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*Sir Cha: Grave Hudson, of Wandlip,
in the County of Leicester, Bar.^t*



T H E

R E M E M B R A N C E R ;

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Day of
CALIFORNIA

I M P A R T I A L R E P O S I T O R Y

O F

P U B L I C E V E N T S

For the YEAR 1779.

L O N D O N :

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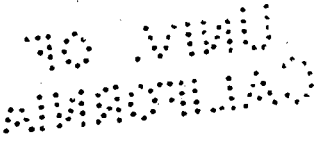
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T H E

R E M E M B R A N C E R.

For the REMEMBRANCE.

OBSERVATIONS on the AMERICAN REVOLUTION. Published according to a Resolution of Congress, by their Committee. For the Consideration of those who are desirous of comparing the Conduct of the opposed Parties, and the several Consequences which have flowed from it. Philadelphia printed, 1779.*

THE efforts of Great-Britain to reduce these United States being now almost brought to a period, it is proper that the citizens of America should look over the ground they have trodden: This becomes necessary, in order that the present generation may fully comprehend those two points, which posterity indeed will perceive at a single glance; but which it is of importance to the consciences of men to be well informed of now. For certainly it becomes us to know that the contest which hath emancipated our country, originated with our enemies, and hath been by them urged on for the purposes of domination: while on our part every step hath been taken, consistent with possible safety, to deprecate their vengeance, and avert the calamities of war.

For the better understanding this important subject, we must take a

cursor view of the British colonies before the revolution, previous to which it may be necessary to make some few remarks on the circumstance of colonization. This, though it introduced new incidents not to be met with in the ancient histories of human affairs, neither did or could introduce any new reason or new maxims of justice.

The great principle, therefore, is and ever will remain in force, that **MEN ARE BY NATURE FREE.** As accountable to him that made them, they must be so; and so long as we have any idea of divine justice, we must associate that of human freedom. Whether men can part with their liberty is among the questions which have exercised the ablest writers: but it is conceded on all hands, that the right to be free can never be alienated. Still less is it practicable for one generation to mortgage the

* Although some of the papers and letters contained in this pamphlet have been printed in the former volumes of the Remembrancer; yet we have reprinted the whole of the pamphlet here, for the two following reasons; viz. First, Because several of the papers and letters were copied into the Remembrancer from newspapers, (printed at the time) and consequently liable to many inaccuracies; and these copies, in the pamphlet, being all printed, under the inspection of a Committee of the Congress, may be presumed to be correct and authentic. Second, Because some readers (and those perhaps not a few) would disapprove of a multitude of references, and would rather see a few paragraphs, or pages, reprinted, than not see the whole together.

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privileges

privileges of another. The right of a state over its own members hath also been brought into question; and there are not wanting authorities to show, that citizens who renounce allegiance and protection may fly from the territories of the state, and erect new independent governments in new countries. Be this as it may, the point is clear, that when the consent of government is obtained, the individuals are again in a state of nature; alike free either to submit to a society existing, or to establish one, as their interest or their inclination may prompt. Here then is the situation of those who wearied with the contentions and oppressions of the old world, boldly threw themselves upon the protection of Providence to explore the new, and traversed the ocean to inhabit a wilderness amid nations of barbarous foes. These first adventurers, inspired by freedom, supported by industry, and protected by Heaven, became inured to toil, to hardship, and to war. In spite therefore of every obstacle they obtained a settlement; and then turned their attention to the security of those equal rights for which they had encountered so many perils and inconveniences. For this purpose they framed independent constitutions; and these, however different in form, were all inspired by the same spirit, and all founded on that eternal maxim of free governments, that no man can be bound by laws to which he does not consent. These little republics soon began to flourish with a vigour and beauty adequate to the radical energy of their first principle. Of consequence they became a desirable object to that genius of enterprize which had animated the monarchies of Europe. On the other hand, their weakness required some ancient trunk to support them for a while in the storm of ambition. Our ancestors therefore, stimulated by their ne-

cessities, and seduced by ancient habits, and the remembrance of former friendships and connections, were easily prevailed on to subject themselves to the King of England, in consequence of his solemn promise to afford them protection in common with all his other subjects against foreign force and internal violence. The British colonies then, under that name, were in fact so many independent states, whose only political connection with each other, and with the several parts of the British empire, was by means of a common sovereign. It followed from their natural and political situation that this connection could not be permanent, and indeed the fabric must have crumbled to pieces at a much earlier period, if it had not been cemented by the sameness of manners and language, a striking similarity of civil institutions, a continued intercourse for the purposes of commerce, and other circumstances of the like kind. For the interests of Great-Britain and America were diametrically opposite, whether we consider them either in a political or commercial view. It was, for instance, the interest of Great-Britain, that needy dependents there should rebuild their shattered fortunes here, and the wealthy citizens of this country expend their property at the metropolis. That we should be obliged to take part in all their wars, whether for defence or conquest. That our trade should be confined to their ports; and finally, that they should have a power by laws passed in their Parliament to bind us in all cases whatsoever; and not only did the difference of interests work to this end, but Nature had so widely separated the two countries, that it was impossible they could long have been joined together upon terms even of despotism.

From what hath already been said it must appear, that as a free people we

we could not be bound by arbitrary edicts of the prince, that by still stronger reasons we could not be bound by the more arbitrary edicts of our fellow subjects; and of consequence, that although the prince and our fellow subjects should join against us whatever force they might acquire, they could acquire no right by the union. But it will appear also, that we had on every principle a right to become independent, particularly if the crown should violate those contracts which formed the basis of an union. For let us suppose that when our ancestors quitted Europe, they went on the general principle of disclaiming allegiance to, and protection from, the several states of which they were subjects, or that they came hither with the permission of those states, and even under a contract with the King of England. And when they arrived here, let us suppose either that they established independent governments, which afterwards became subject by agreement, or that a conditional subjection was interwoven in their frame;—still the existence of the contract remains unimpeached; or even on a supposition that they had actually bargained for unconditional submission, still that bargain would have been from its very nature void as to them; or if not to them, at least to their offspring; and, of consequence, from the principle of all free societies, the contract will still result. And it being evident that the two countries not only had not, but really could not have (on free principles) any political connection but through the prince—so that right exercised in the revolution of England demonstrated since, and generally admitted, must necessarily draw with it the right to independence, which is above stated.

Previous to the last war, a few acts were passed in England infringing on the liberties of America; and but a few for the two following reasons,

1st. Because America was at that time an object of very little national attention. 2dly, Because the possessions of the French enabled them to give such effectual aid in case of rupture, that it was imprudent to tempt us too far. These acts however were obeyed, because the restraints were of no great consequence; and because we were too sensible of our weakness to be fully sensible of our rights, or at least to vindicate them. But during the course of the war, the weight and magnitude of America became visible; and at the peace, this great object was (or at least seemed to be) inseparably annexed to the crown of Britain. On the other hand, we had felt our own force, and were relieved from a neighbour whose views at that time cramped our growth and repressed our efforts. The consequence of this change was instantly perceived. Great-Britain claimed revenue and dominion. We refused the one, and dispured the other.

The history which Congress gave in their address to America of October 1774, will on this occasion deserve our serious attention. It is as follows: "Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these colonies. By a statute made in the fourth year of the present reign, a time of profound peace, alledging, "the expediency of new provisions and regulations for extending the commerce between Great-Britain and his Majesty's dominions in America, and the necessity of raising a revenue in the said dominions for defraying the expences of defending, protecting, and securing the same," the *Commons of Great-Britain* undertook to give and grant to his Majesty many rates and duties, to be paid in these colonies. To enforce the observance of this act, it prescribes a great number of severe penalties and forfeitures;

feitures; and in two sections makes a remarkable distinction between the subjects in *Great-Britain* and those in *America*. By the one, the penalties and forfeitures incurred there are to be recovered in any of the King's Courts of Record at Westminster, or in the Court of Exchequer in Scotland; and by the other, the penalties and forfeitures incurred here are to be recovered in any Court of Record, or in any Court of Admiralty, or Vice-admiralty, at the election of the informer or prosecutor.

The inhabitants of these colonies, confiding in the justice of *Great-Britain*, were scarcely allowed sufficient time to receive and consider this act before another, well known by the name of the Stamp Act, and passed in the fifth year of this reign, engrossed their whole attention. By this statute the British parliament exercised in the most explicit manner a power of taxing us, and extending the jurisdiction of Courts of Admiralty and Vice-admiralty in the colonies to matters arising within the body of a county, and directed the numerous penalties and forfeitures thereby inflicted to be recovered in the said courts.

In the same year a tax was imposed upon us by an act establishing several new fees in the customs. In the next year the Stamp Act was repealed; not because it was founded in an erroneous principle, but as the repealing act recites, because the "continuance thereof would be attended with many inconveniencies, and might be productive of consequences greatly detrimental to the commercial interest of *Great-Britain*."

In the same year, and by a subsequent act, it was declared, "that his Majesty in parliament of right had power to bind the people of these colonies by statutes in all cases whatsoever."

In the same year another act was

passed, for imposing rates and duties payable in these colonies. In this statute the commons, avoiding the terms of giving and granting, "humbly besought his Majesty that it might be enacted, &c." But from a declaration in the preamble, that the rates and duties were "in lieu of" several others granted by the statute first before mentioned for raising a revenue, and from some other expressions it appears that these duties were intended for that purpose.

In the next year [1767] an act was made "to enable his Majesty to put the customs and other duties in *America* under the management of commissioners, &c." And the King thereupon erected the present expensive board of commissioners, for the express purpose of carrying into execution the several acts relating to the revenue and trade in *America*.

After the repeal of the Stamp Act, having again resigned ourselves to our ancient unsuspecting affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press our objections against the above mentioned statutes made subsequent to that repeal.

Administration, attributing to trifling causes a conduct that really proceeded from generous motives, were encouraged in the same year [1767] to make a bolder experiment on the patience of *America*.

By a statute commonly called the Glass, Paper and Tea Act, made fifteen months after the repeal of the Stamp Act, the Commons of *Great-Britain* resumed their former language, and again undertook to "give and grant rates and duties to be paid in these colonies," for the express purpose of "raising a revenue to defray the charges of the administration of justice, the support of civil government, and defending the King's dominions" on this continent. The penalties and for-

Forfeitures incurred under this statute, are to be recovered in the same manner with those mentioned in the foregoing acts.

To this statute so naturally tending to disturb the tranquility then universal throughout the colonies, parliament in the same session added another no less extraordinary.

Ever since the making the present peace, a standing army has been kept in these colonies: from respect for the mother country, the innovation was not only tolerated, but the provincial legislatures generally made provision for supplying the troops.

The assembly of the province of New-York, having passed an act of this kind, but differing in some articles from the directions of the act of parliament made in the fifth year of this reign, the House of Representatives in that colony was prohibited by a statute made in the last session mentioned, from making any bill, order, resolution, or vote, except for adjourning or chusing a speaker, until provision should be made by the said assembly for furnishing the troops within that province, not only with all such necessaries as were required by the statute which they were charged with disobeying, but also with those required by two other subsequent statutes, which were declared to be in force until the twentieth day of March, 1769.

These statutes of the year 1767, revived the apprehensions and discontent that had entirely subsided on the repeal of the Stamp Act; and amidst the just fears and jealousies thereby occasioned, a statute was made in the next year [1768] to establish Courts of Admiralty and Vice-admiralty on a new model, expressly for the end of more effectually recovering of the penalties and forfeitures inflicted by acts of parliament, framed for the purpose of raising a revenue in America, &c.

The immediate tendency of these

statutes is, to subvert the right of having a share in legislation, by rendering assemblies useless; the right of property, by taking the money of the colonists without their consent; the right of trial by jury, by substituting in their place trials in Admiralty and Vice-admiralty Courts, where single judges preside, holding their commissions during pleasure; and unduly to influence the courts of common law, by rendering the judges thereof totally dependent on the crown for their salaries.

These statutes, not to mention many others exceedingly exceptionable, compared with one another, will be found not only to form a regular system, in which every part has great force, but also a pertinacious adherence to that system for subjugating these colonies, that are not, and from local circumstances cannot be represented in the House of Commons, to the uncontrollable and unlimited power of Parliament, in violation of their undoubted rights and liberties—in contempt of their humble and repeated supplications.

Severe as the acts of Parliament before mentioned are, yet the conduct of Administration hath been equally injurious, and irritating to this devoted country.

Under pretence of governing them, so many new impositions uniformly rigid and dangerous have been introduced, as could only be expected from incensed masters, for collecting the tribute or rather the plunder of conquered provinces.

By an order of the King, the authority of the commander in chief, and under him of the Brigadier-generals, in time of peace, is rendered supreme in all the civil governments in America; and thus an uncontrollable military power is vested in officers not known to the constitution of these colonies.

A large body of troops, and a considerable armament of ships of war, have

have been sent to assist in taking their money without their consent.

Expensive and oppressive offices have been multiplied, and the acts of corruption industriously practised to divide and destroy.

The judges of the Admiralty and Vice-Admiralty Courts are impowered to receive their salaries and fees from the effects to be condemned by themselves.

The commissioners of the customs are impowered to break open and enter houses without the authority of any civil magistrate founded on legal information.

Judges of courts of common law have been made entirely dependent on the crown for their commissions and salaries.

A court has been established at Rhode-Island, for the purpose of taking colonists to England to be tried.

Humble and reasonable petitions from the representatives of the people, have been frequently treated with contempt: and assemblies have been repeatedly and arbitrarily dissolved.

From some few instances it will sufficiently appear, on what pretences of justice those dissolutions have been founded.

The tranquility of the colonies having been again disturbed, as has been mentioned, by the statutes of the year 1767, the Earl of Hillsborough, Secretary of State, in a letter to Governor Bernard, dated April 22, 1768, censures the "presumption" of the House of Representatives for "resolving upon a measure of so inflammatory a nature, as that of writing to the other colonies, on the subject of their intended representations against some late acts of Parliament;" then declares, that "his Majesty considers this step as evidently tending to create unwarrantable combinations, to excite an unjustifiable opposition to the constitutional authority of Parliament;" and afterwards adds, "it is the King's

pleasure, that as soon as the General Court is again assembled, at the time prescribed by the charter, you should require of the House of Representatives, in his Majesty's name, to rescind the resolution which gave birth to the circular letter from the Speaker, and to declare their disapprobation of and dissent to that rash and hasty proceeding."

"If the new assembly should refuse to comply with his Majesty's reasonable expectation, it is the King's pleasure, that you should immediately dissolve them."

This letter being laid before the house, and the resolution not being rescinded according to order, the assembly was dissolved. A letter of a similar nature was sent to other Governors, to procure resolutions, approving the conduct of the representatives of Massachusetts-Bay, to be rescinded also; and the Houses of Representatives in other colonies refusing to comply, their assemblies were dissolved.

These mandates spoke a language to which the ears of English subjects had for several generations been strangers. The nature of assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the requisitions made, left to the assemblies only the election between dictated submission, and threatened punishment: a punishment too founded on no other act than such as is deemed innocent even in slaves—of agreeing in petitions for redress of grievances that equally affect all.

The hostile and unjustifiable invasion of the town of Boston soon followed these events in the same year; though that town, the province in which it is situated, and all the colonies, from abhorrence of a contest with their parent state, permitted the execution of those statutes against which they so unanimously were

were complaining, remonstrating, and supplicating.

Administration, determined to subdue a spirit of freedom which English Ministers should have rejoiced to cherish, entered into a monopolizing combination with the East-India Company, to send to this continent vast quantities of tea, an article on which a duty was laid by a statute that in a particular manner attacked the liberties of America, and which therefore the inhabitants of these colonies had resolved not to import. The cargo sent to South-Carolina was stored, and not allowed to be sold. Those sent to Philadelphia and New-York were not permitted to be landed. That sent to Boston was destroyed, because Governor Hutchinson would not suffer it to be returned.

On the intelligence of these transactions arriving in Great-Britain, the public spirited town last mentioned was singled out for destruction, and it was determined the province it belongs to should partake of its fate. In the last session of Parliament therefore were passed the acts for shutting up the ports of Boston, indemnifying the murderers of the inhabitants of Massachusetts-Bay, and changing their chartered constitution of government. To enforce these acts, that province is again invaded by a fleet and army.

To mention these outrageous proceedings, is sufficient to explain them. For though it is pretended that the province of Massachusetts-Bay has been particularly disrespectful to Great-Britain, yet, in truth, the behaviour of the people in other colonies, has been an equal "opposition to the power assumed by Parliament." No step, however, has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the province of Massachusetts-Bay will be irritated into some violent action that may dis-

please the rest of the continent, or that may induce the people of Great-Britain to approve the meditated vengeance of an imprudent and exasperated Ministry. If the unexampled pacific temper of that province shall disappoint this part of the plan, it is hoped the other colonies will be so far intimidated as to desert their brethren, suffering in a common cause, and that thus disarmed, all may be subdued.

To promote these designs, another measure has been pursued. In the session of parliament last mentioned, an act was passed for changing the government of Quebec, by which act the Roman Catholic religion, instead of being tolerated, as stipulated by the treaty of peace, is established; and the people there are deprived of a right to an assembly, trials by jury, and the English laws in civil cases are abolished, and instead thereof the French laws are established, in direct violation of his Majesty's promise by his royal proclamation, under the faith of which many English subjects settled in that province; and the limits of that province are extended so far as to comprehend those vast regions that lie adjoining to the northerly and westerly boundaries of these colonies.

The authors of this arbitrary arrangement flatter themselves, that the inhabitants deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such as differ from them in the modes of government and faith.

From the detail of facts herein before recited, as well as from authentic intelligence received, it is clear beyond a doubt, that a resolution is formed and now carrying into execution, to extinguish the freedom of these colonies by subjecting them to a despotic government.

For the redress of these grievances, the Congress of America, instead of flying

flying to arms, which, however justifiable, would not perhaps have been wise, and which certainly ought as much as possible to be avoided, presented a petition to the King, which after taking notice of the several executive and legislative acts before mentioned, proceeds thus:—"To a sovereign who glories in the name of Briton, the bare recital of these acts must, we presume, justify the loyal subjects who fly to the foot of his throne, and implore his clemency for protection against them.

From this destructive system of colony administration, adopted since the conclusion of the last war, have flowed those distresses, dangers, fears and jealousies that overwhelm your Majesty's dutiful colonists with affliction; and we defy our most subtle and inveterate enemies to trace the unhappy differences between Great-Britain and these colonies, from an earlier period, or from other causes, than we have assigned. Had they proceeded on our own part from a restless levity of temper, unjust impulses of ambition, or artful suggestions of seditious persons, we should merit the opprobrious terms frequently bestowed upon us by those we revere. But so far from promoting innovations, we have only opposed them; and can be charged with no offence unless it be one to receive injuries and be sensible of them.

Had our Creator been pleased to give us existence in a land of slavery, the sense of our condition might have been mitigated by ignorance and habit. But, thanks be to his adorable goodness, we were born the heirs of freedom, and ever enjoyed our right under the auspices of your royal ancestors, whose family was seated on the British throne to rescue and secure a pious and gallant nation from the despotism of a superstitious and inexorable tyrant. Your Majesty, we are confident, justly rejoices that your title to the crown is thus founded on the title of your people to liberty;

and therefore, we doubt not but your royal wisdom must approve the sensibility that teaches your subjects anxiously to guard the blessing they received from Divine Providence, and thereby to prove the performance of that compact which elevated the illustrious house of Brunswick to the imperial dignity it now possesses.

The apprehension of being degraded into a state of servitude from the pre-eminent rank of English freemen, while our minds retain the strongest love of liberty, and clearly foresee the miseries preparing for us and our posterity, excites emotions in our breasts, which though we cannot describe, we should not wish to conceal. Feeling as men, and thinking as subjects in the manner we do, silence would be disloyalty. By giving this faithful information, we do all in our power to promote the great objects of your royal cares, the tranquility of your government, and the welfare of your people.

Duty to your Majesty, and regard for the preservation of ourselves and our posterity, the primary obligations of nature and society, command us to entreat your royal attention; and as your Majesty enjoys the signal distinction of reigning over freemen, we apprehend the language of freemen cannot be displeasing. Your royal indignation, we hope, will rather fall on those designing and dangerous men who daringly interposing themselves between your royal person and your faithful subjects, and for several years past incessantly employed to dissolve the bonds of society, by abusing your Majesty's authority, misrepresenting your American subjects, and prosecuting the most desperate and irritating projects of oppression, have at length compelled us by the force of accumulated injuries, too severe to be any longer tolerable, to disturb your Majesty's repose by our complaints.

These sentiments are extorted from
hearts

Hearts that much more willingly would bleed in your Majesty's service. Yet so greatly have we been misrepresented, that a necessity has been alledged of taking our property from us without our consent, "to defray the charge of the administration of justice, the support of civil government, and the defence, protection, and security of the colonies." But we beg leave to assure your Majesty, that such provision has been and will be made for defraying the two first articles, as has been and shall be judged by the legislatures of the several colonies just and suitable to their respective circumstances: and for the defence, protection, and security of the colonies, their militias, if properly regulated, as they earnestly desire may immediately be done, would be fully sufficient, at least in times of peace; and in case of war, your faithful colonies will be ready and willing; as they ever have been, when constitutionally required, to demonstrate their loyalty to your Majesty, by exerting their most strenuous efforts in granting supplies and raising forces.

Yielding to no British subjects in affectionate attachment to your Majesty's person, family, and government, we too dearly prize the privilege of expressing that attachment by those proofs that are honourable to the prince who receives them, and to the people who give them, ever to resign it to any body of men upon earth. Had we been permitted to enjoy in quiet the inheritance left us by our forefathers, we should at this time have been peaceably, cheerfully, and usefully employed in recommending ourselves by every testimony of devotion to your Majesty, and of veneration to the state from which we derive our origin. But though now exposed to unexpected and unnatural scenes of distress, by a contention with that nation in whose parental guidance, on all important affairs, we have hitherto, with filial reverence,

constantly trusted, and therefore can derive no instruction in our present unhappy and perplexing circumstances from any former experience: yet, we doubt not, the purity of our intentions and the integrity of our conduct will justify us at that grand tribunal before which all mankind must submit to judgment.

We ask but for peace, liberty, and safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favour. Your royal authority over us and our connection with Great-Britain, we shall always carefully and zealously endeavour to support and maintain.

Filled with sentiments of duty to your Majesty and of affection to our parent state, deeply impressed by our education, and strongly confirmed by our reason, and anxious to evince the sincerity of these dispositions, we present this petition only to obtain redress of grievances, and relief from fears and jealousies occasioned by the system of statutes and regulations adopted since the close of the last war for raising a revenue in America—extending the powers of Courts of Admiralty and Vice-admiralty.—trying persons in Great-Britain for offences alledged to be committed in America—affecting the province of Massachusetts-Bay—and altering the government and extending the limits of Quebec: by the abolition of which system, the harmony between Great-Britain and these colonies, so necessary to the happiness of both, and so ardently desired by the latter, and the usual intercourses will be immediately restored. In the magnanimity and justice of your Majesty and Parliament we confide for a redress of our other grievances, trusting, that when the causes of apprehensions are removed, our future conduct will prove us not unworthy of the regard we have been accustomed, in our happier days, to enjoy. For, appealing to that Being

who searches thoroughly the hearts of his creatures, we solemnly profess that our councils have been influenced by no other motive than a dread of impending destruction.

Permit us then, most gracious Sovereign, in the name of all your faithful people in America, with the utmost humility, to implore you for the honour of Almighty God, whose pure religion our enemies are undermining; for your glory which can be advanced only by rendering your subjects happy and keeping them united; for the interests of your family, depending on an adherence to the principles that enthroned it; for the safety and welfare of your kingdoms and dominions threatened with almost unavoidable dangers and distresses, that your Majesty, as the loving father of your whole people, connected by the same bonds of law, loyalty, faith, and blood, though dwelling in various countries, will not suffer the transcendent relation formed by these ties to be farther violated in uncertain expectation of effects, which if attained, never can compensate for the calamities through which they must be gained.

We therefore most earnestly beseech your Majesty, that your royal authority and interposition may be used for our relief, and that a gracious answer may be given to this petition.

That your Majesty may enjoy every felicity through a long and glorious reign over loyal and happy subjects, and that your descendants may inherit your prosperity and dominions till time shall be no more, is, and always will be, our sincere and fervent prayer.

But as the King of England was not our only opponent, but as it were the ally of our fellow subjects who had taken upon themselves to claim dominion over us,—and as it is a melancholy truth that to make men reason, they must be made to feel,—so the Congress, to induce the people of

Great-Britain to recede from their extravagant demands, did, for themselves and their constituents, agree and associate as follows, to wit;

“ First, That from and after the first day of *December* next, we will not import into *British America*, from *Great-Britain* or *Ireland*, any goods, wares or merchandize whatsoever, or from any other place, any such goods, wares, or merchandize, as shall have been exported from *Great-Britain* or *Ireland*; nor will we after that day import any *East-India* tea from any part of the world; nor any molasses, syrups, paneles, coffee, or pimento, from the *British* plantations or from *Dominica*; nor wines from *Madeira*, or the western islands; nor foreign indigo.

“ Secondly, We will neither import nor purchase any slave imported after the first day of *December* next; after which time we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it.

“ Thirdly, As a non-consumption agreement strictly adhered to, will be an effectual security for the observation of the non-importation, we, as above, solemnly agree and associate, that from this day we will not purchase or use any tea imported on account of the *East-India Company*, or any on which a duty hath been or shall be paid; and from and after the first day of *March* next, we will not purchase or use any *East-India* tea whatever; nor will we, nor shall any person for or under us, purchase or use any of those goods, wares or merchandize, we have agreed not to import, which we shall know, or have cause to suspect, were imported after the first day of *December*, except such as come under the rules and directions of the tenth article hereafter mentioned.

“ Fourthly,

“ Fourthly, The earnest desire we have not to injure our fellow-subjects in *Great-Britain, Ireland, or the West-Indies*, induces us to suspend a non-exportation, until the tenth day of September, 1775; at which time, if the said acts and parts of acts of the *British* Parliament herein after mentioned are not repealed, we will not, directly or indirectly, export any merchandize or commodity whatsoever to *Great-Britain, Ireland, or the West-Indies*, except rice to Europe.”

And to enforce and explain the reasons of this measure, they published an address to the people of *Great-Britain*. Whoever shall read the history of these transactions in a future age, will perhaps be astonished that after the design of our enemies was thus clearly manifested, no other measures were taken to counteract them. To suppose that they would give up the plan so regularly formed, and so deliberately undertaken, without the most cogent necessity, was certainly absurd. War, therefore, should have been considered as inevitable, and every provision made for it by large importations of cloathing and military stores, as well as by negotiations with the rivals of *Great-Britain*.

These things, however, were not only neglected, but the direct contrary roads were pursued; so that the war really found us in a situation far more naked and unprovided than was natural to us. In answer to this, however, it is to be observed again, that mankind reason from their feelings. That we were really attached to *Great-Britain*, and sought only to be united to her, if it were possible to be so, without the total prostration of all our rights. This attachment, in fact, blinded us to our interests so effectually, that a preparation for war, or a threat of independence, would have created the most violent ferment. Congress

(whatever may have been their private sentiments) were then, as at present, under a necessity of conforming to the popular opinion. Great reliance was placed upon the clemency of the prince, the justice of the people, and the commercial interests of the empire. Besides all this, war with *Great-Britain* was a most serious object. It would have been such to any power on earth. Success was at least highly doubtful. The consequence of victory on their part must have been on ours a total subjection. However clear might be the right of resistance in cases of absolute necessity, it seemed to be highly proper, that this necessity should clearly appear before the previous steps to resistance were taken. On the whole, it was perhaps hardly justifiable to appeal to arms, while the remotest probability remained of obtaining without them the great object of peace, liberty, and safety.

It was in conformity to these sentiments, that on the 11th of October, 1774, the Congress wrote a letter to General Gage, intreating him to forbear measures tending to irritate the people of *Massachusetts-Bay*, and at the same time, “ resolved unanimously, that they be advised still to conduct themselves peaceably towards his Excellency General Gage, and his Majesty’s troops now stationed in the town of *Boston*, as far as can possibly be consistent with their immediate safety, and the security of the town; avoiding and discountenancing every violation of his Majesty’s property, or any insult to his troops; and that they peaceably and firmly persevere in the line they are now conducting themselves on the defensive.”

This Congress having given it as their opinion, that another should meet on the tenth of May then next, dissolved itself on the 26th of October.

It appears that while they were thus solicitous for peace, our enemies had taken

taken their determinations unalterably; for though the letter of Lord Dartmouth to General Gage does not appear, the answer of the General, of the 15th December, 1774, contains the fullest conviction. He says,—“Your Lordship’s idea of the disarming certain provinces would doubtless be consistent with prudence and safety; but it neither is, nor has been practicable, without having recourse to force, and being masters of the country.”

Their consequent conduct appears fully consonant with this general plan; for the petition to the King received no other notice than to be thrown on the table of Parliament among the mass of American papers, by which his attention to take part with our fellow subjects against us was fully declared. His Ministers avowed the determination to compel us to obey the acts they had passed; and a very considerable force was sent out for that purpose. In the month of February, a resolution was agreed to, on a motion of one of the Ministers, which was at that time called a conciliatory motion; and which (allowing us to possess common sense and common spirit) was directly the reverse. This will appear from the motion itself, and from the sense of the second Congress upon it.—“The house in committee on the American papers, motion made, and question proposed,

“That it is the opinion of this Committee, that when the general council and assembly, or general court of any of his Majesty’s provinces or colonies in *America*, shall propose to make provision according to the condition, circumstance, or situation of such province or colony, for contributing their proportion to the common defence (such proportion to be raised under the authority of the general court, or general assembly of such province or colony, and disposable by Parliament) and shall engage to

make provision also for the support of the civil government, and the administration of justice in such province or colony, it will be proper, if such proposal shall be approved by his Majesty and the two Houses of Parliament, and for so long as such provision shall be made accordingly, to forbear in respect of such province or colony, to lay any duty, tax, or assessment, except only such duties as it may be expedient to continue to levy or impose for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively.”

The Congress took the said resolution into consideration, and are thereupon of opinion,

That the colonies of America are entitled to the sole and exclusive privilege of giving and granting their own money: that this involves a right of deliberating whether they will make any gift, for what purposes it shall be made, and what shall be its amount; and that it is a high breach of this privilege for any body of men, extraneous to their constitutions, to prescribe the purposes for which money shall be levied on them, to take to themselves the authority of judging of their conditions, circumstances, and situations, and of determining the amount of the contribution to be levied.

That as the colonies possess a right of appropriating their gifts, so are they intitled at all times to enquire into their application, to see that they be not wasted among the venal and corrupt, for the purpose of undermining the civil rights of the givers, nor yet be diverted to the support of standing armies, inconsistent with their freedom and subversive of their quiet. To propose therefore, as this resolution does, that the monies given by the colonies shall be subject to the disposal of Parliament alone, is to propose that they shall relinquish

relinquish this right of enquiry, and put it in the power of others to render their gifts ruinous, in proportion as they are liberal.

That this privilege of giving or of withholding our monies, is an important barrier against the undue exertion of prerogative, which, if left altogether without controul, may be exercised to our great oppression; and all history shews how efficacious is its intercession for redress of grievances and re-establishment of rights, and how improvident it would be to part with so powerful a mediator.

We are of opinion that the proposition contained in this resolution is unreasonable and insidious; unreasonable, because if we declare we accede to it, we declare without reservation we will purchase the favour of Parliament, not knowing at the same time at what price they will please to estimate their favour; it is insidious, because individual colonies having bid and bidden again, till they find the avidity of the seller too great for all their powers to satisfy, are then to return into opposition, divided from their sister colonies, whom the Minister will have previously detached by a grant of easier terms, or by an artful procrastination of a definitive answer.

That the suspension of the exercise of their pretended power of taxation being expressly made commensurate with the continuance of our gifts, these must be perpetual to make that so. Whereas no experience has shewn that a gift of perpetual revenues secures a perpetual return or duty of kind disposition. On the contrary, the Parliament itself, wisely attentive to this observation, are in the established practice of granting their supplies from year to year only.

Desirous and determined as we are to consider in the most dispassionate view, every seeming advance towards a reconciliation made by the *British* Parliament, let our brethren

of *Britain* reflect what would have been the sacrifice to men of free spirits, had even fair terms been proffered, as these insidious proposals were with circumstances of insult and defiance. A proposition to give our money, accompanied with large fleets and armies, seems addressed to our fears rather than to our freedom. With what patience would *Britons* have received articles of treaty from any power on earth, when borne on the point of a bayonet by military plenipotentiaries?

We think the attempt unnecessary to raise upon us by force or by threats our proportional contributions to the common defence, when all know, and themselves acknowledge, we have fully contributed whenever called upon to do so in the character of freemen.

We are of opinion it is not just that the colonies should be required to oblige themselves to other contributions, while *Great-Britain* possesses a monopoly of their trade. This of itself lays them under heavy contribution. To demand therefore additional aids in the form of a tax, is to demand the double of their equal proportion; if we are to contribute equally with the other parts of the empire, let us equally with them enjoy free commerce with the whole world. But while the restrictions on our trade shut to us the resources of wealth, is it just we should bear all other burthens equally with those to whom every resource is open?

We conceive that the *British* Parliament has no right to intermeddle with our provisions for the support of civil government, or administration of justice. The provisions we have made are such as please ourselves, and are agreeable to our own circumstances: they answer the substantial purposes of government and of justice, and other purposes than these should not be answered. We do not mean that our people shall be bur-

burthened with oppressive taxes, to provide sinecures for the idle or the wicked, under colour of providing for a civil list. While Parliament pursue their plan of civil government within their own jurisdiction, we also hope to pursue ours without molestation.

We are of opinion, the proposition is altogether unsatisfactory, because it imports only a suspension of the mode, not a renunciation of the pretended right to tax us; because too it does not propose to repeal the several acts of Parliament passed for the purposes of restraining the trade, and altering the form of government of one of our colonies; extending the boundaries and changing the government of Quebec; enlarging the jurisdiction of the Court of Admiralty and Vice-admiralty; taking from us the rights of trial by a jury of the vicinage, in cases affecting both life and property; transporting us into other countries to be tried for criminal offences; exempting by mock-trial the murderers of colonists from punishment; and quartering soldiers on us in times of profound peace. Nor do they renounce the power of suspending our own legislatures, and legislating for us themselves in all cases whatsoever. On the contrary, to shew they mean no discontinuance of injury, they pass acts at the very time of holding out this proposition, for restraining the commerce and fisheries of the provinces of *New-England*, and for interdicting the trade of other colonies with all foreign nations, and with each other. This proves unequivocally they mean not to relinquish the exercise of indiscriminate legislation over us.

Upon the whole, this proposition seems to have been held up to the world, to deceive it into a belief that there was nothing in dispute between us but the mode of levying taxes; and that the Parliament having now been so good as to give up this,

the colonies are unreasonable if not perfectly satisfied: whereas, in truth, our adversaries still claim a right of demanding *ad libitum*, and of taxing us themselves to the full amount of their demand, if we do not comply with it. This leaves us without any thing we can call property. But what is of more importance, and what in this proposal they keep out of sight, as if no such point was now in contest between us, they claim a right to alter our charters and established laws, and leave us without any security for our lives or liberties. The proposition seems also to have been calculated more particularly to lull into fatal security our well-affected fellow subjects on the other side the water, till time should be given for the operation of those arms, which a *British* Minister pronounced would instantaneously reduce the "cowardly" sons of *America* to unreserved submission."

What must always appear astonishing is, that the British Ministry could ever have supposed that the proposition could be satisfactory, or rather that they could harbour a doubt, that it would be rejected with contempt; yet lest this should not be the case, no opportunity was ever given to try the efficacy of it: for on the nineteenth of April, the fatal blow was struck at Lexington, which severed the empire. The reasons are apparent. Their force and our weakness gave them unbounded confidence. They supposed themselves certain of victory. They supposed us equally certain of defeat. Palpable, therefore, as was the artifice of the conciliatory motion, it was not impossible Congress, at their meeting in May, might lay hold of it as a ground of treaty. If they should, the good sense and the justice of our fellow subjects might have interposed to prevent our destruction. No time, therefore, was to be lost in putting that to the issue of arms, which would not bear the test

test of argument. It was hoped that the justice of our cause would be hidden by our inability to support it; and their usurpations disguised and adorned by the splendors of success. Here then commences a new era.

The unprovoked hostilities at Lexington gave fire, as might have been expected, to the inflammable dispositions excited throughout America. The call to arms was general, and the popular rage amounted almost to frenzy. But the emotion so suddenly and forcibly excited, daily became more moderate. The joys of victory by degrees silenced the mourning dirge. Wise and good men interested themselves to assuage a tempest, the bounds and effects of whose violence neither wisdom could foresee nor virtue confine. The partizans of Great-Britain (for strange as it may seem, such there were) mingled with their fellow citizens and industriously gave a favourable turn to this atrocious act. It was not perhaps impossible even then to have stayed the destroying sword. But as the neighbouring people had collected themselves, to prevent a repetition of the like injuries, upon the arrival of the Generals Howe and Burgoyne, it was determined not to suffer that spirit to evaporate which was deemed necessary for the purposes of domination. At Bunker's-Hill a second and more bloody sacrifice was made to the god of war. Lest the intended acts of violence should be attributed to accident, or to any other of the many causes which might be, and which by the friends of our enemies actually were assigned, and in order to intimidate the Great Council of America into a mean and abject submission, a person was sent from the Ministry to assure them of the truth of the following paper:

“ That it is earnestly hoped by all the real friends of the Americans,

that the terms expressed in the resolution of the 20th of February last, will be accepted by all the colonies, who have the least affection for their King and country, or a just sense of their own interest.

“ That these terms are honourable for Great-Britain, and safe for the colonies.

“ That if the colonies are not blinded by faction, these terms will remove every grievance relative to taxation, and be the basis of a compact between the colonies and the mother country.

“ That the people in America ought, on every consideration, to be satisfied with them.

“ That no further relaxation can be admitted.

“ The temper and spirit of the nation are so much against concessions, that if it were the intention of Administration, they could not carry the question.

“ But Administration have no such intention, as they are fully and firmly persuaded, that further concessions would be injurious to the colonies as well as to Great-Britain.

“ That there is not the least probability of a change of Administration.

“ That they are perfectly united in opinion, and determined to pursue the most effectual measures, and to use the whole force of the kingdom, if it be found necessary, to reduce the rebellious and refractory provinces and colonies.

“ There is so great a spirit in the nation against the Congress, that the people will bear the temporary distresses of a stoppage of the American trade.

“ They may depend on this to be true.”

The conduct of the Congress at this time wore very much the appearance of pusillanimity; for after the Lexington battle, while it was expected that the troops from Eng-
land

land would arrive at New-York, the city and county of New-York, applied through their delegates for advice how to conduct themselves;— upon which it was

“ Resolved, That it be recommended, for the present, to the inhabitants of New-York, that if the troops which are expected should arrive, the said colony act on the defensive, so long as may be consistent with their safety and security: that the troops be permitted to remain in the barracks; so long as they behave peaceably and quietly; but that they be not suffered to erect fortifications, or take any steps for cutting off the communication between the town and country; and that if they commit hostilities, or invade private property, the inhabitants should defend themselves and their property, and repel force by force: that the warlike stores be removed from the town: that places of retreat, in cases of necessity, be provided for the women and children of New-York; and that a sufficient number of men be embodied, and kept in constant readiness for protecting the inhabitants from insult and injury.”

But it must be remembered, that affairs were then in a very critical situation. Hudson's river, which hath been considered as the key of America, was in the power of the enemy, if they chose to take it. The people of that colony were much divided in sentiment; the Ministry had many partizans among them, excited by the hope of honours and rewards; many from a fear of impending danger; all were apprehensive of the consequences of a war, which reason and former experience served to shew must rage in the bowels of that country. On the whole, therefore, it was probable that the efforts of the enemy would be turned that way, and that violent counsels might produce a serious

defection: The conduct of the Congress may then be considered as wise and firm, for immediately after, they

“ Resolved unanimously, That his Majesty's most faithful subjects in these colonies are reduced to a dangerous and critical situation, by the attempts of the British Ministry to carry into execution, by force of arms, several unconstitutional and oppressive acts of the British Parliament for laying taxes in America; to enforce the collection of those taxes, and for altering and changing the constitution and internal police of some of these colonies, in violation of the natural and civil rights of the colonists.

“ Hostilities being actually commenced in the Massachusetts-Bay, by the British troops under the command of General Gage, and the lives of a number of the inhabitants of that colony destroyed, the town of Boston having not only been long occupied as a garrisoned town in an enemy's country, but the inhabitants thereof treated with a severity and cruelty not to be justified even towards declared enemies; large re-inforcements too being ordered and soon expected, for the declared purpose of compelling these colonies to submit to the operation of the said acts; that therefore, for the express purpose of securing and defending these colonies, and preserving them in safety against all attempts to carry the said acts into execution by force of arms, these colonies be immediately put into a state of defence.

“ But, as we most ardently wish for a restoration of the harmony formerly subsisting between our mother-country and these colonies, the interruption of which must, at all events, be exceedingly injurious to both countries, that with a sincere design of contributing by all the means in our power, not incompatible with a just regard for the undoubted rights and true interests of these colonies,

to the promotion of this most desirable reconciliation, an humble and dutiful petition be presented to his Majesty.

“ Resolved, That measures be entered into for opening a negotiation, in order to accommodate the unhappy disputes subsisting between Great-Britain and these colonies, and that this be made a part of the petition to the King.

“ Resolved unanimously, That the militia of New-York be armed and trained, and in constant readiness to act at a moment's warning; and that a number of men be immediately embodied and kept in that city, and so disposed of as to give protection to the inhabitants, in case any insult should be offered by the troops that may land there, and to prevent any attempts that may be made to gain possession of the city, and interrupt its intercourse with the country.

“ Resolved unanimously, That it be recommended to the provincial Convention at New-York, to persevere the more vigorously in preparing for their defence, as it is very uncertain whether the earnest endeavours of the Congress, to accommodate the unhappy differences between Great-Britain and the colonies, by conciliatory measures, will be successful.”

No country, perhaps, in the world was ever in a more delicate situation than America at this period. Informed and discerning minds saw the most miserable servitude on the one hand; and on the other, that they must be stripped of property, and suffer an ignominious death, without such a coincidence of circumstances as nothing but Providence could accomplish. They saw one of the most powerful nations upon earth, whose fleets covered the ocean—whose flag had waved in triumph through the four quarters of the globe, ready to dart all her thunders against them; at the same time, America was

without ships, without arms, without cloaths, without money, without officers, without discipline, without a single fortification, a very considerable faction ready to join her enemies, exposed through an immense frontier to the irruptions of savage tribes, whose lust of blood was daily stimulated by all the arts which an unfeeling inhuman policy could dictate; while a herd of slaves were urged by the insidious offer of freedom, to plunge an assassin's dagger in the bosom of domestic security. In this crisis, however, it was determined to risk, every thing, rather than tamely submit to the yoke; but, at the same time, it was necessary to avoid as much as possible giving an alarm to the people by the mortifying display of their comparative weakness. On the 6th of July, 1775, the Congress published the following Declaration:

“ If it was possible for men, who exercise their reason, to believe, that the Divine Author of our existence intended a part of the human race to hold an absolute property in, and an unbounded power over others, marked out by his infinite goodness and wisdom, as the objects of a legal domination never rightfully resistible, however severe and oppressive, the inhabitants of these colonies might at least require from the Parliament of Great-Britain some evidence, that this dreadful authority over them has been granted to that body. But a reverence for our great Creator, principles of humanity, and the dictates of common sense, must convince all those who reflect upon the subject, that government was instituted to promote the welfare of mankind, and ought to be administered for the attainment of that end. The legislature of Great-Britain, however, stimulated by an inordinate passion for a power not only unjustifiable, but which they know to be peculiarly reprobated by the very constitution

constitution of that kingdom, and desperate of success in any mode of contest, where regard should be had to truth, law, or right, have at length, deserting those, attempted to effect their cruel and impolitic purpose of enslaving these colonies by violence, and have thereby rendered it necessary for us to close with their last appeal from reason to arms. Yet, however blinded that assembly may be, by their intemperate rage for unlimited domination, so to slight justice and the opinion of mankind, we esteem ourselves bound by obligations of respect to the rest of the world, to make known the justice of our cause.

“ Our forefathers, inhabitants of the island of Great-Britain, left their native land to seek on these shores a residence for civil and religious freedom. At the expence of their blood, at the hazard of their fortunes, without the least charge to the country from which they removed, by unceasing labour and an unconquerable spirit, they effected settlements in the distant and inhospitable wilds of America, then filled with numerous and warlike nations of barbarians. Societies or governments, vested with perfect legislatures, were formed under charters from the crown, and an harmonious intercourse was established between the colonies and the kingdom from which they derived their origin. The mutual benefits of this union became in a short time so extraordinary, as to excite astonishment. It is universally confessed, that the amazing increase of the wealth, strength, and navigation of the realm, arose from this source; and the Minister, who so wisely and successfully directed the measures of Great-Britain in the late war, publicly declared, that these colonies enabled her to triumph over her enemies. Towards the conclusion of that war, it pleased our Sovereign to make a change in his Councils.

From that fatal moment, the affairs of the British empire began to fall into confusion, and gradually sliding from the summit of glorious prosperity, to which they had been advanced by the virtues and abilities of one man, are at length distracted by the convulsions, that now shake it to its deepest foundations. The new Ministry finding the brave foes of Britain, though frequently defeated, yet still contending, took up the unfortunate idea of granting them a hasty peace, and of then subduing her faithful friends.

“ These devoted colonies were judged to be in such a state, as to prevent victories without bloodshed, and all the easy emoluments of statuteable plunder. The uninterrupted tenor of their peaceable and respectful behaviour from the beginning of colonization, their dutiful, zealous, and useful services during the war, though so recently and amply acknowledged in the most honourable manner by his Majesty, by the late King, and by Parliament, could not save them from the meditated innovations. Parliament was influenced to adopt the pernicious project, and assuming a new power over them; have in the course of eleven years given such decisive specimens of the spirit and consequences attending this power, as to leave no doubt concerning the effects of acquiescence under it. They have undertaken to give and grant our money without our consent, though we have ever exercised an exclusive right to dispose of our own property; statutes have been passed for extending the jurisdiction of Courts of Admiralty and Vice-admiralty beyond their ancient limits; for depriving us of the accustomed and inestimable privilege of trial by jury in cases affecting both life and property; for suspending the legislature of one of the colonies; for interdicting all commerce to the capital of another; and for altering fundamentally

fundamentally the form of government established by charter, and secured by acts of its own legislature, solemnly confirmed by the crown; for exempting the "murderers" of colonists from legal trial, and, in effect, from punishment; for erecting in a neighbouring province, acquired by the joint arms of Great-Britain and America, a despotism dangerous to our very existence; and for quartering soldiers upon the colonists in time of profound peace. It has also been resolved in Parliament, that colonists charged with committing certain offences, shall be transported to England to be tried.

"But why should we enumerate our injuries in detail? By one statute it is declared, that Parliament can "of right, make laws to bind us in all cases whatsoever." What is to defend us against so enormous, so unlimited a power? Not a single man of those who assume it, is chosen by us; or is subject to our controul or influence; but, on the contrary, they are all of them exempt from the operation of such laws, and an American revenue, if not diverted from the ostensible purposes for which it is raised, would actually lighten their own burdens in proportion as they increase ours. We saw the misery to which such despotism would reduce us. We for ten years incessantly and ineffectually besieged the throne as supplicants; we reasoned, we remonstrated with Parliament in the most mild and decent language.

"Administration, sensible that we should regard these oppressive measures as freemen ought to do, sent over fleets and armies to enforce them. The indignation of the Americans was roused, it is true; but it was the indignation of a virtuous, loyal, and affectionate people. A Congress of Delegates from the United Colonies was assembled at Philadelphia, on the fifth day of last September. We resolved again to offer

an humble and dutiful petition to the King, and also addressed our fellow-subjects of Great-Britain. We have pursued every temperate, every respectful measure; we have even proceeded to break off our commercial intercourse with our fellow-subjects, as the last peaceable admonition, that our attachment to no nation upon earth should supplant our attachment to liberty. This, we flattered ourselves, was the ultimate step of the controversy: but subsequent events have shewn, how vain was this hope of finding moderation in our enemies.

"Several threatening expressions against the colonies were inserted in his Majesty's speech; our petition, though we were told it was a decent one, and that his Majesty had been pleased to receive it graciously, and to promise laying it before his Parliament, was huddled into both houses among a bundle of American papers, and there neglected. The Lords and Commons in their address, in the month of February, said, that "a rebellion at that time actually existed within the province of Massachusetts-Bay; and that those concerned in it had been countenanced and encouraged by unlawful combinations and engagements, entered into by his Majesty's subjects in several of the other colonies; and therefore they besought his Majesty, that he would take the most effectual measures to enforce due obedience to the laws and authority of the supreme legislature." Soon after the commercial intercourse of whole colonies, with foreign countries, and with each other, was cut off by an act of Parliament; by another, several of them were entirely prohibited from the fisheries in the seas near their coasts, on which they always depended for their sustenance; and large reinforcements of ships and troops were immediately sent over to General Gage.

“ Fruitless were all the entreaties, arguments, and eloquence of an illustrious band of the most distinguished Peers and Commoners, who nobly and strenuously asserted the justice of our cause, to stay, or even to mitigate the heedless fury with which these accumulated and unexampled outrages were hurried on. Equally fruitless was the interference of the city of London, of Bristol, and many other respectable towns, in our favour. Parliament adopted an insidious manœuvre, calculated to divide us, to establish a perpetual auction of taxations where colony should bid against colony, all of them uninformed what ransom should redeem their lives; and thus to extort from us, at the point of the bayonet, the unknown sums that should be sufficient to gratify, if possible to gratify, ministerial rapacity, with the miserable indulgence left to us of raising, in our own mode, the prescribed tribute. What terms more rigid and humiliating could have been dictated by remorseless victors to conquered enemies? In our circumstances to accept them, would be to deserve them.

“ Soon after the intelligence of these proceedings arrived on this continent, General Gage, who in the course of the last year had taken possession of the town of Boston, in the province of Massachusetts-Bay, and still occupied it as a garrison, on the 19th day of April, sent out from that place a large detachment of his army, who made an unprovoked assault on the inhabitants of the said province, at the town of Lexington, as appears by the affidavits of a great number of persons, some of whom were officers and soldiers of that detachment, murdered eight of the inhabitants, and wounded many others. From thence the troops proceeded in warlike array to the town of Concord, where they set upon another party of the inhabitants of the same province, killing

several and wounding more, until compelled to retreat by the country people suddenly assembled to repel this cruel aggression. Hostilities, thus commenced by the British troops, have been since prosecuted by them without regard to faith or reputation. The inhabitants of Boston being confined within that town by the General, their Governor, and having, in order to procure their dismissal, entered into a treaty with him, it was stipulated, that the said inhabitants having deposited their arms with their own magistrates, should have liberty to depart, taking with them their other effects. They accordingly delivered up their arms, but in open violation of honour, in defiance of the obligation of treaties, which even savage nations esteemed sacred, the Governor ordered the arms deposited as aforesaid, that they might be preserved for their owners, to be seized by a body of soldiers; detained the greatest part of the inhabitants in the town, and compelled the few who were permitted to retire, to leave their most valuable effects behind.

“ By this perfidy, wives are separated from their husbands, children from their parents, the aged and the sick from their relations and friends, who wish to attend and comfort them; and those who have been used to live in plenty and even elegance, are reduced to deplorable distress.

“ The General, further emulating his ministerial masters, by a proclamation bearing date on the 12th day of June, after venting the grossest falsehoods and calumnies against the good people of these colonies, proceeds to “ declare them all, either by name or description, to be rebels and traitors, to supersede the course of the common law, and instead thereof to publish and order the use and exercise of the law martial.” His troops have butchered our countrymen, have wantonly burnt Charlestown, besides a considerable number

of houses in other places; our ships and vessels are seized; the necessary supplies of provisions are intercepted, and he is exerting his utmost power to spread destruction and devastation around him.

“ We have received certain intelligence, that General Carleton, the Governor of Canada, is instigating the people of that province, and the Indians, to fall upon us; and we have but too much reason to apprehend, that schemes have been formed to excite domestic enemies against us. In brief, a part of these colonies now feel, and all of them are sure of feeling, as far as the vengeance of Administration can inflict them, the complicated calamities of fire, sword, and famine. We are reduced to the alternative of chusing an unconditional submission to the tyranny of irritated Ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest; and find nothing so dreadful as voluntary slavery. Honour, justice, and humanity, forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary bondage upon them.

“ Our cause is just. Our union is perfect. Our internal resources are great, and, if necessary, foreign assistance is undoubtedly attainable. We gratefully acknowledge, as signal instances of the Divine favour towards us, that his Providence would not permit us to be called into this severe controversy, until we were grown up to our present strength, had been previously exercised in warlike operation, and possessed of the means of defending ourselves. With hearts fortified with these animating

reflections, we most solemnly, before God and the world, DECLARE, that, exerting the utmost energy of those powers, which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties; being with one mind resolved to die freemen rather than to live slaves.

“ Lest this declaration should disquiet the minds of our friends and fellow subjects in any part of the empire, we assure them that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored. Necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them. We have not raised armies with ambitious designs of separating from Great-Britain, and establishing independent states. We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle of a people attacked by unprovoked enemies, without any imputation or even suspicion of offence. They boast of their privileges and civilization, and yet profer no milder conditions than servitude or death.

“ In our own native land, in defence of the freedom that is our birth-right, and which we ever enjoyed till the late violation of it—for the protection of our property, acquired solely by the honest industry of our fore-fathers and ourselves, against violence actually offered, we have taken up arms. We shall lay them down when hostilities shall cease on the part of the aggressors, and all danger of their being renewed shall be removed, and not before.

“ With an humble confidence in the mercies of the supreme and impartial Judge and Ruler of the universe,

verse, we most devoutly implore his Divine goodness to protect us happily through this great conflict, to dispose our adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war."

Where the affections of mankind are deeply interested, they are not easily prevailed on to relinquish the object. Reason in vain opposes her feeble barrier to the torrent of passion. Nature will be heard: she speaks to the heart in the tenderest, most persuasive language, and she cannot speak in vain. Though it was evident as the sun, that the King and Parliament of Great-Britain had determined never to sheathe the sword, but upon the unconditional submission of America to the most humiliating bondage; yet, in a delirium of their former attachment, the Congress prepared another petition to the King, and another address to the people of England. Strange as it may seem, it is nevertheless true, that notwithstanding all our interests were clearly opposed to the measure, still a connection with the people, and subjection to the Sovereign of Great-Britain, were considered as the most desirable of human events: for it may be affirmed, that next to the love of liberty, loyalty to his prince, and love of his fellow subjects, were the ruling passions of an American's bosom. The prophetic language contained in this petition and address is remarkable; and altho' it was treated by our enemies with the same contempt as our solemn professions not to submit to their tyranny, yet now that, the heat of the chace being abated, a cool moment of reflection presses itself upon them, it is probable they will, when too late, give to both their share of credit.

On the 8th of July, 1775, the petition was agreed on in the following words:

"Most gracious Sovereign,

"We your Majesty's subjects of the colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island, and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, the counties of Newcastle, Kent and Suffex on Delaware, Maryland, Virginia, North-Carolina, and South-Carolina, in behalf of ourselves and the inhabitants of these colonies, who have deputed us to represent them in General Congress, entreat your Majesty's gracious attention to this our humble petition.

"The union between our mother country and these colonies, and the energy of mild and just government, produced benefits so remarkably important, and afforded such an assurance of their permanency and increase, that the wonder and envy of other nations were excited, while they beheld Great-Britain rising to a power the most extraordinary the world had ever known.

"Her rivals, observing that there was no probability of this happy connection being broken by civil dissensions, and apprehending its future effects, if left any longer undisturbed, resolved to prevent her receiving such continual and formidable accessions of wealth and strength, by checking the growth of those settlements from which they were to be derived.

"In the prosecution of this attempt, events so unfavourable to the design took place, that every friend to the interest of Great-Britain and these colonies, entertained pleasing and reasonable expectations of seeing an additional force and exertion immediately given to the operations of the union hitherto experienced, by an enlargement of the dominions of the crown, and the removal of ancient and warlike enemies to a greater distance.

"At the conclusion therefore of the late war, the most glorious and

advan-

advantageous that ever had been carried on by British arms, your loyal colonists having contributed to its success, by such repeated and strenuous exertions, as frequently procured them the distinguished approbation of your Majesty, of the late King, and of Parliament, doubted not but that they should be permitted, with the rest of the empire, to share in the blessings of peace, and the emoluments of victory and conquest.

“ While these recent and honourable acknowledgements of their merits remained on record in the journals and acts of that august legislature, the Parliament, undefaced by the imputation, or even the suspicion of any offence, they were alarmed by a new system of statutes and regulations adopted for the administration of the colonies, that filled their minds with the most painful fears and jealousies; and, to their inexpressible astonishment, perceived the danger of a foreign quarrel quickly succeeded by domestic danger, in their judgment of a more dreadful kind.

“ Nor were these anxieties alleviated by any tendency in this system to promote the welfare of their mother country. For though its effects were more immediately felt by them, yet its influence appeared to be injurious to the commerce and prosperity of Great-Britain.

“ We shall decline the ungrateful task of describing the irksome variety of artifices, practised by many of your Majesty's Ministers, the delusive pretences, fruitless terrors, and unavailing severities that have from time to time been dealt out by them, in their attempts to execute this impolitic plan, or of tracing through a series of years past, the progress of the unhappy differences between Great-Britain and these colonies, that have flowed from this fatal source.

“ Your Majesty's Ministers, persevering in their measures, and pro-

ceeding to open hostilities for enforcing them, have compelled us to arm in our own defence, and have engaged us in a controversy so peculiarly abhorrent to the affections of your still faithful colonists, that when we consider whom we must oppose in this contest, and, if it continues, what may be the consequences, our own particular misfortunes are accounted by us only as parts of our distress.

“ Knowing to what violent resentments, and incurable animosities, civil discords are apt to exasperate and inflame the contending parties, we think ourselves required by indispensable obligations to Almighty God, to your Majesty, to our fellow subjects, and to ourselves, immediately to use all the means in our power, not incompatible with our safety, for stopping the further effusion of blood, and for averting the impending calamities that threaten the British empire.

“ Thus called upon to address your Majesty on affairs of such moment to America, and probably to all your dominions, we are earnestly desirous of performing this office, with the utmost deference for your Majesty; and we therefore pray, that your Majesty's royal magnanimity and benevolence may make the most favourable constructions of our expressions on so uncommon an occasion. Could we represent in their full force, the sentiments that agitate the minds of us your dutiful subjects, we are persuaded your Majesty would ascribe any seeming deviation from reverence in our language, and even in our conduct, not to any reprehensible intention, but to the impossibility of reconciling the usual appearances of respect with a just attention to our own preservation against those artful and cruel enemies, who abuse your royal confidence and authority, for the purpose of effecting our destruction.

“ Attached

“ Attached to your Majesty’s person, family, and government, with all devotion that principle and affection can inspire, connected with Great-Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, we solemnly assure your Majesty, that we not only most ardently desire the former harmony between her and these colonies may be restored; but that a concord may be established between them, upon so firm a basis as to perpetuate its blessings, uninterrupted by any future dissensions to succeeding generations in both countries, and to transmit your Majesty’s name to posterity, adorned with that signal and lasting glory, that has attended the memory of those illustrious personages, whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, have erected the most noble and durable monuments to their own fame.

“ We beg leave farther to assure your Majesty, that notwithstanding the sufferings of your loyal colonists, during the course of this present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin, to request such a reconciliation as might in any manner be inconsistent with her dignity or her welfare. These, related as we are to her, honour and duty as well as inclination, induce us to support and advance; and the apprehensions that now oppress our hearts with unspeakable grief, being once removed, your Majesty will find your faithful subjects on this continent ready and willing at all times, as they have ever been, with their lives and fortunes, to assert and maintain the rights and interests of your Majesty, and of our mother country.

“ We therefore beseech your Majesty, that your royal authority and

influence may be graciously interposed to procure us relief from our afflicting fears and jealousies, occasioned by the system before mentioned; and to settle peace through every part of your dominions; with all humility submitting to your Majesty’s wise consideration, whether it may not be expedient for facilitating those important purposes, that your Majesty be pleased to direct some mode, by which the united applications of your faithful colonists to the throne, in pursuance of their common councils, may be improved into a happy and permanent reconciliation; and that, in the mean time, measures may be taken for preventing the further destruction of the lives of your Majesty’s subjects; and that such statutes as more immediately distress any of your Majesty’s colonies may be repealed.

“ For by such arrangements as your Majesty’s wisdom can form for collecting the united sense of your American people, we are convinced your Majesty would receive such satisfactory proofs of the disposition of the colonists towards their Sovereign and parent state, that the wished-for opportunity would soon be restored to them, of evincing the sincerity of their professions, by every testimony of devotion becoming the most dutiful subjects and the most affectionate colonists.

“ That your Majesty may enjoy a long and prosperous reign, and that your descendents may govern your dominions with honour to themselves and happiness to their subjects, is our sincere prayer.”

The address to the people of Great-Britain was agreed to the same day, as follows:

“ *Friends, Countrymen, and Brethren,*

“ By these, and by every other appellation that may designate the ties, which bind us to each other, we entreat

entreat your serious attention to this our second attempt to prevent their dissolution. Remembrance of former friendships, pride in the glorious achievements of our common ancestors, and affections for the heirs of their virtues, have hitherto preserved our mutual connection; but when that friendship is violated by the grossest injuries: when the pride of ancestry becomes our reproach, and we are no otherwise allied than as tyrants and slaves; when reduced to the melancholy alternative of renouncing your favour or our freedom; can we hesitate about the choice? Let the spirit of Britons determine.

“ In a former address we asserted our rights, and stated the injuries we had then received. We hoped, that the mention of our wrongs would have roused that honest indignation which has slept too long for your honour, or the welfare of the empire. But we have not been permitted to entertain this pleasing expectation. Every day brought an accumulation of injuries, and the invention of the Ministry has been constantly exercised, in adding to the calamities of your American brethren.

“ After the most valuable right of legislation was infringed; when the powers assumed by your Parliament, in which we are not represented, and from our local and other circumstances cannot properly be represented, rendered our property precarious; after being denied that mode of trial, to which we have long been indebted for the safety of our persons, and the preservation of our liberties; after being in many instances divested of those laws, which were transmitted to us by our common ancestors, and subjected to an arbitrary code, compiled under the auspices of Roman tyrants; after those charters, which encouraged our predecessors to brave death and danger in every shape, on unknown seas, in deserts unexplored, amidst barbarous and in-

hospitable nations, were annulled; when, without the form of trial, without a public accusation, whole colonies were condemned, their trade destroyed, their inhabitants impoverished; when soldiers were encouraged to embroil their hands in the blood of Americans, by offers of impunity; when new modes of trial were instituted for the ruin of the accused, where the charge carried with it the horrors of conviction; when a despotic government was established in a neighbouring province, and its limits extended to every of our frontiers; we little imagined that any thing could be added to this black catalogue of unprovoked injuries: but we have unhappily been deceived, and the late measures of the British Ministry fully convince us, that their object is the reduction of these colonies to slavery and ruin.

“ To confirm this assertion, let us recall your attention to the affairs of America, since our last address. Let us combat the calumnies of our enemies; and let us warn you of the dangers that threaten you in our destruction. Many of your fellow-subjects, whose situation deprived them of other support, drew their maintenance from the sea; but the deprivation of our liberty being insufficient to satisfy the resentment of our enemies, the horrors of famine were superadded, and a *British* Parliament, who, in better times, were the protectors of innocence and the patrons of humanity, have, without distinction of age or sex, robbed thousands of the food which they were accustomed to draw from that inexhaustible source, placed in their neighbourhood by the benevolent Creator.

“ Another act of your legislature shuts our ports, and prohibits our trade with any, but those states from whom the great law of self-preservation renders it absolutely necessary we should at present withhold our com-

merce. But this act (whatever may have been its design) we consider rather as injurious to your opulence than our interest. All our commerce terminates with you; and the wealth we procure from other nations, is soon exchanged for your superfluities. Our remittances must then cease with our trade; and our refinements with our affluence. We trust, however, that laws which deprive us of every blessing but a soil that teems with the necessaries of life, and that liberty which renders the enjoyment of them secure, will not relax our vigour in their defence.

“ We might here observe on the cruelty and inconsistency of those, who, while they publicly brand us with reproachful and unworthy epithets, endeavour to deprive us of the means of defence, by their interposition with foreign powers, and to deliver us to the lawless ravages of a merciless soldiery. But, happily, we are not without resources; and though the timid and humiliating applications of a British Ministry should prevail with foreign nations, yet industry, prompted by necessity, will not leave us without the necessary supplies.

“ We could wish to go no further, and, not to wound the ear of humanity, leave untold those rigorous acts of oppression, which are daily exercised in the town of Boston, did we not hope, that by disclaiming their deeds and punishing the perpetrators, you would shortly vindicate the honour of the British name, and re-establish the violated laws of justice.

“ That once populous, flourishing, and commercial town is now garrisoned by an army sent not to protect, but to enslave its inhabitants. The civil government is overturned, and a military despotism erected upon its ruins. Without law, without right, powers are assumed unknown to the constitution. Private property is unjustly invaded. The inhabitants, daily subjected to the licentiousness of the soldiery, are forbid to remove,

in defiance of their natural rights, in violation of the most solemn compacts. Or if, after long and wearisome solicitation, a pass is procured, their effects are detained, and even those who are most favoured, have no alternative but poverty or slavery. The distress of many thousand people, wantonly deprived of the necessaries of life, is a subject, on which we would not wish to enlarge.

“ Yet we cannot but observe, that a *British* fleet (unjustified even by acts of your legislature) are daily employed in ruining our commerce, seizing our ships, and depriving whole communities of their daily bread. Nor will a regard for your honour permit us to be silent, while *British* troops sully your glory, by actions, which the most inveterate enmity will not palliate among civilized nations, the wanton and unnecessary destruction of Charles-town, a large, ancient, and once populous town, just before deserted by its inhabitants, who had fled to avoid the fury of your soldiery.

“ If you still retain those sentiments of compassion, by which *Britons* have ever been distinguished; if the humanity, which tempered the valour of our common ancestors, has not degenerated into cruelty, you will lament the miseries of their descendants.

“ To what are we to attribute this treatment? If to any secret principle of the constitution, let it be mentioned; let us learn, that the government we have long revered, is not without its defects, and that while it gives freedom to a part, it necessarily enslaves the remainder of the empire. If such a principle exists, why for ages has it ceased to operate? Why at this time is it called into action? Can no reason be assigned for this conduct? Or must it be resolved into the wanton exercise of arbitrary power? And shall the descendants of *Britons* tamely submit to this? No, Sirs! we never will, while

while we revere the memory of our gallant and virtuous ancestors, we never can surrender those glorious privileges, for which they fought, bled and conquered. Admit that your fleets could destroy our towns, and ravage our sea-coasts; these are inconsiderable objects; things of no moment to men, whose bosoms glow with the ardor of liberty. We can retire beyond the reach of your navy, and, without any sensible diminution of the necessaries of life, enjoy a luxury, which from that period you will want; the luxury of being free.

“ We know the force of your arms, and was it called forth in the cause of justice and your country, we might dread the exertion; but will *Britons* fight under the banners of tyranny? Will they counteract the labours, and disgrace the victories of their ancestors? Will they forge chains for their posterity? If they descend to this unworthy task, will their swords retain their edge, their arms their accustomed vigour! *Britons* can never become the instruments of oppression, till they lose the spirit of freedom, by which alone they are invincible.

“ Our enemies charge us with sedition. In what does it consist? In our refusal to submit to unwarrantable acts of injustice and cruelty? If so, shew as a period in your history, in which you have not been equally seditious.

“ We are accused of aiming at independence; but how is this accusation supported? By the allegations of your Ministers, not by our actions. Abused, insulted, and contemned, what steps have we pursued to obtain redress? We have carried our dutiful petitions to the throne. We have applied to your justice for relief. We have retrenched our luxury, and withheld our trade.

“ The advantages of our commerce were designed as a compensation for your protection: when you ceased to protect, for what were we to compensate?

“ What has been the success of our endeavours? The clemency of our Sovereign is unhappily diverted; our petitions are treated with indignity; our prayers answered by insults. Our application to you remains unnoticed, and leaves us the melancholy apprehension of your wanting either the will, or the power, to assist us.

“ Even under these circumstances, what measures have we taken that betray a desire of independence? Have we called in the aid of those foreign powers, who are the rivals of your grandeur? When your troops were few and defenceless, did we take advantage of their distress and expel them our towns? Or have we permitted them to fortify, to receive new aid, and to acquire additional strength?

“ Let not your enemies and ours persuade you, that in this we were influenced by fear or any other unworthy motive. The lives of *Britons* are still dear to us. They are the children of our parents, and an uninterrupted intercourse of mutual benefits had knit the bonds of friendship. When hostilities were commenced, when on a late occasion we were wantonly attacked by your troops, though we repelled their assaults and returned their blows, yet we lamented the wounds they obliged us to give; nor have we yet learned to rejoice at a victory over Englishmen.

“ As we wish not to colour our actions, or disguise our thoughts, we shall, in the simple language of truth, avow the measures we have pursued, the motives upon which we have acted, and our future designs,

“ When our late petition to the throne produced no other effect than fresh injuries, and votes of your legislature calculated to justify every severity; when your fleets and your armies were prepared to wrest from us our property, to rob us of our liberties

berties or our lives; when the hostile attempts of General Gage evinced his designs, we levied armies for our security and defence. When the powers vested in the Governor of Canada, gave us reason to apprehend danger from that quarter, and we had frequent intimations, that a cruel and savage enemy was to be let loose upon the defenceless inhabitants of our frontiers, we took such measures as prudence dictated, as necessity will justify. We possessed ourselves of Crown-Point and Ticonderoga. Yet give us leave most solemnly to assure you, that we have not yet lost sight of the object we have ever had in view, a reconciliation with you on constitutional principles, and a restoration of that friendly intercourse, which, to the advantage of both, we till lately maintained.

“ The inhabitants of this country apply themselves chiefly to agriculture and commerce. As their fashions and manners are similar to yours, your markets must afford them the conveniences and luxuries, for which they exchange the produce of their labours. The wealth of this extended continent centers with you; and our trade is so regulated as to be subservient only to your interest. You are too reasonable to expect, that by taxes (in addition to this) we should contribute to your expence; to believe after diverting the fountain, that the streams can flow with unabated force.

“ It has been said, that we refuse to submit to the restrictions on our commerce. From whence is this inference drawn? Not from our words, we having repeatedly declared the contrary; and we again profess our submission to the several acts of trade and navigation passed before the year 1763, trusting nevertheless in the equity and justice of Parliament, that such of them as, upon cool and impartial consideration shall appear to

have imposed unnecessary or grievous restrictions, will, at some happier period, be repealed or altered. And we cheerfully consent to the operation of such acts of the British Parliament as shall be restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole Empire to the Mother Country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue on the subjects in America without their consent.

“ It is alledged, that we contribute nothing to the common defence. To this we answer, that the advantages which Great-Britain receives from the monopoly of our trade, far exceed our proportion of the expence necessary for that purpose. But should these advantages be inadequate thereto, let the restrictions on our trade be removed, and we will cheerfully contribute such proportion when constitutionally required.

“ It is a fundamental principle of the British Constitution, that every man should have at least a representative share in the formation of those laws, by which he is bound. Were it otherwise, the regulation of our internal police by a British Parliament, who are and ever will be unacquainted with our local circumstances, must be always inconvenient, and frequently oppressive, working our wrong, without yielding any possible advantage to you.

“ A plan of accommodation (as it has been absurdly called) has been proposed by your Ministers to our respective Assemblies. Were this proposal free from every other objection, but that which arises from the time of the offer, it would not be unexceptionable. Can men deliberate with the bayonet at their breast? Can they treat with freedom, while their towns are sacked; when daily

daily instances of injustice and oppression disturb the slower operations of reason?

“ If this proposal is really such as you would offer and we accept, why was it delayed till the nation was put to useless expence, and we were reduced to our present melancholy situation? If it holds forth nothing, why was it proposed? Unless indeed to deceive you into a belief, that we were unwilling to listen to any terms of accommodation? But what is submitted to our consideration? We contend for the disposal of our property. We are told that our demand is unreasonable, that our Assemblies may indeed collect our money, but that they must at the same time offer, not what your exigencies or ours may require, but so much as shall be deemed sufficient to satisfy the desires of a Minister, and enable him to provide for favourites and dependants. A recurrence to your own Treasury will convince you how little of the money, already extorted from us, has been applied to the relief of your burthens. To suppose that we would thus grasp the shadow, and give up the substance, is adding insult to injuries.

“ We have nevertheless again presented an humble and dutiful petition to our Sovereign; and to remove every imputation of obstinacy, have requested his Majesty to direct some mode, by which the united applications of his faithful colonists may be improved into a happy and permanent reconciliation. We are willing to treat on such terms as can alone render an accommodation lasting, and we flatter ourselves that our pacific endeavours will be attended with a removal of ministerial troops, and a repeal of those laws of the operation of which we complain, on the one part, and a disbanding of our army, and a dissolution of our commercial associations, on the other.

“ Yet conclude not from this that we propose to surrender our property into the hands of your Ministry, or

vest your Parliament with a power which may terminate in our destruction. The great bulwarks of our constitution we have desired to maintain by every temperate, by every peaceable means; but your Ministers (equal foes to British and American freedom) have added to their former oppressions an attempt to reduce us by the sword to a base and abject submission. On the sword, therefore, we are compelled to rely for protection. Should victory declare in your favour, yet men trained to arms from their infancy, and animated by the love of liberty, will afford neither a cheap or easy conquest. Of this at least we are assured, that our struggle will be glorious, our success certain; since even in death, we shall find that freedom which in life you forbid us to enjoy.

“ Let us now ask what advantages are to attend our reduction? The trade of a ruined and desolate country is always inconsiderable, its revenue trifling; the expence of subduing and retaining it in subjection certain and inevitable. What then remains but the gratification of an ill-judged pride, or the hope of rendering us subservient to designs on your liberty.

“ Soldiers who have sheathed their swords in the bowels of their American brethren, will not draw them with more reluctance against you. When too late, you may lament the loss of that freedom, which we exhort you, while still in your power, to preserve.

“ On the other hand, should you prove unsuccessful; should that connexion, which we most ardently wish to maintain, be dissolved; should your Ministers exhaust your treasures, and waste the blood of your countrymen, in vain attempts on our liberty; do they not deliver you, weak and defenceless, to your natural enemies?

“ Since then your liberty must be the price of your victories; your ruin,

ruin, of your defeat:—what blind fatality can urge you to a pursuit destructive of all that Britons hold dear?

“ If you have no regard to the connection that has for ages subsisted between us; if you have forgot the wounds we have received, fighting by your side for the extension of the empire; if our commerce is not an object below your consideration; if justice and humanity have lost their influence on your hearts; still motives are not wanting to excite your indignation at the measures now pursued: your wealth, your honour, your liberty are at stake.

“ Notwithstanding the distress to which we are reduced, we sometimes forget our own afflictions, to anticipate and sympathize in yours. We grieve that rash and inconsiderate councils should precipitate the destruction of an empire, which has been the envy and admiration of ages, and call God to witness! that we would part with our property, endanger our lives, and sacrifice every thing but liberty, to redeem you from ruin.

