succeed, will supply the deficiency.

By the newspapers I have sent you will see, that the general disposition of the British nation towards us had been changed. Two persons have been sent here by the new ministers, to propose treating for peace. They had at first some hopes of getting the belligerent powers to treat separately, one after another, but finding that impracticable, they have, after several messengers sent to and fro, come to a resolution of treating with all together for a general peace, and have agreed, that the place shall be Paris. Mr Grenville is now here with full powers for that purpose, (if they can be reckoned full with regard to America, till a certain act is completed for enabling his Majesty to treat, &c, which has gone through the Commons, and has been once read in the House of Lords.) I keep a very particular journal of what passes every day in the affair, which is transcribing to be sent to you. I shall, therefore, need to say no more about it in this letter, except, that though I still think they were sincere at first in their desire of peace, yet since their success in the West Indies, I imagine, that I see marks of their desiring rather to draw the negotiations into length, that they may take the chance of what the campaign shall produce in their favor, and as there are so many interests to adjust, it will be prudent for us to suppose, that even another campaign may pass before all can

be agreed. Something too may happen to break off the negotiations, and we should be prepared for the worst.

I hoped for the assistance of Mr Adams and Mr Laurens. The first is too much engaged in Holland to come hither, and the other declines serving; but I have now the satisfaction of being joined by Mr Jay, who happily arrived here from Madrid last Sunday. The Marquis de Lafayette is of great use in our affairs here, and as the campaign is not likely to be very active in North America, I wish I may be able to prevail with him to stay a few weeks longer. By him you will receive the journal abovementioned, which is already pretty voluminous, and yet the negotiations cannot be said to be opened.

Ireland you will see has obtained all her demands triumphantly. I meet no one from that country, who does not express some obligations to America for their success.

Before I received your just observations on the subject, I had obtained from the English Ministers a resolution to exchange all our prisoners. They thought themselves obliged to have an act of Parliament about it for authorising the King to do it, this war being different from others, as made by an act of Parliament declaring us rebels, and our people being committed for high treason. I empowered Mr Hodgson, who was chairman of the committee, that collected and dispensed the charitable subscriptions for the American prisoners, to treat and conclude on the terms of their discharge, and having approved of the draft he sent me of the agreement, I hope Congress will see fit to order a punctual execution of it. I have long suffered with those poor brave men, who with so much public virtue have endured four or five years hard imprisonment, rather than serve against their country. I have done all I could afford

towards making their situation more comfortable ; but their numbers were so great, that I could do but little for each, and that very great villain, Digges, defrauded them of between three and four hundred pounds, which he drew from me on their account. He lately wrote me a letter, in which he pretended he was coming to settle with me, and to convince me, that I had been mistaken with regard to his conduct ; but he never appeared, and I hear he is gone to America. Beware of him, for he is very artful, and has cheated many. I hear every day of new rogueries committed by him in England.

The Ambassador from Sweden to this Court applied to me lately to know, if I had powers that would authorise my making a treaty with his master in behalf of the United States. Recollecting a general power, that was formerly given to me with the other Commissioners, I answered in the affirmative. He seemed much pleased, and said the King had directed him to ask the question, and charged him to tell me that he had so great esteem for me, that it would be a particular satisfaction to him to have such a transaction with me. I have perhaps some vanity in repeating this ; but I think too, that it is right that Congress should know it, and judge if any use may be made of the reputation of a citizen for the public service. In case it should be thought fit to employ me in that business, it will be well to send a more particular power, and proper instructions. The Ambassador added, that it was a pleasure to him to think, and he hoped it would be remembered, that Sweden was the first power in Europe, which had voluntarily offered its friendship to the United States without being solicited. This affair should be talked of as little as possible till completed.

I enclose another complaint from Denmark, which I request you will lay before Congress. I am continually pestered with complaints from French seamen, who were with Captain Cunningham in his first cruise from Dunkirk; from others who were in the Lexington, the Alliance, &c. being put on board prizes that were retaken, were never afterwards able to join their respective ships, and so have been deprived of the wages, &c. due to them. It is for our national honor, that justice should be done them if possible; and I wish you to procure an order of Congress for inquiring into their demands, and satisfying such as shall be found just. It may be addressed to the Consul.

I enclose a note from M. de Vergennes to me, accompanied by a memoir relating to a Swiss, who died at Edenton. If you can procure the information desired, it will much oblige the French Ambassador in Switzerland.

I have made the addition you directed to the cypher. I rather prefer the old one of Dumas, perhaps because I am more used to it. I enclose several letters from that ancient and worthy friend of our country. He is now employed as secretary to Mr Adams, and I must, from a long experience of his zeal and usefulness, beg leave to recommend him warmly to the consideration of Congress, with regard to his appointments, which have never been equal to his merit. As Mr Adams writes me the good news, that he shall no longer be obliged to draw on me for his salary, I suppose it will be proper to direct his paying that which shall be allowed to M. Dumas.

Be pleased to present my duty to the Congress, and believe me to be, with great esteem and regard,

B. FRANKLIN.

TO ROBERT R. LIVINGSTON.

Passy, June 29th, 1782.

Sir,

In mine of the 25th instant, I omitted mentioning, that at the repeated earnest instances of Mr Laurens, who had given such expectations to the Ministry in England, when his parole or securities were discharged, as that he could not think himself at liberty to act in public affairs, till the parole of Lord Cornwallis was absolved by me in exchange, I sent to that General the paper of which the enclosed is a copy;* and I see by the English papers, that his Lordship immediately on the receipt of it appeared at Court, and has taken his seat in the House of Peers, which he did not before think was warrantable. My authority for doing this appeared questionable to myself, but Mr Laurens judged it deducible from that respecting General Burgoyne, and, by his letters to me, seemed so unhappy till it was done, that I ventured it, with a clause, however, as you will see, reserving to Congress the approbation or disallowance of it.

The enabling act is now said to be passed, but no copy of it is yet received here, so that as the bill first printed has suffered alterations in passing through Parliament, and we know not what they are, the treaty with us is not yet commenced. Mr Grenville expects his courier in a few days, with the answer of his Court to a paper given him on the part of this. That answer will probably afford us a clearer understanding of the intentions of the British Ministry, which for some weeks past have appeared somewhat

* See above, p. 362.

equivocal and uncertain. It looks as if, since their late success in the West Indies, they a little repented of the advances they had made in their declarations, respecting the acknowledgment of our independence; and we have pretty good information, that some of the Ministers still flatter the King with the hope of recovering his sovereignty over us, on the same terms as are now making with Ireland. However willing we might have been at the commencement of this contest to have accepted such conditions, be assured we can have no safety in them at present. The King hates us most cordially. If he is once admitted to any degree of power and government among us, however limited, it will soon be extended by corruption, artifice, and force, till we are reduced to absolute subjection, and that the more easily, as, by receiving him again for our King, we shall draw upon us the contempt of all Europe, who now admire and respect us, and shall never again find a friend to assist us. There are, it is said, great divisions in the Ministry on other points as well as this, and those who aim at engrossing the power, flatter the King with this project of reunion, and, it is said, have much reliance on the operations of private agents sent into America to dispose minds there in favor of it, and to bring about a separate treaty there with General Carleton. I have not the least apprehension, that Congress will give into this scheme, it being inconsistent with our treaties, as well as with our interest; but I think it will be well to watch the emissaries, and secure, or banish immediately, such as shall be found tampering and stirring up the people to call for it.

The firm united resolution of France, Spain, and Holland joined with ours, not to treat of a particular, but a

general peace, notwithstanding the separate tempting offers to each, will in the end give us the command of that peace. Every one of the other powers see clearly its interest in this, and persists in that resolution. The Congress I am persuaded are as clear sighted as any of them, and will not depart from the system, which has been attended with so much success, and promises to make America soon both great and happy.

I have just received a letter from Mr Laurens, dated at Lyons, on his journey into the south of France for his health. Mr Jay will write also by this opportunity.

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

B. FRANKLIN.

JOURNAL

OF THE NEGOTIATION FOR PEACE WITH GREAT BRITAIN.

FROM MARCH 21ST TO JULY 1ST, 1782.

Passy, May 9th, 1782.

As since the change of the Ministry in England, some serious professions have been made of their disposition to peace, and of their readiness to enter into a general treaty for that purpose ; and as the concerns and claims of five nations are to be discussed in that treaty, which must therefore be interesting to the present age, and to posterity, I am inclined to keep a journal of the proceedings as far as they come to my knowledge, and to make it more complete, I will first endeavor to recollect what has already past. Great affairs sometimes take their rise from small circumstances. My good friend and neighbor Madame Brillon, being at Nice all last winter for her health, with her very amiable family, wrote to me that she had met with some English gentry there, whose acquaintance proved agreeable ; among them she named Lord Cholmondely, who she said had promised to call in his return to England, and drink tea with us at Passy. He left Nice sooner than she supposed, and came to Paris long before her. On the 21st of March, I received the following note.

“Lord Cholmondely’s compliments to Dr Franklin ; he sets out for London tomorrow evening, and should be glad

to see him for five minutes before he went. Lord Cholmondely will call upon him at any time in the morning he shall please to appoint.

Thursday evening. Hotel de Chartres."

I wrote for answer, that I should be at home all the next morning, and glad to see his Lordship if he did me the honor of calling on me. He came accordingly. I had before no personal knowledge of this nobleman. We talked of our friends whom he left at Nice, then of affairs in England, and the late resolutions of the Commons on Mr Conway's motion. He told me that he knew Lord Shelburne had a great regard for me, that he was sure his Lordship would be pleased to hear from me, and that if I would write a line he should have a pleasure in carrying it. On which I wrote the following.

TO LORD SHELBURNE.

Passy, March 22d, 1782.

"My Lord,

"Lord Cholmondely having kindly offered to take a letter from me to your Lordship, I embrace the opportunity of assuring the continuance of my ancient respect for your talents and virtues, and of congratulating you on the returning good disposition of your country in favor of America, which appears in the late resolutions of the Commons. I am persuaded it will have good effects. I hope it will tend to produce a *general peace*, which I am sure your Lordship, with all good men, desires, which I wish to see before I die, and to which I shall, with infinite pleasure, contribute everything in my power.

“Your friends, the Abbé Morellet and Madame Helvetius, are well. You have made the latter very happy by your present of gooseberry bushes, which arrived in five days, and in excellent order. With great and sincere esteem, I have the honor to be, &c. &c.

B. FRANKLIN.”

Soon after this we heard from England, that a total change had taken place in the Ministry, and that Lord Shelburne had come in as Secretary of State. But I thought no more of my letter, till an old friend and near neighbor of mine many years in London appeared at Passy, and introduced a Mr Oswald, whom he said had a great desire to see me, and Mr Oswald, after some little conversation, gave me the following letters from Lord Shelburne and Mr Laurens.

LORD SHELburne TO B. FRANKLIN.

London, April 6th, 1782.

“Dear Sir,

“I have been favored with your letter, and am much obliged by your remembrance. I find myself returned nearly to the same situation, which you remember me to have occupied nineteen years ago, and I should be very glad to talk to you as I did then, and afterwards in 1767, upon the means of promoting the happiness of mankind, a subject much more agreeable to my nature, than the best concerted plans for spreading misery and devastation. I have had a high opinion of the compass of your mind, and of your foresight. I have often been beholden to both, and shall be glad to be so again, as far as is compatible with your situation. Your letter discovering the same disposition, has made me send to you Mr Oswald. I have had

a longer acquaintance with him, than even I have had the pleasure to have with you. I believe him an honest man, and, after consulting some of our common friends, I have thought him the fittest for the purpose. He is a pacifical man, and conversant in those negotiations, which are most interesting to mankind. This has made me prefer him to any of our speculative friends, or to any person of higher rank. He is fully apprized of my mind, and you may give full credit to everything he assures you of. At the same time, if any other channel occurs to you, I am ready to embrace it. I wish to retain the same simplicity and good faith, which subsisted between us in transactions of less importance. I have the honor to be, &c.

SHELBURNE."

HENRY LAURENS TO B. FRANKLIN.

London, April 7th, 1782.

"Dear Sir,

"Richard Oswald, Esquire, who will do me the honor of delivering this, is a gentleman of the strictest candor and integrity. I dare give such assurances from an experience little short of thirty years, and to add, you will be perfectly safe in conversing freely with him on the business he will introduce, a business, which Mr Oswald has disinterestedly engaged in, from motives of benevolence, and from the choice of the man a persuasion follows, that the Electors mean to be in earnest.

"Some people in this country, who have too long indulged themselves in abusing everything American, have been pleased to circulate an opinion, that Dr Franklin is a very cunning man, in answer to which, I have remarked to Mr Oswald, 'Dr Franklin knows very well how to manage

a cunning man, but when the Doctor converses, or treats with a man of candor, there is no man more candid than himself.' I do not know whether you will ultimately agree on political sketches, but I am sure, as gentlemen, you will part very well pleased with each other. Should you, Sir, think proper to communicate to me your sentiments and advice on our affairs, the more simply the more acceptable, and probably the more serviceable; Mr Oswald will take charge of your despatches, and afford a secure means of conveyance.

"To this gentleman I refer you for general information of a journey, which I am immediately to make, partly in his company, at Ostend, to file off for the Hague. I feel a willingness, infirm as I am, to attempt doing as much good as can be expected from such a prisoner upon parole. As General Burgoyne is certainly exchanged, (a circumstance, by the by, which possibly might have embarrassed us, had your late propositions been accepted) may I presume at my return to offer another Lieutenant General, now in England, a prisoner upon parole, in exchange; or what shall I offer in exchange for myself, a thing in my own estimation of no great value? I have the honor to be, with great respect, and, permit me to add, great reverence, Sir, &c.

HENRY LAURENS."

I entered into conversation with Mr Oswald. He was represented in the letter as fully apprized of Lord Shelburne's mind, and I was desirous of knowing it. All I could learn was, that the new Ministry sincerely wished for a peace, that they considered the object of the war, to France and America, as obtained. That if the independence of the United States was agreed to, there was

no other point in dispute, and therefore nothing to hinder a pacification. That they were ready to treat of *Peace*, but he intimated, that if France should insist upon terms too humiliating to England, they could still continue the war, having yet great strength, and many resources left. I let him know, that America would not treat but in concert with France, and that my colleagues not being here, I could do nothing of importance in the affair; but that, if he pleased, I would present him to M. de Vergennes, Secretary of State for Foreign Affairs. He consenting, I wrote and sent the following letter.

TO COUNT DE VERGENNES.

Passy, April 15th, 1782.

“Sir,

“An English nobleman, Lord Cholmondely, lately returning from Italy, called upon me here, at the time when we received the news of the first resolutions of the House of Commons, relating to America. In conversation he said, that he knew his friend, Lord Shelburne, had a great regard for me, that it would be pleasing to him to hear of my welfare, and receive a line from me, of which he, Lord Cholmondely, should like to be the bearer, adding, if there should be a change of Ministry, he believed Lord Shelburne would be employed. I thereupon wrote a few lines, of which I enclose a copy. This day I received an answer, which I also enclose, together with another letter from Mr Laurens. They both, as your Excellency will see, recommend the bearer, Mr Oswald, as a very honest, sensible man. I have had a little conversation with him. He tells me, that there has been a desire of making a separate peace with America, and continuing the war with France

and Spain, but that now all wise people give up that idea as impracticable, and it is his private opinion, that the Ministry do sincerely desire a *general peace*, and that they will readily come into it, provided France does not insist upon conditions too humiliating for England, in which case she will make great and violent efforts, rather than submit to them, and that much is still in her power, &c.

“I told the gentleman, that I could not enter into particulars with him, but in concert with the Ministers of this Court. And I proposed introducing him to your Excellency, after communicating to you the letters he had brought me, in case you should think fit to see him, with which he appeared to be pleased. I intend waiting on you tomorrow, when you will please to acquaint me with your intentions, and favor me with your counsels. He had heard nothing of Forth’s mission, and the old Ministry had not acquainted the new with that transaction. Mr Laurens came over with him in the same vessel, and went from Ostend to Holland. With great respect, I am, &c.

B. FRANKLIN.”

The next day, being at Court with the Foreign Ministers, as usual on Tuesdays, I saw M. de Vergennes, who acquainted me, that he had caused the letters to be translated, had considered the contents, and should like to see Mr Oswald. We agreed that the interview should be on Wednesday at 10 o’clock. Immediately on my return home, I wrote to Mr Oswald, acquainting him with what had passed at Versailles, and proposing, that he should be with me at half past eight the next morning, in order to proceed thither. I received from him the following answer.

Paris, April 16th.

“Sir,

“I have the honor of yours by the bearer, and shall be sure to wait on you tomorrow, at half past eight, and am, with much respect, &c.

RICHARD OSWALD.”

He came accordingly, and we arrived at Versailles punctually. M. de Vergennes received him with much civility. Mr Oswald not being ready in speaking French, M. de Rayneval interpreted. Mr Oswald at first thought of sending an express, with the account of the conversation, which continued near an hour, and was offered a passport, but finally concluded to go himself; and I wrote the next day the letter following.

TO LORD SHELBURNE.

Passy, April 18th, 1782.

“My Lord,

“I have received the letter your Lordship did me the honor of writing to me on the 6th instant. I congratulate you on your new appointment to the honorable and important office you formerly filled so worthily, which must be so far pleasing to you, as it affords you more opportunities of doing good, and of serving your country essentially in its great concerns.

“I have conversed a good deal with Mr Oswald, and am much pleased with him. He appears to me a wise and honest man. I acquainted him, that I was commissioned, with others, to treat of and conclude a peace. That full powers were given us for that purpose, and that the Congress promised in good faith to ratify, confirm, and cause to be faithfully observed, the treaty we should make; but

that we would not treat separately from France, and I proposed introducing him to the Count de Vergennes, to whom I communicated your Lordship's letter containing Mr Oswald's character, as a foundation for the interviews. He will acquaint you, that the assurance he gave of His Britannic Majesty's good dispositions towards peace was well received, and assurances returned of the same good dispositions in His Most Christian Majesty.

“With regard to circumstances relative to a treaty, M. de Vergennes observed, that the King's engagements were such, that he could not treat without the concurrence of his allies, that the treaty should, therefore, be for a general, not a partial peace, that if the parties were disposed to finish the war speedily by themselves, it would perhaps be best to treat at Paris, as an Ambassador from Spain was already there, and the Commissioners from America might easily and soon be assembled there. Or, if they chose to make use of the proposed mediation, they might treat at Vienna; but that the King was so truly willing to put a speedy end to the war, that he would agree to any place the King of England should think proper.

“I leave the rest of the conversation to be related to your Lordship by Mr Oswald, and that he might do it more easily and fully, than he could by letter, I was of opinion with him, that it would be best he should return immediately and do it *viva voce*. Being myself but one of the four persons now in Europe, commissioned by the Congress to treat of peace, I can make no propositions of much importance without them. I can only express my wish, that, if Mr Oswald returns hither, he may bring with him the agreement of your Court to treat for a general peace, and the proposal of place and time, that I may im-

mediately write to Messrs Adams, Laurens, and Jay. I suppose, that in this case, your Lordship will think it proper to have Mr Laurens discharged from the engagements he entered into, when he was admitted to bail. I desire no other channel of communication between us, than that of Mr Oswald, which I think your Lordship has chosen with much judgment. He will be witness of my acting with all the simplicity and good faith, which you do me the honor to expect from me, and if he is enabled, when he returns hither, to communicate more fully your Lordship's mind on the principal points to be settled, I think it may contribute much to the blessed work our hearts are engaged in.

“By the Act of Parliament relative to American prisoners, I see the King is empowered to exchange them. I hope those you have in England and Ireland may be sent home soon to their country, in flags of truce, and exchanged for an equal number of your people. Permit me to add, that I think it would be well if some kindness were mixed in the transaction, with regard to their comfortable accommodation on shipboard, as these poor unfortunate people have been long absent from their families and friends, and rather hardly treated. With great and sincere respect, I have the honor to be, my Lord, &c.

B. FRANKLIN.”

To the account contained in this letter, of what passed in the conversation with the Minister, I should add his frank declaration, that, as the foundation of a good and durable peace should be laid in justice, whenever a treaty was entered upon, he had several demands of justice to make from England. Of this, says he, I give you pre-

vious notice. What these demands were, he did not particularly say. One occurred to me, viz. reparation for the injury done in taking a number of French ships by surprise, before the declaration of the preceding war, contrary to the law of nations. Mr Oswald seemed to wish to obtain some propositions to carry back with him, but M. de Vergennes said to him very properly, there are four nations engaged in the war against you, who cannot, till they have consulted and know each other's minds, be ready to make propositions. Your Court being without allies and alone, knowing its own mind, can express it immediately. It is therefore more natural to expect the first proposition from you.

On our return from Versailles, Mr Oswald took occasion to impress me with ideas, that the present weakness of the government of England, with regard to continuing the war, was owing chiefly to the division of sentiments about it. That in case France should make demands too humiliating for England to submit to, the spirit of the nation would be roused, unanimity would prevail, and resources would not be wanting. He said there was no want of money in the nation, that the chief difficulty lay in the finding out new taxes to raise it, and, perhaps, that difficulty might be avoided by shutting up the Exchequer, stopping the payment of the interests of the public funds, and applying that money to the support of the war. I made no reply to this, for I did not desire to discourage their stopping payment, which I considered as cutting the throat of the public credit, and a means of adding fresh exasperation against them with the neighboring nations. Such menaces were besides an encouragement with me, remembering the adage, that *they who threaten are afraid*.