“ A cloud hangs over your heads and ours; ere this reaches you, it may probably burst upon us; let us then (before the remembrance of former kindness is obliterated) once more repeat those appellations which are ever grateful in our ears; let us entreat Heaven to avert our ruin, and the destruction that threatens our friends, brethren, and countrymen, on the other side of the *Atlantic*.”

The conduct observed towards the Indian nations was in perfect consistence with that disposition for peace so openly declared, and so fully manifested. Taught by adversity to feel for the woes, and by freedom to respect the rights of mankind, we wished to avoid that savage war which knows no laws but indiscriminate slaughter. And although our enemies have endeavoured to stigma-

tize us with the design of employing the hatchet against them, in order to cast a veil over their own barbarity; yet the fact is, that we sedulously avoided it, and have at length been exposed to the fury of those tribes, because we would not take advantage of their inhuman thirst of blood against our fellow men.

It was not until the 25th of November, 1775, that the Congress determined to retort upon our enemies the practice of taking property on the high seas. They considered us as rebels; they had no laws in existence, whereby our property was forfeited. Unless we were considered as independent, their Sovereign could not authorize the capture of vessels; and yet, in defiance of law, of reason, and of justice, they hesitated not to plunder indiscriminately all those who resided in America, among whom not a few were adherents to their cause.

Nor did the Congress even then make reprisals upon private property, but levelled their resentment at those only who were engaged in aiding and assisting the armies employed against us; nor did they, until the 23d of March, 1776, adopt the latter measure; the reasons of which are fully set forth in the following preamble:

“ Whereas the petitions of the United Colonies to the King, for the redress of great and manifold grievances, have not only been rejected, but treated with scorn and contempt, and the opposition to designs evidently formed to reduce them to a state of servile subjection, and their necessary defence against hostile forces actually employed to subdue them, declared rebellion; and whereas an unjust war hath been commenced against them, which the Commanders of the British fleets and armies have prosecuted, and still continue to prosecute, with their utmost vigour, and in a cruel manner wasting, spoiling, and

and destroying the country, burning houses and defenceless towns, and exposing the helpless inhabitants to every misery from the inclemency of the winter, and not only urging savages to invade the country, but instigating negroes to murder their masters; and whereas the Parliament of Great-Britain hath lately passed an act, affirming these colonies to be in open rebellion, forbidding all trade and commerce with the inhabitants thereof, until they shall accept pardons, and submit to despotic rule, declaring their property, wherever found upon the water, liable to seizure and confiscation, and enacting, that what had been done there, by virtue of the royal authority, were just and lawful acts, and shall be so deemed; from all which it is manifest, that the iniquitous scheme concerted to deprive them of the liberty they have a right to by the laws of Nature and the English Constitution, will be pertinaciously pursued: it being, therefore, necessary to provide for their defence and security, and justifiable to make reprisals upon their enemies, and otherwise to annoy them, according to the laws and usages of nations, the Congress, trusting that such of their friends in Great-Britain (of whom it is confessed there are many intitled to applause and gratitude for their patriotism and benevolence, and in whose favour a discrimination of property cannot be made) as shall suffer by captures, will impute it to the authors of our common calamities, do declare and resolve, as followeth."

But however reluctantly we proceeded in extending the calamities of war to our fellow countrymen, and strengthening ourselves by the capture of those riches which were to be employed for our destruction, the most sedulous attention was paid to avoid and to alleviate the calamities too necessarily attending a contest so

important and so fruitful in distress. For not only was the most generous provision made to clothe and to feed those prisoners whom the fortune of war had placed in our power, but least the provocations they had received might stimulate individuals to revenge, we find that on the 2d of January, 1776, the Congress came to the following resolution, viz.

"Whereas the execrable barbarity with which this unhappy war has been conducted on the part of our enemies, such as burning our defenceless towns and villages, exposing their inhabitants, without regard to sex or age, to all the miseries which loss of property, the rigour of the season, and inhuman devastation can inflict, exciting domestic insurrections and murders, bribing savages to desolate our frontiers, and casting such of us, as the fortune of war has put in their power, into goals, there to languish in irons and in want, compelling the inhabitants of Boston, in violation of the treaty, to remain confined within the town, exposed to the insolence of the soldiery, and other enormities, at the mention of which decency and humanity will ever blush, may justly provoke the inhabitants of these colonies to retaliate.

"Resolved, That it be recommended to them to continue mindful that humanity ought to distinguish the brave, that cruelty should find no admission among a free people, and to take care that no page in the annals of America be stained by a recital of any action which justice or Christianity may condemn, and to rest assured, that whenever retaliation may be necessary, or tend to their security, this Congress will undertake the disagreeable task."

It must be remarked, that this resolution was passed when the most ample means of retaliation were in our power, and the affairs of America wore the most promising aspect;

for

for the defeat before Quebec was not yet known, but, on the contrary, it was expected that capital fortresses would soon fall into our hands. Thousands on this continent would not have wept in anguish for the loss of a husband, a father, or a friend, had the same emotions of philanthropy pervaded the bosoms of our persecutors. But the stroke of Divine Justice seems to have been suspended, until their cup of guilt was filled with the widows and the orphans tears.

Notwithstanding the efforts which had been made for reconciliation, the prospect of it seemed every moment to be more remote. Every account from Great-Britain served to confirm the opinion, that nothing short of an unconditional submission on our part would be accepted; and every day's enquiry convinced the unprejudiced, that we had every thing to fear from a connection with them. As the governments of the several colonies had been exercised under authority from the King of Great-Britain, they were reduced to the alternative of being in a manner without government, or of instituting new systems on a basis purely republican. The former was chosen, as the latter would have tended greatly to impede a future connection. But a state of political anarchy could not long be tolerable to any society: the evils resulting from it must at length have produced the most fatal consequences; and it was impossible to foresee what might be the event of a contest in which mankind were set loose from the restraints of law. Impressed with these ideas, the Congress on the 15th of May, 1776, published the following resolution:

“Whereas his Britannic Majesty, in conjunction with the Lords and Commons of Great-Britain, has, by a late Act of Parliament, excluded the inhabitants of these United Colonies from the protection of his crown; and whereas no answer what-

ever to the humble petitions of the colonies for redress of grievances and reconciliation with Great-Britain has been or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies; and whereas it appears absolutely irreconcilable to reason and good conscience, for the people of these colonies now to take the oaths and affirmations necessary for the support of any government under the crown of Great-Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies, for the preservation of internal peace, virtue, and good order, as well as for the defence of their lives, liberties and properties, against the hostile invasions and cruel depredations of their enemies;

“Resolved, That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.”

The conduct of Great-Britain was still the same compound of violence and fraud. While the stores of political artifice were exhausted, to prevent us from obtaining foreign aid, nothing, which money or promises could effect, was left undone, to collect the mercenaries of Germany for our subjugation. Foiled in their former efforts, they called forth all their strength; and to lull us into security at the same time, endeavoured to cover their designs with the thin veil of reconciliation. For
this

this purpose they passed an act of Parliament, and in consequence of it appointed Commissioners, with power to grant pardons, to those Americans who would be so guilty as to solicit them. At length, fully convinced of what reason had long dictated, that no rational security for our liberties could be obtained during a connection with Great-Britain, and that every idea of dependence tended to enfeeble our efforts, in a cause on which every thing was at stake, the fine spun thread, which held the two countries together, was cut on the memorable 4th of July, 1776, by the following

“**DECLARATION** *by the Representatives of the UNITED STATES of AMERICA, in Congress assembled.*

“When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“We hold these truths to be self-evident; that all men are created equal; that they are endowed, by their Creator, with certain unalienable rights; that among these are, life, liberty, and the pursuit of happiness.—That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments

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long established, should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of

is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world:

“He has refused his assent to laws the most wholesome and necessary for the public good.

“He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

“He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

“He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

“He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

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“ He has refused, for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

“ He has endeavoured to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

“ He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

“ He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

“ He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

“ He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

“ He has affected to render the military independent of, and superior to the civil power.

“ He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

“ For quartering large bodies of armed troops among us:

“ For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states:

“ For cutting off our trade with all parts of the world:

“ For imposing taxes on us without our consent:

“ For depriving us, in many cases, of the benefits of trial by jury:

“ For transporting us beyond seas to be tried for pretended offences:

“ For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

“ For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

“ For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

“ He has abdicated government here, by declaring us out of his protection, and waging war against us.

“ He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

“ He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

“ He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

“ He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction, of all ages, sexes, and conditions.

“ In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A whose character is thus marked by every

every act which may define a ,
is unfit to be the ruler of a free
people.

“ Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace, friends,

“ We, therefore, the representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great-Britain, is, and ought to be, totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which INDEPENDENT STATES may of right do. And for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our

lives, our fortunes, and our sacred honour.”

This decisive step was taken in the face of the whole British force collected on our shores. From that moment every thing assumes a new appearance: The propositions and supplications for reconciliation, so haughtily rejected, were done away. The metaphysical disquisitions about the compatibility of colonial liberty and parliamentary authority in commercial superintendency by acts of legislation, to the effect of external, exclusively of the idea of internal, taxation:—These, with all the jargon incident to them, were at an end. A single clear point was put on the issue of the contest, whether we should be conquered, enslaved provinces, or free and independent States? And on this proposition every man was in capacity to take his decided part.

Upon the 3d day of September, 1776, General Sullivan, who had been made prisoner by the enemy in the action of Long-Island, delivered the following message to Congress from Lord Howe :

“ That though he could not at present treat with Congress as such, yet he was very desirous of having a conference with some of the Members, whom he would consider for the present only as private gentlemen, and meet them himself at such place as they should appoint :

“ That he, in conjunction with General Howe, had full powers to compromise the dispute between Great-Britain and America upon terms advantageous to both; the obtaining of which delayed him near two months in England, and prevented his arrival at this place before the declaration of independency took place :

“ That he wished a compact might be settled at this time, when no decisive blow was struck, and neither party could say that they were compelled

pelled to enter into such agreement:

“ That, in case Congress were disposed to treat, many things, which they had not as yet asked, might and ought to be granted them; and that, if upon the conference, they found any probable ground of an accommodation, the authority of Congress must be afterwards acknowledged, otherwise the compact would not be complete.”

On the 5th of September the Congress came to the following resolutions; *to wit*.

“ Resolved, That General Sullivan be requested to inform Lord Howe, that this Congress, being the representatives of the Free and Independent States of America, cannot with propriety send any of its members, to confer with his Lordship in their private characters, but that, ever desirous of establishing peace on reasonable terms, they will send a committee of their body, to know whether he has any authority to treat with persons authorized by Congress for that purpose in behalf of America, and what that authority is, and to hear such propositions as he shall think fit to make respecting the same:

“ That the President be desired to write to General Washington, and acquaint him, that it is the opinion of Congress, no proposals for making peace between Great-Britain and the United States of America ought to be received or attended to, unless the same be made in writing and addressed to the representatives of the said States in Congress, or persons authorized by them: and if application be made to him by any of the commanders of the British forces on that subject, that he inform them, that these United States, who entered into the war only for the defence of their lives and liberties, will cheerfully agree to peace on reasonable terms, whenever such shall be

proposed to them in manner aforesaid.”

The Committee was appointed the next day, and upon the 17th made the following report:

“ In obedience to the orders of Congress, we have had a meeting with Lord Howe. It was on Wednesday last upon Staten-Island, opposite to Amboy, where his Lordship received and entertained us with the utmost politeness.

“ His Lordship opened the conversation by acquainting us, that, though he could not treat with us as a Committee of Congress, yet, as his powers enabled him to confer and consult with any private gentlemen of influence in the colonies, on the means of restoring peace between the two countries, he was glad of this opportunity of conferring with us on that subject, if we thought ourselves at liberty to enter into a conference with him in that character. We observed to his Lordship, that, as our business was to hear, he might consider us in what light he pleased, and communicate to us any propositions he might be authorized to make for the purpose mentioned; but, that we could consider ourselves in no other character than that in which we were placed by order of Congress. His Lordship then entered into a discourse of a considerable length, which contained no explicit proposition of peace, except one, namely, That the Colonies should return to their allegiance and obedience to the Government of Great-Britain. The rest consisted principally of assurances, that there was an exceeding good disposition in the King and his Ministers to make that government easy to us, with intimations, that, in case of our submission, they would cause the offensive acts of Parliament to be revised, and the instructions to Governors to be reconsidered; that so, if any just causes of complaint were found in the acts, or any errors in govern-

government were perceived to have crept into the instructions, they might be amended or withdrawn.

“ We give it as our opinion to his Lordship, that a return to the domination of Great-Britain was not now to be expected. We mentioned the repeated humble petitions of the colonies to the King and Parliament, which had been treated with contempt, and answered only by additional injuries; the unexampled patience we had shewn under their tyrannical government, and that it was not till the late act of Parliament, which denounced war against us, and put us out of the King’s protection, that we declared our Independence; that this declaration had been called for by the people of the colonies in general; that every colony had approved of it, when made, and all now considered themselves as Independent States, and were settling, or had settled, their governments accordingly; so that it was not in the power of Congress to agree for them, that they should return to their former dependent state; that there was no doubt of their inclination to peace, and their willingness to enter into a treaty with Britain, that might be advantageous to both countries; that, though his Lordship had at present no power to treat with them as Independent States, he might, if there was the same good disposition in Britain, much sooner obtain fresh powers from thence, for that purpose, than powers could be obtained by Congress, from the several colonies, to consent to a submission.

“ His Lordship then saying that he was sorry to find, that no accommodation was like to take place, put an end to the conference.

“ Upon the whole, it did not appear to your Committee, that his Lordship’s commission contained any other authority than that expressed in the act of Parliament, namely, that of granting pardons, with such ex-

ceptions as the Commissioners shall think proper to make, and of declaring America, or any part of it, to be in the King’s peace, upon submission: for, as to the power of enquiring into the state of America, which his Lordship mentioned to us, and of conferring and consulting with any persons the Commissioners might think proper, and representing the result of such conversation to the Ministry, who, provided the colonies would subject themselves, might after all, or might not, at their pleasure, make any alterations in the former instructions to Governors, or propose in Parliament any amendment of the acts complained of, we apprehended any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependence.”

From this moment the war raged with the utmost violence, and was prosecuted by the enemy with unabated vigour and barbarity. To recite the numerous instances in which their faith, solemnly pledged, hath been broken, would be tedious and perhaps useless: Victory declared herself for a long time in favour of their superior numbers and superior discipline, and their insolence was equal to their success. Unable to comprehend the whole of the object they had undertaken, and overjoyed at the acquisition of the minuter parts, already the needy greedy parasites of a voluptuous Court had in imagination carved out our possessions among them, and wantoned in the prospect of enjoying the fruits of our laborious industry. Every thing, therefore, which looked like conciliation, was treated as a concession flowing from feebleness of soul. The spirit of despotism, flushed with hope and inured to guilt, turned a hard unfeeling eye upon the miseries of human nature, and directed

directed (well pleased) the storm of vengeance to the head of freedom. But that full tide of success, which had carried their expectations so high, begun to ebb away: the gallant army commanded by Burgoyne, checked by impediments which nature had thrown in his course, at length submitted, notwithstanding the efforts of their accomplished General, to the determined bravery of their foes. The splendour of our success in that quarter called the attention of Europe to our fortitude and perseverance. The weight and importance of a country which could resist the astonishing efforts made by Great-Britain, were evident to the most careless observation. The acknowledgement of our Independence became therefore an object of serious deliberation. Awakened from their dream of glory to a view of their danger, the Ministry of England determined, if possible, to recover what they had wantonly thrown away.

On the 21st day of April, 1778, the Congress, then sitting at Yorktown, received a letter from the General, inclosing a printed paper from Philadelphia, to the following effect:

“ Draught of a Bill for declaring the intentions of the Parliament of Great-Britain, concerning the exercise of the right of imposing Taxes within his Majesty’s colonies, provinces, and plantations in North-America,

“ Whereas the exercise of the right of taxation by the Parliament of Great-Britain, for the purpose of raising a revenue in his Majesty’s colonies, provinces, and plantations in North-America, has been found by experience to occasion great uneasinesses and disorders, and has, by sundry misrepresentations, been made the means of misleading many of his Majesty’s faithful subjects, who yet acknowledge the justice of contributing to the common defence of the

empire, provided such contributions should be raised under the authority of the General Court, or General Assembly, of each respective colony, province or plantation: *And whereas,* in order as well as to remove the said uneasinesses, and to quiet the minds of his Majesty’s subjects, who may be disposed to return to their allegiance, as to restore the peace and welfare of all his Majesty’s dominions, it is expedient to declare, that the King and Parliament of Great-Britain will not impose any duty, tax or assessment, for the purpose of raising a revenue within any of the said colonies, provinces or plantations:

“ May it please your Majesty That it may be declared and enacted, and it is hereby declared and enacted &c. That from and after the passing of this Act, the King and Parliament of Great-Britain will not impose any duty, tax, or assessment whatsoever, payable within any of his Majesty’s colonies, provinces and plantations in North-America, except only such duties as it may be expedient to impose for the regulation of commerce; the net produce of such duties to be always paid and applied to, and for, the use of the colony, province or plantation, in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective General Courts, or General Assemblies, of such colonies, provinces or plantations, are ordinarily paid and applied.”

“ Draught of a Bill to enable his Majesty to appoint Commissioners with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations and provinces of North-America.

“ For the quieting and extinguishing of divers jealousies and misapprehensions of danger to their liberties and legal rights, which have misled many of his Majesty’s subjects in the colonies,

colonies, provinces and plantations of 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, and for a fuller manifestation of the just and gracious purposes of his Majesty and his Parliament, to maintain and secure all his subjects in a clear and perfect enjoyment of such liberties and rights; Be it enacted, &c. That persons, to be appointed by his Majesty, under the Great Seal of Great-Britain, or any of them, shall by force of this act, have full power, commission and authority to treat, consult and agree with such body or bodies, political and corporate, or with such assembly or assemblies of men, or with such person or persons, as in their wisdom and discretion they shall think meet, of and concerning any grievances, or complaints of grievances, existing, or supposed to exist, in the government of any of the said colonies, provinces or plantations respectively, or in the laws and statutes of this realm respecting the same; and of or concerning any aid or contribution to be furnished by all or any of the colonies, provinces or plantations, respectively, for the common defence of this realm, and the dominions thereunto belonging; and of and concerning such other regulations, provisions, matters and things, as upon mature deliberation of the said Commissioners, or any of them, shall be thought necessary or convenient for the honour of his Majesty, and the common good of all his subjects.

“ Provided also, and be it further enacted and declared, That no regulation, provision, matter or thing so proposed, treated, consulted or agreed, shall have any other force or effect, or be carried further into execution, than is herein after mentioned and provided, until the same shall have been approved by Parliament.

“ Provided also, and be it further enacted by the authority aforesaid, That in order to facilitate the good purposes of this Act, it shall and may be lawful for the said Commissioners, or any of them, from time to time, as they shall judge it convenient, to order and proclaim a cessation of hostilities, on the part of his Majesty's troops, in any of the said colonies or plantations, or any part thereof, for any time, and under any conditions or restrictions, which they shall think convenient, and such order and proclamation to revoke and annul in the same manner and form, according to their discretion.

“ And be it further enacted, That it shall be lawful for the said Commissioners, or any of them, by proclamation under their respective hands and seals, from time to time, to suspend the operation and effects of a certain act of Parliament, made and passed in the 16th year of the reign of his present Majesty, for prohibiting all trade and intercourse with certain colonies and plantations therein named, and for the other purposes therein also mentioned, or any of the provisions or restrictions therein contained, for such convenient time as the said Commissioners shall think proper, specifying in such proclamation at what times or places respectively, and with what exceptions and restrictions, the said suspension shall take effect, and the said suspension and proclamation in the same manner and form to annul and revoke, according to their discretion.

“ And be it further enacted by the authority aforesaid, That the said Commissioners, or any of them, may, and they are hereby authorized and empowered to suspend in such places, and for such times as they shall think fit, during the continuance of this act, the operation and effect of all or any of the act or acts of Parliament which have passed since the 10th day of February, 1763, and which relate to any of his Majesty's

Majesty's said colonies, provinces or Plantations in North-America, so far as the same does relate to them, or the operation and effect of any clause, or any provision or matter therein contained, so far as such clauses, provisions or matters, relate to any of the said colonies, provinces or plantations.

“ And it is hereby enacted by the authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any of them, and they are hereby authorised and empowered to grant a pardon or pardons to any number or description of persons within the said colonies, provinces or plantations.

“ And that no let or hindrances may happen from the vacancy of the office of Governor and Commander in Chief in any of the said Colonies, provinces or plantations respectively, or from the absence of such officer from his government, Be it further enacted by the authority aforesaid, That the said Commissioners, or any of them, shall have full power and authority in any of the said colonies, provinces or plantations respectively, wherein his Majesty hath usually heretofore nominated and appointed a Governor, to nominate and appoint, by any instrument under their hands and seals, a proper person to be the Governor and Commander in Chief in and for any such colony, province or plantation, to have, hold, and exercise, during his Majesty's pleasure, the said office of Governor and Commander in Chief in and for such colony or plantation respectively, with all such powers and authorities as any Governor of such province heretofore appointed by his Majesty might or could have exercised, in as full and complete manner and form, as if such Governor and Commander in Chief had been nominated and appointed by his Majesty's letters patent or commission,

and for that purpose, if need be, to revoke, annul, and make void any commission or letters patent heretofore granted, for appointing any such Governor and Commander in Chief.

“ And be it further enacted, That this Act shall continue to be in force until the first day of June, which shall be in the year 1779.

Philadelphia, 14th of April, 1773.

Published by Order of the Commander in Chief.

ROBERT MACKENZIE, *Secretary.*

This was referred to a Committee, who, on the 22d of April, made the following report :

“ THE Committee to whom was referred the General's letter of the 18th, containing a certain printed paper sent from Philadelphia, purporting to be the draught of a bill for declaring the *intentions* of the Parliament of Great-Britain, as to the *exercise* of what they are pleased to term their *right* of imposing taxes within these United States; and also the draught of a bill to enable the King of Great-Britain to appoint Commissioners, with powers to treat, consult and agree upon the means of quieting certain disorders within the said States, beg leave to observe,

“ That the said paper being industriously circulated by emissaries of the enemy, in a partial and secret manner, the same ought to be forthwith printed for the public information.

“ The Committee cannot ascertain whether the contents of the said paper have been framed in Philadelphia, or in Great-Britain, much less whether the same are really and truly intended to be brought into the Parliament of that kingdom, or whether the said Parliament will confer thereon the usual solemnities of their laws.

laws. But are inclined to believe this will happen, for the following reasons :

“ 1st. Because their General hath made divers feeble efforts to set on foot some kind of treaty during the last winter, though, either from a mistaken idea of his own dignity and importance, the want of information, or some other cause, he hath not made application to those who are invested with a proper authority.

“ 2dly. Because they suppose that the fallacious idea of a cessation of hostilities will render these States remiss in their preparations for war.

“ 3dly. Because, believing the Americans wearied with war, they suppose we will accede to their terms for the sake of peace.

“ 4thly. Because they suppose that our negotiations may be subject to a like corrupt influence with their debates.

“ 5thly. Because they expect from this step the same effects they did from what one of their Ministers thought proper to call his *Conciliatory Motion*, viz. that it will prevent foreign powers from giving aid to these States; that it will lead their own subjects to continue a little longer the present war; and that it will detach some weak men in America from the cause of freedom and virtue.

“ 6thly. Because their King, from his own shewing, hath reason to apprehend that his fleets and armies, instead of being employed against the territories of these States, will be necessary for the defence of his own dominions. And

“ 7thly. Because the impracticability of subjugating this country being every day more and more manifest, it is their interest to extricate themselves from the war upon any terms.

“ The Committee beg leave further to observe, That, upon a supposition the matters contained in the said paper will really go into the Bill.

tish Statute Book, they serve to shew, in a clear point of view, the weakness and wickedness of the enemy.

“ Their Weakness,

“ 1st. Because they formerly declared, not only that they had a right to bind the inhabitants of these States in all cases whatsoever, but also that the said inhabitants should *absolutely* and *unconditionally* submit to the exercise of that right. And this submission they have endeavoured to exact by the sword. Receding from this claim, therefore, under the present circumstances, shews their inability to enforce it.

“ 2dly. Because their Prince had heretofore rejected the humblest petitions of the Representatives of America, praying to be considered as subjects, and protected in the enjoyment of peace, liberty, and safety; and hath waged a most cruel war against them, and employed the savages to butcher innocent women and children. But now the same Prince pretends to treat with those very Representatives, and grant to the arms of America what he refused to her prayers.

“ 3dly. Because they have uniformly laboured to conquer this continent, rejecting every idea of accommodation proposed to them, from a confidence in their own strength. Wherefore it is evident, from the change in their mode of attack, that they have lost this confidence. And

“ 4thly. Because the constant language, spoken not only by their Ministers, but by the most public and authentic acts of the nation, hath been, that it is incompatible with their dignity to treat with the Americans while they have arms in their hands. Notwithstanding which, an offer is now about to be made for treaty.

“ The WICKEDNESS and INSINCERITY of the enemy appear from the following considerations :

“ 1st. Either the *Bills* now to be passed contain a direct or indirect cession

cession of a part of their former claims, or they do not. If they do, then it is acknowledged that they have sacrificed many brave men in an unjust quarrel. If they do not, then they are calculated to deceive America into terms, to which neither argument before the war, nor force since, could procure her assent.

“ 2dly. The first of these *Bills* appears, from the title, to be a declaration of the *intentions* of the British Parliament, concerning the exercise of the *right of imposing taxes* within these States. Wherefore, should these States treat under the said Bill, they would indirectly *acknowledge* that right, to obtain which acknowledgment, the present war hath been avowedly undertaken and prosecuted on the part of Great-Britain.

“ 3dly. Should such pretended right be so acquiesced in, then, of consequence, the same might be exercised whenever the British Parliament should find themselves in a different *temper and disposition*; since it must depend upon those, and such like contingencies, how far men will act according to their former *intentions*.

“ 4thly. The said first Bill, in the body thereof, containeth no new matter, but is precisely the same with the motion before-mentioned, and liable to all the objections which lay against the said motion, excepting the following particular, viz. that *by the motion* actual taxation was to be suspended, so long as America should give as much as the said Parliament might think proper: whereas, *by the proposed Bill*, it is to be suspended, as long as future Parliaments continue of the same mind with the present.

“ 5thly. From the second Bill it appears, that the British King may, if he pleases, appoint Commissioners to *treat and agree* with those, whom they please, about a variety of things

therein-mentioned. But such treaties and agreements are to be of no validity, without the concurrence of the said Parliament, except so far as they relate to the *suspension* of hostilities, and of certain of their Acts, the granting of pardons, and the appointing of Governors to these sovereign, free and independent States. Wherefore, the said Parliament have reserved to themselves, in *express words*, the power of setting aside any such treaty, and taking the advantage of any circumstances which may arise to subject this continent to their usurpations.

“ 6thly. The said Bill, by holding forth a tender of pardon, implies a criminality in our justifiable resistance, and consequently, to treat under it would be an implied acknowledgment that the inhabitants of these States were, what Britain hath declared them to be, *Rebels*.

“ 7thly. The inhabitants of these States being claimed by them as subjects, they may infer, from the nature of the negotiation now pretended to be set on foot, that the said inhabitants would of right be afterwards bound by such laws as they should make. Wherefore any agreement entered into on such negotiation might at any future time be repealed. And

“ 8thly. Because the said Bill purports, that the Commissioners therein mentioned may treat with private individuals; a measure highly derogatory to the dignity of national character.

“ From all which it appears evident to your Committee, that the said Bills are intended to operate upon the hopes and fears of the good people of these States, so as to create divisions among them, and a defection from the common cause, now by the blessing of Divine Providence drawing near to a favourable issue. That they are the sequel of that insidious plan, which, from the days of the

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the Stamp-act, down to the present time, hath involved this country in contention and bloodshed. And that, as in other cases so in this, although circumstances may force them at times to recede from their unjustifiable claims, there can be no doubt but they will, as heretofore, upon the first favourable occasion, again display that lust of domination, which hath rent in twain the mighty empire of Britain.

“ Upon the whole matter, the Committee beg leave to report it as their opinion, that as the Americans united in this arduous contest upon principles of common interest, for the defence of common rights and privileges, which union hath been cemented by common calamities, and by mutual good offices and affection, so the great cause for which they contend, and in which all mankind are interested, must derive its success from the continuance of that union. Wherefore any man or body of men, who should presume to make any separate or partial convention or agreement with Commissioners under the crown of Great-Britain, or any of them, ought to be considered and treated as open and avowed enemies of these United States.

“ And further, your Committee beg leave to report it as their opinion, That these United States cannot, with propriety, hold any conference with any Commissioners on the part of Great-Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the Independence of the said States.

“ And inasmuch as it appears to be the design of the enemies of these States to lull them into a fatal security—to the end that they may act with a becoming weight and importance, it is the opinion of your Committee, That the several States be called upon to use the most stren-

uous exertions to have their respective quotas of continental troops in the field as soon as possible, and that all the militia of the said States be held in readiness, to act as occasion may require.”

This report being read, and debated by paragraphs, was agreed to unanimously, and published.

On the next day Congress came to the following resolution:

“ Whereas persuasion and influence, the example of the deluded or wicked, the fear of danger, or the calamities of war, may have induced some of the subjects of these States to join, aid, or abet the British forces in America; and though now desirous of returning to their duty, and anxiously wishing to be received and reunited to their country, they may be deterred by the fear of punishment; and whereas the people of these States are ever more ready to reclaim than to abandon, to mitigate than to increase the horrors of war, to pardon than to punish offenders:

“ Resolved, That it be recommended to the legislatures of the several States to pass laws, or to the executive authority of each State, if invested with sufficient power, to issue Proclamations offering pardon, with such exceptions, and under such limitations and restrictions, as the several States shall think expedient, to such of their inhabitants or subjects who have levied war against any of these States, or who have adhered to, aided or abetted the enemy, and who shall surrender themselves to any civil or military officer of any of these States, and shall return to the State to which they may belong before the 10th day of June next: and it is recommended to the good and faithful citizens of these States to receive such returning penitents with compassion and mercy, and to forgive and bury in oblivion their past failings and transgressions.”

“ On the 2d of May, Mr. Simeon

Deane arrived at York-town, with copies of the treaties with France, which were ratified on the 4th, and on the 8th the following address was made to the people of America :

“ Friends and Countrymen,

“ Three years have now passed away since the commencement of the present war. A war without parallel in the annals of mankind. It hath displayed a spectacle the most solemn that can possibly be exhibited. On one side, we behold fraud and violence labouring in the service of despotism; on the other, virtue and fortitude supporting and establishing the rights of human nature.

“ You cannot but remember how reluctantly we were dragged into this arduous contest; and how repeatedly, with the earnestness of humble in-treaty, we supplicated a redress of our grievances from him who ought to have been the father of his people. In vain did we implore his protection: in vain appeal to the justice, the generosity, of Englishmen—of men who had been the guardians, the assertors and vindicators of liberty through a succession of ages: men, who, with their swords, had established the firm barrier of freedom, and cemented it with the blood of heroes. Every effort was vain. For, even whilst we were prostrated at the foot of the throne, that fatal blow was struck, which hath separated us for ever. Thus spurned, contemned, and insulted—thus driven by our enemies into measures which our souls abhorred—we made a solemn appeal to the tribunal of unerring Wisdom and Justice—to that Almighty Ruler of Princes, whose kingdom is over all.

“ We were then quite defenceless. Without arms, without ammunition, without cloathing, without ships, without money, without officers skilled in war; with no other reliance but the bravery of our people, and the justice of our cause. We

had to contend with a nation great in arts and in arms, whose fleets covered the ocean, whose banners had waved in triumph through every quarter of the globe. However unequal this contest, our weakness was still farther increased by the enemies which America had nourished in her bosom. Thus exposed, on the one hand, to external force and internal divisions; on the other, to be compelled to drink of the bitter cup of slavery, and to go sorrowing all our lives long; in this sad alternative, we chose the former. To this alternative we were reduced by men, who, had they been animated by one spark of generosity, would have disdained to take such mean advantage of our situation; or, had they paid the least regard to the rules of justice, would have considered with abhorrence a proposition to injure those who had faithfully fought their battles, and industriously contributed to rear the edifice of their glory.

“ But, however great the injustice of our foes in commencing this war, it is by no means equal to the cruelty with which they have conducted it. The course of their armies is marked by rapine and devastation. Thousands, without distinction of age or sex, have been driven from their peaceful abodes, to encounter the rigours of inclement seasons; and the face of Heaven hath been insulted by the wanton conflagration of defenceless towns. Their victories have been followed by the cool murder of men no longer able to resist; and those who escaped from the first act of carnage, have been exposed, by cold, hunger, and nakedness, to wear out a miserable existence in the tedious hours of confinement, or to become the destroyers of their countrymen, of their friends, perhaps, dreadful idea, of their parents or children! Nor was this the outrageous barbarity of an individual, but

but a system of deliberate malice, stamped with the concurrence of the British legislature, and sanctioned with all the formalities of law. Nay, determined to dissolve the closest bonds of society, they have stimulated servants to slay their masters in the peaceful hour of domestic security. And, as if all this were insufficient to slake their thirst of blood, the blood of brothers, of unoffending brothers, they have excited the Indians against us; and a general, who calls himself a Christian, a follower of the merciful Jesus, hath dared to proclaim to all the world his intention of letting loose against us whole hosts of savages, whose rule of warfare is promiscuous carnage, who rejoice to murder the infant smiling in its mother's arms, to inflict on their prisoners the most excruciating torments, and exhibit scenes of horror from which nature recoils.

“ Were it possible, they would have added to this terrible system, for they have offered the inhabitants of these States to be exported by their merchants to the sickly, baneful climes of India, there to perish. An offer not accepted of, merely from the impracticability of carrying it into execution.

“ Notwithstanding these great provocations, we have treated such of them as fell into our hands with tenderness, and studiously endeavoured to alleviate the afflictions of their captivity. This conduct we have pursued so far, as to be by them stigmatized with cowardice, and by our friends with folly. But our dependence was not upon man. It was upon Him who hath commanded us to love our enemies, and to render good for evil. And what can be more wonderful than the manner of our deliverances? How often have we been reduced to distress, and yet been raised up? When the means to prosecute the war have been wanting to us, have not our foes themselves

been rendered instrumental in providing them? This hath been done in such a variety of instances, so peculiarly marked almost by the direct interposition of Providence, that not to feel and acknowledge his protection, would be the height of impious ingratitude.

“ At length that God of Battles, in whom was our trust, hath conducted us through the paths of danger and distress to the thresholds of security. It hath now become morally certain, that, if we have courage to persevere, we shall establish our liberties and independence.—The haughty Prince, who spurned us from his feet with contumely and disdain,—and the Parliament which proscribed us, now descend to offer terms of accommodation. Whilst in the full career of victory, they pulled off the mask, and avowed their intended despotism: but, having lavished in vain the blood and treasure of their subjects in pursuit of this execrable purpose, they now endeavour to ensnare us with the insidious offers of peace. They would seduce you into a dependence, which necessarily leads to the most humiliating slavery. And do they believe that you will accept these fatal terms? Because you have suffered the distresses of war, do they suppose that you will basely lick the dust before the feet of your destroyers? Can there be an American so lost to the feelings which adorn human nature? To the generous pride, the elevation, the dignity of freedom? Is there a man who would not abhor a dependence upon those who have deluged his country in the blood of its inhabitants? We cannot suppose this; neither is it possible that they themselves can expect to make many converts. What then is their intention? Is it not to lull you with the fallacious hopes of peace, until they can assemble new armies to prosecute their nefarious designs? If this is not the case, why do they strain every nerve.

nerve to levy men throughout their islands? Why do they meanly court each little tyrant of Europe to sell them his unhappy slaves? Why do they continue to embitter the minds of the savages against you? Surely this is not the way to conciliate the affections of America. Be not, therefore, deceived. You have still to expect one severe conflict. Your foreign alliances, though they secure your Independence, cannot secure your country from desolation, your habitations from plunder, your wives from insult or violation, nor your children from butchery. Foiled in their principal design, you must expect to feel the rage of disappointed ambition. Arise then! To your tents! And gird you for the battle! It is time to turn the headlong current of vengeance upon the head of the destroyer. They have filled up the measure of their abominations, and like ripe fruit must soon drop from the tree. Although much is done, yet much remains to do. Expect not peace; whilst any corner of America is in possession of your foes. You must drive them away from this land of promise, a land flowing indeed with milk and honey. Your brethren at the extremities of the continent already implore your friendship and protection. It is your duty to grant their request. They hunger and thirst after liberty. Be it yours to dispense to them the heavenly gift. And what is there now to prevent it?

“ After the unremitted efforts of our enemies, we are stronger than before. Nor can the wicked emissaries, who so assiduously labour to promote their cause, point out any one reason to suppose that we shall not receive daily accessions of strength. They tell you, it is true, that your money is of no value; and your debts so enormous, they can never be paid. But we tell you, that if Britain prosecutes the war another campaign, that single campaign will cost her

more than we have hitherto expended. And yet these men would prevail upon you to take up that immense load, and for it to sacrifice your dearest rights. For, surely, there is no man so absurd as to suppose, that the least shadow of liberty can be preserved in a dependent connexion with Great-Britain. From the nature of the thing it is evident, that the only security you could obtain, would be the justice and moderation of a Parliament, who have sold the rights of their own constituents. And this slender security is still farther weakened, by the consideration that it was pledged to rebels, (as they unjustly call the good people of these States) with whom they think they are not bound to keep faith by any law whatsoever. Thus would you be cast bound among men, whose minds, (by your virtuous resistance) have been sharpened to the keenest edge of revenge. Thus would your children, and your children's children, be, by you, forced to a participation in all their debts, their wars, their luxuries, and their crimes. And this mad, this impious system they would lead you to adopt, because of the derangement of your finances.

“ It becomes you deeply to reflect on this subject. Is there a country on earth, which hath such resources for the payment of her debts as America? Such an extensive territory? So fertile, so blessed in its climate and productions? Surely there is none. Neither is there any to which the wise Europeans will sooner confide their property. What then are the reasons that your money hath depreciated? Because no taxes have been imposed to carry on the war. Because your commerce hath been interrupted by your enemy's fleets. Because their armies have ravaged and desolated a part of your country. Because their agents have villainously counterfeited your bills. Because extortioners among you, in-
flamed

flamed with the lust of gain, have added to the price of every article of life. And because weak men have been artfully led to believe that it is of no value. How is this dangerous disease to be remedied? Let those among you, who have leisure and opportunity, collect the monies which individuals in their neighbourhood are desirous of placing in the public funds. Let the several legislatures sink their respective emissions, that so, there being but one kind of bills, there may be less danger of counterfeits. Refrain a little while from purchasing those things which are not absolutely necessary, that so those who have engrossed commodities may suffer (as they deservedly will) the loss of their ill-gotten hoards, by reason of the commerce with foreign nations, which their fleets will protect. Above all, bring forward your arms into the field. Trust not to appearances of peace or safety. Be assured that, unless you persevere, you will be exposed to every species of barbarity. But if you exert the means of defence which God and nature have given you, the time will soon arrive when every man shall sit under his own vine and under his own fig-tree, and there shall be none to make him afraid.

“The sweets of a free commerce with every part of the earth will soon reimburse you for all the losses you have sustained. The full tide of wealth will flow in upon your shores, free from the arbitrary impositions of those whose interest and whose declared policy it was to check your growth. Your interests will be fostered and nourished by governments that derive their power from your grant, and will therefore be obliged, by the influence of cogent necessity, to exert it in your favour.

“It is to obtain these things that we call for your strenuous, unremitting exertions. Yet do not believe that you have been or can be saved merely by

your own strength. No; it is by the assistance of Heaven, and this you must assiduously cultivate by acts which Heaven approves. Thus shall the power and the happiness of these sovereign, free and independent States, founded on the virtue of their citizens, increase, extend and endure, until the Almighty shall blot out all the empires of the earth.”

On the 6th of June the Congress received a letter of the 27th of May from Lord Howe, and one of the 3d of June from General Clinton, accompanied with three acts of Parliament: they were as follows;

Philadelphia, May 27. 1778.

Sir,

“Having, by a packet just arrived from Great-Britain, received the King’s commands to transmit to the Congress, and the Commander in Chief of their troops, the copies of two Acts, passed this session of Parliament, for quieting the disorders now subsisting in these colonies, and preparing the way for the return of peace, I embrace the earliest opportunity to forward the inclosed copies of those Acts, and of one other Act relating to the government of the province of Massachusetts-Bay, for the information of the Congress thereon; most sincerely hoping this communication will be productive of the desired good effects. I am, with due consideration, Sir,

Your most obedient servant,

HOWE.”

Henry Laurens, Esq. President of the Congress.

Head-Quarters, Philadelphia, June 3, 1778.

Sir,

“I am directed to transmit to Congress, and the Commander in Chief of their troops, printed copies of three Conciliatory Acts of Parliament: let me add my most sincere wishes, that they may produce the desirable

desirable effect which is hoped from them. I have the honour to be,

Sir,

Your most obedient, and
Most humble servant,

H. CLINTON."

Henry Laurens, Esq. President of the Congress.

" *An Act for repealing an Act, passed in the fourteenth year of his present Majesty's reign, intituled, An Act for the better regulating the government of the province of the Massachusetts-Bay, in New-England.*

" Whereas the province of the Massachusetts-Bay had for many years been governed under a charter, granted by their late Majesties King William and Queen Mary; and whereas an Act, passed in the fourteenth year of his present Majesty's reign, intituled, An Act for the better regulating the government of the province of the Massachusetts-Bay, in New-England, has been found to create great uneasinesses in the minds of the inhabitants of the said province, and has occasioned jealousies and apprehensions of danger to their liberties and rights in several other of the colonies and plantations in North-America: For quieting and extinguishing such uneasinesses and apprehensions, 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, from and after the passing of this Act, the said Act, of the fourteenth year of the reign of his present Majesty, be, and the same is hereby repealed."

" *An act for removing all doubts and apprehensions concerning taxation by the Parliament of Great-Britain in any of the colonies, provinces, and plantations in North-America, and the West-Indies; and for repealing*

so much of an Act, made in the seventh year of the reign of his present Majesty, as imposes a duty on tea imported from Great-Britain into any colony or plantation in America, or relates thereto.

" Whereas taxation by the Parliament of Great-Britain, for the purpose of raising a revenue in his Majesty's colonies, provinces, and plantations, in North-America, has been found by experience to occasion great uneasinesses and disorders among his Majesty's faithful subjects, who may nevertheless be disposed to acknowledge the justice of contributing to the common defence of the empire, provided such contribution should be raised under the authority of the General Court, or General Assembly, of each respective colony, province, or plantation: and whereas, in order as well to remove the said uneasinesses, and to quiet the minds of his Majesty's subjects who may be disposed to return to their allegiance, as to restore the peace and welfare of all his Majesty's dominions, it is expedient to declare that the King and Parliament of Great-Britain will not impose any duty, tax, or assessment, for the purpose of raising a revenue in any of the colonies, provinces, or plantations: may it please your Majesty, that it may be declared and enacted; and it is hereby declared and 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, from and after the passing of this Act, the King and Parliament of Great-Britain will not impose any duty, tax, or assessment whatever, payable in any of his Majesty's colonies, provinces, and plantations, in North-America, or the West-Indies; except only such duties as it may be expedient to impose for the regulation of commerce; the net produce
of

of such duties to be always paid and applied to and for the use of the colony, province, or plantation, in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective General Courts or General Assemblies of such colonies, provinces, or plantations, are ordinarily paid and applied.

“ And be it further enacted by the authority aforesaid, That, from and after the passing of this act, made in the seventh year of his present Majesty's reign, intituled, “ An Act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthen ware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations; as imposes a duty on tea imported from Great-Britain into any colony or plantation in America, or has relation to the said duty, be, and the same is hereby repealed.”

“ *An Act to enable his Majesty to appoint Commissioners with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations, and provinces of North-America.*

“ For the quieting and extinguishing of divers jealousies and misapprehensions of danger to their liberties and legal rights, which have misled many of his Majesty's subjects in the colonies, provinces, and plantations of 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 Geor-

gia; and for a full manifestation of the just and gracious purposes of his Majesty, and his Parliament, to maintain and secure all his subjects in a clear and perfect enjoyment of such liberties and rights; 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, from time to time, by letters patent under the great seal of Great-Britain, to authorize and empower five able and sufficient persons, or any three of them, to treat, consult, and agree with such body or bodies political and corporate, or with such assembly or assemblies of men, or with any person or persons whatsoever; of and concerning any grievances, or complaints of grievances, existing, or supposed to exist, in the government of any of the said colonies, provinces, or plantations respectively, or in the laws and statutes of this realm respecting the same; and of or concerning any aid or contribution to be furnished by all or any of the said colonies, provinces, or plantations respectively, for the common defence of this realm, and the dominions thereunto belonging; and of and concerning any other regulations, provisions, matters, and things, necessary or convenient for the honour of his Majesty, and his Parliament, and for the common good of all his subjects.

“ Provided also, and be it further enacted and declared, That no regulation, provision, matter, or thing, so proposed, treated, consulted, or agreed, shall have any other force or effect, or be carried further into execution, than is herein after mentioned and provided; until the same shall have been confirmed by Parliament.

“ Provided also, and be it further enacted by the authority aforesaid, That in order to facilitate the good purposes

purposes of this act, his Majesty may lawfully enable the said Commissioners, or any three of them, from time to time, to order and proclaim a cessation of hostilities, on the part of his Majesty's forces, by sea or land, for any time, and under any conditions or restrictions; and such order and proclamation to revoke and annul in the same manner and form.

“ And be it further enacted, That it shall and may be lawful for his Majesty, by such letters patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, by proclamation under their respective hands and seals, from time to time, to suspend the operation and effect of a certain act of Parliament, made and passed in the sixteenth year of the reign of his present Majesty, for prohibiting all trade and intercourse with certain colonies and plantations therein named, and for the other purposes therein also mentioned, or any of the provisions or restrictions therein contained; specifying in such proclamation at what times and places respectively, and with what exceptions and restrictions, and under what passes and clearances, in lieu of those heretofore directed by any act or acts of Parliament for regulating the trade of the colonies or plantations, the said suspension shall take effect; and the said suspension and proclamation, in the same manner and form, to annul and revoke.

“ And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, by such letters patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, to suspend in places, and for any times during the continuance of this act, the operation and effect of any act or acts of Parliament which have passed since the tenth day of February, one thousand seven hundred and sixty-three, and which relate to any of his Majesty's said colonies, provinces, or

plantations, in North-America, so far as the same does relate to them; or the operation and effect of any clause, or any provision or matter therein contained, so far as such clauses, provisions or matters, relate to any of the said colonies, provinces, or plantations.

“ And it is hereby enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, by such letters patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, and they are hereby authorised and empowered, to grant a pardon or pardons to any number or description of persons within the said colonies, provinces, or plantations.

“ And, that no let or hindrance may happen from the vacancy of the office of Governor and Commander in Chief in any of the said colonies, provinces or plantations, respectively, or from the absence of such officer from his government, be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, by such letters patent as aforesaid, to authorise and empower the said Commissioners, or any three of them, in any of the said colonies, provinces or plantations, respectively, wherein his Majesty hath usually heretofore nominated and appointed a Governor, to nominate and appoint, from time to time, by an instrument under their hands and seals, a proper person to be the Governor and Commander in Chief, in and for any such colony, province, or plantation: to have, hold, and exercise the said office of Governor and Commander in Chief in and for such colony or plantation respectively, with all such powers and authorities as any Governor of such province heretofore appointed by his Majesty might or could have exercised, in as full and ample manner and form as if such Governor and Commander in Chief had been nominated and appointed by

by his Majesty's letters patent or commission; and for that purpose, if need be, to revoke, annul, and make void, any commission or letters patent heretofore granted for appointing any such Governor and Commander in Chief.

"And be it further enacted, That this act shall continue to be in force until the first day of June, one thousand seven hundred and seventy-nine."

To which the following answers were returned:

York-town, June 6, 1778.

"My Lord,

"I have had the honour of laying your Lordship's letter of the 27th of May, with the acts of the British Parliament inclosed, before Congress; and I am instructed to acquaint your Lordship, that they have already expressed their sentiments upon bills, not essentially different from those acts, in a publication of the 22d of April last.

"Your Lordship may be assured, that when the King of Great Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, Congress will readily attend to such terms of peace as may consist with the honour of independent nations, the interest of their constituents, and the sacred regard they mean to pay to treaties. I am, my Lord, with all due consideration,

Your Lordship's

most obedient servant,

HENRY LAURENS,
President of Congress."

Lord Howe.

York-town, June 6, 1778.

Sir,

"I have had the honour of laying your letter of the 3d instant, with the acts of the British Parliament which came inclosed, before Congress; and I am instructed to acquaint you, Sir, that they have already expressed their sentiments upon

bills, not essentially different from these acts, in a publication of the 22d of April last.

"Be assured, Sir, when the King of Great-Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, Congress will readily attend to such terms of peace as may consist with the honour of independent nations, the interest of their constituents, and the sacred regard, they mean to pay to treaties.

I have the honour to be, Sir,

Your most obedient, and

most humble servant,

HENRY LAURENS,
President of Congress."

*His Excellency Sir Hen. Clinton, K. B.
Philadelphia.*

On the 13th of June a letter of the 9th was received from Lord Carlisle, William Eden, and George Johnstone, Esquires, with copies of the three acts above mentioned, and of a commission from the King of Great-Britain to the Earl of Carlisle, Lord Viscount Howe, Sir William Howe, or in his absence Sir Henry Clinton, William Eden, and George Johnstone; the letter was as follows:

"Gentlemen,

"With an earnest desire to stop the further effusion of blood and the calamities of war, we communicate to you, with the least possible delay after our arrival in this city, a copy of the commission with which his Majesty is pleased to honour us, as also the acts of Parliament on which it is founded. And, at the same time that we assure you of our most earnest desire to re-establish, on the basis of equal freedom and mutual safety, the tranquility of this once happy empire, you will observe that we are vested with powers equal to the purpose, and such as are even unprecedented in the annals of our history.

"In the present state of our affairs, though fraught with subjects of mutual

tual regret, all parties may draw some degree of consolation, and even auspicious hope, from the recollection that cordial reconciliation and affection have, in our own and other empires, succeeded to contentions and temporary divisions, not less violent than those we now experience.

“ We wish not to recall subjects which are now no longer in controversy, and will reserve to a proper time of discussion, both the hopes of mutual benefit, and the consideration of evils, that may naturally contribute to determine your resolutions, as well as our own, on this important occasion.

“ The acts of Parliament which we transmit to you having passed with singular unanimity, will sufficiently evince the disposition of Great-Britain, and shew that the terms of agreement in contemplation with his Majesty and with Parliament are such as come up to every wish that North-America, either in the hour of temperate deliberation or of the utmost apprehension of danger to liberty, has expressed.

“ More effectually to demonstrate our good intentions, we think proper to declare, even in this our first communication, that we are disposed to concur in every satisfactory and just arrangement towards the following among other purposes :

“ To consent to a cessation of hostilities, both by sea and land.

“ To restore free intercourse, to revive mutual affection, and renew the common benefits of naturalization, through the several parts of this empire.

“ To extend every freedom to trade that our respective interests can require.

“ To agree that no military forces shall be kept up in the different states of North-America, without the consent of the General Congress or particular assemblies.

“ To concur in measures calculated to discharge the debts of America, and to raise the credit and value of the paper circulation.

“ To perpetuate our union by a reciprocal deputation of an agent or agents from the different states, who shall have the privilege of a seat and voice in the Parliament of Great-Britain; or, if sent from Britain; in that case to have a seat and voice in the Assemblies of the different States to which they may be deputed respectively, in order to attend the several interests of those by whom they are deputed.

“ In short, to establish the power of the respective legislatures in each particular state, to settle its revenue, its civil and military establishment, and to exercise a perfect freedom of legislation and internal government, so that the British states throughout North-America, acting with us in peace and war under one common Sovereign, may have the irrevocable enjoyment of every privilege, that is short of a total separation of interests, or consistent with that union of force, on which the safety of our common religion and liberty depends.

“ In our anxiety for preserving those sacred and essential interests, we cannot help taking notice of the insidious interposition of a power, which has, from the first settlement of these colonies, been actuated with enmity to us both. And notwithstanding the pretended date or present form of the French offers to North-America, yet it is notorious that these were made in consequence of the plans of accommodation previously concerted in Great-Britain, and with a view to prevent our reconciliation, and to prolong this destructive war.

“ But we trust that the inhabitants of North-America, connected with us by the nearest ties of consanguinity, speaking the same language, interested in the preservation of similar institutions,

tations, remembering the former happy intercourse of good offices, and forgetting recent animosities, will shrink from the thought of becoming an accession of force to our late mutual enemy, and will prefer a firm, a free and perpetual coalition with the parent state, to an insincere and unnatural foreign alliance.

“ This dispatch will be delivered to you by Doctor Ferguson, the Secretary to his Majesty’s Commission. And for further explanation and discussion of every subject of difference, we desire to meet with you, either collectively or by deputation, at New-York, Philadelphia, York-Town, or such other place as you may propose. We think it right, however, to apprise you, that his Majesty’s instructions, as well as our own desire to remove from the immediate seat of war, in the active operations of which we cannot take any part, may induce us speedily to remove to New-York: but the Commander in Chief of his Majesty’s land forces, who is joined with us in this Commission, will, if it should become eligible, either concur with us in a suspension of hostilities, or will furnish all necessary passports and safe conduct to facilitate our meeting, and we shall of course expect the same of you.

“ If, after the time that may be necessary to consider this communication and transmit your answer, the horrors and devastations of war should continue, we call God and the world to witness, that the evils which must follow, are not to be imputed to Great-Britain: and we cannot, without the most real sorrow, anticipate the prospect of calamities, which we feel the most ardent desire to prevent. We are, with perfect respect,

Gentlemen,

Your most obedient

and most humble servants,

Philadelphia, CARLISLE,
9th June, WM. EDEN,
1778. GEO. JOHNSTONE.”

To his Excellency HENRY LAURENS,
the President, and other the Members
of Congress.

“ Gentlemen,

“ The dispatch inclosed with this was carried this morning to the nearest post of General Washington’s army by Doctor Ferguson, Secretary to his Majesty’s Commission for restoring peace, &c. but he not finding a passport, has returned to this place. In order to avoid every unnecessary delay, we now again send it by the ordinary conveyance of your military posts. As soon as the passport arrives, Doctor Ferguson shall wait upon you according to our first arrangement. We are, with perfect respect,

Gentlemen,

Your most obedient

and most humble servants,

CARLISLE,
Philadelphia, WM. EDEN,
June, 1778. GEO. JOHNSTONE.”

The Commission was as follows:

“ GEORGE the Third, by the grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c.

“ To our right trusty and right well-beloved cousin and counsellor Frederick Earl of Carlisle, Knight of the most ancient Order of the Thistle; our right trusty and well-beloved cousin and counsellor Richard Lord Viscount Howe, of our kingdom of Ireland; our trusty and well-beloved Sir Wilt. Howe, Knight of the most honourable Order of the Bath, Lieutenant-general of our forces, General and Commander in Chief of all and singular our forces employed, or to be employed within our colonies in North-America, lying upon the Atlantic ocean, from Nova Scotia on the North to West-Florida on the South, both inclusive; William Eden, Esq. one of our Commissioners for trade and plantations; and George Johnstone, Esq. Captain in our royal navy, Greeting:

“ Whereas, in and by our com-

mission and letters patent, under our great seal of Great-Britain, bearing date on or about the 6th day of May, in the 16th year of our reign, we did, out of our earnest desire to deliver all our subjects and every part of the dominions belonging to our crown from the calamities of war, and to restore them to our protection and peace, nominate and appoint our right trusty and well-beloved cousin and counsellor Richard Lord Viscount Howe, of our kingdom of Ireland, and our trusty and well-beloved Will. Howe, Esq. now Sir William Howe, Knt. Knight of the Bath, Major-general of our forces, and General of our forces in North-America only, and each of them, jointly and severally, to be our Commissioner and Commissioners in that behalf, to so perform and execute all the powers and authorities in and by the said commissions and letters patent entrusted and committed to them, and each of them, according to the tenor of such letters patent, and of such further instructions as they should, from time to time, receive under our signet or sign manual, to have, hold, execute and enjoy the said office and place, offices and places, of our Commissioner and Commissioners, as therein mentioned, with all rights, members and appurtenances therunto belonging, together with all and singular the powers and authorities thereby granted unto them, the said Lord Viscount Howe, and General William Howe, and each of them, for and during our will and pleasure and no longer, in such manner and form, as in and by our said recited commission and letters patent, relation being thereunto had, may, among divers other things therein contained, more fully and at large appear. And whereas, for the quieting and extinguishing of divers jealousies and apprehensions of danger to their liberties and rights, which have alarmed many of our subjects in the colonies, provinces and plantations of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, with the three lower counties on Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, and for a fuller manifestation of our just and gracious purposes and those of our Parliament, to maintain and secure all our subjects in the clear and perfect enjoyment of their liberties and rights, it is, in and by a certain act made and passed in this present sessions of Parliament, intitled, "An Act to enable his Majesty to appoint Commissioners, with sufficient power to treat, consult and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations and provinces of North America," among other things enacted, that it shall and may be lawful for his Majesty, from time to time, by letters patent under the great seal of Great-Britain, to authorise and empower five able and sufficient persons, or any three of them, to do and perform such acts and things, and to use and execute such authorities and powers as in the said act are for that purpose mentioned, provided and created. And whereas we are earnestly desirous to carry into full and perfect execution the several just and gracious purposes above-mentioned; now know ye, That we have revoked and determined, and by these presents do revoke and determine our said recited commission and letters patent, and all and every power, authority, clause, article and thing therein contained. And further know ye, That we, reposing especial trust and confidence in your wisdom, loyalty, diligence and circumspection in the management of the affairs to be hereby committed to your charge, have nominated and appointed, constituted and assigned, and by these presents we do nominate, appoint, constitute and assign you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe,

Howe, William Eden, and George Johnstone, or any three of you, to be our Commissioners in that behalf, to use and exercise all and every the powers and authorities hereby entrusted and committed to you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, Wm. Eden, George Johnstone, or any three of you, and to so perform and execute all other matters and things hereby enjoined and committed to your care, during our will and pleasure, and no longer, according to the tenor of these our letters patent, and of such further constructions as you shall, from time to time, receive under our signet or sign manual. And it is our royal will and pleasure, and we do hereby authorise, empower and require you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, to treat, consult and agree with such body or bodies politic and corporate, or with such assembly or assemblies of men, or with such person or persons as you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, shall think meet and sufficient for that purpose, of and concerning any grievances, or complaints of grievances, existing, or supposed to exist, in the government of any of the colonies, provinces or plantations above-mentioned respectively, or in the laws and statutes of this realm, respecting them or any of them, or of and concerning any aids or contributions to be furnished by any of the said colonies, provinces or plantations respectively, for the common defence of this realm, and the dominions thereunto belonging; and of and concerning any other regulations, provisions, matters and things, necessary or convenient for the honour of us and our Parliament, and for the common good of all our subjects. And it is

our further will and pleasure, That every regulation, provision, matter or thing, which shall have been agreed upon between you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, and such persons or bodies politic as aforesaid, whom you or any three of you shall have judged meet and sufficient to enter into such agreement, shall be fully and distinctly set forth in writing, and authenticated by the hands and seals of you, or any three of you, on one side, and by such seals and other signature on the other, as the occasion may require, and as may be suitable to the character and authority of the body politic, or other person so agreeing; and such instruments so authenticated shall be by you, or any three of you, transmitted to one of our principal Secretaries of State, in order to be laid before our Parliament, for the further and more perfect ratification thereof; and until such ratification, no such regulation, provision, matter or thing, shall have any other force or effect, or be carried further into execution than is hereafter mentioned. And we do hereby further authorise and empower you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, from time to time, as you, or any three of you, shall judge convenient, to order and proclaim a cessation of hostilities on the part of our forces by sea or land, for such time, and under such conditions, restrictions, or other qualifications, as in your discretions shall be thought requisite, and such order and proclamation to revoke and annul in the same manner and form. And it is our further will and pleasure, and we do hereby require and command all our officers and ministers, civil and military, and all other our loving subjects

sets whatsoever, to observe and obey all such proclamations respectively. And we do hereby, in further pursuance of the said act of Parliament, and of the provisions therein contained, authorise and empower you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, by proclamation under your respective hands and seals, from time to time, as you shall see convenient to suspend the operation and effect of a certain act of Parliament, made and passed in the 16th year of our reign, for prohibiting all trade and intercourse with certain colonies and plantations therein named, and for the other purposes therein also mentioned, or any of the provisions or restrictions therein contained, and therein to specify at what time and places respectively, and with what exceptions and restrictions, and under what passes and clearances, in lieu of those heretofore directed by any act or acts of Parliament for regulating the trade of the colonies and plantations, the said suspension shall take effect, and the said suspension and proclamation in the same manner and form to annul and revoke. And we do hereby further authorise and empower you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, from time to time, as you shall judge convenient, to suspend in any places, and for any time during the continuance of the said first recited act, the operation and effect of any act or acts of Parliament, which have passed since the 10th day of February, 1763, and which relate to any of our colonies, provinces or plantations above-mentioned in North-America, so far as the same relate to them, or any of them, or the operation and effect of any clause, or any provision or other matter in such acts contained, so far

as such clauses, provisions or matters relate to any of the said colonies, provinces or plantations. And we do hereby further authorise and empower you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, to grant a pardon or pardons to any number or descriptions of persons within the said colonies, provinces or plantations. And we do hereby further authorise and empower you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, in any of our colonies, provinces or plantations aforesaid respectively, wherein we have usually heretofore nominated and appointed a Governor, to nominate and appoint, from time to time, by any instrument under your hands and seals, or the hands and seals of any three of you, a proper person, to be the Governor and Commander in Chief in and for such colony, province or plantation respectively, to have, hold, and exercise the said office of Governor and Commander in Chief, in and for such colony, province or plantation respectively, with all such powers and authorities as any Governor of such province, heretofore appointed by us, might or could have exercised, in as full and ample manner and form as if such Governor and Commander in Chief had been nominated and appointed by our letters patent or commission; and for that purpose, if need be, to revoke, annul and make void any commission or letters patent heretofore granted, for appointing any such Governor and Commander in Chief. Whereas, by certain letters patent under our great seal, bearing date on the 29th day of April, in the 16th year of our reign, we have constituted and appointed you, the said Sir William Howe, to be General and Commander in Chief of all

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and singular our forces employed, or to be employed, within our colonies in North-America, lying upon the Atlantic ocean, from Nova-Scotia on the north; to West-Florida on the south, both inclusive; to have, hold, exercise and enjoy the said office during our will and pleasure; and in case you, the said Sir William Howe, should, by death, or any other manner, be disabled from exercising the said command, it was our will and pleasure, therein expressed, that the same, with all authorities, rights and privileges, contained in that our said commission, should devolve on such officer, bearing our commission, as should be next in rank to you, the said Sir William Howe. And whereas our trusty and well-beloved Sir Henry Clinton, Knight of the most honourable Order of the Bath, Lieutenant-general of our forces, and General of our forces in our army in America only, now actually bears our commission, and is next in rank to you, the said Sir Will. Howe: Know it is our further will and pleasure, and we do hereby ordain and appoint, that whenever the said command in the said letters patent mentioned shall, in pursuance thereof, devolve upon the said Sir Henry Clinton, all and every the powers and authorities hereby entrusted and committed to you, the said Sir William Howe, shall forthwith cease and determine, and the said powers and authorities, and every of them, shall from thenceforth be entrusted and committed, and are hereby entrusted and committed to the said Sir Henry Clinton, to use and exercise the same powers and authorities, and to perform and execute all other the matters and things as aforesaid, in as full and ample extent and form, and no other, as you, the said Sir William Howe, are hereby authorized to use and exercise, do, perform and execute the same. And we do hereby require and command all the officers, civil and military,

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and all other our loving subjects whatsoever, to be aiding and assisting unto you, the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, in the execution of this our commission, and of the powers and authorities herein contained. Provided always, and we do hereby declare and ordain, that the several offices, powers and authorities hereby granted shall cease, determine, and become utterly null and void on the 1st day of June, which shall be in the year of our Lord 1779, although we shall not otherwise in the mean time have revoked and determined the same. In witness whereof, we have caused these our letters to be made patent. Witness ourself, at Westminster, the 13th day of April, in the 18th year of our reign.

By the King himself,

A true copy, YORKE.
ADAM FERGUSON, Secretary."

To this letter the following answer was unanimously given upon the 17th of June:

"*To their Excellencies the Right Honourable the Earl of CARLISLE, WILLIAM EDEN, Esq. GEORGE JOHNSTONE, Esq. Commissioners from his Britannic Majesty, Philadelphia.*

"I have received the letter from your Excellencies of the 9th instant, with the inclosures, and laid them before Congress. Nothing but an earnest desire to spare the farther effusion of human blood could have induced them to read a paper, containing expressions so disrespectful to his most Christian Majesty, the good and great ally of these States; or to consider propositions so derogatory to the honour of an independent nation.

"The acts of the British Parliament, the commission from your Sovereign, and your letter, suppose the people of these States to be subjects of the crown of Great-Britain,

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and are founded on the idea of dependence, which is utterly inadmissible.

“ I am further directed to inform your Excellencies, that Congress are inclined to peace, notwithstanding the unjust claims from which this war originated, and the savage manner in which it hath been conducted. They will, therefore, be ready to enter upon the consideration of a treaty of peace and commerce, not inconsistent with treaties already subsisting, when the King of Great-Britain shall demonstrate a sincere disposition for that purpose. The only solid proof of this disposition will be, an explicit acknowledgment of the independence of these States, or the withdrawing his fleets and armies..

I have the honour to be

Your Excellencies most obedient

and humble servant,

Signed, by order of the unanimous voice of Congress,

HENRY LAURENS, President.

York-town, June 17, 1778.

On this occasion it is to be observed, that a circumstance had intervened between the resolutions of the 22d of April and the receipt of the letter from the Commissioners. This was the arrival of the copies of treaties entered into with his most Christian Majesty, which was the first intelligence which had been received from Europe in the space of a year. The resolutions of the House, therefore, on the 22d of April were founded simply on the firm determination, under no change of fortune whatever to recede from the declaration of independence in July 1776, and for this reason, as a preliminary to any treaty, it was required that Great-Britain should either acknowledge our independence or withdraw her fleets and armies, because upon no other principle could America be said to possess that degree of equality and freedom which is essential to the validity of national compacts. The

treaty with France being out of the question, had these preliminaries been complied with, we should be bound in honour, as we certainly were by inclination and the principles of humanity, to enter upon a conference for the purpose of sheathing the sword. But since by that treaty the United States could not upon a certain contingency make either peace or truce without the consent of her ally, it became necessary to provide that any treaties to be made should not be inconsistent with treaties already subsisting,

As to the conditions or terms offered by the Commissioners, it must be observed, that the first is “ to extend every freedom to trade that our respective interests can require.” A proposition which, from the very nature of things, is impracticable, or if practicable, is on their part a reason why reconciliation is unnecessary; for certainly if these interests are compatible, they may be regulated by treaty, nay, they would regulate themselves. Individuals would consult their private interests, and national interest is nothing more than the aggregate of the particular advantages resulting to the subjects of a state from their private industry and discernment. But the interest of America requires that she should trade freely to every part of the earth, while on the other hand it is the interest of Great-Britain to confine our commerce to the ports of her own island. Nothing then could be more insidious than this offer; for the independence of America being given up, the British Parliament must necessarily have become supreme, at least in matters which were heretofore considered as external to America. Of consequence they alone would have been judges of our respective interests, and in cases where these were opposed, we may easily determine their judgment,

The next offer is, that, “ no military

litary force should be kept up in America without the consent of Congress or the particular assemblies." To which every objection lies: for, 1st, supposing them to abide literally by such agreement, we lay open to all the arts of seduction, which long and successful practice could teach them to make use of against both the one and the other. 2dly. On any occasion, which either the existence or apprehension of a foreign war might give rise to, this consent would naturally flow from a regard to immediate safety, and be afterwards used for our certain destruction. But, 3dly. On this, as well as every other proposition they either did or could make, it is to be observed that in the first instance the Parliament might dissent immediately, and take an opportunity to crush all opposition, while we were at once disarmed at home and disgraced for our perfidy abroad. And, 4thly. Should the moment be so unfavourable, or they so honest as not to make the attempt, any future Parliament would be in legal capacity to annul an agreement whose validity was derived from the former sanction of the same legislature; so that during all the possible events, which time might give birth to, we should have been exposed to their attempts, whilst labouring under a weight of debt, and sore from the wounds of our obstinate contest.

The third offer is, "to concur in measures calculated to discharge the debts of America, and to raise the credit and value of the paper circulation." On which it is to be observed, that as our debt consisted of this paper circulation, so any measures to discharge it, that is to sink a part, must raise the value of the remainder. Now for this purpose taxation was alone necessary, and indeed the only step which either they or we could take for that purpose: their gracious offer therefore was

nothing more than to concur in taxing us to pay our own debts. In return for this, however, we were to be united with them, and consequently become security for payment of their debts, which are enormous. The following short calculation is worthy of attention: 120,000,000 of dollars; at seven shillings and six-pence per dollar, is £45,000,000, and exchange being at 1000 per cent. which is the present rate, this sum is worth £4,500,000 sterling only. But at all events the present debt of America ought not to be estimated at above £10,000,000 sterling.

Their offer then stands thus, if you will stand security for, and eventually pay your part of £150,000,000 sterling which we owe, we will consent to your taxing yourselves to pay £10,000,000 sterling, which you owe. To comment on an offer of this kind would be absurd.

The fourth offer is, "to perpetuate our union by a reciprocal deputation of an agent or agents from the different states, who shall have the privilege of a seat and voice in the Parliament of Great-Britain; or if sent from Britain, in that case to have a seat and voice in the assemblies of the different states; to which they may be deputed respectively, in order to attend to the several interests of those by whom they are deputed." Or, in other words, to perpetuate our slavery, by taking from us, on the one hand, the objection against their tyrannous acts; that we were not represented in the legislature which passed them, though in fact such representation would be merely illusory and ineffectual. And on the other, by sending ministerial agents, artful, plausible and wicked, to influence the debates of our legislatures, and give a voice among the immediate representatives of the people on matters even of the most internal nature. No greater insult was ever offered

offered to the common sense of mankind. Had the proposal, particularly the latter part of it, been made before the commencement of the contest, it was sufficient in itself to have roused us to arms. If accepted and executed, in all the states it must have been pernicious, but in those called royal governments, would have stood thus: a legislature consisting of three branches, 1st. a Governor appointed by the King during pleasure. 2dly. a Council appointed by the King during pleasure. 3dly. an Assembly partly appointed by the King and partly by the people, but all holding their seats during the King's pleasure—The laws passed by this legislature to be of no validity without the King's consent—A representative to be appointed by this legislature, to sit in a House of Commons, consisting of more than five hundred members, and thereby to validate any law, which they might pass to bind the people of that state. If this be compared with "*the freedom they proffer to extend to trade,*" some faint idea may be formed of the meditated system.

The last offer is, "to establish the power of the respective legislatures in each particular state, to settle its revenue, its civil and military establishment, and to exercise a perfect freedom of legislation and internal government, so that the British states throughout North-America, acting with us in peace and war under one common Sovereign, may have the irrevocable enjoyment of every privilege that is short of a total separation of interests, or consistent with that union of force on which the safety of our common religion and liberty depends." The first part of this is ridiculous, since all the States have taken some forms of government, the legislatures of which are obeyed, and consequently their power established already; the object, therefore, taking it in comparison

with what goes before, is to overturn the free legislatures already established, and in their stead to institute the base and slavish mixture contained in the third offer. The second part serves to shew more clearly (if possible) the insidious nature of their commission; for from this it appears, that the object of revenue is by no means given up, nor the design of keeping a military force in America relinquished.

The third part is nugatory, for having before marked out the kind of legislature to be established, even the unrestrained acts of it would not prove the freedom of the people, but rather their slavery; and yet it is clear, that however free they might be to pass laws, there would have been a superior power in legal capacity to repeal them. From all this, however, they deduce, as a consequence, that should we accede to their propositions, *we should have the irrevocable enjoyment of every privilege that is short of a total separation of interests, or consistent with that union of force,* &c. But this conclusion by no means follows from the premises; on the contrary, it is evident, that we should enjoy no one privilege, and have the irrevocable enjoyment of no one thing, unless it be supposed that to repent is to enjoy. For the sake of this sophistical system, however, we were to covenant, that we would act with them in peace and in war. The consequence of which would have been, that we must have contracted new debts, to promote their interested views, before we had paid the sums expended for our own defence, and have lavished the best blood of America, to gratify the pride, pique, avarice, ambition, or revenge of a haughty despot, deaf to the prayers of supplicative millions, and dead to the feelings of justice or humanity. One fact, however, they indirectly admit, that their safety depends upon

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an union of force with us. The necessary consequence is, that, notwithstanding their pretended superiority, they must not only make peace with us, but it must be on our own terms, provided the people of America are sensible of their true interests, and the representatives of America have patience, firmness and discernment, to take proper advantage of their own situation and circumstances.

The concise answer which Congress had given to the British Commissioners, placed them in a very disagreeable situation, and therefore it became necessary for them to make some efforts to get out of it. For this purpose they sent a letter, dated at New-York, the 11th of July, 1778, which was received and read in Congress the 18th, in the following words :

Gentlemen,

“ We received soon after our arrival at this place, your answer to our letter of the 10th of June, and are sorry to find on your part any difficulties raised which must prolong the calamities of the present war.

“ You propose to us as matter of choice one or other of two alternatives, which you state as preliminaries necessary even to the beginning of a negotiation for peace to this empire.

“ One is an explicit acknowledgment of the Independence of these States. We are not inclined to dispute with you about the meaning of words: but so far as you mean the entire privilege of the people of North America to dispose of their property, and to govern themselves without any reference to Great-Britain, beyond what is necessary to preserve that union of force, in which our mutual safety and advantage consist: we think, that so far, their Independence is fully acknowledged in the terms of our letter of the 10th of June. And we are willing to enter

upon a fair discussion with you, of all the circumstances that may be necessary to ensure or even to enlarge that Independency.

“ In the other alternative you propose, that his Majesty should withdraw his fleets and his armies.

“ Although we have no doubt of his Majesty's disposition to remove every subject of uneasiness from the colonies, yet there are circumstances of precaution against our ancient enemies, which, joined to the regard that must be paid to the safety of many, who, from affection to Great-Britain, have exposed themselves to suffer in this contest, and, to whom Great-Britain owes support at every expence of blood and treasure, that will not allow us to begin with this measure. How soon it may follow the first advances to peace on your part, will depend on the favourable prospect you give of a reconciliation with your fellow citizens of this continent, and with those in Britain. In the mean time we assure you that no circumstance will give us more satisfaction, than to find that the extent of our future connection is to be determined on principles of mere reason and the considerations of mutual interest, on which we are willing likewise to rest the permanency of any arrangements we may form.