The next morning, when I had written the above letter to Lord Shelburne, I went with it to Mr Oswald's lodgings, and gave it to him to read before I sealed it, that in case anything might be in it with which he was not satisfied, it might be corrected; but he expressed himself much pleased.

In going to him, I had also in view the entering into a conversation, which might draw out something of the mind of his Court on the subject of Canada and Nova Scotia. I had thrown some loose thoughts on paper, which I intended to serve as memorandums for my discourse, but without a fixed intention of showing them to him. On his saying that he was obliged to me for the good opinion I had expressed of him to Lord Shelburne in my letter, and assuring me, that he had entertained the same of me, I observed, that I perceived Lord S. had placed great confidence in him, and as we had happily the same in each other, we might possibly, by a free communication of sentiments, and a previous settling of our own minds on some of the important points, be the means of great good, by impressing our sentiments on the minds of those with whom they might have influence, and where their being received might be of importance. I then remarked, that his nation seemed to desire a reconciliation, that to obtain this, the party which had been the aggressor and had cruelly treated the other, should show some marks of concern for what was past, and some disposition to make reparation; that perhaps there were things, which America might demand by way of reparation, and which England might yield, and that the effect would be vastly greater if they appeared to be voluntary, and to spring from returning good will; that I, therefore, wished England would think

of offering something to relieve those, who had suffered by its scalping and burning parties. Lives indeed could not be restored nor compensated, but the villages and houses wantonly destroyed might be rebuilt, &c. I then touched upon the affair of Canada, and, as in a former conversation he had mentioned his opinion, that the giving up of that country to the English, at the last peace, had been a politic act in France, for that it had weakened the ties between England and her Colonies, and that he himself had predicted from it the late revolution, I spoke of the occasions of future quarrel that might be produced by her continuing to hold it, hinting at the same time, but not expressing too plainly, that such a situation, to us so dangerous, would necessarily oblige us to cultivate and strengthen our union with France. He appeared much struck with my discourse, and, as I frequently looked at my paper, he desired to see it. After some little delay, I allowed him to read it; the following is an exact copy.

NOTES FOR CONVERSATION.

“To make a peace durable, what may give occasion for future wars should if practicable be removed.

“The territory of the United States and that of Canada, by long extended frontiers, touch each other.

“The settlers on the frontiers of the American provinces are generally the most disorderly of the people, who, being far removed from the eye and control of their respective governments, are more bold in committing offences against neighbors, and are forever occasioning complaints and furnishing matter for fresh differences between their States.

“By the late debates in Parliament, and public writings, it appears that Britain desires a *reconciliation* with the Americans. It is a sweet word. It means much more than a mere peace, and what is heartily to be wished for. Nations make a peace whenever they are both weary of making war. But if one of them has made war upon the other unjustly, and has wantonly and unnecessarily done it great injuries, and refuses reparation, there may, for the present, be peace, the resentment of those injuries will remain, and will break out again in vengeance when occasions offer. These occasions will be watched for by one side, feared by the other, and the peace will never be secure; nor can any cordiality subsist between them.

“Many houses and villages have been burnt in America by the English and their allies, the Indians. I do not know that the Americans will insist on reparation; perhaps they may. But would it not be better for England to offer it? Nothing would have a greater tendency to conciliate, and much of the future commerce and returning intercourse between the two countries may depend on the reconciliation. Would not the advantage of reconciliation by such means be greater than the expense?

“If then a way can be proposed, which may tend to efface the memory of injuries, at the same time that it takes away the occasions of fresh quarrels and mischief, will it not be worth considering, especially if it can be done, not only without expense, but be a means of saving?

“Britain possesses Canada. Her chief advantage from that possession consists in the trade for peltry. Her expenses in governing and defending that settlement must be considerable. It might be humiliating to her to give it up on the demand of America. Perhaps America will not

demand it; some of her political rulers may consider the fear of such a neighbor, as a means of keeping the thirteen States more united among themselves, and more attentive to military discipline. But on the mind of the people in general, would it not have an excellent effect, if Britain should voluntarily offer to give up this Province; though on these conditions, that she shall in all times coming have and enjoy the right of free trade thither, unincumbered with any duties whatsoever; that so much of the vacant lands there shall be sold, as will raise a sum sufficient to pay for the houses burnt by the British troops, and their Indians; and also to indemnify the royalists for the confiscation of their estates?

“This is mere conversation matter between Mr Oswald and Mr Franklin, as the former is not empowered to make propositions, and the latter cannot make any without the concurrence of his colleagues.”

He then told me, that nothing in his judgment could be clearer, more satisfactory and convincing, than the reasonings in that paper; that he would do his utmost to impress Lord Shelburne with them; that, as his memory might not do them justice, and it would be impossible for him to express them so well, or state them so clearly as I had written them, he begged I would let him take the paper with him, assuring me that he would return it safely into my hands. I at length complied with this request also. We parted exceeding good friends, and he set out for London.

By the first opportunity after his departure, I wrote the following letter to Mr Adams, and sent the papers therein mentioned, that he might fully be apprized of the proceedings. I omitted only the paper of *Notes for Conversation*

with Mr Oswald, but gave the substance, as appears in the letter. The reason of my omitting it was, that, on reflection, I was not pleased with my having hinted a reparation to tories for their forfeited estates, and I was a little ashamed of my weakness in permitting the paper to go out of my hands.

TO JOHN ADAMS.

Passy, April 20th, 1782.

“Sir,

“I hope your Excellency received the copy of our instructions, which I sent by the courier from Versailles, some weeks since. I wrote to you on the 13th, to go by Captain Smedley, and sent a packet of correspondence with Mr Hartley. Smedley did not leave Paris so soon as I expected; but you should have it by this time.

“With this I send a fresh correspondence, which I have been drawn into, viz. 1st, A letter I sent to Lord Shelburne before he was a Minister. 2dly, His answer since he was a Minister, by Mr Oswald. 3dly, A letter from Mr Laurens. 4thly, My letter to M. de Vergennes. 5thly, My answer to Lord Shelburne. 6thly, My answer to Mr Laurens. 7thly, Copy of Digges’s report. These papers will inform you pretty well of what passed between me and Mr Oswald, except that in a conversation at parting, I mentioned to him, that I observed they spoke much in England of obtaining a *reconciliation* with the Colonies; that this was more than a peace; that the latter might possibly be obtained without the former; that the cruel injuries constantly done us by burning our towns, &c. had made deep impressions of resentment that would long remain; that much of the advantage to the commerce of England from a peace would depend on a *reconciliation*;

that the peace without reconciliation would probably not be durable ; that after a quarrel between friends, nothing tended so much to *conciliate*, as offers made by the aggressor of reparation for injuries done by him in his passion. And I hinted, that if England should make us a voluntary offer of Canada, expressly for that purpose, it might have a good effect.

“Mr Oswald liked much the idea, and said they were too much straitened for money to make us pecuniary reparation, but he should endeavor to persuade their doing it this way. He is furnished with a passport to go and return by Calais, and I expect him back in ten or twelve days. I wish you and Mr Laurens could be here when he arrives, for I shall much want your advice, and cannot act without your concurrence. If the present crisis of your affairs prevents your coming, I hope, at least, Mr Laurens will be here, and we must communicate with you by expresses, for your letters to me by post are generally opened. I shall write by the next post, requesting Mr Jay to be here also as soon as possible.

“I received your letter advising of your draft on me for a quarter’s salary, which will be duly honored. With great esteem, I have the honor to be, &c.

B. FRANKLIN.”

Supposing Mr Laurens to be in Holland with Mr Adams, I, at the same time, wrote to him the following letter.

TO HENRY LAURENS.

Passy, April 20th, 1782.

“Sir,

“I received, by Mr Oswald, the letter you did me the honor of writing to me on the 7th instant. He brought me also a letter from Lord Shelburne, which gave him the same good character that you do, adding, ‘He is fully apprized of my mind, and you may give full credit to everything he assures you of.’ Mr Oswald, however, could give me no other particulars of his Lordship’s mind, but that he was sincerely disposed to peace. As the message seemed, therefore, rather intended to procure or receive propositions than to make any, I told Mr Oswald that I could make none but in concurrence with my colleagues in the commission, and that if we were together, we should not treat but in conjunction with France; and I proposed introducing him to M. de Vergennes, which he accepted.

“He made to that Minister the same declaration of the disposition of England to peace, who replied, that France had assuredly the same good disposition; that a treaty might be immediately begun, but it must be for a *general*, not a *particular* peace. That, as to the place, he thought Paris might be the most convenient, as Spain had here already an Ambassador, and the American Commissioners could easily be assembled here; this, upon a supposition of the parties treating directly with each other without the intervention of mediators, but if the mediation was to be used, it might be at Vienna. The King, his master, however, was so truly disposed to peace, that he would agree to any place that the King of England should choose, and would, at the treaty, give proof of the confidence that might be placed in any engagements he should then enter

into, by the fidelity and exactitude with which he should observe those he already had with his present allies.

“Mr Oswald is returned with these general answers by the way of Calais, and expects to be here again in a few days. I wish it might be convenient for you and Mr Adams to be here at the same time; but if the present critical situation of affairs there, makes his being in Holland necessary just now, I hope you may, nevertheless, be here, bringing with you his opinion and advice. I have proposed to Lord Shelburne, to discharge you from the obligations you entered into at the time of your enlargement, that you may act more freely in the treaty he desires.

“I had done myself the honor of writing to you a few days before the arrival of Mr Oswald. My letter went by Mr Young, your Secretary, and enclosed a copy of your commission, with an offer of money if you had occasion for any. Hoping that you will not return to England before you have been at Paris, I forbear enlarging on the state of our affairs here and in Spain. M. de Vergennes told me he should be very glad to see you here. I found Mr Oswald to answer perfectly the character you gave me of him, and was much pleased with him. I have the honor to be, &c. &c.

B. FRANKLIN.”

Just after I had despatched these letters, I received the following from Mr Adams.

JOHN ADAMS TO B. FRANKLIN.

Amsterdam, April 16th, 1782.

“Sir,

“Yesterday noon, Mr William Vaughan, of London, came to my house with Mr Laurens, the son of the President,

and brought me a line from the latter, and told me the President was at Haerlem, and desired to see me. I went to Haerlem and found my old friend at the Golden Lion. He told me he was come partly for his health and the pleasure of seeing me, and partly to converse with me, and see if he had at present just ideas and views of things, at least to see if we agreed in sentiment, having been desired by several of the new Ministry to do so. I asked him if he was at liberty? He said no, that he was still under parole, but at liberty to say what he pleased to me. I told him that I could not communicate to him, being a prisoner, even his own instructions, nor enter into any consultation with him as one of our colleagues in the commission for peace; that all I should say to him would be as one private citizen conversing with another; but that upon all such occasions, I should reserve a right to communicate whatever should pass to our colleagues and allies.

“He said that Lord Shelburne, and others of the new Ministers, were anxious to know whether there was any authority to treat of a separate peace, and whether there could be an accommodation upon any terms short of independence; that he had ever answered them that nothing short of an express or tacit acknowledgment of our independence, in his opinion, would ever be accepted, and that no treaty ever would, or could be made separate from France. He asked me, if his answers had been right? I told him that I was fully of that opinion. He said that the new Ministers had received Digges’s report, but his character was such, that they did not choose to depend upon it; that a person by the name of Oswald, I think, set off for Paris to see you, about the same time he came away to see me.

“I desired him, between him and me, to consider, without saying anything of it to the Ministry, whether we could ever have a real peace, with Canada or Nova Scotia in the hands of the English? And whether we ought not to insist, at least, upon a stipulation, that they should keep no standing army, or regular troops, nor erect any fortifications upon the frontiers of either? That, at present, I saw no motive that we had to be anxious for a peace, and if the nation was not ripe for it upon proper terms, we might wait patiently till they should be so.

“I found the old gentleman perfectly sound in his system of politics. He has a very poor opinion, both of the integrity and abilities of the new Ministry, as well as the old. He thinks they know not what they are about; that they are spoiled by the same insincerity, duplicity, falsehood, and corruption, with the former. Lord Shelburne still flatters the King with ideas of conciliation and a separate peace, &c. yet the nation, and the best men in it, are for universal peace and an express acknowledgment of American independence, and many of the best are for giving up Canada and Nova Scotia. His design seemed to be solely to know how far Digges’s report was true. After an hour or two of conversation, I returned to Amsterdam, and left him to return to London.

“These are all but artifices to raise the stocks, and if you think of any method to put a stop to them, I will cheerfully concur with you. They now know sufficiently, that our commission is to treat of a general peace, and with persons vested with equal powers; and if you agree to it, I will, never to see another messenger that is not a Plenipotentiary.

“It is expected that the seventh Province, Guelderland,

will this day acknowledge American Independence. I think we are in such a situation now, that we ought not, upon any consideration, to think of a truce, or anything short of an express acknowledgment of the sovereignty of the United States. I should be glad, however, to know your sentiments upon this point. I have the honor to be, &c.

JOHN ADAMS.

To the above, I immediately wrote the following answer.

TO JOHN ADAMS.

Passy, April 21st, 1782.

“Sir,

“I have just received the honor of yours, dated the 16th instant, acquainting me with the interview between your Excellency and Mr Laurens. I am glad to learn, that his political sentiments coincide with ours, and that there is a disposition in England to give us up Canada and Nova Scotia.

“I like your idea of seeing no more messengers, that are not Plenipotentiaries; but I cannot refuse seeing again Mr Oswald, as the Minister here considered the letter to me from Lord Shelburne as a kind of authentication given that messenger, and expects his return with some explicit propositions. I shall keep you advised of whatever passes.

“The late act of Parliament, for exchanging American prisoners *as prisoners of war*, according to the law of nations, *anything in their commitments notwithstanding*, seems to me a renunciation of their pretensions to try our people as subjects guilty of high treason, and to be a kind of tacit acknowledgment of our independency. Having taken this step, it will be less difficult for them to acknowl-

edge it expressly. They are now preparing transports to send the prisoners home. I yesterday sent the passports desired of me.

“Sir George Grand shows me a letter from Mr Fizeaux, in which he says, that if advantage is taken of the present enthusiasm in favor of America, a loan might be obtained in Holland, of five or six millions of florins, for America, and if their house is empowered to open it, he has no doubt of success; but that no time is to be lost. I earnestly recommend this matter to you, as extremely necessary to the operations of our financier, Mr Morris, who, not knowing that the greatest part of the last five millions had been consumed by purchase of goods, &c. in Europe, writes me advice of large drafts, that he shall be obliged to make upon me this summer.

“This Court has granted us six millions of livres for the current year; but it will fall vastly short of our occasions, there being large orders to fulfil, and near two millions and a half to pay M. Beaumarchais, besides the interest, bills, &c. The house of Fizeaux and Grand is now appointed banker for France, by a special commission from the King, and will, on that, as well as other accounts be, in my opinion, the fittest for this operation. Your Excellency being on the spot can better judge of the terms, &c. and manage with that house the whole business, in which I should be glad to have no other concern than that of receiving assistance from it, when pressed by the dreaded drafts. With great respect, I am, Sir, &c.

B. FRANKLIN.”

In reply to this, Mr Adams wrote to me as follows.

JOHN ADAMS TO B. FRANKLIN.

Amsterdam, May 2d, 1782.

"Sir,

"I am honored with your favor of the 20th of April, and Mr Laurens's son proposes to carry the letter to his father forthwith. The instructions by the courier from Versailles came safe, as all other despatches by that channel no doubt will do. The correspondence with Mr Hartley I received by Captain Smedley, and will take the first good opportunity by a private hand to return it, as well as that with the Earl of Shelburne.

"Mr Laurens and Mr Jay will, I hope, be able to meet at Paris, but when it will be in my power to go, I know not. Your present negotiation about peace falls in very well to aid a proposition, which I am instructed to make, as soon as the Court of Versailles shall judge proper, of a triple or quadruple alliance. This matter, the treaty of commerce, which is now under deliberation, and the loan, will render it improper for me to quit this station, unless in case of necessity. If there is a real disposition to permit Canada to accede to the American association, I should think there would be no great difficulty in adjusting all things between England and America, provided our allies are contented too. In a former letter, I hinted that I thought an express acknowledgment of our independence might now be insisted on, but I did not mean that we should insist upon such an article in the treaty. If they make a treaty of peace with the United States of America, this is acknowledgment enough for me.

"The affair of a loan gives me much anxiety and fatigue. It is true I may open a loan for five millions, but I confess

I have no hopes of obtaining so much ; the money is not to be had. Cash is not infinite in this country. Their profits by trade have been ruined for two or three years, and there are loans open for France, Spain, England, Russia, Sweden, Denmark, and several other powers, as well as their own national, provincial, and collegiate loans. The undertakers are already loaded with burthens greater than they can bear, and all the brokers in the republic are so engaged, that there is scarcely a ducat to be lent but what is promised.

“This is the true cause why we should not succeed, yet they will seek an hundred other pretences. It is considered such an honor, and such an introduction to American trade to be the house, that the eagerness to obtain the title of American banker is prodigious. Various houses have pretensions, which they set up very high, and let me choose which I will, I am sure of a cry and a clamor. I have taken some measures to endeavor to calm the heat, and give a general satisfaction, but have as yet small hopes of success. I would strike with any house, that would insure the money, but none will undertake it now it is offered, although several were very ready to affirm that they could, when it began to be talked of. Upon inquiry, they do not find the money easy to obtain, which I could have told them before. It is to me, personally, perfectly indifferent which is the house, and the only question is, which will be able to do best for the interest of the United States. This question, however simple, is not easy to answer. But I think it clear, after very painful and laborious inquiry for a year and a half, that no house whatever will be able to do much. Enthusiasm at some times, and in some countries, may do a great deal, but there has, as yet, been no en-

tausiasm in this country for America strong enough to untie many purses. Another year, if the war continues, perhaps we may do better. I have the honor to be, &c.

JOHN ADAMS."

During Mr Oswald's absence, I received the following from Mr Laurens.

HENRY LAURENS TO B. FRANKLIN.

London, April 20th, 1782.

"Sir,

"I wrote to you on the 7th instant, by Mr Oswald, since which, that is to say, on the 28th, I was honored by the receipt of your letter of the 12th, enclosing a copy of the commission for treating for peace, by the hands of Mr Young. The recognizance exacted from me by the late Ministry, has been vacated and done away by the present; these have been pleased to enlarge me without formal conditions, but, as I would not consent that the United States of America should be outdone in generosity, however late the marks appeared on this side, I took upon me to assure Lord Shelburne, in a letter of acknowledgment for the part, which his Lordship had taken for obtaining my release, that Congress would not fail to make a just and adequate return. The only return in my view, is Lieutenant General Lord Cornwallis. Congress were pleased sometime ago, to offer a British Lieutenant General for my ransom, and as I am informed, a special exchange of Lord Cornwallis for the same subject was lately in contemplation, it would afford me very great satisfaction to know, that you will join me in cancelling the debt of honor, which we have impliedly incurred, by discharging his Lordship from the obligations of his parole.

“For my own part, though not a bold adventurer, I think I shall not commit myself to the risk of censure, by acting conjunctly with you in such a bargain. I entreat you, Sir, at least, to reflect on this matter ; I shall take the liberty of requesting your determination when I reach the continent, which will probably happen in a few days.

“Lord Cornwallis, in a late conversation with me, put the following case. ‘Suppose,’ said his Lordship, ‘it shall have been agreed, in America, that Lord Cornwallis should be offered in exchange for Mr Laurens, don’t you think, although you are now discharged, I ought to reap the intended benefit?’ A reply from the feelings of the heart, as I love fair play, was prompt ; ‘Undoubtedly, my Lord, you ought to be, and shall be, in such case, discharged, and I will venture to take the burthen upon myself.’ Certain legal forms, I apprehend, rendered the discharge of me, without condition, unavoidable ; but I had previously refused to accept of myself for nothing, and what I now aim at was understood as an adequate return ; it is not to be doubted, his Lordship’s question was built on this ground.

—“I had uniformly and explicitly declared to the people here, people in the first rank of importance, that nothing short of independence in terms of our treaty of alliance, would induce America to treat for truce or peace, and that no treaty could be had without the consent of our ally first obtained ; in a word, if you mean to have peace, you must seek for a general peace. The doctrine was ill relished, especially by those whose power only could set the machine in motion ; but having, since my return from Haerlem, asserted in very positive terms, that I was confirmed in my former opinions, the late obduracy has been more than a little softened, as you will soon learn from the worthy friend,

by whom I addressed you on the 7th, who two days ago set out on his return to Passy and Versailles, with, I believe, a more permanent commission than the former.

“Accept my thanks, Sir, for the kind offer of a supply of money. I know too well how much you have been harassed for that article, and too well, how low our American finances in Europe are; therefore, if I can possibly avoid it, I will not further trouble you, nor impoverish them, or not till the last extremity. Hitherto I have supported myself without borrowing from anybody, and I am determined to continue living upon my own stock while it lasts; the stock is indeed small; my expenses have been and shall be in a suitable modest style. I pray God to bless you. I have the honor to be, &c.

HENRY LAURENS.”

P. S. “I judged it proper not only to show the peace commission to Lord Shelburne, but to give his Lordship a copy of it, from an opinion that it would work no evil, being shown elsewhere.”

On the 4th of May, Mr Oswald returned, and brought me the following letter from Lord Shelburne.