“ In making these declarations we do not wait for the decision of any military events. Having determined our judgment by what we believe to be the interests of our country, we shall abide by the declarations we now make in every possible situation of our affairs,

“ You refer to treaties already subsisting, but are pleased to withhold from us any particular information in respect to their nature or tendency,

“ If they are in any degree to affect our deliberations, we think that you cannot refuse a full communication

niation of the particulars in which they consist, both for our consideration and that of your own constituents, who are to judge between us whether any alliance you may have contracted be a sufficient reason for continuing this unnatural war. We likewise think ourselves entitled to a full communication of the powers by which you conceive yourselves authorized to make treaties with foreign nations.

“ And we are led to ask satisfaction on this point, because we have observed in your proposed Articles of confederation, Nos. 6 and 9, it is stated that you should have the power of entering into treaties and alliances under certain restrictions therein specified, yet we do not find promulgated any act or resolution of the assemblies of particular States conferring this power on you.

As we have communicated our powers to you, we mean to proceed without reserve in this business; we will not suppose that any objection can arise on your part to our communicating to the public so much of your correspondence as may be necessary to explain our own proceedings. At the same time we assure you, that in all such publications, the respect which we pay to the great body of people you are supposed to represent, shall be evidenced by us in every possible mark of consideration and regard.

We are with perfect respect,
Gentlemen;

Your most obedient
and most humble servants,

CARLISLE,
H. CLINTON,
WM. EDEN,
Geo. JOHNSTONE.”

Upon which the Congress came to the following resolution:

“ Whereas Congress in a letter to the British Commissioners of the 17th of June last, did declare that they would be ready to enter upon the consideration of a treaty of peace and

commerce, not inconsistent with treaties already subsisting, when the King of Great-Britain should demonstrate a sincere disposition for that purpose; and that the only solid proof of this disposition would be an explicit acknowledgment of the Independence of these States, or withdrawing his fleets and armies: and whereas neither of these alternatives have been complied with, therefore

“ Resolved, That no answer be given to the letter of the 11th instant from the British Commissioners.”

The proposal contained in the letter, to enlarge independence, is at the first blush absurd:—Any state, the dependence of which could be lessened, is of consequence not independent. The offer therefore is a mere jargon of words, and calculated, as indeed the whole letter appears, for the people, and particularly for those whom they have thought proper to call our fellow-citizens of this continent, or, in other words, the traitors who have joined the common enemy. But one of their great objects was, if possible, to draw the Congress into some kind of treaty or correspondence, in order that they might have wherewithal to give weight to the calumnies they have propagated, by declaring to the French court that the Congress were faithless, and indeed had actually bargained for the subjection of America, the price of which was to be paid by these Commissioners.

In consistence with this plan, and, if possible, to obtain an indirect acknowledgment of their authority, they, on the 26th of August, 1778, made a requisition of the troops of the convention of Saratoga, in the following terms:

By the Earl of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq; three of his Majesty's Commissioners, appointed with sufficient

ficent powers to treat, consult and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations and provinces of North-America.

“ Upon a representation from the Commander in Chief of his Majesty’s forces, that the troops lately serving under Lieutenant-general Burgoyne, notwithstanding the solemn convention entered into at Saratoga, in which it is stipulated that the said troops should have a free passage to Great-Britain, are nevertheless, under various pretences, still detained in New-England—The following remonstrance against the unjust detention of those troops, and requisition for their immediate release, on the condition annexed to the article by which their passage to England is stipulated, are now solemnly made to the American Congress:

“ Whereas the means that have been devised by mankind to mitigate the horrors of war, and to facilitate the re-establishment of peace, depend on the faith of cartels, military capitulations, conventions and treaties entered into even during the continuance of hostilities: from whence all nations have agreed to observe such conventions, as they revere the sacred obligations of humanity and justice, and as they would avoid the horrid practice of retaliations, which, however justly due to the guilty, in such cases but too frequently fall on the innocent.

“ And whereas upon these considerations all breach of faith, even with an enemy, and all attempts to elude the force of military conventions, or to defeat their salutary purposes by evasion or chicanery, are justly held in detestation, and deemed unworthy of any description of persons assuming the character or stating themselves as the representatives of nations.

“ And whereas it was stipulated in the second article of the convention entered into at Saratoga, between

Lieutenant-general Burgoyne and Major-general Gates, “ That a free passage be granted to the army under Lieutenant-general Burgoyne to Great-Britain, upon condition of not serving again in North-America during the present contest; and the port of Boston is assigned for the entry of transports, whenever General Howe shall so order:

“ His Majesty’s Commissioners now founding their claim on this article, join with the Commander in Chief of his Majesty’s forces in a peremptory requisition, That free entrance into the harbour of Boston be given to transports for the immediate embarkation of the said troops; and that they be allowed to depart for Great-Britain in terms of the said convention. And the said Commissioners, in order to remove every supposed difficulty or pretence for delay in the execution of this treaty, arising from any past, real, apparent or supposed infraction of it, by word or writing on the side of either party, hereby offer to renew, on the part of Great-Britain, all the stipulations of the said convention, and particularly to ratify the condition annexed to the second article thereof above recited, by which those troops are not to serve again in North-America during the present contest.

“ And this requisition, dated at New-York, on the 26th of August, 1778, is now sent to the American Congress for their direct and explicit answer.

CARLISLE,
H. CLINTON,
WM. EDEN.

To his Excellency HENRY LAURENS, Esq. the President, and others the Members of the Congress, met at Philadelphia.”

As these Gentlemen did not appear with the proper letters of credence to an independent state, Congress could not discuss such propositions without

without acknowledging indirectly the authority of the commission by which they were appointed; and in doing that they must have acknowledged the authority of those Acts of Parliament on which that commission was founded. But as an independent state they could not take notice of persons acting either under a commission or an Act of Parliament, these being of a domestic nature, and relative to internal polity, but without authenticity as to foreign powers.

The Commissioners then, on the one hand, had no right to make the demand, as it was not contained in their commission, and could not possibly have been in contemplation at the time of granting it: besides that, being in its nature purely military, it was the proper business of the British Commander in Chief. And, on the other hand, Congress could not make a direct answer to it without receding from their right as representatives of a sovereign and independent people.

But further: It being evident from the face of the requisition, when compared with their commission, that they offered what they had no power to perform, it follows that they designed to obtain the troops without giving the solid security which had been rightfully demanded for their performance of the convention. And from thence it is a clear inference, that they designed totally to disregard the convention whenever the troops should be in their possession.

These reasons taken together, ought certainly to have prevented Congress from taking any notice of *their* requisition. But one object of the Commissioners was, to find some ground for a charge against the Congress of a want of national faith and honour; and on that and every other occasion it was of importance that the people of America should have materials to form a judgment of the conduct of their representatives. On

the 4th of September, therefore, a few days after the receipt of that, with some other papers, they came to the following resolution:

“Whereas Congress did, on the 8th day of January, 1778, resolve, That the embarkation, of Lieutenant-general Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the convention of Saratoga shall be properly notified by the Court of Great-Britain to Congress:

“Resolved, That no ratification of the convention of Saratoga, which may be tendered in consequence of powers which may reach that case by construction and implication, or which may subject whatever is transacted relative to it, to the future approbation or disapprobation of the Parliament of Great-Britain, can be accepted by Congress.”

On the 19th of September, 1778, the following letter was received by Congress:

New-York, 19th September, 1778.

“Sir,

“Nothing but his Majesty’s positive instructions, of which I send you an extract, could have induced me to trouble you, or the American Congress, again on the subject of the troops detained in New-England, in direct contravention of the treaty entered into at Saratoga. The neglect of the requisitions already made on this subject, is altogether unprecedented among parties at war. I now, however, repeat the demand, that the convention of Saratoga be fulfilled; and offer, by express and recent authority from the King, received since the date of the late requisition made by his Majesty’s Commissioners, to renew, in his Majesty’s name, all the conditions stipulated by Lieutenant-general Burgoyne, in respect to the troops serving under his command.

In this I mean to discharge my duty, not only to the King, whose orders I obey, *but to the unhappy people likewise, whose affairs are committed to you*, and who, I hope, will have the candour to acquit me of the consequences that must follow from the new system of war you are pleased to introduce. I have the honour to be, Sir,

Your most obedient, and
most humble servant,

H. CLINTON.

*His Excellency Henry Laurens, Esq.
the President, and others the mem-
bers of the American Congress, at
Philadelphia.*

*Extract of a letter from the Right
Honourable Lord GEORGE GER-
MAIN, one of his Majesty's Prin-
cipal Secretaries of State, to his
Excellency General Sir HENRY
CLINTON, K. B. &c. &c. &c.
dated Whitehall, June 12, 1778.*

"I am to signify to you his Majesty's pleasure, that you do take every necessary step for the strict observance of what is stipulated in the Convention of Saratoga, on the part of Lieutenant-general Burgoyne; and that you do give the fullest assurance that the troops, when embarked, shall be immediately sent to Great-Britain, and every condition agreed upon between Lieutenant-general Burgoyne and Major-general Gates, respecting them, be faithfully observed.

A true extract.

JOHN SMITH, Secretary."

It is worthy of remark, that this extract is dated at Whitehall, so early as the 12th of June, from whence to the 26th of August is 75 days; wherefore it is more than probable that it was received *previous*, and not *subsequent*, to the requisition made by the Commissioners. This circumstance heightens the fraudulent complexion of the procedure; and in any case, the extract shews the de-

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ecided opinion of the British court, that their Commissioners had not the power by them pretended.

But further: The Congress had resolved on the 8th of January, 1778, on the most conclusive reasons, "That the embarkation of Lieutenant-general Burgoyne and the troops under his command be suspended till a *distinct and explicit ratification* of the convention of Saratoga shall be properly notified by the court of Great-Britain to Congress." But instead of this, there is simply a *direction* of a Secretary of State to their General "to give the fullest assurances, &c." which assurances, and the General who gave them, or the very Secretary himself, might be disavowed. The person who certifies the extract, also might easily be disavowed; nay, it is very possible that no such letter was ever written: nor can we argue against such deceit from the baseness of it; for those who would do the many treacherous acts which they had committed during the war, who had borrowed from felons of the most pitiful kind the little villainy of counterfeiting money, and with whom it was a favourite maxim that no faith was to be kept with rebels, could hardly boggle at the sending as an extract from a Secretary of State's letter what really was not such an extract. But it is unnecessary to dwell on these objections; for the last paragraph of Sir Henry Clinton's letter was so highly indecent, that it would have been treason against the dignity of the people of America to have attended to it. The Congress, therefore, with great propriety, "ordered that the Secretary return the following answer: Sir, I am directed to inform you, that the Congress of the United States of America make no answer to insolent letters."

Being thus foiled in their several attempts to deceive, nothing remained but to terrify. For this purpose

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pose they, on the 3d of October, 1778, published the following manifesto and proclamation :

To the members of the Congress, the members of the General Assemblies or Conventions of the several colonies, plantations and provinces of 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, and all others, free inhabitants of the said colonies, of every rank and denomination.

By the Earl of CARLISLE, Sir HENRY CLINTON and WILLIAM EDEN, Esq. Commissioners appointed by his Majesty in pursuance of an Act of Parliament, made and passed in the 18th year of his Majesty's reign, to enable his Majesty to appoint Commissioners to treat, consult and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations, and provinces in North-America.

“ Having amply and repeatedly made known to the Congress, and having also proclaimed to the inhabitants of North-America in general, the benevolent overtures of Great-Britain towards a re-union and coalition with her colonies, we do not think it consistent either with the duty we owe to our country, or with a just regard to the characters we bear, to persist in holding out offers, which, in our estimation, required only to be known to be most gratefully accepted; and we have accordingly, excepting only the Commander in Chief, who will be detained by military duties, resolved to return to England a few weeks after the date of this manifesto and proclamation.

“ Previous, however, to this decisive step, we are led, by a just anxiety for the great objects of our

mission, to enlarge on some points which may not have been sufficiently understood, to recapitulate to our fellow-subjects the blessings which we are empowered to confer, and to warn them of the continued train of evils to which they are at present blindly and obstinately exposing themselves.

“ To the members of the Congress, then, we again declare, that we are ready to concur in all satisfactory and just arrangements for securing to them and their respective constituents, the re-establishment of peace, with the exemption from any imposition of taxes by the Parliament of Great-Britain, and the irrevocable enjoyment of every privilege consistent with that union of interests and force on which our mutual prosperity and the safety of our common religion and liberty depend. We again assert, that the members of the Congress were not authorized by their constitution either to reject our offers without the previous consideration and consent of the several Assemblies and Conventions, their constituents, or to refer us to pretended foreign treaties, which they know are delusively framed in the first instance, and which have never yet been ratified by the people of this continent. And we once more remind the members of the Congress, that they are responsible to their countrymen, to the world, and to God, for the continuance of this war, and for all the miseries with which it must be attended.

“ To the General Assemblies and Conventions of the different colonies, plantations and provinces above-mentioned, we now separately make the offers which we originally transmitted to the Congress; and we hereby call upon and urge them to meet expressly for the purpose of considering whether every motive, political as well as moral, should not decide their resolution to embrace the
occasion

occasion of cementing a free and firm coalition with Great-Britain. It has not been, nor is it, our wish, to seek the objects, which we are commissioned to pursue, by fomenting popular divisions and partial cabals; we think such conduct would be ill suited to the generous nature of the offers made, and unbecoming the dignity of the King and the state which makes them. But it is both our wish and our duty to encourage and support any men or bodies of men in their return of loyalty to our Sovereign and of affection to our fellow-subjects.

“ To all others, free inhabitants of this once happy empire, we also address ourselves. Such of them as are actually in arms, of whatsoever rank or description, will do well to recollect, that the grievances, whether real or supposed, which led them into this rebellion, have been for-ever removed, and that the just occasion is arrived for their returning to the class of peaceful citizens. But if the honours of a military life are become their object, let them seek those honours under the banners of their rightful Sovereign, and in fighting the battles of the united British empire against our late mutual and natural enemy.

“ To those whose profession it is to exercise the functions of religion on this continent, it cannot surely be unknown, that the foreign power with which the Congress is endeavouring to connect them, has ever been averse to toleration, and inveterately opposed to the interests and freedom of the places of worship which they serve; and that Great-Britain, from whom they are for the present separated, must, both from the principles of her constitution and of protestantism, be at all times the best guardian of religious liberty, and most disposed to promote and extend it.

“ To all those who can estimate the blessings of peace, and its influ-

ence over agriculture, arts and commerce, who can feel a due anxiety for the education and establishment of their children, or who can place a just value on domestic security, we think it sufficient to observe, that they are made by their leaders to continue involved in all the calamities of war, without having either a just object to pursue, or a subsisting grievance which may not instantly be redressed.

“ But if there be any persons who, divested of mistaken resentments, and uninfluenced by selfish interests, really think that it is for the benefit of the colonies to separate themselves from Great-Britain, and that so separated, they will find a constitution more mild, more free, and better calculated for their prosperity than that which they heretofore enjoyed, and which we are empowered and disposed to renew and improve, with such persons we will not dispute a position which seems to be sufficiently contradicted by the experience they have had. But we think it right to leave them fully aware of the change which the maintaining such a position must make in the whole nature and future conduct of this war; more especially when to this position is added the pretended alliance with the court of France.—The policy, as well as the benevolence of Great-Britain, have thus far checked the extremes of war, when they tended to distress a people still considered as our fellow-subjects, and to desolate a country shortly to become a source of mutual advantage: but when that country professes the unnatural design not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, how far Great-Britain may, by every means in her power, destroy or render useless a connection contrived for her ruin, and for the aggrandizement of France. Under such circumstances the laws of self-

self-preservation must direct the conduct of Great-Britain; and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy.

“ If, however, there are any who think, that notwithstanding these reasonings, the independence of the colonies will, in the result, be acknowledged by Great-Britain; to them we answer without reserve, that we neither possess or expect powers for that purpose; and that, if Great-Britain could ever have sunk so low as to adopt such a measure, we should not have thought ourselves compellable to be the instruments in making a concession, which would, in our opinion, be calamitous to the colonies, for whom it is made, and disgraceful; as well as calamitous, to the country from which it is required. And we think proper to declare, that in this spirit and sentiment we have regularly written from this continent to Great-Britain.

“ It will now become the colonies in general to call to mind their own solemn appeals to Heaven in the beginning of this contest, that they took arms only for the redress of grievances, and that it would be their wish, as well as their interest, to remain for ever connected with Great-Britain. We again ask them, whether all their grievances, real or supposed, have not been amply and fully redressed? and we insist, that the offers we have made, leave nothing to be wished, in point either of immediate liberty or permanent security: if those offers are now rejected, we withdraw from the exercise of a commission with which we have in vain been honoured; the same liberality will no longer be due from Great-Britain, nor can it either in justice or policy be expected from her.

“ In fine, and for the fuller manifestation as well of the disposition we bear, as of the gracious and generous

purposes of the commission under which we act, we hereby declare, that whereas his Majesty, in pursuance of an act, made and passed in the eighteenth session of Parliament, entitled, “ An act to enable his Majesty to appoint Commissioners with sufficient powers to treat, consult and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations and provinces of North-America,” having been pleased to authorize and empower us to grant a pardon or pardons to any number or description of persons within the colonies, plantations and provinces of 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: and whereas the good effects of the said authorities and powers towards the people at large, would have long since taken place, if a due use had been made of our first communications and overtures, and have thus far been frustrated only by the precipitate resolution of the members of the Congress not to treat with us, and by their declining to consult with their constituents: we now in making our appeal to those constituents, and to the free inhabitants of this continent in general, have determined to give to them what in our opinion should have been the first object of those who appeared to have taken the management of their interests, and adopt this mode of carrying the said authorities and powers into execution. *We accordingly hereby grant and proclaim a pardon or pardons of all and all manner of treasons or misprisions of treasons, by any person or persons, or by any number or description of persons within the said colonies, plantations or provinces, counselled, commanded, acted or done on or before the date of this manifesto and proclamation.*

“ And

“ And we farther declare and proclaim, that if any person, or persons, or any number or description of persons within the said colonies, plantations and provinces, now actually serving either in a civil or military capacity in this rebellion, shall, at any time during the continuance of this manifesto and proclamation, withdraw himself or themselves from such civil or military service, and shall continue thenceforth peaceably as a good and faithful subject or subjects to his Majesty, to demean himself or themselves, such person or persons, or such number and description of persons, shall become and be fully entitled to, and hereby obtain all the benefits of, the pardon or pardons hereby granted; excepting only from the said pardon or pardons every person, and every number or description of persons, who, after the date of this manifesto and proclamation, shall, under the pretext of authority, as judges, jury-men, ministers, or officers of civil justice, be instrumental in executing and putting to death any of his Majesty's subjects within the said colonies, plantations and provinces.

“ And we think proper farther to declare, that nothing herein contained is meant, or shall be construed, to set at liberty any person or persons now being a prisoner or prisoners, or who, during the continuance of this rebellion, shall become a prisoner or prisoners.

“ And we offer to the colonies at large, or separately, a general or separate peace, with the revival of their antient governments secured against any future infringements, and protected for ever from taxation by Great-Britain. And, with respect to such farther regulations, whether civil, military or commercial, as they may wish to be framed and established, we promise all the concurrence and assistance that his Majesty's commission authorizes and enables us to give.

“ And we declare, that this manifesto and proclamation shall continue

and be in force *forty days* from the date thereof, that is to say, from the third day of October to the eleventh day of November, both inclusive.

“ And, in order that the whole contents of this manifesto and proclamation may be more fully known, we shall direct copies thereof, both in the English and German language, to be transmitted by flags of truce to the Congress, the General Assemblies or Conventions of the colonies, plantations and provinces, and to several persons both in civil and military capacities within the said colonies, plantations and provinces. And, for the further security in times to come of the several persons or numbers or descriptions of persons who are or may be the objects of this manifesto and proclamation, we have set our hands and seals to thirteen copies thereof, and have transmitted the same to the thirteen colonies, plantations and provinces above-mentioned; and we are willing to hope that the whole of this manifesto and proclamation will be fairly and freely published and circulated for the immediate, general and most serious consideration and benefit of all his Majesty's subjects on this continent. And we earnestly exhort all persons who by this instrument forthwith receive the benefit of the King's pardon, at the same time that they entertain a becoming sense of those lenient and affectionate measures whereby they are now freed from many grievous charges which might have risen in judgment, or have been brought in question against them, to make a wise improvement of the situation in which this manifesto and proclamation places them, and not only to recollect, that a perseverance in the present rebellion, or any adherence to the treasonable connection attempted to be framed with a foreign power, will, after the present grace extended, be considered as crimes of the most aggravated kind, but to vie with each other in
eager

eager and cordial endeavours to secure their own peace, and promote and establish the prosperity of their countrymen and the general weal of the empire.

“ And, pursuant to his Majesty’s commission, we hereby require all officers, civil and military, and all others his Majesty’s loving subjects whatsoever, to be aiding and assisting unto us in the execution of this our manifesto and proclamation, and of all the matters herein contained.

Given at New-York, this 3d day of October, 1778.

CARLISLE, (L. S.)

H. CLINTON, (L. S.)

WM. EDEN, (L. S.)

By their Excellencies command,

ADAM FERGUSON, Secretary.”

By some accidents in the conveyance of this proclamation, it was a long time before it came officially to Congress, though it had been re-published from the New-York papers in those of the United States. As soon, however, as it arrived, it produced the following solemn appeal:

By the CONGRESS of the United States of America,

M A N I F E S T O.

“ These United States having been driven to hostilities by the oppressive and tyrannous measures of Great-Britain; having been compelled to commit the essential rights of man to the decision of arms; and having been at length forced to shake off a yoke which had grown too burthensome to bear, they declared themselves Free and Independent.

“ Confiding in the justice of their cause; confiding in HIM who disposes of human events, although weak and unprovided, they set the power of their enemies at defiance.

“ In this confidence they have continued through the various fortune of three bloody campaigns, unawed by the power, unsubdued by the barbarity of their foes. Their virtuous citizens have borne, without repining, the loss of many things

which make life desirable. Their brave troops have patiently endured the hardships and dangers of a situation, fruitful in both beyond former example.

“ The Congress, considering themselves bound to love their enemies, as children of that Being who is equally the Father of all; and desirous, since they could not prevent, at least to alleviate, the calamities of war, have studied to spare those who were in arms against them, and to lighten the chains of captivity.

“ The conduct of those serving under the King of Great-Britain hath, with some few exceptions, been diametrically opposite. They have laid waste the open country, burned the defenceless villages, and butchered the citizens of America. Their prisons have been the slaughter-houses of her soldiers, their ships of her seamen, and the severest injuries have been aggravated by the grossest insult.

“ Foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they have meanly assailed the representatives of America with bribes, with deceit, and the servility of adulation. They have made a mock of humanity, by the wanton destruction of men: they have made a mock of religion, by impious appeals to God whilst in the violation of his sacred commands: they have made a mock even of reason itself, by endeavouring to prove, that the liberty and happiness of America could safely be entrusted to those who have *sold their own*, unawed by the sense of virtue or of shame.

“ Treated with the contempt which such conduct deserved, they have applied to individuals: they have solicited them to break the bonds of allegiance, and imbrue their souls with the blackest of crimes: but, fearing that none could be found through these United States equal to the wickedness of their purpose, to influence weak minds, they have threatened more wide devastation.

“ While

“ While the shadow of hope remained, that our enemies could be taught by our example to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and to revere, they have been left to the influence of that religion and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

“ We, therefore, the Congress of the United States of America, do solemnly declare and proclaim, that if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions; and in his holy presence we declare, that as we are not moved by any light and hasty suggestions of anger and revenge, so through every possible change of fortune we will adhere to this our determination.

Done in Congress, by unanimous consent, the thirtieth day of October, one thousand seven hundred and seventy-eight.

HENRY LAURENS, *President.*

Attest. CHARLES THOMSON,
Secretary.”

Thus all negotiation for dependence being at an end, Great-Britain and America are now to contend on the following points: 1st, On the part of Great-Britain it is declared, that as we *will not* submit, and she *cannot subdue*, she will attempt to ruin and destroy. 2dly, On the part of America it is declared, that if the war is prosecuted in a manner not conformable to the laws of nations, the conduct of her enemies shall be retaliated.

If our enemies were under the guidance of reason, they would desist

from those efforts with which they threaten us; 1st, Because, although they may burn many defenceless towns, and ravage much of the open country, the attempt to ruin us must be unsuccessful, and the expence of it enormous; not to mention that their whole force is necessary for their own defence, which necessity will daily increase. 2dly, Because their barbarity, by exasperating more the minds of the Americans, will more effectually wear them from all attachment to, and connection with, Great-Britain, as well political as commercial. 3dly, Because they must expect that our allies will afford every aid in their power to vindicate the violated rights of nations; which indeed they are bound to do, not only in common with all other Sovereigns, but by the powerful principles of faith and affection. And, 4thly, Because such conduct on their part would justify on ours, not only the breach of any compacts which might be entered into, but even the most sanguinary measures at the most distant period; nay more, would demand a remembrance of the injury, until such ample vengeance would be taken as would in future prevent similar insults from others.

But the unreasonableness of these measures is very far from being a conclusive argument why they will not adopt them; 1st, Because their whole conduct, with relation to this country, bears such strong marks of folly, that to suppose they will not obstinately persist in it, would argue a degree of weakness and infidelity. 2dly, Because it is perhaps necessary that they should make a visitation to every state, in order to purge it of the most turbulent part of the disaffected, and punish the remainder by the destruction of their property, thereby bringing home to their feelings that conviction which was not to be effected in the common way of reasoning. 3dly, Because some-
thing

thing must be allowed to the anguish of disappointed avarice and ambition; for, since no hope remains of acquiring that dominion which was the object of their fervent desires, it is perfectly natural that men, free from the influence of justice or humanity, should take any and every method to satiate the vengeance of defeated despotism. And, fourthly, Because, as they suppose, they have offended us beyond forgiveness, so they conclude that we shall be stimulated by passions like their own, to prosecute their ruin: in which case, being too haughty to ask our friendship, they have no alternative but to endeavour to render our enmity as little dangerous as possible.

On the other hand, the determination of America to retaliate, is dictated by every motive of policy and justice, and must terminate to the great prejudice of Britain, and the ruin of her adherents on this side of the Atlantic: nor can the means be wanting; the towns on her coast are at least as defenceless as ours; and their citizens, unused to arms, are utterly incapable of repelling an assault. A small sum of money would wrap their metropolis in flames. Their subjects and adherents may easily be found in any part of the earth; and the dreaded scarping-knife may, in the hands of our riflemen, spread horror through their island. These and many other methods may readily be devised; and certainly some critical moment will offer itself, in the flow of time, to proclaim to them the injuries of America in the rough sounds of merited barbarity.

Considering our present situation and connections, we cannot but be sensible that the Independence of America is fully secured, and nothing left to guard against but the ravages of a cruel foe, and the derangement of our finances. To effect the former, we must hold ourselves ready to repel force by force wherever af-

ailed, and firmly resist every infringement of the law of nations with unfeeling perseverance. To remedy the latter, œconomy in the expediture of money, and taxation, are the natural means, and, in addition to these, private œconomy, founded on a conviction that the monies wantonly expended in the present moment of depreciation, will soon be deeply regretted when it hath recovered its full value. By such steps we shall frustrate the designs of our enemies, and hasten that moment when the United States of North-America, rising from distress to glory, shall dispense to their citizens the blessings of that peace, liberty and safety for which we have virtuously and vigorously contended.

The portals of the Temple we have raised to Freedom, shall then be thrown wide, as an Asylum to mankind. America shall receive to her bosom and comfort and cheer the oppressed, the miserable and the poor of every nation and of every clime. The enterprize of extending commerce shall wave her friendly flag over the billows of the remotest regions. Industry shall collect and bear to her shores all the various productions of the earth, and all by which human life and human manners are polished and adorned. In becoming acquainted with the religions, the customs and the laws, the wisdom, virtues and follies, and prejudices of different countries, we shall be taught to cherish the principles of general benevolence. We shall learn to consider all men as our brethren, being equally children of the Universal Parent—that God of the heavens and of the earth, whose infinite Majesty, for providential favour during the late revolution, almighty power in our preservation from impending ruin, and gracious mercy in our redemption from the iron shackles of despotism, we cannot cease with gratitude and with deep humility to praise, to reverence and adore.

[Here the Congress' Pamphlet ends.]

A Narrative of the capture and treatment of JOHN DODGE, by the English, at DETROIT.

I some time since left the place of my nativity in Connecticut; and, in the year 1770, settled in Sandusky, an Indian village, about half way between Pittsburgh and Detroit, where I carried on a very beneficial trade with the natives, till the unhappy dispute between Great-Britain and America reached those pathless wilds, and roused to war savages no ways interested in it.

In July, 1775, Captain James Woods called at my house, in his way to the different Indian towns, where he was going to invite them, in the name of the Congress, to a treaty to be held at Fort Pitt the ensuing fall; I attended him to their villages, and the savages promised him they would be there. Captain Woods also invited me to go with the Indians to the treaty, as they were in want of an interpreter, which I readily agreed to.

Soon after the departure of Captain Woods, the Commander of Fort Detroit sent for the savages in and about Sandusky, and told them that he heard they were invited by the Americans to a treaty at Pittsburgh, which they told him was true; on which he delivered them a talk to the following purport: "That he was their father, and as such he would advise them as his own children; that the Colonists, who were to meet them at Pittsburgh, were a bad people; that by the indulgence of their Protector, they had grown a numerous and saucy people; that the Great King, not thinking they would have the assurance to oppose his just laws, had kept but few troops in America for some years past; that those men, being ignorant of their incapacity to go through with what they intend, propose to cut off the few regulars in this country, and then you Indians, and have all Ame-

rica to themselves; and all they want is, under the shew of friendship, to get you into their hands as hostages, and there hold you, till your nations shall comply with their terms, which if they refuse, you will be all massacred. Therefore, do not go by any means; but if you will join me, and keep them at bay a little, while the King, our father, will send large fleets and armies to our assistance, and we will soon subdue them, and have their plantations to ourselves."

This talk so dismayed the Indians, that they came to me, and said they would not go to the treaty, at the same time telling me what the Governor of Detroit had said to them. On this Mr. James Heron and myself, having the cause of our country at heart, asserted that what the Governor had said was false, and told them that the Colonists would not hurt a hair of their heads; and if they would go to the treaty, that I, with Mr. Heron, would be security, and pledge our property, to the amount of 4000l. for their safe return. This, with the arrival of Mr. Richard Butler with fresh invitations, induced some of them to go with me to the treaty.

In the fall I attended a number of them to the treaty, where we were politely received by the Commissioners sent by Congress. The council commenced; the Indians, who are always fond of fishing in troubled water, offered their assistance, which was refused, with a request that they would remain in peace, and not take up the hatchet on either side. On the whole, these Indians were well pleased with the talk from the Congress, and promised to remain quiet.

The Commissioners thinking it proper, sent the continental belt and talk by some of the Chiefs to the savages who resided about the lakes. These Chiefs being obliged to pass Sandusky in their rout, Mr. John Gibson, Agent for Indian affairs,

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requested

requested me to accompany them, and furnish them with what they stood in need of; on which I took them home.

On my arrival at the village, I found the savages in confusion, and preparing for war, on which I called a council, and rehearsed the continental talk, which, with a present of goods, to the amount of twenty-five pounds, quieted them. This I informed Congress of, agreeable to their request, by express, and that the Governor of Detroit was still urging the Indians to war.

Soon after this, a party of savages from the neighbourhood of the lakes, came to my house on their way to the frontiers, to strike a blow; I asked them the reason they took up the hatchet; they replied, that the Governor of Detroit had told them, that the Americans were going to murder them all, and take their lands; but if they would join him, they would be able to drive them off, and that he would give them twenty dollars a scalp. On this I rehearsed the continental talk, and making them a small present, they returned home, believing as I had told them, that the Governor was a liar, and meant to deceive them.

On this I thought proper to write to the Governor of Detroit, what he was to expect should he continue to persuade the Indians to take up the hatchet. He was so enraged at the receipt of this letter, that he offered 100l. for my scalp or body; he sent out several parties to take me, without effect; till having spread an evil report of me among the Indians, on the 15th of January, 1776, my house was surrounded by about twenty soldiers and savages, who broke into the house, made me a prisoner, and then marched me for Detroit.

It was about the dusk of the evening, when, after a fatiguing march, I arrived at Detroit, and was carried before Henry Hamilton, late a Cap-

tain in the 15th regiment, but now Governor and Commandant of Detroit; he ordered me close to confinement, telling me to spend that night in making my peace with God, as it was the last night I should live; I was then hurried to a loathsome dungeon, ironed and thrown in with three criminals, being allowed neither bedding, straw, or fire, although it was in the depth of winter, and so exceeding cold, that my toes were froze before morning.

About ten o'clock the next morning, I was taken out and carried before the Governor, who produced a number of letters with my name signed to them, and asked me if they were my hand-writing? To which I replied, they were not; he then said, it was a matter of indifference to him, whether I owned it or not, as he understood that I had been carrying on a correspondence with Congress, taking the savages to their treaties, and preventing their taking up the hatchet in favour of his Majesty, to defend his crown and dignity; that I was a rebel and traitor, and he would hang me. I asked him whether he intended to try me by the civil or military law, or give me any trial at all? to which he replied, that he was not obliged to give any damn'd rebel a trial, unless he thought proper, that he would hang every one he caught, and that he would begin with me first. I told him, if he took my life, to beware of the consequence, as he might depend on it that it would be looked into. What, says he, do you threaten me, you damn'd rebel, I will soon alter your tone; here, take the damn'd rebel to the dungeon again, and let him pray to God to have mercy on his soul, for I will soon fix his body between heaven and earth, and every scoundrel like him.

I was then re-delivered to the hands of Philip De Jeane, who acted in the capacity of judge, sheriff, and jailor, and

and carried back to my dungeon, where I was soon waited on by the missionary to read prayers with me; but it was so extremely cold, he could not stand it but a few minutes at a time. In conversation with him, I told him I thought it was very hard to lose my life without a trial, as I was innocent of the charge alledged against me; he said it was very true, but that the Governor had charged him not to give me the least hopes of life, as he would absolutely hang me.

I remained in this dismal situation three days, when De Jeane came and took out one of the criminals, who were in the dungeon with me, and held a short conference with him, then came and told me, the Governor had sent him to tell me to prepare for another world, as I had not long to live, and then withdrew. I enquired of the criminal, who was a Frenchman, what De Jeane wanted with him, but he would not tell me.

The evening following he told his brother in distress, that De Jeane had offered him 20l. to hang Mr. Dodge, (meaning me) but that he had refused, unless he had his liberty; De Jeane then said, that we should both be shot under the gallows.

Being at last drove almost to despair, I told De Jeane to inform the Governor I was readier to die at that time than I should ever be, and that I would much rather undergo his sentence, than be tortured in the dreadful manner I was: he returned for answer, that I need not hurry them, but prepare myself, as I should not know my time till half an hour before I was turned off.

Thus did I languish on in my dungeon, without a friend being allowed to visit me, denied the necessaries of life, and must have perished with the cold, it being in the depth of winter, had not my fellow prisoners spared me a blanket from their scanty stock. Thus denied the

least comfort in life, together with the unjust and savage threatening I received every day, brought me so very low, that my inability to answer De Jeane's unreasonable questions, with which he daily tormented me, respecting innocent men, obliged him to notice my situation, and no doubt thinking I should die in their hands, they thought proper to remove me to the barracks, and ordered a doctor to attend me. The weather had been so extremely cold, and my legs had been bolted in such a manner, that they were so benumbed, and the sinews contracted, that I had not the least use of them; and the severity of my usage had brought on a fever, which had nigh saved them any further trouble.

After I had lain some time ill, and my recovery was despaired of, De Jeane called and told me that the Governor had altered his mind with respect to executing me, and bid me be of good cheer, as he believed the Governor would give me my liberty when I got better; I replied, that it was a matter of indifference to me whether he gave me my liberty or not, as I had much rather die than remain at their mercy; on which, he said, "You may die and be damn'd," and bounced out of the room.

When I had so far recovered as to be able to sit up in my bed, my Nurse, being afraid I should inform her husband of her tricks in his absence, told the Governor that I was going to make my escape with a party of soldiers, that I was well, and could walk as well as she could; though at that time my legs were still so cramped and benumbed with the irons and cold, that had kingdoms been at stake, I could not walk.

On this information, De Jeane came and told me to get up and walk to the dungeon, from whence I came; I told him I was unable; "Crawl

then, you damn'd rebel, or I will make you ;" I told him he might do as he pleased, but I could not stand; much more walk; on this he called a party of soldiers, who tossed me into a cart; and carried me to the dungeon; here, by the persuasion of the doctor, who was very kind and attentive, I was allowed a bed, and not ironed. By his care, and the weather growing milder, I got rid of my fever, and began to walk about my dungeon, which was only eight feet square; but even this was a pleasure too great for me to enjoy long, for in a few days I was put into irons. The weather now growing warm, and the place offensive, from the filth of the poor fellows I had left there, and who were afterwards executed, I relapsed. By persuasion of the doctor, who told them, unless I had air I should die, a hole, about seven inches square, was cut to let in some air.

I remained ill till June, although the doctor had done all that lay in his power; he then let the Governor know, that it was impossible for me to recover, unless I was removed from the dungeon; on which he sent De Jeane to inform me, if I would give security for my good behaviour, that he would let me out of prison. Being, by my usage and fever, reduced to a state of despondence, I told him that it was a matter of indifference what he did with me, and that his absence was better than his company: he then published it abroad, and several gentlemen voluntarily entered into 2000*l.* security for me, and I once more was allowed to breathe the fresh air, after six months confinement in a loathsome dungeon, except eight or nine weeks that I lay sick at the barracks.

On my going abroad, I learned that all the property I left in the woods, to the amount of 15 or 1600*l.* was taken in the King's name, and divided among the Indians. As I

had but little to attend to but the recovery of my health, I mended apace. As soon as I could walk abroad, Governor Hamilton sent for me, and said, he was sorry for my misfortunes, and hoped I would think as little as possible of them; that as I was in a low state, he thought I had best not think of business, or think of what I had left, as he would lend me a hand to recover my losses. This smooth discourse gave me but little satisfaction for the ill usage I had received at his hands; however, I was determined to rest as easy as I could, till I had an opportunity of obtaining redress.

As soon as I found myself so far recovered as to be able to do business, which was in September, I applied to the Governor to go down the country; but he put me off with fine words, a permission to do business there, and a promise of his assistance. I now settled my accounts with the persons with whom I was connected in trade, and found myself 700*l.* in debt. My credit being pretty good, I set up a retail store, and as many of the inhabitants pitied my case, they all seemed willing to spend their money with me. My being master of the different Indian languages, about Detroit, was also of service to me, so that in a short time I paid off all my debts, and began to add to my stock.

In the spring of 1777, I heard there was like to be a good trade at Machilimakanac, on which I applied to the Governor, and, with a great deal of trouble, got a pass, went, and met with good trade. On my return, Governor Hamilton, by several low arts, attempted to *pick* my cargo, which as it would spoil the sale of the remainder, I could not allow. As he had no pretence for taking them from me by force, it once more provoked him to wrath against me; he greatly retarded my sales, by denying me a permit to draw

draw my powder out of the magazine; also ordered myself and two servants to be ready, at a moment's warning, to march under Captain Le Mote on a scouting party with savages: I told him it was against my inclination to take up arms against my own flesh and blood, and much more so, to go with savages to butcher and scalp defenceless women and children, that were not interested in the present dispute: he said it was not any of my business whether they were interested in the dispute or not; and added, if you are not ready when called for, I will fix you. Lucky for me he was soon after called down the country, and succeeded by Captain Mountpresent as Commander, who ordered Le Mote to strike my name out of his books; but my servants, with their pay, I lost entirely.

The party of savages under Le Mote went out with orders not to spare man, woman, or child. To this cruel mandate even some of the savages made an objection, respecting the butchering the women and children, but they were told the children would make soldiers, and the women would keep up the stock.—Those sons of Britain offered no reward for prisoners, but they gave the Indians twenty dollars a scalp, by which means they induced the savages to make the poor inhabitants, who they had torn from their peaceable homes, carry their baggage till within a short distance of the fort, where, in cold blood, they murdered them, and delivered their green scalps in a few hours after to those British barbarians, who, on the first yell of the savages, flew to meet and hug them to their breasts reeking with the blood of innocence, and shewed them every mark of joy and approbation, by firing of cannon, &c.

One of these parties returning with a number of women and children's scalps, and three prisoners, they

were met by the Commandant of the fort, and after the usual demonstrations of joy, delivered their scalps, for which they were paid; the Indians then made the Commandant a present of two of the prisoners, reserving the third as a sacrifice to the manes of one of them that had fell in the expedition. Being shocked at the idea of one of my fellow creatures being tortured and burnt alive by those inhuman savages, I sought out the Indian who had lost his relative, and to whom, according to the Indian custom, this unhappy man belonged; I found him, took him home with me, and by the assistance of some of my friends, and twenty-five pounds worth of goods, I persuaded the inhuman wretch to sell his life to me. As the rest of the gang had taken the prisoner about two leagues distance, and were making merry over him, we were obliged to lay a scheme to deliver him from their hands, which we did in the following manner:—It being midnight, and very dark, the Indian, myself, and two servants, crossed the river in a batteaux to where they were carousing around this unhappy victim. The Indian then went to his companions, and under pretence of taking the prisoner out to answer a call of nature, he delivered him to me who lay at some distance, and I carried him to the batteaux. As soon as he found himself in the hands of his deliverer, his transport was too great for his tender frame; three different times he sunk lifeless in my arms, and as often, by the help of water, the only remedy at hand, I prevented his going to the land of spirits in a transport of joy. None but those who have experienced it, can have an idea of the thoughts that must have agitated the breast of a man, who, but a few minutes before, saw himself surrounded by savages, whose dismal yell, and frightful figures, heightened by the glare of a large
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fire in a dismal wood, which must have harrowed up the soul of an uninterested by-stander, much more of one who knew that very fire was prepared for his execution, and that every moment the executioner was expected to arrive — The executioner arrives; he advances towards him; he loosens this unhappy victim from the tree to which he was bound, no doubt, as this young man imagined, to be led to the stake; but as it were in an instant, he finds himself in the hands of his deliverer and fellow-countryman. This, as I said before, was too much for him to bear; however I got his almost lifeless corpse to my house, where I kept him hid. The Indian, according to our agreement, in an hour or two after I was gone, returned seemingly much fatigued, and told his fellow savages, who were impatiently waiting to begin their brutal sacrifice, that the prisoner had escaped, and that he had in vain pursued him.

Some time after this I found an opportunity, and made an agreement with the Captain of a vessel going to Machilimakanac, to take my unhappy inmate with him; but one of my servants tempted, by a large reward that was offered for retaking the above prisoner, informed De Jeane that he was hid in my house; on which my habitation was soon surrounded by a party of soldiers under the command of said De Jeane, and myself, the young man and four servants were made prisoners, and having demanded my keys, which I delivered, we were hurried to gaol, and confined in different rooms. Here this unhappy young fellow, in high expectations of seeing his friends, was once more plunged into the horrors of imprisonment.

I was sent for, and carried before the Commandant, where, on being examined who was the person in my house, I frankly told him it was a young man whom I had bought of the Indians when they were going

to burn him, and that I meant to send him to Canada to be out of the way of the savages; but De Jeane, like other men of bad principles, thinking no man could do a good action without sinister views, said that he believed I had purchased him to serve my own ends, and that he would find them out, which the Commandant ordered him to do as soon as possible, and I was ordered to prison.

De Jeane then took my servant, who was his informant, ironed him, put him in the dungeon, and, after keeping him three days on bread and water, the lad almost frightened out of his senses, sent for De Jeane, and told him that the day before I was taken up, I had wrote several letters, and, on his bringing a candle to seal them, that I said, if he told any one that I was writing to Pittsburgh, that I would blow his brains out. This suiting De Jeane's purpose, he made the lad swear to it, and then set him, with the rest of my servants, at liberty.

I was now once more called before the Commandant, who told me he understood that I was going to send an express to his Majesty's enemies, in consequence of which he had taken an inventory of my effects, and meant to send me to Canada. I told him he was certainly misinformed; he then taxed me with what De Jeane had forced from my servant; asked me where I was writing the day before I was taken. I told him to my correspondents in Montreal; and luckily for me a neighbour of mine, having been at my house, was produced, who declared the truth of what I said, and that, I being hurried, had given him the letters to carry on board the vessel: this, with some other false accusations, being cleared up, I was once more released on giving fresh security.

Though myself and servants were, for want of a pretence for detaining us, set at liberty, it was not so with
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the unfortunate young man whom I had purchased from the Indian; he still remained in prison, daily tormented with the threats of De Jeane, that he would deliver him to the Indians, which so preyed on his spirits, that in a short time it threw him into a fever. I then applied to Captain Montpresent, the Commandant, who gave me permission, and I removed him to sick quarters, where I hired Jacob Pue, of Virginia, his fellow-prisoner, to attend him: I also, when leisure would permit, attended him myself; but De Jeane, who still haunted him, had so great an effect on him, that one day when I visited him, he called me to his bed-side, and said to me, that De Jeane had just left him, that he told him to make haste and get well, as the Indians were waiting for him.—Pray, Sir, (said the young man to De Jeane) for God's sake try to keep me from the Indians; for if they get me, they will burn me. Keep you from them, said De Jeane, you damned rebel, you deserve to be burned, and all your damned countrymen with you, so you need not think Dodge can save you; General Hamilton is now come up, and he will fix you all. I tried to comfort him, and told him to be of good courage;—Oh! replied he, I am almost distracted with the idea of being burnt by the savages; I had much rather die where I am, than be delivered into the hands of those horrid wretches, from whom I so lately, by your hands, escaped, the recollection of which, makes me shudder with horror. He could say no more; he sunk under it, and in a few hours after, death, more kind than his cruel tormenters, released him from his troubles. I paid the last tribute to this my unhappy countryman, and had his corpse decently interred, attended by the Missionary and most of the principal Merchants of the town.

As Hamilton was arrived, I had every thing to expect that his malice could invent, more especially as De Jeane, to whom his ear was always open, had told him (as I was informed) all and more than what had happened during his absence. About a month after the death of the unhappy young man above related, I had occasion for some of my powder out of the magazine; I wrote an order to the conductor, according to custom, and waited on the Governor to have it signed; on presenting it to him, he looked at it, and then looking at me with a sarcastic smile, said, It is powder you want, you damned rascal, is it? at the same time tearing my order, and throwing it in my face; you have behaved yourself very well, have you not? after my granting you your life, you would not go with La Mote, would you not? says he, and starting up in a great passion, as though he would strike me, put himself between me and the door. What, says he, you have a damned deal of influence with the Indians; you can purchase prisoners without my approbation, can you? you damned rascal. Sir, says I, I am no rascal; not a word out of your mouth, says Hamilton, go about your business, and take care of me, or I will fix you: I replied, it had always been my study to take care of him; not a word, says he, go about your business, and bless your stars I was not here instead of Captain Montpresent, for I would have hanged you, you damned scoundrel. Here I took my leave, went home, and determined to think as little of Mr. Hamilton and his usage as possible, till I had an opportunity of getting redress. Notwithstanding the hatred of Hamilton and De Jeane, I spent the forepart of the winter very happily, till the 25th of January, 1778, when several merchants of the town, got permission to go to Sandusky to trade, and as they proposed encamp-

ing about two leagues from the town, myself and several others, in a friendly manner, proposed, and did accompany them in our sleighs to their first stage; but on our return, I being a-head, was challenged by De Jeane, at the head of thirty or forty soldiers, by asking, who came there? to which I replied, John Dodge; he then ordered the soldiers to seize me and the two gentlemen in the sleigh with me, and forced us to return to the encampment we had just left, where he seized the whole of the gentlemen, who were going, by permission, to Sandusky, with their goods, sleighs, &c. and carried the whole of us, the next morning, back to the fort, and charged us with sending out goods to supply (as he politely termed it) the rebels.

After being detained three days in prison, I was taken to De Jeane's house, to see my papers, books, desks, &c. examined. They broke open my desk, pretending to have lost the key. On searching, they could not find any thing worth their notice, or what they expected to find. De Jeane then gave me my keys, and told me to send for my desk, and take care of myself, as he would watch me; I told him, as he had taken it from my house and broke it, he should mend it and send it home, before I would receive it: stop a little, said he, I will speak to the Governor, and fix you yet if I can; he then gave me into the care of the guard, and ordered me to gaol. About the fifth day after this, not hearing any thing from him, I sent for my violin, and was diverting myself, when Governor Hamilton passed by, and enquired who was playing on the violin; to which the Corporal of the guard answered, it was me. The next day, De Jeane waited on me with a blacksmith, who soon clapped on a pair of hand-bolts; and now, says De Jeane, I have fixed you, you may play the

violin till you are tired; I asked him what I had done to be treated thus; for that you must apply to the Governor, replied he, for it is his pleasure that you are so: he then threatened to put on leg-bolts; on which I told him, I did not value his irons, but if he kept me prisoner, I should look to him for my property, (about 3000l.) Yes, says he, we will fix you and your property too, and then left me. About six days after, I was taken to my own house, where two English and two Frenchmen, by order of the Governor, took an inventory of my goods, and soon after sold the whole at vendue, for about 1900l. New-York currency. Thus being a second time robbed of my property, I lay a prisoner as contented as possible, without any thing material happening, until the first of May.

On the first of May, 1778, I was put on board a vessel to go down to Quebec, and by some of my friends furnished with provision and necessaries for the voyage; but of these I was robbed by De Jeane, and had it not been for some gentlemen, passengers in the same vessel, I must have suffered with hunger. On the first of June I arrived at Quebec, where I was conducted to Mr. Princtices, the Provost Marshal: ha, ha, says he, Mr. Dodge, Are you here? I have often been told you were a damned rascal, doing all you could against government; it is a pity Governor Hamilton did not hang you when he was about it, as he would have saved government a great deal of trouble. From hence I was conducted on board the prison-ship Meriah, with a number of farmers, taken off their plantations by the savages.

Two days after I was put on board the prison-ship; we were visited by Mr. Murray, Commissary of Prisoners, to whom I gave an account of my capture and ill usage; he told me,

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he would speak to the General, and give me an answer. Two days after, he again came on board, and told me, as it was very difficult times, I could not have a hearing at present; I told him I wanted nothing but what the English constitution allowed, and if I could not get that in Quebec, I would apply to England; to which he replied, I had better be easy, for if I did not, he would put me in irons again.

I remained on board the prison ship till the beginning of August, when Mr. Murray came on board, and informed me that I was not to go with the prisoners; but if I would give my parole, I should be allowed the liberty of Quebec. I asked him the occasion I could not be sent with the other prisoners; he replied, it was the Governor's orders: I asked him if I was to be allowed any support; he said, not any. I told him it was very hard to be dragged from my house, robbed of my property, deprived of my liberty, sent 1200 miles in irons, and still be held a prisoner in the town of Quebec, without any allowance for support: all my applications were in vain; I was set on shore under parole the 4th of August, and the ship sailed with the other prisoners soon after.

The cause of my detention, as I was afterwards told by Mr. Murray, was, that Governor Hamilton, of Detroit, had wrote the General not to send me round with the other prisoners; for if I got into the United States, he knew I would come immediately upon him, and as I knew the country, was well acquainted with the languages of the different Indians about the lakes, and had great influence among them, should be the means of their losing the fort, which would be much against the crown.

On my enlargement, I soon got

acquainted with a number of gentlemen, who were friends to the United States, and the cause in which they were engaged. Some days after, going on shore, I fell in company with a Mr. Jones, who happened at that time to be reading a letter sent by General Montgomery, while he lay before Quebec, to Governor Carlton, and on concluding it, said he hoped General Montgomery was in hell, and that all the rebels would soon be with him; to this I made a reply, words ensued, and then blows; he drew on me, but I parried his thrust with my cane, so that I only got a small wound in my knee: he then made a complaint, and I was sent for by the General, who threatened to put me in confinement if I did not find security; this I soon found, and bonds were given for me for two months; at the end of which, as they neglected renewing them, and left me without parole or security, I hired an Indian guide, and, on the ninth of October, quitted Quebec. After a fatiguing march through the woods, on the 20th of November, I arrived at Boston, where I was kindly received, and politely treated by General Gates, who supplied my wants, and forwarded me to his Excellency General Washington; I waited on him, was politely received, and sent on to Congress, having some matters relating to Canada worthy their hearing.

Had the love of my country no ways prompted me to act against the tyranny of Britain, I leave it to the world to judge, whether I have not a right to revolt from under the dominion of such tyrants, and exert every faculty God has given me to seek satisfaction for the ill usage I received; that if I had ten thousand lives, and was sure to lose them all, I think, should I not attempt to gain satisfaction, I should deserve to be a slave the remainder of my life.

M.

Balti-

Baltimore, December 29.

Copy of a letter from Captain JOSEPH BOWMAN, at a place called Illinois Kaskaskias, upon the Mississippi, to his friend, Colonel JOHN HITE, of Frederick county, Virginia, dated July 30, 1778.

Dear Sir,

" I embrace this opportunity to give you some information of our proceedings since our embarkation from Monongahela, till our arrival at this place. We set sail from thence down to the Big Kanhawa, where we found our men had been confined for eight days, in which time there had been an attack made on the fort, by a superior number of Indians, supposed to be about 200; they killed one man in the fort, and wounded one or two more; but finding themselves not likely to succeed in their attempt, they endeavoured to kill all their cattle, and then made towards Green Briar, where I expected they intended to make a fatal blow.— From thence we continued down to the falls of the Ohio, where we erected a small garrison upon an island, where I left ten or twelve families, with a quantity of provisions, and a few men to guard them. From thence we continued down the Ohio, moving day and night, with about 170 or 180 men in number, till within sixty miles of the mouth; we ran our boats up a small creek to hide them, not having men enough to leave a sufficient guard. From thence we started for the Illinois, taking four days provision with us, and in six days arrived at the place in the night, on the fourth inst. having marched two days without any sustenance, in which hungry condition we unanimously determined to take the town, or die in the attempt. About midnight we marched into the town, without being discovered; our object was the fort, which we soon got possession of; the commanding officer (Philip

Rocheblave) we made prisoner, and is now on his way to Williamsburg, under a strong guard, with all his instructions, from time to time, from the several Governors at Detroit, Quebec, and Michillimackinack, to set the Indians upon us, with great rewards for our scalps; for which he has a salary of 200l. sterling per year. This town consists of about 250 families, sufficiently fortified to have resisted a thousand men; but coming upon them by surprize, they were obliged to surrender themselves. The next day evening I was ordered by our commanding officer (Colonel Clark) with thirty men mounted on horseback, to attack three other French towns up the Mississippi. The first is called Parraderuski, about fifteen miles from Kaskaskias; the town we had in possession; and before they had any knowledge of my arrival, I was in possession of this place, which was no small surprize to them; in consequence of which they were willing to comply with any terms I should propose.

" From thence I proceeded to St. Philip's, about nine miles higher up the river, which I likewise took possession of: and as it was impossible for them to know my strength, the whole being transacted in the night, they also came to my own terms. From thence I proceeded to Cahow, about forty or fifty miles above St. Philip's, which contained about one hundred families; we rode immediately to the commander's house, and demanded a surrender of him and the whole town, which was immediately complied with. I then possessed myself of a large stone house, well fortified for war—I was immediately threatened by a man of the place, that he would call in 150 Indians to his assistance, and cut me off. This fellow I took care to secure, but lay upon our arms the whole night; this being the third night without sleep. In the morning
I re-

I required them to take the oaths of allegiance to the States, or I should treat them as enemies, which they readily agreed to, and before ten o'clock there were 150 who followed the example, and in less than ten days there were 300 took the oaths, and now appear much attached to our cause. But as this is in so remote a part of the country, and the Indians meeting with daily supplies from the British officers, who offer them large bounties for our scalps, I think it prudent to leave a guard here; and being anxious to do every thing in my power for my country, in order to establish peace and harmony once more amongst us, this will engage my attention the ensuing winter. The inhabitants of this country, upon the Mississippi, have, without any kind of doubt, influenced the several nations of Indians in this quarter, as also upon the Ohio; so that ere it be long I flatter myself we shall put a stop to the career of those blood-thirsty savages, who glory in shedding the blood of the innocent. For further particulars I must refer you to my brother, the bearer hereof, and I am, &c.

JOSEPH BOWMAN."

*In General Assembly of Pennsylvania,
Saturday, November 28, 1778.*

Whereas divers petitions have been presented to former Assemblies of this Commonwealth, suggesting inconveniencies in the present constitution and form of government, and praying the said Assemblies to adopt prudent and proper measures to obtain the sense and judgment of the good people of this State thereupon: in consequence whereof, certain resolutions were heretofore passed and published, but the invasion of the State and other circumstances have prevented the same being carried into effect. Resolved unanimously, therefore, in pursuance thereof, That the people throughout this State, quali-

fied to vote for Members of Assembly, do meet at the usual places of election since the late happy revolution, on the twenty-fifth day of March next, and chuse Judges and Inspectors as by law directed in case of Representatives. And the said Judges and Inspectors being so chosen and sworn as at the election of Representatives, shall provide two boxes for the city and each district of every county, and on the first Tuesday of April next they shall receive the votes of the freemen qualified at the time of said election by law to vote as aforesaid, making at the same time a list of the voters names, and put into one box all the votes for and against a Convention, the voters in favour of a Convention writing on their tickets, "for a Convention;" and those against it writing on the tickets, "against a Convention;" and in the other box they shall put the votes for the Members of such Convention, as that, if the majority of votes should be in favour of a Convention, the minority may not be precluded from a choice in the persons who are to compose it, or the people put to the inconvenience of a second meeting; all which votes shall be put into boxes so constructed as that they may be sealed, as soon as the election is closed, by the respective Judges with distinct seals, and delivered by the said Judges, or one of them, to the Sheriffs at the Court-houses of the respective counties within three days after, from whence they shall be brought up by the said Sheriffs to the Assembly, if sitting, or if not sitting, then to the Assembly at their next meeting, the Judges sending at the same time the impressions of their seals, and the lists of the voters names, inclosed in a letter to the Speaker, and upon the Sheriff's making oath or affirmation, which he is enjoined to do, that the said boxes as delivered by him are the same received from the Judges of

the election, and in the same condition, without having been opened, or the contents thereof in any respect altered by them or with their privacy; then the said boxes shall be opened in the House, and if a majority of votes shall appear to be against a Convention, then no further proceedings shall be had; but if a majority of votes shall be for a Convention, the Assembly shall then proceed to open the boxes containing the names of the Members for the city and each county, and shall declare the six highest in number from each city and county to be the Members to represent the said city and counties in Convention, and shall direct the Convention to meet at Lancaster on the first day of June next; and the said Convention having so met, shall judge of the qualifications of its Members, and then proceed to determine on these points, viz.

1. Whether the Legislative Power of the State shall be vested, as at present, in a single branch?
2. If the Convention should be for a second branch of Legislation, then, how the same and the Executive Powers for the administration of government shall be constructed?
3. If the Convention shall determine against a second branch of Legislature, whether any provision shall be made for the revival of laws (without any negative) before they receive their final sanction?
4. Whether the appointment of Justices and Field Officers of the Militia shall be vested in the Executive Powers of Government?
5. Whether the Council of Censors shall be abolished?
6. Whether the President and Vice President may not be eligible into Council, so as to be capable of said offices after the expiration of three years, if their conduct shall render them worthy?
7. Whether the Judges should not be more independent by having their salaries fixed and certain?

8. Whether, agreeable to the articles of confederation of the United States, the Delegates in Congress may not be eligible three years successively?

9. In case any alteration shall be made by the Convention in the above points, how the several oaths prescribed by the Constitution shall be adapted thereto?

And the said Convention having finished, they shall publish their proceedings and determinations, which shall be received and adopted by the inhabitants of this State, at and after the next general election, as parts of the Constitution by which they are in future to be governed.

And that the choice may be as free and open as is consistent with the interest of the State, no office or post under Congress, or in the State, shall debar any person otherwise qualified from being elected into the said Convention.

And to prevent as much as possible any irregularities which may happen when the votes are collected by districts, each district may, if they think proper, depute on a substantial qualified freeholder, appointed in writing by the Inspectors, to attend at every other district in the said county where an election is held, to check as much as may be, the receipt of votes from unqualified persons, and to enable him so to do, there shall be produced at each place of election, the tax duplicates, and also the registers taken by the Magistrates, of the person having taken the oaths of allegiance as prescribed by law; and if any vote be questioned as having been given on an antedated certificate, the voter may be called to answer thereupon on oath or affirmation; and if he shall refuse to declare the real date of his certificate, or it shall otherwise appear to be antedated, such votes shall be rejected, unless he shall take the tests prescribed by law.

Extract from the Minutes,
JOHN MORRIS, junior,
Clerk of the General Assembly.
Pennsylv.

*Pennsylvania, ff.
The Supreme Executive Council of the
Commonwealth of Pennsylvania.
To all, to whom these Presents shall
come, Greeting :*

Whereas by virtue and in pursuance of sundry laws of this Commonwealth, heretofore passed and enacted for the better security of the government thereof, divers persons have been apprehended, and in due course of law committed to prison, having been convicted of pertinaciously refusing to take the several oaths or affirmations required by the said laws, from the subjects of this State; and many of the persons so charged and convicted, do now remain in several of the prisons of this State. And whereas by an Act of Assembly passed at the last sessions, and dated the fifth day of December last, entitled, " A farther Supplement to the Act, entitled, an Act for the better security of Government," all the pains, penalties, and disabilities, imposed, by any former Acts of Assembly, (except those of electing and being elected or appointed to any office, or place of trust or profit, or serving on juries) were declared from thenceforth to cease and determine. NOW KNOW YE, that the Supreme Executive Council of the Commonwealth of Pennsylvania, duly considering the nature, purport, and tendency of the said Act of Assembly, and also the circumstances and situation of the said prisoners, have pardoned, remitted, and released, and by these presents do pardon, remit, and release unto the said parties, and every of them, so standing charged and convicted as aforesaid, by whatsoever name or names they may be called or known, all and every the said offence or crime of recusancy as aforesaid, and all punishments, pains, and penalties, inflicted by any of the said laws, or any judgment of any Court of law thereupon, other than any fine or fines duly imposed by any of

the said Court or Courts of law in this Commonwealth: and do by these presents hereby supersede all warrants, or orders of commitment or detainers whatsoever, heretofore issued by any Court, Justice of Peace, or other person in authority under this Commonwealth, except as herein before mentioned. And all Sheriffs, Coroners, Under-Sheriffs, Gaolers, and others, are hereby authorized and required, on payment of prison fees and other fees, to enlarge and set at liberty, all persons committed or detained by reason of the premises, for which this shall be your sufficient warrant. Being not willing that the said recusants, or any of them, shall be farther molested by any Sheriffs, Justices, Bailiffs, or other our Ministers or successors, or be aggrieved or disturbed in any thing by occasion of premises, except for any fines as herein before mentioned; and being also willing that these letters patent, (as to all and singular the premises aforesaid) be and remain good, firm, valid, and effectual in law, although the crimes and offences aforesaid, be not fully set forth, and that this release, remission, and exoneration, of all and every the said recusants, be in all Courts within this Commonwealth, and elsewhere, interpreted and adjudged in the most favourable sense, for their more sure discharge, and also be pleaded and allowed in all the said Courts without any other writ, grant, or declaration, in that behalf obtained or to be obtained. Any defect or defects in these letters patent contained, or any act, ordinance, provision, proclamation, or restriction, or any other thing, cause, or matter whatsoever, to the contrary hereof in any wise notwithstanding.

Given by order of the Council, under the hand of his Excellency Joseph Reed, Esq. President, and the seal of the State at Philadelphia, this twenty-ninth day of December,

in

in the year of our Lord, one thousand seven hundred and seventy-eight.

JOSEPH REED, President.

Attest. T. MATLACK, Secretary.

TEN THOUSAND POUNDS REWARD.
A PROCLAMATION.

Whereas in the course of the present war with America, every species of cruelty has been attempted to bring back the rebellious Colonies to a constitutional subordination to Great-Britain, villages have been burned, farms have been laid waste, the faith of treaties has been broken, prisoners have been deliberately poisoned, stifled, and starved to death, and old men and children have been murdered in cold blood, but all to no purpose, the Colonies still continuing in open rebellion; and whereas it has become necessary to change the above described mild, and generous system of war, in order to prevent the remains of the towns and inhabitants of the said rebellious Colonies from becoming an accession of force to the natural enemy of Great-Britain, the above reward therefore is offered to any person or persons who will discover to his Majesty's Commissioners a more expeditious and terrible method of destroying towns, and a more cruel and torturing method of murdering, poisoning, stifling, and starving the inhabitants of the said rebellious Colonies than any hitherto practised since the commencement of the war. The skill of the sweepings of the jails of Britain, of the shambles of Germany, and of the sinks in North-America having been tried without effect in the persons of British soldiers, Hessian mercenaries, and American new levies and Tories, none such need apply for employment. And whereas, by a treaty entered into in the beginning of the present war between the British Ministry and his Satannic Majesty, the latter agreed that he should assist the former by his advice,

and that he should furnish him with proper Ministers, Secretaries of State, Generals, Admirals, and Governors; and whereas the advice and assistance of his Satannic Majesty, and the officers furnished by him have proved insufficient for the purpose of reducing the rebellious Colonies, no person or persons in the family or service of his Satannic Majesty need expect to be employed in the said business of burning, destroying, ravaging, and desolating the country, and of defrauding, insulting, butchering, murdering, poisoning, stifling, and starving the inhabitants of the said rebellious Colonies.

EDEN, and Co. Commissioners of Peace.

Given at New-York, by their Excellencies Command,

FERGUSON, Secretary.

Pennsylvania Packet.]

For the REMEMBRANCER.

In the English, as well as American papers, we are told, Mr. Commissioner Johnstone declared in the British House of Commons, November last, "that two-thirds of the people in the provinces," so he is pleased to call them, meaning the American States, "wish to return to their allegiance to Britain." Lord North vouches for the truth of what the Commissioner says, and fixes also the precise proportion for the whole *union*, "that two-thirds of the people were inclined to return to the allegiance of Great Britain." It is a good rule of prudence, not forwardly to pronounce a thing impossible, because it is strange and unaccountable, or because, from aught that appears, there is an arrant absurdity and contradiction in it; but to disencumber this rule from exceptions, would lead to the most absolute scepticism. I cannot, therefore, help asking, might not these orators every whit as well have said "all the people of America to a man," were of the disposition mentioned? Or that the pretence of there being

Being an opposition in that country to the counsels and measures of Great Britain was a malicious falsehood, without the least colour of foundation in fact? The one to me appears equally probable with the other; nor can the transcendent abilities, the profound judgment or enlarged information either of the studious Premier, so famous for knocking his head against paradoxes, and splicing up prophecies *not yet fulfilled*; or of the laborious Commissioner who has lately travelled so extensively in America, as from Philadelphia to New-York *by water*, formed so wide an acquaintance *by letters not yet answered*, and picked up so many *"things to tell his children about,"* give it sufficient weight to attract my belief. It is a natural question, How do these knowing ones become possessed of their knowledge? From the Whigs of America they can scarcely derive it, neither their interest, their principles or their inclinations leading them to have any connection or correspondence either with the Minister or the Commissioner, or any of their missionaries. nor would they be so imprudent or self-denied, as to discover the weakness of their party. Do the disaffected, do the Tories of America furnish it? Are these the days of Bernard and Hutchinson? Can a thousand men, can a single regiment now march from one end of America to the other? Is the cry about a little contemptible faction yet in fashion? If so, I know the oracle which has been consulted, and can readily distinguish the genuineness of the response. But if dire experience has for years taught a different doctrine, if facts have long since contradicted the vain boasts of courtiers and their little officious retainers, what are we to think of that callous effrontery which dares to persist, or of that unmixed stupidity which seems to be as credulous as ever.

There is something which would induce us to believe this mysterious position, as far as his Lordship is concerned, originates from reflection instead of information, as we meet with a similar stroke of the marvelous in the prosecution of his speech, where, in consideration of the critical state of affairs, he warmly exhorts to vigour and perseverance, and intimates that the nation has not yet, to use the words of a small poet in a like case, "*whistled its favourite tune.*" "Formerly, Mr. Speaker, when one-third only of the Americans were in our interest, twenty-five thousand men were amply sufficient to curb the republican spirit of that country; two-thirds are now for us, and we find our account in it; for fifty thousand are now completely a match for the crumbling transatlantick Minority; we need but exert ourselves like men, and when three-thirds come over to our purposes, let us convince the rest, the unavailing remnants of the expiring rebellion, that we are in serious earnest, and send out an hundred thousand. There is nothing like a firm well-timed boldness of enterprise." A refined stroke of court-rhetorick, far above the reach of vulgar comprehension. Leaving Great Britain out of the question, when two-thirds of the Americans are against one, and that one, to use the current language of his Lordship and his comforters, composed of a few demagogues of much violence but no judgment, at the head of the dregs of the people without interest, system, or consequence, we must be contented to be surprised at hearing exhortations to extraordinary exertion, till we become better acquainted with the principles of his reasoning. Far be it from me to insinuate, I have not done it, nor will I, that these assertions are palmed at a risque upon the gentle unthinking ignorance of those to whom they

they are uttered; or that the Minister trusts himself to such a length of daring and conscious falsehood, steaded by the countenance of *the converted Commissioner*, and depending upon the fidelity of those he has purchased for value received, or secured by expectancy, and the credit of such with others their subordinates and dependents. And yet to hear it gravely said, that, in a government such as that of the United States, considered either collectively or individually, a Minority, and, to beg the expression, less than a Minority, made up, as before observed, of the insignificant inferior mobile, without wisdom or wealth, without head or hands, should either impel or draw after them the Majority, or more than a Majority, opposite to them in every respect, is a strong temptation to hard thoughts. If two-thirds of the Americans are disposed to return to the allegiance of Great Britain, why have they not returned? Who appoint our public bodies to whom the conduct of national affairs is committed? Do not the people mediate or immediately give them their life, motion, and object? The people in the strictest sense; the whole, almost without exception, having a right of voice. Moreover, this creation of rulers being repeated at short periods, if the disposition of the people were as declared, is it possible they would continue to countenance men who daily run counter to their plainest ideas and purposes. If I employ an agent to transact a matter of business for me, and he abuses my confidence, sacrifices my interest, and wilfully acts in direct contradiction to my declared intentions, will I repeatedly employ him?

One thing may be suggested in palliation of this extravagant assertion. Who has not remarked how wildly and uncertainly the people of one country commonly reason concerning those of another differing in

situation of territory, progress of cultivation, in manners, interests; and the modes of life. It may perhaps be beyond the power of language and description to give a domestic Briton an adequate idea of the state of America. He judges of things similar by analogy, and fondly thinks they cannot be otherwise in America than they are in Great Britain. If, as we are told, the wheels of government in Great Britain move upon the principles of bargain and sale; if a system of venality is established throughout the whole train; if the opinion of the Prince is that of the Ministry; if the opinion of the Ministry is that of their dependents; if the influence of these is extended through the mass of the people, such I mean as are of any account, in numerous and diversified degrees of subordination, all referring to the same object and promoting the same purpose; in such a government, with a standing army, the duration of which is unlimited, and where but a handful of the people, comparatively with the whole number, have any voice or agency, the idea of two-thirds being ruled by the remaining one, is not so absurd or contradictory. In America it is, and I hope always will be, inconsistent and ridiculous. I am far from being incensed at the prevalence of this prejudice on the other side of the water. They are welcome to all the consolation they can derive from it. They never will derive more than we do when we reflect that to their credulity, ignorance, and stupidity we owe, under Providence, our escape from the grasp of tyranny and oppression. The insatiation of our enemies, their campaigns of blunders in the beginning of the struggle gave us time and opportunity to look into our unknown resources, to marshal our scattered, untried strength, and to form ourselves into a well-combined regular opposition.

Boston Gazette.]

SILENTIO.

A RETURN of the MILITIA of the Province of MASS.

Regiments.	In what Co
Colonel Jacob Wendal	Suffolk
Captains Green and Steel's battery company	Ditto
Colonel Francis Brindley	Ditto
Samuel Miller	Ditto
Colonels Hatch and Oliver's two companies at the Castle	Ditto
Colonel Benjamin Lincoln	Ditto
Ichabod Plaisted	Essex
John Greenleaff	Ditto
Daniel Appelton	Ditto
Late Saltonstall's	Ditto
Jacob Fowle	Ditto
William Brattle	Middlesex
Captain Weir's Charles-town battery company	Ditto
Colonel Joseph Buckmaster	Ditto
Eleazar Ting	Ditto
Oliver Wilder	Middlesex and
Abraham Williams	Ditto
Israel Williams	Hampshire
John Worthington	Ditto
John Chandler, jun.	Worcester
Timothy Ruggles	Ditto
Thomas Bowen	Bristol
Ephraim Leonard	Ditto
Ezra Richmond	Ditto
Gaml. Bradford	Plymouth
Thomas Clapp	Ditto
James Otis	Ditto
Thomas Winflow	Ditto
Sir William Pepperril, Bart.	York
Samuel Waldo	Ditto
 Zacharias Mayhew	 Duke's County
Major Josiah Coffin	Nantuckett

N. B. Eight mentioned in Colonel Otis's troop belongs to Colonel Winthrop's Regiment, per last return was
 Colonel Mayhew's regiment, per last return was
 Major Coffin's ditto

Per the above return

1000
1000
1000

Boston, May 22.

Last Sunday arrived in town from Halifax, Nova Scotia, Mr. Bliffliner; a gentleman of family and character, with an intention of entering the American army, either as a volunteer or an officer: he is a native of Nova-Scotia, which place he left twenty days since, and informs us that there are but 2500 troops in that department, including new levies and foreigners; but that they have been under great apprehensions of an invasion from the Americans; and have put their town and harbour in a strong posture of defence; particularly Pleasant Point and the Citadel-hill, which places have 180 pieces of cannon mounted on. The inhabitants are, in general, for the American cause.

He also informs that the Captains Proctor, Solomon, and Monk, of the British army, and several others, were lately drowned on their passage to Newfoundland, on the recruiting service.

Extract of a letter from a Gentleman at Head-Quarters in New-Jersey, dated May 2.

"Yesterday his Excellency, our illustrious General, Monsieur Gerard, his Most Christian Majesty's Ambassador, Don Juan Oe Mirrallias, the Spanish Envoy, and a numerous train of gentlemen, were received on the grand parade (where a brigade of musquetry were drawn up) under a discharge of thirteen cannon. The musquetry then went through the firings and manœuvres with great military precision, and were honoured with the applause of the noble foreigners, who pronounced them equal to any European troops, and superior to many. A stage had been erected on an advantageous piece of ground, to accommodate the Ladies, of which on this occasion there was a brilliant assemblage. Early this morning Monsieur Gerard set out on his return to Philadelphia, under a discharge of cannon, highly pleased with his visit to the grand army."

VOL. VIII.

For the REMEMBRANCER.

New-England Militia, recommended to the consideration of Old-England.

Having, since in some words that I spoke in a Committee on the Militia-Bill, referred to the militia of New-England, been repeatedly asked by several gentlemen about the form and state of that militia, Mr. Almon is at liberty to publish the following; first, as it is a general answer to those enquiries; and next as this, which has always been found adequate to a national defence and efficient in service, may suggest even to this country some matters not unworthy their notice; and perhaps an example worth the following:

General idea of the Militia of the Province of Massachusetts-Bay.