LORD SHELBURNE TO B. FRANKLIN.

Shelburne House, April 20th, 1782.

“Dear Sir,

“I have received much satisfaction in being assured by you, that the qualifications of wisdom and integrity, which induced me to make choice of Mr Oswald, as the fittest instrument for the renewal of our friendly intercourse, have also recommended him so effectually to your approbation and esteem. I most heartily wish the influence of this first communication of our mutual sentiments may be extended to a happy conclusion of all our public differences.

“The candor with which the Count de Vergennes expresses His Most Christian Majesty’s sentiments and wishes, on the subject of a speedy pacification, is a pleasing omen of its accomplishment. His Majesty is not less decided in the same sentiments and wishes, and it confirms his Majesty’s Ministers in their intention to act in like manner, as most consonant to the true dignity of a great nation. In consequence of these reciprocal advances, Mr Oswald is sent back to Paris, for the purpose of arranging and settling with you the preliminaries of time and place. And I have the pleasure to tell you, that Mr Laurens is already discharged from those engagements, which he entered into when he was admitted to bail.

“It is also determined, that Mr Fox, from whose department that communication is necessarily to proceed, shall send a proper person, who may confer and settle immediately with the Count de Vergennes the further measures and proceedings, which may be judged proper to adopt toward advancing the prosecution of this important business.

“In the mean time, Mr Oswald is instructed to communicate to you my thoughts upon the principal objects to be settled. Transports are actually preparing for the purpose of conveying your prisoners to America, to be there exchanged, and we trust, that you will learn, that due attention has not been wanting to their accommodation and good treatment.

“I have the honor to be, with very sincere respect, dear Sir, your very faithful and obedient humble servant,

SHELBURNE.”

Having read the letter, I mentioned to Mr Oswald the part, which refers me to him for his Lordship’s sentiments.

He acquainted me, that they were very sincerely disposed to peace; that the whole Ministry concurred in the same disposition; that a good deal of confidence was placed in my character for open, honest dealing; that it was also generally believed, I had still remaining some part of my ancient affection and regard for Old England, and it was hoped it might appear on this occasion. He then showed me an extract from the Ministers of Council, but did not leave the paper with me. As well as I can remember, it was to this purpose.

“At a Cabinet Council, held April 27th, 1782, Present, Lord Rockingham, Lord Chancellor, Lord President, Lord Camden, &c. &c. to the number of fifteen or twenty, being all Ministers, and great officers of State,

“It was proposed to represent to his Majesty, that it would be well for Mr Oswald to return to Doctor Franklin and acquaint him, that it is agreed to treat for a general peace, and at Paris; and that the principal points in contemplation are, the allowing of American Independence, on condition that England be put into the same situation, that she was left in by the peace of 1763.”

Mr Oswald also informed me, that he had conversed with Lord Shelburne on the subject of my paper of *Notes*, relating to reconciliation. That he had shown him the paper, and had been prevailed on to leave it with him a night, but it was on his Lordship's solemn promise of returning it, which had been complied with, and he now returned it to me. That it seemed to have made an impression, and he had reason to believe that matter might be settled to our satisfaction towards the end of the treaty; but in his own mind he wished it might not be mentioned at the beginning. That his Lordship indeed said, he had not

imagined reparation would be expected, and he wondered I should not know whether it was intended to demand it. Finally, Mr Oswald acquainted me, that as the business now likely to be brought forward more particularly appertained to the department of the other Secretary, Mr Fox, he was directed to announce another agent coming from that department, who might be expected every day, viz. the honorable Mr Grenville, brother to Lord Temple, and son of the famous Mr George Grenville, formerly Chancellor of the Exchequer. I immediately wrote the following note to the Count de Vergennes.

TO THE COUNT DE VERGENNES.

Passy, May 4th, 1782.

“Sir,

“I have the honor to acquaint your Excellency, that Mr Oswald is just returned from London, and is now with me. He has delivered me a letter from Lord Shelburne, which I enclose for your perusal, together with a copy of my letter, to which it is an answer. He tells me, that it has been agreed in Council to treat at Paris, and to treat of a *general peace*; and that, as it is more particularly in the department of Mr Fox to regulate the circumstantial, a gentleman, Mr Grenville, to be sent by him for that purpose, may be daily expected here. Mr Oswald will wait on your Excellency whenever you shall think fit to receive him. I am, with respect, &c.

B. FRANKLIN.”

And the next day I received the following answer.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versaillés, May 5th, 1782.

“Sir,

“I have received the letter, which you did me the honor to write to me the 4th instant, as also those which accompanied it. I will see you with your friend, with pleasure, at eleven o’clock tomorrow morning. I have the honor to be, &c.

DE VERGENNES.”

Accordingly, on Monday morning I went with Mr Oswald to Versailles, and we saw the Minister. Mr Oswald acquainted him with the disposition of his Court to treat for a general peace, and at Paris; and he announced Mr Grenville, who he said was to set out about the same time with him, but as he would probably come by way of Ostend, might be a few days longer on the road. Some general conversation passed, agreeable enough, but not of importance.

In our return, Mr Oswald repeated to me his opinion, that the affair of Canada would be settled to our satisfaction, and his wish that it might not be mentioned, till towards the end of the treaty. He intimated too, that it was apprehended, the greatest obstructions in the treaty might come from the part of Spain; but said, if she was unreasonable, there were means to bring her to reason. That Russia was a friend to England, had lately made great discoveries on the back of North America, could make establishments there, and might easily transport an army from Kamsekatka to the Coast of Mexico, and conquer all those countries. This appeared a little visionary at present, but I did not dispute it.

On the whole, I was able to draw so little from Mr Oswald of the sentiments of Lord Shelburne, who had mentioned him as intrusted with the communication of them, that I could not but wonder at his being sent again to me, especially as Mr Grenville was so soon to follow.

On Tuesday I was at Court, as usual on that day. M. de Vergennes asked me if Mr Oswald had not opened himself further to me? I acquainted him with the sight I had had of the minute of Council, and of the loose expressions contained in it, of what was in contemplation. He seemed to think it odd, that he had brought nothing more explicit. I supposed Mr Grenville might be better furnished. The next morning I wrote the following letter to Mr Adams.

TO JOHN ADAMS.

Passy, May 8th, 1782.

“Sir,

“Mr Oswald, whom I mentioned in a former letter, which I find you have received, is returned, and brought me another letter from Lord Shelburne, of which the above is a copy. It says Mr Oswald is instructed to communicate to me his Lordship’s thoughts. He is, however, very sparing of such communication. All I have got from him is, that the Ministry have in contemplation the allowing independence to America, on condition of Britain being put again into the state she was left in by the peace of 1763, which I suppose means being put again in the possession of the islands, which France has taken from her. This seems to me a proposition of selling to us a thing, that was already our own, and making France pay the price they are pleased to ask for it.

“Mr Grenville, who is sent by Mr Fox, is expected here daily. Mr Oswald tells me, that Mr Laurens will soon be here also. Yours of the 2d instant is just come to hand. I shall write to you on this affair hereafter, by the Court couriers, for I am certain, that your letters to me are opened at the Post Office, either here or in Holland, and I suppose that mine to you are treated in the same manner. I enclose the cover of your last, that you may see the seal. With great respect, I am, Sir, &c.

B. FRANKLIN.”

I had but just sent away this letter, when Mr Oswald came in, bringing with him Mr Grenville, who was just arrived. He gave me the following letter from Mr Secretary Fox.

CHARLES J. FOX TO B. FRANKLIN.

St James's, May 1st, 1782.

“Sir,

“Though Mr Oswald will, no doubt, have informed you of the nature of Mr Grenville's commission, yet I cannot refrain from making use of the opportunity that his going offers me, to assure you of the esteem and respect, which I have borne to your character, and to beg you to believe, that no change in my situation has made any in those ardent wishes for reconciliation, which I have invariably felt from the very beginning of this unhappy contest.

“Mr Grenville is fully acquainted with my sentiments upon this subject, and with the sanguine hopes, which I have conceived, that those with whom we are contending are too reasonable to continue a contest, which has no longer any object, either real or even imaginary. I know your liberality of mind too well to be afraid, lest any prejudices against Mr Grenville's *name* may prevent you from es-

teeming those excellent qualities of heart and head, which belong to him, or from giving the fullest credit to the sincerity of his wishes for peace, in which no man in either country goes beyond him. I am, with great truth and regard, &c.

C. J. FOX.”

I imagined the gentlemen had been at Versailles, as I supposed Mr Grenville would first have waited on M. de Vergennes before he called on me. But finding, in conversation, that he had not, and that he expected me to introduce him, I immediately wrote to that Minister, acquainting him, that Mr Grenville was arrived, and desired to know when his Excellency would think fit to receive him, and I sent an express with my letter.

I then entered into conversation with him on the subject of his mission, Mr Fox having referred me to him, as being fully acquainted with his sentiments. He said that peace was really wished for by everybody, if it could be obtained on reasonable terms; and as the idea of subjugating America was given up, and both France and America had thereby obtained what they had in view originally, it was hoped, that there now remained no obstacle to a pacification. That England was willing to treat of a general peace with all the powers at war against her, and that the treaty should be at Paris.

I did not press him much for further particulars, supposing they were reserved for our interview with M. de Vergennes. The gentlemen did me the honor of staying to dinner with me, on the supposition, which I urged, that my express might be back before we parted. This gave me an opportunity of a good deal of general conversation with Mr Grenville, who appeared to me a sensible, judi-

cious, intelligent, good tempered, and well instructed young man, answering well the character Mr Fox had given me of him.

They left me, however, about six o'clock, and my messenger did not return till near nine. He brought me the answer of the Count de Vergennes, that he was glad to hear of Mr Grenville's arrival, and would be ready to receive us tomorrow, at half past ten or eleven o'clock. I immediately enclosed his note in one to Mr Grenville, requesting him to be with me at Passy by eight, that we might have time to breakfast before we set out. I have preserved no copy of these three last mentioned notes, or I should have inserted them, as I think that though they seem of almost too trifling a nature, they serve usefully sometimes to settle dates, authenticate facts, and show something of the turn and manner of thinking of the writers on particular occasions. The answer I received was as follows.

“Mr Grenville presents his compliments to Mr Franklin, and will certainly do himself the honor of waiting upon Mr Franklin tomorrow morning at eight o'clock.”

“Rue de Richelieu, Wednesday night.”

We set out accordingly the next morning in my coach, and arrived punctually at Count de Vergennes', who received Mr Grenville in the most cordial manner, on account of the acquaintance and friendship that had formerly subsisted between his uncle and the Count de Vergennes, when they were ambassadors together at Constantinople.

After some little agreeable conversation, Mr Grenville presented his letters from Mr Secretary Fox, and, I think, from the Duke of Richmond. When these were read, the

subject of peace was entered upon. What my memory retains of the discourse amounts to little more than this, that after mutual declarations of the good dispositions of the two Courts, Mr Grenville having intimated that in case England gave America independence, France, it was expected, would restore the conquests she had made of British islands, receiving back those of Miquelon and St Pierre. And the original object of the war being obtained, it was supposed that France would be contented with that. The Minister seemed to smile at the proposed exchange, and remarked, the offer of giving independence to America amounted to little. "America," said he, "does not ask it of you; there is Mr Franklin, he will answer you as to that point." "To be sure," I said, "we do not consider ourselves as under any necessity of bargaining for a thing that is our own, which we have bought at the expense of much blood and treasure, and which we are in possession of." "As to our being satisfied with the original object of the war," continued he, "look back to the conduct of your nation in former wars. In the last war, for example, what was the object? It was the disputed right to some waste lands on the Ohio and the frontiers of Nova Scotia. Did you content yourselves with the recovery of those lands? No, you retained at the peace all Canada, all Louisiana, all Florida, Grenada, and other West India islands, the greatest part of the Northern Fisheries, with all your conquests in Africa and the East Indies." Something being mentioned of its not being reasonable that a nation, after making an unprovoked and unsuccessful war upon its neighbors, should expect to sit down whole, and have everything restored, which she had lost in such a war, I think Mr Grenville remarked, the war had been provoked

by the encouragement given by France to the Americans to revolt. On which the Count de Vergennes grew a little warm, and declared firmly, that the breach was made, and our independence declared, long before we received the least encouragement from France; and he defied the world to give the smallest proof of the contrary. "There sits," said he, "Mr Franklin, who knows the fact, and can contradict me if I do not speak the truth."

He repeated to Mr Grenville, what he had before said to Mr Oswald, respecting the King's intention of treating fairly and keeping faithfully the conventions he should enter into, of which disposition he should give at the treaty convincing proofs by the fidelity and exactitude, with which he should observe his engagements with his present allies, and added, that the points which the King had chiefly in view were *justice* and *dignity*; these he could not depart from. He acquainted Mr Grenville, that he should immediately write to Spain and Holland, communicate to those Courts what had passed, and request their answers; that, in the meantime, he hoped Mr Grenville would find means of amusing himself agreeably, to which he should be glad to contribute; that he would communicate what had passed to the King, and he invited him to come again the next day.

On our return, Mr Grenville expressed himself as not quite satisfied with some part of the Count de Vergennes' discourse, and was thoughtful. He told me that he had brought two State messengers with him, and perhaps, after he had had another interview with the Minister, he might despatch one of them to London. I then requested leave to answer, by that opportunity, the letters I had received from Lord Shelburne and Mr Fox, and he kindly prom-

ised to acquaint me in time of the messenger's departure. He did not ask me to go with him the next day to Versailles, and I did not offer it.

The coming and going of these gentlemen were observed, and made much talk at Paris, and the Marquis de Lafayette having learned something of their business from the Minister, discoursed with me about it. Agreeably to the resolutions of Congress, directing me to confer with him, and take his assistance in our affairs, I communicated to him what had passed. He told me that during the treaty at Paris for the last peace, the Duc de Nivernois had been sent to reside in London, that this Court might, through him, state what was from time to time transacted in the light they thought best, to prevent misrepresentations and misunderstandings. That such an employ would be extremely agreeable to him on many accounts; that as he was now an American citizen, spoke both languages, and was well acquainted with our interests, he believed he might be useful in it; and that as peace was likely from appearances to take place, his return to America was perhaps not so immediately necessary. I liked the idea, and encouraged his proposing it to the Ministry. He then wished I would make him acquainted with Messrs Oswald and Grenville, and for that end proposed meeting them at breakfast with me, which I promised to contrive if I could, and endeavor to engage them for Saturday.

Friday morning, the 10th of May, I went to Paris, and visited Mr Oswald. I found him in the same friendly dispositions, and very desirous of good, and seeing an end put to this ruinous war. But I got no further sight as to the sentiment of Lord Shelburne respecting the terms. I told him the Marquis de Lafayette would breakfast with me

tomorrow, and as he, Mr Oswald, might have some curiosity to see a person who had in this war rendered himself so remarkable, I proposed his doing me the same honor. He agreed to it cheerfully. I came home intending to write to Mr Grenville, who I supposed might stay and dine at Versailles, and therefore did not call on him. But he was returned, and I found the following note from him.

Paris, May 10th.

“Mr Grenville presents his compliments to Mr Franklin; he proposes sending a courier to England at ten o'clock tonight, and will give him in charge any letters Mr Franklin may wish to send by him.”

I sat down immediately, and wrote the two short letters following to the Secretaries of State.

TO MR SECRETARY FOX.

Passy, May 10th, 1782.

“Sir,

“I received the letter you did me the honor of writing to me by Mr Grenville, whom I find to be a sensible, judicious, and amiable gentleman. The name, I assure you, does not with me lessen the regard his excellent qualities inspire. I introduced him as soon as possible to Count de Vergennes; he will himself give you an account of his reception. I hope his coming may forward the blessed work of pacification, in which, for the sake of humanity, no time should be lost, no reasonable cause as you observe existing at present for the continuance of this abominable war. Be assured of my endeavors to put an end to it.

“I am much flattered by the good opinion of a person I have long highly esteemed, and I hope it will not be

lessened by my conduct in the affair, that has given rise to our correspondence. With great respect, I have the honor to be, &c.

B. FRANKLIN."

TO LORD SHELBURNE.

Passy, May 10th, 1782.

"My Lord,

"I have received the honor of your Lordship's letter, dated the 28th past, by Mr Oswald, informing me that he is sent back to settle with me the preliminaries of time and place. Paris, as the place, seemed to me yesterday to be agreed on, between Mr Grenville and M. de Vergennes, and is perfectly agreeable to me. The time cannot well be settled till this Court has received answers from Madrid, and the Hague, and until my colleagues are arrived. I expect daily Messrs Jay and Laurens. Mr Adams doubts whether he can be here, but that will not hinder our proceeding.

"It gave me great pleasure to hear Mr Laurens is discharged entirely from the obligations he had entered into. I am much obliged by the readiness with which your Lordship has conferred that favor. Please to accept my thankful acknowledgments.

"I am happy too, in understanding from your letter, that transports are actually preparing to convey our prisoners to America, and that attention will be paid to their accommodation and good treatment. Those people on their return will be dispersed through every part of America, and the accounts they will have to give of any marks of kindness received by them under the present Ministry, will lessen much the resentment of their friends against the nation, for the hardships they suffered under the *past*.

“Mr Oswald rests here awhile by my advice, as I think his presence likely to be useful. With great, and sincere respect, I have the honor to be, &c.

B. FRANKLIN.”

And I sent them to Mr Grenville with the following note.

“Mr Franklin presents his compliments to Mr Grenville, and thanks him for the information of his courier’s departure, and his kind offer of forwarding Mr Franklin’s letter; he accepts the favor and encloses two.

“The Marquis de Lafayette and Mr Oswald will do Mr Franklin the honor of breakfasting with him tomorrow, between nine and ten o’clock. Mr Franklin will also be happy to have the company of Mr Grenville if agreeable to him. He should have waited upon Mr Grenville today at Paris, but he imagined Mr Grenville was at Versailles.

“Passy. Friday evening, May 10th.”

To which Mr Grenville sent me this answer.

“Mr Grenville presents his compliments to Mr Franklin, and will, with great pleasure, do himself the honor of breakfasting with Mr Franklin tomorrow between nine and ten o’clock. Mr Grenville was at Versailles today, and should have been sorry if Mr Franklin should have given himself the trouble of calling at Paris this morning. The courier shall certainly take particular care of Mr Franklin’s letters.

“Paris. Friday, May 10th.”

The gentlemen all met accordingly, had a good deal of conversation at, and after breakfast, staid till after one o’clock, and parted much pleased with each other.

The Monday following, I called to visit Mr Grenville. I found with him Mr Oswald, who told me he was just about returning to London. I was a little surprised at the suddenness of the resolution he had taken, it being, as he said, to set out the next morning early. I conceived the gentleman was engaged in business, so I withdrew, and went to write a few letters, among which was the following to Lord Shelburne, being really concerned at the thought of losing so good a man as Mr Oswald.

TO LORD SHELBURNE.

Passy, May 13th, 1782.

“My Lord,

“I did myself the honor of writing to your Lordship a few days since, by Mr Grenville’s courier, acknowledging the receipt of yours of the 28th past, by Mr Oswald.

“I then hoped that gentleman would have remained here some time, but his affairs, it seems, recall him sooner than he imagined. I hope he will return again, as I esteem him more, the more I am acquainted with him, and believe his moderation, prudent counsels, and sound judgment may contribute much, not only to the speedy conclusion of a peace, but to the framing such a peace as may be firm and lasting. With great respect, &c.

B. FRANKLIN.”

I went in the evening to Mr Oswald’s lodging with my letters, when he informed me his intention was to return immediately hither from England, and, to make the more despatch in going and returning, he should leave his carriage at Calais, as the embarking and debarking of carriages in the packet boats often occasioned a tide’s delay. I did not inquire the reason of this movement. We had but

little conversation, for Mr Grenville coming in, I soon after wished him a good journey and retired, that I might not interrupt their consultations.

Since his departure, Mr Grenville has made me a visit; and entering into conversation with me, exactly of the same tenor with the letters I formerly received from Mr Hartley, stating suppositions that France might insist on points totally different from what had been the object of our alliance, and that, in such case, he should imagine we were not at all bound to continue the war to obtain such points for her, &c. I thought I could not give him a better answer to this kind of discourse, than what I had given in two letters to Mr Hartley, and, therefore, calling for those letters, I read them to him. He smiled, and would have turned the conversation; but I gave a little more of my sentiments on the general subject of benefits, obligation, and gratitude. I said I thought people had often imperfect notions of their duty on those points, and that a state of obligation was to many so uneasy a state, that they became ingenious in finding out reasons and arguments to prove that they had been laid under no obligation at all, or that they had discharged it, and they too easily satisfied themselves with such arguments.

To explain clearly my ideas on the subject, I stated a case. A, a stranger to B, sees him about to be imprisoned for a debt by a merciless creditor, he lends him the sum necessary to preserve his liberty. B then becomes the debtor of A, and, after some time, repays the money. Has he then discharged the obligation? No. He has discharged the money debt, but the obligation remains, and he is a debtor for the kindness of A, in lending him

the sum so seasonably. If B should afterwards find A in the same circumstances, that he, B, had been in when A lent him the money, he may then discharge this obligation or debt of kindness *in part*, by lending him an equal sum. *In part*, I said, and not *wholly*, because, when A lent B the money, there had been no prior benefit received to induce him to it. And, therefore, if A should a second time need the same assistance, I thought B, if in his power, was in duty bound to afford it to him.

Mr Grenville conceived that it was carrying gratitude very far, to apply this doctrine to our situation in respect to France, who was really the party served and obliged by our separation from England, as it lessened the power of her rival and relatively increased her own.

I told him I was so strongly impressed with the kind assistance afforded us by France in our distress, and the generous and noble manner in which it was granted without exacting or stipulating for a single privilege, or particular advantage to herself in our commerce, or otherwise, that I could never suffer myself to think of such reasonings for lessening the obligation, and I hoped, and indeed, did not doubt but my countrymen were all of the same sentiments.

Thus he gained nothing of the point he came to push; we parted, however, in good humor. His conversation is always polite, and his manner pleasing. As he expressed a strong desire to discourse with me on the means of a reconciliation with America, I promised to consider the subject, and appointed Saturday the first day of June, for our conversation, when he proposed to call on me. The same day I received another letter from my old friend, Mr Hartley. Our former correspondence on the subject of

peace since the beginning of this year, I have kept by itself, as it preceded this, was in the time of the old Ministry, and consisted wholly of letters unmixed with personal conversation. This being the first letter from him under the new Ministry, and as it may be followed by others, which may relate to the negotiation, I insert it here, with my answer, and shall continue to insert the future letters I may receive from him relative to the same subject.

DAVID HARTLEY TO E. FRANKLIN.

London, May 3d, 1782.

“My Dear Friend,

“I write to you only one line, just to inform you, that a general order is issued by our government for the release of all the American prisoners everywhere. I have had this from Lord Shelburne, who informed me, that the order was not partial or conditional, but general and absolute. I heartily congratulate you upon this first step towards *sweet reconciliation*. I hope other things will follow. I had a long conversation with Lord Shelburne relating to America, in which he expressed himself in most favorable terms. I shall have the honor of seeing and conversing with you again. But at present, as you know, certain matters are depending from your side of the water.

“Mr Laurens is entirely at liberty. I see him very frequently, and when you see him he will tell you many things from me, which have occurred to me in my poor endeavors to promote the cause of peace. *Da pacem, Domine, in diebus nostris.* Your affectionate, &c.

DAVID HARTLEY.”

TO DAVID HARTLEY.

Passy, May 13th, 1782.

"My Dear Friend,

"I have just received your favor of the 3d instant. I thank you much for the good news you give me, that 'an order is issued by your government for the release of all the American prisoners *everywhere*, an order not *partial* or *conditional*, but *general* and *absolute*.' I rejoice with you in this step, not only on account of the unhappy captives, who by it will be set at liberty and restored to their friends and families, but as I think it will tend greatly towards a reconciliation, on which alone the hope of a durable peace can be founded. I am much indebted to your good brother for a very kind and obliging letter, which was mislaid when it should have been answered. I beg you would present to him my thankful acknowledgments and my very sincere respects. I join with you most heartily in the prayer that ends your letter, *Da pacem, Domine, in diebus nostris*. I am ever, my friend, yours most affectionately,

B. FRANKLIN."

Our business standing still at present, till the return of Mr Oswald, gives me a void, that I may fill up with two or three circumstances, not at present connected with this intended treaty, but which serve to show something of the disposition of Courts who have, or may have a concern in it.

Mr Jay had written to me, from time to time, of the unaccountable delays he had met with since his residence at the Court of Spain, and that he was now no nearer in the business he had been charged with, than when he first

arrived. Upon the first coming of Mr Oswald, and the apparent prospect of a treaty, I wrote to press his coming hither, and, being a little out of humor with that Court, I said, they have taken four years to consider whether they should treat with us, give them forty, and let us mind our own business; and I sent the letter under cover to a person at Madrid, who I hoped would open and read it.

It seems to me, that we have in most instances, hurt our credit and importance, by sending all over Europe, begging alliances, and soliciting declarations of our independence. The nations, perhaps, from thence seemed to think, that our independence is something they have to sell, and that we do not offer enough for it. Mr Adams has succeeded in Holland, owing to their war with England, and a good deal to the late votes in the Commons towards a reconciliation, but the Ministers of the other powers refused, as I hear, to return his visits, because our independence was not yet acknowledged by their Courts. I had heard here, by good luck, that the same resolution was taken by several of them not to return the visits I should make them (as they supposed) when I was first received here as Minister Plenipotentiary, and disappointed their project by visiting none of them. In my private opinion, the first civility is due from the old resident to the stranger and new comer. My opinion indeed is good for nothing against custom, which I should have obeyed, but for the circumstances, that rendered it more prudent to avoid disputes and affronts, though at the hazard of being thought rude or singular.

While I am writing, something ridiculous enough on this head has happened to me. The Count du Nord, who

is son of the Empress of Russia, arriving at Paris, ordered, it seems, cards of visit to be sent to all the Foreign Ministers. One of them, on which was written, "*Le Comte du Nord et le Prince Bariatinski,*" was brought to me. It was on Monday evening last. Being at Court the next day, I inquired of an old Minister, my friend, what was the etiquette, and whether the Count received visits. The answer was, *Non ; on se fait ecrire ; voila tout.* This is done by passing the door, and ordering your name to be written on the porter's book. Accordingly, on Wednesday I passed the house of Prince Bariatinski, Ambassador of Russia, where the Count lodged, and left my name on the list of each. I thought no more of the matter ; but this day, May the 24th, comes the servant who brought the card, in great affliction, saying he was like to be ruined by his mistake in bringing the card here, and wishing to obtain from me some paper, of I know not what kind, for I did not see him. In the afternoon came my friend, Mr Leroy, who is also a friend of the Prince's, telling me how much he, the Prince, was concerned at the accident, that both himself and the Count had great personal regard for me and my character, but that our independence not yet being acknowledged by the Court of Russia, it was impossible for him to permit himself to make me a visit as Minister. I told M. Leroy it was not my custom to seek such honors, though I was very sensible of them when conferred upon me ; that I should not have voluntarily intruded a visit, and that, in this case, I had only done what I was informed the etiquette required of me ; but if it would be attended with any inconvenience to Prince Bariatinski, whom I much esteemed and respected, I thought the remedy was easy,

easy, he had only to erase my name out of his book of visits received, and I would burn their card.

All the Northern Princes are not ashamed of a little civility committed towards an American. The King of Denmark, travelling in England under an assumed name, sent me a card, expressing in strong terms his esteem for me, and inviting me to dinner with him at St James's. And the Ambassador from the King of Sweden lately asked me, whether I had powers to make a treaty of commerce with their kingdom, for he said his master was desirous of such a treaty with the United States, had directed him to ask me the question, and had charged him to tell me, that it would flatter him greatly to make it with a person whose character he so much esteemed, &c. Such compliments might make me a little proud, if we Americans were not naturally as much so already as the porter, who being told he had with his burthen jostled the Great Czar, Peter, then in London, walking the street; "*Poh!*" says he, "*we are all Czars here.*"

I did not write by Mr Oswald to Mr Laurens, because, from some expressions in his last to me, I expected him here, and I desired Mr Oswald, if he found him still in London, or met him on the road, to give him that reason. I am disappointed in my expectation, for I have now received (May 25th) the following letter from him.

HENRY LAURENS TO B. FRANKLIN.

Ostend, May 17th, 1782.

"Sir,

"I had the honor of addressing you on the 30th ult. by post, a duplicate of which will accompany this, in order to guard against the effect of a miscarriage in the

first instance, and I beg leave to refer you to the contents.

“On the 10th current and no sooner, your very obliging favor of the 20th preceding reached me in London. Being then on the point of leaving that place, I deferred a reply until my arrival on this side. This happened yesterday, too late to catch the post of the day, except by a single letter, put into my hands, I believe, by Dr Price, which I sent forward.

“I sincerely and heartily thank you, Sir, for the cordial contents of your last letter ; but, from the most mature reflection, and taking into consideration my present very infirm state of health, I have resolved to decline accepting the honor intended me by Congress, in the commission for treating with Great Britain, and I find the less difficulty in coming to this determination, from a persuasion in my own mind that my assistance is not essential, and that it was not the view or expectation of our constituents, that every one named in the commission should act. I purpose to repair to, or near Mr Adams, and inquire of him whether I may yet be serviceable under the commission to which I had been first appointed, that for borrowing money for the use of the United States ; if he speaks in the affirmative, I shall, though much against my own grain, as is well known at our little Court, proceed in the mission with diligence and fidelity ; otherwise, I shall take a convenient opportunity of returning to give an account there, of having in the course of two years and upwards done nothing, excepting only the making a great number of rebels in the enemy’s country, and reconciling thousands to the doctrine of absolute and unlimited independence ; a doctrine, which I asserted and maintained with as much freedom in the

Tower of London, as I ever had done in the State House at Philadelphia, and having contentedly submitted to the loss of my estate, and being ready to lay down my life in support of it, I had the satisfaction of perceiving the coming of converts every day. I must not, however, conclude this head without assuring you, that should you think proper to ask questions respecting American commerce, or the interest of any particular State, I will answer with candor and the best judgment I am possessed of, but of that judgment I sincerely protest I have the utmost diffidence. God prosper your proceedings in the great work; you shall be called blessed by all the grateful of the present generation, and your name will be celebrated by posterity. I feel myself happy in reflecting, that, in the great outlines of a treaty, our opinions exactly coincide, that we shall not want the countenance and assistance of our great and good ally, and that you have so honest a man as Mr Oswald to deal with for preliminaries. I know him to be superior to chicanery, and am sure he will not defile his mind by attempting any dirty thing.

“I entreat you, Sir, to present my humble respects to M. de Vergennes, and thank his Excellency for his polite expressions respecting me, and be so good as to say all that shall appear necessary in excuse for my non-appearance at his Court.

“Lord Cornwallis called on me the day before I left London, and was, as you may suppose, very anxious to know when he might probably hear from me on the subject of his release; let me, therefore, request your opinion in answer to what I had the honor of writing in my last concerning that affair. I wish it may prove satisfactory to his Lordship, by enabling me, with your consent and con-

currence, to cancel a debt, which does not set easy upon me, and which cannot with honor to our country remain unpaid. I think we shall not, it is impossible we should, incur displeasure by doing an act of common justice, and our authority may be fairly implied.

“His Lordship declares he has no intention of returning to America, but desires to be reinstated in his legislative and military character in his own country, and I am of opinion, that in the former he will rather be friendly to us than otherwise. For my own part, if the war continues, I should not be uneasy if his Lordship were to go to the Chesapeake again.

“I have a thousand compliments and good wishes to present to you from friends in England, where, males and females, I am sure you have at least so many, that your own remembrance will lead you to individuals of your old acquaintance.

“Tomorrow I intend to proceed to Brussels, and thence, probably, to the Hague and Amsterdam; my movements must, unavoidably, be as slow as water carriage. My weak under limbs cannot bear continual thumping on the pavement in the rough machines of this country, and the feebleness of my pocket will not admit the indulgence of a more convenient vehicle. I beg, Sir, you will write to me at the house of Mr Edward Jennings, or under the protection of any other friend in that city, that will be at the trouble of finding out a voyager, who is at all times, and in all places, with the highest esteem and respect, Sir, &c.

HENRY LAURENS.”

To the above, I wrote the following answer.

TO HENRY LAURENS.

Passy, May 25th, 1762.

“Sir,

“I am now honored with yours of the 17th. I had before received one of the 7th, which remained unanswered, because from the words in it, ‘when I reach the Continent, which will probably happen in a few days,’ I flattered myself with the pleasure of seeing you here. That hope is disappointed by your last, in which you tell me you are determined not to act in the commission for treating of peace with Great Britain. I regret your taking this resolution, principally because I am persuaded, that your assistance must have been of great service to our country. But I have besides some private or particular reasons, that relate to myself.

“To encourage me in the arduous task, you kindly tell me I shall be called *blessed*, &c. I have never yet known of a peace made, that did not occasion a great deal of popular discontent, clamor, and censure on both sides. This is, perhaps, owing to the usual management of the leaders and Ministers of the contending nations, who, to keep up the spirits of their people for continuing the war, generally represent the state of their own affairs in a better light, and that of the enemy in a worse, than is consistent with the truth; hence the populace on each side expect better terms than can really be obtained, and are apt to ascribe their disappointment to treachery. Thus the peace of Utrecht, and that of Aix la Chapelle, were said in England to have been influenced by French gold, and in France, by English guineas. Even the last peace, the most glorious and advantageous for England that ever she made, was, you may remember, violently decried, and the

makers as violently abused. So that the blessing promised to peace-makers, I fancy, relates to the next world, for in this they seem to have a greater chance of being cursed. And, as another text observes, that in *'the multitude of counsellors there is safety,'* which I think may mean safety to the counsellors as well as to the counselled, because if they commit a fault in counselling, the blame does not fall upon one or a few, but is divided among many, and the share of each is so much the lighter, or because when a number of honest men are concerned, the suspicion of their being biassed is weaker, as being more improbable; or, because *'defendit numerus'*; for all these reasons, but especially for the support your established character of integrity would afford me against the attacks of enemies, if this treaty take place, and I am to act in it, I wish for your presence, and the presence of as many of the Commissioners as possible, and I hope you will reconsider and change your resolution.

“In the meantime, as you have had opportunities of conversing with the new Ministers, and other leading people in England, and of learning their sentiments relating to terms of peace, &c. I request you would inform me by letters of what you think important. Letters from you will come safer by the Court courier than by the post, and I desire you would, if you should continue determined not to act, communicate to me your ideas of the terms to be insisted on, and the points to be attended to respecting commerce, fisheries, boundaries, and every other material circumstance, that may be of importance to all or any of the United States.

“Lord Shelburne having written to me on the subject of the wished for peace, I acquainted him in my answer, sent

by our friend, Mr Oswald, that you were one of the Commissioners, appointed by Congress to treat with Britain, and that I imagined his Lordship would therefore think proper to discharge you entirely from the obligations you entered into, when you were admitted to bail, that you might be at liberty to act freely in the commission. He wrote to me in reply, that you were accordingly discharged immediately. His Lordship mentioned nothing of any exchange being expected for you, nevertheless I honor your sensibility on the point, and your concern for the credit of America, that she should not be outdone in generosity by Great Britain, and will cheerfully join with you in any act, that you may think proper, to discharge in return the parole of Lord Cornwallis, as far as in our power may lie; but we have no express authority for that purpose, and the Congress may possibly, in the meantime, have made some other arrangement relative to his exchange. I conceive, that our acts should contain a clause, reserving to Congress the final approbation or disallowance of the proceeding; and I have some doubt whether Lord Cornwallis will think himself well freed of his engagements, and at liberty to exercise his military employments, by virtue of any concession in his favor made by persons, who are not vested with authority for that purpose. So that, on the whole, perhaps the best and surest way will be our writing immediately to Congress, and strongly recommending the measure. However, I will do what you shall think best.

“I heartily wish you success in any endeavors you may use in Holland for raising a loan of money. We have pressed rather too hard on this Court, and we still want more than they can conveniently spare us; but I am

sorry, that too scrupulous regard to our wants and difficulties should induce you, under the present infirmity of your lower limbs, to deny yourself the necessary comfort of an easy carriage, rather than make any use of the public assistance, when the public must be much in your debt. I beg you would get over that difficulty, and take of me what you may have occasion for.

“The letter you forwarded to me was from America’s constant friend, the good Bishop of St Asaph. He speaks of you in terms of the highest esteem and respect.

“Mr Oswald has gone back again to London, but intended to return again immediately. Mr Grenville remains here, and has received power to treat, but no further steps can be taken till Spain and Holland have empowered Ministers for the same purpose.

“I shall inform you and Mr Adams, (if he does not come) of the proceeding from time to time, and request your counsel in cases of any difficulty. I hope you will not think of hazarding a return to America before a peace, if we find any hopes of its being soon obtained; and that if you do not find you can be useful in the manner you wish, in Holland, you will make me happy by your company and counsel here. With great and sincere esteem, &c.

B. FRANKLIN.”

May the 26th, I received the following letters and papers from Mr Hartley.

[One of these letters is dated May 1st, which, together with a paper called the *Breviate*, is printed above, pp. 343, 351.]

DAVID HARTLEY TO B. FRANKLIN.

London, May 13th, 1782.

“My dear friend,

“I wrote you a long letter dated May 1st, 1782, by Mr Laurens, who left London on Saturday last, but I will add a few lines now by a conveyance, which I believe will overtake him, just to tell you two or three things, which I believe I omitted in my last. Perhaps they may not be of any consequence, but as they relate to my own conduct, I could wish to have you understand them.

“After several conferences with the late Ministry, I gave in the paper, called the *Breviate*, on the 7th of February, but I never received any answer from them. They resigned on the 20th of March. Upon the accession of the new Ministry, I heard nothing from them upon the subject, nor indeed did I apply to them. I did not know whether that paper would not come into their hands by succession, and I doubted whether it might not be more proper for me to wait till I heard from them. While I remained doubtful about this, I received your letters, which determined me to go to Lord Shelburne. This was about the beginning of the present month. I communicated to him some extracts, such as those about the prisoners, &c. and likewise the whole of your letter of April 13th, containing the offer of the late Ministry, the King of France’s answer, together with your reflections in the conclusion respecting peace. As you had given me a general permission, I left with him a copy of the whole letter.

“Upon the occasion of this interview, Lord Shelburne

told me that he had made much inquiry in the offices for the correspondence and papers, which had passed between the late Ministry and me, but that he could not meet with them. He expressed a regret, that he had not conversed with me at an earlier day, with many civilities of that kind. In short, I had been backward to intrude myself, and he expressed regret that he had not sent for me.

“Upon this opening on his part, I stated to him the substance of what passed between the late Ministry and myself, and I left a copy of the *Breviate* with him. He gave me a very attentive audience, and I took that opportunity of stating my sentiments to him, as far as I could, upon every view of the question. Upon his expressing his regret that he had not seen me sooner, I told him that I always had been, and always should be, most ready to give any assistance in my power towards the work of peace. I say the same to you.

“I do not believe that there is any difference of sentiment between you and me, *personally*, in our own minds upon independence, &c. &c. But we belong to different communities, and the right of judgment, and of consent and dissent, is vested in the community. Divide independence into six millions of shares, and you should have been heartily *welcome* to *my* share from the beginning of the war. Divide Canada into six millions of shares, I could find a better method of disposing of *my* share, than, by offering it to France, to abandon America. Divide the rock of Gibraltar into six millions of pieces, I can only answer for one portion. Let Reason and Justice decide in any such case, as universal umpires between contending parties, and those who wish well to the permanent peace of mankind, will not refuse to give and to receive equal justice.

“I agree with you, that the equitable and the philosophical principles of politics can alone form a solid foundation of permanent peace; and the contraries to them, though highly patronized by nations themselves, and their Ministers, are no better than vulgar errors; but nations are slow to convictions from the personal arguments of individuals. ‘They are jealous in honor, seeking the *bubble reputation* even in the cannon’s mouth.’ But until a confirmed millennium, founded upon wiser principles, shall be generally established, the *reputation* of nations is not merely a *bubble*. It forms their real security.

“To apply all this, in one word, let all nations agree, with one accord, to beat their swords into ploughshares, and their spears into pruning hooks, or give me wooden walls to Great Britain! I have nothing further to add. My reason for writing this, was just to communicate to you in what position I had delivered over my conferences and arguments with the late Ministry into the hands of the present. And I will conclude with your own words, may God send us all more wisdom. I am ever, most affectionately, yours, &c.

D. HARTLEY.”

“P. S. *May 17th, 1782.* Since writing the above, I have likewise left a copy of the enclosed preliminaries with Lord Shelburne.”

PRELIMINARIES.

May, 1782.

“1. That the British troops shall be withdrawn from the Thirteen Provinces of North America, and a truce made between Great Britain and the said Provinces, for years. (Suppose ten or twenty years.)

“2. That a negotiation for peace shall *bona fide* be opened between Great Britain and the allies of America.

“3. If the proposed negotiation between Great Britain and the allies of America should not succeed so far as to produce peace, but that war should continue between the said parties, that America should act, and be treated as a neutral nation.

“4. That whenever peace shall take place between Great Britain and the allies of America, the truce between Great Britain and America shall be converted into a perpetual peace, the independence of America shall be admitted and guaranteed by Great Britain, and a commercial treaty settled between them.

“5. That these propositions shall be made to the Court of France, for communication to the American Commissioners, and for an answer to the Court of Great Britain.”

The same day Mr Grenville visited me. He acquainted me, that his courier was returned, and had brought him full powers in form to treat for a peace *with France and her allies*. That he had been at Versailles, and had shown his power to M. de Vergennes, and left a copy with him. That he had also a letter of credence, which he was not to deliver till France should think fit to send a Minister of the same kind to London; that M. de Vergennes had told him, that he would lay it before the King, and had desired to see him again on Wednesday. That Mr Oswald had arrived in London, about an hour before the courier came away. That Mr Fox in his letter had charged him to thank me for that which I had written, and to tell me, that he hoped I would never forget, that he and I were of the same country.

I answered, that I should always esteem it an honor to be owned as a countryman of Mr Fox. He had request-

ed me at our last interview, that if I saw no impropriety in doing it, I would favor him with a sight of the treaty of alliance between France and America. I acquainted him that it was printed, but that if he could not readily meet with a copy, I would have one written for him. And as he had not been able to find one, I this day gave it to him.

He lent me a London gazette, containing Admiral Rodney's account of his victory over M. de Grasse, and the accounts of other successes in the East Indies, assuring me, however, that these events made not the least change in the sincere desire of his Court to treat for peace.