All male persons, from 16 years of age to 60, are considered as the component parts of the national defence; as the constitutional and legal force of the community.

To this end, the country is divided into military districts or divisions, all the inhabitants of which are considered as the component parts of a company or troop: the law provides a special penalty for such as shift their dwelling to avoid being enrolled as an individual in that corps.

Such persons dwelling within each of the said precincts, as the Governor shall think proper to commission, are the commissioned officers of that company or troop.

The first act of these officers is to fix upon a clerk of the company, who under a certain penalty, is obliged to undertake this office. Before he enters upon his duty, he is to take an oath of office. He is then to make out a list, and enroll all the persons as aforesaid, living within the said precincts of the said military district or division. He is then to present such to the Captain or chief officer, and to attend all musters. He by his office is to sue out, and

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to distrain for, all penalties forfeited for military neglects and misdemeanors, as by law directed.

The persons enrolled in this list are considered by the law as enlisted, and are at their own expence to be armed in such form as the law directs, and always to be provided with a certain quantity of powder and ball, and are to be mustered as soldiers. All those individuals (except such as are by law excused) are to attend all military trainings and exercises.

A defined number of times for this training of the companies or troops, as also for regimental training, are fixed and determined by the law.

The Captain or chief officer of each company is, at a certain number of times in the year, as defined by the law, and at other times when duly ordered, to take an exact list of the soldiers in his company; to enquire into the state of it, and of the state of their arms, and of all defects therein; that all persons defective may be prosecuted as the law directs, and that care may be taken to remedy all such defects as are found in the said company.

Means are provided to furnish such poor persons as are unable to purchase arms and ammunition, as the law requires.

Drums, drummers, trumpets, trumpeters, colours, and banners, are to be found and paid for at the common charge of the company, towards which the military fines are appropriated by law.

Besides the company's being thus armed and provided with ammunition, the Select men of each town are to make a rate for a town stock of powder and ammunition.

The chief military officers of each town, may, at their discretion, order and direct military watches to be kept in each such town: and all persons, except such as are excused by law, are in their turn of duty to attend the same.

In case of an alarm, all persons whatsoever, capable of bearing arms, are forthwith to appear at the place of *rendezvous*, compleat with their arms and ammunition, according to law.

Of these companies and troops, the Governor, as Captain-general, or the Commander in Chief for the time being, forms regiments or other corps as he sees proper, appointing proper officers thereto, as also a Lieutenant-general, and other inferior General officers.

The Honourable the Members of the Council, the Representatives for the time being, all civil officers, magistrates, and servants of the public, the clergy and ecclesiastical officers, and all members of the college, all masters of arts, allowed physicians and chirurgeons, professed school-masters, masters of vessels, constant ferrymen, one miller to each grist-mill, constant herdsmen, and disabled persons, are by law excepted from training, and exempt from the duty of military watches; but they are nevertheless to be provided with arms and ammunition compleat, under the same penalty as those who are obliged to train; and upon a general alarm, are to appear at the *rendezvous*, and to do duty.

Under this form of constitution and provisions of law, the return of the militia of the province of Massachusetts Bay, was as follows, in 1757:

A RETURN

The Governor, as Captain-general, having power to instruct, exercise, train, and command this militia, as fully and amply as any other the King's Captains-general have or enjoy, it became his duty to issue out in orders such a mode of training and military exercise as the militia should observe: and for the neglecting to perform which, various pains and penalties, as by law established, are incurred.

Under a sense of this duty, I formed and directed the following mode of training and exercise, which, according to all I had read, and had had opportunity of observing, appeared to me the best suited to train a national militia to a practical use of arms, and to effective service:

The EXERCISE for the MILITIA of the Province of the Massachusetts-Bay, by order of his Excellency. Prefatory and Explanatory Instructions to the Officers and Men.

As it is the essential property of a free government to depend on no other soldiery but its own citizens for its defence, so in all such free governments, every freeman and every freeholder should be a soldier. A freeholder that is no soldier does as much as in him lies, that he should be no longer free: for if the same spirit was to become general, there would be no soldiery within the government; and it must either cease to be defended and secure in its freedom, or seek its defence in foreign assistance, and so be no longer independent. Every man, therefore, that wishes to secure his own freedom, and thinks it is his duty to defend that of his country, should, as he prides himself in being a free citizen, think it his truest honour to be a soldier-citizen. In such governments, composed of such men, slaves only and aliens are forbid the use of arms; while it is the right, privilege, and pre-eminence of a free citizen to bear arms in the bands of his country.

'Tis base and slavish not to be allowed to bear arms in his own country's defence: 'tis perfidy and treachery in a free citizen not to be willing so to bear arms. But to affect to bear arms, and not to know or learn the use of them—is worse than slavishness and treachery; it is cruelly, with aggravation, to mock his country in its distress.

Let therefore every man, that, appealing to his own heart, feels the least spark of virtue or freedom there, think that it is an honour which he owes himself, and a duty which he owes his country, to bear arms; to know the use of them, and to be willing, with his life, to bear and use them for his country. If he once is conscious that he ought to learn this duty, he will soon know it; for there is neither difficulty nor mystery in it. There are many things which a soldier, whose whole time is devoted to that service alone, may learn and acquire the practice of, that a militia cannot spare the time to learn. There are also many things which are necessary for a soldier who is enlisted, and in pay for that service only, to learn, practice, and do, which are not at all necessary for a militia.

The regular soldiery is composed of men, who, for the most part, never bore arms, and are totally unskilled in the use of them: 'tis therefore, in the first place, absolutely necessary that they, as individuals, should be taught to handle the firelock; and as all have this to learn, 'tis right that all should learn one method.—As this method is not natural but artificial, it becomes necessary that they should be so constantly continued in the exercise of it, that the method may become habitual and almost natural; for use is second nature.

It is not so with the men who compose the militia of these countries. Every man here knows and is peculiarly expert in the use of the firelock: 'tis almost as constantly in his

hand as any of his implements of husbandry or of his trade. As an individual therefore, he knows already better than six days, or six times six days in a year, would teach him, the use of his arms. If it be expected that he learn the one uniform exercise prescribed, while he has a peculiar method of his own in handling his arms, a few days training in a year may, during the time he is in training, make him perform it in an awkward constrained manner; but it will no more habituate him to, or teach him to use that exercise in service, than making a man who is left-handed use his right hand six times a year, will make him right-handed. It is therefore to be considered first, what is absolutely necessary to be done; and next, what militia can be brought to do. For a little, and well is better than a great deal that is stark naught.

All the exercise of arms therefore that I shall require of the militia is, that use of them which in time of action will indispensably and necessarily be required: and as it is absolutely necessary that every man should be able to load duly and fire steadily, so he who can load the quickest and fire with the best aim will, as an individual, do most execution.

And if in action every man was to fight as a single person, I should wish every man to load and fire his own way, in that which he has been used to; and think him the best soldier who could throw the most balls into a mark in the shortest time.

But as in service the whole is to act as a one united body, and against a body of men—something more and something different is required, though in my opinion very little more, with very little difference, will serve the purpose.

And first, whatever method a man has of loading and firing by himself, when he acts in a body of men, it must be such as not to interfere with

his neighbour, nor to interrupt his acting, or obstruct his arms: for so the service of both would be lost; and as far as the obstruction or embroilment of arms reached, so far would the service of all be lost. Every motion therefore that he makes with his firelock, must of absolute necessity be right up and down directly before him, or in a direct line, from front to rear in the space betwixt him and his right hand man, as I will presently more particularly describe. The same is also absolutely necessary to be observed in every motion he makes with his bayonet, either while he is fixing it, or when it is fixed.

But further, when a number of men are acting together in a body in close order as they should, if one falls back to load while another advances himself to fire, the consequences of such interfering motions will be, as it has always been found to be, that they will wound and destroy more of one another than of the enemy: it is therefore absolutely necessary that they learn to load and fire as near together at the same time as can possibly be, for the reason just mentioned; it is absolutely necessary for their own safety; but it is not less absolutely necessary to do effectual service against a body of men.—The killing one or two at a time in such a body, will not dishearten, weaken or break them, so that they may be forced; but the fire well aimed of a number together, if it take place, will fall so heavy and destroy at once so many, as will make great gaps in and tend to dishearten, weaken, and break any body of men in the world.

As therefore, that individual, who by himself can throw the greatest number of balls into a mark in the shortest time, is the best soldier; so that division or platoon, that giving the closed and heaviest fire, can throw the greatest number of balls in a mark in the shortest time, is *the best and most effectual body of soldiers.*

All that I have said hitherto relates only to a *body of men fixed on that spot* where they come to action: but *that a number of men should move together in a body*, that they may be able to march with different fronts as the road or pass will permit; that they should be able to take possession of their ground in different forms, as the nature of the ground requires; that they should be able to change and vary their form even in time of action, as the strength, position or motions of the enemy may make necessary;—and finally, in case of their being broken, that from small and lesser parties they may be able to perform these things, which are absolutely necessary, and not more than are necessary, you should divide your regiment into parts by divisions, and the companies into lesser subdivisions; draw up these lesser divisions on different grounds, and teach them to form themselves from such into companies; and further teach those companies, thus collected, to form themselves into regiments, taking their proper posts: to do this, it is first absolutely necessary, that you teach the men to perform their facings—and to open or close their order.—It is also absolutely necessary, that the regiment and companies be taught to wheel and march by these several divisions. As these evolutions are contrived to form a number of men, (which, without such order, would be a meer mob, or rabble-rout) to form them, I say, into one body, that shall act as it were with one soul, as they are contrived that such body should take different forms and positions, and move different ways, without confusions or ceasing to be such a one formed body. Any of those more intricate evolutions, such as doubling the files, either by half files, or half ranks in divisions, such as I fear would never be learnt with exactness, nor executed with an

habitual readiness, would, in my opinion, waste much of the men's time in learning; and when wanted to be done in action, being done imperfectly, would rather throw the body into confusion, and tend to break it, than to preserve its order and unity; but besides the danger of confusion and utter breaking, in attempting to perform what will be never executed in service, it is clear from Mr. Bland, that the end to be derived from this doubling of files by division, namely, for the readier passing of defiles, bridges or passes, may be gained by a much easier and plainer motion, "When a battalion, says Mr. Bland, is straitened for want of room that they cannot march the whole in front, an entire platoon should be ordered to fall back and march in the rear, till the interval will allow of its moving up." In the same manner, when a battalion is marching in divisions, and comes to some defile, bridge or pass, where the whole cannot march in front, the right or left half division should be ordered to fall back and march in the rear of the other half, till the ground will allow of its moving up. Many things, says Mr. Bland, that might be greatly useful, and of the utmost service, were they so perfectly learnt as to be executed with an habitual readiness, should never be practised, where, through a want of constant training and military discipline, the officers cannot be supposed to have a thorough ready knowledge of the service; and where we know the private men, as in the case of militia, cannot be brought to be very exact; in such case, it would be infinitely dangerous to attempt it.

Upon this idea of the very great danger there is in dividing a battalion into such divisions as a militia would neither understand, like, nor learn; such as would therefore rather tend

to weaken, confuse and break that battalion, than order, form and strengthen it: upon this idea it is, that I shall by no means recommend to the militia that method of forming a regiment by grand divisions, sub-divisions and platoons, which is used amongst the regular soldiers. A militia soldier is never so hearty and confident in his service and action, as when side by side to his neighbour, his friend, his relations, and united with them; never so well satisfied in his duty of obedience, as when under the command of his own officer, who he knows is his neighbour, his friend, perhaps his relation, and acting under the same circumstances, the same principles and interest as himself. Those divisions therefore of a battalion which may possibly divide and disunite a man from the company of his friends, and by the usual method practised in the regular service of posting the officers, may make such fall under the command of some officer in a regiment that he is a stranger to, and who is unknown to him, and with whom he is under no natural connections: the forming a battalion I say, by those divisions, and that method of posting the officers, does by no means suit the spirit of a militia.—Besides, no man, without constant and continued training (which cannot be the case of militia) will ever learn to know the several divisions and platoons to which he belongs: the battalion therefore by that means would be in confusion; and if ever broken, either by the interruption of broken ground, or thick woods, or the force of the enemy, would never be able again to rally and form.

The regiment is naturally divided into *companies*; which, generally speaking, are so nearly equal, that

they may very well serve in the stead of what is called grand-divisions. Instead of sub-divisions, I would divide the companies into two parts; the Captain to command the right division, the Ensign the left, and the Lieutenant in the rear: this I call dividing the battalion into *commands*, as all the divisions are commanded by officers. As it will be necessary still further to divide the battalion,—I would divide these commands into two parts; the right *party* to be commanded by the commission officer, the left by a serjeant. As those small bodies of men which are commanded by non-commission officers are called parties; I call this, dividing the battalion into parties. So that instead of the artificial division of the battalion into grand divisions, sub-divisions, and platoons, which must constantly vary according to the number of the battalion, and which consequently a militia soldier, and perhaps the officers would never learn to know, I divide the battalion into *companies, commands and parties*—that is, the Captain's * command of his company, the subaltern's command, and serjeant's parties: these divisions are what they will be constantly used to, and will know; it is impossible they should be ignorant which company they belong to; they could never be ignorant under which of the subaltern's command they fell; and it would be as easy as knowing their right hand from their left to know which division of this command, namely, whether the subalterns, or the serjeants they belonged to, and for the same reason I would never have the drummers otherwise posted than at their respective companies; so that whether the battalion was ordered to wheel, to march, to

* I think (and will hope some time or other to effect it) that every company should have its own distinct colour, or banner, as a standard to which to repair, and at which to rally in case of disorder or being broken.

fire,

fire, or do any other service, by these divisions every officer knowing his own command, or party, and every man knowing to what division he belonged, it would be done with ease, and without confusion.

Upon these principles-above laid down, it appears to me, that the following system of discipline is all that is necessary for the militia. But if there be any Colonel or commander of any independent company that thinks his regiment or company can learn more, if they learn it well, so much the better: but what follows, being absolutely that which each man as a soldier should learn, and all as a military body be able to perform:

ORDER.

It is my order, that every Colonel or commander of a company in the foot do train their men in the following exercise: and that the pains and penalties prescribed by the several militia laws of this province for disobedience, or neglect to learn, &c. be levied for their disobedience or neglect to learn, practise and perform this, and no other.

T. POWNALL.

ARTICLE I.

Of forming the battalion.

The companies must take their post from right to left according to their seniority, except the grenadier company, which is always upon the right, each company to be drawn up in three ranks; for as the forming it into six ranks by front and rear half-files is only for the sake of performing that part of the manual exercise which is not here required of militia, the forming them into six ranks is needless. The opening of files is also needless; for that part of the exercise only, which is performed in close order is here required.

As I have above shewn the reason why I do by no means approve of

the officers in a battalion of militia being posted, according to the method that is called, taking their post in battalion:

It is here directed, that the Colonel take his post in the front at the center: the Lieutenant-colonel in the rear at the center; the Major upon the right in the rear; the Adjutant upon the left in the rear, moving as occasion in service shall require; and that every Captain, or Captain-lieutenant take his post at the head of his command, upon the right of the company; and the Ensign upon the left; the Lieutenant in the rear; one Serjeant and one Corporal in the same rank with the privates, but upon the right flank of the front and rear ranks; one Serjeant and one corporal, with the Lieutenant in the rear; the Drummer of each company in the rear of their respective companies, at the center. Each Captain is then to subdivide each of these commands into two equal parts; and when the regiment is ordered to march, wheel or fire by *parties*, the left part of each command is to be given to a Serjeant.

And this general rule is to be observed, that in marching every commissioned or non-commissioned officer, who commands any of the above divisions, is to march at the head of his division; but in wheeling or in the firing, to fall in with the ranks upon the right flank of his command.

I post the Lieutenant-colonel, Major and Adjutant as above, because they must be so posted in action: and I do propose that the battalion should perform no exercise but what is necessary in action.

The EXERCISE.

The ranks are to be two feet asunder, from heel to heel: the files take up about twenty-one inches when their elbows touch, each man keeping his

his arms close to his sides : each man stands with his heels four inches asunder, his toes turned out : the firelocks (in this exercise) are carried with the

left hand under the butt, the left arm a little bent ; but at all other times are to be carried as usual.

Words of command to be given by each officer who commands a division when in service.

Words of command to be given when instructing the men in the exercise.

EXPLANATIONS.

	Take care,
	Rest upon your arms.
Fix your bayonets.	Fix your bayonet.
	Shoulder.

A perfect silence, the utmost attention and steadiness, are absolutely necessary to be observed both by officers and men at all times when under arms ; but more especially when they are formed for going through the firings, not the least motion is to be made but what is directed in consequence of the several words of command. This, therefore, cannot be too strongly enforced on young soldiers particularly.

1. Your firelock being upon your left shoulder, held with the left hand in the usual manner,—lower the left hand, thus lowering down the firelock, as low as your arm will permit ; then with your right hand seize it by the barrel close by your left shoulder, and with your right hand bring the firelock directly before you, setting the butt-end upon the ground with the muzzle right up, and both hands seizing the firelock about the sight.

2. With your right hand draw your bayonet, bringing it directly before you, then turning the point right up, and bring the handle close to the muzzle of your firelock : fix it on firm upon the sight.

3. With your left hand fixed just below the bayonet, lift your firelock right before you in a perpendicular posture, and with your right hand seize it just under the lock, still keeping it right up, then turning your firelocks with the right hand, bring it opposite to your left shoulder, the barrel outwards, and place the butt in your left hand, so as your thumb

Words

Words of command to be given by each officer who commands a division in service.

Words of command to be given when instructing the men in the exercise.

EXPLANATION.

<p>Fix your bayonets.</p>	<p>Shoulder.</p>	<p>and forefinger may be above the swell of it, and the three fingers under the butt, the piece upright, but sunk so as to bring the guard a little lower than the left breast.</p> <p>Let the firelock fall upon the left shoulder, throwing back the right arm so as it may hang strait along the right side, the bottom of the butt being then just above the hip-bone.</p>
	<p>Recover your arms.</p>	<p>Raise the firelock with your right hand (as if to poize it) at the same time turning the barrel inwards, and seizing it with the left hand, just above the feather-spring, the elbows raised, and the hammer about the height of the breast.</p>
	<p>Handle your cartridge</p>	<p>Step back with the right foot so as to bring that heel four inches behind the left heel, facing full to the right, at the same time bring back the firelock almost level, or upon a balance with the left hand just above the lock, keeping close to the body, but so as to be clear of the pouch or cartridge box.</p> <p>Open the pan. Bring down your hand to your pouch or cartridge box, and taking out your cartridge with the two fore-fingers and thumb, bring the end of it into your mouth, the right elbow a little raised.</p>
<p>Prime and Load.</p>		<p>Bite off the top of the cartridge paper a good way down, and placing immediately your thumb upon the mouth of it, bring it opposite to the pan, the cartridge being held upright.</p>
<p>Prime.</p>		<p>Shake carefully the powder into the pan, then—covering the mouth of your cartridge with your thumb, bring the two last fingers behind the hammer.</p> <p>Shut the pan with the two last fingers, and pushing down the butt, cast back the muzzle of your piece,</p>

Words of command to be given by each officer who commands a division, in service.

Words of command to be given when instructing the men in the exercise.

EXPLANATION.

Prime.

catching it in the hollow of the right hand, letting the firelock slip through the left hand, till the butt comes to the ground, and opposite the left toe, the piece in turning up must be kept close to the body, the cartridge (covered with the thumb) close to the muzzle in a line with the barrel, the right elbow turned down.

Load with cartridge.

Put the cartridge into the barrel, shaking out the powder. And, Push the ball into the muzzle with the fore-finger, seize immediately the butt-end of the rammer with your thumb and fore-finger.

Draw your rammer.

Draw your rammer as far as you can, and catching it again with the right hand, the thumb and fore-finger turned downwards

Prime and load.

Ram down your charge.

Clear it of the pipes, turning it immediately, and placing the butt end of it against your breast, shorten it, and bring the end of it into the muzzle upon the cartridge.

Ram down the charge quick, and with good force; at the rebound of the rammer catch it close at the muzzle of the piece, the thumb and fore-finger turned downwards. And,

Drawing it out of the barrel turn it, shorten it against your breast. And,

Return your rammer.

Bring the small end just into the first pipe.

Push the rammer down, through the pipes, and immediately pressing the muzzle of the piece towards the front.

Raise the firelock with your left hand, bringing the right hand under the lock, the piece then being held in both hands, the barrel upright.

N. B. The coming to shouldered arms after having loaded, is the usual and in most cases the best method, to keep the fire together. But I would also

<p>Words of command to be given by each officer who commands a division in service.</p>	<p>Words of command to be given when instructing the men in the exercise.</p>
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EXPLANATION.

Prime and load.

Shoulder.

also have them taught the following method, viz. as soon as all are loaded to come directly to presented arms.

Face to the left, bringing your right heel within four inches of the left, at the same time bring the firelock opposite to the left shoulder, in the same manner as before directed when coming from resting on your arms to shoulder.

N. B. The firing quick depends chiefly upon the quick loading, and that chiefly upon the dexterity of drawing the rammer, ramming down and returning the rammer. This part of the exercise therefore requires great practice and attention.

SECOND PART.

Take care.

The words of command for firing and loading are

Join your right hand to your firelock.

As before.

Recover your arms.

Turn the firelock with your right hand, the barrel inwards, catching it with the left hand above the feather spring, and raising it from your shoulder with both hands, bring it before you, the firelock being then quite upright, the right thumb upon the cock, the fore-finger of the right hand upon the trigger, the right elbow raised, the hammer at the height of the breast.

Make ready.

Cock your firelock.

Bring down the right elbow briskly close to the breast, with that motion straining down the cock with the right thumb at the same time.

The front rank steps back with the right foot, three feet in a direct line to the rear, kneels on the right knee, the perpendicular line of the body falling about twelve inches behind the left heel, the body by that means being properly poised, the butt end

<p>Words of command to be given by each officer who commands a division in service.</p>	<p>Words of command to be given when instructing the men in the exercise.</p>
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EXPLANATION.

of the firelock at the same time being placed upon the ground in a line with the left heel, the center rank steps back with the right foot, one foot in a direct line to the rear, by that means bringing their right foot just behind the right foot of the front rank, the firelock kept in the same position as at first.

The rear rank steps with the right foot to the right, till his toe touches the hinder part of the left heel of his right hand man, at the same time bending his right knee a little, so that his body may be opposite to the interval of his file leader, and the file upon his right.

The firelock in the same attitude as that of the center rank.

Bring down the muzzle of your piece with both hands, throwing forward your left hand as far as the swell of the stock under the barrel, placing the butt end in the hollow betwixt your right breast and shoulder, pressing it close to you, at the same time taking your right thumb from the cock (but keeping your fore-finger on the trigger) both arms close to your body: the center rank levels a little to the right of the front rank, the rear rank levels through the interval of his file leader and right hand file, the whole taking good aim, by leaning their heads to the right, and looking along the barrels.

Draw the trigger briskly with your fore-finger, and immediately upon firing, the front rank rises, all the three ranks bringing their right heels four inches distance behind their left heels, at the same time bring back the firelock almost level as before directed, the right thumb upon the cock, the right elbow raised, the ranks then facing full to the right.

Words

Present.

Fire.

Fire.

Words of command to be given by each officer who commands a division in service.	Words of command to be given when instructing the men in the exercise.	EXPLANATION.
	Half-cock your firelock.	Strain the tumbler to the half-bent with your right thumb, bringing down your right elbow, which by that means adds to its force.
	Handle your cartridge.	
	Uncap your cartridge.	As before.
	Prime.	
	Shut your pan.	
	Load with cartridge.	
	Draw your rammer.	
	Ram down your cartridge.	
	Return your rammer.	
Fire.	Shoulder.	As to the use of the bayonet, I have nothing particular to direct, except that upon a supposed case of being attacked by horse, I would have the following mode of exercise observed, that the front rank kneel with the right knee, and fix the butt end of the firelock on the ground against that knee, holding the firelock very slanting upwards; and the center rank to advance in as close order as possible, advancing at the same time their bayonet on a level in the usual way.

T H I R D P A R T .

	Half-cock your firelock.	After the battalion has finished the firing by making a general discharge, the arms are to be cleaned, and bayonets returned as follows:
	Clean your pans.	As in article 7th of the 2d part.
Shut your pan.		Bring down your firelock as in the 3d of the 11th command of the first part, taking the wiping cloth out of the pouch, bringing it up to the pan, cleaning it, then shutting the pan as when you held the cartridge, and casting back the muzzle as if to charge.

Words

Words of command to be given by each officer who commands a division, in service.	Words of command to be given when instructing the men in the exercise.
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EXPLANATION.

Return your bayonet.

Clean your bayonet

Unfix your bayonet.
Return your bayonet.
Shoulder.

1st, Clean your bayonet with your wiping cloth, and returning the cloth into your pouch.

2d, Seizing the muzzle of your piece with your right hand, bring the butt to the ground a little advanced before the left toe.

3d, Face to your proper front. And,

4th, Bring up your left hand under your right as when rested upon your arms.

As before.

N. B. In practising the exercise, the men should be taught to do all the motions with great briskness, and as it were with a spring, which not only helps to mark the time, and distinguish the motions, but gives spirit to the men themselves.

EVOLUTIONS FOR THE MILITIA.

The Facings.

Face to the right. 3 Motions.

Bring the firelock to a recover, as in explanation, tell 1, 2, and face on the left heel to the right a quarter of a circle, keeping the firelock recovered. Then tell 1, 2, and come nimbly to your rest, stepping back a little with the right foot as in explanation.

In the performing of the second motion, which is the facing, the soldiers must take care not to move their left heels from the ground, but only to turn on them, that they may keep their ranks and files straight; as also to place their right feet in a line with their left, keeping their firelocks in the true position of a

The

The Facings.

Face to the right. 3 Motions.

Face to the right about. 3 Motions.

To the left about as you were.
3 Motions.

Face to the left. 3 Motions.

To the left about. 3 Motions.

To the right about as you were.
3 Motions.

recover, till they perform the third motion which is the rest.

Each of these words of command must be performed at three motions, as is above directed in explanation, which compleats the circle in four times.

This is performed at three motions, as in the foregoing explanation, only they face half the circle to the right.

This is done on the left heel, as in the above explanation, only they face half the circle to the left, which brings them to their proper front.

These facings must be performed in the same manner as those to the right on the left heel, with this difference only, that they face to the left.

} This is half the circle to the left.

You are to face half the circle to the right, which brings you to your proper front—and compleats the facings.

M A R C H I N G.

The general rule is to teach them stepping off with the right leg, to step so nearly equal that the ranks may not be broke, but be kept as near as may be in a right line. They must first learn to do this by companies; they will then soon learn to do it in the whole battalion.

* The time of the step, whether in quick or slow motion, may be given by a quicker or slower, repeating of a stroke upon the drum, exactly as in common practice in the country dance the step is formed by the tune.

* The drum (says Machiavell, in his Art of War, B. 11, c. 12) advertises how the soldiers are to march with a motion suitable to the time which it beats, which is a great preservation to their order. For this purpose, the antients had their flutes and pipes, which made an excellent harmony. As he that dances and keeps himself exactly to the time of the music cannot err. So a military body, that in its motions observes the tactick of the drums, cannot be easily disordered.

As the paths and ways, by which a regiment or company may be obliged to march in the woods, will not admit of the battalion's marching even by the smallest sub-division, it is directed, that you teach them to march whole companies, and even the whole battalion by files, in the following manner, *viz.*

To face the whole regiment to the right or left, as the defile or narrow pass shall happen to be on the right, or left, and march by files, with the officers so upon the flanks, as to be

at their proper posts when the regiment faces to the front:

WHEELING.

They should be taught to wheel by companies, commands and parties, according to the above division of a battalion. In performing of which, the following general rules are to be invariably observed:

“ All wheeling is performed in close order by the center and rear-ranks closing up to the front rank, so as to be within a pace of one another.

The circle is divided into four equal parts.

Wheeling to the right or left, is only one quarter of the circle: wheeling to the right or left about is one half of the circle. When the divisions or parties wheel to the right the men are to close to the right, so as to touch each man his right-hand man, but without pressing him, and to look to the left, in order to bring the rank about even.

When the divisions or parties wheel to the left, the men are to close to the left, and look to the right, as above directed, by subdivisions with their ranks open; then each rank wheels distinctly by itself, when it comes to the ground on which the rank before it wheeled; but not before.

It will likewise serve for a rule for the front rank, in all wheelings, whether that of the whole battalion or grand or sub-divisions: but the rear-ranks, when they are closed forward, being to wheel directly in the rear of, and at the same time with the front-rank, must incline a little to the left, when they wheel to the right, in order to keep directly in a line with their file-leaders.

In wheeling, the men are to take particular care neither to open nor close their ranks, and to carry their firelocks high and firm on their shoulders.

In wheeling, the motion of each

man is quicker or slower, according to the distance he is from the right or left: thus, when you wheel to the right, each man moves quicker than his right man; and in wheeling to the left, each man moves quicker than his left-hand man; the circle that every man wheels being larger, according to the distance he is from the hand he wheels to; as may be seen by describing several circles within one another at three foot distance from each; which is the space every man is supposed to take up.

General Observations on the Militia of New-England, with a reference of Opinion, how a NATIONAL DEFENCE may be formed in Old England, 1779.

By returns of the rateable polls in the province of Massachusetts-bay
They were in 1761 — 54,000
in 1771 — 73,000

The alarm lists do not differ much from these—And I will venture to give the training list of that province for the year 1771, 40,000: I have heard they were called 45,000, but I think that above the number: I have, on the other hand, stating it at 40,000, taken it rather below.

At the same period	}	16,000 Foot
the Militia of the province of New-Hampshire,		1,300 Horse
		<hr/>
	Total	17,300
Connecticut	—	26,206
Rhode-Island and Providence Plantations,	}	18,000, at or near.
		<hr/>

Total
New England — 101,506

Experience has evinced that this is the best form of a national defence; and I am persuaded, that any free country which means to form a national defence, such as would come within a practical expence, and be ready

ready for and answer (under the different and varying form of its exertion, as the degree of danger approached, and the threatened impending or actual attack required) every purpose of awarding off the blow when the stroke was struck, and of keeping it off at a distance in time to come, must form its military force into some model of this sort.

Such a *standing regular army* as shall be adequate to all times, places, and circumstances of defence against invasion, must exhaust the resources; and, from the concomitant regulations necessary to it, in time draw on an *actual change of constitutions in any Free State*.

The nearer that any militia approaches to the model of a standing regular army, so much is *the basis of the national defence narrowed*; so much are all the dangerous consequences of a standing army, in the most dangerous, because least suspected way, brought into operation.

National defence is founded on this *principle*, "that all the inhabitants of this kingdom held their estates under a general service, which by common right they are bound to perform, viz. in time of danger, to join in defence of their country: this is the common fealty or allegiance which all men owe; and which, if neglected or refused, renders the party guilty of treason against his country, and his estate under the penalty of forfeiture." This principle inspires the whole system of militia laws from the times of the Saxon Government until the present system of militia took place. And practice, according thereto, is confirmed by history, invariably through the whole period, until the present times.

But I will neither enter into an explanation of the principle, nor go into a discussion of the practice of arming the force of the kingdom.—I will suppose that neither such princi-

ple, such law, or such practice, ever existed, or at least *that it is now abolished*,—and will take up the idea of forming a *national defence*, simply on the point of *utility* applied to the supposed case, "That this kingdom is not in its resources equal to the forming and keeping up a fleet equal to face the combined fleets of the united House of Bourbon, and at the same time to protect and defend its dependencies; keeping up also at the same time a regular standing army, which shall be equal to the internal defence of the several parts of the empire, in case that our fleets should be beat, and an invading army actually landed in any of such parts."

The defence of this empire in its realm, which is an island, and liable to be invaded by any power which commands the seas, *must be formed, in the first instance, by a fleet*; and the fact is, that until the policy of the government of it took up this form of defence, or where and whenever it neglected it at sea, *every invasion* which was ever attempted, from the time of the Danes down to the Revolution of 1688, *took place and effect*.

Our first effort and exertion, therefore, must be made to establish our maritime power.—And we must either give up the contest, or go on to encrease our navy, and naval armament in every shape of it, so as to maintain a superiority over our maritime rivals in all parts of the empire. There are resources, if not perverted; there is a spirit, if not ill-treated, in the country to do this.

The great question arises upon the next step, whether having thus made our efforts nearly to the utmost of our resources in this form of defence, the resources of this country can at the same time *keep up*, in whatever shape it appears (or as a regular, or as a militia) a *standing army* equal to the defence of the various parts of the empire.

If this can be done, and *there is no danger in the over-balance of such a military force*, and all its necessary constitutions and regulations, all is right, and as it should be. The question is decided, and every one should give his aid to its execution.

If this is neither practicable, nor (as some think) prudent for the country, although practicable, *the consideration of the public should be turned to some national defence*, which, although always ready to turn out under arms, shall not be a constant draught and drain upon the resources of the country, elsewhere wanted and necessary; and which, although a force not to be despised, but to be respected, by any foreign enemy invading the land, never can be either dangerous, or even suspected at home by the civil, being actually the internal force of the community itself.

Those who consider this enquiry, either by reference to old times, and the experience and practice of ages in Old England, or recur to the existing example of the militia in New England, as given in this paper, will find that the country always has been, and at all times, and under all circumstances may be, divided into military districts, by wapentakes, free pledges, laths, parishes, wards, or by and under any other descriptions.

Old England, from the times of the Saxon government, through those of the Norman deviations, to the restoration of our constitution, has been always so divided: and New England is now actually so divided, and not one whit, for that reason, the less free.

Under this division, every corps of such a national militia should be embodied by, and consist of, the dwellers and inhabitants of each local district, thus united in vicinage, in pledge, in families, and relations, standing by and for each other.

The country being thus divided, and formed by its corps of districts for the array of all, as stated on the *alarm list*, the next consideration proceeds to the division of men into classes on the *training list*.

First, every freeholder to the amount of _____ landed property, should be obliged, when the law calls for his service, to appear at the muster, and to perform that service *at his own expence*.

Observe, I do not here mention the arms, because the present state of our laws makes that a separate consideration.

Secondly, every tenant holding lands to the amount of _____, should likewise, when the law calls for his service, be obliged to attend, and do such service at his own expence.

How far Papists may be suffered to serve in arms; or how far the friends called Quakers, may be excused from bearing arms, by hiring substitutes for them, is a separate and posterior consideration.

Freemen, neither freeholders, nor holders of lands as tenants, but members of some corporation, should be considered and enrolled, as bound to serve within, or to become a soldier of, the corps formed within the precincts of such corporation, according to regulations that may suit the peculiar circumstances of towns corporate: but if not so enrolled, or if not by assent, or personal duty so serving, should be classed where he resides in some of the ranks of the class of men, who are neither holders of land nor freemen.

The next class of men are, those who are neither freeholders, nor tenants renting land, nor freemen members of a corporation.

These are men holding offices or places; or exercising, having, and following professions; or negotients in commerce; or exercising trades, or carrying on manufactures; or labouring husbandmen, labourers serving

ing trades; actual manufacturers, or journeymen and labourers serving manufacturers, or domestic servants.

These persons within the several districts wherein they dwell, and follow their profession, or exercise their trade and calling, or are labourers or servants, might, according to a custom long practised in a very free country,* without endangering the rights, privileges, or liberty of the individual, be rated *according to their faculty*, with power of appeal, and swearing themselves off. Every man whose rate amounts to equal that of a freeholder, who is required to serve without pay, shall be enrolled on the *alarm list*; and when the law calls for his service, shall attend the rendezvous, and actually serve *at his own expence*. All and every other individual, capable of bearing arms, should be alike bound to muster within his respective district, in order to be enrolled in his respective company or troop; and in time of actual invasion, to serve as a soldier of militia, *but to receive pay*; and at all other times to be ready to perform such training, and to do such duty in his turn as is required of the class he is rolled in.

The mode of making the rates for assessing the pay of this national defence, the militia, comes next therefore into consideration.

It has been before stated, that every freeholder of lands to the amount of _____, and every tenant holding land to the amount of _____, and that every person rateable for his *faculty*, and rated at the amount of _____ shall serve without pay.

But each of those should also be obliged for every repetition of such respective amount, in his said respective holding, or faculty, to be assessed and to pay _____ towards the subsistence of those who are obliged to serve, but are to receive pay,

Every person holding lands, either

as freeholder or tenant, but under the respective amounts, at which each respectively is to serve at his own expence, and every person rateable for his faculty, but rated under that amount at which he is to serve at his own expence, should be assessed, and pay a portion to the common subsistence, in proportion to the amount at which he is rated.

Thus much is sufficient to explain the general average and enrollment; also the provision for the pay of those who serve.

Although it is the duty of every freeman to know the use of arms, and to be able to use such, as well as bear them, in defence of his country; and although every individual on this enrollment, or *alarm list* should be trained to arms: yet the civil offices to be administered and executed in the civil departments which are necessary to the carrying on and supporting government; the several necessary applications of labour to the produce of the land and sea; the several trades, manufactures and occupations which are necessary to the support of the community, renders it impossible to train and exercise the whole alarm list in such manner, *as part thereof should of course, and of necessity, be trained in.*

Here then comes in the consideration of selecting from this enrollment, or alarm list, those who are to be trained to learn, in exercise, all military duties.

In the first place, all those whose property or faculty amounts to that rate, whereat they are to serve at their own expence; all officers civil and military; all magistrates and servants of the public, in the state or in the church; all such whose occupations or labours are necessary to the going on of the business and subsistence of the community; although they should be enrolled and

* America.

remain on the alarm list; should not be put on the training list.

Whereas, on the other hand, all those who, when serving, are in the predicament of receiving pay, seem to fall naturally into the training list, the exception of persons excused from training, or actually serving in the *standing militia* cannot be drawn. These exceptions must be of course particular, and must arise out of the special cases; and power should be somewhere lodged to consider and adjust them.

Out of this training list (if a *standing militia*, in the form of a standing army of professional soldiers, is thought necessary, over and above the regular standing army) might be selected by lot, such a *standing militia* as the present laws have established. And these should serve their tour of duty for a fixed and defined time only, so that other like numbers may be, in like manner, by lot selected, in a certain routine of duty, till all have served. But even those of the training list who have not yet been called out and embodied, or who having served their tour of duty, are again returned, should be trained by some such short exercise as above described, to a certain degree; the first so as to prepare them for duty when called upon; and the second so as to keep up the knowledge and habit of military exercise. This training should only be within their district, and within their local corps, by three or four days exercise in the year, at such times as their officers, with the advice and consent of the magistrates and civil officers of the district, shall find most convenient and least burthensome.

It is impossible to state any rule for the forming of this roster of duty in the training list. That must accordingly adapt itself to the nature and circumstances of the people in each district; and derive from the nature and circumstances of the dis-

trict itself, as the wisdom and prudence of those who are to form this roster shall see it may be best done.

Who these persons shall be, that are empowered to form this roster, is the next consideration. It occurs to my poor experience (always looking for a guard over civil liberty) that this may be best done by the deputy lieutenants and justices separately or jointly, by and with the advice and consent of the magistrates residing in, and the parish officers of each district. This appears to me to be the only way to provide for the best effect of the service; and to be the safest way to guard against inequality and injustice, and against the oppression of the people.

I have said nothing about those individuals, who are freemen and members of some town or body corporate, having exclusive jurisdiction. And I wish to say nothing:—My ideas of these matters are such, and consequently what I should say would be such, as might give offence and do no good.

On the point of arming the militia I can only say, that as the policy of government, leading the country gentlemen by a spring of a selfish and unwise motive, respecting their game, has totally disarmed the people; the arms, which the militia must bear and use, can be only those which the crown supplies. Whether the crown will choose to lodge, in every military district, arms and ammunition for the whole alarm list, or only for the training list, and of those only for the part which is embodied and in actual training, or whether the legislature will direct that the country, each in their respective district, shall provide these arms, and their proportion of ammunition at a common charge, I shall not enter into these matters, creating questions of state, which the *state only can determine*, but which it *behoves the country now and then to think of*.

Now

Now as that class of the body of the people, who, from their *rate of property*, are to serve at their own expence, demand somewhat different consideration from those who, serving, receive the pay of their country; these, with their friends, might form (such as I have seen in New England) bodies of horse attendant on each regiment, Or they may be, as less sedantary and more active, suited, many of them, for light infantry, many of them for grenadier companies, that would give the patron and example to the rest of the regiment; or, being able to purchase artillery, might form themselves into companies of a field artillery attached to their regiment.

Amongst the manufacturers, there seems also to be in many branches, a certain training in the way of their business, which marks the individuals who labour at such, as suited for the artillery; and where that happens within the district of any regiment, that regiment should always have a field train: some of the regiments of the province of Massachusetts Bay, began to have such in my time.

In seaport towns and maritime districts, those individuals of the training list, who have been bred to serve at sea, and are employed in that occupation, should be excused from training or serving at land, and should stand so marked on the training list, on condition of their being forth coming to serve *their tour of duty*, on board any of his Majesty's ships of war, either as mariner or seaman, in case of threatened, impending, or actual danger to the realm.

Thus much for the out-line. But when I review this *plan of a national defence, formed upon the New-England model*, several very important considerations, that touch the state of Old England, offer themselves; and several questions of very delicate

and interesting discussion arise from those considerations.

The first thing which strikes me, is, that every person here will call this mere theory, and decide at first sight, that no such plan can ever be adopted in England, or carried into execution. Yet, trusting to past experience for future events, I will be bold to assert, that unless this country gives up its navy, or gives up the contest with its rivals, submitting to take an inferior station amongst the powers of Europe, or finds out some new, and as yet, unknown mines and sources of treasure, *some such national land defence, or some such plan as this, must and will be established.* For the keeping up such a navy, and such a standing land army; at the same time as are (under the present state of things) at all times necessary, cannot be a measure of many years continuance. However much therefore statesmen, and even country gentlemen, from their knowledge of business (superior to any thing which my experience in the late successful war may have taught me) may misprize these my ideas, I have ventured to suffer them to be published, as matters which sooner or later must become important.

A question arises here, whether, if a national land defence was once fairly established on this model, that is, if the whole of the men of the country, from sixteen years of age to sixty, were enrolled, as obliged to serve in case of actual invasion, if a part of *this Alarm list*, was by law appointed to *train*, and also to turn out and serve in ordinary cases of war, likely to come home to the realm; and if a part of the persons on this *Training list* were selected in tour of duty, as a standing and regular army, whether any other standing professional army would be necessary, except the King's Guards,

a body

a body of horse, a train of artillery, a body of marines, and garrisons for our several fortresses at home and abroad. It hath appeared clearly, from what has already been effected, that our regimental militia officers are, in every respect, equal to those of the regulars of the same ranks. The militia are not allowed (as not supposed capable of it) to arise to the rank of Generals; and yet, what service does our insulated situation offer towards the training up the regulars to Generals? To pursue this subject would be invidious: this paper means not to descend to particulars; and the less we say about Generals the better.

If, however, the circumstances, and consequential constitutions of this country have, by degrees, taken such a form, that *a standing army of professional soldiers* has become, as it were, *engrafted, and grown up from that engraftment as, de facto, a branch of the constitution*, why do we keep up all that antiquated, prudish squeamishness about it, so as not to suffer it to be lodged in barracks, where it may be maintained in good œconomy and discipline, and so collected as to be always ready for service?

If the politics of this country, admit (though it will not decide) that *a standing army of professional soldiers is the proper system for this country*, and the proper national defence, the force of the country should be thrown into this establishment by reinforcements, in case of invasion, from the body of the people, in time of actual war and impending danger. *But a mixed kind of regular army, composed of two different corps*, will be always so far a drawback on the force of the country, as the one force is inferior to the other, or as there is any defect of perfect union in their junction. And neither the one nor

the other will be that perfect corps which it might be, and ought to be.

In the course of these ideas, I have always been led to conclude, that our navy being carried to the utmost height it is capable of, the King having at the same time a sufficient body of guards, and a body of horse, there being also a garrison sufficient for our fortresses, and marines sufficient for our navy, and a train of artillery, if a part of the training-list is, as the present laws direct, selected, trained, and formed into a kind of regular standing army, a regular standing army of professional soldiers is no longer necessary. On the other hand, if a regular standing army is necessary, a regular selected militia army is not only unnecessary, but a perversion and obstruction of so much of the national force. To have both seems not wise; to have both, will be found soon a burthen, that will exhaust the resources of this country.

To charge our front in the face of the enemy, will not do; so we must rest as we are at present; but after the present crisis has had its operation, one would hope that this matter may be taken into serious consideration. And, perhaps, many observations leading thereto may occur, upon *experience of the many events which this trying crisis shall bring forward*.

Boston, May 27. Yesterday the General Assembly of this State convened at the State House in this State, when they unanimously made choice of Samuel Breemen, Esq. for their clerk: After which they made choice of the Hon. James Hancock, Esq. for their Speaker.

The following is a list of the names of the members returned to represent the several towns and districts in this State, viz.

For

For the County of SUFFOLK.

Boston, e Hon. Samuel Adams, Esq. Medfield, e Mr. Daniel Perry.
 Hon. John Hancock, Esq. Wrentham, Mr. Lem. Kollock.
 Thomas Dawes, Esq. Caleb Davis, Brookline, Col. Tho. Aspinwall.
 Esq. e Mr. Thomas Walley, e William Needham, e Capt. E. Kinsbury.
 William Tudor, Esq. e Samuel Austin, Stoughton, e Elijah Dunbar, Esq.
 Esq. Stoughtonham, e Mr. N. Kimbury.
 Roxbury, e Capt. Jos. Williams. Medway, Elijah Clark, Esq.
 Dorchester, Ebenezer Wales, Esq. Bellingham.
 Milton, e Captain Seth Sumner. Hull.
 Braintree, Richard Cranch, Esq. Walpole, Major Seth Bullard.
 Weymouth, Solomon Lovel, Esq. Chelsea, e Mr. Thomas Pratt.
 Hingham, Mr. J. Thaxter, jun. Franklin.
 Dedham, Jona Metcalf, Esq. Foxborough.

For the County of ESSEX.

Salem, Hon. John Pickering, Esq. Lynn, Capt. Holten Johnson.
 Capt. George Williams, Capt. Samuel Andover, Mr. Samuel Phillips, jun.
 Ward. e Samuel Osgood, Esq.
 Danvers, Col. Israel Hutchinson. Beverly, Josiah Batchelder, Esq.
 Ipswich, Hon. Michael Farley, Esq. e Jonathan Connant, Esq.
 Stephen Choate, Esq. Rowley, Capt. Benj. Adams.
 Newbury, Moses Little, Esq. e Jacob Salisbury, Major Joseph Page.
 Gerrish, Esq. Haverhill, Jona. Webster, Esq.
 Newbury-Port, Jonathan Green- Gloucester.
 leaf, Esq. Stephen Cross, Esq. Topsfield, e Mr. Zacheus Gould.
 Moses Frazier, Esq. Jonathan Almsbury, e Wm. Bayley, Esq.
 Titcomb, Esq. e Theophilus Par- Bradford, Daniel Thurston, Esq.
 sons, Esq. Wenham.
 Marblehead, e Mr. Samuel Gat- Manchester.
 chell, e Mr. Barrel Devereux. Methuen.
 e William Bacon, Esq. e Mr. Jos- Bexford, Aaron Wood, Esq.
 ihua Prentise. Middleton.

For the County of MIDDLESEX.

Cambridge, e Samuel Thatcher, Esq. Westford, Capt. Joseph Reed.
 Charlestown, Nath. Gorham, Esq. Waltham, Mr. Abner Saunderson.
 Watertown, Jona. Brown, Esq. Stow.
 Woburn, Col. Loami Baldwin. Groton, Hon. James Prescott, Esq.
 Concord, Major Joseph Hosmer. Shirley.
 Newton, Mr. Thomas Parker. Pepperell.
 Reading, Benj. Brown, Esq. Townsend.
 Marlborough, Mr. Simon Stow. Athby.
 Billerica, Wm. Stickney, Esq. Stoneham.
 Framingham, Mr. William Brown. Wilmington.
 Lexington. Natick.
 Chelmsford, Mr. A. Chamberlin. Dracut.
 Sherburne. Bedford.
 Sudbury, Capt. Jonathan Rice. Holliston, Capt. Abner Perry.
 Malden, Capt. Benj. Blaney. Pewksbury.
 Weston, e Josiah Smith, Esq. Acton.
 Medford, Thomas Brooks, Esq. Dunstable.
 Littleton. Lincoln:
 Hephkinton.

For the County of H A M P S H I R E.

Springfield, W. Pynchor, jun. Esq. South Brimfield.
 Col. Jonathan Hair. Monson.
 West Springfield, Mr. J. White, Pelham.
 Major Benjamin Ely Greenwich.
 Wilbraham. Blandford.
 Northampton, Capt. E. Hunt, Mr. Palmer, Capt. David Spear.
 Caleb Strong. Granville, Col. T. Robinson, Mr.
 Oliver Phelps,
 Southampton, Capt. Tim. Clark. New Salem.
 Hadley, Mr. Phineas Lyman. Belgherstown.
 South-Hadley, N. Goodman, Esq. Colrain, Ware.
 Amherst, Mr. John Bisling, Mr. Ebenezer Mattoon, jun. Warwick.
 Granby, Capt. Phineas Smith. Bernardston.
 Hatfield, John Hastings, Esq. Murrayfield, Capt. E. Shepard.
 Whiteley. Charlemont.
 Williamsburgh. Ashfield.
 Westfield, Capt. David Mosely, Worthington, Mr. J. Breshster.
 Major Warham Parks. Shutesbury.
 Deerfield. Eorvingshire.
 Greenfield. Chesterfield.
 Shelburne. Southwick, Mr. Abner Fowler.
 Conway, Lieut. Jona. Whitney. Norwich, John Kirkland, Esq.
 Sunderland, Capt. N. Leonard. Ludlow, Dr. Aaron J. Miller.
 Montague. Livoret.
 Northfield. West Hampton.
 Brimfield.

For the County of P L Y M O U T H.

Plymouth, Hon. J. Warren, Esq. Plympton.
 Scituate, Capt. Joseph Tolman. Pembroke, John Turner, Esq.
 Duxbury, George Partridge, Esq. Kingston.
 Marshfield, Mr. Sam. Oakman. Abington, Mr. Samuel Pool,
 Bridgewater, Oakes Angiet, Esq. Hanover.
 Major Josiah Hayden. Halifax.
 Middleborough, Mr. Benj. Thomson. Wareham.
 Rochester, Col. Ebenezer White.

For the County of B A R N S T A B L E.

Barnstable, Chatham.
 Sandwich, Col. Nath. Freeman. Harwich, Solomon Freeman, Esq.
 Yarmouth, David Thatcher, Esq. Joseph Nye, Esq.
 Jonathan Howes, Esq. Falmouth, Major Jos. Dimuck.
 Eastham, Mr. Barnabas Freeman. Truro.
 Wellfleet, Capt. Winslow Lewis. Provincetown.

For the County of B R I S T O L.

Taunton, Brig. Gen. G. Godfrey, Mansfield, Capt. Abiel Clap.
 Hon. Robert T. Paine, Esq. Attleborough, Capt. Elisha May.
 Rehoboth, Mr. Eph. Starkweather, Dighton, Mr. Abiezar Phillips.
 Mr. Joseph Allyn. Freetown, Thomas Durfee, Esq.
 Swanzey, Capt. Philip Slead, Mr. Rainham, Capt. Isra. Washburn.
 Israel Barney. Easton, Capt. James Perry.
 Dartmouth, Edward Pope, Esq. Berkley, Capt. James Nichols.
 Norton, Mr. Abraham White.

For

For the County of YORK.

York, Col. Edward Grow.	Pepperelborough, Tho. Cutts, Esq.
Kittery, Edward Cutts, Esq.	Lebanon.
John Frost, Esq.	Sanford.
Wells, Capt. Joshua Bragdon:	Boxton.
Berwick, Col. Joseph Prime:	Foyeburg.
Arundell.	Coxball.
Biddeford.	

For the County of DUKES-COUNTY.

Edgartown.	Tisbury.
Chilmark.	

For the County of NANTUCKET.

Sherburne.

For the County of WORCESTER.

Worcester, Samuel Curtis, Esq.	Dudley, e Mr. Edward Davis:
Lancaster, e Joseph Reed, Esq.	Barre, Nathan Sparhawk, Esq.
Mendon, Edward Rawson, Esq.	Bolton, e Mr. Nath. Langley.
Brookfield, e Hon. J. Foster, Esq.	Upton.
Oxford, e Edward Davis, Esq.	Sturbridge.
Charlton.	Leominster, e Israel Nichols, Esq.
Sutton, Amos Singletary, Esq.	Hardwick, Mr. William Paige:
Leicester, Major Seth Washburn.	Western, e Mr. Solomon Rich.
Spencer, e Mr. John Munzy.	Holden.
Paxton.	Douglafs, e Ezra Whitney, Esq.
Rutland, Mt. John Fessenden.	Gratton, e Mr. Joseph Batchelder;
Oakham.	Petersham, e Jona. Grout, Esq.
Hubbardston.	Royalston.
New Braintree, Maj. J. Bowman:	Westminster, Mt. Joseph Miller.
Southborough.	Athol.
Westborough; Dr. James Hawes.	Templeton, Capt. Ezek. Knowlton:
Northborough, e Mr. Paul Newton.	Princeton.
Shrewsbury, e Mr. Eph. Beaman:	Ashburnham.
Lunenburg, e Mr. Step. Gotham:	Winchendon.
Fitchburgh.	Northbridge, Mt. Jona. Bacon:
Uxbridge, Col. Nathan Tyler.	Ward.
Harvard, e Col. Josiah Whitney,	

For the County of CUMBERLAND.

Falmouth.	Harpwell.
North Yarmouth, J. Lewis, Esq.	Windham.
Scarborough.	Cape Elizabeth.
Brunswick.	New Gloucester.
Gorham, Col. Edmund Phiney.	Gray.

For the County of LINCOLN.

Pownalborough.	Vassalborough.
Georgetown.	Winthrop.
Woolwich.	Winflow.
Newcastle.	Edgecomb.
Topsham:	Belfast.
Boothbay.	Warren.
Bristol.	Waldoborough.
Bowdoinham.	Thomaston.
Hallowell.	Pittston.

For the County of B E R K S H I R E.

Sheffield, & Col. John Ashley, jun.
 & Mr. Daniel Raymond.
 Great Barrington, & Mr. J. Nash.
 Stockbridge, & Mr. Afa Lement.
 Pittsfield, & Col. Wm. Williams,
 & Capt. James Noble.
 New Marlborough.
 Egremont.
 Richmond.
 Lennox.
 Tyringham, & Col. G. Jackson,
 & Capt. Ezekiel Herrick.
 Laneshorough.
 Sandisfield, & Mr. Tim. Brown.

Williamston.
 Becket.
 Windfor.
 Patridgefield.
 West Stockbridge.
 Loudon.
 Alford.
 Hancock.
 Washington.
 Adams.
 Lee.
 New Ashford.
 New-Providence.

Those Gentlemen with this [e] mark, were not of the House the last year.

Yesterday being the anniversary election of Counsellors for this State, the General Assembly met at the State-House in this town, from whence they were escorted to the Old Brick Meeting-House (where a sermon, very suitable to the occasion, was preached by the Rev. Mr. Samuel Stillman of this town) by a detachment of the Company of Independents, commanded by Colonel John Tyler, and from thence they proceeded to Fannuil-Hall, where an elegant entertainment was provided. After dinner the Assembly returned to the State-House, when the following gentlemen were elected Counsellors, viz. Honourables Artemas Ward, Benjamin Greenleaf, Moses Gill, Oliver Prescott, Jabel Fisher, Francis Dana, Josiah Stone, Samuel Baker, John Pitts, Timothy Edwards, Samuel Niles, Aaron Wood, and Azor Orde, Esquires.

For the REMEMBRANCE.

Letter from the French King, to his Serene Highness the Admiral of France. Dated June 5, 1779.
 (Translated from the French.)

Cousin,

The desire I have always had of softening, as much as in my power lies, the calamities of war, has induced me to direct my attention to that part of my subjects who employ

themselves in the fisheries, and who derive their sole subsistence from those resources. I suppose that the example, which I shall now give to my enemies, and which can have no other views than what arise from sentiments of humanity, will induce them to grant the same liberty to our fisheries, which I readily grant them. In consequence whereof, I send you this letter to acquaint you, that I have given orders to all the Commanders of my vessels, armed ships, and Captains of privateers, not to molest (until further orders) the English fishery, nor to stop their vessels, whether they be laden with fresh fish, or not having taken in their freight; provided, however, that they do not carry offensive arms, and that they are not found to have given signals, which might indicate their holding an intelligence with the enemy's ships of war. You will make known these my intentions to the Officers of the Admiralty, and to all who are under your orders. Such being the purposes of these presents, I pray God, my Cousin, that he will grant you his holy protection.

Given at Versailles, the 5th day of June, in the year 1779.

Signed

LOUIS.

Counter signed

DE SARTINE.

The

The Order of the French King's Council of State, explanatory of the third Article of the Orders of the 27th of April, relative to the new Regulation of Duties on the Commodities and Merchandize of Holland.

Dated June 5, 1779.

Extract from the Registers of the Council of State.

The King having considered the Order of his Council of the 27th of April last, concerning the addition of fifteen per cent. duty on all the commodities and merchandizes of Holland, entering into any of the ports of his kingdom, his Majesty has remarked, that by the third article of the said order, the following articles are excepted: drugs used in dying, madder, hemp, wool, tallow, kali, pitch, tar, masts, ship-timber and cordage; and his Majesty considering that, in order absolutely to fulfil the views of the said increase of duty, it is necessary to confine such exceptions to naval stores only; be it therefore known, that the King in Council, having considered the third article of the Order of the 27th of April last, has ordered, and hereby orders, that, from the first of July next, pitch, tar, masts, ship-timber, and cordage, shall be the only articles excepted in the said third article, and that the other matters mentioned in the said article, shall be obliged to pay the duties specified in the first article of the said Order.

Given at Versailles, in the King's Council of State, his Majesty being present, the 5th day of June 1779.

Signed DE SARTINE.

LEWIS, by the grace of God, King of France and Navarre, &c. &c., to our beloved and faithful Counsellors assembled in our Councils, their Intendants and Commissaries in the different provinces and districts of our kingdom, greeting, We command and enjoin you by these presents, signed by us, to attend to the execu-

tion of this order, to which is affixed the seal of our Chancellor, this day made in our Council of State, we being present, for the purposes therein contained: we command our Officer or Serjeant, immediately on the receipt hereof, to signify the said Order to all whom it shall concern, that no person may plead ignorance hereof; and, in order fully to execute it; to make use of every necessary means, without any other authority, or paying any regard to the Hue and Cry, to the Normandy Charter, or letters to the contrary; ordering, that the copies of this present Order, collected by one of our beloved and faithful Counsellors, shall have equal force with the original; for such is our pleasure.

Given at Versailles, the 5th day of June, in the year of our Lord 1779, and in the sixth of our reign.

Signed LEWIS.
Countersigned DE SARTINE.

Ordinance of the French King, concerning Re-Captures made by his Ships, Frigates, and other Vessels.
Dated June 15, 1779.

BY THE KING.

The King having taken into consideration his Ordinance of the 28th of March of the last year, concerning prizes made at sea by his ships, frigates, and other armed vessels, by which his Majesty graciously granted to the officers and seamen of ships that took prizes, the whole of such ships of war and privateers taken from the enemy, and the two-thirds of the produce of merchant ships, his Majesty observed, that nothing had been provided by that Ordinance for recaptures which might be made by his ships and frigates; he has therefore judged it necessary to make known his intentions on that subject, in reserving to himself the power of granting to the crews of ships, vessels, and frigates, such gratifications as belong to him, on the re-taking of the said vessels and their cargoes, and which shall

shall continue to belong to him, and be adjudged to his Majesty, as in times past. His Majesty has ordered and orders, that the regulations concerning re-captures shall continue to be observed according to their form and tenor; consequently, when the ships of his subjects shall be retaken by privateers on a cruize against the enemies of the state, after having been twenty-four hours in their hands, they shall be considered as their sole property; but in case the re-capture shall have been made within twenty-four hours, the right of salvage shall be but one third of the value of the ship and cargo so retaken. As to what concerns re-captures made by the ships, frigates, and other vessels of his Majesty, the third shall be adjudged to them for the right of salvage, if such was made within twenty-four hours; but, if taken after that time, such reprisal shall be adjudged to his Majesty solely, as in times past, unless that the officers of the said ships and vessels shall have any property therein. His Majesty reserves to himself the liberty of bestowing on seamen a gratification proportioned to the value of the ship and cargo retaken, according to the bills of lading; and also to give to the officers of such ships as shall make such re-captures, and who shall have given distinguished proof of their valour, such favours or recompences as his Majesty shall, according to circumstances, think proper. His Majesty orders, that this Ordinance shall take place, with respect to all re-captures made, from the commencement of hostilities. His Majesty orders and commands the Duke de Penthièvre, Admiral of France, the Vice-Admirals, Lieutenants-General, Commodores, Captains, and other Officers of ships, commanding ships, frigates, and other vessels; the Commanders of ports, Intendants of Marine, Commissaries-General of ports and arsenals, the Officers of the Admiralties, and all others whom it con-

cerns, each in his place, properly to attend to the due execution of this Ordinance. Given at Versailles the 5th day of June, 1779.

Signed LEWIS.
Counter signed DE SARTINE.

The Duke de PENTHIEVRE, Admiral of France, Governour and Lieutenant-general for the King, in his Province of Bretagne.

Seeing the above Ordinance is addressed to us, we command the Vice-admirals, Lieutenants-general, Commodores, Captains, and other officers of his Majesty's ships, commanding his ships, frigates, and other vessels, the Commodores of ports, Intendants of marine, Commissaries-general of ports and arsenals, officers of the Admiralty, and all others whom it may concern, each in his place, to see this Ordinance duly and fully executed. Given at Rambouillet, the 19th day of June, 1779.

Signed, L. J. M. DE BOURBON.
Counter signed, DE GRANDBOURG.

State of Massachusetts-Bay.

In the Year of our Lord, one thousand seven hundred and seventy-nine.

An Act for prolonging the time for administering the oath or affirmation of fidelity and allegiance.

Whereas by law it is required, that the oath or affirmation of fidelity and allegiance, be administered to all commissioned officers, both civil and military, in this State, by the first day of March in the present year, otherwise that such person be considered as disqualified to act in either of said offices or places; which time does not appear to this Court sufficient for commissioned military officers to take such oath, by reason of many of them having been called abroad into the public service:

Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same; That the time for administering said oath

path of fidelity and allegiance, be prolonged for all commissioned military officers, to the first day of December next; and that no person be considered as disqualified from acting in any military office as aforesaid, before the expiration of said time, although the oath aforesaid be not to them administered; any law of this State to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That the commanding officer of each regiment of militia within this State, require and enjoin every militia officer under his command, to take said oath of fidelity and allegiance, by or before the first day of December aforesaid: and said commanding officer is hereby empowered, having first taken said oath himself, to administer the same to any of the officers of the regiment under his command; and required to make return thereof into the Secretary's office, as soon as may be.

State of Massachusetts-Bay.

*In the House of Representatives,
April 30, 1779.*

Whereas it has been represented to this Court, that there are several Agents for the estates of absentees, who are not able fully to comply with the resolves of the General Court, relative to the leasing said estates, by reason that those who are in possession of them, refuse to give possession to the persons who have hired them, agreeable to the order of the Court:

Therefore resolved, That the Agents be, and they are hereby directed to warn the present possessors to leave the premises within ten days from the time of warning, and in case they refuse and insist on keeping possession, the Sheriffs, their Under Sheriffs or Constables, within their several districts, are hereby directed and empowered to go with the Agent, and put the lessee into full and quiet possession of the premises by him

hired, agreeable to the order of the General Court.

Sent up for concurrence,

JOHN PICKERING, Speaker.

In Council, May 1, 1779.

Read and concurred,

JOHN AVERY, Deputy Sec.

Consented to by the major part of the Council.

True Copy, Attest,

JOHN AVERY, Deputy Sec.

State of Massachusetts-Bay.

*In the House of Representatives,
May 3, 1779.*

Whereas it appears that the orders of the General Court respecting the poor of Charles-town, have not been duly observed by several towns where said poor are, or have been:

Therefore resolved, That every town in this State, where any of the poor of Charles-town now are, be directed, to make such provision for said poor as they may stand in need of, and lay their accounts before this Court for allowance:

And be it further resolved, That if any town shall presume, in opposition to the orders of this Court, to send the said poor into the town of Charles-town (as some have lately done) that the Select-men of Charles-town be directed to return the name of the town, or Select-men that so conduct, that such order may be taken thereon, as the nature of the case may require.

Sent up for concurrence.

JOHN PICKERING, Speaker.

In Council, May 3, 1779.

Read and concurred.

JOHN AVERY, Deputy Sec.

Consented to by the major part of the Council.

True Copy, Attest,

JOHN AVERY, Deputy Sec.

State of Massachusetts-Bay.

*In the House of Representatives,
May 3, 1779.*

Whereas it appears to this Court, that the militia officers, Select-men, and

and Committees of Safety, &c. of the several towns in the county of Lincoln; have neglected or refused to comply with the resolves of this Court, requiring them to make returns of the men they have enlisted as their quotas of the Continental army, notwithstanding the repeated requisitions of this Court for that purpose:

Therefore resolved, That if any of the militia officers, or Select-men of any town, or Committees of Correspondence, &c. of any plantation in the county of Lincoln (or any other town in any other county in this State) shall neglect or refuse to make proper returns of the names and number of men enlisted as aforesaid, agreeably to the requirement of the resolves of this Court relative thereunto, on or before the 15th day of June next, shall forfeit the sum of one hundred pounds, and have the same added to their town in their next State-tax accordingly; and the sum of fifty pounds monthly during the continuance of such neglect or refusal, and have it added in the same manner to their next State-tax.

And be it further resolved, That the Secretary be, and he hereby is directed forthwith to furnish the Brigadier of the county of Lincoln, with a sufficient number of copies of this resolve, and the resolves to which it relates, who is directed to convey them, as soon as may be, to the Select-men or commissioned officers of the several towns in said county; and that the Secretary be directed to send a copy to the commanding officer or Select-men of any other town that may be deficient in their returns.

And it is further resolved, That the Committees appointed for settling disputes between the towns in the several counties, respecting their quotas of men in the Continental army, be, and they are hereby directed to meet at the State-House in Boston, on the 18th day of June next, then and there to proceed on the business

for which they were appointed by the resolve of the 17th of June last, and make return of their doings into the Secretary's office, on or before the 10th day of July next.

Sent up for concurrence.

JOHN PICKERING, Speaker.

In Council, May 3, 1779.

Read and concurred.

JOHN AVERY, Deputy Sec.

Consented to by the major part of the Council.

True Copy, Attest.

JOHN AVERY, Deputy Sec.

State of Massachusetts-Bay,

In the Year of our Lord, one thousand seven hundred and seventy-nine.

An Act to confiscate the estates of certain notorious conspirators against the government and liberties of the inhabitants of the late province, now State of Massachusetts-Bay.

Whereas the several persons hereinafter mentioned, have wickedly conspired to overthrow and destroy the constitution of government of the late province of Massachusetts-Bay, as established by the Charter agreed upon, by and between their late Majesties William and Mary, late King and Queen of England, &c. and the inhabitants of said province, now State of Massachusetts-Bay; and also to reduce the said inhabitants under the absolute power and domination of the present King, and of the Parliament of Great Britain; and, as far as in them lay, have aided and assisted the same King and Parliament in their endeavours to establish a despotic government over the said inhabitants:

Be it enacted by the Council and House of Representatives in General Court assembled, and by the authority of the same, That Francis Bernard, Baronet, Thomas Hutchinson, Esq. late Governors of the late province, now State of Massachusetts-Bay, Thomas Oliver, Esq. late Lieutenant-governor, Harrison Gray, Esq. late Treasurer, Thomas Plucker, Esq. late

late Secretary, Peter Oliver, Esq. late Chief Justice, Foster Hutchinson, John Erving, jun. George Erving, William Pepperrell, Baronet, James Butineau, Joshua Loring, Nathaniel Hatch, William Browne, Richard Lechmere, Josiah Edson, Nathaniel Rea Thomas, Timothy Ruggles, John Murray, Abijah Willard and Daniel Leonard, Esqrs. late Mandamus Counsellors of said late Province, William Burch, Henry Hulton, Charles Paxton, and Benjamin Hollowell, Esqrs. late Commissioners of the Customs, Robert Auchmuty, Esq. late Judge of the Vice Admiralty Court, Jonathan Sewall, Esq. late Attorney General, Samuel Quincy, Esq. late Solicitor General, Samuel Fitch, Esq. Solicitor or Counsellor at Law to the Board of Commissioners, have justly incurred the forfeiture of all their property, rights and liberties holden under and derived from the government and laws of this State; and that each and every of the persons aforesaid and described, shall be held, taken, deemed and adjudged, to have renounced and lost all civil and political relation to this and the other United States of America, and be considered as aliens.

Be it enacted by the authority aforesaid, That all the goods and chattles, rights and credits, lands, tenements and hereditaments of every kind of which any of the persons herein before named and described were seized or possessed, or were entitled to possess, hold, enjoy or demand, in their own right, or which any other person stood or doth stand seized or possessed of, or are or were entitled to have or demand to and for their use, benefit and behoof, shall escheat, annure and accrue to the sole use and benefit of the government and people of this State, and are accordingly hereby declared so to escheat, annure and accrue, and the said government and people shall be taken, deemed and adjudged, and are accordingly hereby

declared to be in the real and actual possession of all such goods and chattels, rights and credits, lands, tenements and inheritments without further enquiry, adjudication or determination hereafter to be had; any thing in the act, entitled "An Act for confiscating the estates of certain persons, commonly called absentees," or any other law, usage or custom to the contrary notwithstanding: Provided always, that the escheat shall not be construed to, extend to; or operate upon any goods, chattles, rights, credits, lands, tenements or hereditaments, of which the persons aforesaid and described, or some other in their right, and to their use, have not been seized or possessed, or have, or demand as aforesaid, since the 19th day of April, in the year of our Lord, 1775.

And be it further enacted by the authority aforesaid, That all debts justly due from any of the persons aforesaid and described, to any subject of the United States of America, before the said 19th day of April, A. D. 1775, shall be payable out of their respective estates.

And be it further enacted by the authority aforesaid, That where the wife or widow of any of the persons aforesaid and described, shall have remained within the jurisdiction of any of the said United States, and in parts under the actual authority thereof, she shall be intitled to the improvement and income of one third part of her husband's real and personal estate, after payment of debts, during her life and continuance within the said United States, and her dower therein shall be set off to her by the Judges of Probate Wills, in like manner as it might have been if her husband had died intestate and a liege subject of this State.

And be it further enacted by the authority aforesaid, That if any person whose estate is by this act adjudged to have escheated as aforesaid, shall not have any wife or widow intitled

to

to any part thereof by virtue of this act, shall have any relations (collateral kindred excepted) who may not be of sufficient ability to support themselves without some allowance out of the estate of such person to whom they stand related as aforesaid, that the Judge of Probate Wills, who shall have the right of appointing agents for such estate, be, and he hereby is authorised and directed to fix a competent allowance, from time to time, for the comfortable support of all such relations, having respect to the value of such estate.

Philadelphia, May 10, 1779.

The public are hereby advertised, that the real estates, late of Joseph Galloway, and Andrew Allen, Esqrs. late members of the Congress of the Thirteen United Colonies, now States, of America, for Pennsylvania; William Allen, the younger, Esq. some time a Captain, and afterwards a Lieutenant-Colonel of a regiment or battalion of foot, in the service of the United Colonies, now States, of America; James Rankin and John Rankin, both late of the county of York, yeomen; Jacob Duche, the younger, late of the city of Philadelphia, late Chaplain of the Congress of the United States; Gilbert Hicks, late of Bucks county, yeoman; Samuel Shoemaker, late Alderman of the city of Philadelphia; John Potts, late of Portsgrove, in the county of Philadelphia, yeoman; Nathaniel Vernon, late Sheriff of Chester county; Christian Foutts, late Lieutenant Colonel of militia, in the county of Lancaster; John Biddle, late of Berks county, yeoman, late Collector of Excise for the said county, and late a Deputy Quarter Master of the army of the United States; John Roberts, late of the county of Philadelphia, miller; Abraham Carlisle, house-carpenter; John Parrock, yeoman; Phillip Marchington, trader; Alexander Bartram, trader; Joel Evans, merchant; John Henderson,

mariner; Alexander Smith, blacksmith; and William Austin, yeoman, late keeper of the New Jersey Ferry, all late of the city of Philadelphia; Christopher Saur, the elder, late of German-town, printer; John Tolly, mariner; David Thompson, shipwright, both late of Southwark; Henry Hugh Ferguson, Esq. (late Commissary of prisoners for General Howe) heretofore of Græme Parke, all late of the county of Philadelphia; John Ellwood, late of Bristol township, in Bucks county, waterman; Samuel Biles, late Sheriff of Bucks county; Michael Whitman, and Henry Skyler, husbandmen; and George Ruin, miller, all late of Lancaster county; Curtis Lewis, blacksmith; and Richard Swanwick, heretofore of the Custom-house, of Philadelphia, both late of Chester county, yeomen; and Joseph Romieh, late of Northampton county, yeoman, and John Young, heretofore of Græme Park, in the county of Philadelphia, late of the city of Philadelphia, gentleman; and Peter Campbell, gentleman, and Isaac Allen, Esq. Attorney at Law, both late of Trenton, in the State of New Jersey; and Andrew Ellint, Esq. now or late of New-York city, in the State of New-York; and others, situate, lying, and being within divers counties of this State, forfeited to the use of the Commonwealth by the attainder of the said persons, and every of them, for high-treason, will be speedily sold by public auction or vendue, to the best and highest bidders, exonerated and discharged of all former claims or demands made under any of the said traitors; the said real estates to be assured to the buyers by deeds or conveyances, under the seal of the State, signed by the President or Vice President in Council, upon payment of the purchase money.

And all creditors and others are hereby informed, that by an Act of Assembly, intitled, "An Act for the

the attainder of divers traitors, if they render not themselves by a certain day, and for vesting their estates in this Commonwealth, and for more effectually discovering the same, and for ascertaining the lawful debts and claims thereupon," three months are allowed to all creditors and others, having claims and demands on the personal estates late of the traitors aforesaid, to exhibit the same; the said three months to be reckoned from and after the date of the entry of such estates in the register kept by the Secretary of the Supreme Executive Council; and in six months for all claims on the real estates, late of the traitors aforesaid, to be reckoned from and after the date of the entry of such real estates, on the register kept by the Sheriff of the county where such forfeited real estate lies: all such claims and demands to be made before the Judges of the Supreme Court in term time; or in vocation to the Chief Justice, written on parchment or paper, signed by the parties making the same, or by their attorneys, or other representatives; testified by two or more subscribing witnesses, attesting the same; or in default thereof, every such claim or demand to be void.