In the afternoon the Marquis de Lafayette called upon me. I acquainted him with what Mr Grenville had told me respecting the credential letter, and the expectation that a person on the part of this Court would be sent to London with a commission similar to his. The Marquis told me he was on his way to Versailles, and should see M. de Vergennes. We concluded, that it would now be proper for him to make the proposition we had before talked of, that he should be the person employed in that service.

On Monday, the 27th, I received a letter from Mr Jay, dated the 8th, acquainting me, that he had received mine of the 21st and 22d past, and had concluded to set out for Paris about the 19th, so that he may be expected in a few days.

I dined this day with Count d'Estaing, and a number of brave marine officers, that he had invited. We were all a little dejected with the news. I mentioned, by way of encouragement, the observation of the Turkish bashaw, who was taken with his fleet at Lepanto, by the Venetians.

“Ships,” says he, “are like my master’s beard, you may cut it, but it will grow again. He has cut off from your government all the Morea, which is like a limb, which you will never recover.” And his words proved true.

On Tuesday I dined at Versailles with some friends, so was not at home when the Marquis de Lafayette called to acquaint me, that M. de Vergennes informed him, that the full power received by Mr Grenville from London, and communicated by him, related to France only. The Marquis left for me this information, which I could not understand. On Wednesday I was at Court, and saw the copy of the power. It appeared full with regard to treating with France, but mentioned not a word of her allies. And, as M. de Vergennes had explicitly and constantly, from the beginning, declared to the several messengers, Mr Forth, Mr Oswald, and Mr Grenville, that France could only treat in concert with her allies, and it had in consequence been declared on the part of the British Ministry, that they consented to treat for a general peace, and at Paris, the sending this partial power seemed to be insidious, and a mere invention to occasion delay, the late disasters to the French fleet having probably given the Court of England fresh courage and other views.

M. de Vergennes said he should see Mr Grenville on Thursday, and would speak his mind to him, on the subject very plainly. “They want, said he, “to treat with us for you, but this the King will not agree to. He thinks it not consistent with the dignity of your state. You will treat for yourselves; and every one of the powers at war with England will make its own treaty. All that is necessary for our common security is, that the treaties go hand in hand, and are signed all on the same day.”

Prince Bariatinski, the Russian Ambassador, was particularly civil to me this day at Court, apologised for what passed relating to the visit, expressed himself extremely sensible of my friendship in covering the affair, which might have occasioned to him very disagreeable consequences, &c. The Count du Nord came to M. de Vergennes, while we were drinking coffee, after dinner. He appears lively and active, with a sensible, spirited countenance. There was an opera at night for his entertainment. The house being richly finished with abundance of carving and gilding, well illuminated with wax tapers, and the company all superbly dressed, many of the men in cloth of tissue, and the ladies sparkling with diamonds, formed altogether the most splendid spectacle my eyes ever beheld.

I had some little conference today with M. M. Berkenrode, Vanderpierre and Boeris, the Ambassador of Holland and the agents of the Dutch East India Company. They informed me, that the second letter of Mr Fox to the mediating Minister of Russia, proposing a separate peace with Holland, made no more impression than the first, and no peace would be made but in concurrence with France.

The Swedish Minister told me he expected orders from his Court relative to a treaty, &c.

I had, at our last interview, given Mr Grenville a rendezvous for Saturday morning, and having some other engagements for Thursday and Friday, though I wish to speak with him on the subject of his power, I did not go to him, but waited his coming to me on Saturday. On Friday, May 31st, Mr Oswald called on me, being just returned, and brought me the following letters from Lord Shelburne, the first of which had been written before his arrival.

LORD SHELBURNE TO B. FRANKLIN.

Whitehall, May 28th, 1782.

“Sir,

“I am honored with your letter of the 10th instant, and am very glad to find that the conduct, which the King has empowered me to observe towards Mr Laurens, and the American prisoners, has given you pleasure. I have signified to Mr Oswald his Majesty’s pleasure, that he shall continue at Paris till he receives orders from hence to return. In the present state of this business, there is nothing for me to add, but my sincere wishes for a happy issue, and to repeat my assurances, that nothing shall be wanting on my part which can contribute to it. I have the honor to be, with very great regard,

SHELBURNE.”

LORD SHELBURNE TO B. FRANKLIN.

Whitehall, May 29th, 1782.

“Sir,

“I have the honor to receive your letter of the 13th of May, by Mr Oswald. It gives me great pleasure to find my opinion of the moderation, prudence, and judgment of that gentleman confirmed by your concurrence. For I am glad to assure you, that we likewise concur in hoping that those qualities may enable him to contribute to the speedy conclusion of a peace, and such a peace as may be firm and long lasting. In that hope he has the King’s orders to return immediately to Paris, and you will find him, I trust, properly instructed to co-operate in so desirable an object. I have the honor to be, &c.

SHELBURNE.”

I had not then time to converse much with Mr Oswald, and he promised to come and breakfast with me on Monday.

Saturday, June 5th. Mr Grenville came, according to appointment. Our conversation began by my acquainting him that I had seen the Count de Vergennes, and had perused the copy left with him of the power to treat. That after what he, Mr Grenville, told me of its being to treat with France *and her allies*, I was a little surprised to find in it no mention of the allies, and that it was only to treat with the King of France and his Ministers; that, at Versailles, there was some suspicion of its being intended to occasion delay, the professed desire of a speedy peace being, perhaps, abated in the British Court since its late successes; but that I imagined the words relating to the allies might have been accidentally omitted in transcribing; or that, perhaps, he had a special power to treat with us distinct from the other. He answered, that the copy was right, and that he had no such power in form, but that his instructions were full to that purpose, and that he was sure the Ministers had no desire of delay, nor any of excluding us from the treaty, since the greatest part of those instructions related to treating with me. That, to convince me of this sincerity of his Court respecting us, he would acquaint me with one of his instructions, though, perhaps, the doing it now was premature, and therefore a little inconsistent with the character of a politician, but he had that confidence in me that he should not hesitate to inform me, (though he wished that at present it should go no further,) *he was instructed to acknowledge the independence of America, previous to the commencement of the treaty.* And he said he could only account for the omission of

America in the POWER, by supposing that it was an old official form copied from that given to Mr Stanley, when he came over hither before the last peace. Mr Grenville added that he had, immediately after his interview with the Count de Vergennes, despatched a courier to London, and hoped, that with his return the difficulty would be removed. That he was perfectly assured their late success had made no change in the disposition of his Court to peace, and that he had more reason than the Count de Vergennes to complain of delays, since five days were spent before he could obtain a passport for his courier, and then it was not to go and return by way of Calais, but to go by Ostend, which would occasion a delay of five days longer. Mr Grenville then spoke much of the high opinion the present Ministry had of me, and their great esteem for me, their desire of a perfect reconciliation between the two countries, and the firm and general belief in England, that no man was so capable as myself of proposing the proper means of bringing about such a reconciliation, adding that if the old Ministers had formerly been too little attentive to my counsels, the present were very differently disposed, and he hoped that in treating with them, I would totally forget their predecessors.

The time has been when such flattering language, as from great men, might have made me vainer, and had more effect on my conduct, than it can at present, when I find myself so near the end of life as to esteem lightly all personal interests and concerns, except that of maintaining to the last, and leaving behind me the tolerably good character I have hitherto supported.

Mr Grenville then discoursed of our resolution not to treat without our allies. This, says he, can only properly

relate to France, with whom you have a treaty of alliance, but you have none with Spain, you have none with Holland. If Spain and Holland, and even if France should insist on unreasonable terms of advantage to themselves, after you have obtained all you want, and are satisfied, can it be right that America should be dragged on in a war for their interest only? He stated this matter in various lights and pressed it earnestly. I resolved, from various reasons, to evade the discussion, therefore answered, that the intended treaty not being yet begun, it appeared unnecessary to enter at present into considerations of that kind. The preliminaries being once settled and the treaty commenced, if any of the other powers should make extravagant demands on England, and insist on our continuing the war till those were complied with, it would then be time enough to consider what our obligations were, and how far they extended. The first thing necessary was for him to procure the full powers, the next for us to assemble the plenipotentiaries of all the belligerent parties, and then propositions might be mutually made, received, considered, answered, or agreed to. In the meantime I would just mention to him, that though we were yet under no obligations to Spain by treaty, we were under obligations of gratitude for the assistance she had afforded us; and as Mr Adams had some weeks since commenced a treaty in Holland, the terms of which I was not yet acquainted with, I knew not but that we might have already some alliance and obligations contracted there. And perhaps we ought, however, to have some consideration for Holland on this account, that it was in vengeance for the friendly disposition shown by some of her people to make a treaty of commerce with us, that England had declared the war against her.

He said it would be hard upon England, if having given reasonable satisfaction to one or two of her enemies, she could not have peace with those till she had complied with whatever the others might demand, however unreasonable, for so she might be obliged to pay for every article four fold. I observed, that when she made her propositions, the more advantageous they were to each, the more it would be the interest of each to prevail with the others to accept those offered to them. We then spoke of the reconciliation, but his full power not being yet come I chose to defer entering upon that subject at present. I told him I had thoughts of putting down in writing the particulars that I judged would conduce to that end, and of adding my reasons, that this required a little time, and I had been hindered by accidents; which was true, for I had begun to write, but had postponed it on account of his defective power to treat. But I promised to finish it as soon as possible. He pressed me earnestly to do it, saying, an expression of mine in a former conversation, that there still remained *roots of good will* in America towards England, which if properly taken care of might produce a reconciliation, had made a great impression on his mind, and given him infinite pleasure, and he hoped I would not neglect furnishing him with the information of what would be necessary to nourish those *roots*, and could assure me, that my advice would be greatly regarded.

Mr Grenville had shown me at our last interview a letter from the Duke of Richmond to him, requesting him to prevail with me to disengage a Captain McLeod, of the artillery, from his parole, the Duke's brother, Lord George Lenox, being appointed to the command of Portsmouth,

and desiring to have him as his aid-de-camp. I had promised to consider of it, and this morning I sent him the following letter.

TO MR GRENVILLE.

Passy, May 31st, 1782.

“Sir,

“I do not find, that I have any express authority to absolve a parole given by an English officer in America, but desirous of complying with a request of the Duke of Richmond, as far as may be in my power, and being confident, that the Congress will be pleased with whatever may oblige a personage they so much respect, I do hereby consent, that Captain McLeod serve in his military capacity in England only, till the pleasure of the Congress is known, to whom I will write immediately, and who, I make no doubt, will discharge him entirely. I have the honor to be, &c.

B. FRANKLIN.”

America had been constantly befriended in Parliament by the Duke of Richmond, and I believed the Congress would not be displeased, that this opportunity was taken of obliging him, and that they would by their approbation supply the deficiency of my power. Besides, I could not well refuse it, after what had passed between Mr Laurens and me, and what I had promised to do for that gentleman.

Sunday, June 2d. The Marquis de Lafayette called and dined with me. He is uneasy about the delay, as he cannot resolve concerning his voyage to America, till some certainty appears of there being a treaty or no treaty. This day I wrote the following letter to Mr Adams.

TO JOHN ADAMS.

Passy, June 2d, 1782.

“Sir,

“Since mine of May 5th, I have not had anything material to communicate to your Excellency. Mr Grenville indeed arrived just after I had despatched that letter, and I introduced him to M. de Vergennes, but, as his mission seemed only a repetition of that by Mr Oswald, the same declaration of the King of England’s sincere desire of peace, and willingness to treat at Paris, which were answered by the same declarations of the good dispositions of this Court, and that it could not treat without the concurrence of its allies, I omitted writing till something should be produced from a kind of agreement, that M. de Vergennes would acquaint Spain and Holland with the overture, and Mr Grenville would write for full powers to treat, and make propositions; nothing of importance being in the meantime to be transacted.

“Mr Grenville accordingly despatched a messenger for London, who returned in about twelve days. Mr Grenville called on me, after having been at Versailles, and acquainted me, that he had received the power, and had left a copy of it with M. de Vergennes, and that he was thereby authorised to treat with France and her *allies*. The next time I went to Versailles, I desired to see that copy, and was surprised to find in it no mention of the allies of France, or any one of them, and, on speaking with M. de Vergennes about it, I found he began to look upon the whole as a piece of artifice to amuse us, and gain time; since he had uniformly declared to every agent who had appeared there, viz. to Forth, Oswald, and Grenville, that

the King would not treat without the concurrence of his allies, and yet England had given a power to treat with France only, which showed she did not intend to treat at all, but meant to continue the war.

“I had not till yesterday an opportunity of talking with Mr Grenville on the subject, and expressing my wonder, that, after what he told me, there should be no mention made of our States in his commission, he could not explain this to my satisfaction, but said, he believed the omission was occasioned by their copying an old commission given to Mr Stanley at the last treaty of peace, for he was sure the intention was, that he should treat with us, his instructions being fully to that purpose. I acquainted him, that I thought a special commission was necessary, without which we could not treat with him. I imagine, that there is a reluctance in their king to take this first step, as the giving such a commission would itself be a kind of acknowledgment of our independence. Their late success against Count de Grasse may also have given them hopes, that by delay and more successes they may make that acknowledgment and a peace less necessary

“Mr Grenville has written to his Court for further instructions. We shall see what the return of his courier will produce. If full power to treat with each of the powers at war against England does not appear, I imagine the negotiation will be broken off. Mr Grenville, in his conversation with me, insists much on our being under no engagements not to make a peace without Holland. I have answered him, that I know not but that you may have entered into some, and if there should be none, a general pacification, made at the same time, would be best for us all, and that I believe neither Holland nor we could be

prevailed on to abandon our friends. What happens further shall be immediately communicated.

“Be pleased to present my respects to Mr Laurens, to whom I wrote some days since. Mr Jay, I suppose, is on his way hither. With great respect, &c.

B. FRANKLIN.”

On Monday the 3d, Mr Oswald came according to appointment. He told me he had seen and had conversations with Lord Shelburne, Lord Rockingham, and Mr Fox. That their desire of peace continued uniformly the same, though he thought some of them were a little too much elated with the late victory in the West Indies, and when observing his coolness, they asked him if he did not think it a very good thing; yes, said he, if you do not rate it too high. He went on with the utmost frankness to tell me, that the peace was absolutely necessary for them. That the nation had been foolishly involved in four wars, and could no longer raise money to carry them on, so that if they continued, it would be absolutely necessary for them to stop payment of the interest money on the funds, which would ruin their future credit. He spoke of stopping on all sums above £1000, and continuing to pay on those below, because the great sums belonged to the rich, who could better bear the delay of their interest, and the smaller sums to poorer persons, who would be more hurt, and make more clamor, and that the rich might be quieted by promising them interest upon their interest. All this looked as if the matter had been seriously thought on.

Mr Oswald has an air of great simplicity and honesty, yet I could hardly take this to be merely a weak confession of their deplorable state, and thought it might be

rather intended as a kind of intimidation, by showing us that they had still that resource in their power, which he said would furnish five millions a year. But, he added, our enemies may now do what they please with us, *they have the ball at their foot*, was his expression, and we hope they will show their moderation and magnanimity. He then repeatedly mentioned the great esteem the Ministers had for me, that they, with all the considerate people of England, looked to, and depended on me for the means of extricating the nation from its present desperate situation; and that, perhaps, no single man had ever in his hands an opportunity of doing so much good as I had at this present time, with much more to that purpose. He then showed me a letter to him from Lord Shelburne, partly, I suppose, that I might see his Lordship's opinion of me, which, as it has some relation to the negotiation, is here inserted. He left it with me, requesting that I would communicate it to Mr Walpole.

LORD SHELBURNE TO RICHARD OSWALD.

Whitehall, May 21st, 1782.

“Sir,

“It has reached me, that Mr Walpole esteems himself much injured by your going to Paris, and that he conceives it was a measure of mine, intended to take the present negotiation with the Court of France out of his hands, which he conceives to have been previously commenced through his channel, by Mr Fox. I must desire that you will have the goodness to call upon Mr Walpole, and explain to him distinctly, how very little foundation there is for so unjust a suspicion, as I knew of no such intercourse. Mr Fox declares, he considered what had

passed between him and Mr Walpole, of a mere private nature, not sufficiently material to mention to the King or the cabinet, and will write to Mr Walpole to explain this distinctly to him.

“But if you find the least suspicion of this kind has reached Dr Franklin, or the Count de Vergennes, I desire this matter may be clearly explained to both. I have too much friendship for Dr Franklin, and too much respect for the character of the Count de Vergennes, with which I am perfectly acquainted, to be so indifferent to the good opinion of either, as to suffer them to believe me capable of an intrigue, where I have both professed and observed a direct opposite course of conduct. In truth, I hold it in such perfect contempt, that, however proud I may be to serve the King in my present situation, or in any other, and however anxious I may be to serve my country, I should not hesitate a moment about retiring from any situation which required such services. But I must do the King the justice to say, that his Majesty abhors them, and I need not tell you that it is my fixed principle, that no country in any moment can be advantaged by them. I am, with great truth and regard, &c.

SHELBURNE.”

In speaking further of the Ministry's opinion of the great service it might be in my power to render, Mr Oswald said, he had told them in one of his conversations, that nothing was to be expected of me but consistency, nothing unsuitable to my character, or inconsistent with my duty to my country. I did not ask him the particular occasion of his saying this, but thought it looked a little as if something inconsistent with my duty had been

talked of or proposed. Mr Oswald also gave me a copy of a paper of memorandums, written by Lord Shelburne, viz.

“1. That I am ready to correspond more particularly with Dr Franklin, if wished.

“2. That the *Enabling Act* is passing, with the insertion of Commissioners recommended by Mr Oswald; and, on our part, Commissioners will be named, or any character given to Mr Oswald, which Dr Franklin and he may judge conducive to a final settlement of things between Great Britain and America; which Dr Franklin very properly says, requires to be treated in a very different manner from the peace between Great Britain and France, who have always been at enmity with each other.

“3. That an establishment for the loyalists must always be on Mr Oswald’s mind, as it is uppermost in Lord Shelburne’s, besides other steps in their favor to influence the several States to agree to a fair restoration or compensation for whatever confiscations have taken place.

“4. To give Lord Shelburne’s letter about Mr Walpole to Dr Franklin.”

On perusing this paper, I recollected that a bill had been sometime since proposed in Parliament, *to enable his Majesty to conclude a Peace or Truce with the revolted Provinces in America*, which I supposed to be the enabling bill mentioned, that had hitherto slept, and not having been passed, was perhaps the true reason why the Colonies were not mentioned in Mr Grenville’s commission. Mr Oswald thought it likely, and said that the words, “Insertion of Commissioners, recommended by Mr Oswald,” related to his advising an express mention in the bill of

the Commissioners appointed by Congress to treat of peace, instead of the vague denomination of *any person or persons, &c.* in the first draft of the bill.

As to the loyalists, I repeated what I had said to him when first here, that their estates had been confiscated by the laws made in particular States where the delinquents had resided, and not by any law of Congress, who, indeed, had no power, either to make such laws or to repeal them, or to dispense with them, and, therefore, could give no power to their Commissioners to treat of a restoration for those people; that it was an affair appertaining to each State. That if there were justice in compensating them, it must be due from England rather than America; but, in my opinion, England was not under any very great obligations to them, since it was by their misrepresentations and bad counsels, she had been drawn into this miserable war. And that if an account was to be brought against us for their losses, we should more than balance it by an account of the ravages they had committed all along the coasts of America.

Mr Oswald agreed to the reasonableness of all this, and said he had, before he came away, told the Ministers, that he thought no recompense to those people was to be expected from us; that he had also, in consequence of our former conversation on that subject, given it as his opinion, that Canada should be given up to the United States, as it would prevent the occasions of future difference, and, as the government of such a country was worth nothing, and of no importance, if they could have there a free commerce; that the Marquis of Rockingham and Lord Shelburne, though they spoke reservedly, did not seem very averse to it, but that Mr Fox appeared to be startled at the

proposition. He was, however, not without hopes that it would be agreed to.

We now came to another article of the note, viz. "on our part Commissioners will be named, or any character given to Mr Oswald, which Dr Franklin and he may judge conducive to a final settlement of things between Great Britain and America."

This he said was left entirely to me, for he had no will in the affair; he did not desire to be further concerned, than to see it *in train*, he had no personal views either of honor or profit. He had now seen and conversed with Mr Grenville, thought him a very sensible young gentleman, and very capable of the business; he did not, therefore, see any further occasion there was for himself; but if I thought otherwise, and conceived he might be further useful, he was content to give his time and service, in any character or manner I should think proper. I said, his knowledge of America, where he had lived, and with every part of which, and of its commerce and circumstances he was well acquainted, made me think, that in persuading the Ministry to things reasonable relating to that country, he could speak or write with more weight than Mr Grenville, and, therefore, I wished him to continue in the service; and I asked him whether he would like to be joined in a general commission for treating with all the powers at war with England, or to have a special commission to himself for treating with America only. He said he did not choose to be concerned in treaty with the foreign powers, for he was not sufficiently a master of their affairs, or of the French language, which, probably, would be used in treating; if, therefore, he accepted of any commission, it should be that of treating with America. I told

him I would write to Lord Shelburne on the subject ; but Mr Grenville having sometime since despatched a courier, partly on account of the commission, who was not yet returned, I thought it well to wait a few days, till we could see what answer he would bring, or what measures were taken. This he approved of.