And whereas by a supplement to the Act of Assembly aforesaid, it is directed, "that whenever such intended sales" (the sales of the said real estates forfeited as aforesaid) "shall be advertised, public notice shall be also given, that the creditors of the said traitors, and all claimants upon the said respective estates, shall exhibit their several claims and demands to the Justices of the Supreme Court, for payment or satisfaction, as is by the said Act directed, within six months thereafter, if residents within this State, or within twelve

months, if residents within any other of the United States, or be forever barred from the recovery thereof; provided always nevertheless, that if any creditor or claimant shall at the time of such notice given be within the age of twenty-one years, feme covert, non compos mentis, imprisoned, or beyond sea, that then such persons shall be at liberty to exhibit their claims or demands, as other persons now may, within six months, or if residents within any other of the United States, within twelve months after such disability is removed."

Wherefore public notice is hereby accordingly given; and all creditors and others concerned are hereby called upon to make their claims, and proceed in the manner as is in and by the said Acts of General Assembly directed.

Published by order of the Council,

TIMOTHY MATLACK, Secretary and Keeper of the Register for forfeited Estates.

Observations on Mr. GALLOWAY'S letter to his sister. From a late Boston paper.

The following reflections occurred to me when I read the letter, upon seeing such expressions of benevolence and piety, from a man who has eminently distinguished himself by his extraordinary efforts to enslave his country, and subject it to the tyrannical power of Great-Britain: in the prosecution of this impious design, he has been a guide and a counsellor to the enemies of his country, and betraying the confidence reposed in him by that country, has directed its enemies how to attack it in the most vulnerable parts; he has pointed their swords to its vitals, drenched the land in blood, and heightened to the utmost, all the distresses and hor-

* The same Mr. Galloway, who was lately examined at the bar of the House of Commons. For Mr. Galloway's letter to his sister, see the last volume of the Remembrancer, page 298.

sort of war. I was at a loss to conceive how he could possibly reconcile the part he has acted, with any degree of piety to God or benevolence to mankind: I could at last, no way account for the expressions of piety and benevolence in his letter, but by supposing them to be either mere hypocritical pretences to virtues he did not possess, or to spring from the most absurd and unworthy conceptions of the Supreme Being. I have attempted to explain my meaning, as well as the shortness of time would allow, in the following essay.

SPECULATOR.

Reflections on reading Mr. GALLOWAY'S letter to his sister.

In reading the history of the *Jews*, as recorded in the sacred Scriptures, I have often observed with wonder, that the national crime to which they were most addicted, and from which, in a greater or less degree, they were seldom free, was IDOLATRY, a crime against which there were the most dreadful denunciations of divine vengeance, the inflictions whereof were frequent, terrible and unavoidable. And yet we find, notwithstanding numerous examples of punishment, the *Jews* were continually relapsing into this crime—which is in its nature, at once so horribly wicked, and so ridiculously absurd, that it seems amazing how any rational creature could have the least temptation to be guilty of it. It is certain, however, there was a temptation, and a very powerful one, else it would not have been so strictly prohibited by laws; nor would the people, notwithstanding those restraints, so frequently have fallen into it.

There was something, no doubt, connected with this *idolatry*, that was extremely alluring to the corrupt propensities of human nature. Perhaps, in those idolatrous systems, the false representations made of the Supreme Being, might constitute the

temptation, by giving a sanction to the predominant evil inclinations of the heart, and reconciling every criminal indulgence, with the hopes of divine favour and approbation. Such ideas of the Almighty, must be to the highest degree displeasing to him and injurious to mankind, as thereby the greatest incentives to virtue and benevolence, and the greatest restraints from violence and injustice, are removed, and the passions left to operate in their full force, unrestrained by the hopes of favour or fear of retribution in a future state, from the Supreme Governor of the Universe. Such unjust and dishonourable conceptions of God, I take to be the essence of *idolatry*, and if so, I conceive it to be a crime as common with us, as it was with the *Jews*. Hence the monstrous crimes, that like a flood deluge the land, may be accounted for: is it possible to reconcile such abominations with the belief of an all-seeing ever present God of infinite goodness, power, wisdom and justice; who will, after death, call every man to account for the works done in the body, and will by no means clear the guilty? No, it is impossible; instead of such an adorable Being, the objects of their worship are—idols formed by their own polluted imaginations. Idols whom they suppose will either countenance and approve their villainous practices, or wink at, and never call them to an account therefor. Was it not such an *idol* whom the _____ of Great-Britain, with his murderous crew of counsellors and assistants, by *public solemn fasting and prayer*, sought to render propitious to their infernal design, of a most unjust hostile invasion of America, to destroy, by every species of cruelty and murder, all the inhabitants, who should have virtue and resolution to defend the rights and freedom of their country; to desolate the land with rapine, violence, and all the horrors of war;

war;

war; and to reduce all the remaining inhabitants to a state of absolute and endless slavery!

And whether the object of Mr. Galloway's piety, expressed in his letter to his sister, was an *idol or not*, let his actions determine.

Very early in the present contest, he espoused the cause of *Great Britain*, and to the extent of his abilities promoted her design of subjecting the lives and property of his countrymen, without their own concurrence or consent, to the laws and taxations of her King and Parliament.

To execute this plan, which he, being a lawyer, knew to be entirely destructive, both to the boasted constitution of England, and the freedom of America, he exerted himself to the utmost stretch of his power, influence, and artifice. When these failed, and he had the mortification to see America united in defence of her rights and freedom, he feigned a conversion to her principles and interest. By this deceit he obtained a seat in the Congress of delegates from the United States. Here, while he pretended a zeal to promote their interest, he betrayed their secrets and designs to their enemies. And when he found his arts detected, he joined and assisted them to the utmost against his country; and a formidable, destructive enemy has he proved to her and the United States. To his exact knowledge of all our public affairs, his extensive influence, especially in Pennsylvania, his correspondence with the Quakers and other suitable emissaries, the information, advice and assistance he gave the enemy, may be ascribed many of their most mischievous and bloody operations.

He has given unquestionable proofs of his hearty endeavours to destroy all that opposed the tyrannical usurpations of Great Britain; and to reduce all the rest to a state of endless

slavery. And this state of slavery he has the assurance to call his country ungrateful for rejecting, with resentment against him for having endeavoured to force it upon them.

The way in which he *would have saved them from the distresses they at present feel*, in consequence of their opposition to tyranny, was by persuading them to submit to it; in which case they would indeed have avoided the distresses they at present feel, — which, with the blessing of Heaven, we have reason to hope will be but of very short duration—but, instead of them, we should have had other distresses tenfold more grievous to be borne—with this addition, that these would have been entailed upon us and our posterity, through an endless succession of ages.

But as his country refused to accept the favour he intended it, he has increased the distress of those that refused, that is, a great majority of the country, to the utmost—It is not the *distresses* of these, for which *he feels*, it is for the distresses of the disappointed Tories like himself, that he feels; distresses which being intended for others, have fallen upon themselves. Distresses, which indeed he has reason to fear *are not yet finished, nor arrived at the height*. And the way in which he would save these from destruction, is by completing his scheme of despotism, sacrificing all that resisted, and involving all the rest in universal slavery.

When expressions of piety and devotion flow from a man whose conduct, for a long period, appears to have been a continued series of treason, rapine, murder, and all the horrors of the most unjust and cruel war, in order to effect the most wicked and detestable purposes, what kind of ideas must we necessarily suppose him to have of the God he professes to adore? Can we suppose the object of his devotion to be a God of infinite purity and perfection, of infinite

goodness, power, wisdom, and justice? No, it is impossible, the object of his worship must be an idol of his own formation, that he hopes will justify and approve the abominable deeds he has perpetrated; an obscene horrible idol, like *Moloch*, of old, whose worshippers thought they offered him an acceptable sacrifice, when they made their children pass through the fire, and threw them into the flames to please himself. [Boston Gazette.]

The following Advertisement is copied from the Boston Chronicle of May 13, 1779.

The Committee appointed by the Hon. the General Assembly of the State of Massachusetts Bay, for selling certain estates confiscated to the use of said State, give public notice, that on Tuesday the 25th day of May, at 11 o'clock before noon, will be sold, at public auction, to the highest bidder, a valuable farm in the town of Milton, containing about 90 acres of arable, pasture, and mowing land, together with the mansion-house, out-houses, and gardens there-to belonging, being lately the country-seat of Thomas Hutchinson, late Governor of the Massachusetts-Bay. This seat stands on a fine eminence, about six miles from Boston, on the great road to Plymouth, and commands a large and most delightful prospect of Boston harbour, and the country adjacent. The following detached pieces of land, belonging to said estate, will be sold at the same time and place, viz. one tract of tillage-land and salt-marsh, lying on the opposite side of the river, in the town of Dorchester, containing about 25 acres. Another tract of pasture and wood-land, containing about 40 acres, joining on the road that leads to Taunton; and also, about three acres of salt-marsh, both the last lying in the town of Milton. The sale to be at the mansion-house in Milton aforesaid.

And on Tuesday the first day of June, at 11 o'clock, before noon, will be sold in the same manner, a large mansion-house, with out-houses, gardens, orcharding, and about 50 acres of rich land, lying in the town of Roxbury, about four miles from Boston; situated on the border of a delightful piece of water, known by the name of Jamaica Pond; being lately the country seat of Francis Bernard, Bart. At the same time will be sold, two lots of wood-land, containing about 15 acres, and also, a piece of salt-marsh, containing about 3 acres; all lying in Roxbury aforesaid.

Also on the same day, at three o'clock in the afternoon, will be sold in the same manner, a large mansion-house, convenient out-houses, and gardens, planted with fruit-trees, together with about 65 acres of tillage, pasture, and mowing land, and a farm-house thereon, nearly adjoining the said mansion-house; all pleasantly situated in the town of Roxbury, about four miles from Boston, on Jamaica Plain, (so called) nearly opposite the Rev. Dr. Gordon's meeting-house, and lately belonging to Joshua Loring. Also, a wood-lot, containing about 16 acres, lying near Dorchester line, will be sold at the same time.

On Thursday the third day of June, at eleven o'clock, before noon, will also be sold, by public vendue, to the highest bidder, a fine farm, containing about 60 acres, with a mansion-house, out-houses and gardens thereon, in the town of Dorchester. The House is pleasantly situated on a rising ground, commanding a full prospect of the town and harbour of Boston, and an extensive view of the country that surrounds it, and is about three miles distant from Boston, on the road that leads to Milton-bridge; being lately the estate of Nathaniel Hatch.

At

At the same time and place will be sold, a pasture, containing 26 acres and a half, and a piece of salt-marsh, containing about three acres, lying in said town of Dorchester, on the Neck, (so called) being part of the estate lately belonging to Francis Bernard, Bart.

And on Tuesday the 8th day of June, at 12 o'clock, will be sold at public vendue, to the highest bidder, that large and elegant dwelling-house, with the out-houses, gardens, and other accommodations thereto belonging, lately occupied by William Pepperrel, Bart. and formerly in possession of Thomas Flucker, pleasantly situated in Summer-street, Boston, a little below Trinity-Church.

Also at the same time and place will be sold, to the highest bidder, a large dwelling-house and garden, at the south end of Boston, next to the South Writing-School, adjoining on the Common; being a part of the estate of Joshua Loring, and formerly occupied by William Taylor, an absentee. The sale to be at the Bunch of Grapes, in King-street.

Caleb Davis,
Ebenezer Wales, } Committee.
Richard Crench, }

Philadelphia, April 12.

The anniversary of our alliance with France, was celebrated on the 12th of last month at Pluckemin, after a very elegant entertainment and display of fireworks given by General Knox, and the officers of the corps of artillery. It was postponed to this late day, on account of his Excellency General Washington's absence from camp.

General Washington, the principal officers of the army,—Mrs. Washington, Mrs. Greene, Mrs. Knox,—the Gentlemen and Ladies, for a large circuit round the camp, were of the company. Besides these, there was a vast concourse of spectators from every part of Jersey.

The barracks of the artillery are at a small distance from Pluckemin, on a piece of rising ground, which shews them to great advantage. The entertainment and ball were held in the Academy at the park.

About four o'clock in the afternoon; the celebration of the alliance was announced by the discharge of thirteen cannon, when the company assembled in the Academy to a very elegant dinner. The room was spacious, and the tables very prettily disposed, both as to prospect and convenience, and the toasts descriptive of the happy event, which had given certainty to our Liberties, Empire, and Independence.

In the evening was exhibited a very fine set of fireworks, conducted by Colonel Stevens, arranged in the front of a temple, one hundred feet in length, and proportionably high. The temple shewed thirteen arches, each displaying an illuminated painting—the center arch was ornamented with a pediment, larger than any of the others, and the whole edifice supported by a colonade of the Corinthian order.

The illuminated paintings were disposed in the following order.

The first arch on the right represented the commencement of hostilities at Lexington, with this inscription, "The scene opened."

2d. British clemency; represented in the burning of Charles-Town, Falmouth, Norfolk, and Kingston.

3d. The separation of America from Britain—A magnificent arch broken in the center, with this motto—"By your tyranny to the people of America, you have separated the wide arch of an extended empire."

4th. Britain represented as a decaying empire—by a barren country—broken arches—falling spires—ships deserting its shore—birds of prey hovering over its mouldering cities—and a gloomy setting sun.

MOTTO.

MOTTO.

- “ The Babylonian spires are sunk,
 “ Achaia, Rome and Egypt mould-
 der'd down!
 “ Time shakes the stable tyranny of
 thrones,
 “ And tottering empires crush by
 their own weight.”

5th. America, represented as a rising empire—prospect of a fertile country—harbours and rivers covered with ships—new canals opening—cities rising amidst woods—and a splendid sun emerging from a bright horizon.

MOTTO.

- “ New worlds are still emerging
 from the deep,
 “ The old descending, in their turns
 to rise.”

6th. A grand illuminated representation of Louis the Sixteenth, the encourager of letters, the supporter of the rights of humanity, the ally and friend of the American people.

7th. The center arch—THE FATHERS IN CONGRESS,

MOTTO.

- “ Nihil desperandum Reipublicæ.”

8th. The American Philosopher, and Ambassador, extracting lightning from the clouds.

9th. The battle near Saratoga, October 17, 1777.

10th. The Convention of Saratoga.

11th. A representation of the sea fight off Ushant, between Count D'Orvilliers and Admiral Keppel.

12th. Warren, Montgomery, Mercer, Worster, Nash,—and a croud of heroes, who have fallen in the American contest, in Elysium, receiving the thanks and praises of Brutus, Cato, and those Spirits, who, in all ages, have gloriously struggled against tyrants and tyranny.

MOTTO. “ Those who shed their blood in such a cause, shall live and reign for ever.”

13th. Peace, with all her train of blessings—her right hand displayed

an olive branch—at her feet lay the honours of harvest—the back ground filled with flourishing cities—ports crowded with ships—and other emblems of an extensive empire, and unrestrained commerce.

When the fireworks were finished, the company returned to the Academy, and concluded the celebration by a very splendid ball.

The whole was conducted in a stile and manner that reflects great honour on the taste of the managers. The news announced to Congress, from the Spanish branch of the House of Bourbon, arriving at the moment of celebration, nothing could have, so opportunely, encreased the good humour of the company, or added to those animated expressions of pleasure, which arose on the occasion.

Paquet-keepie, May 10.

We have advice from Warwasink, in Ulster county, that on Tuesday last the 4th instant, a party of the enemy, consisting of about thirty or forty, supposed to be chiefly, if not all, of the Tory inhabitants, burnt four dwelling houses and five barns, in that neighbourhood, at the Fantine-Kill, and killed six people, besides three or four more who were supposed to be burnt in the houses.

Advice of the mischief being brought to Colonel Cortlandt, stationed there with his regiment, he immediately marched in pursuit of the enemy, whom he twice got sight of on a mountain, exchanged some shot with, though at a great distance, and endeavoured to surround, but in vain, they all made their escape. They took prisoner, and released a woman, from whom we received the account of their number.

We have heard of some villainies of the like kind, lately committed in the neighbourhood of New-Windor; and we hear, intelligence came yesterday to town, that a party of the enemy, supposed to be the same that lately

fately did the mischief at Fantine-Kill, have since appeared at Woodstock, near Kingston, where they have burnt some houses, and committed other depredations.

A correspondent has sent us the following letters :

To Colonel SNYDER.
Churchland, May 4, 1779.

Dear Sir,

I take this opportunity to inform you, that Lieutenant Post and myself and Hezekiah Dubois, came last night from Woodstock, on our way home, with the horse that was stolen from Jacobus Wolf, and made our lodging there, and after midnight we were surprised by a party of Colonel Butler's Tory rangers, who demanded of Wolf to open the door, that they wanted the three rebels which were in the house, or else they would set the house on fire; upon which the Lieutenant and myself took to the loft, but finding it difficult to remain there, we resolved to come down and surrender, which being done, they disarmed us all, and then tied the Lieutenant, and took him along; they had bound me also, but said if I would take the oath, they would let me go, which I not being inclined to do, they took a hatchet, and were preparing to kill me; I then found myself obliged to make a promise never to take up arms. They also said that they had watched for us three or four days; they had also been at Haas Winne's house, and took the arms from him. They have also been at Jeremiah Snyder's, but he not being at home, they quitted the house, and told Winne, that if Snyder had been at home, they would have taken him only a hundred yards from the house, and there have taken his crown. You may easily think what situation we were in.

I am, your humble servant,
CHRISTIAN WILL.

A written paper was left by the party containing the following words, viz.

This is to be left at JOHANNES SNYDER's, Colonel at Kingston.

May 3, 1779.

My compliments to Colonel SNYDER,
Sir,

I will inform you that I am well, I wish you well, I would let you know that I have not forgot you, I would desire of you that you would keep your scouts home, so as not distress the inhabitants, or else you may expect a heavy hand of the British forces, that they have robbed the bread of the fatherless children, which begged to the Britons for a piece. I did not come out to disturb one of your inhabitants, which you have rifled of the forces what you could for to drive at me, which you may expect that some of your inhabitants will be rifled with a heavy hand. Sir, I desire a mess friend to lay down his commission. Jeremiah Snyder has been the worst of them all; he may expect that we will have him dead or alive."

Lieutenant Post, of Colonel Butler's rangers, is taken by this party.

Trenton, May 5.

On the 26th ult. the enemy in two divisions landed in the county of Monmouth, one party at Shoal Harbour, which marched to Middleton, and got into the village at day-break; the other went in flat-bottomed boats into Shrewsbury river, landed at Red Bank, and then proceeded to Trenton-Falls. Colonel Ford, with the Continental troops, retired to Colts-Neck. Near the middle of the day, the party which had landed at Shrewsbury, crossed the river, and went to Middletown, where both the divisions formed a junction. They sent their boats round to the bay shore, near one Harben's plantation, where they had thirteen sloops ready to take them off. At eight o'clock, Captain Burrows, who had mustered 12 men, gave them to understand that they were surrounded by the militia; they continued in the village till 3 o'clock, when they began their retreat, Captain Burrows

was

was then joined by 3 more men, and kept up a constant fire upon them for two miles, when Col. Holmes of the militia, with about 60 of his men, reinforced Captain Burrows, and then the enemy's retreat was precipitate; they were drove on board at sun-set, and immediately set sail for New-York. The numbers were about eight hundred, commanded by Colonel Hyde.—We had but two slightly wounded. The enemy left three dead behind them, their wounded they carried off, as their rear-guard made a stand at every hill, house, and barn in their rout. One of our inhabitants say 15 wounded were carried on board. In their progress, or rather flight, they plundered the inhabitants, burnt several houses and barns. Had they landed in the day, or stayed till our militia could be collected to half their number (which we always reckon sufficient to drub them) they would doubtless have repented their invasion. But ever choosing, like their brother thieves, the hours of darkness to perpetrate the works of darkness, they generally land in the night, and before the militia can be collected, flee to their vessels with precipitation, snatching up in their flight what plunder they can, and then blaze away in their lying Gazettes, one of these sheep stealing nocturnal robberies, into one of the Duke of Marlborough's victories in Flanders.

On Saturday the 17th instant, two of the militia of Bergen county, who in conjunction with several others, had been out as a reconnoitring party, suspecting from the conduct of a boy they saw running in great haste towards a house on the bank of Hudson's river, about a mile above Wiehawk, that some of the infamous gang of robbers that have for some time infested this country, and the neighbouring parts of the State of New-York, were concealed there, advanced as fast as possible to the house; one of them entered immo-

diately, and discovered five or six in the house, several of whom had arms, and with admirable presence of mind, calling aloud to his companion, as if a large party accompanied him, discharged his musket, and killed the chief of the gang on the spot. Retiring to load his piece, the rest of the villains took to their heels, but were fired upon by him and his companions, by which one of them was supposed to be wounded.

On Sunday night the 28th ult. a party of about 30 men, belonging to Lieutenant Colonel Van Buskirk's corps of Tories and embodied refugees, stationed at Hoebuck in the county of Bergen, who came out as far as Closter, for the purpose of stealing horses, and of robbing the inhabitants, were attacked and put to flight by nine of the militia, commanded by Lieutenant J. Huyler, leaving their plunder behind them, and one of their officers, the noted Peter Myer, Ensign in Captain David Peak's company, dead on the field. Another of their officers was wounded in the arms, and the famous Weart Banta, so notoriously known, was shot thro' the knee; and, it is supposed, will be disabled from kidnapping and plundering the loyal subjects of this State in future.

On the 12th instant, a detachment of the enemy, consisting of about 60 men, belonging to Buskirk's corps, commanded by Captain Van Allen, by taking a circuitous rout, surprised one of our guards posted at Little Ferry, near New Barbadoes in Bergen county. It consisted of two non-commissioned officers and ten privates of the Carolina brigade, and one of our militia; two of the former escaped, the others were made prisoners, and carried into New-York.

The price of wheat, from the present prospect of very fine crops the ensuing season, has fallen six dollars per bushel; and we have no doubt this circumstance will operate forcibly with respect to importations from
abroad,

abroad, as the French, Dutch, and other nations, will be more readily induced to come to our markets, when they find the produce of our country falling so considerably.

New-London, May 13.

Last Tuesday was sent into port by the Hancock and Beavor privateers, the letter of marque brig Belona (one of the noted Goodrich's fleet) mounting 12 guns, but has ports for 18. She was from Bermuda, bound to New-York, laden with West-India goods, and was taken off Sandy-Hook.

Sunday last, the privateer sloop Eagle, Captain Edward Conkling, then cruising off Point-Judith, took six sail of vessels, chiefly small, except one of them, which was loaded with West-India goods.—The manning so many vessels, reduced the crew on board the privateer to 15, whilst the number of prisoners on board were 16; who taking advantage of this circumstance in their favour, fell upon, and murdered the whole of the sloop's crew, except two boys; many of them were mangled in a most savage manner after they had surrendered. They then retook one of the vessels; but it was again taken by the Hancock and Beavor privateers, and sent into Stonington, where the six prizes have arrived. The Eagle was carried into Newport.

In Congress, March 31, 1779.

On a motion by Mr. Drayton, seconded by Mr. M. Smith, Congress came to the following resolution:

Whereas it is essential to the interest and security of every free State, that the conduct of the public servants should be known to their constituents,

Resolved, That from the first day of January last, the journals of this House, except such parts as have, or shall be ordered to be kept secret, be printed immediately; and for the future, the journal, except as above, be

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printed weekly, and sent to the executive powers of the several states, to be by them laid before their respective legislatures; and that a printer be engaged to print for Congress; and also a printer or printers be employed to bring up the journals from the time of their present publication to the said first of January.

April 3. The Board of War, to whom was referred an extract of a letter from Major-General Schuyler to Mr. Duane, respecting commissions for the Chiefs of the Oneidas and Tuscaroras, brought in a report, which was taken into consideration; whereupon

Resolved, That twelve blank commissions be transmitted to the Commissioners of Indian affairs for the Northern department, and that they or any two of them be empowered to fill them up with the names of faithful chiefs of the Oneidas and Tuscaroras, giving them such ranks as the said Commissioners shall judge they merit; the names and ranks to be by the Commissioners reported to the Board of War.

April 5. On motion by Mr. F. Lee, seconded by Mr. Dyer,

Resolved, That Baron Stuben, Inspector-General, be informed by the President, that Congress entertain a high sense of his merit displayed in a variety of instances, but especially in the system of military order and discipline formed and presented by him to Congress.

April 8. The Committee, to whom was referred the letter of the 10th of February from Major-General Lincoln, brought in a report:

Resolved, That until a cartel for a general exchange is established between the Commanders in Chief of the forces of the United States and Great Britain, in order to relieve as much as possible the difficulties pressing upon the prisoners taken during the operations of the forces under the command of General Lincoln, and

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the British forces who had invaded Georgia, the commanding officer of the southern army for the time being, be authorised to exchange the same to the extent of their relative numbers, on the terms proposed by Major Pinckney to Lieutenant-Colonel Provost on the first day of February last, as far as the same will apply to the said prisoners.

That the said commanding officer for the time being, be authorised to dispense with the said terms where he shall judge that humanity or very pressing expediency may require it, and it shall not contravene general utility.

That effectual provision be made by a Commissary of prisoners for supplying such of our people as remain unexchanged.

That a deputy Commissary of prisoners be appointed for the southern army by the commanding officer thereof.

April 9. Resolved, That a warrant issue on the Treasurer in favour of the Honourable the Supreme Executive Council of the State of Pennsylvania, on the application of the Legislature of the said State, for 2,000,000 of dollars, for which the said State is to be accountable, with interest at six per cent. per annum.

April 12. Congress took into consideration a report from the Committee on the Treasury of the 5th, and thereupon

Resolved, That the three Commissioners for destroying bills of credit to be taken out of circulation by order of Congress, be allowed on every hundred dollars so destroyed, two ninetieth parts of a dollar, to be equally divided between them.

The following gentlemen are nominated as proper persons to be appointed Commissioners for destroying the bills to be taken out of circulation, viz.

Andrew Doz, by Mr. Paca,
John Shee, by Mr. Atlee,
Hugh Montgomery, by Mr. Wither-
spoon.

Congress by general consent proceeded to an election; and the ballot being taken,

Andrew Doz, John Shee, and Hugh Montgomery were elected.

Resolved, That the Loan Office certificates which may issue for prizes of the third class of the Lottery of the United States, shall bear an interest of six per cent. per annum, any resolution to the contrary notwithstanding.

April 13. The Committee appointed to consider what farther measures are necessary for the defence of South Carolina and Georgia report:

“ That the subjects of the Most Christian King residing in South Carolina have offered to form a corps of volunteers for the defence of the said State, to be commanded by officers of their own nation; that the said offer is approved by the Minister of France, and that the Marquis of Britigny requests to be appointed to the command.” Whereupon

Resolved, That Congress have a high sense of the offer made by the subjects of his Most Christian Majesty, residing in South Carolina, to incorporate themselves for the defence of the said state, and that the same be accepted.

Resolved, That the Marquis of Britigny, who, from his generous sacrifices, from his great sufferings, and from his military abilities, is intitled to the regard of the United States, appears from his military talents, rank, and abilities, to be a proper person to command the said corps, and that he be accordingly recommended to the Governor of South Carolina.

April 14. It being represented to Congress, that the General Assembly of the State of Massachusetts Bay have authorised and directed the Board of War of the said State to purchase flour and grain for the use of the inhabitants thereof, who are greatly distressed by the want of bread;

Resolved,

Resolved, That it be and hereby is recommended to the Executive Power of the States of Virginia, Maryland, Delaware, Pennsylvania, New Jersey, and New-York, to permit the exportation of such flour and grain as has been or may be purchased within the said states respectively, under the direction of the said Board of War, if authorised as aforesaid.

April 15. Congress resumed the consideration of the report of the Committee appointed to take into consideration the foreign affairs of these United States, and also the conduct of the late and present Commissioners of these States, wherein the Committee report,

1st, That it appears to them that Doctor Franklin is Plenipotentiary for these States at the Court of France, Doctor A. Lee Commissioner for the Court of Spain, Mr. William Lee Commissioner for the Courts of Vienna and Berlin, and Mr. R. Izard Commissioner for the Court of Tuscany; that Mr. J. Adams was appointed one of the Commissioners of the Court of France in the place of Mr. Deane, who had been appointed a joint Commissioner with Doctor Franklin and Doctor A. Lee, but that the said commission of Mr. Adams is superseded by the Plenipotentiary commission to Doctor Franklin.

2d, That it is the opinion of the Committee, that Ministers Plenipotentiary for these States, are only necessary for the present at the Courts of Versailles and Madrid.

3d, That in the course of their examination and enquiry, they find many complaints against the said Commissioners and the political and commercial agency of Mr. Deane, which complaints, with the evidence in support thereof, are herewith delivered, and to which the Committee beg leave to refer.

4th, That suspicions and animosities have arisen among the said Commissioners, which may be highly pre-

judicial to the honour and interest of these United States.

5th, That the appointments of the said Commissioners be vacated, and that new appointments be made.

6th, That there be but one Plenipotentiary Minister or Commissioner for these United States at a foreign Court.

7th, That no Plenipotentiary Minister or Commissioner for these United States, while he acts as such, shall exercise any other public office.

8th, That no person be appointed Plenipotentiary Minister or Commissioner for these United States, who is not a citizen thereof, and who has not a fixed and permanent interest therein.

9th, That fit and proper persons be appointed to settle and adjust Mr. Deane's public accounts, and the public accounts of all other persons who have transacted the commercial affairs of these States in France.

10th, That each of the Plenipotentiaries, Ministers and Commissioners, who now is, or has been, or may be, appointed, be allowed at the rate of
per annum.

The House having on the former days, when the report was under debate, agreed to the first and second articles thereof, and having also read the third article and the papers therein referred to, a motion was this day made by Mr. G. Morris, and seconded by Mr. Drayton,

“ That the Members of this House, who may have any papers or evidence in their possession relative to the said report, do lay the same upon the table.”

On the question put,

Resolved in the affirmative.

Congress proceeded to consider the fourth article in the report, when a motion was made by Mr. Smith, and seconded by Mr. Carmichael, to strike out the words, “ which may be.”

After debate thereon,

§ 7

Adjourned

Adjourned till ten o'clock to-morrow

April 17. The Delegates of South Carolina, to whom was referred the letter of the 7th of March from Major General Lincoln, brought in a report, which was taken into consideration, and thereupon Congress came to the following resolution :

Whereas it appears from the report of the Committee appointed to confer with Major Mead, Aid de Camp to Major General Lincoln, Commanding Officer in the Southern Department, that he is in such an ill state of health, as that his continuing longer in that warm climate may endanger his life :

Resolved, That the said Major General Lincoln be permitted to retire from the command of the southern army, and join the army under General Washington, that the public may avail itself of his services in a climate more suitable to his constitution, when his health will admit of it.

To the inhabitants of the United States of America.

Friends and Countrymen,

The present situation of public affairs demands your most serious attention, and particularly the great and encreasing depreciation of your currency requires the immediate, strenuous, and united efforts of all true friends to their country, for preventing an extension of the mischiefs that have already flowed from that source.

America, without arms, ammunition, discipline, revenue, government, or ally, almost totally stripped of commerce, and in the weakness of youth, as it were with a "staff and a sling" only, dared, "in the name of the Lord of Hosts," to engage a gigantic adversary, prepared at all points, boasting of his strength, and of whom even mighty warriors "were greatly afraid."

For defraying the expences of this uncommon war, your Representatives in Congress were obliged to emit paper money; an expedient that you knew to have been before generally and successfully practised on this Continent.

They were very sensible of the inconveniencies with which too frequent emissions would be attended, and endeavoured to avoid them. For this purpose they established Loan-offices so early as in October, 1776, and have from that time to this repeatedly and earnestly solicited you to lend them money on the faith of the United States. The sums received on loan have nevertheless proved inadequate to the public exigencies. Our enemies prosecuting the war by sea and land with implacable fury, and with some success, taxation at home, and borrowing abroad, in the midst of difficulties and dangers, were alike impracticable. Hence the continued necessity of new emissions.

But to this cause alone we do not impute the evil before mentioned. We have too much reason to believe it has been in part owing to the artifice of men who have hastened to enrich themselves by monopolizing the necessaries of life, and to the misconduct of inferior officers employed in the public service.

The variety and importance of the business entrusted to your Delegates, and their constant attendance in Congress, necessarily disables them from investigating disorders of this kind. Justly apprehensive of them, they, by their several resolutions of the 22d of November, and 20th of December, 1777, and of the 3d and 9th of February, 1778, recommended to the Legislative and Executive Powers of these States a due attention to these interesting affairs. How far those recommendations have been complied with, we will not undertake to determine; but we hold ourselves bound in duty to declare, that

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we are convinced there has been as much diligence used in detecting and reforming abuses, as there has been in committing or complaining of them.

With regard to monopolizers, it is our opinion, that taxes judiciously laid on such articles as become the objects of engrossers, and those frequently collected, would operate against the pernicious tendency of such practices.

As to inferior officers employed in the public service, we anxiously desire to call your most vigilant attention to their conduct with respect to every species of misbehaviour, whether proceeding from ignorance, negligence, or fraud, and to the making of laws for inflicting exemplary punishments on all offenders of this kind.

We are sorry to hear that some persons are so slightly informed of their own interests, as to suppose that it is advantageous to them to sell the produce of their farms at enormous prices, when a little reflection might convince them that it is injurious to those interests, and the general welfare. If they expect thereby to purchase imported goods cheaper, they will be egregiously disappointed; for the merchants, who know they cannot obtain returns in gold, silver, or bills of exchange, but that their vessels, if loaded here at all, must be loaded with produce, will raise the price of what they have to sell in proportion to the price of what they have to buy, and consequently the landholder can purchase no more foreign goods for the same quantity of his produce than he could before.

The evil, however, does not stop at this point. The landholder, by acting on this mistaken calculation, is only labouring to accumulate an immense debt, by increasing the public expences, for the payment of which his estate is engaged, and to

embarrass every measure adopted for vindicating his liberty, and securing his prosperity.

As the harvests of this year, which, by the Divine Goodness promise to be plentiful, will soon be gathered, and some new measures relating to your foreign concerns, with some arrangements relating to your domestic, are now under consideration, from which beneficial effects are expected, we entertain hopes that your affairs will acquire a much greater degree of regularity and energy than we have hitherto had.

But we should be highly criminal, if we did not plainly tell you, that those hopes are not founded wholly upon our own proceedings. These must be supported by your virtue, your wisdom, and your diligence. From the advantage of those seats in the national council, with which you have honoured us, we have a pleasing prospect of many blessings approaching this our native land. It is your patriotism must introduce and fix them here.

In vain will it be for your Delegates to form plans of economy; to strive to stop a continuation of emissions by taxation or loan, if you do not zealously co-operate with them in promoting their designs, and use your utmost industry to prevent the waste of money in the expenditure, which your respective situations in the several places where it is expended, may enable you to do. A discharge of this duty, and a compliance with recommendations for supplying money, might enable Congress to give speedy assurances to the public, that no more emissions shall take place, and thereby close that source of depreciation.

Your governments being now established, and your ability to contend with your invaders ascertained, we have on the most mature deliberation judged it indispensibly necessary to call on you for forty-five millions of dollars,

dollars, in addition to the fifteen millions required by a resolution of Congress of the 2d of January last, to be paid into the Continental Treasury before the first day of January next, in the same proportion, as to the quotas of the several States, with that for the said fifteen millions.

It appeared proper to us to fix the first day of next January for the payment of the whole; but as it is probable that States, if not all, will raise part of the sums by instalments, or otherwise before that time, we recommend in the strongest manner the paying as much as can be collected, as soon as possible, into the Continental Treasury.

Though it is manifest that moderate taxation in times of peace will recover the credit of your currency, yet the encouragement which your enemies derive from its depreciation, and the present exigencies demand great and speedy exertions.

We are persuaded you will use all possible care to make the promotion of the general welfare interfere as little as may be with the ease and comfort of individuals; but though the raising these sums should press heavily on some of our constituents, yet the obligations we feel to your venerable Clergy, the truly helpless widows and orphans, your most gallant, generous, meritorious officers and soldiers, the public faith and the commonweal, so irresistibly urge us to attempt the appreciation of your currency, that we cannot withhold obedience to those authoritative sensations.

On this subject we will only add, that as the rules of justice are most pleasing to our infinitely good and gracious Creator, and an adherence to them most likely to obtain his favour, so they will ever be found to be the best and safest maxims of human policy.

To our constituents we submit the propriety and purity of our inter-

tions, well knowing they will not forget, that we lay no burthens upon them; but those in which we participate with them—a happy sympathy, that pervades societies formed on the basis of equal liberty. Many cares, many labours, and may we not add, reproaches—are peculiar to us. These are the emoluments of our unsolicited stations; and with these we are content, if you approve our conduct. If you do not, we shall return to our private condition with no other regret, than that which will arise from our not having served you as acceptably and essentially as we wished and strove to do, though as cheerfully and faithfully as we could.

Think not we despair of the Commonwealth, or endeavour to shrink from opposing difficulties. No, your cause is too good, your objects too sacred, to be relinquished. We tell you truths, because you are freemen who can bear to hear them and may profit by them; and when they reach your enemies, we fear not the consequences, because we are not ignorant of their resources or our own. Let your good sense decide upon the comparison. Let even their prejudiced understandings decide upon it, and you need not be apprehensive of the determination.

Whatever supposed advantages from plans of rapine, projects of blood, or dreams of domination, may heretofore have amused their inflamed fancies, the conduct of one Monarch, the friend and protector of the rights of mankind, has turned the scale so much against them, that their visionary schemes vanish as the unwholesome vapours of night before the healthful influence of the sun.

An alliance has been formed between his Most Christian Majesty and these States, on the basis of the most perfect equality, for the direct end of maintaining effectually their liberty, sovereignty and independence,

dence, absolute and unlimited, as well in matters of government as of commerce. The conduct of our good and great ally towards us in this instance and others, has so fully manifested his sincerity and kindness, as to excite on our part correspondent sentiments of confidence and affection.

Observing the interests of his kingdom, to which duty and inclination prompted his attention, to be connected with those of America, and the combination of both clearly to coincide with the beneficent designs of the Author of Nature, who unquestionably intended men to partake of certain rights and portions of happiness, his Majesty perceived the attainment of these views to be founded on the single proposition of a separation between America and Great Britain.

The resentment and confusion of your enemies will point out to you the ideas you should entertain of the magnanimity and consummate wisdom of his Most Christian Majesty on this occasion.

They perceive, that selecting this grand and just idea from all those specious ones that might have confused or misled inferior judgment or virtue, and satisfied with the advantages which must result from that event alone, he has cemented the harmony between himself and these States, not only by establishing a reciprocity of benefits, but by eradicating every cause of jealousy and suspicion. They also perceive with similar emotions, that the moderation of our ally, in not desiring an acquisition of dominion on this Continent, or an exclusion of other nations from a share of its commercial advantages, so useful to them, has given no alarm to those nations, but, in fact, has *interested* them in the accomplishment of his generous undertaking to dissolve the monopoly thereof by Great Britain, which has

already contributed to elevate her to her present power and haughtiness; and threatened, if continued, to raise both to a height insupportable to the rest of Europe.

In short, their own best-informed Statesmen and writers confess, that your cause is exceedingly favoured by courts and people in that quarter of the world, while that of your adversaries is equally reprobated; and from thence draw ominous and well-grounded conclusions, that the final event must prove unfortunate to the latter. Indeed, we have the *best* reason to believe that we shall soon form other alliances, and on principles honourable and beneficial to these States.

Infatuated as your enemies have been from the beginning of this contest; do you imagine they can now flatter themselves with a hope of conquering you, unless you are false to yourselves?

When unprepared, undisciplined, and unsupported, you opposed their fleets and armies in full conjoined force, then, if at any time, was conquest to be apprehended. Yet what progress towards it have their violent and incessant efforts made? Judge from their own conduct. Having devoted you to bondage, and after vainly waiting their blood and treasure in the dishonourable enterprize; they deigned at length to offer terms of accommodation with respectful addresses to that once despised body the Congress, whose humble supplications *only* for peace, liberty, and safety, they had contemptuously rejected, under pretence of its being an unconstitutional assembly: nay more; desirous of seducing you into a deviation from the paths of rectitude, from which they had so far and so rashly wandered, they made most specious offers to tempt you into a violation of your faith given to your illustrious ally. Their arts were as unavailing as their arms.

—Poised

—Foiled again, and stung with rage, embittered by envy, they had no alternative, but to renounce the inglorious and ruinous controversy, or to resume their former modes of persecuting it. They chose the latter. Again, the savages are stimulated to horrid massacres of women and children, and domestics to the murder of their masters. Again, our brave and unhappy brethren are doomed to miserable deaths in gaols and prison-ships. To complete the sanguinary system, all the "EXTREMITIES of war" are by authority denounced against you.

Piously endeavour to derive this consolation from their remorseless fury, that "the Father of Mercies" looks down with disapprobation on such audacious defiances of his holy laws; and be further comforted with recollecting, that the arms assumed by you in your righteous cause have not been sullied by any unjustifiable severities.

Your enemies despairing, however, as it seems, of the success of their united forces against our main army, have divided them, as if their design was to harass you by predatory, desultory operations. If you are assiduous in improving opportunities, *Saratoga* may not be the only spot on this continent to give a new denomination to the baffled troops of a nation impiously priding herself in notions of her omnipotence.

Rouze yourselves, therefore, that this campaign may finish the great work you have so nobly carried on for several years past. What nation ever engaged in such a contest, under such a complication of disadvantages, so soon surmounted many of them, and in so short a period of time had so certain a prospect of a speedy and happy conclusion. We will venture to pronounce, that so remarkable an instance exists not in the annals of mankind. We well remember what you said at the com-

mencement of this war. You saw the immense difference between your circumstances and those of your enemies, and you knew the quarrel must decide on no less than your lives, liberties, and estates. All these you greatly put to every hazard, resolving rather to die freemen than to live slaves; and justice will oblige the impartial world to confess you have uniformly acted on the same generous principle. Consider how much you have done, and how comparatively little remains to be done to crown you with success. Persevere, and you ensure peace, freedom, safety, glory, sovereignty, and felicity to yourselves, your children, and your childrens children.

Encouraged by favours already received from Infinite Goodness, gratefully acknowledging them, earnestly imploring their continuance, constantly endeavouring to draw them down on your heads by an amendment of your lives, and a conformity to the Divine will, humbly confiding in the protection so often and wonderfully experienced, vigorously employ the means placed by Providence in your hands, for completing your labours.

Fill up your battalions—be prepared in every part to repel the incursions of your enemies—place your several quotas in the Continental Treasury—lend money for public uses—sink the emissions of your respective states—provide effectually for expediting the conveyance of supplies for your armies and fleets, and for your allies—prevent the produce of the country from being monopolized—effectually superintend the behaviour of public officers—diligently promote piety, virtue, brotherly love, learning, frugality, moderation—and may you be approved before Almighty God, worthy of those blessings we devoutly wish you to enjoy.

Done

Done, in Congress by unanimous consent, this 26th day of May, one thousand seven hundred and seventy-nine.

JOHN JAY, President.

Attest. CHARLES THOMSON, Sec.

For the REMEMBRANCE.

To the PUBLIC.

As all appeals and narratives offered to the public, relative to things merely of a private nature, generally appear in their recitals rather tedious and unimportant, had the subject in dispute only affected individuals in their domestic capacities, the writer of this would not have taken a pen in hand, to have investigated the matter. But it is humbly apprehended, that the point in question is looked upon as of consequence enough to claim some degree of attention. Sincerely sorry is the subscriber, that it is fallen to the lot of so insignificant a person as herself, to develop the affair in debate; but, in order to avoid any ambiguity of expressions, she means now to drop writing in the third person, and speak plainly in her own character.

Much has it been canvassed of late, I understand, in this State, whether Governor Johnstone ever had any conversation with a lady about politics in general, and General Reed in particular: much has it been doubted by some, whether a lady ever had any conversation with General Reed, as related in Towne's Evening Post in July: and much has it been disputed who the lady was, and if there really was such a person; all these doubts have been suggested and enforced, according to the political sentiments of the persons who hinted them, as the inclination too often gives a bias to the judgment.

The many parties, which it is but too notorious and melancholy a truth, prevail at this time in the city, render it necessary for the subscriber most seriously to declare,

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that she is not influenced or directed by any person or persons in office, or rejecting to be in office, in the Free and Independent States of America, or in the kingdom of Great Britain. And this present account now humbly presented to the public, has never one line of it been seen by, or read to, any individual of either sex. Had it been submitted to the perusal of two or three judicious friends who honour her with their countenance, it doubtless would not have appeared so destitute of every ornament of style and polish of the pen, as it does at present: but as it was meant as a plain detail of facts, she chose rather to wave all these little embellishments, as to the manner, in order to have it in her power, consistent with truth, to make the above declaration.

At the house of a very particular friend of mine, Mr. Charles Stedman, happened to be the place for Governor Johnstone's residence during his stay in this city. I was in it the greatest part of the time the Commissioners were here. I came to town to take leave of my husband, in consequence of a pass granted me by the Commander in Chief of our army.

Three times I was in company with Governor Johnstone; he expressed great desire to have been admitted to have passed the lines, or that his Secretary should have had some intercourse of a liberal kind (as he termed it) with people in power. I own that I did at that time look on Governor Johnstone as a friend to America, who wished some person would step forth and act a mediatorial part, and suggest something to stop the effusion of blood which was like to ensue if the war was carried on in its full vigour. The two former times of the three that I talked with Governor Johnstone, the conversation was so general, and the declaration so warm in favour of the interests of America, that I regarded him as an estimable character, and most sincerely

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cerely

terely wished he could have had a free intercourse with some of the sensible Whigs without the lines: but from first to last of these conversations I uniformly told him that I thought he cherished a delusive idea, namely, that the Congress kept the true sense of the people from the public, and that if that was fairly to be come at, Independence would lose ground.

I am sure I can say, speaking within bounds, I repeated half a dozen times to him that I believed if the votes of the people were or could be impartially taken, they would give the decision in favour of Independence: but this sentiment he never coincided in.

At this time my mind was much engaged with the thoughts of presenting a memorial to the Supreme Executive Council, then at Lancaster, as I thought it of some consequence to get it laid before that Honourable Body, previous to the time my husband was cited to appear, June the 25th. He was there summoned as guilty of High Treason, on the idea of his being a subject of the State: now as he was by birth a Briton, and lest this near a year before the Declaration of Independency, I was encouraged by some gentleman, learned in the law, to point out, that he could not with propriety come under the description of the bulk of the proscribed; but I beg pardon for wandering from the subject in this seeming digression.

Governor Johnstone heard me say I was going on this errand, and the conversation Mr. Reed more particularly refers to in his recital, passed between Governor Johnstone and myself, about a quarter of an hour before Governor Johnstone left Mr. Stedman's house, in Mr. Stedman's tea-room, to the best of my memory on the 16th of June, between the hours of ten and eleven in the morning. Gov. Johnstone sent me a manuscript book to read the morning he went off,

but in so hasty a way that he asked three or four times for it before it was possible to have read it a quarter through. The general vein that prevailed in it was pointing out the many advantages arising from a re-union with Britain, and a commercial intercourse, and several good things I believe were in it, but I thought it much too prolix to be of general utility. I returned the book to him in Mr. Stedman's tea-room, and was going out; he resumed the thread of politics.

Mrs. Ferguson, says Governor Johnstone, this is a most unhappy dispute; can nothing be fallen on to mitigate matters? God grant there could, Governor Johnstone, returned I; you are a person in power; you know how ardently I wish for peace; for I before that had said to Governor Johnstone, that if he would be instrumental in his representations at home to effect peace, it would give him comfort in his dying hour, when all earthly honours and views would be light in the balance: and I again repeated, "I am certain nothing short of Independence will be accepted." I am told, replied he, that Morris and Reed have a great deal to say in your politics. I answered, I believe they have; they are both gentlemen of distinguished characters for good sense and patriotic principles. I know something of Reed (says Johnstone) I forwarded letters to him of Mr. Dubert's; I knew Mr. Dubert well; I wish I could see Mr. Reed and Mr. Morris, but particularly Mr. Reed; I think I could say many things to him that would be for the advantage of settling this contest. I wish you could, Sir; I dare say, that if you were to converse with either of those gentlemen, it would be to your mutual satisfaction, and I think it is a great pity that you have not an opportunity. I heard, says he, that Reed has a great deal to say with Washington. I believe, Sir, returned

returned I, that General Reed stands very well with General Washington (for I always made it a point to give our officers their titles immediately, when any of the British gentlemen omitted them.) I had thought, says Johnstone, of applying to both those gentlemen (meaning Mr. Reed and Mr. Morris) for their good offices, but the fewer people one applies to the better: but I should be particularly glad of Mr. Reed's influence in this affair; Mrs. Fergusson, says he, (and I think he looked a little confused) if this affair should be settled in the way we wish, we shall have many pretty things in our power; and if Mr. Reed, after well considering the nature of the dispute, can, conformable to his conscience and view of things, exert his influence to settle the contest, he may command ten thousand guineas, and the best post in the government, and if you should see him, I could wish you would convey that idea to him. I own I felt hurt and shocked, for I regarded the hint as indelicate, and from that moment Mr. Johnstone appeared to me in a different point of light. He then was turning out of the room; the Commodore had sent for him and General Clinton two or three times that morning, while we were together. If he read countenances as well as I believe he did, he must immediately have seen disgust strongly painted on mine. I desired him to stay a moment: Sir, says I, since you have opened your mind so freely to me, allow me to suggest a few hints with the same freedom. By all means, Madam. Do not you think, Sir, that Mr. Reed will look upon such a mode of obtaining his influence as a bribe? (I really made use of that plain term.) Do you think so, Madam? I really, Sir, should apprehend so. By no means, Madam; this method of proceeding is customary in all negotiations; and one may very honourably make it a man's

interest to step forth in a cause. I know little of negotiations, returned I; but this appears to me, that if it is Mr. Reed's judgment, that America should give up the point of Independence, he will say so, if he has any influence in her counsels, without fee or reward; and if he is of a different opinion, no pecuniary emolument should lead him to give a contrary vote. He said he did not see the matter in the same point of light exactly as I did; and abruptly bid me farewell; and I believe if his heart had that moment been seen, he was vexed he had gone so far.

And here ends a simple narrative of a fact as far as it relates to Governor Johnstone's conversation with me. The misfortune of all narration is, they unavoidably lead to prolixity, and many little points that appear extremely interesting to the narrator, seem as tedious and non-essential to the reader. I must now, in vindication of my own character, be permitted to say something in regard to the conversation I had with General Reed: had he been as tender of my political reputation in his publication, as I ever have been and now am of his, I should at this time have been saved this disagreeable explanation. I have nothing to say that can cast a shade on his character as a Patriot, or injure him with the public as to the capital point: for when I came to the most interesting part of the conversation, he answered without hesitation, "my influence is but small, but was it as great as Governor Johnstone would insinuate, the King of Great Britain has nothing in his gift that would tempt me." Immediately on seeing the account published of this affair in Towne's Evening Post, I sat down under the warmth of the first impression of resentment, and wrote the letter that is subjoined to this publication. The paper did not reach me till the 26th of July: I was at my own retired

spot at Græme-Park; I had no creature to consult, and wrote it in four hours after seeing the Evening Post. I never had the least previous intimation from General Reed, or any of his friends, that he intended publishing the account, nor the least hint of such a design when I saw him that once, which is the only time I ever exchanged a word with him. In that letter I only anticipated the disagreeable consequence that his representation would produce. I have since severely felt and realized them. It is true Mr. Reed, though pressed to it, has never given up the name of the Lady; but there was such a combination of circumstances joined to his account, as never left the public in doubt of the person. I was immediately pointed out, and my silence was a tacit confession.

And I received no one advantage from not acknowledging myself as the person; unless these may be ranked as such, namely, not having it in my power to throw in one palliating or extenuating circumstance in my own behalf; and being obliged to hear a hundred rude and impertinent things said by people who had only the dark side of my character. Finally, I might be compared in such a situation to a person in an open field, whose enemy is hid in bushes, who darts forth poisoned arrows that spread their venom. I own I am wounded where I am most vulnerable; I mean my reputation. Much could I say with truth of my love to my country, but will here be silent, for two reasons; as a female perhaps to enlarge on that subject might be deemed an affectation of masculine virtue; and at this time it might appear as designed to carry certain points now in suspense.

Let this appeal to the public be taken in what light it may, I offer it with diffidence; but feel myself much more easy in my mind now I have given it than I have ever done since

I had that unlucky conversation with Governor Johnstone. Among the many mortifying insinuations that have been hinted on the subject, none has so sensibly affected me as an intimation, that some thought I acted a part in consequence of certain expectations, or some preferment from Mr. Johnstone to be conferred on the person dearest to me on earth. On that head I shall say no more, but leave it to any person of common sense to determine, if I had any views of that kind, whether I should in so full and solemn a manner call in question what Mr. Johnstone has asserted in the House of Commons: a proceeding of this kind must totally exclude all avenues of favour from that quarter, were there ever any expected, which I solemnly declare never was the case.

If this account should ever have the honour to be glanced over by the eye of Governor Johnstone, I know not in what medium he may view it: it is possible that the multiplicity of ideas which pass through the brain of a politician, in the course of a few months, may have jostled the whole transaction out of his memory. Should this be the case, insignificant and contemptible as I may appear to him, I believe there are two or three people in Britain that will venture to tell him, in all his plenitude of power, that they believe I would not set my hand to an untruth. The letter that I wrote to Mr. Reed is a proof that I never intended to deny the conversation; if I had ever views of that kind, I should not have been so weak as to have put it out of my power to have equivocated about it when called on by Mr. Reed. I do not pretend to assert that I as precisely related to Mr. Reed every word that passed, how, when and where, as I do in this account, which I believe I shall enforce by a deposition: but I now call on Mr. Reed, in the presence of an all-seeing God to declare, whether

whether, in the course of the conversation I had with him, I expressed one sentiment that breathed a wish, that he or any person in power should accept of any *douceurs* to preponderate in the scale.

I took no minutes of either of the conversations I had with the above mentioned gentlemen, therefore there may be some trifling errors; but as to a sum and office being mentioned, which seems to be the most essential part of the affair, I am not mistaken in.

I never will write or speak more on the subject, nor enter into any farther explanations: if I have erred, I must suffer. With all possible respect I remain the candid reader's most obedient humble servant.

ELIZABETH FERGUSSON.

Philadelphia, Feb. 16, 1779.

Grave-Park, July 26, 1778.

Sir,

It is with no small degree of regret that I now sit down to address a few lines to you, on a subject that is by no means agreeable to me to enter on: but I must beg the favour of your attention, with hopes of obtaining rather more candour, than I think has been shewn me heretofore.

I saw, to-day, Towne's Evening Post, in which Governor Johnstone's letter to you, Sir, is inserted, (that I have no business with) but the relation of a conversation which passed between General Reed and a certain lady must have been published with your consent; and that is an affair I must be permitted to touch upon.

Well acquainted as you are, Sir, with the methods which are made use of in courts of judicature for the investigation of truth, it would be superfluous in me to hint, that the suppression of some circumstances, and dwelling strongly on others, give a colouring and complexion to things very different from their real and original meaning and signification.

That you, Sir, shewed no disposition to fall in with any schemes which Governor Johnstone might wish you to adopt in favour of America's yielding her claim to Independency, is certainly justly stated in your account. But surely General Reed could have pointed out his firmness to his country's cause, without suffering an innocent, and I may say, almost friendless woman, to be exhibited in a common newspaper, and that in a manner which conveys no other ideas but that of her being an emissary of the Commissioners; and that she, by having some of her friends gone off with the British troops, was endeavouring to shew her attachment to their absence.

As yourself, Sir, and the lady, were the only parties that knew any thing of the affair in question, it is only you that can be appealed to. Be pleased, Sir, to recollect the style, the manner, and the whole of that *scène à scè*; and then, Sir, on the part of the lady can you determine that the conversation has been kindly, friendly, or fairly stated: if it has, my memory has greatly failed me in almost every point.

Any person of common sense, who reads the anecdote as related in the Evening Post, would conclude a billet was sent to General Reed from the lady, for no other purpose than to act solely on Governor Johnstone's business. Affairs relative to a near friend occupied her mind much more, and she applied to General Reed for his advice; and she thought that at parting he offered it cordially and sincerely as to her little concerns.

Accident flung her into the same house appropriated to the use of Governor Johnstone; she mentioned him to you, as one that seemed desirous of settling matters upon some amicable footing.

General Reed told her he had received a letter from Governor Johnstone; she from thence concluded he had

had opened his mind fully in that letter, on the point of engaging Mr. Reed in his interest; and she then repeated what had passed between Governor Johnstone and herself, with regard to politics in general, and Mr. Reed's influence in particular.

But she is certain, that she repeated to General Reed what she said to Mr. Johnstone, which was, that if General Reed, or any other person in power, looked upon it as beneficial to America, that she should yield Independency and be re-united to Great-Britain, he would suggest that idea without reward; and if he entertained opposite sentiments, no offers, if he was an honest man, could bias his judgment to give a contrary vote.

But there was no convincing the Commissioners, that the voice of the Congress was the voice of the people; and as their intercourse, for the most part, lay with the friends of government, it was natural for them to imbibe their sentiments.

I am sensible, Sir, that the political opinions of women are ridiculed among the generality of men; but I own I find it hard, (knowing the uncorruptness of my heart) to be held out to the public as a top to the Commissioners. Perhaps few minds would more sensibly feel so humiliating and mortifying an idea.

But the impression is now made, and it is too late to recall it. How far, at this critical juncture of time, this affair may injure my property, is uncertain; that, I assure you, is but a secondary thought,

Under no very agreeable situation of mind, I beg leave to conclude myself, Your very humble servant,

ELIZABETH FERGUSSON.

The 16th day of February, 1779. Before me John Ord, Esq. one of the Justices of the Peace for the city and county of Philadelphia, came Elizabeth Fergusson, of Horsham township, county of Philadelphia, gentlewoman,

and being sworn on the Holy Evangelist of Almighty God, did depose, declare, and say, that the declaration above mentioned is drawn up and wrote with her own hand writing, and is, in every respect, just and true, to the best of her remembrance.

ELIZABETH FERGUSSON.

Sworn at Philadelphia before me, the day and year above said,
Pennsylvania Packet.] JOHN ORD.

To GEORGE JOHNSTONE, Esq. at
New-York.

Your resignation as Commissioner does honour to the former goodness of your character. We pity the sufferings of a good man—his sorrows are sacred; but we cannot take pity in the misfortunes of a man who does not feel those misfortunes himself. I am glad the resolution of Congress will carry any mark of distinction to Governor Johnstone—nor do I think the imprudence of Mrs. Fergusson ought totally to degrade him in the eyes of his royal master. Unquestionably it must procure the Commissioner some considerable emoluments, which, no doubt, are *the marks of distinction* so very pleasing upon this occasion. His Majesty's Commissioners do not mean to transmit an *apology* for Governor Johnstone; but they are persuaded his abilities and *integrity* require no *vindication*; he failed in point of abilities—his integrity will remain upon record; and yet they require no *vindication*. It is all in the same spirit of the blundering, blustering, and profligate pilot at the head of administration. Captain Elphinstone, of the British navy, does not seem to entertain that high opinion of Governor Johnstone's integrity,

Your charges against Congress are false and ill-natured; Congress are a grand *patriotic* Assembly, sitting at the head of one great united people, possessed of very extensive, yet beneficial powers, neither usurped by

fraud,

fraud, nor maintained by *force*, but the genuine effect of esteem, of confidence and security; upon whom the eyes of a whole Continent are fixed; filled with admiration and glowing with affection; a Continent consisting of many Independent States, in the temper of whose united government, like the government of *Nerva*, empire, liberty, and manhood are intimately mixed, co-exist together inseparably, and constitute one real essence.

Congress do not mean, neither have they at any period taken upon themselves to *delude* a sensible people—It is true their constituents are *suffering under the various calamities of war*; but from what quarter have those calamities originated? I have heard you, in the House of Commons, repeatedly charge the whole matter to the *blasted* proceedings of administration, and that, in consequence of such proceedings, America must and would become *Independent*. You are certainly mistaken in a point of fact; the inhabitants of this Continent do not wish to see *the King's present commission carried into full effect*; it must be a commission pleni-potentiary to acknowledge the United States of America FREE, SOVEREIGN, and INDEPENDENT. So much blood and treasure have not been spent for the purposes of conditional reconciliation. The landholders are at length materially interested in the great cause of their country, and would maintain the freedom and independence of the Continent at every possible hazard; but thanks be to Heaven, and the bravery of my countrymen, there is not the least shadow to doubt the most successful conclusion of the present contest with Great Britain. FRANCE and SPAIN are powerful assistants. In my opinion, the conquest of America is the most ideal thing in the world; if there was not a single regular soldier with **OUR IMMORTAL GENERAL WASH-**

INGTON—the substantial militia of the country are fully adequate to the defence of that country; witness the bouncing *Burgoyne* with his convention at Saratoga; a convention that exasperates Governor Johnstone to such a degree, that he does not scruple to publish the most notorious falsities upon that matter.

I believe Congress are very indifferent whether you are anxious or not about the good opinion of that body; they feel the approbation of their own conscience; they meet with the approbation of their constituents; and what is also very material, they certainly have the approbation of the most RESPECTABLE POWERS IN EUROPE. But you possess a very great *regard* for many individuals of that body: it happens extremely fortunate for those individuals that you did not unthinkingly reveal their names; yet certainly it would not have been the first time that some gentlemen have suffered more by their friends than their enemies.

You conclude with endeavouring to cajole the multitude at large; this we know to be genuine *Scotch* policy: it has been of old adopted by your King; I am astonished a man of Governor Johnstone's abilities should pursue an antique, beaten way, so often trod, and so often unsuccessful. The people may sometimes be mistaken in their opinion, but in their *sentiments* they are never mistaken; the feelings of the multitude are those feelings which do honour to mankind; they are pure, they are impartial; we ought, and we must obey them. There may be a vanity perhaps in a singular way of thinking; but when Governor Johnstone in his declaration professes a want of that sensibility which distinguishes human nature, he hazards something infinitely more important than the character of his understanding. Being lost in passion and resentment, you forgot that good Queen Elizabeth so gloriously

gloriously assisted the United Provinces to maintain their Independence against the whole weight of the Spanish Monarchs. The days of retribution are now come to pass. You look into your own heart for an argument, and are willing to sacrifice the honour of other nations upon altars of your own construction.

I ever was, I ever shall be extremely moderate in my political principles; sanguinary proceedings of every sort, I utterly detest; it makes me shudder at the unavoidable necessity of such a contest as the present with England, and feel most warmly for the horrid depredations of war. We have been driven to Independence by the pernicious Councils of Great Britain. Had the first commission been transmitted to America before the declaration of Independence, peace and friendship would have reigned throughout; had the second Commissioners been sent to America before our connection with France, they would have produced unquestionably some very important benefits. If your former colleagues at New York have commissions pleni-potentiary, persuade them to make peace with us by acknowledging the Independence of America; a considerable part of the Continent will continue a most valuable trade with their old relations.

The debts due to the inhabitants of your island will be speedily discharged. Humanity should stimulate the Councils of Britain to reconcile the friends of that country to the now formed governments in America. A prospect of conquest is totally at an end. Upon the commencement of this great dispute, certainly every man had a right to countenance that side of the question which appeared to be best formed in freedom, safety, and the principles of the constitution; but most clearly he had no right to take up arms against his country, or give actual assistance to the enemy

after so large a majority of the Continent had declared our resistance salutary and constitutional.

A majority must rule in all free countries and societies. A man who cannot bend his opinion to that of others, should instantly depart to some other land. Yet I am willing to pardon all the disaffected, and take them once more into the bosom of America. After a declaration of war against France, there can be no peace, there can be no commerce, for the wretched inhabitants of England—and the sanctuary of friendship and safety will be shut up to the discontented citizens of America. That man who is not ripe for an honourable peace, is fit for *treasons, stratagems, and spoils; the motions of his heart are as dull as night, and his understanding dark as Erebus.* Surely Great Britain will act a wise and extended part; if not, the British power must be subdued, bound, chained; in its room concord will appear, brooding peace, and prosperity on this happy land; joy sitting on every face; content in every heart; a people unsuppressed, undisturbed, unalarmed, busy to improve their private property, and the public stock; no jealousies from a land army, and far distant from the broils and tumults of Europe; fleets covering the ocean, bringing home wealth by the returns of industry; carrying terror or assistance abroad by the direction of wisdom; and asserting triumphantly the rights and the honour of the UNITED STATES, *as far as waters roll, and winds can waft them.*

Virginia Gazette.] A VIRGINIAN.

To the respective Legislatures of the United States of America.

Fathers, Brethren and Fellow Citizens,

The treaty which is to stop the effusion of blood amongst us, whether by a truce or an absolute peace, engaging the attention of all the mem-
bers

bers of our union, various speculations are daily made on the terms which shall be stipulated. Insidious Tories, as well as timid and indolent Whigs, are preparing our minds for an acquiescence in cessions, which they insinuate, "ought to be assented to rather than continuing the war, under the many difficulties attending the depreciation of the currency, the want of necessaries, and the visible diminution of public virtue."

They tell us, that "Canada may remain under the dominion of Great-Britain, without endangering our Independence;" but the following extract of the *act of Parliament for making more effectual provision for the government of the province of Quebec in North-America*, is sufficient to confute those politicians.

"May it, therefore, please your Most Excellent Majesty, that it may 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 all the said territories, islands and countries, heretofore part of the province of Canada, in North-America, extending southward to the banks of the Ohio, westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the merchant adventurers of England trading to Hudson's-Bay, and which said territories, islands, and countries, are not within the limits of some other British colony, as allowed and confirmed by the Crown, or which have, since the tenth of February, one thousand seven hundred and sixty-three, been made part of the government of Newfoundland, be, and they are hereby, during his Majesty's pleasure, annexed to, and

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"made part and parcel of the province of Quebec, as enacted and established by the said royal proclamation of the seventh of October, one thousand seven hundred and sixty-three."

Shall peace with our enemies be concluded WITHOUT THE RATIFICATION of the respective States in our union? Is the treaty, which shall establish our Independence, less important to us than THAT ACT which manifested our resolution to be INDEPENDENT, and was ratified by all the united legislatures?

Ye fathers, brethren, and fellow-citizens, intrust your Delegates in Congress, to pass and publish Resolves for quieting the minds of many of their constituents, who have suffered themselves to be alarmed by the artifices of our enemies.

CONFEDERATION.

Boston, January, 1779.

The detention of the prize ships referred to in the following public acts, and their restoration to the British owners, by the Court of France in 1777, and before our Independence was acknowledged, through the mistaken conduct of the captors, having at that time occasioned some uneasiness in America, the following authentic account of the final settlement of that affair is now laid before the public:

Boston, October 17, 1778.

STATE of MASSACHUSETTS-BAY.

Be it remembered, that Joseph Foster, Esq. of Gloucester, within this State, merchant, upon petition to us for that purpose, having laid before us the necessary proofs, appears to be the agent for owners, officers, marines, and mariners of the privateer brigantine, *General Mercer*, James Babson, Commander, called the *Hancock*,

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cock, while in France the last year.— Also Messrs. John Grenell, and Adam Babcock, both of Boston, merchants, upon the same petition, appear to be owners and agents for the other owners, officers, marines and mariners of the privateer brigantine, *Fanny*, John Kendrick, Commander, called the *Boston*, while in France the last year, which said privateers having captured two British ships, and carried them into the port of Nantz, in France, the 13th of August, 1777, laden with sugar, which they entered as Dutch ships coming from St. Eustatia, the consequence of which occasioned the confiscation of those two ships by the Court of Admiralty; yet notwithstanding, his Most Christian Majesty, the King of France, having in his great goodness been pleased to order the sum of four hundred thousand livres, French money, to be paid to the owners and others concerned in the said two American privateers, which order, first signified by M. le Ray de Chaumont, Honorary Intendant of the Royal Hotel of Invalids, and by him to John Holker, Esq. Agent General of the Royal Marine, and Consul of France, and by him to the said agents and owners of the said privateers.

We therefore declare, that the proofs exhibited appear to us satisfactory and sufficient to authorize the said John Holker, Esq. to pay to the said Joseph Foster, Esq. and Messrs. John Grenell and Adam Babcock, the said sum of four hundred thousand livres, French money, according to the order of his Most Christian Majesty the King of France.

Received of the honourable John Holker, Esq. Agent-General of the Royal Marine, and Consul of France, four hundred thousand livres, French money, the value thereof in bills on France and Philadelphia, being a gratuity from his Most Christian Majes-

ty, the King of France, (whom God preserve) to the owners and all concerned in the two privateers, *Fanny* and *General Mercer*. John Kendrick, and James Babson, Commanders, called the *Boston*, and the *Hancock*, while in France the last year; which gratuity was ordered to be paid in lieu of two prize ships carried into the port of Nantz, by the said privateers the 13th of August, 1777, having entered them as Dutch ships coming from St. Eustatia, they were condemned in the Court of Admiralty to his Majesty, and were, by order of authority, delivered up to the owners in England.

Previous to our receiving the said sum of 400,000 livres, we having taken the necessary steps, and exhibited satisfactory proof of our being legally authorized to receive the said gratuity, as owners and agents for all concerned in the said two privateers and prizes, as will fully appear by the date and order of Council the 17th of October instant, we are happy to have this opportunity of rendering our sincere thanks to his Majesty the King of France, for this generous princely donation, declaring ourselves fully satisfied therewith, more especially as it convinces us, amongst many other more important proofs, of our good fortune in his friendship to the nation, of which we are a part.

Boston, O.S. 28, 1778.

ADAM BABCOCK,
JOHN GRENNELL,
JOSEPH FOSTER.

EZEKIEL PRICE, Notary-public by legal authority admitted and sworn, dwelling and practising in Boston, in New-England, doth hereby certify, that Adam Babcock, Joseph Foster, and John Grenell, signed the before going instrument, in the presence of the Hon. Mr. Holker, also in presence of me the said Notary.

In testimony whereof, I hereto set my hand, and affix my notorial seal,

feal, at Boston aforesaid, this twenty-sixth day of October, in the year of our Lord Christ, one thousand seven hundred and seventy-eight.

London, June 16, 1779.

This day the Spanish Ambassador delivered to Lord WEYMOUTH a paper, of which the following is a translation :

Copy of a paper delivered to Lord Viscount WEYMOUTH, by the Marquis D'ALMODOVAR, the 16th June, 1779.

“ All the world has been witness to the noble impartiality of the King, in the midst of the disputes of the Court of London with its American Colonies and with France. Besides which, his Majesty having learned that his powerful mediation was desired, generously made an offer of it, which was accepted by the belligerent powers, and for this motive only a ship of war was sent on the part of his Britannic Majesty to one of the ports of Spain. The King has taken the most energetic steps, and such as ought to have produced the most happy effect, to bring those powers to an accommodation equally honourable to both parties; proposing for this end wise expedients for smoothing difficulties, and preventing the calamities of war. But although his Majesty's propositions, and particularly those of his ultimatum, have been conformable to those which at other times the Court of London itself had appeared to judge proper for an accommodation, and which were also quite as moderate, they have been rejected in a manner that fully proves the little desire which the British Cabinet has to restore peace to Europe, and to preserve the King's friendship. In effect, the conduct of that Cabinet, with regard to his Majesty, during the whole course of the

negociation, has had for its object to prolong it for more than eight months, either by vain pretences, or by answers which could not be more inconclusive, whilst in this interval the insults on the Spanish flag, and the violation of the King's territories were carried on to an incredible excess; prizes have been made, ships have been searched and plundered, and a great number of them have been fired upon, which have been obliged to defend themselves; the registers have been opened and torn in pieces, and even the packets of the Court found on board the King's packet-boat.

“ The dominions of the Crown in America have been threatened, and they have gone to the dreadful extremity of raising the Indian nations, called the Chatcas, Cheroquies, and Chicachas, against the innocent inhabitants of Louisiana, who would have been the victims of the rage of these barbarians, if the Chatcas themselves had not repented, and revealed all the seduction the English had planned. The sovereignty of his Majesty in the province of Darien, and on the coast of St. Blas has been usurped, the Governor of Jamaica having granted to a rebel Indian the commission of Captain-general of those provinces.

“ In short, the territory of the Bay of Honduras has been recently violated by exercising acts of hostility, and other excesses against the Spaniards, who have been imprisoned, and whose houses have been invaded; besides which, the Court of London has hitherto neglected to accomplish what the 16th article of the last treaty of Paris stipulated relative to that coast.

“ Grievances so numerous, so weighty, and recent, have been at different times the object of complaints made in the King's name, and stated in Memorials which were delivered either to the British Mini-

sters at London, or transmitted to them through the channel of the English Ambassador at Madrid; but although the answers which were received have been friendly, his Majesty has hitherto obtained no other satisfaction than to see the insults repeated, which lately have amounted to the number of one hundred.

“ The King, proceeding with that sincerity and candour which characterize him, has formally declared to the Court of London, from the commencement of its disputes with France, that the conduct of England should be the rule of that which Spain would hold.

“ His Majesty likewise declared to that Court, that at the time their differences with that of Paris might be accommodated, it would be absolutely necessary to regulate those which had arisen, or might still arise with Spain, and in the plan of mediation which was sent to the underwritten Ambassador the 28th of last September, and which was by him delivered to the British Ministry in the beginning of October, a plan with which Lord Grantham was apprized, and of which he received a copy, his Majesty declared in positive terms to the belligerent powers, that in consideration of the insults which his subjects and dominions had suffered, and likewise of the attempts levelled against his rights, he should be under the necessity of taking his part, in case the negotiation, instead of being continued with sincerity, should be broken off, or should produce no effect.

“ The causes of complaint given by the Court of London not having ceased, and that Court shewing no dispositions to give reparation for them, the King has resolved, and orders his Ambassador to declare, that the honour of his Crown, the protection which he owes to his subjects, and his own personal dignity, do not permit him to suffer their in-

sults to continue, and to neglect any longer the reparation of those already received, and that in this view, notwithstanding the pacific dispositions of his Majesty, and even the particular inclination he had always had and expressed for cultivating the friendship of his Britannic Majesty, he finds himself under the disagreeable necessity of making use of all the means which the Almighty has intrusted him with, to obtain that justice which he has solicited by so many ways, without being able to acquire it: in confiding on the justice of his cause, his Majesty hopes that the consequences of this resolution will not be imputed to him before God or man, and that other nations will form a suitable idea of this resolution, by comparing it to the conduct which they themselves have experienced on the part of the British Ministry.

(Signed)

LE MARQUIS D'ALMODOVAR.”
London, 16 June, 1779.

At the Court at St. James's, the 18th
of June, 1779.

P R E S E N T,
The KING's Most Excellent Majesty
in Council.

Whereas the Ambassador of the King of Spain has, by order of his Court, delivered to Lord Viscount Weymouth a paper, in which it is declared, that his Catholick Majesty intends to have recourse to arms, under the groundless pretence of obtaining reparation for injuries supposed to have been received; and whereas the said Ambassador has received orders to retire from this kingdom without taking leave: his Majesty, being determined to take such measures as are necessary for vindicating the honour of his Crown, is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that general reprisals be granted against
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the ships, goods, and subjects of the King of Spain, so that as well his Majesty's fleet and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisals, or otherwise, by his Majesty's Commissioners for executing the office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels, and goods belonging to the King of Spain or his subjects, or others inhabiting within any the territories of the King of Spain, and bring the same to judgment in any of the Courts of Admiralty within his Majesty's dominions; and to that end his Majesty's Advocate-General, with the Advocate of the Admiralty, are forthwith to prepare the draught of a commission, and present the same to his Majesty at this Board, authorising the Commissioners for executing the office of Lord High Admiral, or any person or persons by them empowered and appointed, to issue forth and grant letters of marque and reprisal to any of his Majesty's subjects, or others whom the said Commissioners shall deem fitly qualified in that behalf, for the apprehending, seizing, and taking the ships, vessels, and goods belonging to Spain, and the vassals and subjects of the King of Spain, or any inhabitants within his countries, territories, or dominions; and that such powers and clauses be inserted in the said commission as have been usual, and are according to former precedents: and his Majesty's said Advocate-General, with the Advocate of the Admiralty, are also forthwith to prepare the draught of a commission, and present the same to his Majesty at this Board, authorising the said Commissioners for executing the office of Lord High Admiral, to will and require the High Court of Admiralty of Great Britain, and the Lieutenant and Judge of the said Court, his surrogate or surrogates, as also the several Courts of Admiralty

within his Majesty's dominions, to take cognizance of, and judicially proceed upon all, and all manner of captures, seizures, prizes, and reprisals of all ships or goods that are or shall be taken, and to hear and determine the same; and according to the course of Admiralty, and the laws of nations; to adjudge and condemn all such ships, vessels, and goods, as shall belong to Spain, or the vassals and subject of the King of Spain, or to any others inhabiting within any of his countries, territories, and dominions; and that such powers and clauses be inserted in the said commission as have been usual and are according to former precedents; and they are likewise to prepare and lay before his Majesty at this Board, a draught of such instructions as may be proper to be sent to the Courts of Admiralty in his Majesty's foreign governments and plantations, for their guidance herein; as also another draught of instructions for such ships as shall be commissioned for the purposes afore-mentioned.

A P R O C L A M A T I O N .

For granting the Distribution of Prizes during the present Hostilities.

GEORGE R.

Whereas by our order in Council, dated the eighteenth of this instant June, we have ordered that general reprisals be granted against the ships, goods, and subjects of the King of Spain; so that as well our fleet and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisals, or otherwise, by our Commissioners for executing our office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels, and goods, belonging to the King of Spain, or his subjects, or others inhabiting within any of the territories of the King of Spain, and bring the same to judgment in any of our Courts of Admiralty within our dominions;

minions; we, being desirous to give due encouragement to all our faithful subjects, who shall lawfully seize the same; and having declared in Council by our order of the twenty-third of this instant June, our intentions concerning the distribution of all manner of captures, seizures, prizes and reprisals, of all ships and goods, during the present hostilities, do now make known to all our loving subjects, and others whom it may concern, by this our Proclamation, by and with the advice of our Privy Council, that our will and pleasure is, that the neat produce of all prizes taken, the right whereof is inherent in us and our Crown, be given to the takers, but subject to the payment of all such or the like customs and duties, as the same are now, or would have been liable to, if the same were or might have been imported as merchadize; and that the same be so given in the proportion and manner hereinafter set forth: That is to say, that all prizes taken by ships and vessels having commissions of letters of marque and reprisals, may be sold and disposed of by the merchants, owners, fitters, and others, to whom such letters of marque and reprisals are granted, for their own use and benefit, after final adjudication, and not before. And we do hereby further order and direct, that the neat produce of all prizes which are or shall be taken by any of our ships or vessels of war, shall be for the entire benefit and encouragement of our Flag-officers, Captains, Commanders, and other commissioned officers, in our pay, and of the seamen, marines, and soldiers, on board our said ships and vessels at the time of the capture; and that such prizes may be lawfully sold and disposed of by them and their agents, after the same shall have been to us finally adjudged lawful prize, and not otherwise. The distribution shall be made as follows;

the whole of the neat produce being first divided into eight equal parts:

The Captain or Captains of any of our said ships and vessels of war, who shall be actually on board at the taking of any prize, shall have three-eighth parts; but in case any such prize shall be taken by any of our ships or vessels of war, under the command of a flag or flags, the Flag-officer or officers being actually on board, or directing and assisting in the capture, shall have one of the said three-eighth parts; the said one eighth part to be paid to such flag or Flag-officers in such proportions, and subject to such regulations, as are herein-after mentioned:

The Captains of marines and land-forces, Sea-lieutenants, and Master on board, shall have one-eighth part, to be equally divided amongst them:

The Lieutenants and Quarter-masters of marines, and Lieutenants, Ensigns, and Quarter-masters of land forces, Secretaries of Admirals or of Commodores, with Captains under them, Boatswains, Gunners, Purser, Carpenter, Master's mates, Chirurgion, Pilot, and Chaplain on board, shall have one-eighth part, to be equally divided amongst them:

The Midshipmen, Captain's-clerk, Master-sail-maker, Carpenter's-mates, Boatswain's-mates, Gunner's-mates, Master-at-arms, Corporals, Yeomen of the sheets, Cockiwin, Quarter-masters, Quarter-masters-mates, Chirurgion's-mates, Yeomen of the powder-room, Serjeants of marines and land-forces on board, shall have one-eighth part, to be equally divided amongst them:

The Trumpeters, Quarter-gunners, Carpenter's crew, Stewards, Cook, Armourer, Steward's-mate, Cook's-mate, Gunsmith, Cooper, Swabber, Ordinary Trumpeter, Barber, able seamen, ordinary seamen, and marines, and other soldiers, and all other persons doing duty and assisting on

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on board, shall have two eighth parts, to be equally divided among them :

Provided, that if any officer being on board any of our ships of war, at the time of taking any prize, shall have more commissions or offices than one, such officer shall be entitled only to the share or shares of the prizes, which, according to the above-mentioned distribution, shall belong to his superior commission or office. And we do hereby strictly enjoin all commanders of our ships and vessels of war taking any prize, as soon as may be, to transmit, or cause to be transmitted, to the Commissioners of our Navy, a true list of the names of all the officers, seamen, marines, soldiers, and others, who were actually on board our ships and vessels of war under their command at the time of the capture ; which list shall contain the quality of the service of each person on board, and be subscribed by the Captain or commanding officer, and three or more of the chief officers on board. And we do hereby require and direct the Commissioners of our Navy, or any three or more of them, to examine, or cause to be examined, such lists by the muster books of such ships and vessels of war, and lists annexed thereto, to see that such lists do agree with the said muster books and annexed lists, as to the names, qualities, or ratings, of the officers, seamen, marines, soldiers, and others belonging to such ships and vessels of war, and upon request forthwith to grant a certificate of the truth of any list transmitted to them, to the Agents nominated and appointed by the captors, to take care and dispose of such prize ; and also upon application to them (the said Commissioners) they shall give, or cause to be given, to the said Agents, all such lists from the Muster-books of any such ships of war, and annexed lists, as the said Agents shall find

requisite for their direction in paying the produce of such prizes, and otherwise shall be aiding and assisting to the said Agents in all such matters as shall be necessary.

We do hereby further will and direct, that the following regulations shall be observed concerning the one eighth part herein before mentioned to be granted to the flag, or Flag-officers who shall actually be on board at the taking of any prize, or shall be directing or assisting therein : first, That a Flag-officer, Commander in Chief, when there is but one Flag-officer upon service, shall have to his own use the said one eighth part of the prizes taken by ships and vessels under his command : secondly, That a Flag-officer, sent to command at Jamaica, or elsewhere, shall have no right to any share of prizes taken by ships or vessels employed there, before he arrives at the place to which he is sent, and actually takes upon him the command : thirdly, That when an inferior Flag-officer is sent out to reinforce a superior flag officer at Jamaica, or elsewhere, the superior Flag-officer shall have no right to any share of prizes taken by the inferior Flag-officer, before the inferior Flag-officer shall arrive within the limits of the command of the superior Flag-officer, and actually receive some order from him : fourthly, That a chief Flag-officer returning home from Jamaica, or elsewhere, shall have no share of the prizes taken by the ships or vessels left behind to act under another command : fifthly, That if a Flag-officer is sent to command in the out-ports of this kingdom, he shall have no share of the prizes taken by ships or vessels which have sailed from that port by order from the Admiralty : sixthly, That when more Flag-officers than one serve together, the eighth part of the prizes taken by any ships or vessels of the fleet or squadron, shall be divided in the following proportions,
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viz. If there be but two Flag-officers, the chief shall have two third parts of the said one eighth part, and the other shall have the remaining third part; but if the number of Flag-officers be more than two, the chief shall have only one half, and the other half shall be equally divided amongst the other Flag-officers: seventhly, That Commodores with Captains under them shall be esteemed as flag officers with respect to the eighth part of prizes taken, whether commanding in chief, or serving under command. And we do hereby further order, That in the case of cutters, schooners, and other armed vessels commanded by Lieutenants, the share of such Lieutenants shall be three eighth parts of the prize, unless such Lieutenants shall be under the command of a Flag-officer or officers; in which case the flag officer or officers shall have one of the said three eighths, to be divided among such Flag-officer or officers in the manner herein before directed in the case of Captains serving under Flag-officers: secondly, we direct that the share of the master, or other person acting as second in command, and the pilot, (if there happens to be one on board) shall be one eighth part, to be divided into three equal parts; of which two thirds shall go to the master, or other person acting as second in command, and the remaining one third to the pilot: but if there is no pilot, then such eighth part to go wholly to the master, or person acting as second in command, and the remaining one third to the pilot; but if there is no pilot, then such eighth part to go wholly to the master or person acting as second in command: that the share of the Chirurgeon, or Chirurgeon's mate, (where there is no Chirurgeon) Midshipmen, and Clerk and Steward, shall be one eighth; That the share of the Boatwain's, gunners, and carpenter's mates, Yeomen of the Sheets, sailmaker, Quar-

ter-master, and Quarter-master's Mate, shall be one eighth; and the share of the seamen, marines, and other persons on board, assisting in the capture, shall be two eighth parts. But it is our intention, nevertheless, that the above distribution shall only extend to such captures as shall be made by any cutter, schooner, or armed vessel, without any of his Majesty's ships or vessels of war being present or within sight of, and adding to the encouragement of the captors, and terror of the enemy: but in case any of his Majesty's ships or vessels of war shall be present, or in sight, that then the officers, pilots, petty officers, and men on board such cutters and schooners, or armed vessels, shall share in the same proportion as is allowed to persons of the like rank and denomination on board his Majesty's ships and vessels of war. Lastly, It is our will and pleasure, That this our declaration, and order in Council thereupon, shall extend not only to captures from the King of Spain, his subjects, and others inhabiting his countries, but also shall extend in the like manner to all ships and goods now taken, and not finally adjudged and condemned, and divided, or to be taken hereafter, under the Act of Parliament of the nineteenth year of our reign, entitled, An Act for the Encouragement of Seamen, and for the more speedy manning of our Navy.

Given at our Court at St. James's, the twenty fifth day of June, One thousand seven hundred and seventy-nine, in the nineteenth year of our reign

G O D save the KING.

By the KING,

A P R O C L A M A T I O N.

G E O R G E R.

Whereas we have received intelligence, that preparations are making by our enemies to invade this our kingdom, the safety and defence of
which

which requires our utmost care, and wherein by the assistance and blessing of God, we are resolved not to be wanting; and to the intent that they may not, in case of their landing, strengthen themselves by seizing the horses, oxen, and cattle of our subjects, which may be useful to them for draught or burthen, or be easily supplied with provisions, we have therefore thought fit, and do by our Royal Proclamation, by the advice of our Privy Council, strictly charge and command the Warden of the Cinque Ports, his Lieutenants, Deputy or Deputies, and all and every the Lieutenants and Deputy Lieutenants of our counties, and all Sheriffs, Justices of the Peace, Mayors, Bailiffs, and all and every other Officers and Ministers, civil and military, within their respective counties, cities, towns, and divisions, that they cause the coasts to be carefully watched, and upon the first approach of the enemy, immediately to cause all horses, oxen, and cattle, which may be fit for draught or burthen, and not actually employed in our service, or in the defence of the country, and also (as far as may be practicable) all other cattle and provisions, to be driven and removed to some place of security, and to such a distance from the place where the enemy shall attempt, or appear to intend to land, so as they may not fall into the hands or power of any of our enemies; wherein, nevertheless, it is our will and pleasure, that the respective owners thereof may suffer as little damage, loss, or inconvenience as may be consistent with the public safety: and we do hereby further strictly charge and command all our subjects to be aiding and assisting in the execution of this our royal command. Given at our Court at St. James's the ninth day of July, one thousand seven hundred and seventy-nine, in the nineteenth year of our reign.

GOD save the KING.

VOL. VIII.

Observations on the foregoing Proclamation.

We are now to look into the measures which the Ministers have adopted for our internal defence, and to examine their preparations, on a confession of their fears.

Whilst they obstinately persisted in affirming that the kingdom was in perfect safety, and shut fast their eyes because they did not dare to see; we did not wonder that they refused to acknowledge our danger, which was their crime; and their total want of preparation was accounted for, though the guilt was extremely aggravated, by their wilful ignorance. Roused at last by their near approach, as well as the greatness of the danger, from their dreams of security in a sleep which they would willingly have protracted—they start, they are amazed, and are at their wits end. They stare and gape at one another, every man without resource in his own judgment, and without hope in that of his colleagues.

In this state of despair and distraction, they call for no civil wisdom to direct, for no military abilities to assist them. It is not in living wisdom they place their trust, nor from *armed files* that they expect safety. All the absurdities and blunders of antiquity are dug up for their imitation, and long *files of Gazettes* are emptied of every folly upon record. Amongst these they find, that in times past there was a proclamation for driving cattle. Happy in the discovery, they seize with avidity on the treasure; and having invaded America most successfully by Acts of Parliament, they trust that they shall expel an enemy from the heart of England, by precedents from the London Gazette.

The lawyers, under whose banners we have fought with the expected success abroad, are resolved to be Generals at home; and having of necessity, a *noli prosequi* granted against their further proceedings without, they enter a *dilatory plea* to gain time

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of the enemy within the kingdom. The result of all is a Proclamation for driving cattle and removing provisions from the sea coast. They find a *precedent* for it in the year 1756, and satisfied with that, they think no further about the matter. They never asked whether it had produced any effect in former times, or was likely to be of any use at present: it was enough that there was a *precedent* for it. Every step they took in making war upon America trampled upon our liberties, and, in the same spirit, their first measure of self-defence, is the destruction of our property.

All this might be borne, did this paper barrier, this fortification of *precedent*, promise us the smallest security; or if the wisdom of our Ministers had instructed us in the mode of executing what their authority commanded; and had suggested some probability of *distressing the enemy*, by the *certain wasting of our own country*.

I have no doubt, that laying waste a part of one's own country may sometimes, in the miseries attendant on war, be a necessary measure; and that destroying our own provisions may possibly distress an invader. But surely that country is little worth fighting for, whose *sole* defence is in self-destruction, and whose government can devise no other means of keeping out an enemy, but by rendering it not worth his possessing. But our Ministers laugh at all this, and tell you they are governed by *precedent*. Some how or other, with great deference to them, I have just now my fears of a defence by *precedent*. I do not think highly of French and Spanish humanity; but I trust and hope, if for our sins we should be put to the trial in our case, that no civilized enemy will think himself justified in changing the modes of war now happily adopted in Europe, by the very recent *prece-*

dents which our Ministers have recorded in very strong characters for their instruction, by our mode of making war in America.

But let us take this measure as it is, and having it held out to us as our sole defence, let us prepare to execute this ministerial mandate; and for that purpose, let us endeavour to understand the Royal Proclamation.

“Upon the appearance of the enemy, the cattle and provisions are to be driven and removed from the sea coast.”—Such is the order. How are we to understand it?—First, what is to be accounted the *appearance of the enemy*, which is to call for this driving and removal?—Is it at the sight of three, or of three hundred sail? Is it to be ascertained by the cool judgment of some, or the turbulent panic of others of the inhabitants? Who are authorized to determine for the whole; or is every man to act for himself? Has any attention been paid to any of these particulars? Certainly not in the Proclamation; and I do not hear that they have been, or are otherwise thought of; and yet, surely, some coercion may be necessary to compel sturdy or interested obstinacy not to despise a great fleet; and to controul the timid, whose fears may magnify and multiply a few fishing boats into formidable squadrons. No criterion is fixed, nor is any authority established, whereby the appearance of an enemy, within the meaning of the Proclamation, may be determined. Every man is left to judge for himself, and no means are prepared for executing this measure, when real danger approaches, or preventing its destructive consequences on every false alarm.

Further;—the cattle, &c. are to be driven from that coast, on which the enemy appears. Very well!—They appear on the coast of Cornwall;—drive and remove all cattle and provisions!—They pass on to Devonshire.

vonshire.—Drive there, and return, like the Patriarchs, with your flocks and your herds, your horses and your asses, to the coast of Cornwall. The wind shifts, and the enemy again appear on the Cornish coast.—The same driving then, and the like return into Devonshire! Both these coasts are passed, and the same game is to be played in Dorsetshire, in Hampshire, in Suffex, in Kent, and in Essex. Not one word of direction or instruction is given by which this ruinous confusion may be prevented, this undefensive destruction avoided. The precedent did not furnish it, and the wisdom of a Lawyer, though assuming the part of a General, cannot travel out of the record.

Again;—to what distance from the coast are the cattle to be driven and the provisions removed?—Not a word on this surely most material matter; and to avoid this, our Ministers shut their eyes on the clause of their precedent, which could alone make it common sense, as if it was offensive to their sight. That precedent prescribes twenty miles. This they have omitted, lest they might be justly charged with not exceeding their predecessors in absurdity.

We must also enquire, should the enemy arrive, as is most likely, in harvest time, whether the standing corn is to be destroyed, and to what depth from the coast. No light is given in this also most important concern. If it be left standing, the enemy are supplied most abundantly; if it be destroyed,—who shall guarantee us from famine, upon the total destruction of the crops in so many, and some of them great corn countries, and alas!—we no longer have America to resort to, as on occasions of former famine.

But it seems it is our duty to comply with our Ministers in the erection of this their only battery, and put the whole country into motion, driving and removing; redriving and return-

ing.—My good Lord President, whither are we to drive, and who is to receive the cattle and provisions? Who are appointed to take an account, or any other care of them?—No one.—Total silence on this; as if his Majesty's Ministers thought that they had fully discharged their duty to their Sovereign, when they had pointed out to the subject the means by which he might destroy his yet remaining property; a destruction in which the French and Spaniards, the pacific friends of our warlike Ministers, are coming, as the Proclamation tells us, to lend their willing assistance. As to relief or indemnity for the waste and havock they recommend and enjoy; so far from being promised, it is not even hinted. Their contractors, however, with the well-known Mr. Mellish at their head, will have fine markets, and he may be enabled to give the old men at Greenwich Hospital ox beef, with as much profit to himself, as he has hitherto made by feeding them with that of bulls.

We are, further, led to ask our Ministers—whether the inhabitants are to remove together with their corn and cattle? If they are, the fate of their houses and furniture is easily foreseen, but their future indemnification is not at all shewn. The Royal Proclamation is quite silent on this head, and it is therefore probable that the inhabitants being left to their choice, will stay in their houses, especially in the towns. If so, are they to keep any and what provisions? I presume they must. Why then, I apprehend that the enemy will, at least, share with them; and that, having possession both of them and their houses, the security will be pretty good for the return of their cattle and all kind of provision; or that, if the mercy of our Ministers should refuse the return of what their wisdom has ordered the removal, the inhabitants must answer in their persons

sons for the deficiency of their barns.

But, if all persons, men, women, and children, are to remove, with all their effects, in the name of common sense, and common humanity, ought not that Minister, who commanded such a removal, to have, at least, thought of some place for their reception; of some kind of even partial security for the protection of their persons from the inclemency of the skies; and of their property from the lawless depredation of robbers, and the legal plunder of contractors.

I could proceed much further on this subject; but there is enough said, at least for the present, and I really sicken at the view of so much misery so unfeelingly ordered; at the consideration of the enemy's office taken out of their hands; and, laying waste the country held out by those who ought to protect it, as the only method of defence. Surely it is time, that the people, in their several countries, should assemble to think for themselves; they need little fear that the result of their councils can be more effectual for their ruin, or more inefficacious for their defence, than the means pointed out by the Proclamation, the first effort, and the last hope of the Ministers.

But the people seem lost in a stupid apathy, the effect of the only successful policy of our ministerial guardians! To these Ministers themselves I would, however, just hint, that their success against the spirit, integrity, virtue and liberty of the nation, may be more complete than *even they* have desired; and that the present supineness of the people may not arise from submission to them, but from indifference to every thing; that, having lost, even to hopes, the prime blessings of civil society, a wife and well-conducted administration of their affairs, they are not anxious to defend what is left; and that they neither knew nor apprehend any great diffe-

rence between *French DESPOTISM* and *English MIS-GOVERNMENT*.

A M A N I F E S T O
Displaying the Motives and Conduct
of HIS MOST CHRISTIAN MA-
JESTY towards England.

T R A N S L A T I O N.

When the sovereign disposer of events called his Majesty to the throne, France enjoyed the most profound peace. The first concern of his Majesty was to signify to all the powers of Europe, his sincere desire, that the blessings of peace might be perpetuated to his kingdom. This gracious disposition of his Majesty was generally applauded; the King of England in particular testified his satisfaction, and gave his Majesty the most expressive assurances of sincere friendship. Such a reciprocity of sentiment justified his Majesty in believing, that the Court of London was at last disposed to adopt a mode of conduct more equitable and friendly, than that which had been adopted since the conclusion of the peace of 1763, and that a final stop would be put to those various acts of tyranny, which his subjects had in every quarter of the globe experienced on the part of England, from the æra above mentioned. His Majesty persuaded himself that he could still place the greater reliance on the King of England's protestations, as the primordial seed of the American revolution began to unfold itself in a manner highly alarming to the interest of Great Britain.

But, the Court of London, vainly imputing that to fear or feebleness, which was only the natural effect of his Majesty's pacific disposition, strictly adhered to her customary system, and continued every harrasing act of violence against the commerce, and the navigation of his Majesty's subjects. His Majesty represented these outrages to the King of England with the utmost candour,

and

and judging of his sentiments by his own, his Majesty had the greatest confidence, that the grievances would be no sooner made known to the King of England, than he would redress them. Nay, further, his Majesty being thoroughly acquainted with the embarrassment which the affairs of North America had occasioned the Court of London, charitably forbore to increase that embarrassment, by insisting too hastily on those reparation of injuries, which the English Ministers had never ceased to promise, nor ever failed to evade.

Such was the position of affairs between the two Courts, when the measures of the Court of London compelled the English colonists to have recourse to arms to preserve their rights, their privileges, and their liberty. The whole world knows the era when this brilliant event shone forth; the multiplied and unsuccessful efforts made by the Americans to be reinstated in the bosom of their mother country; the disdainful manner in which they were spurned by England; and finally: the act of Independence, which was at length, and could not but have been the necessary result of this treatment.

The war in which the United States of North America found themselves involved, with regard to England, necessarily compelled them to explore the means of forming connections with the other powers of Europe, and of opening a direct commerce with them. His Majesty would have neglected the most essential interests of his kingdom, were he to have refused the Americans admission into his ports, or that participation of commercial advantages which is enjoyed by every other nation.

This conduct, so much the result of justice and of wisdom, was adopted by far the greater part of the commercial states of Europe; yet it gave occasion to the Court of London, to

prefer her representations, and give vent to all the bitterness of complaint. She imagined, no doubt, that she had but to employ her usual style of haughtiness and ambition, to obtain of France an unbounded deference to her will. But, to the most unreasonable propositions, and the most intemperate measures, his Majesty opposed nothing but the calmness of justice, and the moderation of reason. His Majesty gave the King of England plainly to understand, that he neither was, nor did he pretend to be a judge of the disputes with his Colonies; much less would it become his Majesty to avenge his quarrel: that in consequence his Majesty was under no obligation to treat the Americans as rebels; to exclude them from his ports, and to prohibit them from all commercial intercourse with his subjects. Notwithstanding, his Majesty was very ready to shackle, as much as depended on him, the exportation of arms and military stores; and gave the most positive assurance, not only that he would not protect this species of commerce, but that he would also allow England free permission to stop those of his subjects who should be detected in carrying on such illicit traffic, observing only the faith of treaties, and the laws and the usages of the sea. His Majesty went still further: he was scrupulously exact in observing every commercial stipulation in the Treaty of Utrecht, although it was daily violated by the Court of London, and England, at the very time, had refused to ratify it in all its parts. As a consequence of the amicable part thus taken by his Majesty, he interdicted the American privateers from arming in his ports; he would neither suffer them to sell their prizes, nor to remain one moment longer in the ports of France, than was consistent with the stipulations of the above treaty. His Majesty strictly enjoined his subjects not to purchase such

such prizes; and, in case of disobedience they were threatened with confiscation. These acts, on the part of his Majesty, had the desired effect. But all these acts, distinguished as well by their condescension, as by their strict adherence to the spirit and letter of a treaty, which his Majesty (had he been so disposed) might have considered as non-existing; all these acts were far from satisfying the Court of London. That Court affected to consider his Majesty as responsible for all transgressions, although the King of England, notwithstanding a solemn act of Parliament, could not himself prevent his own merchants from furnishing the North-American Colonies with merchandize and even military stores.

It is easy to conceive how the refusal of yielding to the assuming demands, and arbitrary pretensions of England, would mortify the self-sufficiency of that power, and revive its ancient animosity to France. She was the more irritated from her having begun to experience some checks in America, which prognosticated to her the irrevocable separation of her Colonies; and from foreseeing the inevitable calamities and losses following such a separation; and observing France profiting by that commerce, which she, with an inconsiderate hand, had thrown away, and adopting every means to render her flag respectable.

These are the combined causes which have increased the despair of the Court of London, and have led her to cover the seas with her privateers, furnished with letters of marque conceived in the most offensive terms; to violate without scruple the faith of treaties, to harrass, under the most frivolous and absurd pretences, the trade and navigation of his Majesty's subjects; to assume to herself a tyrannical empire of the sea; to prescribe unknown and inadmissible laws and regulations; to insult on many occasions his Majesty's flag; in short, to

infringe on his territories, as well in Europe as in America, in the most marked and characteristic style of insult.

If his Majesty had been less attentive to the sacred rights of humanity; if he had been more prodigal of the blood of his subjects: in short, if, instead of following the benevolent impulse of his nature, he had sought to avenge wounded honour, he could not have hesitated a moment to make use of reprisals, and to repel those insults which had been offered to his dignity, by the force of his arms. But his Majesty stifled even his just resentments, He was desirous that the measure of his goodness might overflow, because he still retained such an opinion of his enemies as to expect, they would yield that to moderation and amicable adjustment on his part, which their own interests required of them.

It was these considerations which moved his Majesty to detail the whole of his complaints to the Court of London. This detail was accompanied with the most serious representations, his Majesty being desirous that the King of England should not be left in any uncertainty, as to his Majesty's actual determination to maintain his own dignity inviolate; to protect the rights and interests of his subjects; and to render his flag respectable. But the Court of London affected to observe an offensive silence on every grievance represented by his Majesty's Ambassador, and when it was determined to vouchsafe an answer, it was an easy matter to deny the best authenticated facts; to advance principles contrary to the law of nations; to positve treaties; to marine usage; and to encourage judgments without justice, and censifications without mercy, not leaving the injured even the means of appeal. At the same time that the Court of London put the moderation and forbearance of the King to the severest trial, in the ports of England there were

were preparations making and armaments equipping, which could not have America for their object; the design was too determinate to be mistaken. His Majesty, therefore, found it indispensable to make such dispositions on his part, as might be sufficient to prevent the evil designs of his enemy, at the same time provide against depredations and insults similar to those committed in 1755.

In this state of things his Majesty, who had hitherto rejected the overtures of the United States of North-America, (and that in contradiction to his most pressing interests) now perceived that he had not a moment to lose in concluding a treaty with them. Their Independence had been declared and established; England herself had in some sort recognized that Independence, by permitting the existence of acts which carried every implication of sovereignty. Had it been the intention of his Majesty to deceive England, and to adopt measures for the purpose of covering the veil of secrecy over his engagements with his now allies; but the principles of justice, which have ever directed his Majesty, and his sincere desire of preserving peace, were decisive inducements for him to pursue a conduct more generous and noble: his Majesty conceived it a duty which he owed to himself, to notify to the King of England the alliance he had formed with the United States. Nothing could be more simple or less offensive than the rescript delivered by his Majesty's Ambassador to the British Minister. But, the Council of St. James's were not of this opinion, and the King of England, after having first broken the peace, by recalling his Ambassador, announced to his Parliament the Declaration of his Majesty, as an act of hostility, as a formal and premeditated aggression. It would be insulting credulity to suppose it can be believed, that his Ma-

jesty's recognition of the Independence of the Thirteen United States of America, should of itself have so irritated the King of England; that Prince, without doubt, is well acquainted with all those instances of the kind which not only the British annals, but his own reign can furnish. His resentment is founded on another principle. The French treaty defeated and rendered useless the plan formed at London for the sudden and precarious coalition that was about to be formed with America; and it baffled those secret projects adopted by his Britannic Majesty for that purpose. The real cause of that extreme animosity which the King of England has manifested, and which he has communicated to his Parliament, was the not being able to regain America, and turn her arms against France.

A conduct thus extraordinary, taught his Majesty what he had to expect from the Court of London; and, even had there remained a possibility of doubt, the immense preparations carrying on in the different parts of England with redoubled vigour, would have cleared up the doubt. Measures so manifestly directed against France, had the effect of imposing a law on his Majesty; he put himself in a condition to repel force by force; it was with this view that he hastened the equipment of his armaments, and that he dispatched a squadron to America under the command of Comte D'Estaing.

It is notorious that the armaments of France were in a condition to act offensively, long before those of England were prepared. It was in his Majesty's power to have made a sudden and a most sensible impression on England. The King was avowedly engaged in the enterprize, and his plans were on the point of being carried into execution, when the bare whisper of peace stayed his hand, and suspended their execution. His Ca-

tholic

atholic Majesty imparted to the King the desire of the Court of London to avail herself of the mediation of Spain on the subject of conciliation. But his Catholic Majesty would not engage to act as mediator, without a previous assurance of his good offices being unequivocally accepted, in a case where he interposed without being made acquainted with the principal objects, which were to serve as the basis of the negotiation.

The King received the overture with a satisfaction proportioned to the wish he had uniformly expressed for the continuance of peace. Notwithstanding the King of Spain had professed it to be a matter of perfect indifference to him, whether his mediation was accepted or not; and that notwithstanding the overtures he made, he left the King, his nephew, entirely at liberty to act as he thought proper, yet his Majesty not only consented to the mediation, but he immediately countermanded the sailing of the Brest fleet, and he agreed to communicate his conditions of peace the moment that England should express in positive terms, a desire of reconciliation, in which the United States of North-America were to be comprehended, France, by no means entertaining an idea of abandoning them; there could not surely be any thing more conformable to the ostensible wishes of the Court of London, than this proposal. His Catholic Majesty lost not a moment to discuss the business with the King of England and his Minister; but it was quickly discovered by the Court of Madrid, that the English Ministers were not sincere in their overtures for peace. The British Minister talked expressly of his Majesty withdrawing the rescript which had been delivered by his Ambassador on the 13th of March, 1778, as a preliminary and absolutely necessary step to reconciliation. Such an answer was injurious to Spain as well as to France; and it

developed the hostile intentions of England, in the clearest point of view. Both monarchs viewed each other with amazement; and although his Majesty (always animated with the love of peace) left the Catholic King to act as he thought most prudent with respect to continuing his mediation, yet he judged it expedient to command his Charge des Affaires at London, to observe a profound silence on the subject.

The hope of peace continued, however, to flatter the disposition of his Majesty, until the fleets commanded by the Admirals Keppel and Byron, sailed out of port. Then it was, that the veil of deception which had served to cover the real intentions of the Court of London, was rent asunder. It was no longer possible to place confidence in her insidious professions, nor could the aggressive design of England be any longer doubted. The face of things being thus changed, his Majesty found himself obliged to make an alteration in those measures he had previously adopted, for the security of his possessions, and to preserve the commerce of his subjects. The event will very soon demonstrate his Majesty's foresight to have been just. The world can witness in what manner his Majesty's frigate, the *Belle Poule* was attacked by an English frigate, within view of the coast of France, nor is it less notorious that two other frigates, and a smaller vessel, were surprised and carried into the ports of England. The departure of the fleet under Comte d'Orvilliers became absolutely necessary, to frustrate the designs of the enemies of his Majesty's Crown, and to revenge the insults his flag had received. PROVIDENCE disposed the triumph in favour of his Majesty's arms: Comte d'Orvilliers, after being attacked by the English fleet, forced them to retreat with considerable damage.

Since

Since that period hostilities have been continued without any declaration of war. The Court of London has not declared it, because she would be wanting in reasons to justify her conduct. Nor has she dared to accuse France publicly of being the aggressor, after three of his Majesty's vessels had been captured by the English fleet; and she felt that she would have ample cause to blush, when the execution of those orders she had sent clandestinely to India should have opened the eyes of all Europe to the degree of reliance which can be placed in her pacific professions, and should have enabled every Power in it to determine, to which of the two Powers, France or England, the term of *Perfidious* most properly applies, an epithet which the English Minister loses no opportunity of bestowing upon France.

As to the King, if he has deferred notifying to the world the multiplied injuries he has sustained from the Court of London; if he has delayed demonstrating the absolute necessity of his having recourse to arms; such a procrastination on the part of his Majesty, has been owing to a fond hope that the English Minister would at last recollect himself, and, that either justice, or the more critical situation into which he has plunged his country, would have prevailed on him to change his conduct.

This hope appeared to have been the better founded, as the English Minister was continually dispatching his emissaries to sound his Majesty's dispositions, at the very time the King of Spain was negotiating with him for peace. His Majesty, so far from belying those sentiments which he had always expressed, listened with eagerness to the advice of the King, his uncle; and, to convince that Prince of his persevering sincerity, his Majesty entrusted him without reserve, with those very moderate conditions, on which his Majesty would most gladly have laid down his arms.

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The Catholic King communicated to the Court of London the assurances he had received from his Majesty, and he urged that Court to perfect the reconciliation, which she had long so earnestly affected to desire. But the English Minister, although constantly feigning a desire of peace, never returned an ingenuous answer to the King of Spain, but was perpetually insulting his Catholic Majesty, with a tender of inadmissible propositions, quite foreign to the subject of dispute.

It was now clear from the most indisputable evidence, that England did not wish for peace, and that she negotiated for no other purpose but to gain time to make the necessary preparations for war. The King of Spain was perfectly sensible of this truth; nor was he less sensible how much his own dignity was committed, yet his heart anticipated the calamities of war, and he forgot his own wrongs in his anxious wish for peace. He even suggested a new plan of a cessation of arms for a term of years. This plan was perfectly agreeable to his Majesty, on condition that the United States of America should be comprised in the proposal, and that during the truce, they should be treated as independent. To render it more easy for the King of England to subscribe to this essential stipulation, his Majesty consented that he should either treat immediately with Congress, or through the mediation of the King of Spain.

In consequence of these overtures, his Catholic Majesty dispatched his plan to the Court of London. Besides the time limited for the suspension of hostilities (during which the United States were to be considered as independent *de facto*) his Catholic Majesty took it on himself to propose, relatively to America, that each party should have the possession of what they occupied at the time of signing the treaty of suspension, guaranteed

guaranteed to them. Such infinite pains did the King of Spain take to stop the effusion of human blood!

There is not a doubt but that these conditions must appear to every well judging person, such as would have been accepted; they were, however, formally rejected by the Court of London, nor has that Court shewn any disposition to peace, unless on the absurd condition that his Majesty should abandon the Americans, and leave them to themselves.

After this afflicting declaration, the continuation of the war is become inevitable; and therefore his Majesty has invited the Catholic King, to join him in virtue of their reciprocal engagements, to avenge their respective injuries, and to put an end to that tyrannical empire which England has usurped and pretends to maintain upon the ocean.

This succinct exposure of the political views, and the progressive series of events which have occasioned the present rupture between the Courts of Versailles and London will enable all Europe to draw a parallel between the conduct of his Majesty, and that of the King of England; to render justice to the purity and directness of intention, which during the whole of the dispute has characterised his Majesty; and finally, all Europe will be enabled by this publication to judge, which of the two Sovereigns is the real author of the war, which afflicts their kingdoms; and which of the two potentates will be answerable at the tribunal of Heaven, for that train of calamities occasioned by the war!

Paris, 1779.

Published by authority.

Translation of two Royal Chedules of the King of Spain.

“Don Carlos, by the Grace of God, King of Castile, Leon, Arra-

gon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corsica, Murcia, Jaen, the Algarves, Algazires, *Gibraltar*, the Canary Islands, the East and West Indies, the Islands and Terra Firma, of the Ocean—Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Hapsburg, Flanders, Tirol, and Barcelona, Lord of Biscay, and Molina, &c.

“To my Council, to the Presidents, and Auditors of my audiences and chanceries; to the Alcaldes [Mayors] and Alguazils [Constables] of my Household and Court. To the Corrigidors [Judges] Assistants, Governors, Alcaldes Majors [Chief Mayors] and ordinary, as well of the Crown as of their Lordships, to the abbeyes and religious orders, and to all other persons of whatsoever rank, quality, and condition they may be, in the cities, towns, and places of my Kingdoms and Lordships; you are to know, that the 21st of this month I thought proper to address to my Council a decree, concluded in these terms, and signed by my hand:

“In spite of the earnest desire I have always had; to preserve to my faithful and well-beloved subjects the inestimable advantage of peace; and notwithstanding the extraordinary efforts that I have made at all times, but particularly in the present critical circumstances of Europe, to obtain so essential an object, carrying my moderation and patience to an extreme, I beheld myself at last under the hard necessity of ordering my Ambassador, the Marquis d’Almadovar, to retire from the Court of London, first delivering in to the Minister a declaration (a copy of which is annexed) reported to my Council, by my First Secretary of State; as I found my own respect, and the honour of my Crown, demanded it of me. At the same time I caused

I caused circular letters to be written to my Ambassadors and Ministers at other Courts, (of which the following is a copy) of the original that was given into the said Council.—The Council will take care to expedite the orders and necessary advices, that all my subjects may be informed of my present royal resolution, and that they stop all communication, trade, or commerce, between them and the subjects of the British King.

“ Given at *Aranjuez*, the 21st of
June, 1779.

Addressed,

“ To the Governour of the Council.”

[*Here is inserted a Copy of the Rescript delivered by the Spanish Ambassador to Lord WEYMOUTH, which the reader will find in page 132. Then follows the circular letter in these words:*]

“ By the annexed copy of the declaration which the Marquis d’Almadovar, the King’s Ambassador to his Britannic Majesty, gives to the English Minister, on his leaving that Court, you will see the very weighty motives which have induced his Majesty to take that resolution; being at length weary of suffering such great and numerous mortifications from the British cabinet, and English navy, as is shewn in the said Declaration. You make what use of this information you judge convenient; and that it may serve for a new testimony of the justice and indispensable necessity which actuates his Majesty on this occasion, it is necessary to add three particulars for your instruction. *First*, That whilst the Court of London sought to amuse that of Spain, in seeking delays, and in finally refusing to admit the honourable and equitable proposals which his Majesty made, in quality of mediator, to re-establish peace between France, England, and the American provinces, the British cabinet offered, clandestinely, by means

of secret emissaries, condition of like substance with the propositions of his Majesty. *Secondly*, That these offers and conditions not to strange or indifferent persons, but directly and immediately to the Minister of the American provinces, residing at Paris. *Thirdly*, That the British Minister hath omitted nothing to procure, by many other methods, new enemies to his Majesty; hoping, no doubt, to divide his attention, and the cares of his Crown.—So God keep you in his holy protection, &c.”

My above royal decree, having been published in my Council, it hath ordered it to be executed. In consequence thereof, I order all, and each of you, in your respective districts and jurisdictions, that as soon as you shall have received my said decree, and shall have seen my resolution contained therein, that you observe, accomplish, and execute it, and cause it to be observed, accomplished, and executed, in all and every place, conformable to its tenor; giving orders, and making convenient dispositions, that my said royal determination be known to all my subjects; and that they cease from all communication, trade, and commerce between themselves and the subjects of the British King—**FOR SUCH IS MY PLEASURE.**

And that the same credit be given to the printed copy of this printed Chedule, certified by Don Antonio Martinez Salazar, my Secretary, Register of Resolutions, and oldest Clerk of the Government and Chamber of my Council, as to the original.

Given at *Aranjuez*, the 22d of
June, 1779.

Signed I. THE KING.

Signs a little lower,

J. Don Juan Francisco de Lastin,
Secretary to, the King our
Lord, have written this present, by his order.

Y 2

Also

Also signed

Don Manuel Ventura Figueroa,

Don Manuel de Villafane,

Don Manuel Doz,

Don Raymundo de Irabien,

Don Blas de Kjnojesa,

Registered. *Don Nicolas Verdugo.*

Second ROYAL CHEDULE contains as follows :

I THE KING,

In spite of the earnest desire that I have always had to procure the inestimable advantages of peace to my faithful and well-beloved subjects, and notwithstanding the extraordinary efforts which I have always made, more especially in the present critical state of affairs in Europe, to obtain that essential object, carrying my patience and moderation to the utmost degree ; I saw myself obliged, at last, to order my Ambassador, the Marquis of Almadovar, to withdraw from the Court of London, and make to the Minister there the following declaration [*here follows the declaration given to Lord Weymouth.*]

To what has been already mentioned, there must be added, that whilst the Court of London sought to lull Spain to sleep, in seeking delays, and refusing to admit the honourable and equitable proposals that I made in quality of mediator, to re-establish peace between France, England, and the American provinces, the British cabinet had clandestinely offered conditions by their secret emissaries, of the same tenor as those which I proposed ; and addressed those conditions and offers, not to strange and indifferent persons, but directly and immediately to the Minister of the American provinces resident at Paris. The English Ministry also have neglected no means to excite new enemies against me, hoping to divide my attentions and the cares of my Crown.

In consequence of these solid motives, by my royal decree of the 21st

of this month, and by other dispositions communicated to my Supreme Council of war, I have resolved to order all communication and commerce to cease between my subjects and those of the King of Great Britain—that all the subjects of that Monarch, who are not naturalized in my dominions, or who do not employ themselves in mechanic arts, do quit my kingdom : but be it understood, that among the above workmen, those only who inhabit the interior of the country, are not to be comprehended ; but all who reside in my sea-ports, or dwell on the coasts and frontiers, must equally leave the kingdom.—That from the present moment my subjects do carry on no kind of commerce with those of England, and its dominions. That they do not traffick in their productions, their salt fish, or other fisheries ; their manufactures, or other merchandizes ; so that this prohibition of commerce be absolute and real ; and do extend so as to render vicious and contraband all the effects, productions, salt fish, fisheries, merchandizes, and manufactures of the said dominions. That they do not admit or suffer to enter into any of my ports, any vessel laden with the above named effects ; nor permit that such may be brought in by land ; being illicit and prohibited in my kingdoms, whencesoever they may come ; but they may be seized wheresoever found, either in vessels, baggages, shops, warehouses, or houses of merchants or traders, or any particular person whomsoever, whether they be my subjects and vassals, or those of the kingdoms, provinces, and states with whom I am in peace, alliance, and free commerce. Nevertheless, in regard to which, I will that no prejudice be done to the peace, franchises, and liberties, in lawful commerce, which their ships, as well as the produce of their lands, provinces, and conquests, where they may be fabricated, ought to enjoy in

in my kingdoms, by virtue of subsisting treaties.

I declare that all merchants who have any salt fish, or other produce of the fisheries of the dominions of England in their possession, must make a declaration of the same, and register them in the space of *fifteen* days, reckoning from the publication of this my present Schedule, which is fixed for their peremptory term, before such officers as shall be appointed by Don Miguel de Muzquiz, my Superintendent-general of Finances, as well in this Court as elsewhere, to the end that notice may be given. And in case that they keep them unregistered beyond the said term of fifteen days, they shall be immediately declared to have fallen under confiscation.

I will also, that a term of two months be allowed for the disposing of the said fish, and no prolongation of that term shall be granted, but after that term all traders shall be obliged to carry them to the Custom House, or in places where there is no Custom House, to some house of government, where they shall be publicly sold to the highest bidder, in the presence of the officer or officers deputed for that purpose, or in their absence, in presence of the Magistrates of the place, who shall give the produce of the sale to the proprietors, who shall not be allowed to carry back to their shops, or warehouses, any of those prohibited goods, in like manner as has been observed heretofore.

I have given to Miguel de Muzquiz, a particular commission, that in quality of Superintendent-general of my Finances, he shall have the care of the aforesaid dispositions, in the manner that he shall judge most proper to accomplish an object so important. He shall take cognizance, in the first instance, by himself or his sub-delegates, of all disputes that may arise in consequence of contraband; saving there is an

appeal to the Council of Finances in the Hall of Justice, excepting any martial contraventions, respecting arms, ammunition, and other effects relative to war, as are explained by the treaties of peace; the cognizance of any disputes about those belonging to the Council of War, and Martial Judges.

I order, that all the above regulations be observed, kept, and fulfilled, under the pains prescribed by the laws, the pragmatics, and Royal Schedule, passed in former times, from motives of the same nature, comprehending therein all my subjects, and the inhabitants of my kingdoms and Lordships, without exception of any person whatsoever and howsoever privileged. It being my will, that this declaration shall come, as soon as possible, to the knowledge of my subjects, that they may preserve their effects and persons from all insults from the English; for that purpose my Supreme Council of War will make all necessary dispositions, that it be formally published, and duly executed.

Given at *Aranjuez*, the 26th of *June*, 1779.

(Signed) I THE KING.

This present, seen and ratified in full Council, hath been this day published by Proclamation in the usual places of this Court, with the assistance of the Clerk of the Council Chamber, and the Alguazils of the Tribunal, the Staff Officers of Place, the Serjeants, Drummers, Fifers, Kettle Drummers and Trumpeters of the Garrison; a Company of Infantry, and a Picquet of Horse; as it is verified by the original, remaining under my care, in the Secretary's Office of the Supreme Council of War.

At *Madrid*, the 28th of *June*, 1779.
(Signed) DON JOSEPH PORTUOGE.

Extract of a letter from Paris.

Some politicians, however, differ on the modes of assistance the Houses
of

of Bourbon will afford each other; some are for sending troops to Spain, under the command of Count Mallebois, and the Marquis de Voyer, his brother-in-law, to besiege Gibraltar and Port Mahon; others are for sending Mr. Guichen to the islands with superior forces, that Spain approves of it, and will join the united fleets of Brest and Cadiz. During these speculations, however, which time only can develop, his Majesty has published the following letter, which fixes the commencement of hostilities between France and Great Britain :

To his Serene Highness, my Lord, the
ADMIRAL.

COUSIN,

“ I am informed that doubts have arisen on the period from which ought to be fixed the commencement of hostilities, and that from this incertitude may result many disputes prejudicial to commerce. To prevent which I have thought proper to explain to you more particularly what I have already sufficiently told you in my letter of the 10th of July, I charge you, in consequence, to inform those who are under your orders, that the insult done to my flag on the 17th of June, 1778, by the English squadron seizing my frigates, the Pallas and the Licorne, put me to the necessity of making reprisals, and that it is from that day, the 17th of June, 1778, that I fix the commencement of hostilities against my subjects, by the subjects of the King of England. These being for this purpose only, I pray God, that he will take my cousin into his holy and merciful protection.

“ Done at Versailles the 5th day of the month of April, in the year of Grace, 1779, and in the 5th of our reign.

(Signed) LOUIS.

And underneath, DE SARTINE.”

Ordinance of the French King's Council of State, respecting the Suspension of the Order to collect the Duties of Freightage, and fifteen per Cent. upon the Ships of the Province of Holland exclusively.

July 3, 1779.

Extract from the Registers of the Council of State.

The King, by the orders of his Council of the 14th of January, the 27th of April, and the 5th of June last, having ordered to be collected, in all the ports of his kingdom, not only the right of freightage, but also that of fifteen per cent. as well upon the ships of Holland as those of the other Provinces, and upon the merchandize with which they shall be laden, excepting from those dispositions, the cities of Amsterdam and Harlem; and his Majesty being willing to grant the same exception to the whole Province of Holland, the Sieur Moreau de Beaumont, Counsellor of State in Ordinary, and of the Council of the Royal Finances, has made the following report: the King, being present in his Council, has ordered, and does order, that the execution of the ordinances of the 14th of January, the 27th of April, and the 5th of June, shall be suspended, until a new order to the contrary, in favour of the said Province of Holland exclusively; provided nevertheless, the Captains of ships belong to the said Province, be furnished with a certificate, either from the Commissary of Marine at Amsterdam, or from the Marine Agent at Rotterdam, to prove that the said ships really belonged to a citizen of the said Province, and that their ladings consisted of articles of their own growth, fishery, manufactures, and commerce. His Majesty commands and enjoins his Intendants and Commissaries in his Provinces, to attend to the execution of this present ordinance.

nance. Given in the King's Council of State, held at Versailles, his Majesty being present, the 3d day of July, one thousand seven hundred and seventy-nine.

(Signed) DE SARTINE.

LEWIS, by the Grace of God, King of France and Navarre, &c. &c. to our beloved and faithful Counsellors in our Councils, to the Intendants and Commissaries in the different Provinces and Generalities of our kingdom, *greeting*. We command and enjoin you by these presents, signed by us, each of you faithfully to attend to the due execution of the ordinance hereunto affixed, under the counter seal of our Chancellor, hereunto affixed in our Council of State, we being present, for the purposes herein contained. We command our Usher or Sergeant, immediately upon this request, to signify this ordinance to all to whom it may concern, in order that no person may be ignorant thereof; and to take every measure necessary for completely putting it in execution, without any other permission, notwithstanding the Hue and Cry, the Normandy Charter, and letters to the contrary; willing, that the copies of the present ordinance, collated by one of our beloved and faithful Sergeant-Secretaries, may receive the same obedience as the original; *for such is our pleasure*. Given at Versailles the 3d day of July, in the year of our Lord, one thousand seven hundred and seventy-nine.

(Signed) LEWIS.

(Counterigned) DE SARTINE.

Memorial presented by Sir JOSEPH YORKE, Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, to their High Mightinesses the States General of the United Provinces of the Low Countries, on the 22d of July, 1779.

High and Mighty Lords,

“ Since France by the declaration made at London on the 13th of March

last year, fully discovered the vast and dangerous designs which the Family Compact had before announced to Europe, this part of the world must bear witness to the wisdom and moderation of the King of Great Britain, who endeavoured to ward off the calamities of war, avoiding, as much as possible, engaging his neighbours and allies.

“ A conduct like this, founded in the most pointed moderation, seemed so much to embolden the Court of Versailles, that after perfidiously encouraging of rebel subjects, under the mask of liberty, commerce, and independence, to plunge a poignard into the heart of their Mother Country; France, not contented with so hostile a proceeding, has, without any national quarrel, drawn Spain into its views, and, without any plausible reasons to colour the design, is making every preparation that an imperious disposition can dictate to invade the British Islands.

“ On the news of these extraordinary and great preparations, your High Mightinesses cannot but justify the pressing and reiterated instances which the King of Great Britain could not but make to you, relative to the naval armament; and the notorious danger of England will no doubt convince all the subjects of these Provinces, who have hitherto spoke against it, of the necessity of this request of my Court.

“ But those motives, which were only palliatives to prevent an evil, are now out of season; the danger is become imminent, and the remedy must be speedy. The stipulations of a treaty, founded on the interests of trade only, must give way to those founded on the dearest interests of the two nations. The moment is come to decide whether Great Britain, who has spilt so much blood, and expended so much treasure to succour others, and to maintain liberty and religion, is to have no other resources against

the

the malice and envy of her enemies, than her own courage, and her own internal strength; whether she is to be abandoned by her most antient friends and allies, to the most ambitious views of the House of Bourbon, which would crush all, to reign over all; and whether Europe in general, and your High Mightinesses in particular, will with indifference see a system established, which will evidently destroy that equilibrium which is the only guarantee of your commerce, liberty, and even existence itself.

“The King, High and Mighty Lords, has too high an opinion of the understanding, the good faith, and the wisdom of the Republic, to doubt a moment of the sentiments of your High Mightinesses on this occasion. A nation whose history contains scarce any thing but the detail of the dangers which the ambition of France successively created, whose best days began with their union with England; in short, a nation accustomed to exact the literal execution of a hard treaty, has too much generosity not to fulfil those which have united the interests of the two nations upwards of a century.

“It is in this persuasion, joined to all that is held most sacred among men, that the under-written Ambassador Extraordinary and Plenipotentiary from the King of Great Britain, has, by express order, the honour to notify to your High Mightinesses, that the danger which threatens his kingdoms, necessitates his Majesty to reclaim without loss of time, the succours stipulated in the treaties of 1678, and others, and of which the *Casus Fœderis* is so fully explained in the separate article of 1716. His Majesty expects the same with confidence from a neighbour who has never failed in his engagements, and for the rest confides in the divine benediction on the justness of his cause, and on the fidelity and valour of his subjects.

“The underwritten waits with the greatest impatience for a just, speedy, and favourable answer, and is ready to confer with the Deputies of your High Mightinesses on what steps are further necessary to be taken.

(Signed) JOSEPH YORKE.
Hague, July 22, 1779.

Whitehall, April 20, 1779. Yesterday morning Lieutenant-Colonel Campbell, of the 71st regiment of foot, arrived in town from Georgia, by whom a letter has been received from Major-general Prevost, commanding his Majesty's troops in that province to the Right Hon. Lord George Germain, one of his Majesty's principal Secretaries of State; of which the following is an extract:

Extract of a letter from Major-general PREVOST, to Lord GEORGE GERMAIN, dated Head Quarters, Ebenezer, in Georgia, March 5, 1779.

I did myself the honour, on the 18th of January last, to acquaint your Lordship of my having arrived at Savannah, and, agreeable to the Commander in Chief's instructions, taken upon me the chief command of his Majesty's troops in this province.

As soon afterwards as the proper arrangements could be made, Lieutenant-colonel Campbell was detached up the river with a select corps of about 800 regular troops, and some irregulars, to endeavour to penetrate to Augusta, and to open the communication with the back inhabitants of the Provinces. The Colonel effected his march to Augusta with few obstructions, and without any loss, notwithstanding the length of the road, and the difficulties of the country he had passed through.

Lieutenant-colonel Prevost, with a considerable detachment, had been sent to sustain, join, or otherwise cooperate with Colonel Campbell, as should be judged best for his Majesty's

jefty's service, and had taken post at Briar-creek, to keep the enemy below in check, and to cover the advance when necessary.

But because of the length and difficulty of the communication, it was judged proper for the whole to fall back to Hudson's Ferry, twenty-four miles above this, and which now forms the upper extremity of our chain on the river. Colonel Campbell has since gone to Savannah, to establish, in consequence of his instructions from his Majesty's Commissioners, some civil regulations in the province, previous to his departure for England: and here, though I must lament the loss his Majesty's service will sustain in the absence of so able and active an officer, I think it no unfavourable circumstance however, that one so every way capable will have the honour of giving your Lordship every necessary information regarding the service of this country: his penetrating so far into it, gave him good opportunity of knowing it; and his being fully possessed of all my ideas, which are also his own with regard to present circumstances and future views, he has it much better in his power to communicate them verbally, than I can in writing; to him therefore I beg leave to refer your Lordship. He is also acquainted with the situation and state of the rebels, as well as of the King's army, and knows the resources and expectations of each.

Capt. Parker, of his Majesty's ship Phoenix, and commanding the squadron on this service, is also about to leave us, in compliance with his instructions to Rear-admiral Gambier.

I cannot sufficiently express to your Lordship the high sense I have of that gentleman's active zeal for the service, and his ready and cheerful concurrence and co-operation, when he could either act or assist. The most happy cordiality has constantly subsisted between the departments; and

though I hope that will always continue, yet the departure of such an officer may not easily be made up to us in this quarter. We may also feel this diminution of our naval force, which, to be sure, was never more than adequate to the service.

I now proceed to inform your Lordship, that some days ago, intelligence being received, that the rebels, in considerable force, had taken post at Briar-creek, thirteen miles above our post at Hudson's, and that they were busied in repairing the bridge (which had been destroyed by Col. Campbell, in his return downwards) as if intending to advance by that route, our post was reinforced, and dispositions secretly made to give them a proper reception: and it being much to be wished, that they would put the creek in the rear, which would put it in our power to attack them on advantageous ground, means were used to inspire them with confidence to attempt it. But after waiting two days, finding that they meant only to establish themselves there, for the purpose of hampering us in our quarters, and cutting us off from all communication with the Upper Country, and perhaps had views of co-operation with their main army, it was judged proper to dislodge them. Accordingly Major M'Pherson, with the 1st battalion 71st regiment, and some irregulars, with two field-pieces, was directed by Lieutenant-colonel Prevost, to advance towards the brigade, to make the movements he himself had made with the 2d battalion 71st regiment, a corps of light infantry commanded by Sir James Baird, and three companies of grenadiers of the Florida brigade, with which he took a long circuit, of fifty miles, to cross the creek above them, and endeavour to gain their rear; dispositions were also made by the army to favour the attempt, and to amuse and keep Mr. Lincoln in the check, should he in the mean time attempt any thing in

this quarter. Our plan was happily effected. The rebels being in some measure surprized, on the 3d instant were totally defeated and dispersed, with the loss of seven pieces of cannon, several stand of colours, almost all their arms, all their ammunition and baggage, which were left to the victorious troops, the intrepidity and behaviour of which, I am intreated by Lieutenant-colonel Prevost, to report to your Lordship, to be laid before his Majesty. Permit me, at the same time, to mention him as a person deserving some mark of his Majesty's royal favour; his indefatigable activity, and his faithful services, entitle him to your Lordship's patronage.

The second in command, Brigadier-general Elbert, one of their best officers, and several more of note, in the whole twenty-seven officers, were taken, with two hundred men, about one hundred and fifty were killed on the field of battle, and adjoining woods and swamps; but their chief loss consists in the number of officers and men drowned in attempting to save themselves from the slaughter, and plunged into a deep and rapid river.

The loss on our side was only five private killed, and one officer and ten privates wounded. The rebels, by the best accounts, were above two thousand. The Commissary, our prisoner, says two thousand five hundred. On our side, three grenadier companies, of the 60th regiment, Sir James Baird's light infantry, the 2d battallon 71st regiment, Captain Tawes's troop of light dragoons, with about one hundred and fifty Provincials, rangers and militia, making in all about nine hundred, composed the corps that attacked.

The good consequences of this defeat will, I hope, soon appear. The rebels will not again disturb us in this province. Our communication with our back friends and the Indians will

be open; and though I cannot think it prudent to extend immediately far upwards; in the mean time, whilst we guard what we have already got, we hold ourselves in readiness to catch at further favourable incidents, as they occur.

I have only to add to your Lordship, that I wish you to be assured, that nothing, within the compass of my abilities, shall be left undone, that may be thought to tend to the advantage of his Majesty's service.

I have the honour to be, &c.

A. PREVOST.

Copy of a Proclamation, published in Georgia the 4th of March, 1779, received from Lieutenant-colonel CAMPBELL.

By Augustine Prevost, Esq. Brigadier-general, and Commander in Chief of his Majesty's troops in the Southern District, Hyde Parker, jun. Esq. commanding his Majesty's ships in the river Savannah, and Archibald Campbell, Esq. commanding the Northern detachment.

A PROCLAMATION.

Whereas the King, in Parliament, being desirous to restore the blessings of reconciliation and peace to Great-Britain and the Colonies, did, in the course of last year, repeal certain acts, which were found to have excited jealousies, and to have given apprehensions of danger to liberty in the said Colonies: and whereas the inhabitants of Georgia have acknowledged, that the benevolent overtures of Great-Britain, in that respect, are such as come up to every wish that they, in the hour of temperate deliberation, or the utmost apprehensions of danger to liberty, had ever expressed, and have sealed that acknowledgement by the sacred testimony of their just allegiance to the Crown.

We, the Commanding Officers of his Majesty's fleet and army, from a just regard to the welfare of Georgia, and for the preservation of peace and good

good order among its inhabitants, do hereby declare, that all the laws of the province of Georgia, which were in force at the end of the year 1775, are, and shall continue in full force until such time as a period of less duration shall enable a future General Assembly to alter or amend them. And, for the more immediate and effectual execution of justice, without which the property of individuals cannot be safe, public confidence restored, nor domestic tranquility confirmed, we hereby nominate and appoint the following Gentlemen to the several departments of the civil Government in Georgia, till his Majesty's pleasure is known, namely,

His Honour Lieutenant-colonel James Mark Prevost, Esq. Lieutenant-governor.

Members of Council.

The Hon. Lewis Johnston, Esq.

John Hume, Esq.

James Penman, Esq.

Martin Jollie, Esq.

James Robertson, Esq.

William Telfair, Esq.

James Mossman, Esq.

Roger Kelfall, Esq.

Commissioners of Claims.

James Penman, Esq.

Martin Jollie, Esq.

James Robertson, Esq.

William Telfair, Esq.

Roger Kelfall, Esq.

Lewis Johnston, Esq. Chief-Justice.

Martin Jollie, } Assistant Judges.

John Mullyne, } Assistant Judges.

James Robertson, Esq. Attorney-general.

John Hume, Esq. Secretary of the Province.

Angus Campbell, Esq. Prothonotary.

Joseph Farley, Esq. Provost Marshall.

Lewis Johnston, Esq. Treasurer.

Robert McCulloch, Esq. Collector of the Customs.

William Brown, Esq. Comptroller.

Stephen Haven, Esq. Naval Officer.

Martin Jollie, Esq. Judge of the Admiralty.

Rigdon Brice, Esq. Marshal of the Court of Admiralty.

William Stewart, Esq. Notary Public.

Alexander Wylly, Esq. Clerk of the Court.

David Montaignut, Esq. Clerk of the Council.

Philip Yonge, Esq. Surveyor General.

The Reverend Mr. Edward Jenkins, Rector of the parish of Christ-Church.

Given at Savannah, the fourth day of March, 1779.

AUG. PREVOST.

HYDE PARKER.

ARCH. CAMPBELL.

Lieutenant-colonel Campbell adds to the foregoing accounts, that at Augusta and round it, the inhabitants, to the number of 1400 men, submitted, swore allegiance to the King, took the benefit of his Majesty's gracious protection, and were formed into twenty companies, in the style of militia, for the defence of their property, against the incursions of the rebels from Carolina.

That after his return down the country, intelligence was received, that a body of the loyalists of North and South Carolina, consisting of about 600 men, after being repulsed by the rebels, were in search of the Royal army, by the back or upper road. That the advanced part of the army was immediately moved towards them; and that 300 of them joined the King's troops, and are formed under their own leaders, with every possible attention and encouragement.

That since the last action many deserters from the Continental troops, in Carolina, had come in, and were forming into companies; and that a Lieutenant-colonel and thirty men had arrived in one night immediately before his departure. [Gazette.

Savannah (in Georgia) March 25.

On the 21st instant, in the morning, his Majesty's armed vessels, under

der the command of Lieut. Spry and M^r. Kinley, being at anchor off Yawmafee-bluff, a party of General Lincoln's troops, consisting of forty, were discovered on a rising ground behind a house; and soon after the crews on board their galleys from Purysburgh were heard huzzaing and coming down the river; at half past nine they anchored, began an attack on his Majesty's vessels assisted by the above forty men out of the bushes; their fire was soon returned, from cannon so well pointed, that after an hour's contest they quitted their galleys, and got away in boats, leaving an officer and surgeon with some wounded, whom they would not stay to take with them.

The Congress and Lee galleys consequently fell into our hands: on board the former a Captain Campbell and one seaman were killed, four badly wounded, and ten prisoners; on board the latter two killed, two mortally wounded (since dead) and one with his leg shot off; the wounded were carried to the hospital at Savannah last night. The Congress galley was manned with one hundred and five Americans; and the Lee galley with one hundred and fifty Frenchmen. Much credit is due to the officers and seamen on board his Majesty's vessels, and to Mr. O'Farrel, who commanded the Thunderer galley, from St. Augustine, for their gallantry on this occasion.

Extract of a letter from General Lincoln, dated Purysburgh, March 7, 1779.

"After the enemy left Augusta, Gen. Ashe, who was stationed on the opposite side of the river, was ordered to cross and take post at or near Briar Creek lower bridge, as thereby he would cover the upper part of the country, and as this was considered one of the strongest posts therein, his left being secured by a deep swamp and the Savannah, his front by the Creek, which at this place is unford-

able, and about sixty yards wide; besides, he had a party of about two hundred horse to cover his right rear.

"Boats were provided for the troops to re-cross the Savannah, in case the enemy should move against them in force, and the baggage was sent over that they might not be encumbered therewith, in case they should be obliged to retire into the country.—But, notwithstanding, on the third instant, at three o'clock in the afternoon, the enemy fell into his rear (his horse at that time being over Briar-creek, and began the attack so suddenly that the General had not time to form the whole of his troops, which amounted to about one thousand two hundred, exclusive of the horse) those which were formed soon gave way, though many officers exerted themselves to prevent it, excepting a few under General Elbert, and one or two regiments of North Carolina militia, some, he informs me, without firing; they took to the swamp, and escaped either by swimming the river or being brought across in boats.

"His loss of men is very considerable, General Ashe supposes one hundred and fifty or two hundred, but since he gave me this account many have come in; and I heard from a person just now from Augusta, that fifty of them are at that place. One brass field-piece is left, and two small iron ones, some ammunition and waggons, and one baggage wagon, as also many of the men's arms.—General Elbert is among the missing."

Charleston, March 18.

General Lincoln lately sent in a flag to General Prevost, requesting the favour of being furnished with an account of the prisoners taken at Briar-creek. On the 11th instant an answer was received, including the following:

"List of the prisoners taken March 3, 1779.

"General

“ General Elbert, Georgia troops; Lieut. Col. M’Intosh, in the Continental service; Major Douglas, Aid de Camp; Captains Hicks, Nash, Cuthbert, Scot, Pendleton, Corbet, Sprowl and Dalay. And one hundred and sixty-two non-commissioned officers and privates.”

Charles-town, April 20.

The following letter and message was sent by Thomas Kelly, Esq. Major of Brigade, to Brigadier-general Williamson, Commander of the troops near Fort-Moore, viz.

Dawson’s Plantation, April 6, 1779.

“ Sir,

“ I am ordered by Colonel Prevost, to acquaint you, that if you choose to exchange the three Indians taken by your troops, he pledges his honour that he will (on their arrival in our camp) send back any three subaltern officers of the province of South Carolina that you shall name.

I have the honour to be, &c. &c.

T. KELLY, *Major of Brigade.*”

Sir,

The extraordinary treatment which his Majesty’s loyal and dutiful subjects receive at your hands, will not permit me to omit remonstrating to you on the impropriety of making so extraordinary distinction between the King’s regular troops and such of his faithful subjects, who, actuated by principles and attachment to the best of constitutions, have endeavoured to give a proof of it, by endeavouring to join the royal standard. You cannot, Sir, have lost sight of the consequence that must result from so cruel a treatment, a prior, a sacred right to the allegiance of these men, and of every other British subject, and the penalties attending the breach of it, ought to make the Americans cautious how, under the pretence of new-made laws (which the strongest can only obtain a sanction for) they will put us under the necessity of exhibiting a scene of punishment which the mild hand of government, and

the dictates of humanity, have hitherto restrained. I must also mention Lieutenant William Butler, who shot the safeguard near Augusta, at Mr. Moore’s house, and one Wells, who mangled and cut to pieces the dead body of a person, which, from all circumstances, should have been respected and held sacred (being placed there to secure the property of an enemy to government) such persons I say remain unpunished: the former boasts of their deed, and (if I can trust information offered on oath) of having wantonly killed men in their houses, because they refused to take arms against their Sovereign: the other is at liberty. These acts of lawless brutality exasperate the soldiers, and will be productive of hundredfold retaliation, which it will not be in the power of the officers to prevent, and a proper punishment ought to be inflicted on such flagitious crimes,

A war is sufficiently productive of calamities. I think it the duty of every man, not totally destitute of humanity, to alleviate its miseries whenever it is admissible. I have been often told of instances of your humanity, and your good treatment of some of our prisoners, which the fate of war has put into your hands, convinces me, that if it was solely in your power, there would be few grounds of complaint. I beg to be informed what number of prisoners you have now in your hands, and to acquaint you, that we do not handcuff your people: you should be cautious how any of ours are put in irons.

The last point which I have to mention to you, is relative to the depredations daily committed on the inhabitants of this province, over which I have the honour to preside. That part of the country above Augusta, and from thence across to Ogeechie, may be equally and quietly enjoyed by its inhabitants, till less calamitous times succeed the present ones.

ones. If you approve of it, those who favour the Americans cause shall be left unmolested, provided the loyal inhabitants are permitted to remain in the same manner and respectively confine themselves to the care of their plantations. You cannot but be sensible that such a proposal, being suggested by mere humanity (if approved of by you) will be only a temporary neutrality to be broke at any time, by giving a previous notice of ten days at least, unless you would agree to have it fixed for a limited time. I have the honour to be, Sir, your most obedient, humble servant,

J. M. PREVOST.

Brigadier-general Williamson, commanding the troops of the American states, near Fort Moore.

Brigadier-general WILLIAMSON'S Answer.

Sir,

I am favoured with your's, not dated, by Major T. Kelly, and shall endeavour to satisfy you in respect to the different matters which you so seriously mention. With regard to those people you speak of as your King's dutiful subjects, I can aver that no persons who, with propriety come under that denomination, have ever met with the treatment from me which you are induced to believe; on the contrary, many, who in every sense come under the criminal laws of this state, have been admitted as prisoners of war, none of whom were ever handcuffed, or otherwise treated with severity, further than being kept in close confinement in the only way I had in my power. I shall observe, that two persons who say they were officers in your army, viz. Aquilla Hale and Jacob Williams, the first for a cruel murder, committed in North Carolina, before the Revolution, and a robbery in this state, and the other for a highway robbery, previous to their entering into your service; these, I say, coming immediately under the jurisdiction of our

laws, I was left no choice what to do in the matter. Several others, who under the name (but without the least orders or sanction for such conduct) called themselves King's men, and have daringly taken up arms against, and wantonly plundered the honest and industrious inhabitants of this state, were properly secured and delivered up to the civil law. You will have the less to feel, in regard to these people, when I acquaint you, that on the most credible evidence it has appeared that, not satisfied with the innumerable robberies they have for four years past been accustomed to commit, before and since the commencement of hostilities on this continent, they at last carried their lawless outrages so far, as to wound and maim some of our respectable inhabitants in the peaceful hours of domestic security. These are facts to my own knowledge: many of them has been more than once pardoned after condemnation for the most atrocious crimes; and I must beg leave to observe, that the lenity of our executive authority, and the interposition of some humane persons in behalf of these villains, has even by themselves been ridiculed. I am apt to believe, Sir, after reflecting on what I have mentioned, you will be satisfied neither cruelty nor harsh usage of prisoners can be imputed to me. British or foreign officers or soldiers, who, by the fortune of war, may fall into our hands, behaving with propriety, shall be treated with humanity and generosity, and prisoners of war of every class shall have such comfortable subsistence as is in my power to furnish. One Pelcher, who had a brevet of Captain from Colonel Campbell, and whom I admitted on parole, stayed about camp a few days and then went off. At the same time that you do me the justice to acknowledge the good treatment that the regular troops received from me, I must suggest to you the

very

very different treatment of the Continental troops by your soldiers. When taken prisoners, your officers have had the privilege of disposing of their property of every kind in my camp for their necessary subsistence; on the contrary, most of our officers and soldiers have been plundered of every necessary, and even the money taken out of their pockets.

With respect to the safeguard you mention, Butler insists he shot him in his own defence; as to his killing men in their houses, for refusing to take up arms in defence of their country, I can positively assert no such thing ever happened; had it been so, Mr. Butler would have been amenable to the law in this case, and his life would probably pay for the act. The circumstance you allude to may arise from his having killed one Gaines, a deserter from the first Continental regiment in the service of this state, and who having committed all the crimes before-mentioned, and others shocking to humanity, at last, with another, came to the house of a poor old man, a neighbour of Butler's (who happened to be there) in the evening. On his seizing the old man and demanding his money, Butler shot him down. This, Sir, you may rely on as a fact, without having recourse to affidavit, which I have no doubt may be offered by some of his accomplices, in order to deceive you. As to the man, Vessels, who mangled the dead body of the person killed at Mr. Moore's, I will not suffer to justify; and so far from countenancing such barbarity, my indignation occasioned my immediately ordering the fellow in irons, and sent him down to General Lincoln, with a letter reciting the crime, that he might be punished. He was set at liberty, and General Lincoln returned me for answer, that no satisfaction had ever been obtained for the many wanton barbarities committed by your adherents.

I agree with you, that war of itself is sufficiently productive of calamities, and that it is the duty of every man not totally destitute of humanity, to alleviate its miseries whenever it is possible. It ever has been, and ever shall be, a rule with me to treat prisoners with humanity; and when you mention your not handcuffing our people, I would not wish to entertain a belief that you mean to consider thieves, robbers, murderers, and persons of the most abandoned character, as your King's loyal and dutiful subjects. If I am well informed, Sir, some gentlemen of the most respectable characters in your army think you have enough of such banditti among you already, and, for my own part, I think they are a nuisance of disgrace to community.

I enclose a particular list of the prisoners of war. The last point which you mention, relative to the depredations daily committed on the inhabitants of Georgia, I could wish you had pointed out some of the sufferers, and the persons who had been guilty of these facts, as I had given positive orders to all the parties sent out by me, against plundering any of the peaceable inhabitants, or molesting them in any manner whatever, although to consider Georgia as an enemy's country, it would only be a just retaliation for those committed in this state by Colonel M'Lauria, Major Sharp, and many others; but it is not my wish to distress, nor should even considerations of private interest incite my resentment so far as to ruin a set of people whose particular situation in a country, the seat of war, is already rendered deplorable. I shall therefore, as far as in my power, prevent them from being injured in the mean time, and in a few days will give you an answer, respecting those people whom you wish to enjoy a temporary neutrality.

I have received a few lines from
Major

Major T. Kelly, acquainting me that you would exchange sub-officers for the Indians taken prisoners. These people were several days ago sent with a safe-guard to one of our frontier garrisons, in order to be exchanged for any of our people that may be in the hands of the Creek-Indians. With regard to the mode of exchange, I hope no officer of ours would wish his release on such a footing; and I am sorry to think that savages should be considered as so valuable allies, and could wish, for the sake of humanity, which you seem so highly to prize, that your arms were not degraded by so frequent application to them, to fall on the innocent and defenceless. Our conduct in this particular has been widely different; even offers of services have been repeatedly rejected, and they have been often told, that it is a quarrel in which they ought to have no part; although the method of employing them against an armed force, and that of inciting them to the cruel massacre of innocent women and children, will be considered in a very different light by the impartial part of mankind. I am, &c.

(Signed) A. WILLIAMSON.

Lieutenant Colonel James Mark Prevost.

Other Particulars.

Philadelphia, Feb. 16.

Last night arrived an express from South Carolina, by whom we learn, that a number of Tories having taken arms in North Carolina were marching to Georgia; but General Lincoln ordered a party to intercept them, who soon fell in with, routed, and killed about eighty of them. Our troops were in pursuit of the remainder of them when the account came away; and from a Charles-town paper of February 4, we have the following:

From head quarters we learn, that Col. Ingram with a party of Georgia

troops, had attacked and defeated Col. Brown with a party of Florida rangers, killed fifteen and wounded many more. Among the wounded was Brown himself.

Extract of a letter from Beaufort, dated Feb. 4.