The truth is, he appears so good and so reasonable a man, that, though I have no objection to Mr Grenville, I should be loth to lose Mr Oswald. He seems to have nothing at heart but the good of mankind, and putting a stop to mischief ; the other, a young statesman, may be supposed to have naturally a little ambition of recommending himself as an able negotiator.

In the afternoon, M. Boeris, of Holland, called on me, and acquainted me that the answer had not yet been given to the last memorial from Russia, relating to the mediation ; but it was thought it would be in respectful terms, to thank her Imperial Majesty for her kind offers, and to represent the propriety of their connexion with France in endeavors to obtain a general peace, and that they conceived it would be still more glorious for her Majesty to employ her influence in procuring a general, than a particular pacification. M. Boeris further informed me, that they were not well satisfied in Holland with the conduct of the Russian Court, and suspected views of continuing the war for particular purposes.

Tuesday, June 4th. I have received another packet from Mr Hartley. It consisted of duplicates of former letters and papers already inserted, and contained nothing new but the following letter from Colonel Hartley, his brother.

W. H. HARTLEY TO B. FRANKLIN.

Soho Square, May 24th, 1782.

“Dear Sir,

“It is with the greatest pleasure I take up my pen to acknowledge your remembrance of me in yours to my brother, and to thank you for those expressions of regard which I can assure you are mutual. My brother has desired me to copy some letters and papers, by way of sending you duplicates. I am particularly happy at the employment, because the greatest object of my parliamentary life has been to co-operate with him in his endeavors to put a period to this destructive war, and forward the blessed work of peace. I hope to see him again in that situation, where he can so well serve his country with credit to himself; and while I have the honor of being in Parliament, my attention will be continued to promote the effects, which will naturally flow from those principles of freedom and universal philanthropy you have both so much supported. While I copy his words, my own feelings and judgment are truly in unison, and I have but to add the most ardent wish, that peace and happiness may crown the honest endeavors towards so desirable an end.

“I am, dear Sir, with the greatest respect and esteem, yours sincerely,

W. H. HARTLEY.”

Wednesday, June 5th. Mr Oswald called again to acquaint me, that Lord Cornwallis, being very anxious to be discharged from his parole as soon as possible, had sent a Major Ross hither to solicit it, supposing Mr Laurens might be here with me. Mr Oswald told me, what I had not heard before, that Mr Laurens, while prisoner in the

Tower, had proposed obtaining the discharge of Lord Cornwallis in exchange for himself, and had promised to use his utmost endeavors to that purpose, in case he was set at liberty, not doubting of the success. I communicated to Mr Oswald what had already passed between Mr Laurens and me, respecting Lord Cornwallis; which appears in the preceding letters, and told him I should have made less difficulty about the discharge of his parole, if Mr Laurens had informed me of his being set at liberty in consequence of such an offer and promise, and I wished him to state this in a letter to me, that it might appear for my justification in what I might, with Mr Laurens, do in the affair; and that he would procure for me from Major Ross a copy of the parole, that I might be better acquainted with the nature of it. He accordingly in the afternoon sent me the following letter.

[See this letter above, p. 362.—Also the answer, p. 363.]

Friday, June 7th. Major Ross called upon me, to thank me for the favorable intentions I had expressed in my letter to Mr Oswald, respecting Lord Cornwallis, and to assure me, that his Lordship would forever remember it with gratitude, &c. I told him it was our duty to alleviate, as much as we could, the calamities of war; that I expected letters from Mr Laurens, relating to the affair, after the receipt of which I would immediately complete it. Or if I did not hear from Mr Laurens, I would speak to the Marquis de Lafayette, get his approbation, and finish it without further delay.

Saturday, June 8th. I received some newspapers from England, in one of which is the following paragraph.

From the London Evening Post, of May 30th, 1782.

“If report on the spot speak truth, Mr Grenville, in his first visit to Dr Franklin, gained a considerable point of information, as to the powers America had retained for treating *separately* with Great Britain, in case her claims, or demands, were granted.

“The treaty of February 6th, 1778, was made the basis of this conversation ; and by the spirit and meaning of this treaty, there is no obligation on America not to treat *separately* for peace, after she is assured England will grant her independence, and a free commerce with all the world.

“The first article of that treaty engages America and France to be bound to each other, as long as *circumstances* may require ; therefore, the granting America all she asks of England is breaking the bond, by which the *circumstances* may bind America to France.

“The second article says, the meaning and direct end of the alliance is to insure the freedom and independence of America. Surely then, when freedom and independence are allowed by Britain, America may, or may not, as she chooses, put an end to the present war between England and America, and leave France to war on through all her mad projects of reducing the power and greatness of England, while America feels herself possessed of what she wishes.

“By the 8th article of the treaty, neither France nor America can conclude peace without the assent of the other ; and they engage not to lay down their arms, until the independence of America is acknowledged, but this article does not exclude America from entering into a separate treaty for peace with England, and evinces more strongly

than the former articles, that America may enter into a separate treaty with England, when she is convinced that England has insured to her *all that she can reasonably ask.*"

I conjecture that this must be an extract from a letter of Mr Grenville's ; but it carries an appearance as if he and I had agreed in these imaginary discourses, of America's being at liberty to make peace without France, and whereas my whole discourse, in the strongest terms, declared our determinations to the contrary, and the impossibility of our acting, not only contrary to the treaty, but the duties of gratitude and honor, of which nothing is mentioned. This young negotiator seems to value himself on having obtained from me a copy of the treaty. I gave it him freely, at his request, it being not so much a secret as he imagined, having been printed, first in all the American papers soon after it was made, then at London in Almon's Remembrancer, which I wonder he did not know ; and afterwards in a collection of the American Constitutions, published by order of Congress. As such imperfect accounts of our conversations find their way into the English papers, I must speak to this gentleman of its impropriety.

Sunday, June 9th. Doctor Bancroft being intimately acquainted with Mr Walpole, I this day gave him Lord Shelburne's letter to Mr Oswald, requesting he would communicate it to that gentleman. Doctor Bancroft said it was believed both Russia and the Emperor wish the continuance of the war, and aimed at procuring for England a peace with Holland, that England might be better able to continue it against France and Spain.

The Marquis de Lafayette having proposed to call on me

today, I kept back the discharge of Lord Cornwallis, which was written and ready, desiring to have his approbation of it, as he had in a former conversation advised it. He did not come, but late in the evening sent me a note, acquainting me that he had been prevented by accompanying the Great Duke to the review, but would breakfast with me tomorrow morning.

This day I received a letter from Mr Dana, dated at St Petersburg, April 29th, in which is the following passage. "We yesterday received the news, that the States-General had, on the 19th of this month (N. S.) acknowledged the independence of the United States. This event gave a shock here, and is not well received, as they at least profess to have flattered themselves, that the mediation would have prevented it, and otherwise brought on a partial peace between Britain and Holland. This resentment, I believe, will not be productive of any ill consequences to the Dutch republic." It is true, that while the war continues, Russia feels a greater demand for the naval stores, and perhaps at a higher price. But is it possible, that for such petty interests, mankind can wish to see their neighbors destroy each other? Or has the project, lately talked of, some foundation, that Russia and the Emperor intend driving the Turks out of Europe, and do they therefore wish to see France and England so weakened, as to be unable to assist those people?

Monday, June 12th. The Marquis de Lafayette did not come till between eleven and twelve. He brought with him Major Ross. After breakfast, he told me (Major Ross being gone into another room) that he had seen Mr Grenville lately, who asked him when he should go to America. That he had answered, I have staid here

longer than I should otherwise have done, that I might see whether we were to have peace or war, but as I see that the expectation of peace is a joke, and that you only amuse us without any real intention of treating, I think to stay no longer, but set out in a few days. On which Mr Grenville assured him that it was no joke, that they were very sincere in their proposal of treating, and four or five days would convince the Marquis of it.

The Marquis then spoke to me about a request of Major Ross's in behalf of himself, Lord Chewton, a Lieutenant Colonel and Lieutenant Haldane, who were aids-de-camp to Lord Cornwallis, that they too might be set at liberty with him. I told the Marquis that he was better acquainted with the custom in such cases than I, and being himself one of the Generals, to whom their parole had been given, he had more right to discharge it than I had; and that if he judged it a thing proper to be done, I wished him to do it. He went into the bureau, saying he would write something, which he accordingly did, but it was not as I expected, a discharge that he was to sign, it was for me to sign. And the Major not liking that which I had drawn for Lord Cornwallis, because there was a clause in it, reserving to Congress the approbation or disallowance of my act, went away without taking it. Upon which I the next morning wrote the following to Mr Oswald.

TO RICHARD OSWALD.

Passy, June 11th, 1782.

“Sir,

“I did intend to have waited on you this morning to inquire after your health, and deliver the enclosed paper relating to the parole of Lord Cornwallis, but being obliged to go to Versailles, I must postpone my visit till tomorrow.

“I do not conceive that I have any authority, in virtue of my office here, to absolve that parole in any degree; I have, therefore, endeavored to found it as well as I could on the express power given me by Congress to exchange General Burgoyne for Mr Laurens. A reservation is made of confirmation or disapprobation by Congress, not from any desire to restrain the entire liberty of that General, but because I think it decent and my duty to make such reservation, and that I might otherwise be blamed as assuming a power not given me, if I undertook to discharge absolutely a parole given to Congress, without any authority from them for so doing. With great esteem and respect, &c.

B. FRANKLIN.”

I have received no answer from Mr Laurens. The following is the paper mentioned in the above letter.

The Discharge of Lord Cornwallis from his Parole.

“The Congress having, by a resolution of the 14th of June last, empowered me to offer an exchange of General Burgoyne for the Honorable Henry Laurens, then a prisoner in the Tower of London, and whose liberty they much desire to obtain, which exchange, though proposed by me, according to the said resolution, had not been accepted or executed, when advice was received, that General Burgoyne was exchanged in virtue of another agreement. And Mr Laurens thereupon having proposed another Lieutenant-General, viz, Lord Cornwallis, as an exchange for himself, promising that if set at liberty, he would do his utmost to obtain a confirmation of that propo-

sal ; and Mr Laurens being soon after discharged, and having since urged me earnestly, in several letters, to join with him in absolving the parole of that General, which appears to be a thing just and equitable in itself ; and for the honor therefore of our country I do hereby, as far as in my power lies, in virtue of the above resolution, or otherwise, absolve and discharge the parole of Lord Cornwallis, given by him in Virginia ; setting him at entire liberty to act in his civil or military capacity, until the pleasure of Congress shall be known, to whom is reserved the confirmation or disapprobation of this discharge, in case they have made or shall intend to make a different disposition.

“Given at Passy, this 9th day of June, 1782.

B. FRANKLIN,

*Minister Plenipotentiary from the United States
of America to the Court of France.”*

I did not well comprehend the Major's conduct in refusing this paper. He was come express from London, to solicit a discharge of Lord Cornwallis's parole. He had said that his Lordship was very anxious to obtain that discharge, being unhappy in his present situation. One of his objections to it was, that his Lordship with such a limited discharge of his parole could not enter into foreign service. He declared it was not his Lordship's intention to return to America. Yet he would not accept the paper, unless the reservation was omitted. I did not choose to make the alteration, and so he left it, not well pleased with me.

This day, *Tuesday, June 11th*, I was at Versailles, and had a good deal of conversation with M. de Rayneval, Secretary to the Council. I showed him the letters I had received by Mr Oswald from Lord Shelburne, and related

all the consequent conversation I had with Mr Oswald. I related to him also the conversation I had had with Mr Grenville. We concluded that the reason of his couriers not being returned, might be the formalities occasioning delay in passing the enabling bill. I went down with him to the cabinet of Count de Vergennes, where all was repeated and explained. That Minister seemed now to be almost persuaded, that the English Court was sincere in its declarations of being desirous of peace. We spoke of all its attempts to separate us, and of the prudence of our holding together and treating in concert. I made one remark, that as they had shown so strong a desire of disuniting us, by large offers to each particular power, plainly in the view of dealing more advantageously with the rest, and had reluctantly agreed to make a general treaty, it was possible, that after making a peace with all, they might pick out one of us to make war with separately. Against which project I thought it would not be amiss, if before the treaties of peace were signed, we who were at war against England should enter into another treaty, engaging ourselves, that in such a case, we should again make it a common cause, and renew the general war; which he seemed to approve of. He read Lord Shelburne's letter relating to Mr Walpole, said that gentleman had attempted to open a negotiation through the Marquis de Castries, who had told him he was come to the wrong house, and should go to Count de Vergennes; but he never had appeared; that he was an intriguer, knew many people about the Court, and was accustomed to manage his affairs by hidden and round-about ways; but, said he, "when people have anything to propose, that relates to my employment, I think they should come directly to me; my cabinet is the place where such affairs

are to be treated." On the whole he seemed rather pleased that Mr Walpole had not come to him, appearing not to like him.

I learnt that Mr Jay had taken leave on the 7th past, of the Spanish Ministers, in order to come hither, so that he may be daily expected ; but I hear nothing of Mr Laurens or Mr Adams.

Wednesday, June 12th. I visited Mr Oswald this morning. He said he had received the paper I had sent him, relating to the parole of Lord Cornwallis, and had by conversing with Major Ross, convinced him of his error in refusing it ; that he saw I had done everything that could be fairly desired of me, and said everything in the paper that could give a weight to the temporary discharge, and tend to prevail with the Congress to confirm and complete it. Major Ross coming in, made an apology for not having accepted it at first, declared his perfect satisfaction with it, and said he was sure Lord Cornwallis would be very sensible of the favor. He then mentioned the custom among military people, that in discharging the parole of a general, that of his aids was discharged at the same time. I answered, I was a stranger to the customs of the army, that I had made the most of the authority I had for exchanging General Burgoyne, by extending it as a foundation for the exchange of Lord Cornwallis, but that I had no shadow of authority for going further ; that the Marquis de Lafayette having been present when the parole was given, and one of the generals who received it, was I thought more competent to the discharge of it than myself ; and I could do nothing in it. He went then to the Marquis, who, in the afternoon, sent me the drafts of a limited discharge, which he should sign, but requested my appro-

bation of it, of which I made no difficulty, though I observed he had put into it that it was by my advice. He appears very prudently cautious of doing anything, that may seem assuming a power that he is not vested with.

Friday, the 14th. M. Boeris called again, wishing to know if Mr Grenville's courier was returned, and whether the treaty was like to go on. I could give him no information. He told me it was intended in Holland, in answer to the last Russian Memorial, to say, that they could not now enter into a particular treaty with England, that they thought it more glorious for her Imperial Majesty to be the mediatrix in a general treaty, and wished her to name the place. I said to him, as you tell me their High Mightinesses are not well satisfied with Russia, and had rather avoid her mediation, would it not be better to omit the proposition, at least of her naming the place, especially as France, England, and America have already agreed to treat at Paris? He replied, it might be better, but, says he, we have no politicians among us. I advised him to write and get that omitted, as I understood it would be a week before the answer was concluded on. He did not seem to think his writing would be of much importance. I have observed, that his colleague, M. Vanderpierre, has a greater opinion by far of his own influence and consequence.

Saturday, June 15th. Mr Oswald came out to breakfast with me. We afterwards took a walk in the garden, when he told me, that Mr Grenville's courier returned last night. That he had received by him a letter from Mrs Oswald, but not a line from the Ministry, nor had he heard a word from them since his arrival, nor had he heard of any news brought by the courier. That he should have

gone to see Mr Grenville this morning, but he had omitted it, that gentleman being subject to morning headaches, which prevented his rising so early. I said I supposed he would go to Versailles, and call on me in his return. We had but little further discourse, having no new subject.

Mr Oswald left me about noon, and soon after Mr Grenville came, and acquainted me with the return of his courier, and that he had brought the full powers. That he, Mr Grenville, had been at Versailles, and left a copy with Count de Vergennes. That the instrument was in the same terms with the former, except that after the power to treat with the King of France, or his Ministers, there was an addition of words, importing a power to treat with the Ministers of any other Prince or *State* whom it might concern. That Count de Vergennes had at first objected to these general words, as not being particular enough, but said he would lay it before the King, and communicate it to the Ministers of the belligerent powers, and that Mr Grenville should hear from him on Monday. Mr Grenville added, that he had further informed Count de Vergennes of his being now instructed to make a proposition as a basis for the intended treaty, viz. the peace of 1763. That the proposition intended to be made under his first powers, not being then received, was now changed, and instead of proposing to allow the independence of America, on condition of England's being put into the situation she was in at the peace of 1763, he was now authorised to *declare the Independence of America previous to the treaty*, as a voluntary act, and to propose separately as a basis the treaty of 1763. This also Count de Vergennes undertook to lay before the King, and communicate to me.

Mr Grenville then said to me, he hoped all difficulties were now removed, and that we might proceed in the good work. I asked him if the enabling bill was passed? He said, no. It passed the Commons, and had been once read in the House of Lords, but was not yet completed. I remarked, that the usual time approached for the prorogation of Parliament, and possibly this business might be omitted. He said there was no danger of that, the Parliament would not rise this year till the middle of July; the India affairs had put back other business which must be done, and would require a prolongation of the session till that time. I then observed to him, that, though we Americans considered ourselves as a distinct independent power, or State, yet, as the British Government had always, hitherto, affected to consider us only as rebellious subjects, and as the enabling act was not yet passed, I did not think it could be fairly supposed, that his Court intended by the general words, *any other Prince or State*, to include a people whom they did not allow to be a State; and that, therefore, I doubted the sufficiency of his power as to treating with America, though it might be good as to Spain and Holland. He replied, that he himself had no doubt of the sufficiency of his power, and was willing to act upon it. I then desired to have a copy of the power, which he accordingly promised me.

He would have entered into conversation on the topic of reconciliation, but I chose still to waive it, till I should find the negotiation more certainly commenced; and I showed him the London paper containing the article above transcribed, that he might see how our conversations were misrepresented, and how hazardous it must be for me to make any propositions of the kind at present. He

seemed to treat the newspapers lightly, as of no consequence, but I observed that before he had finished the reading of the article, he turned to the beginning of the paper to see the date, which made me suspect that he doubted whether it might not have taken its rise from some of his letters.

When he left me, I went to dine with M. de Chaumont, who had invited me to meet there Mr Walpole, at his request. We shook hands, and he observed that it was near two years since we had seen each other. Then, stepping aside, he thanked me for having communicated to him Lord Shelburne's letter to Mr Oswald, thought it odd that Mr Oswald himself had not spoken to him about it; said he had received a letter from Mr Fox upon the affair of St Eustatia, in which there were some general words, expressing a desire of peace; that he had mentioned this to the Marquis de Castries, who had referred him to Count de Vergennes, but he did not think it a sufficient authority for him to go to that Minister. It was known that he had business with the Minister of the Marine on the other affair, and, therefore, his going to him was not taken notice of; but if he had gone to Count de Vergennes, Minister of Foreign Affairs, it would have occasioned speculation, and much discourse; that he had, therefore, avoided it till he should be authorised, and had written accordingly to Mr Fox; but that in the meantime, Mr Oswald had been chosen upon the supposition, that he, Mr Walpole, and I, were at variance. He spoke of Mr Oswald as an odd kind of man, but that, indeed, his nation were generally odd people, &c. We dined pleasantly together with the family, and parted agreeably, without entering into any particulars of the business. Count d'Estaing was at this dinner,

and I met him again in the evening, at Madame Brillou's. There is at present among the people, much censure of Count de Grasse's conduct, and a general wish that Count d'Estaing had the command in America. I avoid meddling, or even speaking on the subject, as improper for me, though I much esteem that commander.

Sunday, the 16th. I heard nothing from Versailles. I received a letter from Mr Adams, acquainting me he had drawn upon me for a quarter's salary, which he hoped would be the last, as he now found himself in the way of getting some money there, though not much. But he says not a word in answer to my late letters on public affairs, nor have I any line from Mr Laurens, which I wonder at. I received also a letter from Mr Carmichael, dated June 5th, at Madrid. He speaks of Mr Jay being on his journey, and supposes he would be with me before that letter, so that I may expect him daily. We have taken lodgings for him in Paris.

Monday, the 17th. I received a letter from Mr Hodgson, acquainting me that the American prisoners at Portsmouth, to the number of three hundred, were all embarked on board the transports, that each had received twenty shillings' worth of necessaries at the expense of government, and went on board in good humor; that contrary winds had prevented the transports arriving in time at Plymouth, but that the whole number there now of our people, amounting to seven hundred, with those arrived from Ireland, would soon be on their way home.

In the evening the Marquis de Lafayette came to see me, and said he had seen Count de Vergennes, who was satisfied with Mr Grenville's powers. He asked me what I thought of them, and I told him what I had said to Mr

Grenville of their imperfection with respect to us. He agreed in opinion with me. I let him know that I proposed waiting on Count de Vergennes tomorrow.

He said he had signed the paper relating to Major Ross's parole, and hoped Congress would not take it amiss, and added, that in conversation with the Major, he had asked him why England was so backward to make propositions? We are afraid, says the Major, of offering you more than you expect or desire. I find myself in some perplexity with regard to these two negotiators. Mr Oswald appears to have been the choice of Lord Shelburne, Mr Grenville that of Mr Secretary Fox. Lord Shelburne is said to have lately acquired much of the King's confidence. Mr Fox calls himself the Minister of the people, and it is certain, that his popularity is lately much increased. Lord Shelburne seems to wish to have the management of the treaty, Mr Fox seems to think it in his department. I hear that the understanding between these Ministers is not quite perfect. Mr Grenville is clever, and seems to feel reason as readily as Mr Oswald, though not so ready to own it. Mr Oswald appears quite plain and sincere; I sometimes a little doubt Mr Grenville. Mr Oswald, an old man, seems now have no desire but that of being useful in doing good. Mr Grenville, a young man, naturally desirous of acquiring reputation, seems to aim at that of being an able negotiator. Mr Oswald does not solicit to have any share in the business, but, submitting the matter to Lord Shelburne and me, expresses only his willingness to serve, if we think he may be useful, and is equally willing to be excused, if we judge there is no occasion for him. Mr Grenville seems to think the whole negotiation committed to him, and to have no idea of Mr Os-

wald's being concerned in it, and is, therefore, willing to extend the expressions in his commission, so as to make them comprehend America, and this beyond what I think they will bear. I imagine we might, however, go on very well with either of them, though I rather should prefer Oswald, but I apprehend difficulties if they are both employed, especially if there is any misunderstanding between their principals. I must, however, write to Lord Shelburne, proposing something in consequence of his offer of vesting Mr Oswald with any commission, which that gentleman and I should think proper.

Tuesday, the 18th. I found myself much indisposed with a sudden and violent cold, attended with a feverishness and headach. I imagined it to be an effect of the influenza, a disorder now reigning in various parts of Europe. This prevented my going to Versailles.

Thursday, the 20th. Weather excessively hot, and my disorder continues, but is lessened, the headach having left me. I am, however, not yet able to go to Versailles.

Friday, the 21st. I received the following note from the Marquis de Lafayette.

M. DE LAFAYETTE TO B. FRANKLIN.

Versailles, Thursday morning, June 20th, 1782.

“My dear Sir,

“Agreeably to your desire, I have waited upon the Count de Vergennes, and said to him what I had in command from your Excellency. He intends taking the King's orders this morning, and expects he will be able to propose to Mr Grenville a meeting for tomorrow, when he will have time to explain himself respecting France and

her allies, that he may make an official communication both to the King and the allied Ministers. What Count de Vergennes can make out of this conversation will be communicated by him to your Excellency, in case you are able to come. In the other case I shall wait upon you to-morrow evening with every information I can collect. I have the honor to be, very respectfully, &c.

LAFAYETTE.”

In the evening the Marquis called upon me, and acquainted me, that Mr Grenville had been with Count de Vergennes, but could not inform me what had passed.

Saturday, the 22d. Messrs Oswald and Whiteford came and breakfasted with me. Mr Oswald had received no letters or instructions. I told him I would write to Lord Shelburne respecting him, and call on him on Monday morning to breakfast, and show him what I proposed to write, that it might receive such alterations as he should judge proper.

Sunday, the 23d. In the afternoon Mr Jay arrived, to my great satisfaction. I proposed going with him the next morning to Versailles, and presenting him to M. de Vergennes. He informed me, that the Spanish Ministers had been much struck with the news from England, respecting the resolutions of Parliament to discontinue the war in America, &c. and that they had since been extremely civil to him, and he understood intended to send instructions to their Ambassador at this Court, to make the long talked of treaty with him here.

Monday, the 24th. Wrote a note of excuse to Mr Oswald, promising to see him on Wednesday, and went with Mr Jay to Versailles. Count de Vergennes acquainted us,

that he had given to Mr Grenville the answer to his propositions, who had immediately despatched it to his Court. He read it to us, and I shall endeavor to obtain a copy of it. Count de Vergennes informing us, that a frigate was about to be despatched for America, by which we might write, and that the courier who was to carry down the despatches would set out on Wednesday morning, we concluded to omit coming to Court on Tuesday, in order to prepare our letters. Count de Vergennes appeared to have some doubts about the sincerity of the British Court, and the *bon foi* of Mr Grenville, but said the return of Mr Grenville's courier might give light. I wrote the following letters to Mr Secretary Livingston, and Mr Morris.*

Wednesday, the 26th. I sent away my letters, and went to see Mr Oswald. I showed him the draft of a letter to be addressed to him instead of Lord Shelburne, respecting the commission, or public character he might hereafter be vested with; this draft was founded on Lord Shelburne's memorandums, which Mr Oswald had shown to me, and this letter was intended to be communicated by him to Lord Shelburne. Mr Oswald liked the mode, but rather chose that no mention should be made of his having shown me Lord Shelburne's memorandums, though he thought they were given to him for that purpose. So I struck that part out, and new modelled the letter, which I sent him the next day, as follows.

* See the letter to Mr Livingston, p. 368; the letter to Mr Morris is missing.

TO RICHARD OSWALD.

Passy, June 27th, 1782.

“Sir,

“The opinion I have of your candor, probity, and good understanding, and good will to both countries, made me hope you would have been vested with the character of Plenipotentiary to treat with those from America. When Mr Grenville produced his first commission, which was only to treat with France, I did imagine that the other to treat with us was reserved for you, and kept only till the Enabling Bill should be passed. Mr Grenville has since received a second commission, which, as he informs me, has additional words, empowering him to treat with the Ministers of any other *Prince* or *State* whom it may concern, and he seems to understand that those general words comprehend the United States of America. There may be no doubt that they may comprehend Spain and Holland, but as there exist various public acts, by which the government of Britain denies us to be States, and none in which they acknowledge us to be such, it seems hardly clear that we could be intended at the time the commission was given, the *Enabling Act* not being then passed. So that though I can have no objection to Mr Grenville, nor right to make it if I had any, yet as your long residence in America has given you a knowledge of that country, its people, circumstances, commerce, &c. which, added to your experience in business, may be useful to both sides in facilitating and expediting the negotiation, I cannot but hope that it is still intended to vest you with the character abovementioned, respecting the treaty with America, either separately or in conjunction with Mr Grenville,

as to the wisdom of your Ministers may seem best. Be it as it may, I beg you would accept this line as a testimony of the sincere esteem and respect with which, &c.

B. FRANKLIN."

Friday, June 28th. M. de Rayneval called upon me, and acquainted me that the Ministers had received intelligence from England, that besides the orders given to General Carleton to propose terms of reunion to America, artful emissaries were sent over, to go through the country and stir up the people to call on the Congress to accept those terms, they being similar to those settling with Ireland; that it would, therefore, be well for Mr Jay and me to write and caution Congress against these practices. He said Count de Vergennes wished also to know what I had written respecting the negotiation, as it would be well for us to hold pretty near the same language. I told him that I did not apprehend the least danger, that such emissaries would meet with any success, or that the Congress would make any treaty with General Carleton. That I would, however, write as he desired; and Mr Jay coming in, promised the same. He said the courier would go tomorrow. I accordingly wrote the following letter to Mr Secretary Livingston.*

M. de Rayneval, who is Secretary to the Council of State, called again in the evening. I gave him copies of the three preceding letters to peruse and show to Count de Vergennes, to convince him that we held no underhand dealings here. I own I had, at the same time, another view in it, which was, that they should see I had been ordered to demand further aids, and had forborne to make the de-

* See above, p. 373.

mands, with my reasons, hoping that if they could possibly help us to more money, they might be induced to do it.

I had never made any visit to Count d'Aranda, the Spanish Ambassador, for reasons before mentioned. M. de Rayneval told Mr Jay and me this morning, that it wou'd be well for us to wait on him, and he had authority to assure us, we should be well received. We accordingly concluded to wait on his Excellency the next morning.

Saturday, June 29th. We went together to the Spanish Ambassador's, who received us with great civility and politeness. He spoke with Mr Jay on the subject of the treaty they were to make together, and mentioned in general, as a principle, that the two powers should consider each other's conveniency, and accommodate and compensate each other as well as they could. That an exact compensation might; perhaps, not be possible, but should be approached as nearly as the nature of things would admit. Thus, says he, if there is a certain thing which would be convenient to each of us, but more convenient to one than to the other, it should be given to the one to whom it would be most convenient, and compensation made by giving another thing to the other, for the same reason. I suppose he had in view something relating to boundaries or territories, because, he added, we will sit down together with maps in our hands, and, by that means, shall see our way more clearly. I learnt from him, that the expedition against Providence had sailed, but no advice was yet received of its success. On our going out, he took pains himself to open the folding doors for us, which is a high compliment here; and told us he would return our visit, (*rendre son devoir*) and then fix a day

with us for dining with him. I dined with Mr Jay and a company of Americans at his lodgings.

Sunday, July 1st. Mr Grenville called on me.*

CORRESPONDENCE CONTINUED.

TO HENRY LAURENS.

Passy, July 2d, 1782.

Sir,

I received the letter you did me the honor of writing to me from Lyons the 24th past.

I wonder a little at Mr —— not acquainting you whether your name was in the commission or not. I begin to suspect, from various circumstances, that the British Ministry, elated perhaps too much by the success of Admiral Rodney, are not in earnest to treat immediately, but rather wish delay. They seem to hope that further successes may enable them to treat more advantageously; or, as some suppose, that certain propositions to be made to Congress by General Carleton, may render a treaty here with us unnecessary. A little bad news, which it is possible they may yet receive from the same quarter, will contribute to set them right; and then we may enter seriously upon the treaty; otherwise I conjecture it may not take place till after another campaign. Mr Jay is arrived here. Mr Grenville and Mr Oswald continue here. Mr Oswald has yet received no commission; and that of Mr Grenville

* Dr Franklin's Journal closes here. His ill state of health seems to have been the cause of his discontinuing it. The narrative of the negotiation is kept up, however, in the letters of Dr Franklin, Mr Jay, Mr Adams, and Mr Laurens.

does not very clearly comprehend us according to British ideas; therefore it requires explication. When I know more, you shall have further information.

Not having an immediate answer to what I wrote you, concerning the absolution of Lord Cornwallis's parole, and Major Ross coming over hither from him to press it, I gave him the discharge you desired. Enclosed I send you a copy. I hear it has proved satisfactory to him; I hope it will be so to you.

Believe me to be, with great esteem, &c.

B. FRANKLIN.



ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, July 5th, 1782.

Dear Sir,

I have the honor to transmit to you a letter from the United States in Congress to his Most Christian Majesty, together with a copy for your perusal. I also enclose a resolution of Congress on the subject of Mr Lee's demands, which you will see carried into effect.

Nothing of moment has occurred since I last wrote you. It is very long since we have heard from Europe. We wait for your despatches with some degree of impatience. I hope they will be sufficiently particular to answer our expectations.

I have the honor to be, Sir,

ROBERT R. LIVINGSTON.

NOTE FROM M. DE LAFAYETTE TO B. FRANKLIN.

Paris, July 9th, 1782.

I have the honor to inform you, my dear Sir, that Mr Grenville's express is arrived this morning, by way of Ostend. The gentleman is gone to Versailles. I fancy he will wait upon you, and I will be much obliged to you to let me know what your opinion is. I am going to Saint Germain, but if any intelligence comes to hand, I will communicate it as soon as possible.

I rest respectfully and affectionately yours,

LAFAYETTE.



TO M. DE LAFAYETTE.

Passy, July 9th, 1782.

Dear Sir,

Mr Grenville has been with me in his return from Versailles. He tells me that Lord Rockingham being dead, Lord Shelburne is appointed First Lord of the Treasury, and that Mr Fox has resigned; so that both the secretaryships are vacant. That his communication to Count de Vergennes was only, that no change was thereby made in the dispositions of that Court for peace, &c. and he expects another courier with fuller instructions in a few days. As soon as I hear more I shall acquaint you with it.

I am ever, with great respect and affection, your most obedient humble servant,

B. FRANKLIN.

TO DAVID HARTLEY.

Passy, July 10th, 1782.

Dear Sir,

I received your favor of the 26th past by Mr Young, and am indebted to you for some preceding. I do not know why the good work of peace goes on so slowly on your side. Some have imagined that your Ministers, since Rodney's success, are desirous of trying fortune a little further before they conclude the war; others, that they have not a good understanding with each other. What I have just heard seems to countenance this opinion. It is said Mr Fox has resigned. We are ready here, on the part of America, to enter into treaty with you in concurrence with our allies, and are disposed to be very reasonable; but if your *plenipotentiary*, notwithstanding that character, is upon every proposition obliged to send a courier and wait an answer, we shall not soon see the happy conclusion. It has been suspected, too, that you wait to hear the effect of some overtures, sent by General Carleton for a separate peace in America. A vessel just arrived from Maryland brings us the unanimous resolutions of their Assembly, for continuing the war at all hazards, rather than violate their faith with France. This is a sample of the success to be expected from such a measure, if it has really been taken, which I hardly believe.

There is methinks a point that has been too little considered in treaties, the means of making them durable. An honest peasant, from the mountains of Provence, brought me the other day a manuscript he had written on the subject, and which he could not procure permission to print. It appeared to me to have much good sense in it; and

therefore I got some copies to be struck off for him to distribute where he may think fit. I send you one enclosed. This man aims at no profit from his pamphlet or his project, asks for nothing, expects nothing, and does not even desire to be known. He has acquired, he tells me, a fortune of near one hundred and fifty crowns a year, (about eighteen pounds sterling) with which he is content. This you may imagine would not afford the expense of riding to Paris, so he came on foot; such was his zeal for peace, and the hope of forwarding and securing it, by communicating his ideas to great men here. His rustic and poor appearance has prevented his access to them, or his obtaining their attention; but he does not seem yet to be discouraged. I honor much the character of this *véritable philosophe*.

I thank you much for your letters of May the 1st, 13th, and 25th, with your proposed preliminaries. It is a pleasure to me to find our sentiments so concurring on points of importance; it makes discussions as unnecessary as they might between us be inconvenient.

I am, my dear Sir, with great esteem and affection, yours ever.

B. FRANKLIN.

TO BENJAMIN VAUGHAN.

Passy, July 10th, 1782.

Sir,

By the original law of nations, war and extirpation were the punishment of injury. Humanizing by degrees, it admitted slavery instead of death. A further step was, the exchange of prisoners instead of slavery. Another, to respect more the property of private persons under con-

quest, and to be content with acquired dominion. Why should not the law of nations go on improving? Ages have intervened between its several steps, but as knowledge of late increases rapidly, why should not those steps be quickened? Why should it not be agreed to as the future law of nations, that in any war hereafter the following descriptions of men should be undisturbed, have the protection of both sides, and be permitted to follow their employments in surety, viz.

1. Cultivators of the earth, because they labor for the subsistence of mankind.

2. Fishermen, for the same reason.

3. Merchants and traders, in unarmed ships, who accommodate different nations by communicating and exchanging the necessaries and conveniences of life.

4. Artists and mechanics, inhabiting and working in open towns.

It is hardly necessary to add, that the hospitals of enemies should not be molested; they ought to be assisted.

In short, I would have nobody fought with, but those who are paid for fighting. If obliged to take corn from the farmer, friend or enemy, I would pay him for it; the same for the fish or goods of the others.

This once established, that encouragement to war, which arises from a spirit of rapine, would be taken away, and peace therefore more likely to continue and be lasting.

B. FRANKLIN.

TO BENJAMIN VAUGHAN.

Passy, July 11th, 1782.

Dear Sir,

In mine of yesterday, which went by Mr Young, I made no mention of yours of May 11th, it not being before me. I have just found it.

You speak of a "proposed dependent State of America, which you thought Mr Oswald would begin with." As yet I have heard nothing of it. I have all along understood (perhaps I have understood more than was intended) that the point of dependence was given up, and that we are to be treated with as a free people. I am not sure that Mr Oswald has explicitly said so, but I know that Mr Grenville has, and that he was to make that declaration previous to the commencement of the treaty. It is now intimated to me from several quarters, that Lord Shelburne's plan is to retain the sovereignty for the King, giving us otherwise an independent Parliament, and a government similar to that of late intended for Ireland. If this be really his project, our negotiation for peace will not go very far. The thing is impracticable and impossible, being inconsistent with the faith we have pledged, to say nothing of the general disposition of our people. Upon the whole I should believe, that though Lord Shelburne might formerly have entertained such an idea, he had probably dropped it before he sent Mr Oswald here; your words above cited do however throw a little doubt in my mind, and have, with the intimations of others, made me less free in communication with his Lordship, whom I much esteem and honor, than I should otherwise have been. I wish, therefore, you would afford me what you can of *eclaircissement*.

This letter going by a courier, will probably get to hand long before the one preceding in date, which went by Mr Young, who travels on foot. I therefore enclose the copy of it, which was taken in the press. You may return it to me when the other arrives.

By the return of the courier, you may oblige me, by communicating what is fairly communicable, of the history of Mr Fox's and Lord J. Cavendish's resignation, with any other changes made or likely to be made.

With sincere esteem, I am ever, my dear friend, yours most affectionately,

B. FRANKLIN.

TO RICHARD OSWALD.

Passy, July 12th, 1782.

Sir,

I enclose a letter for Lord Shelburne, to go by your courier, with some others, of which I request his care. They may be put into the penny post. I have received a note informing me, that "some opposition given by his Lordship to Mr Fox's decided *plan of unequivocally acknowledging American independence*, was one cause of that gentleman's resignation;" this, from what you have told me, appears improbable. It is further said, "that Mr Grenville thinks Mr Fox's resignation will be fatal to the present negotiation." This perhaps is as groundless as the former. Mr Grenville's next courier will probably clear up matters. I did understand from him, that such an acknowledgment was intended previous to the commencement of the treaty; until it is made, and the treaty formally begun, propositions and discussions seem in consideration to be untimely; nor can I enter into particulars

without Mr Jay, who is now ill with the influenza. My letter, therefore, to his Lordship is merely complimentary on his late appointment. I wish a continuance of your health, in that at present sickly city, being with sincere esteem, Sir, your most obedient and most humble servant,

B. FRANKLIN.

P. S. I send you enclosed the late resolutions of the State of Maryland, by which the general disposition of people in America may be guessed, respecting any treaty to be proposed by General Carleton, if intended, which I do not believe.

TO THE EARL OF SHELBURNE.

Passy, July 12th, 1782.

My Lord,

Mr Oswald informing me, that he is about to despatch a courier, I embrace the opportunity of congratulating your Lordship on your appointment to the treasury. It is an extension of your power to do good, and in that view, if in no other, it must increase your happiness, which I heartily wish.

Being with great and sincere respect, my Lord, your Lordship's most obedient and most humble servant,

B. FRANKLIN.

TO M. DE LAFAYETTE.

Passy, July 24th, 1782.

Dear Sir,

In answer to your questions, Mr Oswald is doing nothing, having neither powers nor instructions; and being

tired of doing nothing, has despatched a courier requesting leave to return. He has, I believe, received no letters, since I saw you, from Lord Shelburne. Mr Grenville's return hither is, I think, doubtful, as he was particularly connected in friendship with Mr Fox, but if he stays, I suppose some other will be sent, for I do not yet see sufficient reason to think they would abandon the negotiation, though, from some appearances, I imagine they are more intent upon dividing us, than upon making a general peace. I have heard nothing further from Mr Laurens, nor received any paper from him respecting Lord Cornwallis. And since that General's letter, written after the battle of Camden, and ordering not only the confiscation of rebels' estates, but the hanging of prisoners, has been made public, I should not wonder if the Congress were to disallow our absolution of his parole, and recall him to America.

With everlasting esteem and respect, I am, dear Sir,
yours most affectionately,

B. FRANKLIN.

DAVID HARTLEY TO B. FRANKLIN.

London, July 26th, 1782.

My Dear Friend,

You will have heard before you receive this, that Mr Thomas Townshend is appointed Secretary of State for that department to which the American correspondence belongs. He is, and has been for many years, one of my most intimate friends. A more honorable and honest man does not exist. I have been requested, in connexion with him, to undertake one branch of his office relating to America, as instrumental to some necessary arrangements in the course of a negotiation for peace with America.

The point which I have been requested to undertake is the case, or rather the diversity of cases, of the American refugees. I understand, that in the progress of this business, I shall be referred to a correspondence with you, as matter may arise. My purpose, therefore, for the present, is only to advertise you of this, in case you should have any preliminary matter to give or receive elucidation upon. I am very ready to undertake any matter, which may be necessary or instrumental towards peace, especially in connexion with my worthy friend Mr Townshend.

You know all my principles upon American pacification, and *sweet reconciliation*. I shall always remain in the same. But the delegation of a single point to me, such as the case of the refugees, does not entitle me to advise upon the great outlines or principles of such pacific negotiations. I shall retain my full reservation in such points as events may justify. My personal motive for saying this to you is obvious. But, in point of justice to those who have at present the direction of public measures in this country, I must request that this caution of mine may be accepted only as personal to myself, and not as inferential upon the conduct of others, where I am not a party. Having taken a zealous part in the principles and negotiations of peace, I wish to stand clear from any collateral constructions, which might affect myself, and at the same time not to impose any collateral or inferential constructions upon others.

God prosper the work of peace and *good will* (as the means of peace) among men.

I am ever your affectionate friend,

D. HARTLEY.

LORD GRANTHAM TO B. FRANKLIN.

Whitehall, July 26th, 1782.

Sir,

As the first object of my wishes is to contribute to the establishment of an honorable and lasting peace, I address myself to you without ceremony, upon the conviction that you agree with me in this principle. If I was not convinced that it was also the real system of the Ministers of this country, I should not now be co-operating with them. The step they had already taken, in sending Mr Grenville to Paris, is a proof of their intentions, and as that gentleman does not return to his station there, I trust that the immediate appointment of a person to succeed him, will testify my agreement to the principles upon which he was employed. I therefore beg leave to recommend Mr Fitzherbert to your acquaintance, who has the King's commands to repair to Paris.