“Yesterday afternoon, about four o'clock, we met the enemy marching up to receive us, who were, as the prisoners inform us, three companies, two of the 60th, and one of the 16th, all light infantry, and being about one hundred and fifty rank and file; the engagement began at about one hundred and twenty yards distance. The Charles-town detachment were posted to the left of the artillery, where there appeared the greatest danger of our flank being turned. The artillery were very well served, and did great execution. The enemy had only one cohorn, the limbers of which were broke to pieces by the first or second discharge of our field-pieces. The action continued with unremitted fury till five o'clock, when our ammunition, particularly for the artillery, running short, orders were given to retire slowly. At the same time the enemy retreated precipitately, leaving their killed and five of their wounded on the field. I have just come from the scene of action, where I went this morning, to look after some of my acquaintance whom I saw wounded; I there saw seven of the enemy killed, and five wounded, of the former there were Lieutenants Calderwood and Finlay; of the latter, Lieut. Hazlewood: the prisoners besides, now in our hands, are seven or eight. Our whole force was about two hundred and fifty, one hundred and fifty of which were from Charles-town, and our loss is seven killed, and about twenty-five wounded. Lieut. Hazlewood told me, the loss of the British in killed and wounded, could not be less than the half of the whole party.”

Copy

*Copy of General MOULTRIE'S Letter
to General LINCOLN.*

Beaufort, Feb. 4, 1770.

“ Dear Sir,

“ I wrote to you from Gen. Bull's camp a few days ago; when I was there, the militia requested me to cross the river with them, which I readily consented to. The next morning, after leaving a proper guard to our camp, we began to cross, and got near two hundred and thirty over by sun-set. We immediately marched off, and continued till we got within one mile of Beaufort; here I rested the troops a few hours, and then proceeded for the town, which we entered at sun-rise the next morning. Having ordered the troops into quarters, and reposed myself a little, I rode down to view the fort with General Bull and two or three other gentlemen: we had scarce been a moment there, when an express arrived, informing us, that the enemy were in full march for Beaufort, and not above five miles off. Upon this, I requested General Bull to ride on for town, and have the men turned out; I followed him immediately, found them all paraded, and had another account of the enemy's coming on very fast. I then moved off the troops in order to meet them, and having marched two miles, was again informed that they were within four miles of us. I then proceeded very slowly, looking for a proper piece of ground to form upon. Having soon found a very advantageous spot, I remained there an hour waiting for the enemy, and was then informed that they had, after halting awhile, altered their march, and were going towards our ferry: I followed them, and had got about three miles, when I learnt that they were upon their return from the ferry, in full march towards us, and not more than one mile distant. Having sent Mr. Kinloch, my Aid, to reconnoitre, and bring me a particular account, he

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soon returned, and informed me, that they were just at hand. I hastened our march to gain a swamp which was near, but finding the enemy had already got possession of the ground I had intended to occupy, I halted at about two hundred yards, and drew the troops up to the right and left of the road, with two field-pieces in the centre, and a small field-piece on the right, in the wood. On the enemy's nearer approach, I ordered Captain Heyward to begin with the two field-pieces, advanced my right and left wings nearer the swamp, and the firing became pretty general. This action was reversed from the usual way of fighting between the British and the Americans, they taking to the bushes, and we remaining upon the open ground. After some little time, finding our men too much exposed to the enemy's fire, I ordered them to take trees. About three quarters of an hour after the action began, I heard a general cry through the line of “no more cartridges,” and was also informed by Captains Heywood and Rutledge, that the ammunition for the field pieces were almost expended, after firing about forty rounds from each piece; upon this, I ordered the field-pieces to be drawn off very slowly, and the right and left wings to keep pace with the artillery, to cover their flanks, which was done in tolerable order for undisciplined troops. The enemy had beat their retreat before we began to move, but we had little or no ammunition, and could not of consequence pursue. They retreated so hastily as to leave an officer, one Serjeant, and three privates wounded in a house near the action, and their dead lying on the field—it is impossible, as yet, to be particular with respect to the latter, two officers we have found and seven men; they fought from very thick bushes: Captain Barnwell with a few light horse, was of infinite service in giving us frequent intelligence

A a

of

of the enemy's motions, and attacking their rear as they retreated. He had at one time a Captain Brewer, who is much wounded, two Sergeants, and twelve privates prisoners; but a party of the enemy, having rallied in their retreat, retook the Captain, one Serjeant, and six men; the remainder however he brought off with twelve stands of arms and Brewer's fufee—Barnwell had about fifteen men. It makes me happy to assure you that our militia have not lost that spirit which they have always been allowed to possess: nothing but discipline is wanting to make them good troops. The Charlestown artillery behaved gallantly, they stood to their pieces like veterans, and served them well, till I was constrained to order them to retire, in consequence of their ammunition being nearly expended. I had in the action only nine Continental troops—Captain Treville, two officers and six privates, with one brass two-pounder, and only fifteen rounds: I must add, in justice to them, that they behaved very well. It seems absolutely necessary for me to remain here a few days longer, in order to have the wounded properly taken care of, and other matters put in a right channel—I should be glad of your permission for that purpose, and to know how long I may stay. This moment died a valuable officer and good citizen, of the wounds he received yesterday, Benjamin Wilkins, a Lieutenant of the town-artillery. We have three or four other officers wounded, Capt. Heyward slightly in the arm, and Lieutenants Sawyer and Brown, both of the light infantry; with six or seven privates killed on the field, and about fifteen wounded: I cannot be very particular as yet, having had no regular returns made me. The enemy's body consisted of two companies of the 60th, and one of the 16th, all picked light infantry.

We had five deserters from them immediately after the action, who

informed us of several particulars already mentioned, as also that our second shot from the field-piece had disabled a howitzer, which they had fired but once. I think by all you may collect from this letter, you must allow we have beat them.

I am, Dear General,
Your affectionate and humble servant,
WILLIAM MOULTRIE,
Brigadier-general.

“ P. S. My Aid-de-Camp is a very gallant youth, and is an honour to his country.”

Published by order of Congress,
CHARLES THOMSON, Sec.

Philadelphia, April 6.

*Extract of a letter from Edenton,
North-Carolina, March 19, 1779.*

“ The circumstance of the British troops landing in Georgia, and the sending two thousand five hundred men from this State to the assistance of that State and South-Carolina, induced the disaffected people in the western parts of our State to assemble in arms; their intention was to join the British troops, and I believe a considerable number who went off without arms, and in a private manner, did actually join them. Others more hardy collected themselves together to the amount of seven hundred, in order to march in a body; they were met with by about five hundred militia hastily collected, who attacked them, and, it is said, killed and took prisoners about two hundred, and dispersed the others.

“ The British troops had penetrated up the country as far as Augusta, in Georgia; but not finding so many of their friends to join them as they expected, they made a precipitate retreat down to the town of Savannah, leaving their friends, the Tories, and their sick, to shift for themselves.

Charles-town, March 24. His Excellency John Rutledge, our Governor, arrived at the camp from the interior

interior country last Thursday. He was accompanied by Pierce Butler, Esq. who, at the request of several gentlemen, has taken upon him the laborious duty of Adjutant-general. This gentleman was formerly Major in the 29th regiment of English, sent to Boston at the beginning of the war; but making a tour through the Colonies, he married Miss Middleton, who had a very great fortune, and he is now become an American. As General Prevost intends coming into this State, General Lincoln has made a movement for him.

*Charles-town, South-Carolina,
April 28.*

Our last advices from Georgia are, that the British army and navy there begun to be very sickly, and sensibly to feel the want of provisions, having already exhausted that part of the country which is in their possession. That they suffer most from the want of flour; and had not been able to procure even Indian corn meal.—That their dependence had been upon New-York or Great Britain, as well for bread and flour, as for reinforcements, but had received neither from either; and now clearly see the impossibility of subsisting the troops already there much longer.—That the Jason privateer, of 22 guns, Capt. Potterfield, which had carried Jonathan Bryan, Esq. to New-York, had failed on her return from thence, with a victualler and six trading vessels, but miscarried, and were supposed to be taken by the American frigates from Boston.—That three vessels arrived at Savannah last week, but without bread, being from Tortola, Jamaica, and New-Providence.—That being obliged to use rice instead of bread, had greatly disgusted the Hessians.—That there are still remaining 500 miserable captives on board the three prison and the hospital ships, who were very sickly and died fast, having a doctor to attend them, but without medicines,

or any other necessary or comfort, besides beef and rice.—That the weekly allowance to each prisoner per week, is five pints and an half of rice, four pounds of beef, and two jills of rum; and the provision the same as is supplied to the navy and army.—That more distress, and no prospect of being soon exchanged, had induced many of our soldiers, and some of our seamen on board the prison-ships, to enter into the British service, as the only means to escape from those noisome jails.—That last Friday 13 large transports, received orders to send up their boats to Savannah, for six weeks provision, which they had accordingly taken in, with the necessary quantity of wood and water; that the invalids were actually put on board these transports, and several of the Georgia loyalists had also embarked, amongst them William Talifer, Esq. and that it was given out that they were to sail for New-York, under convoy of the Daphne, a Liverpool privateer ship, of 16 guns, and the Hornet armed prize brig.—That when these vessels are gone, there will remain at Tybee, Cockspur, and Savannah, the following British vessels of war, viz. the Fowey, of 24 guns, the Vigilant (not in a condition to put to sea for any voyage) the Greenwich armed sloop, the Comet galley, the Thunder galley from St. Augustine, all withdrawn from their late station at the mouth of Abercorn creek, and the Congress and Lee prize galleys, both refitted.—That Savannah has been fortified as well as the nature of its situation would admit, with batteries and lines.—That the enemy being under some apprehensions of an attack by sea, had last Sunday begun to level the sand at Tybee, and erect platforms to mount cannon, which it was supposed would be taken from the Vigilance; and the troops from the out-posts were said to be marching down to the vicinity of Savannah. And that the late renewal of the em-

bargo here, had had the good effect to draw 20 British privateers at once, from this coast to Tibbee, where they had determined to proceed to cruize for the French fleet in the West-Indies.

Philadelphia, May 21. The last advices from South-Carolina inform, that the British army had entered that State, with intent, as was supposed, to get possession of Charles-town, and that Count Pulaski has had a smart skirmish, in which his horse was killed under him, the Count himself not hurt, and that several officers in his corps were killed; but as General Moultrie was in their front, and General Lincoln in their rear, both with a considerable army, it was very probable there would be another Convention. The inhabitants of Charles-town are in high spirits, have plenty of provisions, are strongly fortified, and have a large number of seamen ashore, to assist at the great guns.

Boston, May 22. Last Thursday se'nnight arrived at Providence, a brig, in ten days passage from South-Carolina.

By letters received in the above vessel, it appears, that the American army, in that quarter, enjoys the greatest degree of health, is in the highest spirit, and daily encreasing; and it is expected that it will soon be in sufficient force to drive the enemy from Georgia, and re-establish a free government there, instead of the civil military tyranny it now suffers. That the Britons, by their emissaries, lately attempted to burn Charles-town; but one of the miscreants being caught with a fire-brand in his hand, just setting fire to a house, was immediately burnt. That two villains were lately hanged there, who were taken up some time ago, in attempting to go to the enemy, with a plan of all the forts in and near Charles-town, and a particular account of all the troops in that department.

By a gentleman from Head-Quarters we are informed, that the enemy about a fortnight since, destroyed all their works at Kingsbridge, and retired to Harlem heights, across which they have constructed some redoubts.

New-York, May 29. By the Vigilant's tender from Georgia, we are informed, that the head-quarters of the Royal army are at Puryzburg, in South-Carolina; Mr. Lincoln having retreated to Orangeburgh, and that it seemed to be the intention of General Prevost to take possession of Beaufort; things go on very prosperously in that now happy province.

Philadelphia, June 2. Saturday arrived at New London, the brig —, Captain Phipps, in ten days, from Charles-town, South-Carolina, who informs, that the British army, consisting of 7000 men, had made a circuitous march by way of Puryzburg, and got into the rear of General Lincoln's army, of 3000 men, and in the front of General Moultrie's army, also of 3000, within fifty miles of Charles-town; that Charles-town was picketed, and walled by the inhabitants, who were determined to defend the town to the last extremity, provided the enemy should be hardy enough to proceed to that place.

Williamsburgh, Virginia,

May 21, 1779.

SIR,

"I received the letter which accompanies this yesterday from South-Carolina, by express, and, by desire of Lieutenant-governor Bee, transmit it to you for the perusal of Congress. With great regard, I have the honour to be, Sir, your Excellency's most obedient servant,

" P. HENRY."

His Excellency the President of Congress.

Copy

Copy of a letter from Lieutenant-governor BEE, to PATRICK HENRY, Esq.

Charles-town, South-Carolina,

SIR, May 5th, 1779.

"The enemy having crossed from Georgia to this State, and by a rapid movement got between General Lincoln and Charles-town, and bending their whole force this way; they were this morning within sixty-eight miles of us, and are pursuing General Moultrie, who, with about fifteen hundred men, is retreating before them. Governor Rutledge, with about three hundred and fifty men, had marched from Orangeburgh on Monday to join General Moultrie, but I much fear will be too late. General Lincoln intended coming on their rear, but they were at least four days march a-head of him.

"In this situation, I thought it my duty, ONCE MORE, to request the aid of our brethren of Virginia. No time is to be lost. Indeed, I fear any assistance will come full late. I am, with great esteem, your Excellency's most obedient humble servant,

"THO. BEE.

"Colonel John Laurens received a slight wound in the arm, in a skirmish with the enemy's advanced party yesterday, and his horse was also shot. He is in a good way. Pray let his father know this, as I have not time to write to him."

His Excellency Patrick Henry, Esq.
Governor of Virginia.

By order of Congress,

CHARLES THOMSON, Secretary.

Rainbow, off Portsmouth, in Virginia,
May 22, 1779.

"In a letter received from Captain Henry, the senior officer of the King's ships at Georgia, just before I left New-York, dated 16th April, from Savannah, he mentions two rebel galleys, called the Congress and Lee, the former carrying one eighteen-

pounder, and one twelve in her prow, two nine-pounders and two sixes in her waste, and manned with 100 men; the other with 130 French, carrying one twelve and one nine-pounder in her prow, two four and two one-pounders, besides swivels, in her waste) attacking the Greenwich armed sloop, Comet, Thunder, and Hornet galleys, off Yamasee Bluff, and that the action had ended with the capture of the two rebel galleys. Captain Henry writes, that the officers and men all behaved well, and that he was repairing the galleys, which would be soon ready for service, and that they were fit vessels, if the Crown chose to purchase them: I have therefore directed an exact valuation to be made; and as such vessels are materially wanted there, I have, at the request of Sir Henry Clinton, caused them to be purchased for his Majesty's service; and commissioned the Congress, by the name of the Scourge, and appointed Lieutenant George Prince, from half-pay, Lieutenant and Commander of her; and Mr. Edward Ellis Watmough to the Lee, called now the Vindictive.

[London Gazette.

Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated Head Quarters, Philipsburgh, June 18.

Not having received any accounts whatever from Major-general Prevost, since his letter of the 16th of April, I can only inclose, for your Lordship's information, copies of reports and intelligence lately received from Georgia.

These reports mention, that General Prevost had advanced to South-Carolina; that the enemy had deserted Fort Johnson; that the British troops were in possession of James Island; that preparations were making to attack Sullivan's Island; and that General Prevost had said, in a letter

letter written to Savannah, that he hoped soon to be in possession of Charles-town; that they had offered to capitulate, on condition of their remaining neuter, which the General would not grant them, or any other terms but their surrendering prisoners of war. That at Beaufort, Port Royal, the General had had a skirmish with the rebels; that he then proceeded, having been joined by great numbers of Carolinians; and that many of the inhabitants on the North side of the Savannah had come into the out-posts, and were forming into a body, naming themselves the Carolina Volunteers. The troops were uncommonly healthy, and provisions were plentiful, and very cheap. The Rose, and another man of war, with the convoy, were arrived without losing a vessel, at Savannah, from New-York; and 17 sail of ships had also arrived from Great Britain and Ireland at Tybee: that great number of refugees were preparing to return from East Florida and Georgia to South Carolina, induced thereby by the successes the British troops had met with in those provinces.

These reports were received from Captain Symonds, of his Majesty's ship the Solebay, which arrived at New-York the 17th of June, from Savannah, in 15 days.—From Mr. Paumier, Deputy-Commissary of the army in North-America, in a letter dated Savannah, 23d of May.—And from Mr. James M'Alpine, Commander of a schooner, who arrived at New-York on Wednesday the 16th of June, from St. John's in East-Florida; and last from off Tybee in Savannah-River, Georgia, whence he took his departure the 5th of June.

[*London Gazette.*]

Raisonable, off New-York, June 18,
1779.

SIR,

The Solebay arrived last night. She brings me dispatches from Cap-

tain Henry, senior officer of the King's ships at Georgia, which I have the honour to communicate to their Lordships herewith; and am, Sir,

Your most obedient and
most humble servant,

GEO. COLLIER.

Philip Stephens, Esq.

Extract of a letter from Captain HENRY, senior officer of his Majesty's ships in Georgia, to Sir GEORGE COLLIER.

Sir, Savannah, May 23, 1776.

I Have the honour of your letter and orders by the Rose and Solebay, who brought all their convoy safe. This goes by the Solebay, who sails to-morrow morning.

The King's troops, about 3000, under Major-general Prevost, crossed Savannah River on the 29th of April, and marched from Purysburg towards Charles-town, the rebels abandoning every strong post as our army approached. We are now, without loss, in possession of James Island, John's Island, and all the south side of Charles-town harbour, the rebels having abandoned and burnt Fort Johnson. General Moultrie is in Charles-town with 1000 men; and General Lincoln at Dorchester, afraid to come on Charles-town Neck, lest we should get behind him.

The Greenwich armed sloop, Comet and Snake galleys, with four victuallers of easy draught, are gone up Stono Inlet, and from thence up the river to Wapoo Cut, agreeable to the General's request.

The Vigilant is ordered from Port Royal with eight transports and an ordnance brig to Five-fathom Hole, within Charles-town bar, to co-operate as much as possible with the army.

The German Provincial armed ship remains at Port Royal, for the protection of the inhabitants, who, together with all the other islands, have sent in their submissions. When the Vigilant and armed vessels failed
from

from hence, they went through Colibogie-Sound and Scull Creek into Broad River: and, on their approach, the rebels burnt Fort Lyttleton, in Port Royal, and abandoned another fort on St. Helena, leaving it entire. We have taken the guns out of both, there being no troops to garrison them, and not caring to leave them in our rear, lest the rebels should repossess them.

Charles-town has offered to capitulate, if they might remain neuter during the war, which was refused: our army is in possession of several flats and canoes on Ashley River; they have besides seven flat boats from hence; their plan is to cross the harbour, and, if possible, possess Mount Pleasant.

The *Rose* and *Keppel* brig are to sail in two days with two of the victuallers from York, and one from hence with rum, which the army wants; they are ordered to join the *Vigilant* in Five-fathom Hole.

Four vessels are just arrived from the West Indies with rum, which has set us up in that article.

The supply of stores and stops you have been pleased to send in the *Rose*, is very ample to our wants.

Sir,

Your most obedient and
most humble servant,

JOHN HENRY.

London Gazette.]

Chatham, June 15. On Sunday last an express from Congress to his Excellency General Washington passed through Morris-town, on his way to head-quarters; by him we have the following glorious and important intelligence, which Congress received by express from General Lincoln last Friday evening, viz. That the enemy attacked our lines at Charles-town, in South Carolina, on the 14th ult. but met with so warm a reception, that they thought proper to retire; however, they returned shortly after-

wards, in full force, and renewed the attack with great fury, but with as little success as before; for they were opposed with a spirit peculiar to men who fight from principle, and feel the justice and importance of their cause. The contest was exceeding obstinate, but rather in favour of the American arms, when General Lincoln appeared with the troops under his command, and decided the fate of the day; for falling upon the enemy's rear, he threw them into the utmost confusion, and obliged them to consult their safety by a precipitate and irregular fight, upwards of 1400, whereof many were new levies, were found upon the field killed and wounded, and their baggage, artillery, and ammunition, have fallen into our hands.

Our victorious troops pursued the fugitives, and made 100 more of them prisoners; and it is expected, that not a man of them will escape, as sufficient detachments have occupied the several passes through the country, to prevent the stragglers from getting away.—Prisoners were continually coming in when the express left South Carolina.

It is said, that when the enemy in Georgia heard of the above defeat, the merchants who had gone with them (and other friends to Government) put their property on board the small vessels lying at Savannah, and embarked for New-York and Providence.

[*New Jersey Journal.*]

Boston, March 18, 1779.

By two messengers lately arrived from Philadelphia, we have papers to the 6th of March: of the contents of which we can only give a faithful abstract to our readers.

From these papers it appears, that near 14,000 freeman of Pennsylvania have expressed by petition and remonstrance their disapprobation of any measures to disturb the execution of

of the present plan of government ; a number which has never before appeared on any occasion in that State ; and that in the General Assembly seventy-seven voted for rescinding the late resolution of the House for taking the sense of the people respecting a Convention, and that only seven of the Assembly were against rescinding, so that their government is likely to remain on its present establishment. Upon this occasion, a writer, whose signature is T. G. addresses Governor Morris, Esq. delegate of the State of New-York, upon a piece supposed to be written by him, signed an American, observing that his colleague, Mr. Deer, from the same State, had meddled too much in the internal affairs of Pennsylvania, and cautions Mr. Morris against such a conduct ; declaring, that his (Mr. Morris's) favourite points seem to be to disgrace Pennsylvania, to insult its President (Mr. Reed) and to support General Arnold. This writer goes on to observe, that the militia of Pennsylvania will never act, while General Arnold has the command in the city ; or if they do, their first act will be to expell him from the State ; and if the Assembly do their duty, their first act will be to demand of the Congress, that he be removed from his command in Philadelphia. A bill has been brought into the Assembly of that State, for the gradual abolition of slavery ; and at the same time, securely prohibiting the Blacks marrying with the Whites. President Reed has published in the Pennsylvania Gazette, of the 24th of February, a particular account of the affair, respecting Governor Johnstone and Mrs. Fergusson. He begins with observing, " Whether the British Commissioners, or any of them, attempted to corrupt the representatives of America, in a point so interesting to the cause of liberty and virtue, that, as an historical fact, it cannot be too

clearly elucidated and explained." He proves, from his own and Mrs. Fergusson's declaration, beyond all doubt, and in opposition to Governor Johnstone's solemn declaration in Parliament, that such an attempt was made upon him by the Governor. But as Mrs. Fergusson had an estate depending on the decision of authority in Pennsylvania, and she appeared solicitous not to be considered as falling in with the views of Governor Johnstone in this matter, President Reed speaks of her with the greatest candour and tenderness. He closes his account of the matter in the following words, which, taken in connection with his conduct in so trying a circumstance, does him particular honour.—" With respect to myself, while I deserve the esteem and affection of my fellow-citizens and countrymen, I do not doubt I shall possess them—I have no claim upon them longer ; and as to this transaction, particularly with the British Commissioners, I consider myself more truly rich in the good opinion and favour of my country, than all the gold of Britain can ever make me." Rich and glorious man indeed ! who could reply to an offer of ten thousand pounds sterling, and the best post in the Colonies in the King's gift,—" I am not worth purchasing ; but such as I am, the King of Great Britain is not rich enough to do it,"

[*Boston Chronicle.*

Philadelphia, April 10. The English, the beginning of January, took possession of that part of St. Martin's Island, which belonged to France. A letter from Martinico, of good authority, dated March 9, says, the islands of St. Martin and St. Bartholomew, which the English had taken from us, are retaken by three frigates, which hath tarnished the triumph of our enemies upon that inconsiderable event.

For

For the REMEMBRANCE.

*Considerations on the expediency and necessity of the present associations in Ireland, and on the trade, manufactures, and internal situation of that kingdom. With some observations on the effects of an union with Great Britain. In a letter to the people of Ireland.**

Your association at this time is a measure of necessity; it is founded upon a principle of self-defence into which you have been finally driven, when every method in the shape of patience and liberality had failed.

After a long and severe experience you have proved, that nothing can be expected for Ireland, except from those sources of relief, by which alone any country can be saved,—her own co-operation and her own spirit.

There is no instance, at least I never heard of any, where a nation enlarged her trade, defended her liberty, and fed her inhabitants by the dint and efficacy of meanness and submission; I am sure Ireland is an instance of a country losing her trade, impairing her liberty, and reducing her people to want by an unparalleled propensity to surrender every thing to Great Britain, without finding relief, when she afterwards threw herself on the pride of that country for arms and subsistence.

The poverty of spirit, with which we have yielded so much, has held out the remainder an object of plunder, for which no nation nor man will be ever grateful. Our impatience to give has been construed an impotence to keep, or a fear to refuse, and has proved an invitation to take, without thanks or moderation.

However, we are convinced at length, of what we might have known at first, that we cannot be relieved but by our own interposition; for England does not feel for Ireland, nor

do nations feel for one another;—the political body has no heart—had such a thing as political affection existed, we had never been reduced to our present situation, nor had England robbed us of that commerce, the want of which has sunk us to beggary. She had not in 1666 deprived us of the live cattle trade; something beneath *her* envy, but *our* great subsistence; nor had she in 1698, totally, and at once, deprived us of the woollen trade, when the country was a sheep walk; and this act of power was a denunciation of famine against the inhabitants, as it was of war against the constitution.

The real, still less the imaginary interest of Manchester, &c. ought not to be preferred to that of a kingdom and an empire, upon a principle of policy, but certainly it will upon a principle of affection; for each part of England is dearer to *her*, than the whole of Ireland; and nations have affections for themselves, though they have none for one another.

The sacred silence till lately observed by us, in our own cause, left the English country gentlemen at large upon the Irish question, to flatter the prejudices of each manufacturing borough, and to decide the fate of this country upon as narrow, subservient, and unscrupulous a principle as formerly in cases of election determined the rights of his own constituents. The same silence lost us the Minister of England. We neither compelled nor enabled him to serve us—he could not have hitherto stated the distraction and resolution of Ireland as an excuse for opposing the manufacturing towns of his own country—he, therefore, knowing what we would bear and what they would not—yielded—he yielded to spirit, and stood firm against pusillanimity.

* This and the following pages, to 200, contain a pamphlet which was published in Dublin, in the month of July 1779, and has been exceedingly well received in Ireland.

There is no such thing as political humanity; or, if the sentiment did exist, it is not likely to be found in a country of commerce.

The habits of barter do very much contract the political mind.

Jealousy, monopoly, and pride, combining in the soul of a commercial empire; exclude every thing, except industry, punctuality, and that species of probity which is necessary for credit.

The difference between the tyranny of a monarch and that of a body of merchants, consists in something more than being governed by the absolute will of one man, and the madness of a multitude.

The absolute monarch will only plunder the individual and the nation of part of their acquisitions, the mercantile dominion will prevent both from acquiring—under the former, the nation may flourish, though some individuals feel great acts of cruelty and rapine—under the latter the nation will starve, and there is no individual that will not be ultimately affected by radical acts of severity and restriction.—The one takes from the tree much of its fruit, the other starves the root, and prevents the bearing.—The one is a moral evil, the other a tyranny, amounting to a physical interdict.

With respect to Liberty, it may be said, that it were better to be prohibited from acquiring, than to have the acquisition subject to be taken away without consent.—I think so; but the mercantile empire, which begins by taking from the connected country her Trade, will soon proceed to make very bold attempts upon her Liberty.—Under pretence of maintaining trade-laws, she will assert in all cases, and exercise in some, the power of binding internally; and next assume the right of taxing— one infringement will lead to another; and the Mother Country, grown insolent from empire, and distempered from its fumes, to maintain a dominion she has usurped, will

assert the right of taking away the liberty which she has left.—Such was the power exercised against America, and denounced against Ireland—the resistance of the former has saved the latter.

It is because such a theory was not extended, that our connection with England is a blessing, and not the greatest curse that could befall a nation.

Great Britain cannot, I have said, feel for Ireland; and, if she did, she is ignorant of her condition.

A country, with some reason, self-possessed, greatly agitated about her own affairs—incurious—disposed to neglect all other nations and to slight Ireland. Great Britain, whenever our name was mentioned, has shewn an ignorance of the cause of our distresses, that could be equalled by nothing except her indifference about relieving them. In the latitude which those distresses afford for conjecture, her people ascribe our present condition to a variety of grievances, none of which are the cause, but each of them great aggravations of an original, narrow, and pernicious policy.

Some have attributed the bankruptcy of our merchants, the beggary of our manufacturers, and the universal poverty of the kingdom, to a pension list of 100,000*l.* per annum. There is something more than ignorance that mixes itself in this idea;— a determination not to relieve us upon the subject of trade.—While they complain of our pension list, they are only guarding their own monopoly, and throw us for redress upon reduction without commerce.

Manchester does not care how economic our government shall be, provided our country does not acquire a trade; the Minister, on his part, is not anxious about what you may get in trade, provided you support his system of prodigality: and thus does Ireland continue disabled, and overburdened, between manufacturing towns maintaining their monopoly, and the Minister vindicating his plunder.

Another

Another opinion attributes our misery to the high letting of land. If this is an evil in Ireland, it is a very deplorable one, because beyond the power of human statute to remedy—if the tenantry of Ireland will be satisfied to live upon less than the necessities of life, while in England they insist upon more, we cannot restrain the humility of our people by act of Parliament—but if the supposed high letting of land were the cause of our distress, then it had not been the manufacturers, but the tenantry who would have been the first and principal sufferers.

'Tis true, the tenantry did feel and will feel, I fear long, the wretchedness of the last years; not from the exaction of the landlord, but the ruinous contract of the Minister—the embargo—which lay upon this country for three years like a curse, and is now felt in its effects like a plague! which prevented the tenantry from making any use of their land, and would have rendered any rent an exorbitant one!

But supposing the land of Ireland too high lett, yet when it is lett for so much less than the land in England, why should our tenantry feel that rent exorbitant? Because they have not a number of manufacturing towns to consume the produce of their land, nor a foreign market to export their manufacture to; because by restrictions on trade they are not permitted to make use of their land. The want of trade in Ireland is a rack rent and an enormous land-tax.

If then the cause of our distresses is the high price of land, as it is impossible to call in all the leases in the kingdom, and to set up a standard value beyond which neither the owner nor the bidder shall advance, the only remedy I see, is to restore the subjects of Ireland to those laws and charters, which, in common with the English, gave them a free and open market for the produce of their land.

I must observe here, that in most of the speculations of the English upon the distress of Ireland, there is something dangerous; and, as when they ascribed the famine of our manufacturers to placemen and pensioners, they only meant an aversion to relieve us by enlarging our trade; so when they dwelt on the exorbitancy of our rents, they intended not compassion for the tenantry, but a tax upon the landlord.

They suggest that the gentlemen of Ireland get too much for their land and that government ought to have its proportion—the government of this country being unable to exist without reduction, a free trade or a land-tax, these gentlemen would urge you to the latter, instead of the two former.—They would extend your grievances in the language of compassion, and have discovered the great seat of your disorder, to be in that part of the body in which you have not yet been wounded.

Others ascribe the distresses of Ireland to her military establishment—certainly the army is on the part of Ireland a most exorbitant contribution to the British Empire.—The hardship is rendered greater by the vast proportion of officers appointed without any view to the service, and merely to encrease the influence of the crown.—Whether we consider the size or regulation of our army, we must acknowledge the establishment has been formed with no other view than to serve the Empire of Great Britain, and corrupt the constitution of Ireland—there never was a more ignorant idea than a supposition, that the army of Ireland was her defence; nor has there been a moment (though our army has cost us above 600,000. per annum,) in which this country was in a state of internal security.

The expence of an army sufficient to defend us would be worse than an invasion; it would lay a poor country

under perpetual contribution to support her own army, lest she should be put under eventual contribution by the army of the enemy.

Whether a descent is made by a large force to reduce the kingdom, or a small body to pillage, the army we could sustain must be inadequate. In the first event it would be too small, in the latter its operations would be too late—the mischief would be done to the particular district, and the kingdom would be at a further loss in paying for an unprofitable march of the army.

Thus, our linen trade has always been subject (when Great Britain is at war) to occasional depredation and constant panic, whenever a vessel of force is seen, or is thought to be seen off the coast. At this moment surely the necessity must strike every man, of taking the defence of his property into his own hands; when England can't defend you with her navy, Ireland can't pay for an army, and government is afraid of a militia—indeed in this posture of affairs, the independent companies are so necessary, that they seem to owe their existence to an instinctive consent, operating on all minds at the same moment.

They are not sensible nor honest men, who condemn the Earl of Buckinghamshire for not provoking the people of Ireland, by attempting to prevent them from taking the only obvious measures of defence against the natural enemy. Had his Excellency made the attempt, he would have proclaimed that the English government were more afraid of seeing Ireland in a state of defence, than of captivity. In our present condition to endeavour to prevent (for it could be no more than an inflammatory endeavour,) the Irish from arming, had been to conspire with the French King against them. In a difficult situation his Excellency acted with prudence and mildness, more consistent with the service of the crown,

than an officious interference that frets the people into disquietude.

But to return—from the causes to which numbers in England appear to ascribe the present unfortunate state of Ireland, it would seem that in general they have no adequate idea of our situation; and that it is ridiculous to expect from them, without any interference, any adequate relief.

It is true, a pension list is a cause, a prodigal succession of administrations is a cause, and an exorbitant military establishment is a cause—but the fundamental cause of our distress is, that, being over-burdened by a pension list, and drained by an army, we are disabled by restrictions—the internal system of government is one grievance, the external policy of England is a greater grievance. The pillage of her government is forgotten in the monopoly of her people.

Besides the indifference of Great Britain to our miseries, and her ignorance of our situation, there is another cause, which, however trivial in appearance, has not a little operated against any alms-fund enlargement of our commerce—the cause I mean, is an obstinate contempt which England has entertained for Ireland; and the origin of that sentiment is the contempt which Ireland has entertained for herself.—I know not how it is, but the gentlemen of this country have hitherto thought they exalted themselves, by crying down one another; that, by the candour of acknowledging every false and opprobrious charge against his native country, each individual, separately, acquitted himself; and, by a fastidious sense of his country's imperfections, proved that he, at least, was acquainted with something incomparably better—it is a disposition natural to a people who have collectively submitted to some political stigma, which, in their personal capacity, they labour to cancel.

To

To a contempt for ourselves we have added an admiration for England, which equally sinks us in her opinion; an admiration founded on our own humiliation; which has led us to idolize her individuals, to worship her fashions, and tolerate nothing but the manufactures and modes of the English, to the ruin of our country, and the laughter of theirs.

We have likewise lost her esteem by our conduct as a people—as a people who, possessed of the charters of England, of all the laws of all the Edwards, the great foundations of the petition and bill of rights, declaratory only of those laws and charters, have patiently lost some of the dearest privileges contained in them, and have, in consequence of such infringements, been kept always impoverished, and have been occasionally reduced to beggary, without any remarkable sensation on our part, except a contempt for ourselves, and an admiration for the country who had thus reduced us to wretchedness.

Her public pillagers too, sent to preside over us, unknown in their own country, and the scourges of ours, have greatly added to our disrepute, by exposing the extent of our submission, and making our poverty despicable.

A nation, weeping under the consequences of *Blaquiers*, presents no respectable image of public calamity.

On these general principles we cannot expect an effectual enlargement of our trade from the voluntary bounty of England; but if a doubt should remain, turn to her conduct.

In March, 1778, an application was made to this country for a vote of credit of 300,000*l.* to guard us against that enemy whom Great Britain, in consequence of her civil war, had exposed us to. In the course of that war two events had taken place, which made it difficult for Ireland

to raise to considerable a sum. Her provision trade had been stopped by an embargo against law, under pretence of war, and her linen trade had been a great sufferer during the course of it.

There was another reason for making the grant of 300,000*l.* still more questionable.

The ordinary revenues of the kingdom had been grossly misapplied, for a course of years, in a scandalous system of corruption and prodigality, in the civil and military establishments, and in every branch of the expences of government—however this sum was granted in a moment, and without any thing like an estimate—it was granted, because it was asked; and the question was carried by a cry; as if an attention to public money, when the Minister was pleased to want it, were the aspect of disloyalty.—It was thought at that time judicious to grant 300,000*l.* without any stipulation in favour of trade or reduction; in hopes that after we had shewn such a prompt confidence in our abilities, the pity and gratitude of England would speedily enlarge that commerce which had been formerly reduced by the Parliament of Great Britain, and was now over-burdened by the Parliament of Ireland.

The Minister of England was supposed to be a real, but secret friend to this country, and certain conferences were insinuated as very suspicious, but entirely mysterious—our silence upon the subject of grievances was to operate like a charm, and the British Parliament was to conceive it indispensible her duty to relieve Ireland, because the Irish Parliament had not presumed to think it was theirs.

But though our Commons had granted so amply, it was well known that the nation was nearly bankrupt; and her manufacturers were begging; and it was apprehended in England, that

that famine might rise here; as undoubtedly it would have risen there, to a commotion, if nothing was done for us by the Parliaments of either countries, except the granting away 300,000l. under the apprehension of a ferment.—Five bills, for the relief of Ireland, were brought into the Commons of England.

I do not mean to dwell upon them—it was doubtful whether, in their fullest extent, they would be a benefit, certainly in a diminished state they would be of none—for further particulars I refer to their operation. These bills lay long on the table, and, during that delay, a clamour was raised against them in England, while a most profound and humble silence was observed on the part of Ireland. Accordingly, these five bills were dwindled into one; and, as they owed their birth to an apprehended spirit in the people of Ireland, they were indebted for their diminution to the patience of this country, and the growing turbulence of some of the manufacturers in Great Britain.

Whatever we got, we owe to the first supposition that a spirit had kindled in Ireland; that we did not get more, we owe to a discovery that such a supposition had not sufficient foundation.

The ensuing year, from March, 1778, was attended with great distress, but little emotion on the part of Ireland, and without any relaxation on the part of England—on the contrary, every week was marked with the rejection of some of those humble endeavours, that would have taken the chance of making the situation of this country somewhat less unfortunate.

The friends of Ireland took the sense of the British Parliament upon several branches of trade, and found upon every branch *that* sense was hostile—It is fortunate that we know, but *we do know* that the sense of the

Parliament of England, if left to itself, is decided against Ireland.

A proposal was made to take the state of her commerce into consideration, but was objected to as too general; and the friends of Ireland were desired to specify particular branches. They specified such as carried a faint possibility of relieving one country without being of importance to alarm the jealousy of the other—each specific proposal was negatived.

The cotton trade was attempted, Manchester was clamorous.

An application was made for the import of sugar, but Scotland petitioned against us.

Every town has some interest in some trade or other; and, while an English or Scotch town or company oppose—the trade in question will be withheld. According to this way of proceeding, no branch of commerce will ever be granted to Ireland, except such a one as no other people thought it safe to embark in.

It is remarkable that several petitions against extending commercial benefits to Ireland set forth her peculiar capacity to carry on the trade which the petitions prayed may be prohibited—they state the blessings of Providence on this country, and call down the British legislature to blast them.

It became irksome at last to speak on the Irish question; a question always marked with something very humiliating. An acknowledgement of our ill treatment, a cold approbation of our loyalty, a fastidious neglect towards relieving us, and an impatience for the order of the day.

The Minister was absent at first, and voted against us at last—the country gentlemen requested delay, to have an opportunity of consulting the constituents, that is, of raising a clamour against Ireland—in the course of these debates the sounds of land-tax and union became so familiar in the

the House, that it appeared the idea of England not to grant any thing at all, except upon terms which would make the grant an oppression.

Here it must occur to every man, how futile are the representations of a Lord Lieutenant, or the negotiations of individuals. To suppose that Ireland could obtain any thing by the personal weight or address of individuals, visiting London upon their private business. To enable these individuals, by the silence of our Parliament, to undertake, if they had chosen it, the distresses of the kingdom, to depreciate her pretensions, or make miserable compromises, with as little authority as advantage, was not more absurd than to expect we could be restored to commerce by the representations of our Ministry.

It has been the known expedient of Government, in order to continue or encrease an expence which the nation could not support, to hold out an immediate enlargement of her trade; and, when an address was proposed to obtain that enlargement, by the intercession of Parliament, it has been the art of Ministers here to propose that such a difficulty should be left to their representation.—Thus were they enabled to parry every attempt, to reduce a system of ruinous expence, or to enable the nation to bear it. The Lord Lieutenant and his Secretary not being natives, nor likely to know very accurately or feelingly the state of the nation, his representation was to be founded upon the information of the servants of the crown; to whose lot it had fallen to deny the fact of public distress, who had been in a course of publicly saying the very contrary to that which they were clandestinely to represent, who had declared the revenues would rise, that our commerce was flourishing, and that we were the happiest people in the world.

Such men, though incapable of

believing what they had openly asserted, were equally incapable of having a thorough, serious, or honest impression of those public misfortunes, which were to be the subject of his Excellency's representation. Accordingly, this representation, made with good intentions by the Lord Lieutenant, but being no more than the private stating of his servants, destitute of national or personal authority, has wanted publication, energy, and weight, and every thing which was necessary to give it a chance of success.

The consequence has been only a gift to Ministry here of 68,000*l.* to support certain regiments now in the service of Britain. Instead of being rendered able to sustain our establishments, or relieved of some part of their weight by retrenchment, or government, like our manufacturers, is sustained by temporary contribution, and the nation exposed to the future incumbrance, and the future inability to bear it.

It has been, I believe, above four years since the folly prevailed of expecting that the Ministers of the crown would open the trade of Ireland, notwithstanding the silence of her Parliament and the patience of her people—and so strongly were some possessed of that hope, that in 1776, our Commons, in an address to Lord Harcourt, compliment him, and congratulate themselves in the following farcical expressions:—"We acknowledge, with gratitude, that, in return for the liberality of the Commons, new objects of trade, through your Excellency's interposition, are presented to us, and new sources of commerce are opened."

To which his Excellency, with much affected humility and real absurdity, answers;—"If, during my administration, any new sources for the extension of your commerce, and the encouragement of your manufactures have been opened, the success

of

of these endeavours is principally owing to your having enabled me to make the strongest representations in your favour."

What followed—a decay of trade, and a famine among the manufacturers.

In March, 1778, from the dwindled bill of export, we expected that Ireland would assume a new and flourishing face.

What followed—the bankruptcy of almost all our merchants, an almost entire extinction of trade, and the further prevalence of famine. Thus our confidence and our miseries have preserved a faithful proportion to each other—we have lost our revenues, fed our manufacturers by charity, seen our commerce expire, and congratulated ourselves on new sources of trade; almost in one and the same period, until we have lost the ability either to support our establishments, or to feed our people. We have hitherto acted as if we thought our best chance of relief was the extremity of misfortune, which was to operate, not on the virtue of our Parliament, but on the compassion of England for a country, that manifested no compassion for herself.

Compelled at last to take some measures for our preservation, by seeing the result of the representations of the Lord Lieutenant, the boasted intentions of Ministers, the gratitude of England, and the liberality, the submission, and the miseries of Ireland, to be the repudiation of every attempt in our favour, accompanied with an insult on our misfortunes in a bill that would give us a tobacco trade, we began to associate—what is the consequence? The Lords are summoned, the King is addressed, our grievances are admitted.

The assuming sneer, and vulgar impertinence cease; and the English now talk of us as fellow subjects whom they have greatly injured. Our pretensions, which did not ven-

ture to come into the House of Lords, and were slighted out of the House of Commons, are by your association introduced to both. The English claim to have a sense of our injuries, because we have shewn a sense of them ourselves; but they acknowledge our grievances, and go no farther; they rejected our cause when they had time to consider of it, and recur to the consideration, when they declare it is too late. Will any man believe either House of Parliament in earnest, when they will not continue sitting to save a country they have unanimously voted to be in a state of distraction? Their addresses, critically too late, are but poor endeavours to disperse your associations, and to deceive a people, whom they do not think it, for the present, advisable to insult. Without giving you a new trade, they would prevent you from associating in support of that trade which you have already; and are making way for the demands of Government the next session of Parliament.

That, when our Ministry came to the Commons with an astonishing array, without commerce or retrenchment, they may plunder you upon the credit of certain benefits, which the British Parliament do not propose to confer on us.

An association then, to which we owe even this dawn of commercial life, is necessary, and ought to be a written one.

If an internal resolution was sufficient, instead of a written covenant, our present misfortunes had not in the same degree taken place; for there have been, for a long time, every reason, every exhortation, and violent resolutions to give an inviolable preference to our own manufactures; besides, if an internal resolution was sufficient, that resolution would not now be broken. At this moment, goods, which we could manufacture ourselves, are imported from

from Manchester too and Scotland, consigned to factors resident in this metropolis, who are forcing upon us, even at this time, their ruinous merchandize.

The number of inhabitants in a country does not bear relation to what she can nourish, but employ.

Holland, therefore, has in proportion more inhabitants than Ireland—the latter does not contain the number she could nourish, nor does she nourish all whom she contains.

The fruits of the earth are a monopoly; the common people, not having land by inheritance, must subsist by industry, otherwise provision does not come within their circulation.

Thus it happens in Ireland, that when the country is covered with provision, the people are starving. As manufacture is necessary to feed and multiply the race of man, so an export trade, or a market for redundancy, is necessary for manufacture; otherwise the manufacture will not be perfect, cheap, or profitable. Hence it is, the want of an export woollen trade destroyed our internal trade, and left to England, even at our own market, that advantage, which a manufacture that is free must ever have over one which is circumscribed.

Our wearing English manufacture is then the natural effect of the freedom of *her* trade, and the restraints upon *ours*; and while the cause continues, the effect will take place, if either the trade or the people shall be left to themselves. If we do not combine to oppose the operation of so very strong a cause, by something more lasting and palpable than our internal resolutions, many will forget them; the very violence with which they entertain them now, secures their departure from them. Many will be influenced to break them by the same power which makes such people re-

luctant to sign them; many will be tempted to forsake them by the bribe of a bargain; many will consider their own insignificance, and, in a strain of affected humility, give themselves a criminal latitude; some will compromise in their own conscience for their country, and think a wretched enlargement of our trade, or a more wretched declaration of future intention in our favour, sufficient to justify their return to foreign consumption.

Thus a spirit, not regulated nor communicated, nor perpetuated by covenant; violent in some places, indolent in others, will soon evaporate in all.

The methods which we took of relieving ourselves, until the association was thought of, were certainly well intended, but utterly contemptible. To encourage idleness by feeding our manufacturers as beggars, was a practice not founded on any principle of commerce which I have ever heard of.

To overstock the consumers by buying up at once what they might have occasion for hereafter, was to employ more than a proportionate number of manufacturers for the present, and less for the future—it was to delude into a trade, by a sudden consumption, men whom we would not support by a steady demand; and to sow the seeds of future expedients, and future beggars. To refuse to covenant now against all, except native manufactures, would be to make all our past measures in a high degree mischievous—it were to bring our manufacturers into a snare by a capricious consumption; to leave the consumer overstocked with Irish goods, and at liberty to resort to English ones; and, of course, the manufacturer exposed to two evils, the present glut of Irish manufactures, and the future consumption of English.

To obviate these inconveniencies by a subscription, or a ball, would be a policy not more radical than respectable. These are poor temporary expedients, that may stop the cry of famine, without feeding the hungry. They will resemble some of our premiums which, with good intentions, but little or languid success, we have repeatedly given to furnish ourselves with the various articles, with which the country abounds, but over which it has slept. By resorting, as individuals to foreign markets, we have prevented the effect of those sums we give as a society. We invite, by premium the subject to attempt a manufacture, which we afterwards will not consume. We encourage him to work for one market, and go ourselves to another; and thus we beggar the community by consumption, and the individual by our premium.

If we really mean to serve our manufacturers, our measures must be strong, systematic, and comprehensive.

It is a considerable difficulty we have to contend against; we are to resist the various attempts to undermine our resolution, and to restore us to our ancient languor upon all public subjects.

We are to contend against the manufactures of a country completed in every thing, and against our own habits of admiring that country in every thing. We are to forsake the vanity of foreign magnificence, and to resort to superior and profounder sources of pride—the want of it—the merit of exhibiting the rude efforts of our own country, of bringing out her hidden faculties, and training her on in arts and industry. Virtuous cares! new in Ireland, now necessary; such as every man and every woman can afford—a debt which the gentry owe the public, for indeed they have lived on it.

I cannot suppose any class of men will refuse this covenant.

As to those who have generally voted with the Minister, without any ostensible reason either in venality or virtue; who are corrupted without being bribed, and seem to espouse the court, because they do not love the people; such men will hardly be able to justify themselves in refusing to sign an association which they have made indispensable, by a variety of votes given for the continuation of our expences, and against parliamentary application for the enlargement of our commerce. These men, whom the public has observed constantly voting against every popular measure, will not be able to persuade the people to depend upon the voluntary and invisible operations of their public spirit.—The poor pretence of opposing a popular torrent will not avail now.

Such men need not be afraid of the spirit of the people, if their prudence takes a part in conducting it.

The people of Ireland have been always ready to submit to the authority of men of rank, provided they are also persons of public character; but if men of rank, having in view some poor favour, or mean friend, or prostituted honour, shall shrink from the people, under pretence of fearing their licence; they leave the people to become licentious, and the public cause to perish, in the rashness of a mob, and the fraudulent moderation of a pusillanimous gentry.

Such a covenant would bring these men to a declaration, whether they were Irishmen or not—the consequence of their assent or dissent would be beneficial.

They would be obliged to act as citizens; or, destitute of public principle, they would be destitute of character.

When we speak of the spirit of the people, as a thing to be dreaded, we ought

ought not to overlook one very important truth—the constitution is now reduced to a state in which no public benefit can be obtained, but by the collective body of the people. If we wish to defend our land against a tax, our chance consists in this only, that the influence of the Crown shall stand in awe of the clamours of the people. When the majority of those who compose the legislature, have gotten a complete victory over remorse about conduct and character, there is no restraint but fear; no security, but the interposition of the people.

As to the servants of the Crown, I do not suppose that they will take so decisive a part against Ireland, as to refuse themselves the honour of signing this association, and become aliens, merely because they are in the pay of their country. It would be a declaration that they have as little property in the land of the kingdom, as they have shewn principle in her Great Council. They will please to recollect that they annually receive considerable sums of public money, for a duty generally overpaid, and not seldom neglected. That some part of the public distress has been not a little owing to their expensive salaries; that, by not confining themselves to their own manufactures, they spend upon foreign manufacturer's money, which is not their own; which they take from the country first, and spend out of it afterwards; that by signing such a covenant, they will do away a multitude of sins, at a time when the consequence of their votes and employments has become an arrear above any thing experienced either in peace or war—they will also consider that we cannot be expected to fund such a debt, in order to see such men for opposing every salutary measure, in and out of Parliament, and for even preventing the very means by which

alone the public shall be enabled to feed them.

As to the woollen-draper and mercers, it is of the last consequence that they should sign, because they have it in their power, unless bound, to render the association of other men of little or no consequence, by imposing one manufacture for another, and have actually now great quantities of foreign cloth, &c. which they have deposited in different warehouses, waiting until the present spirit shall abate, that they may return to their former trade, by which they have beggared the community. They should not forget the mischiefs they have done already, nor the dangers which they have escaped, by the moderation of thousands, whom they have been accessory to starve. It is a very singular circumstance, that a gentry lavishing the public money, a merchantry carrying on a ruinous trade, and thousands of manufacturers reduced to beggary, by the commerce and consumption of both, should have lived in one and the same metropolis, without any interruption of tranquility. It distinguishes the people of Ireland from real acts of violence, committed in other countries with less provocation.

There are two ways by which we can enforce the covenant, without resorting to tumult.—First, by agreeing never to vote for, but ever against such persons as refuse to sign: Here we shall feel the benefit of the octennial bill, and the people will find their balance in the constitution.—Secondly, by publishing the name of the draper or mercer, who refuses the covenant, and persists to import, and by agreeing never to deal with the person so published.

It is impossible to overlook two great benefits, which must immediately result from this association—one is—it would throw the nation on her resources.

The neighbourhood, and advanced state of other countries, have taught us to be idle—we neglect to make use of our country, and proceed to despise it. There is no vice in our soil, nor infirmity in our people; but, the unfortunate facility of living upon the industry of others, has reduced us to a state of physical dependency, the cause of an abject political spirit.

So would it be with the human body. The limbs of a giant would become weak, if he were afraid to stand upon them. The other benefit arising from the covenant is, it would enrol us as a people.

The law has made the Roman Catholic our fellow citizen, the association will give him an opportunity of signing himself a fellow citizen: I am sure the cruel policy of England towards this country, makes him a fellow sufferer—I should be glad to see the names of Lord Shannon, and Lord Kenmare, on one and the same paper, in pursuit of common interest, as fellow subject, and fellow citizen.

The association is a measure wonderfully calculated to unite all descriptions of men, and to inspire that union—it is not a question about the power of the Crown, in which the Whig might take one side, and the Tory another—it is not a question about the liberties of the people, in which the Dissenters might go farther perhaps than the Roman Catholics; nor is it about the plunder of government, where the majority of Parliament might be on one side, and the majority of the people on the other; but it is that question where Whig and Tory, Dissenter and Roman Catholic, Country Gentleman and Courtier, must agree; they must unite to prefer property to poverty, and trade to the want of it.

So much does the association keep clear of the division, and apply to

the common interest of all persuasions, that it might be moulded into a form of prayer, and all religion might join in it.

In opposition to this association, I have heard of but one objection, the danger of provoking England. To know whether this fear is founded, let us consider what we have lost by it. And first, the very commerce we are now applying for. Under this fear we have suffered *Magna Charta*, and whole volumes of privileges, to be infringed; and the hereditary rights of our peerage to be lost for ever. It were easy to show that Ireland possessed every thing by her laws, and has kept but little by her precaution.

While we sheltered ourselves under this fear, the 6th of George I. was enacted (that declamation of a party, not a law) declaring that Ireland might be bound without her consent. During this fear, his Majesty's Minister, in his speech from the throne, on a question whether England was to enforce, by arms, a power to tax America, declared that he would mention such a power, not only over America, but every part of his dominions; and during this fear, an application was made to Ireland to extort her approbation of such a principle, and another application to spare her troops, to enforce that principle by arms. Not only the records of England have perpetuated our injuries, her debates have teemed with our insults; the name of Ireland hitherto was mentioned never without an affront.

We were reproached with the benignity of the British nation, and of the British government. Our privileges and our wretchedness were alike denied, and the debate was forsaken, to degrade the kingdom of Ireland, with *Magna Charta* in her hand, into the state of a Colony, and the most miserable of Colonies—
a Colony

a Colony subject to be taxed without her consent.

There is nothing so provoking to one party as the habit of extravagant compliance in the other—it creates a contumacious disposition, which is an active principle, and discharges its bile by repeated indignities.

As we have found no protection in our meanness, so have we experienced in our late spirit and association a certain refuge from the scorn of Great Britain.

But it is said our linen trade is in danger.

That there are men who wish to circulate such an apprehension is certain—men who pretend to fear England, when in reality they are afraid, lest a national spirit should get up in Ireland.

But I do not think it likely that the English will starve the North, because we attempt to feed the inhabitants of the other provinces of Ireland. That, if Ireland endeavours to nourish her manufacturers, and prevent tumult by an act of necessity, England will endeavour to starve our manufacturers, and lay the foundation of tumult by an act of hostility. I do not comprehend that species of retaliation which makes the most wanton and extreme enmity the return for an act of self-preservation; and which supposes England only retaliates, when, to mortify herself, she destroys our only exportable manufacture; because we, to support ourselves, not to injure her, eventually effect some of her various and extensive branches of commerce.

The woollen trade was to be given up with a reservation, and the linen to be encouraged without rival or limitation; to take away the woollen trade without reservation, and to encourage the linen subject to a rivalry and a restraint, and now to at-

tempt to leave us without any export trade at all, because we have resorted to our own markets, would be a measure equally unjustifiable and impracticable; for to suppose that England could dispense with Irish linen, is, I believe, as great a mistake, as to suppose that Ireland could find no other market for linen but England. The trade would force its way into new channels, and might after supply the old market with the addition of the new, and we might find a lasting benefit in a temporary distress; but I will for the present reject that speculation, and for argument agree that the people of Ireland would be as much injured, as is supposed, by a determination in England not to take our linen.—What is the amount of this supposition? that at this critical time the greatness of the mischief would prevent the measure; that the North would be in a ferment—the nation in a temper to make it impossible to pass the money bill—the army in danger of being disbanded for want of pay, at the very time a northern rising was rendered probable from a want of bread.—I do not think it very likely that England, involved in a civil war with America, where 60,000 men are deemed inadequate; in another war with France, who has already attempted to invade her dominions; in hourly apprehension of being involved in another with Spain, will add to all these difficulties, by dispersing the army of Ireland, and soliciting an insurrection among her people. England has learned by experience the misery of attempts to coerce nations by starving them.

To the devoted country, such a project has been present distraction; to the inflicting country, the loss of empire.

Observations

Observations on the Effects of an Union.

It is more likely that England will attempt to pacify than provoke or relieve Ireland; we are to be guarded more against art than violence—a treacherous offer, than an open rupture.

We are to be guarded against a union.

It is a subject that connects itself with the times, and is inseparable from the voluntary bounty of England.

Considering the disposition she displays to this country, I can conceive no proposition of a union coming from her that would not be an aggravation of misery, and a final blow to this nation, that already staggers under the weight of her arm. I can form no other opinion, whether I consider the commercial privileges we have lost, or the despicable indulgences we have obtained, by which solid losses have been ridiculed. The first and obvious idea of an union, is a proposal to tax Ireland without her consent, in order to lessen the present incumbrances of Great Britain. It is to us an extinction of constitution, and accession of incumbrance.

A device, whereby England may rest on the infancy of our commerce, burdens supposed to be too heavy for the maturity of her's.

That a union may be so qualified as to permit our strength to get the start of our incumbrance, is problematical; but this is certain, that no union which England has it now in her power to offer, can equal that which she formerly gave to Scotland.

Because Ireland does now remit to England considerably more than Scotland has remitted since her union—because England has incurred the principal part of her debt since

that union, and has lost those Colonies, which were her dower, when she united to Scotland,

She gave to the latter country a share in her monopoly, her colony-trade; she could now do little more than restore to Ireland natural privileges which Scotland had before the union, and which, by the laws of Nature, almost every country is possessed of, unless such as are connected with Great Britain.

She gave to Scotland her colonies—she would give to you her debts—accumulated in gaining, and in losing those colonies.

Suppose however the most specious union, an ample representation with the free trade of England.

As to representation, when we see in the Scotch members a uniform, and potent body of corruption, and in our own absentees, a set of men as dependent on the Minister as they are independent of the People; it may be a question, whether our representation might not be useless to one country, and pernicious to the other. Upon the ruins of national consequence and public sentiment, we should have a few individuals, insignificant in England, engrossing the powers of Ireland, jobbing away her interest, never residing with her people, and of course, ignorant of her condition, and unavenged by her resentment—in such an event, by the union we should be deprived of our own particular assembly, and only enabled to corrupt the general assembly of the empire.

With relation to commerce, in stating the benefits of a union, we are to consider what benefits we could give ourselves without it—and the difference is the price for which we sell the liberty of being governed by our own legislature. We are not to state the difference between our late, but our associated condition, and a free trade.

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The imports from England for those last ten years, have been, upon an average, about 2,000,000*l.* of which above one half has been her own produce, the produce of a country which in soil and climate so much resembles Ireland, that whatever can be brought forth in the one, is within the fertility of the other.

The association would then save, and therefore give to this country, that million*.

What a woollen trade, for which, only you would harbour the idea of a union, would produce, it were presumption to speculate; rejecting the supposition, that we have not wool enough for our own consumption, which the advocates for England, in every bargain with Ireland, do not scruple to assert, and argue from, yet it is certain, that we have not now a quantity to furnish an export, sufficient to compensate for the following drawbacks, which would accompany an union—a vast increase of absentee interest, in our deputies to the Parliament of England.

Suppose a Scotch proportion, (if more, the argument will be stronger) and suppose each Peer and Commoner, upon an average, to have two thousand pounds a year, which is no extravagant supposition, if we consider, that we are likely to depute the most opulent persons among us.

Here is an absentee interest of above 100,000*l.* per annum, the immediate consequence and child of the union. Add to this, another absentee interest, incidental to the union, formed of a great proportion of the nobility, who have a great proportion of the landed property of Ireland.

To this must be added an occasional

absentee interest composed of those who would visit Dublin, if the seat of legislature had not been transferred to London, of those who love and pursue amusement, that is, all those who have no profession and any property. To this may be added, the revenues remitted to England. All supernumerary expences, which consume a great part of revenues, originally created to corrupt in Ireland, would be transferred to corrupt in Great Britain. To so great a proportion of the old revenues must be added another entirely new, the land-tax, a measure inseparable from an union—and if the rental of this country is 3,000,000*l.* per annum, and the tax one shilling in the pound, 150,000*l.* will be annually remitted to England with all the other indefinite, uniform, and ruinous payments: so that Ireland would be a country consisting of merchants, lawyers, revenue officers, and peasants, annually remitting to England the produce of trade, land, and revenue. From thence I should conceive our associations to be better than the most plausible union.

But I will go farther, and affirm, that the association will give us a woollen trade without an union—because, so long as we persist in a non-consumption agreement, we deprive England of above 1,000,000*l.* per annum, which is more than her tears tell her she could lose by letting us into a participation of the woollen trade. By giving us the woollen trade, she recovers the Irish trade.

The best means of obtaining any thing from England, is to make her gain by what she gives.

When we formerly spoke on the subject of an union, we considered it not otherwise eligible than as a refuge

* I under-rate what Ireland might save by her association—there can be no doubt, but that she could save a much greater sum.

from

from that policy, extended to every country whose fortune it was to have been connected with Great Britain; but now the remnant of her empire cannot afford to make unmerciful sacrifices to the spirit of monopoly. With the dominions which she has lost, she forfeits the power of abusing such as remain to her. The times have made England and Ireland one people, without abolishing the Parliament of either. The latter country becomes respectable as she advances in national spirit, and valuable as the former country diminishes in territory, and advances in difficulties, in the present complication of them, at war with the world, after she has been at war with herself.

Great Britain must now do something more than procure the neutrality of Ireland, that is, the inaction of above one fourth of the subjects of the empire—she must court our affection by giving us an interest in her successes, and some safety in her return to power, instead of leaving us to experience relief from contumely in nothing but her humiliation.

It is much to be lamented, that government should prorogue the British Parliament without relieving Ireland, because at the time when we may be called upon to act, they left us without any impression in favour of their sincerity, and have exposed us to the plausible offers of their enemies. These may endeavour to divide us by holding out commercial privileges, which England formerly usurped, and still delays to restore. That we shall be united against the common enemy, will be due to the virtue of Ireland; if we are less active against them, it will be due to the conduct of the British Minister and his majority in Parliament; who have left us so little to fight for, so little to expect from their sincerity, and so much to apprehend from their power. We ought not, however, to be content with the apology such a con-

duct affords us, but should counteract, by the spirit of our people, the enemy deriving resources from the errors of the Ministers of the Crown; we should array *ourselves*, and in our personal capacity defend Ireland. The right of defending the realm, has now devolved upon the individual. It is a right which will not wait for the formality of statute, or the lingering of the executive power—if we leave the mode of defending our lives and properties to his Majesty's Ministers, who have brought both into danger, we may rest assured that they will adopt that method which is the most expensive, the weakest and the worst.

It will be despicable to have the people of Ireland protected against France, by the army, and the militia of England.

Under the laws which we have left, we may associate in support of our trade, and arm in defence of our island. If we do, we shall become a nation—if not—we have lost a great opportunity, and shall deliver this country to our children, in a condition, even worse than that in which we received it from our fathers.

DATES OF FACTS.

- Sir Guy Carleton arrived from Quebec, September 13, 1778.
 Lord Howe arrived from New-York, October 25, 1778.
 Governor Johnstone arrived from New-York, October 28, 1778.
 Lord Carlisle and Mr. Eden arrived from New-York, Dec. 21, 1778.
 M. Grasse sailed from Brest, January 7, 1779.
 M. Piquet sailed from Brest, May 8, 1779.
 Admiral Arbuthnot sailed from Torbay, May 30, 1779.
 M. d'Orvilliers sailed from Brest, June 4, 1779.
 Sir Charles Hardy sailed from Spithead, June 19, 1779, but put back several times for reinforcements.

For the REMEMBRANCE.

When the calamities which affect an empire are general; when the evils they suffer from weak and wicked rulers, relate not to a part but to every member of the community; no component part of that empire have a right to a peculiar or selfish degree of complaint; the grievances they labour under may be great, but they are shared and experienced in common with the rest of their fellow-subjects.

But when to the general pressure, peculiar calamity is added; when national misfortune is aggravated by wanton provincial tyranny; when an unprecedented and malign exercise of power affects a particular district of the empire; when that happens to affect the weaker part, and consequently that which is less able to bear it, every man must acknowledge that part of the empire, so peculiarly affected, has pre-eminence in woe, and consequently precedence in complaint and redress.

The general principle being unquestioned, it remains to apply it to a particular case, and men will naturally surmise the word Ireland, when peculiar distress is mentioned; but the attentive perusal of the following enquiry will decide their opinion to mathematical demonstration, and prove the evils they suffered under from the late embargo to be prodigious and insufferable, and aggravated still more by the reflection, that the interest of three millions of loyal subjects were sacrificed to a few paltry ministerial minions in this country.

The great importance of the enquiry will be sufficiently evident, when we consider, that not only the victualling of our navy; but the whole of the Irish provision trade with France and other countries, were peculiarly investigated by evi-

dence upon oath before the Committee.

Not satisfied with every species of rapine and extortion from an unhappy and oppressed country, the continuance of the embargo for three successive years, must eventually turn the provision trade into another channel, and so give to Denmark, Holstein, and the northern parts of Europe, those advantages which a bounteous Providence has intended for our own fellow-citizens.

It is well known that the Dutch, who are allowed to understand trade better than other nations, permit intercourse and commerce with their enemies in actual war; and after all, surely it is the truest policy to borrow resources from an enemy, and turn their own weapons against themselves.—This was formerly the policy of this country towards Ireland; in the Dutch wars in the time of Charles II. there were no embargoes in Ireland, nor was there any of long continuance in the last war.

The long continuance of the embargo has disappointed its own end. Had Ministry led the French on with an idea, that they were to be supplied with provisions from Ireland, and disappointed them in the moment of enterprize, the hardship of the measure might be justified by the general good consequences which would flow from it;—but an embargo on Irish provisions for three years teaches them to be supplied from the northern parts of Europe, and will eventually turn the trade into a new channel, from whence it can never perhaps be brought back;—besides the orders which are given for large quantities of provisions are the most authentic intelligence of hostile designs in our enemies, a knowledge which brings money into the country, instead of the money for secret services which is sent out from these countries.

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The plea, which obtained for this embargo in the year 1775, was the American war, the futility of which is fully evinced in the following enquiry:—And Dr. Robertson tells us, all sorts of cattle, upon their introduction into America from Europe, multiplied so fast, that they told their herds by hundreds, and that horned cattle were slaughtered there only for their hides. What occasion then for Irish provisions to victual their ships?—The true reason was, to oblige two or three contractors here, and put half a million into the pocket of the creatures of the Ministers, at the expence, the discontent, vexation and plunder of three millions of our fellow-subjects.

In the beginning of the last sessions of Parliament, the following enquiry was set on foot by a gentleman, who is the pride and ornament of the Irish Senate, and who unites in himself the fire and generosity of youth, with the judgment and the knowledge of age, and in whose character nothing is undecided, but whether his head or his heart is the best*.

The enquiry lasted six weeks; but, after public spirited men had, with indefatigable industry, collected a body of most interesting evidence, Government, unable to stand out an examination into their conduct, dissolved the Committee by a short question, after a long debate, in which numbers were on their side; but on the side of their opponents, truth, justice, and conviction.

That the public may form some idea of the mischief which it occasioned in Ireland, it is well known that rents fell one third in the south of Ireland, and many tenants were rendered totally insolvent.

In 1740, an embargo was laid upon Ireland by an act of the British Parliament. A paper, entitled Confide-

rations on the embargo was presented by a Mr. Cooley at the door to several members of Parliament; the author was taken into custody, that being the only refutation which could be devised to the truths which were displayed in that paper.

Among other truths he mentions, that the export of provisions from Ireland amounted to 600,000*l.* and the annual rental of Ireland to 1,700,000*l.* that Government took off only two-thirds, and a third of an inferior sort was left upon hand by the embargo, which was a deduction of an eighth part of the annual rents of the kingdom—if the export of provisions, and the rental of that kingdom have doubled, as is generally supposed, since that period, here has been a land-tax of 2*s.* 6*d.* in the pound levied by an act of state upon the lands of Ireland, for the benefit of the Minister and his creatures.

The power of the crown to lay an embargo upon the trade of a country, and to suspend the export of commodities, is certainly a very dangerous prerogative, and the legality of it very questionable.

Mr. Locke defines prerogative to be a power vested in the crown to act within the prescription of law, and sometimes against it, for the public benefit; and the instance he puts of an act against the prescription of law, is certainly very happy, viz. that of pulling down a house that is on fire, to save those that are contiguous to it—but unless in such a case as that is, where the very existence of the state is in danger, the power of embargo must be very questionable.

When there was a dearth apprehended in the middle of Queen Ann's reign, she desired Parliament to suspend the law, and provide

* Mr. Daly, Representative for the county of Galway.

against

against the exportation of corn. Having done every thing on her side that the law and the Constitution would allow, but that she could not consider invested with a power to suspend the law of the land.

And every body remembers in the year 1766, when the great man * of this country had by an act of state prohibited the exportation of corn, he came to Parliament for indemnity, and considered that act as unconstitutional, until it was ratified and legalized by Parliament. Sir William Blackstone declared in the House of Commons, that as far as his knowledge of the laws ascended, there was no power vested in the crown to suspend the law and prohibit the trade of this country.

But here a distinction is taken up by the crown lawyers, that this doctrine relates only to the statute-law, and to the power of suspending a lenitive act of Parliament. The act of trading is certainly a constitutional right, and as such, is recognized by the Great Charter as part of the common law; why the crown cannot suspend an act of Parliament, but can suspend the common law, a right recognized by the Great Charter, thirty times ratified in Parliament, surpasses the comprehension of every man who is not a prerogative lawyer: it will be superfluous to add, that Ireland has the same Magna Charta, and that all our laws have been adopted by their Parliament, which were antecedent to the 10th of Henry the VIIth.

The inconveniencies arising to every department of the state are innumerable. What is the language which is held to every part of the community from an embargo? To the husbandman it says, you may sow, but you shall not reap; to the merchant, you may buy, but you shall not sell; to the monied man, you may speculate, but

without effect; to the landed man, you may plan schemes of œconomy, you may apportion your expences, according to your imaginary income, but your rents shall be insecure, and your income precarious and uncertain. If it be asked where should this power be placed? the answer is short, Place it in Parliament; or if it is exercised by the crown, let the act be deemed inchoate and incomplete, to use Lord Chatham's words, till it be allowed and ratified by Parliament.

Had Ireland been left to herself in these calamitous times; had she not been saddled with this additional burthen, she might have weathered the storms which affected her in common with the rest of the empire—but the prohibition of half the trade of a country is more than the wealthiest nation can sustain: to guard against the mischievous consequences of a similar measure in future, is the object of this publication. Placed in the vale of retirement and obscurity, no fame nor advantage can accrue to the publisher—he shall be happy, if the labours of his life can be of any service to the community. With this intention, and this sincere wish, the enquiry is submitted to the impartial tribunal of the public, by

A Member of the Irish Parliament.

EMBARGO COMMITTEE.

Thursday, November 6, 1777.

The Committee appointed to examine into the state of the export of provisions from this kingdom, for the last two years, met in the Speaker's Chamber, according to order, and elected William Monsell, Esq. Chairman.

Ordered, that Mr. Thomas Bennett, merchant, of Jervis-street, do forthwith attend the said Committee.

Ordered, That Mr. George Godfrey Hoffman, of Fleet-street, mer-

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chant,

* Lord Chatham.

chant, do attend the said Committee forthwith.

Ordered, that Mr. Stephen Roche John, of Limerick, do attend the said Committee on Monday the 17th inst.—Ordered, That Mr. Confidan, of Sherenehill, in the county of Tipperary, do attend the said Committee on Monday the 17th inst.

Ordered, that Mr. Richard Hair, of Cork, do attend the said Committee on Thursday the 20th inst.

Mr. Thomas Bennett, on his examination, says, that he knows that an embargo was laid on the export of provisions, and that he suffered considerably by it; that he prepared about 1200 barrels of pork, from January last to April, of which he has disposed 55 barrels, the remaining number of barrels he is obliged to send by London and Bristol to Jamaica, where he apprehends he will not receive as much for it as he must pay for the freight; that last year there was much more pork prepared for exportation than had been for any year before; that the American war was the inducement merchants had to prepare pork for exportation; never was engaged in exporting pork till this last season; exported his pork in 1776, for the English market; was encouraged by speculation so to do, merchants gave great prices for pork in 1776 and 1777; he lost by the 55 barrels he sold; always understood that the Cork merchants made up their pork for government, in 1776, and that they made money of it; the pork exported in 1776 was, as he supposes, consumed by the King's troops, and not by the Americans; he was not in the pork trade until the year 1776, and that he cannot form any opinion of the medium of pork for ten years past; if there was not an embargo, he knows no market for his pork, but England. If he could export immediately to the West-Indies from Ireland, he might have a tolerable market; he cannot

send to the West-Indies without a convoy from Cork, if he could, believes he would have a good market; he does not know that there was any convoy these 18 months past, nor does he know that a convoy was applied for; that two-thirds of the cattle in Ireland are not wanting for the King's forces, he thinks, by the victuals sent in 1776, and until October, in that year, the kingdom was a great gainer; he thinks that it is the sense of most people here, that the embargo was laid on to please two particular people, Contractors in Cork, and hears, that those two houses have gained considerably, and those who have made upon, on their own account here last year, have in general lost; he cannot form a judgment, whether the kingdom has gained or lost by the American war. The best time in the year for making up pork is, from the beginning of November to March; and he believes, that the pork made up in the hot season could not sell at all, but for the scarcity, and those merchants who made up had Government contracts, and there were great complaints made in London of such pork, such complaints gave great discredit to the pork of Ireland; that he was particularly hurt by the embargo; the encouragement given by victualing the King's troops, has increased the number of pigs reared in this country three to one; that he could not sell the pork he has on his hands, though he should sell for a moderate price, there being no demand that he knows of any where.

Adjourned to 12 o'clock to-morrow.

Friday, November 7, 1777.