As I have not the advantage of being known to you, I can claim no pretence for my application to you, but my public situation, and my desire to merit your confidence upon a subject of so much importance, as a pacification between the parties engaged in a calamitous war.

I have the honor to be, with great regard, Sir, your most obedient humble servant,

GRANTHAM.

LORD SHELBURNE TO B. FRANKLIN.

Shelburne House, July 27th, 1782.

Sir,

I am much obliged by the honor of your letter of the 12th instant. You do me most acceptable justice, in sup-

posing my happiness intimately connected with that of mankind, and I can with truth assure you it will give me great satisfaction, in every situation, to merit the continuance of your good opinion.

I have the honor to be, with very sincere regard and esteem, dear Sir, your most obedient and most humble servant,

SHELBURNE.

TO RICHARD OSWALD.

Passy, July 28th, 1782.

Sir,

I have but this moment had an opportunity, by the departure of my company, of perusing the letters you put into my hands this afternoon, and I return them directly without waiting till our interview tomorrow morning, because I would not give a moment's delay to the delivery of those directed to other persons.

The situation of Captain Asgill and his family afflicts me, but I do not see what can be done by any one here to relieve them. It cannot be supposed, that General Washington has the least desire of taking the life of that gentleman. His aim is to obtain the punishment of a deliberate murder, committed on a prisoner in cold blood, by Captain Lippincott. If the English refuse to deliver up or punish this murderer, it is saying, that they choose to preserve him rather than Captain Asgill. It seems to me, therefore, that the application should be made to the English Ministers for positive orders, directing General Carleton to deliver up Lippincott, which orders being obtained, should be despatched immediately by a swift sail-

ing vessel. I do not think any other means can produce the effect desired. The cruel murders of this kind, committed by the English on our people, since the commencement of the war, are innumerable. The Congress and their Generals, to satisfy the people, have often threatened retaliation, but have always hitherto forborne to execute it; and they have been often insultingly told by their enemies, that this forbearance did not proceed from humanity, but fear. General Greene, though he solemnly and publicly promised it in a proclamation, never made any retaliation for the murder of Colonel Haynes, and many others in Carolina, and the people, who now think if he had fulfilled his promise this crime would not have been committed, clamor so loudly, that I doubt General Washington cannot well refuse what appears to them so just and necessary for their common security. I am persuaded that nothing I could say to him on the occasion would have the least effect in changing his determination.

Excuse me, then, if I presume to advise the despatching a courier immediately to London, proposing to the consideration of Ministers the sending such orders to General Carleton directly. They would have an excellent effect in other views. The post goes tomorrow morning at ten o'clock, but as nine days have been spent in bringing the letters here by that conveyance, an express is preferable.

With sincere esteem, I have the honor to be, &c.

B. FRANKLIN.

TO COUNT DE VERGENNES.

Passy, August 8th, 1782.

Sir,

Yesterday Mr Oswald communicated to Mr Jay and me a paper he had just received from his Court, being a copy of the King's order to the Attorney or Solicitor-General, to prepare a commission to pass the great seal, appointing him to treat with us, &c. and he showed us a letter from Mr Secretary Townshend, which expresses his concern, that the commission itself could not be sent by this courier, the officers who were to expedite it being in the country, which would occasion a delay of eight or ten days; but that its being then sent might be depended on, and it was hoped the treaty might, in the mean time, be proceeded on. Mr Oswald left with me a copy of the paper, which I enclose for your Excellency's consideration, and am, with great respect, Sir, your Excellency's, &c.

B. FRANKLIN.

COUNT DE VERGENNES TO B. FRANKLIN.

Translation.

Versailles, August 8th, 1782.

I have received, Sir, the letter of this day, with which you have honored me, and the copy of the power, which Mr Oswald has communicated to you. The form in which it appears is not that which is usual on similar occasions, but it has not prevented me from forming my opinion in the first instance. I have bestowed the greatest attention on it, and if you will be so good as to favor me with a visit on

Saturday morning, I shall confer with you and Mr Jay, if it will be convenient for him to accompany you.

I have the honor to be, most sincerely, Sir, your most humble servant,

DE VERGENNES.

ROBERT R. LIVINGSTON TO B. FRANKLIN.

Philadelphia, August 9th, 1782.

Dear Sir,

Having written to Mr Jay, who I presume is with you, I do not think it necessary to repeat what I have mentioned to him. We have not heard from you since March; a very long period, considering the interesting events that have taken place between that time and this. Many vessels have arrived without bringing us a line from you. I am apprehensive that Mr Barclay does not communicate to you the frequent opportunities that offer of writing. I shall write to him upon the subject.

Sir Guy Carleton and Admiral Digby have informed the General, that a negotiation for a general peace is now on foot, and that the King, his master, has agreed to yield the independence of America without making it conditional. I shall enclose a copy of his letter at large, which refers to another object; the exchange of prisoners. This great point once yielded, I see nothing that will obstruct your negotiations, except three points of discussion, which I have before written to you about. I wish it had been possible to obtain the estimates I mention, as they might have been rendered useful to you upon one of them. But the negligence of the Governors, or Legislatures of the several States, have rendered all my endeavors hitherto unsuccessful, notwithstanding repeated promises to give

this subject their earliest attention. The restoration of confiscated property has become utterly impossible, and the attempt would throw the country into the utmost confusion.

The fisheries are too important an object for you to lose sight of, and as to the back lands, I do not conceive that England can seriously expect to derive any benefit from them, that will be equivalent to the jealousy that the possession of them would awaken and keep alive between her and this country. I transmit to you a bill for seventyone thousand three hundred and eighty livres, being the amount of one quarter's salary to yourself, and Messrs Jay, Adams, Carmichael, Dana, and Dumas. No provision is made for the private Secretaries or contingencies, not having been furnished with an account of them. I also send bills for the first quarter, commencing in January, so that you will, on the receipt of this, be enabled to pay one half year's salary to our Ministers and their Secretaries.

I just now learn, that Carleton has published his and Digby's letter to the General. The design of this must either be, to see whether the people of this country will catch so eagerly at the proposition for a peace, which yields them their independence, as to be careless about the alliance, or to impress us with an idea, that we are more indebted for our freedom to the generosity of Great Britain, than to the attention of France to our interests in the general treaty. It is not to be doubted, that the good sense and the gratitude of this country will defeat both these objects.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

P. S. If Mr Jay should not be at Paris, I must beg you to open and decipher for him the letter of this month,

and the resolution contained therein, marked on the back, below the seal, *August*, and send it to him by the earliest opportunity.

TO ROBERT R. LIVINGSTON.

Passy, August 12th, 1782.

Sir,

I have lately been honored with your several letters, No. 10, March 9th; No. 11, May 22d; and No. 12, May 30th.

The paper, containing a state of the commerce in North America, and explaining the necessity and utility of convoys for its protection, I have laid before the Minister, accompanied by a letter, pressing that it be taken into immediate consideration; and I hope it may be attended with success.

The order of Congress, for liquidating the accounts between this Court and the United States, was executed before it arrived. All the accounts against us for money lent, and stores, arms, ammunition, clothing, &c. furnished by government, were brought in and examined, and a balance received, which made the debt amount to the even sum of eighteen millions, exclusive of the Holland loan, for which the King is guarantee. I send a copy of the instrument to Mr Morris. In reading it, you will discover several fresh marks of the King's goodness towards us, amounting to the value of near two millions. These, added to the free gifts before made to us at different times, form an object of at least twelve millions, for which no returns but that of gratitude and friendship are expected. These, I hope, may be everlasting. The constant good understanding between France and the Swiss Cantons,

and the steady benevolence of this Crown towards them, afford us a well grounded hope that our alliance may be as durable and as happy for both nations ; there being strong reasons for our union, and no crossing interests between us. I write fully to Mr Morris on money affairs, who will doubtless communicate to you my letter, so that I need say the less to you on that subject.

The letter to the King was well received ; the accounts of your rejoicings on the news of the dauphin's birth give pleasure here ; as do the firm conduct of Congress, in refusing to treat with General Carleton, and the unanimous resolutions of the assemblies of different States on the same subject. All ranks of this nation appear to be in good humor with us, and our reputation rises throughout Europe. I understand from the Swedish Ambassador, that their treaty with us will go on as soon as ours with Holland is finished ; our treaty with France, with such improvements as that with Holland may suggest, being intended as the basis.

There have been various misunderstandings and mismanagements among the parties concerned in the expedition of the *Bon Homme Richard*, which have occasioned delay in dividing the prize money. M. de Chaumont, who was chosen by the captains of all the vessels in the expedition as their agent, has long been in a state little short of bankruptcy, and some of the delays have possibly been occasioned by the distress of his affairs. He now informs me, that the money is in the hands of the Minister of the Marine. I shall in a few days present the Memorial you propose, with one relating to the prisoners, and will acquaint you with the answer. Mr Barclay is still in Holland ; when he returns he may take into his hands what money can be obtained on that account.

I think your observations respecting the Danish complaints through the Minister of France perfectly just. I will receive no more of them by that channel, and will give your reasons to justify my refusal.

Your approbation of my idea of a medal to perpetuate the memory of York and Saratoga victories gives me great pleasure, and encourages me to have it struck. I wish you would acquaint me with what kind of a monument at York the emblems required are to be fixed on; whether an obelisk or a column; its dimensions; whether any part of it is to be marble, and the emblems carved on it, and whether the work is to be executed by the excellent artists in that way which Paris affords; and if so, to what expense they are to be limited. This puts me in mind of a monument I got made here and sent to America, by order of Congress, five years since. I have heard of its arrival, and nothing more. It was admired here for its elegant antique simplicity of design, and the various beautiful marbles used in its composition. It was intended to be fixed against a wall in the State House of Philadelphia. I know not why it has been so long neglected; it would, methinks, be well to inquire after it, and get it put up somewhere. Directions for fixing it were sent with it. I enclose a print of it. The inscription in the engraving is not on the monument; it was merely the fancy of the engraver. There is a white plate of marble left smooth to receive such inscription as the Congress should think proper.

Our countrymen, who have been prisoners in England, are sent home, a few excepted, who were sick, and who will be forwarded as soon as recovered. This eases us of a very considerable charge.

I communicated to the Marquis de Lafayette the paragraph of your letter which related to him. He is still here, and as there seems not much likelihood of an active campaign in America, he is probably more useful where he is. His departure, however, though delayed, is not absolutely laid aside.

The second changes in the Ministry of England have occasioned, or have afforded, pretences for various delays in the negotiation for peace. Mr Grenville had two successive imperfect commissions. He was at length recalled, and Mr Fitzherbert is now arrived to replace him, with a commission in due form to treat with France, Spain, and Holland. Mr Oswald, who is here, is informed by a letter from the new Secretary of State, that a commission, empowering him to treat with the Commissioners of Congress, will pass the seals, and be sent him in a few days; till he arrives, this Court will not proceed in its own negotiation. I send the *Enabling Act*, as it is called. Mr Jay will acquaint you with what passes between him and the Spanish Ambassador, respecting the proposed treaty with Spain. I will only mention, that my conjecture of that Court's design to coop us up within the Allegany mountains is now manifested. I hope Congress will insist on the Mississippi as the boundary, and the free navigation of the river from which they could entirely exclude us.

An account of a terrible massacre of the Moravian Indians has been put into my hands. I sent you the papers, that you may see how the fact is represented in Europe. I hope measures will be taken to secure what is left of those unfortunate people.

Mr Laurens is at Nantes, waiting for a passage with his

family to America. His state of health is unfortunately very bad. Perhaps the sea air may recover him, and restore him well to his country. I heartily wish it. He has suffered much by his confinement.

Be pleased, Sir, to present my duty to the Congress, and assure them of my most faithful services.

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

B. FRANKLIN.

TO ROBERT MORRIS.

Passy, August 12th, 1782.

Sir,

I have received (many of them at the same time) your sundry letters of March the 23d, April 5th and 17th, May 17th, 18th, two of the 23d and 29th. It would be a satisfaction to me, if you would likewise mention from time to time the dates of those you receive from me.

Most of your letters press my obtaining more money for the present year. The late losses suffered in the West Indies, and the unforeseen necessary expenses the reparation there and here must occasion, render it more difficult, and I am told, impossible; though the good disposition of the Court towards us continues perfect. All I can say on the head of money, more than I have said in preceding letters is, that I confide you will be careful not to bankrupt your banker by your drafts; and I will do my utmost that those you draw shall be duly honored.

The plan you intimate for discharging the bills in favor of Beaumarchais, though well imagined, was impracticable. I had accepted them, and he had discounted them, or paid them away, or divided them amongst his creditors.

They were, therefore, in different hands, with whom I could not manage the transactions proposed. Besides, I had paid them punctually when they became due, which was before the receipt of your letter on that subject. That he was furnished with his funds by the government here, is a supposition of which no foundation appears; he says it was by a company he had formed; and when he solicited me to give up a cargo in part of payment, he urged, with tears in his eyes, the distress himself and associates were reduced to, by our delay of remittances. I am glad to see that it is intended to appoint a Commissioner to settle all our public accounts in Europe. I hope he will have better success with M. Beaumarchais than I have had. He has often promised solemnly to render an account in two or three days. Years have since elapsed, and he has not yet done it. Indeed, I doubt whether his books have been so well kept as to make it possible.

You direct me, in yours of May 17th, to pay over into the hands of Mr Grand, on your account, such monies belonging to the United States as may be in Europe, distinct from those to be advanced for the current year. I would do it with pleasure if there were any such. There may be, indeed, some in Holland, raised by the new loan, but that is not in my disposition, though I have no doubt that Mr Adams will, on occasion, apply it in support of your credit. As to all the aids given by the crown, all the sums borrowed of it, and all the Dutch loans of ten millions, though the orders to receive have been given to me, the payments from the *Tresor Royal* have all been made on my orders in favor of Mr Grand, and the money again paid away by him on my drafts for public services and expenses, as you

will see by his accounts ; so that I never saw or touched a livre of it, except what I received from him in discharge of my salary, and some disbursements. He has even received the whole six millions of the current year, so that I have nothing in any shape to pay over to him. On occasion of my lately desiring to know the state of our funds, that I might judge whether I could undertake to pay what you were directed to pay to Mr William Lee, by vote of Congress, as soon as the state of public finances would admit, Mr Grand wrote me a note, with a short sketch of their then supposed situation, which I enclose. You will probably have from him, as soon as possible, a more perfect account ; but this will serve to show, that I could not prudently comply with your wish, of making that payment to Mr Lee, and I have accordingly declined it ; the less unwillingly as he is entitled by the vote to interest.

I send herewith the accounts of the supplies we have received in goods, which I promised in my last.

The sum of their value is included in the settlement made with this Court, mentioned in a former letter. Herewith I also send a copy of the contract, which has been long in hand, and but lately completed. The term of the first yearly payment we are to make was readily changed at my request, from the first to the third year after the peace ; the other marks of the King's bounty towards us will be seen in the instrument. The interest already due and forgiven amounts to more than a million and a half. What might become due before the peace is uncertain. The charges of exchange, commissions, brokerage, &c. of the Dutch loan, amount to more than five hundred thousand livres, which is also given, so that we have the whole sum net, and are to pay for it but four per

cent. This liquidation of our accounts with the Court was completed before the vote of Congress directing it came to hand. Mr Grand examined all the particulars, and I have no doubt of its being approved.

Mr Grand, to whom I have communicated your letter of April 17th, will soon write to you fully. We shall observe the general rule you give respecting the 5th, 6th, 7th, and 8th bills. The attention, care, and pains necessary to prevent, (by exact accounts of those accepted, and an examination of those offered,) impositions which are often attempted by presenting at a distant time, the 2d, 3d, &c. are much greater than I could have imagined. Much has been saved by that attention, of which of late we keep an account; but the hazard of loss by such attempts might be diminished, together with the trouble of examination, by making fewer small bills.

Your conduct, activity, and address as a financier and provider for the exigencies of the State, are much admired and praised here, their good consequences being so evident, particularly with regard to the rising credit of our country and the value of bills. No one but yourself can enjoy your growing reputation more than I do.

Mr Grand has undertaken to pay any balance, that may be found due to Messrs le Couteulx out of the money in his hands. Applying for so small a sum as 5000 livres would be giving trouble for a trifle, as all applications for money must be considered in Council.

Mr Grand having already received the whole six millions, either in money or accepted bills, payable at different periods, I expect he will deliver up to me the bills for that sum, which you have drawn upon me, the rather as they express value received by you. I never heard of any

mention here of intended monthly payments, or that the money could not be obtained but by your drafts. I enclose a letter, by which the payment was ordered of the last three millions.

I observe what you mention of the order, that the Ministers' salaries are to be hereafter paid in America. I hereby empower and desire you to receive and remit mine. I do not doubt your doing it regularly and timely; for a Minister without money, I perceive, makes a ridiculous figure here, though secure from arrests. I have taken a quarter's advance of salary from the 4th of last month, supposing it not intended to *muzzle* immediately *the mouth of the ox that treadeth out the corn*.

With great esteem, I am, &c.

B. FRANKLIN.

P. S. Your boys are well, and Mr Ridley and Mr Barclay still in Holland.

DAVID HARTLEY TO B. FRANKLIN.

London, August 16th, 1782.

My Dear Friend,

Yours I received by Major Young, together with the work of your *véritable philosophe*, which is full of humanity. I was not before that at a loss where I should have looked for my *véritable philosophe*, in the present actual scene of public politics. Your honest, anxious, and unremitting endeavors towards the re-establishment of peace, must endear you to your own country, and to all mankind. Whatever may have been transacted in America, (if it can be possible, that the suspicions which you mention

should become true, viz. to tamper with America for a breach of faith, of which some suspicions seem to be thrown out by the Provinces of Maryland and Philadelphia,) I can give the strongest testimonies of the constant honor and good faith of your conduct and correspondencies; and my letters to you will bear me equal testimony, that I have never thrown out any dishonorable suggestions to you. When the proposed Congress of your *véritable philosophe* shall meet, neither of us need fear its censures, upon the strictest examination of our correspondence. We will claim the poet's character of the sincere statesman,

“Who knew no thought, but what the world might hear.”

In times of suspicion, it must be some satisfaction to both of us to know, that no line or word has ever passed between us, but what the governments of Great Britain, France, and America, might freely peruse as the words of good faith, peace, and *sweet reconciliation*.

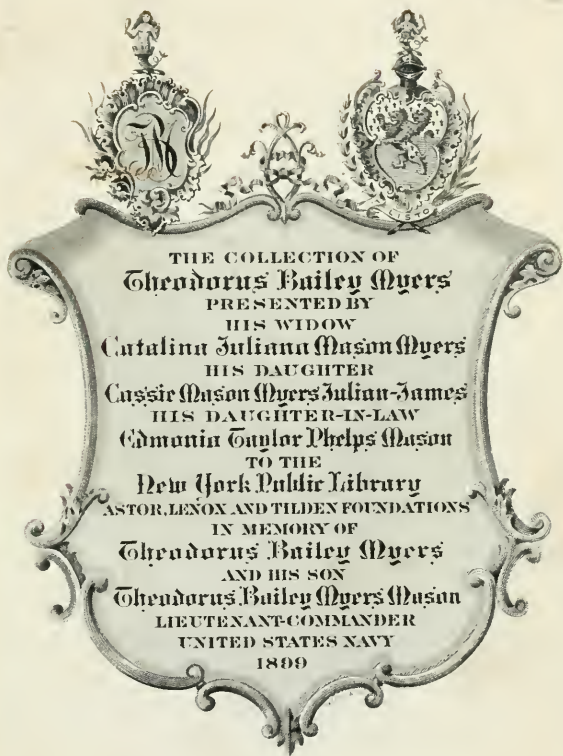
The resolutions of Maryland and Philadelphia, together with the slow proceedings of our *plenipotentiaries*, and even the doubt suggested, whether they may not be waiting for events in America, give me much concern. Not being informed to a certainty of the state of the negotiation, I have declined any concern with the Ministry upon the subject of the refugees, &c. My assistance cannot be indispensable upon that topic, but I deem it indispensable to myself not to be committed in unknown ground, which, from the points abovementioned, must appear dubious to me. These are the reasons which I gave to the Minister for declining. I must, at the same time, give him the justice of the most absolute and unlimited professions of sin-

cerity for peace. Whatever divisions there may have been, as you say, suspected in the Cabinet, there are some of his colleagues still remaining, in whom I have the greatest confidence for sincerity and good intentions. The public prints of this country have stated what are called *shades* of difference as to the mode. Those opinions, which are imputed to Mr Fox, are certainly most suitable to my opinions. I am free to confess to you, that my wishes would have been to have taken the most decisive ground relating to independence, &c. immediately from the 27th of March last, viz. the accession of the change of Ministry. But I agree with you in sentiment, viz. to concur with all the good that offers, when we cannot obtain all the good that we might wish. The situation of my sentiments at present is, an unbiassed neutrality of expectation, as events may justify.

I shall be obliged to you for the earliest communications of any public events in America, that may come to Europe with any public resolutions of Congress or the Provinces, &c., and all memorials or negotiations, which may pass between the parties in America. I am very anxious to have the earliest information to form my opinions upon, and to be prepared accordingly. My utmost endeavors will always be exerted to the blessed work of peace.

I am ever, your affectionate

D. HARTLEY.



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Theodore Bailey Myers

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HIS WIDOW

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HIS DAUGHTER

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HIS DAUGHTER-IN-LAW

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