Mr. G. Godfrey Hoffman's examination, says, he is certain the embargo has already done great prejudice to the trade of this country, and that there is every reason to apprehend, if it continues, it will do a great deal more; that a particular injury

injury may be expected from it to this country, as it raised the price of provisions in France, which obliged them to have recourse to other countries for the supply they usually got from Ireland; that in Denmark they found a country abounding in cattle, and though the provisions they got from thence were not so well saved as Irish provisions, yet they were the cause of the prices being considerably lowered on such as clandestinely escaped from Ireland; that he apprehends, if the embargo should be continued, it may divert the trade in a great measure from Ireland, as there is nothing wanting to the Danish provisions, but to have *them properly cured*; and he hears they have sent to Ireland to procure salters from thence to remedy that defect, which would make theirs interfere materially with the Irish provisions; that if they could get into a proper method of curing their beef, it was self-evident they could procure casks, staves, and labour, and he believes salt, cheaper than we could in Ireland, to enable them to undersell us; but if we got staves as usual from America, the materials for casks would come near as cheap as the Danish; that there are so many circumstances to be taken into consideration, he cannot positively say whether that trade might not be diverted from us, but to the best of his opinion, there is all the reason in the world to fear that the Danes will interfere materially with our trade, from the many advantages they have over us; their land is cheaper, and we are obliged to draw our materials for casks from that country during the present troubles in America; all the beef of Ireland is not fit for the troops or navy in America, as the small beef is best for the French market; that he believes, that since the embargo, there is no market for such small beef; that he never knew, nor does he know, that America was a general

market for beef from any part of Ireland, and therefore does not think there was any necessity for the embargo to prevent the Americans being supplied with it; that he believes the Dutch market was also hurt, but not so materially as the French, as he knows they had begun to slaughter for themselves, previous to the laying on the embargo, which lessened their demand for provisions from Ireland; that it is probable this may precipitate them into that trade; that the Dutch must, if possible, be supplied for long voyages from Ireland; that he has always heard that the Americans exported annually to the West-India islands a great quantity of provisions, pork, and live cattle; that he doubts whether Denmark ever can have as good provisions as Ireland; that some large beef would sell in France, but it is not so fit for that market as the small; that he believed salt to be cheaper in Denmark, because freight was cheaper; that they get their bay salt from Saint Ubes Cadis as we do, and that though they navigate cheaper, yet owing to the distance from the salt countries, the freight of a ship to be sent in ballast from Denmark to those countries, would come as high to them as to us, but the freight outwards makes a material difference; that a small quantity of fine salt is necessary for curing beef; this he believes they got from Liverpool; that they have refineries of bay salt in Holland; it is possible they may have the same in Denmark; the freight from Ireland to France, he believes, is as cheap as from Denmark to France: the intercourse between the countries is to be taken into consideration, to determine the cheapness of freight; that it would be preposterous for any merchant to send a ship in ballast from Denmark, for the purpose of bringing back salt; that with respect to Denmark, salt is a back trade, their out trade being chiefly lumber and fish;

fish; that salt is also a retour trade to Ireland; that he believes Spain does not take as much lumber from Denmark as Ireland; that he never went through Denmark but once, therefore cannot be well acquainted with; that Holstein and Jutland appeared to him in general to be pasture countries; that Denmark is also remarkable for a breed of heavy horses; that corn is imported there every year; that it has more black cattle than are necessary for its own consumption; never heard that they did export provisions generally before the embargo, but they have since; has heard they have sent young cattle to Holland; that the great call for provisions in America these two last years, have been owing to the great fleets and armies there; that Norway is a very indifferent country, not fit for fattening; that the greater part of Denmark is very good ground; that he believes the cattle in winter, in Denmark, from the rigour of the season, must be housed; that he considers the trade now carried on between Denmark and France as a forced trade, arising at present from the circumstances of the times; that America used to supply the West-Indies with some provisions, with which Ireland now supplies that market: this is owing to the American war, which also prevents Ireland's supplying America, and that therefore an embargo is not necessary to prevent supplying America; believes, that at the beginning of the war, they may have had occasion for some Irish beef, but knows nothing of their wants at present in America; has not much practical knowledge in the provision trade; has read treatises a great while since on the trade of Denmark, and don't recollect any mention of exportation of salt beef; West-India islands must now be supplied from Ireland and England.

Adjourned till to-morrow.

Saturday, November 8, 1777.

Mr. Hoffman says, That the continuance of the embargo has affected the price of beef materially:—That it would rise considerably if it was taken off. Since his last examination he has conversed with a Danish gentleman now in town, who informs him, that the winter in Denmark generally lasts four months.—That he also told him another circumstance, which he can scarcely credit, viz. that a fat ox of four hundred weight sells for two guineas in Denmark; but suppose even that it sold for three, we may judge what an advantage that would give the Danes over us; that a cow of two hundred and one-half, or three hundred, off the grass, sells for 11. 7s.—That it was self-evident that Denmark would continue to pursue the provision trade, if they found their advantage in it;—and that he believes they have now found their advantage in it; that he knows of no natural obstruction to that trade;—that the frost in Denmark generally lasts from the latter end of November to March.—That the beef cannot be saved in frost; but that to remedy this, the Danes need only begin earlier, and employ more hands; that he can give no account of the price of labour in Denmark, but that he believes such demand may raise; that he believes the Danes victual the Swedish navy when at peace, and that the Danish market is the most eligible for the Swedes, but does not imagine Denmark would confine herself to that entirely;—that he believes some of the provisions now on hand may be bad; but that this was owing to not having casks to save them properly, and not owing to a bad quality in the beef.

Mr. Strangman, being examined, says, he has formerly been concerned in Government contracts, but is not now; that these generally are taken by gentlemen in London, and that the

the merchants here contract under them; that the embargo has caused a great quantity of the common ordinary beef to lie on hands some time ago, but believes there is not a great deal now, as latterly people have reconciled their consciences to it; believes the necessity of getting rid of this beef has obliged people to falsify their oaths, and run the risk of being prosecuted on their bonds; that this is a great hardship on those who cannot reconcile such conduct to themselves; that in Waterford there is more small than large beef; that all ox beef under six hundred weight, and all cow beef, he calls small beef, because not fit for Government use; that some of this small beef is sent to Spain, some to Holland, some to Portugal, a considerable quantity to France, and also a considerable quantity to our own West-India islands; that there is no inconvenience in exporting this beef now to the West-Indies, save that it cannot be sent without a convoy, or in armed vessels; the French islands were formerly supplied with this sort of beef through France, and he does not think there would be the smallest danger, if that trade was open, of its being re-exported from thence to America; that he had a ship lately returned, which had been in Government service, and that the Captain only charged him 4½d per pound for the fresh beef bought at New-York. For long voyages Irish beef is preferred in America, because it keeps better; there is not the smallest probability of its being preferred for the army. When the embargo was first laid in November 1776, it struck a considerable damp on such provisions as were not fit for Government. He believes Government could not do well without laying on the embargo, their wants for the army being so great in Summer 1776, owing to their neglect in not sending their contracts from England till Spring 1776, when the

slaughter season was quite over, and when the great part of what had been slaughtered was shipped for their destined markets. He believes, no distinction could be made between large and small by the Proclamation laying on embargoes, but that the necessity he mentioned for laying it on ceased this time twelvemonth; that if oaths and bonds had not been evaded, some of the merchants would have been entirely ruined; that beef which is now fat must be killed; he believes the great demand last summer twelvemonth caused great speculation; Government had not a demand to answer, owing to General Howe's army getting into a plentiful country; that merchants, he had heard, could have got a good price last Spring for what provisions were fit for Government; he has heard, the Americans exported some beef, and a great deal of pork, which is at least equal to ours; Connecticut pork, and that sent from Burlington, is remarkably good; he has not heard, that the American privateers ever took in any provisions in France, knows nothing of the matter, save from newspapers; should not think it a great advantage to supply all the American privateers with provisions; believes the American privateers, by prizes, took in more Irish beef into France than they brought out of it; that he believes they would prefer Irish beef, but that the quantity would be very small; that the privateers are over-stocked, they take such a number of prizes that he imagines there would not have been one privateer less if the embargo had never been laid on; believes there were some cattle killed last year, which, by the usual rule of slaughter, ought to have been held over till the next; but that this kind of beef does not amount to the one third of the old beef now on hands; is certain beef was made up with as much care as ever last year in Waterford; has heard

heard complaints of Dublin beef; has heard a good deal of Dublin beef lies on hands, but knows there is a great deal of Waterford beef on hands, about 6000 barrels; by beef on hands, he means what is unsold, both here and elsewhere; imagines, that the beef now on hands would not have been so, if we had a free trade with France; that 3 or 4000 barrels were shipped off from Waterford, with the last convoy, on merchants own account; those merchants, who have beef remaining on hands, can't buy now with as much spirit for want of money, by not selling their old beef, and for want of market, as they otherwise would do; beef cannot be kept on hands, so merchants, who have made it up, are obliged to send it where they can get any market for it; knows, there is no complaint of Waterford beef; has heard, there was some come from the King's stores at Deptford of Dublin beef; that he could save provisions for a short time without casks; that he considered beef refused as stores, as beef on hands; but that he believes very little beef has been refused as unmerchantable; that a considerable quantity of beef and pork has been sent the two last years from Waterford to Cork, and also a good deal of pork from Belfast and Newry to Cork; that he never heard of any considerable quantity being sent from those places, i. e. Newry or Belfast, before Spring twelvemonth; believes, there is a very considerable increase in the pork trade these two last years, especially in the north; does not imagine, that pork has been substituted where beef was formerly used, as very little pork is sent to foreign markets. The demand lately for pork is owing to the consumption of the great army and navy sent to America, which took off near one half of the pork in the kingdom. That middling fed pork was preferred by Government, as it is supposed to go farther; does

not imagine the consumption of beef has lessened in proportion on board the navy by the increase of pork, because they have set days for each; believes, it may have lessened in proportion in the consumption of the army; has not heard that the consumption of pork has increased in a greater proportion on board the navy; that embargo has compelled him to send some beef unfit for Government to England, where it lies on hands; if the embargo was taken off, he would send it to the old markets. Almost all the beef on hands in Waterford is unfit for Government; has heard and believes, that Bourdeaux, Havre, and Nantz, the three great markets in France for Irish provisions, are now fully stocked; that he attributes this in a great measure to the considerable quantity of beef that has come to them from Holstein and Denmark; believes, the extraordinary demand for pork has been of material advantage to this kingdom.

Ordered, that Mr. Anthony M'Dermot, jun. and Mr. John Jones do attend this Committee on Monday next at twelve o'clock.

Monday, the 10th of November, 1777.

Daniel Toler, Esq. says, he is very certain, the embargo has injured materially the property of the farmers and graziers in the county of Tipperary; he means all sorts of people who have any traffick in horned cattle, many of his own tenants in particular likely to be much more injured, if it continues, and will prevent many people from disposing of their cattle, because the feeders have not disposed of their fat cattle, and cannot buy from the rearers for want of room, nor trade for want of money to pay for them; thinks it likely, if the embargo continues, that it is impossible for any one who has taken feeding ground, to hold them, or pay the rent, as many gentlemen, who pay 20s. an acre for ground, have
not

not made three shillings a-piece for their bullocks; that the embargo is the reason the buyers give, and he believes it to be a real reason, because the people in Cork say, they cannot buy new beef, till they are able to get rid of their old beef; that the grazier must be particularly hurt, if he does not dispose of the succession of his store cattle; that the county where he lives is a store county; that not one in fifty could keep their stores.

Adjourned till Wednesday next.

Wednesday, November 12, 1777.

Mr. Anthony M'Dermot, junior, says, that he has been concerned in the beef trade since the embargo in 1775 and 1776, and that he made up 16,500 barrels of beef, and 1500 barrels of pork,—very bad market for it; that he has now better than 4000 barrels of beef of 1776 undisposed of; that he was very much afraid, we shall lose entirely the beef trade from this kingdom. About two years ago, when embargo was laid on, it was partial, because general to this kingdom, and not laid on in England; hears that the French Government has 60,000 barrels of beef made up in Languedoc, from the difficulty of procuring Irish beef, occasioned by the embargo; that this, no doubt, is not equal to our beef, but did not stand them in above 36 livres a barrel; that that was from ten to fifteen shillings a barrel less than ours; that he knows, by experience, the hurt of this embargo, for though there is a great deal of beef there now, yet there is no market for it, as the French have victualled their ships with their own pork and fish, and the beef procured from Brittany and Denmark; that on account of excessive premiums for freight and insurance, raising the price of Irish beef immoderately; rise at the least at six shillings per barrel; that when the embargo was

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laid on, they sent their ships to a port of England, and then to France; he knows to a certainty, that there are 60,000 barrels of beef on hands in London, as he was very lately in England; no provisions selling ever now in London, November the 27th, as appears by a letter yesterday received, and is now obliged to ship it to the islands, which he would not do, were it not for embargo; is very positive of it, that most part of this beef would have gone, as usual, to foreign markets, were it not for the embargo; that there are at present in London, seven cargoes of beef taken by letters of marque and men of war in the Bay of Biscay; that there was eight guineas per cent. insurance paid on each cargo; the under-writers will not pay the loss; that they desire the proprietors to go to law with commanders of men of war, to try legality of the seizure; that he can now buy as good beef from 12s. 6d. to 13s. 6d.; that he last year paid 17s. 4d. and 18s. which he can account for only by the embargo, as the French orders cannot be executed as usual; this was higher than was known before; that we have now as much old provisions on hands in London alone, as, he believes, would answer the demand for twelve months; he believes, that if the embargo was taken off, Government could supply themselves at a reasonable rate with provisions; he thinks, that the embargoes were laid on for the sake of under-contractors in Cork; is certain of it; that Government contract with some principal people in London, they with some merchants there, who agree with people in Cork; they then write over that they cannot fulfil their contracts without embargo is laid on, and their wishes, as he believes, were complied with; that there is not finer pork in the world than the French pork; that exchange is very high, and so, of course, balance of trade against us; that one-half

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per cent. higher than it usually is, has risen since, at this time of the year, and the reason, he thinks, is owing to the embargo; that a good deal of Danish beef, some from Holland, and some from Brittany, was sold in France since the embargo; the Danes can now afford to sell it for twenty shillings a barrel, in France, cheaper than we, and believes it is but a very new trade to them, only within those two years; he does not remember that any beef was exported from hence to the Continent of America; that he knows they exported pork from thence to the West-India islands, but he has not heard of any beef—a very great demand for beef before the embargo was laid on—owing to great prices in foreign markets, and for the King's troops; that after Christmas no beef is slaughtered here; that he has heard complaints against the exported beef, and that some remained here and in England on hands, as not being sweet—does not think this could be much—that from one hundred and forty thousand to one hundred and sixty thousand bullocks were usually slaughtered in Ireland, believes it will be two thirds short this year; in 1776 it decreased.

Adjourned until the 14th of November.

Friday, November 14, 1777.

Mr. Bennet being examined, says, that he knows the course of Exchange, that it is eight and three quarters here, and comes over at nine and three quarters, and is expected to be higher; that he attributes this to there being no demand for the provisions, viz. beef and pork of this kingdom; the merchants in London, he hears, would not accept a bill for sixpence, upon the credit of beef and pork, though they have been offered at twelve months credit, though usually only from three to six months; the embargo will be taken off, without our interposition, the nuisance is so great,

and the cry so universally against it; that the provisions now in London must be lost—does not think the quantity of pork has either lessened or increased the quantity of beef—that the continuance of the embargo would not hurt him, as all his losses are over—he believes he would lose 1500 l. if it was taken off; that the injury hereafter will be to the kingdom in general, and not to individuals—he sent five hundred and fifty-two tierces of beef to London, from September 1776 to March 1777, of which he has sold but twenty; that he has also sent one hundred and seventy-six barrels of ditto the 18th of October 1776, and not one of them sold; he sent to Bristol four hundred and ninety-five tierces of beef, from October 1776 to September 1777, of which he has only sold one hundred and eighty; he sent also to ditto five hundred and fifty-two barrels, whereof not one was sold, and he was obliged to send them to Jamaica; that last August he shipped one hundred tierces to Liverpool, from which, for want of market, he was obliged to send them to Bristol; that out of one thousand one hundred and sixty-one barrels of pork, made up and exported from January to April 1777, he has sold only fifty-five barrels; that in March 1776, freight to Jamaica, from this, was only four shillings, Jamaica currency, about two shillings and ninepence, or three shillings; that there was some provisions insured in London at three pounds three shillings; that if he was to ship now, he must pay now, and for five months past, nine shillings Irish, besides going to look for a convoy; with a convoy the insurance now would be here, six pounds sixteen shillings and sixpence, without a convoy, about fifteen pounds per hundred weight; he sent from London to Jamaica, after all charges from this commission, &c. the freight is at eight shillings and one penny sterling per barrel, paid down, and the

the insurance, with a convoy, six pounds six shillings; without, twenty-one pounds six shillings and sevenpence; that the expences have been raised by embargo about ten shillings per barrel, to send to Jamaica by way of London; two thirds of the beef made up in this kingdom is not fit for Government service, that is only proper for the French and Spanish markets.—England the first, the West Indies the last place merchants would send provisions to—believes that the King's troops and navy, and France, if opened (because they have made up provisions themselves) would not consume all the provisions made up last year. New ox mész beef was offered and refused, at three pounds five shillings per tierce, whereas rating five pence halfpenny beef, at only seventeen shillings per hundred, to be delivered in London, would cost about three pounds fourteen shillings, full bound—he does not imagine the price of large beef would be affected by taking off the embargo; that from March 1775 to November, a great demand for provisions; this caused a great number of cattle to be killed, which, in the usual course of slaughtering, would have been held over till the next year; a great deal of beef made up in 1776, was made up badly; that from the demands being so great, that merchants began to slaughter in August, which was a month too early. Beef must be saved the first day of salting, and the bad beef, he believes, was owing to its being impossible to save it in August—he believes that the beef does not remain on hands on account of the quality, because a great deal of good remains on hands undisposed of; he believes there has been more beef made up, unmerchantable, this last year, than any year before; but that if this was thrown down the river, it would not enhance the price of beef; there was an extraordinary quantity of pork made up from the

first of August 1776 to the first of May 1777; he understands that troops in America have been fed more on pork than usual; but to say they would prefer pork to beef he cannot, as common sailors, a degree below King's troops, will eat pork only twice a week; that the first embargo was laid on the fifth of February 1776; this permitted exportation to England and our dominions abroad, the second permits the same as to countries, but a re-exportation from England is not permitted by the last; that no embargo subsisted in England till October 1776, and that then embargo operated both in England and Ireland, and then prohibition on the people of England is equal to that on Ireland; that the people of England engage in the provision trade, and from Ireland, but much less than usual this year, because they got it cheaper in England than they could here. Every advance on the price of provision ought to affect consumers, if right would take place; but it is the quantity that rules the market, and not the first cost; that the people who have plantations in the West-Indies are principally inhabitants of Great-Britain, and the cause of freight being so much higher is, first, for the want of seamen; and secondly, navy vessels sitting out by merchants; he believes it was a most improper time for laying on embargo, there not being one cask bought for this last year, for four bought any year before; that freight advanced at near double the wages; that the advance on insurance is owing to the danger of being taken by the American privateers, and for the want of a convoy from this port; he has heard that many privateers have put into the ports of France, but not to get provisions, because as many went into Nantz as to Bourdeaux, though there is no market there for beef, as he knows of a cargo sent to Nantz, which

is not disposed of, and must be sent to Bourdeaux; he never heard of any apprehensions of any French fleets being sent out; believes it would be of service to Ireland to send the usual quantity of beef to France, even if a fleet was fitting out from France; but cannot tell but that may be of bad consequence, therefore can form no opinion, but knows it might be spared; he thinks it might be of bad consequence to supply the American privateers, but he does not think that they want it at all; he does not think the redundancy of beef is owing to the great slaughter, as there was last year as much beef slaughtered as in former years, but not near so much pork ever slaughtered before as was the last; encrease of pork decreases the consumption of beef; markets for pork are England, and our West-India islands; no pork to America but for fleet and army—call for pork is entirely from Government and West-India islands; so that though it interferes with the consumption of large beef, yet it does not with small beef, that usually goes to France; it appears to affect the best cow beef used in merchant ships, but there is no extraordinary consumption of it on board these ships, as there are the stated days for both, which are the same as usual, particularly as pork was very high last year. Merchants use a great deal of cow beef, also pork, but no more than usual; that the price of pork was very high last year; that the encrease of pork has not interfered with the consumption of small beef; that scarce any beef in the stores in London, but what are Irish property, except in the hands of speculators; that he has now one thousand barrels, which he will sell at six months credit, at eight hundred pounds loss; the English make up no beef but for home consumption and the West-Indies; so consequently, the present embargo cannot possibly be a detriment to the

English merchants; that theirs is so much better than ours, they cannot be affected; that there was a much better market in the West-India islands these last 18 months, owing to the number of vessels that were taken causing a scarcity, but does not think it will continue, as a vast number of ships have lately gone there; that that is the last place an Irishman would wish to send his beef to; that the price continued high all the last year; that most of the beef made up in the month of August was bad, but that the proportion very trifling to what remained on hands; that from January, 1776, to May, 1777, the great slaughter of pork continued; a great deal of this pork remains on hands yet, and more will be lost by it than beef; that the American war was the cause of our want of staves.

Adjourned till to-morrow,

Saturday, November 15, 1777.

Mr. Sweetman being examined, says, that he knows the Colonies have sent pork to the West-Indies, and that the want of that has caused a demand for Irish pork; that he was always informed that there was a large quantity; that the quantity on board merchants ships was very trifling; he never sent any, but for a long voyage; that a small quantity remains on hands, on account of being slaughtered too early, but that very trifling, in comparison of what does remain on hands; that exchange from London is nine three-fourths, from hence, eight three-fourths; at this time exchange from here usually is from seven to one-fourth; he does not think English merchants have been in the least injured by the embargo; that the greatest part of beef on hands in England, is Irish property; that the French he has heard have got some beef from this and Cork, to Bourdeaux, but that not being sufficient, they supplied themselves with some from

from Hamburgh, Gottenburgh, and Dantzick; believes that France has been the resort of American privateers; he does not think they have occasion for Irish provisions, as they might bring sufficient from home, their country abounding with provisions; a proof they did not want provisions is, that they took scarce any out of such vessels as they took; that there was about 50,000 barrels of small beef made up last year in Dublin; that he sent about 1026 barrels himself to London, and could not dispose of 20 barrels of it, so has been obliged to send it to Jamaica, in partnership with Mr. Burner; a great demand for beef and pork, and the price very high at the latter end of the season, 1775; believes this might have caused great slaughter; he does not think the market was over-stocked by that slaughter; that a great part of beef made up in August, 1776, must have been bad, because made up in the Dog-days, and believes some remains on hands on that account, but would be sold at any price; he does not think the credit of Ireland affected by it; has not heard that any frauds have been practised or discovered in Irish beef for some time past; it is possible that some casks might have lost their pickle, and of course might remain on hands; a great deal of beef made up in bulk; this is not quite as good, but yet very good, as beef made up in cask.

Adjourned till Monday the 17th inst.

Ordered, that Mr. Thomas Mark do attend same day.—Ordered, that Mr. Harrington do attend on Monday.—Ordered, that Mr. Galway do attend same day.—Ordered, that Mr. Lane do attend on Monday.

Monday, November 17, 1777.

Mr. Thomas Mark being examined, says, he believes the embargo has affected slaughtering this year in Limerick from the quantity on hands;

that the Limerick merchants have on hands of last year's provisions, to the amount of 37,000*l.* in Limerick, Havre, Nantz, Bourdeaux, and London; that there is no prospect of getting it off now, whether the embargo is taken off or not; there is a great deal of beef made up for Bourdeaux market only; the reason of no market now at Bourdeaux, because at the time of laying an embargo, price of beef was raised, which obliged them to recur to other places, particularly Holstein, where there are making up this year, he hears, 60,000 barrels; heard a letter came from Bremen to Mr. Vincent, a merchant in Limerick, requesting to be informed of the method of curing beef, and mentioning their ox beef of 600, sells for three dollars one-half a hundred, about 3*s.* 5*d.* he eat beef on board a ship from Memel, as good beef as he would wish to eat, it was then six months old; he thinks the channel of the trade is turned, and will not, he fears, return without our beef falls to the foreign prices; that some hides were sent last year from Limerick to Nantz, which remain unsold, owing to the quantity that was slaughtered there; beef on hands was slaughtered in usual season last year; none slaughtered in Limerick in August; apprehends there is pork and beef enough in Ireland for the army and navy, and all the foreign markets; he does not think that general part of beef that lies on hands is owing to its being badly made up; what he paid 4*l.* 15*s.* a tierce for, sold lately in London for 3*l.* 15*s.* and two one-half discount; the demand is not so great, owing to foreign markets being elsewhere supplied; has not heard that any remains on hands on account of bad quality, and thinks he should have heard it, if there had been any great quantity; he knows that there was none in Limerick; he thinks that encrease of pork has lessened the consumption of beef; that there

there was a great scarcity of staves last year; that beef made up in bulk, he does not think equal to beef made, put immediately into casks; that staves rose from 5l. a thousand to 25l. 750 bullocks made up in one pile, of which he bought some, and it was very good; he gave the same price for it as for cask beef; he has not heard of any beef that was slaughtered in August, 1775, nor in August, 1776; that the general markets for pork are Spain, Rotterdam, England, and the West-Indies; does not think encrease of pork has interfered with the consumption of small beef; that beef from five pence half-penny to five pence three farthings, sold lately in Limerick from 16s. to 17s. 6d. and a dull demand even for that; that beef of that quality sold last year from 20s. to 25s. that before the American war, that was considered worth from 18s. to 19s. that hitherto merchants have suffered, now it must fall on the proprietors of land; pork at a year and a half old (to those who have no objection to it) is better than beef at nine months; remembers, before the American war, pork sent from thence to London, on the prices rising here; our West-India islands, must now be supplied from Ireland with provisions; would prefer sending to France to the West-India islands.

Mr. Galway being examined, says, that he resides in Bourdeaux; that we are likely to lose Bourdeaux trade, amounting to about 45,000 barrels annually; that the frequent restraints of trade from this country, obliges the French to recur to other markets, where they can be supplied with greater certainty; that he is very confident that the embargo caused the French to make up beef of their own, also fish and pork to supply their negroes; he thinks France, if the embargo is continued, can, from Holstein and other resources, supply themselves with what they want; that one-third of the beef sent last

year to Bourdeaux, remains unsold, which shews they can be supplied without us, though the quantity sent there not above one-half of what was usual; that he was about four months from Bourdeaux, and is very certain the American privateers are not hurt by the embargo, as some beef sent to Nantz (the principal port for those privateers) is all to be sent from thence to Bourdeaux; that he has visited several sea-ports in France, and found them supplied with their own and Danish beef and fish; he has heard no complaint of Irish beef, as to quality, of what was sent over last year; he is principally concerned in the beef trade, and is confident, the beef now on hands in France, does not remain so on account of being unmerchantable; he thinks, that if the embargo was taken off, it will not do for this year, but it will prevent the injury for the next year; shall suffer whether embargo continues or not; that by this continuing, the principal market for our small beef will be lost, in his opinion; that the consumption of Irish pork is entirely gone in Bourdeaux, theirs being cheaper and better than Irish pork there, from heavy freight and insurances; that great quantities of pigs were slaughtered about Bourdeaux last year; that last year a great deal of beef slaughtered there also, and also in Nantz, were not used before to slaughter; that they would not have thought of slaughtering then, but for the embargo; for exportation, perhaps, 5 or 6000 barrels were slaughtered in and about Bourdeaux.

Adjourned till the 19th instant.

Adjourned till to-morrow.

Adjourned till to-morrow.

Adjourned till Monday the 24th.

Monday, November 24, 1777.

A petition from the merchants and traders of the city of Cork, was received and read.

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Another petition from the same, was received and read.

Mr. Morgan sent an affidavit, signed by Godfrey Baker, Esq. which was read, and the hand-writing being proved of Mr. Baker, the same was received.

Mr. Roche being examined, says, that the slaughtering goes on very slowly in Limerick; hears some cows have been killed, and that there is a dull sale for small beef; there never was a year that the export trade was brought to so low an ebb; that about a fortnight ago he bought three one-half cow beef, at 11s. 6d. here, in expectation of the embargo being taken off; France is the only market, and yet he fears taking it off now will be too late, for the French have supplied themselves from other markets, but we ought to try; that he hears there are 60,000 barrels made up already in Holstein this year; there is no doubt in the world but the embargo has been of the greatest disservice imaginable to this country; they have, as he hears, in Bremen, made up lately 600 weight of beef, at three one-half dollars per cent. each, worth about 3s. 9d. there was more beef made up last year than ever in this kingdom, he believes, owing to the great demand people expected from the former season; this was occasioned by a scarcity in general at home, and the supply for the army in America; has heard some beef made up last year was unmerchantable, and that a great part of that remains on hands; does not think this unmerchantable beef; has injured the general credit of the beef trade of Ireland, because people knew they were obliged to make up all sorts of beef; our own West-India islands are not nearly equal to the consumption of all small beef of Ireland; they have a vast redundancy of last season's beef, and have been supplied with a good deal from London about a month ago; there were

from 70 to 80,000 barrels of Irish provisions on hands in London; since that he thinks about 15,000 may have been shipped to the West-Indies; before the American war, West-Indies received a great proportion of their pork and some beef from America, the rest they took from Ireland, but not so much as now; pork trade of Ireland has increased wonderfully, and hears this will be a plentiful season for pork, because every place swarms with pigs; this increase has lessened the consumption of beef in general; pork ought to be cheap, because there is no demand for it; does not think this lessens demand for small beef; the French never took much of our pork; would prefer French market for small beef to the West-India islands, and it is in general preferred; believes France might take for its own and islands consumption, all our small beef.

Ordered, that Mr. Burnet do attend to-morrow.—Ordered, that Mr. Hoffman do attend to-morrow.—Ordered, that Mr. Anthony M'Dermot, junior, do attend to-morrow.—Ordered, that Daniel Toler, Esq. do attend to-morrow.—Ordered, that Mr. Sweetman do attend to-morrow.—Ordered, that Mr. Thomas M Lark do attend to-morrow.—Ordered, that Mr. Roche do attend the same day.—Ordered, that Mr. Harrington do attend to-morrow.

Ordered that Mr. Lane do attend the same day.

Adjourned till to-morrow.

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Wednesday, 26th November, 1777.

Mr. Hoffman's examination being read to him, he swore to it.—Mr. Mark, ditto.—Mr. Roche, ditto.

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Thursday the 27th.

Mr. A. Dermot's examination sworn to.

Mr. Dermot, sworn to his former examination, says, that a spirit in the

the sale of beef these two last market days, so that it is requested by the merchants to get the beef, and the rise is one shilling per hundred weight since his last examination, attributes this entirely to the hopes the public conceive of the embargo being taken off from the interference of the House of Commons; thinks this interference of the House of Commons has induced many to think of making up beef, who had not the least thoughts of it before; the slaughtering season ends the market day before Christmas always; very little has been slaughtered as yet; does not think the removal of the embargo would hurt the West-India islands; they are to be supplied only from England and Ireland in Jamaica; the principal use for salt meat is for the slaves, and herrings, if they can procure them, are their usual food.

Mr. Galway imputes present rise to the same causes entirely as Mr. Dermot; has heard report of French war in the last two years; thinks embargo, if strictly adhered to, would oblige them to supply their navy with inferior provisions to Irish; French islands, antecedent to the embargo, were principally supplied with Irish provisions re-exported to them from France; France would not consume all small beef of Ireland, which consumption of Irish beef is computed at 75,000 barrels. West-India islands are an immense advantage to this country and England; to the best of his opinion, West India islands would not be injured by the removal of embargo; because though there has been a plenty all this last summer in the islands, there has been a great redundancy in England and Ireland; saw beef that was made up in Nantz, which appeared very well saved.

Mr. Jones examined on oath,—
Has lived in Cork fifty years, and is very well acquainted with provision trade; believes embargo has been of the greatest disservice to

that trade, and the kingdom in general amazingly hurt by it; supposes and believes embargo was laid on merely to serve the contractors. This has lowered prices of beef surprisingly this year; gave last year 23s. per hundred weight for four one-half beef; has made up none this year from the officers throwing every difficulty in their power in the way of that trade; knows that a great quantity of beef and pork has been exported from Cork, without entry, or paying any duty, by a pass, he believes, from Mr. Gordon; and also, that several cargoes of flour, &c. have come in the same way; beef fallen within this fortnight in Cork; did not hear that there was a great deal of bad or young cattle slaughtered last year in Cork; believes slaughtered in August 1776, was very trifling in Cork; believes there was none, it is attended with such danger; has heard, but does not believe it, that any beef on hands is unmerchantable, but it is much the worse for lying by; never would send to the West-Indies, if he could send his beef to France; never heard, before the embargo, that Danes, Dutch, or Hamburgers exported. Mr. Morgan, a gentleman lately from Bourdeaux, told him he saw some Danish beef, which appeared well cured, well saved, and well looking, in Bourdeaux, and that it was much cheaper; and he never knew, before the embargo, that the French could be supplied but from Ireland; when embargo was laid on, there was a rumour of French war; some thought there would be one, and some thought there would not; thinks if there was a French war, it would not be wise to supply the French with provisions; does not think that the want of Irish provisions would influence the conduct of France as to a war, because they can supply themselves elsewhere; thinks, though there was a war, they may supply themselves sufficiently

sufficiently from Denmark, &c. they generally have a great store of Irish provisions in France, and therefore, though the new trade was discovered only two years since, it would not influence them as to war; does not think Great Britain and her dependencies are equal to consumption of all our provisions; France, &c. not equal to consumption of our provisions; knows there was a very large quantity lately on hands in Cork; does not think West-Indies would be hurt by taking off embargo, but is sure the trade of Ireland in general would be materially benefitted by it, and also the trade of Great Britain; does not think embargo was the smallest injury to the American privateers; saw lately some casks made of bad materials, and believes some of the out parts were so circumstanced in point of materials as to make use of bad ones; supposes that such timber would not hold the pickle, and of course that the provisions would grow rusty, of course not so merchantable as if they held the pickle; prices in general very high last year, beyond rate of the land; a great quantity of pork killed last year, and price for it high; when embargo was laid on, gentlemen, who dealt in speculation, thought contractors wanted beef, and therefore laid it in, but were disappointed, as contractors had been supplied; thinks that quantity of pork made up hindered the sale of some of the beef, but not with respect to the French, as they take scarce any; and thinks increase of pork trade has been of great benefit to the country in general; price of pork, he believes, has risen 30 per cent. first embargo was partial to Ireland; England could then send provisions to foreign markets; by second embargo England was laid under the same restraint with Ireland, and this is the embargo that is generally complained

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of; thinks we are in great danger of losing the trade from France; provisions being admitted to be exported duty-free, and without fee to officers, of great service to the contractors; never knew or heard that others were admitted to this privilege; supposes that any who would ship for Government service would have the like indulgence, but thinks this partiality of disservice to the nation in general; no doubt, trade of a country more service than the revenues; but that beef so privileged must be sent whether that privilege was allowed or not; obstructions by the officers, mentioned in former parts of his examination, is only when they suspect provisions are going to foreign markets; thinks we are in great danger of losing French beef trade entirely, because they have been supplied elsewhere since the embargo, and the loss of this trade would be of the greatest injury to the kingdom; upon the fullest information, he believes, we may be undersold by Danes, in France; this is all from hearsay, that relates to German beef.

December the 3^d.

Pease, flour, oats, and some beans were imported from England; by importation means coming into port, and a great deal were landed at Cork, and re-shipped when the transports were ready; they were, he believes, for the King's use, and were put into the King's stores; saw some of flour landed himself, and re-shipped; believes all were for the King's troops; believes some of these goods were transhipped without landing; believes merchants, by leave of the Board of Commissioners, also transhipped goods; believes merchants may be permitted to load some trifling goods without duty; King's ships, when sent to America, are sent out with assortments of provisions; believes there are always in Cork dif-

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ferent

ferent articles to supply fifty such ships; we get all pease from England, and flour now, mostly for the King's use and merchants; those pease and flour are always brought here from England, and must necessarily be deposited here to be ready for the King's ships to take on board; does not know whether officers go on board King's ships, and is far from thinking Mr. Gordon would take this power on him, without authority, either from the Commissioners here, or from England.

Note, Mr. Jones has heard from several, that no officer is permitted to examine any boat or ship when Mr. Gordon's pass is produced to him, which he either gives to contractors, or uses himself; does not speak of his own knowledge, but believes it to be a fact.

West-India islands would not take half the provisions of this country; imagines consumption of West-India islands amounts to about 75,000 barrels; that there are 150,000 barrels made up in Cork; a great deal of beef remains on hands in France, owing to that market's being glutted from the supply they have got from other places; a great quantity of beef on hands in Cork; some large in his own stores, which he offered to the King's Commissioners, who refused it, saying, they did not want it.

December the 4th.

Mr. Mooney thinks embargo has prevented many from making up beef; a friend of his was offered a commission from Havre, provided he delivered it there, but would not engage it, and so lost commission; making up of beef has declined very much in Dublin; in 1775 he made up 4543 barrels and 600 tierces; in 1776, 2643 and 754 tierces; does not expect to make up much more than one half this year.

Adjourned till Saturday 6th, 9 o'clock.

Sabbati 6^o die Decembris, 1777.

John Dillon, Esq. in the chair,
The Committee met and adjourned until Monday morning next, at 10 o'clock.

Lunæ 8^o die Decembris, 1777.

The Committee adjourned until to-morrow morning at ten of the clock.

Martis 9^o die Decembris, 1777.

In the House.

John Dillon, Esq. in the chair.

Mr. William Thomas Monsell moved the following resolution :

Resolved, that it appears to this Committee, that all cow-beef, and all ox-beef under five hundred weight, commonly called small beef, are unfit for the purposes of Government; and that the greater part of the beef slaughtered in Ireland is of that kind.

The Honourable Mr. Prime Serjeant moved, that the Chairman do now leave the chair.

And having debated from about three o'clock until near two the next morning, the Committee divided,

Mr. Gardiner, Teller for the Ayes
on the right - - - 137

Mr. Denis Daly, Teller for the
Noes on the left - - - 80

And the Chairman accordingly left the chair.

Remarks

Remarks on the Speech at opening the Session of Parliament on the 27th of November, 1778. From the Boston Ledger of March 16, 1779.

The royal voice to Parliament, on the 27th of November last, has at length reached the ears of Freemen on the western shore of the Atlantic: and those Freemen are convinced, it is a sound very different from the roaring of a lion, when lashing his nervous tail, and bristling his shaggy mane, he means to display the "most active exertions," "against all his enemies." Accustomed, as he has been, to have his most gracious speeches most humbly echoed back, it is time that you should receive the observations of Freemen. As a Freeman, I therefore take the liberty, to give my sentiments upon the late speech to Parliament.

The speech begins with telling them, that "they are called together in a conjuncture, which demands their most serious attention." But, as that most serious attention was, by the necessity of affairs, always demanded, as often as Parliament has been called, to what purpose was this entire sentence, in which there is nothing new? Without doubt, it was to convince them by the first words, that the speech did not intend to say any thing of importance.

The speech proceeds—"In the time of profound peace, without pretence of provocation or colour of complaint, the Court of France hath not forborne to disturb the public tranquillity, in violation of the faith of treaties, and the general rights of Sovereigns, at first, by the clandestine supply of arms to my revolted subjects in North-America; afterwards, by avowing openly their support, and entering into formal engagements with the leaders of the rebellion, and, at length, by committing open hostilities and depredations on my faithful subjects, and by an actual invasion of my dominions."—Permit me, to consider these positions separately.

When a war actually existed between America and Great Britain, and of such a nature too, as interested all the world in its consequences, and particularly France; and, when at the same time, the Imperial and Prussian forces had actually taken the field, and all Europe was arming by sea and land; to call such a time, a "*time of profound peace*," is certainly not to speak so as to be understood—But, I will give the conjuncture its proper description, and examine in what light the complaint will then stand. According to such description it will stand thus:

In a time of dangerous war, which in its consequences, involved the interests, and threatened the safety of France, that Court, without pretence of provocation, or colour of complaint, hath not forborne to disturb the public tranquillity, by, among other acts and doings, committing open hostilities and depredations.

Now, admitting such hostilities, and depredations to be true, yet, they being made in the conjuncture I have described, they certainly were not committed *without pretence of provocation, or colour of complaint, nor, in violation of the faith of treaties, and the general rights of Sovereigns.* For, in the first place, the English Ministers had kindled, and were then actually prosecuting a dangerous war, which put the safety of France, or at least her interests at hazard. Secondly, no treaty with France forbade her to take measures against that hazard. Thirdly, France, by taking such measures, and, the open hostilities, and depredations, may be such measures, as not only did not violate, but actually and vigorously did maintain and exercise the general rights of Sovereigns, under the law of nations, as laid down by Grotius, Puffendorf, and every other Civilian. And, Fourthly, the King of Prussia's conduct, supported by the Crown of Great Britain, in invading Saxony, and then obliging

the Saxon army to lay down their arms at Pirna, before the King of Poland, Elector of Saxony, had committed hostilities against his Prussian Majesty, demonstrates the practice under the law of nations in the conjuncture I have described, and justifies the conduct of the Court of France in committing hostilities on the faithful subjects and dominions of Great Britain. But, when the English had, on the 18th and 19th of June last, by force of arms, captured the *Licorne* and the *Pallas*, frigates belonging to the Court of France, and that it was *after that period*, that that Court first committed "open hostilities," it seems somewhat singular to charge the Court of France with having committed open hostilities *in time of profound peace*, thereby *disturbing* the public tranquility, and violating the faith of treaties and the general rights of Sovereigns, *without presence of provocation, or colour of complaint!*

As to the clandestine supply of arms by the Court of France sent to the people in North-America, before the formal engagements between France and the United States, I have no reason to think the English Ministry have proof on this point. The Congress know of no such supply; and to be sure, they, to whom such supplies were sent, are to be thought to know, at least, as much of this matter as the English Ministry. But, be pleased to hear what they say upon this subject. They unanimously declare, "That his Most Christian Majesty, the great and generous Ally of these United States, did not preface his alliance with any supplies whatever sent to America."

Nor can the Court of France, entering into formal engagements with Congress at the time she did, tend to criminate that Court, on the charge of violating "the faith of treaties, and the general rights of Sovereigns." First, because no treaties subsisting between England

and the Crown of France, precluded that Crown from entering into formal engagements with an Independent nation. Secondly, because the engagements of which the English Ministry complain, were entered into by France, with an Independent nation in the full possession and exercise of sovereignty—a complete sovereignty, which had existed for nineteen months, immediately preceding those engagements.

Nor was the object of those engagements, a violation of the faith of treaties, and the general rights of Sovereigns. First, because the object was not to interrupt the peace subsisting between France and Great Britain, but only to repel the war, if the English should commence it upon France; and to continue it, until the Independence of the United States should be secured by the treaty which should restore peace. Secondly, because the United States, with whom those engagements were contracted, were at the time, Free, Sovereign, and Independent, and had been so for nineteen months before.

Indeed, so far was the Court of France from even wishing "to disturb the public tranquility," existing between her and the Court of Great Britain; or to violate "the faith of treaties, and the general rights of Sovereigns;" that five weeks after she had entered into those engagements she caused her Ambassador, the Marquis de Noailles, among other things, to declare to the English Court, that "the United States of North-America, who are in full possession of Independence, as pronounced by them on the 4th of July, 1776, having proposed to the King to consolidate, by a formal Convention, the connection begun to be established between the two nations, the respective Plenipotentiaries have signed a treaty of friendship and commerce, designed to serve as a foundation for their mutual good correspondence,

“ His

“ His Majesty being determined to cultivate the good understanding subsisting between France and Great Britain by every means compatible with his dignity; and the good of his subjects, thinks it necessary to make this proceeding known to the Court of London, and to declare at the same time, that the contracting parties have paid great attention not to stipulate any exclusive advantages in favour of the French nation; and that the United States have reserved the liberty of treating with every nation whatever, upon the same footing of equality and reciprocity.

“ In making this communication to the Court of London, the King is firmly persuaded she will find new proofs of his Majesty’s constant and sincere disposition for peace; and that his Britannic Majesty, animated by the same sentiments, will equally avoid every thing that may alter their good harmony.”

This declaration bore date the 23th of March last; but what was the English Ministry’s conduct thereupon? Why, on the 17th of the same month they sent a thundering message to Parliament, acquainting them of this declaration—that they had sent orders to their Ambassador at the Court of France to return from thence—and that they were “ determined to exert, if it shall become necessary, all the force and resources of the kingdom” against that nation. Thus, by withdrawing the Ambassador, and sending that message, they absolutely made a rupture in the good understanding and correspondence with France; and cut off the very means by explanation, of preventing open hostilities being instantly commenced by that Court, in consequence of the message to Parliament, declaring to the whole world their resentment, and that they had reserved to themselves to judge of the time when they would exert “ all the force and resources of the kingdom” against her. Now, I say, in

this situation of affairs, France was under no obligation to sit still, until the English had matured their preparations to exert “ all the force and resources of the kingdom” against her, when it might be too late for her to resist them.

But, considering the terms of the complaint against the Court of France, mankind cannot but expect a corresponding conduct by the English: and any disappointment naturally leads them to reason back from effects to causes. The outrage upon the English Crown demanded nothing less on their part, than an instant declaration of war. They have made no such declaration, and only one cause can, in the nature of things, be assigned for that silence—they are conscious, that they are not in a condition to enter into a declared state of war with the Court of France.—This conclusion is too evident to be masked; and a man must blink and wink, indeed, not to see it. Nay, with all their caution, they not only cannot conceal it, but cannot avoid expressing it themselves. Having rashly penned a Philippic against the Grand Monarque, feeling their internal weakness, and too late sensible of their temerity, they immediately declare that they are “ desirous to see a restoration of the blessings of peace.” How are the mighty fallen!—They evidently tremble at a view “ of other powers, however friendly and sincere their professions, however just and honourable their purposes.” Nor, do they presume to name the powers they fear! They, who would have shackled America, at length dare not exercise even the freedom of speech, lest they offend powers and accelerate attacks, which they know they cannot resist.

How has it happened, that they say so little of North-America? They just scatter nine and thirty words among the Thirteen United States. Three words to each are but small marks of grace and favour. But, perhaps,

perhaps, as they are pious men, they had in view the thirty-nine articles of the Church of England. Or perhaps they have reserved themselves on the subject of North-America, that with the better grace they may be more explicit and at large in the treaty which is to terminate the war, and secure the Independence of the United States. It is time they considered the affairs of this continent upon a more *liberal* footing, than they have yet done. Nor is it of any consequence to tell Parliament, that "it would have afforded very great satisfaction to have informed them that the conciliatory measures planned by the wisdom and temper of Parliament, had taken the desired effect, and brought the troubles in North-America to a happy conclusion." Mr. Fox, expressly in answer to the Speech, declares they were not planned by Parliament. Nay, he avers "it was a libel upon Parliament to charge them with" those measures. The Ministry, no doubt, must remember the principles upon which Solomon adjudged the child to one of the two women who claimed it. Upon the same principles do I determine between them and Mr. Fox.

But to return. Just as we enter upon this great subject of North-America, the speech stops short, as if sick of it. So, a timid patient who must undergo an amputation of his right arm, reluctantly extending it to the knife, stops short to recastigate the painful moment in which he is to lose his most precious limb. But, the situation of affairs calls "so loudly upon you for your most active exertions, that I cannot doubt of your heartiest concurrence" in the necessary, though to you, painful operation of amputating America from Great-Britain. For this salutary purpose the deficiencies in the speech ought to be supplied. Let the Ministry advise the sending a message to Parliament, and tell them that the English fleets and armies are unable

to recover the dominion of the United States—that the Commissioners have returned equally unsuccessful in the same attempt—that the United States set at defiance, "the vigour of your Councils and the conduct and intrepidity of your officers and forces by sea and land"—that France has made common cause with the United States—that you firmly believe Spain and the whole House of Bourbon will do the same before the next campaign—that you have not been able to form any connection with Russia, Prussia, Holland, or any other power, so as to render you any thing near a match against the apparent union against you. — But I beg you will excuse me for thus inadvertently advising an unnecessary clause. Upon a second thought I am clearly and decidedly of opinion, that you may altogether omit this last head, as Lord North in the House of Commons confessed that he had not advised "subsidiary connections." Besides, it is known, that at the end of summer 1777, the Empress of Russia rejected the English Minister's application for a Body of her troops, with such *disdain*, that the Ambassador at Petersburg retired from the Court, till he received instructions from London; and also that a subsequent application to the Empress, that her fleets should act in strict conjunction with the English, met with so dilatory an answer as prevented a renewal of the application.

The English Ministry may also say in this message, that on one of the last days of October, or on one of the first days in November last, I forgot which, Count d'Almadovar, the Spanish Ambassador, by order of his Master, delivered a REMONSTRANCE of a very serious and decisive nature. But there is no occasion to be at the trouble of being more particular on that subject, as I presume His Most Catholic Majesty will, in due time, in forcible language, notify

to Parliament and the world the independent tone of that important Remonstrance. And I would advise to conclude this weighty message, with assuring Parliament, that they have no "means of vindicating and maintaining the remnant honour of the Crown and the interests of the people," but by agreeing to the Independence of the United States. — Considering the habit of body and state of mind, I am sensible that this is a harsh prescription; but, the case is desperate.

The Ministry are pleased to confess that their "efforts have not been attended with all the success which the vigour of their exertions seemed to promise," and that they have "called forth the militia to assist in the interior defence of the seat of government. — Thus confessing the failure of their efforts, and that they are so hard pressed as to arm their militia "to assist" in the defence of the capital, can they be so contradictory to themselves as to continue in the vain pursuit of conquest abroad, beyond the Atlantic, and in a region in which they have, in this pursuit, lost whole armies, and sunk millions of treasure! Twelve months ago, the First Commissioner of the Treasury, and Governor of the House of Commons, declared aloud, that the kingdom could no longer furnish men or money for the American war; nor is it within the scope of the warmest imagination to suppose, that they are now more competent to produce those means of conquest. They have received the Ultimatum of the United States. If they deliberate long upon it, worse may ensue*.

Remarks on the above Paper.

From the Pennsylvania Packet.

I have lately read the of England's speech, and the answer thereto ornamented at the top, like an alehouse-keeper's sign, with the letters W. H. D; and likewise Governor

Johnstone's speech, and Governor, what's his name's answer to the same, signed ———; and can but admire with what *judgment* the parties have paired and pitted themselves. The two first are a dead match of *dulness to dulness*, and the battle is to be fought over again next winter. The following is the plan of the late attack, and the manner in which it began: "W. H. D.

"To the of Great Britain."

"SIR,

"The royal *voice* to Parliament on the 27th of November last, has, at length, reached the *ears* of freemen on the western shore of the Atlantic."

It must be the devil of a *voice* that can be heard from England to America; and as, according to the usual velocity of sound, it should have arrived here in a little more than four hours, we are obliged to suppose, that this same royal *voice* was cast away in the air, and obliged to put into a cloud to *rest*. And as that cloud might, in the mean time, be frozen into ice, and the voice with it, it was again obliged to wait the relief of a sun-beam before it could get out. And as it might after that be canted about, like the vessel of Ulysses, the accident of being nine weeks on its passage, instead of four hours, is easily accounted for. Ulysses was kept out near twenty years, though he had, at one time, got the winds in a bag, and could let which blow he pleased.

However, the *voice* came, and in the night, I suppose, for I heard nothing of it. But it seems that W. H. D. did; for though he has not described what sort of a thing it was, he has described what it was not. "It is a *sound*," say he, "very different from the *roaring of a lion*;" by which he slyly intimates, that it was something like the braying of an ass. If so, it must be a more wonderful ass than Balaam's; and as I shall mark the time when, or whether,

* This Paper is ascribed to William Henry Drayton, Esq.

ther, the *voice* of W. H. D. arrives in England, we shall be able, by next winter, to judge which of the two has the strongest lungs, and lay our bets accordingly.

N. B. The backs the of England, and S. Deane backs W. H. D. because he has good "ears," and they are not "*stout*." Thus far for the two first champions.

The next two, the *Governor* and the *Governor*, have taken another sort of ground. Their contention is about the honour of dying in a "ditch"—*hic jacet*. And as it is somewhat preferable to the honour of dying in the air, *hic swing-um*, I commend their choice.

Yet the very mention of such an undesirable fate seems to have awakened, in the brain of the *Governor*, a confusion of unnatural metaphors, dressed up in as compleat bombast, as ever filled a page in Sir Richard Blackmore. He has mistaken theatrical rant for elegance, and has yet to learn, that affectation of language is incompatible with humour. Wit may be elegantly spoken, but humour requires a peculiar quaintness of expression, just sufficient to give birth to the conception, and leaving, at the same time, room enough for the fancy of a reader to work upon. But this genius has succeeded in neither one line nor the other.

Governor Johnstone had declared, that "the maxim of dying in the last ditch was his principle;" and his combatant, the *Governor*, though seemingly fond of the expression, has undertaken to ridicule the application of the maxim to the present war. The last *trench* would have been a phrase purely military, and conveyed the full idea of fortitude, unaccompanied by that association of low conceits, which naturally unites with a "*ditch*." To die in the last *trench*, is dying like a soldier; but to die in a ditch, is dying like a dog, and the conceit cannot be separated from the description.

"The GREAT NASSAU," says the *Governor*, "made the same declaration, and in the mouth of a hero contending for freedom, after the loss of many battles against superior force and almost exhaustless resources, it has a dignity and elevation which description cannot reach."—For my part, I am at a loss to see where the difficulty arises, as the sentiment is very easy of conception, and the description may be made with a shovel.

"But when," continues the *Governor* to the *Governor*, it is used to colour obstinate perseverance in a ridiculous war, for the sake of a bubble, a feather, or a name, it is hardly within the compass of language to descend to such a *deep profound*." This I set down for perfect nonsense. The words convey no ideas that correspond with the subject. For, in the first place, there is something which "it is not within the compass of language to descend to;" Query, What is it? *A ditch*. But as the impossibility cannot take place on so simple an object, this same ditch is here stiled a "*deep profound*."

The *Governor* still continuing the figure of a *ditch*, proceeds to ask the *Governor* "in what ditch he would chuse to die?" And here follows as ridiculous a piece of rant and bombast as was ever spouted. "Shall," says he, "the rich current which glides through your veins, dash along the roaring Susquehanna, swell the great Potowmac, or fill the bay of Chesapeak?"

When a natural probability is admitted, the introducing impossible figures or circumstances to unite with it, is absurd; and as there is nothing improbable in supposing a man to die in a ditch, the figures intended to ridicule the boasting misapplication, should, in supposition, be equally as probable, otherwise the laugh will be lost, if that can be said to be lost which cannot be produced. *A man may*

may, it is true, be drowned in either of those places, and so far the figures are consistent. But where is the comparison between the roaring Susquehanna, the great Potowmac, the bay of Chesapeake, and a "ditch;" or where is even the supposed possibility that the blood of a drowned man should fill the latter.

Still on the wing of school-boys eloquence, he continues to ask, "Shall it empurple the Canadian snows; shall it fertilize the arid sands of Florida, or stain the rocks of Nova Scotia, *hard* and *unpitying* of the generous sacrifice?" Whether the rocks, soft before, are to be stained *hard*, or hard before, are to be stained soft; or whether, like the paper he has blotted, they are to be stained to no purpose, does not clearly appear from the construction of the expression. Yet those three figures, stript of the words *hard* and *unpitying*, have each of them possibility; but, at the same time, the possibility contains no humour, the sense of it being simply this, Will you die in Canada, Florida, or Nova Scotia? As to the epithets of *empurpling*, *fertilizing*, or *staining*, as being the *consequences* of death, are not in themselves subjects for diversion; besides which, they are the natural and unalterable properties of blood; and the same effects would, and must, be produced from any kind of animal killed in either of those places.

The only field for ridicule, which this rhodomontade description contains, is the error which the writer has made himself, in the unnatural disproportion, between his new-raised relative figures, and his original antecedent figure, *a ditch*. For either Canada, Florida, and Nova Scotia, with their snows, sands, or rocks, must, in idea, be diminished to *ditches*, because he has relatively put them for ditches, or, his original ditch must be extended to a country. How this can

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be accomplished, is far above or below mine, or the powers of magic to conceive. And as this writer, by following a *Will with a wisp*, (for such appears to be Johnstone's character as well as Mr. Deane's) has written himself *into a ditch*, I shall leave him to scramble out as well as he can, with this consolation to them both, that *hic jacet* is better than *hic swingum*.

I have been the more free in these remarks, not only because such gaudy productions take away from that character of wisdom and serious fortitude, which America hath hitherto supported, and that without giving wit in its place, but because they have a tendency to introduce a false taste among youth, who are too apt to be caught by the extravagance of a figure without considering its justness.

COMUS.

Boston, February 22.

To his EXCELLENCY the GOVERNOR,
The Address of His Majesty's Council
and General Assembly of Bermuda.

May it please your Excellency,

We his Majesty's most dutiful and loyal subjects, the Council and Assembly of these, his Majesty's Bermuda Islands in America, beg leave once more to represent to your Excellency, in the most express and positive terms, that the inhabitants are on the eve of experiencing every distress that can arise from certain famine, unless some decisive steps be immediately taken to divert it—That such attempt has been already too long deferred, we are without apprehensions.—To your Excellency, therefore, we most solemnly appeal in the name of the people.—Your Excellency alone we must look to for relief.—If you refuse to attend, we are undone.—We would wish to consider his Majesty's Governor, as the guardian and protector of the lives and liberties of his subjects intrusted to his care. In this light you are held out to us by his

G g

Majesty,

Majesty,—shut not then your ears to the cries of distress; but exert those principles of benevolence and humanity, which will ever be the greatest ornament of human nature, and become more or less conspicuous, in proportion to the situation of the persons, who shall move under their influence.

The unhappy dissension between Great-Britain and the Continent of America, has induced the prohibition of a commercial intercourse with the latter, from every other part of his Majesty's dominions; and has subjected property, taken in the fact by his Majesty's cruisers, to forfeiture.—This restriction, may it please your Excellency, we have been, from necessity, obliged to move in violation of.—The particular situation of our island, our distance from Europe, and many other obstacles, as has been repeatedly urged to your Excellency, and of the truth of which you cannot but be convinced, have alone led the inhabitants thereto.—The means of subsistence are not to be refused, to comply with an Act of Parliament.—Our gracious Sovereign, and that august body, the English Senate, wish not for it;—every principle of humanity forbids it.—

Permit us to speak plainly on this subject to your Excellency;—present circumstances oblige us to do it in terms undisguised.—From the Continent alone we can possibly derive the supplies necessary to our subsistence. Your Excellency will permit us further to observe, that it is apprehended the troops now at the west end, have in some measure contributed to driving from our shores, vessels, the property of the inhabitants, which have been coming to our relief.—We conceive that every obstacle should be removed to adventurers in the pursuit of provisions, and therefore beseech your Excellency, as those troops cannot but be presumed to be under the controul of the civil authority, that they be, by your Excellency, or-

dered from the west end, at least for a limited time, that provisions may be introduced without interception, for the support of the inhabitants. What further regulations such a proceeding might require, should be so adjusted with his Majesty's Customs, as to remove every apprehension of the confiscation of property, that may be adventured on this critical occasion.

We beg leave further to observe to your Excellency, that the people expect on the recess of the Assembly, to have a full and positive account of what may be determined on—in which there can be no medium observed. They must either have a clear mode of obtaining provisions pointed out, or must be told, that nothing can be done. They must quit the island, or depend on Providence alone.

CORNELIUS HINSON, Speaker.

Jan. 27, 1779.

The following is a list of British men of war and privateers, together with the vessels captured by them, and carried into Bermuda, as late as 29th Jan. 1779.

Brig Bellona, 18 four pounders, in port—Brig Dunmore, 18 ditto, on a cruise—Schooner Clinton, 18 ditto, on a cruise—Schooner Sutherland, 6 four-pounders, 6 swivels, 30 men, on a cruise—Schooner Hammond, in the King's service, as tender to the Ardent, 18 four-pounders. All the above are said to be owned by the Goodrich family, Major Sutherland, and Admiral Gambier, and are fitted out by them from Bermuda.—Sloop Mars, J. Rogers Commander, fitted out at New-York, 10 carriage guns, on a cruise—Galatea sloop of war, copper bottom, 20 guns, commanded by — Jordan, who, we hear, behaves towards his prisoners with great inhumanity and cruelty, his character being universally detested by all—Camella sloop of war, commanded by — Collins, who, to his honour, treats the unfortunate men, who fall into his hands, in a manner quite the reverse.

STATE

STATE of MASSACHUSETTS-BAY,
*In the Year of our Lord, one thousand
 seven hundred and seventy nine.*

*An Act to prevent the Exportation of
 Masts and Spars, of certain Dimen-
 sions, for a limited Time.*

Whereas it is of great importance to prevent the enemy, as far as may be, from obtaining a supply of masts and spars, which there is reason to suppose they are at this time in great want of :

Be it enacted by the Council and House of Representatives in General Council assembled, and by the authority of the same, That from and after the publication of this Act, no naval officer within this State shall clear out any ship, or other vessels, that is, or may be laden, in whole or part, with masts or spars of fifteen inches diameter or more, to be conveyed to any port or place within this State, without a permission therefor, under the Seal of the State by the General Court, or of the Council in the recess of the Court. And if any ship or vessel, shall, after the first day of March next ensuing, sail from any part of this State, and destined to any port or place without the same, being laden in whole, or in part as aforesaid, not having a permission as aforesaid, it shall and may be lawful for any armed ship or vessel, commissioned by the American Congress, or any of the United States of America, to take, seize, and bring into any port within the State, such ship or other vessel laden and destined as aforesaid.—And the several Maritime Courts in this State are hereby authorized to try the justice of such capture in like manner and form, as the cases of other ships and vessels are triable in the same Courts, and in case of condemnation, to order distribution thereof, one moiety to the captors, and the other moiety to and for the use of this State.

And it is further enacted, That if any master, or owner of any ship or other vessel, after the publication of this Act, (such master, or owner

having knowledge thereof) shall presume to carry, or attempt to carry, or in any manner cause to be conveyed from this State, any masts or spars, herein prohibited, to any port or place within this State, not having permission as aforesaid; such master, or owner, shall, each and every one of them, upon conviction thereof, before any Court of General Sessions of the Peace, or inferior Court of Common Pleas, who are hereby respectively authorized to try the same, upon action, bill, plaint, or information, forfeit and pay a sum not exceeding tenfold the value of such lading, or such lesser sum, as the Court, before which the trial is had, shall adjudge and determine, according to the circumstances of the offence; one moiety thereof to be paid to the Treasurer of this State, to, and for the use of this State, and the other moiety to him or them, that shall inform or sue for the same, saving however, to every one the right of appeal, as in other cases.

This Act to continue, and be in full force, until the first day of March, which will be in the year of our Lord, one thousand seven hundred and eighty, and no longer.

*From the Pennsylvania Packet.
 Near Middlebrook Camp, Feb. 22, 1779.*

SIR,

I am told the great philosopher and warrior of Prussia, thinks it no dishonour to copy General Washington in the mode of quartering his troops. Indeed, this way of wintering an army has every thing to recommend it, and more especially in America, where a great plenty of wood naturally points to such a practice. Little aid from the country is required; and the hands that would be necessary for the sawing and transporting timber for barracks, are by this means given up to the culture of our lands, or other useful employments.

His Excellency the Commander in Chief, arrived from Head-quarters
 G g 2 about

about three o'clock in the afternoon. Mrs. Washington was in a carriage, accompanied by that steady friend to the rights of mankind, Mr. Laurens, the late President of Congress. I had also the pleasure of seeing Mr. Duer, late a Member of that Honourable Body from the State of New-York.

I was introduced to Mrs. Washington, Mrs. Greene, Mrs. Knox, and a circle of *brilliant*s, the *least* of which seemed more valuable than that stone of immense price which the King of Portugal received from his Brazilian possessions.

About four o'clock the occasion was announced by a discharge of thirteen round of cannon. We then repaired to the academy to dinner. The company was composed of the most respectable gentlemen and ladies for a considerable circuit round the camp, and as many of the officers of the army as could possibly attend.

I had, till now, only seen the outside of the academy. It was raised several feet above the other buildings, and capped with a small cupola, which had a very good effect. The great room was fifty by thirty, arched in an agreeable manner, and neatly plastered within. At the lower end of the room was a small enclosure, elevated above the company, where the preceptor to the park gave his military lessons. This was converted into an orchestra, where the music of the harmony entertained the company. The style of the dinner was of that happy kind, between the extremes of parade and unmeaning profusion, and a too great sparingness and simplicity of dishes. Its luxury could not have displeased a republican. The toasts were descriptive of the day, while the joy and complacency of the company could have given umbrage to none, except *our* enemies the British.

Just as night came on, we were called upon to the exhibition of fireworks. These were under the direction of Colonel Stone of the ar-

tillery. The eye was very agreeably struck with the frontispiece of a temple, about one hundred feet in length. It was divided into thirteen arches, each arch embellished with an illuminated painting, allegoric of the progress of your empire, or the wise policy of your alliance; the center arch was ornamented with a pediment, and proportionably larger than the others; the whole supported by a colonade of the Corinthian order. The different works in pyrotechny were very agreeably disposed, and displayed to great advantage.

When the fireworks were finished, the company returned to the academy; the same room that had served to dine in, served to dance in; the tables were removed, and had left a range for about thirty couple, to foot it to no indifferent measure. As it was a festival given by men who had not enriched *themselves* by the war, the lights were cheap, and of their own manufacture; the seats the work of their own artizans; and for *knights of different orders*, there were hardy soldiers, happy in the thought of having some hand in bringing round what they were celebrating.

The ball was opened by his Excellency the General. When this man unbends from his station, and its weighty functions, he is even then like a philosopher, who mixes with the amusements of the world, that he may teach it what is right, or turn its trifles into instruction.

As it is too late in the day for me to follow the windings of a fiddle, I contented myself with the conversation of some one or other of the ladies during the interval of dancing. I was particularly amused with the lively sallies of a Miss * * * * *, asking her if the *roaring* of the British lion in his late speech, did not interrupt the spirit of the dance? Not at all, said she, it rather enlivens; for I have heard that such animals always increase their howlings when most frightened.

For the REMEMBRANCER.

The following is a translation of a late State Paper, published at Madrid, as a manifesto of the motives which have induced his Catholic Majesty to withdraw his Ambassador, and act hostilely against England :

It would be too long to relate minutely all the grievances which Spain might complain of since the conclusion of the treaty of peace in 1763 ; for that reason we shall restrain ourselves to the greater ones, and those most recent, lest we should be accused of reviving old injuries already forgotten. By the sixteenth article of the preliminaries of that treaty, England acknowledged the *Bay of Honduras* as making part of the Spanish dominions, and bound itself to cause every fortification that had been erected by its subjects in that part of the world, to be demolished within four months after the ratification of the treaty ; without preserving to the Court of London any other right than that of being permitted to cut log-wood, without any molestation or hindrance ; and for which purpose, its workmen were to be allowed only the houses and barracks essentially necessary to them. None of these stipulations have been performed by the English : they have introduced themselves more and more into the ancient settlements, beyond the limits allotted them, and have excited a rebellion among the native Indians, providing them with arms, and giving them every succour and assistance under the protection of Great Britain.

Not satisfied with these violences, they have established themselves in many other ports, rivers, and coasts of the Spanish territory in the said *Bay of Honduras* ; in which places they could not even alledge the specious pretence of cutting log-wood, but manifestly with a design of usurping foreign dominion, and of smuggling various merchandizes without any discretion.—The names of these places wherein they went are, *El*

Pincho, Rio Tinto, Rio Matina, and many others : they have there trained up bodies of militia to arms, and have given the King of England's brevet, or commission, of Captain-general of all these settlements or establishments to Jacob Lourry ; which brevet, or passport, together with many other patents or commissions to subaltera officers, was solemnly read to the whole colony on the 21st of September, 1776, before the troops and people. All these proceedings of the English were discovered by the Spaniards, at a time when the British Ministry had declared that those encroachments and settlements had been made without their approbation, or the sanction of their authority.

The English settlers found out artifices and various perfidious means to prevail on the chief or leader, to revolt against Spain, and to stile himself King of the Mosquito Indians, and persuaded him to take the title of Captain in Chief of the other Indians, whose leaders have sent Commissioners to the Vice-Roy of the Spanish government, acknowledging themselves as vassals of his Catholic Majesty : besides which, the English supplied them with arms, and gave them all kind of assistance to prevent their seeking the protection of Spain, who has an immediate right upon the dominion of those territories. Moreover, though foreigners of all denominations, let their religion be what it will, be well received in all the English settlements of America, the Spaniards only have been refused admittance, they being either imprisoned or driven away.

The better to prove the uniform design England had always harboured of becoming masters of these extensive territories ; to lay there the foundation of its settlements ; and to augment every day the immense prohibited commerce carried on by its subjects in the interior parts of the Spanish provinces, we need but relate what happened in the

the year 1775. That a certain physician, famous for his voyage round the world, known by the name of Doctor Irwin, left England, having with him all kinds of tools for agriculture, several artists, and many other succours found by the British Ministry, to the end and purpose of making a lasting settlement in the province of *Nacha*, wherein he landed several families, and several more were soon to follow them. With that intention, the said Doctor had brought up and educated in his own house a son of an Indian King, and two Indians of note in these countries. The Spanish *Guarda Costas* were soon apprised of the Doctor's embarkation, and the British Ministry, instead of giving redress to remonstrances for that breach of the treaty, threatened Spain with a war.

Last year, in the month of November, some Spaniards happened to settle themselves on the river *Saint Johns*, on the same coast of *Mosquito*, whereupon they built some houses; and when they least expected it, they were attacked by a party of English, and another party of Indians; in that conflict, the Captain of the ship was wounded, most of his people were put to prison, and many other violences were offered. While that was transacting, the negotiation of peace, then on the carpet, was carried on with the greatest anxiety by his Majesty, for the benefit of England; and he was straining every nerve to make it succeed. No other proof is required to establish the essential difference extant between the proceedings of the Court of London, its Ministers and subjects, and the generous and magnanimous conduct of his Catholic Majesty.

Wherever they set their feet for the purposes of settlement, the English behave in the same manner: for example, on the coast of *St. Blas*, a province of the *Darien*, they engaged the Indians that inhabit the frontiers of the Spanish settlements,

to raise a revolt; and, after giving them all succours, enticed, and drew them on their side, by decorating them with pompous patents and brevets, or commissions of command under the protection of Great Britain. A like commission was granted to one Chief of the Indians, named *Bernard*, to whom the Governor of Jamaica sent a formal patent or commission, and in which he was stiled Captain-general of that coast. That proceeding was also discovered at the beginning of the present year, and complained of the 8th of March to the English Ministry, who, pretending to be unacquainted with it, answered it in their usual manner.

Many have been the attempts made by the English, within these few years, to drive into rebellion against Spain, those nations of India, their allies, and friends, who inhabit the lands contiguous to *Louisiana*; one while they regularly provided them with arms; at other times they bribed them with presents, and honoured them with patents and English medals, &c. &c. and finally, instigated them to join the English troops to commit hostilities against the subjects of his Catholic Majesty.

Applications have been regularly made to the Court of London, on different occasions, for the redress of various offences of that nature; and though its answers have been made in general terms, such as these: "*We shall take notice of that, and send the necessary orders;*" Spain has not yet seen the alteration which she expected in all reason and justice.

On the contrary, the Court of London, under pretence of its war with the American States, and forgetting so well the exact impartiality observed by the Spanish Colonies, as to the good reception the English have always met with therein, they have committed, both by land and sea, the most grievous insults: having even threatened with destruction a frigate
of

of war in the very capital town of New Orleans.

Soon after this, and in the months of June and July of the year 1778, the English prompted the *Characas*, *Miraquies* and *Micathas* Indians, to raise a rebellion, paying to each Indian the value of a skin of venison a day, and inducing them to fall upon, with the natural and brutal cruelty of those barbarous nations, and destroy the Spanish settlements; notwithstanding the treaty of peace then in force between Spain and England, and the pacific disposition of the King, and his impartial and upright conduct in regard to the disturbances of America, and the hostilities committed against France. To the purpose aforesaid, the Indians were to have repaired to, and assembled in a place called the *Natchez*, with a body of English well armed; but a happy circumstance prevented this barbarous project from taking place: two of those nations, convinced, without doubt, of the injustice they were going to commit, every way repugnant to the rights of men, and to the good treatment they had always received from the Spaniards, they withdrew, and thus discountenanced the rest.

Some inhabitants of the Spanish dominions were carried away, others were offered all sort of violence, and compelled many to carry arms and war against the Americans: particularly in one, among many other instances of our subjects, a young man, named *Livois*, the son of a Captain of one of our Spanish Colonies.

By the last news we have received the original letters of the English Commander Hamilton, in which he threatened to enter the Spanish territories; as has been related in the Gazette of Madrid of the 20th of July, at the article of *la Havanna*: it appeared moreover, by those letters, that the British Government had given orders to build many fortresses, and in particular a solid and perma-

nent one at the mouth of the *Mississippi*, near the lake of *Iberville*; which proceeding alone would be sufficient to bring to light the designs of the Court of London against the Spanish dominions, since the said fortrefs could by no means molest the Americans, but would be highly prejudicial to the Spanish nation.

To the above purpose we must not omit, that in the month of May in the year 1778, *Don Francisco Escarano*, the Spanish *Chargé des Affaires*, came to London to complain, that the English had instigated the Indians called *Paseagulars*, whose habitations are contiguous to *Louisiana*, to shake off the obedience they owe to the King; by giving them commissions of Captains in the service of his Britannic Majesty, and decorating them with orders and medals. We should never have done, if we would relate, with their circumstances, these, and many more infringements of the treaties, violences, and usurpations executed these late years by the English Government against the Spanish dominions.

2. Spain gave, in regard to prizes, orders similar to those of France; and it caused them to be put in execution with so much rigour and exactness, that several American privateers, and among others the famous *Cunningham*, exasperated against Spain, retaliated, by using the Spaniards very ill, and making upon them reprisals, which have not as yet been delivered back, though often asked for.

3. Neither ought motives of jealousy or the thirst of discord to have prevailed upon the English so much, as to make them lose any sense of justice, gratitude, or respect in regard to Spain, considering that this last could carry on but little or no trade with the English Americans, having already enough of that it carries on with its own possessions of America; and being amply provided with every necessary by the same. Nevertheless, the Court of London, with an intention

tion of keeping at hand a specious pretence for a rupture, whenever its projects should be in maturity, affected a great uneasiness on account of the mercantile correspondence carried on between some merchants of *Bilboa* and others of the English Colonies, though that correspondence had begun several years before their rupture with the mother country. The English Ministry discovered the same uneasiness for a like mercantile correspondence carried on by some French merchants of *Louisiane* with the Americans; and pretended to call the Spanish Government to an account for that contravention to its own laws in that part of the world: at the same period, wherein the subjects of England, called the Royalists, were found in the same contravention on the Spanish coasts of *Mississippi* and *Louisiane*, making a traffic of smuggled goods: many of them were taken up, and great complaints have been made for the same. The English Commanders of those parts pretended proudly, that the inhabitants prosecuted by them should not be allowed to take refuge at *Louisiane*, if they should fly there for it, while the Royalists were welcome there, and being under no apprehensions either for their lives or properties; for which generous dealing several of them returned thanks to the Spanish Government by word of mouth, and in writing. The Spanish Government did not confine itself to those tokens of humanity. Having heard of a great scarcity of flour prevailing at *Penza-cola*, it spontaneously sent a good quantity of it into that place;—threats, violences, and the hostile proceedings laid down in the foregoing articles are the only thanks the Ministry and the English nation gave for the same.

4. For fear we should be detained in the enumeration of the events anterior to these late times, we shall only say, that the insults offered by the English navy to the Spanish naviga-

tion and trade, from the year 1776 till the beginning of the present year 1779, were already 86 in number, including prizes taken by unjust practices, piracy, and robberies of various effects out of the vessels; attacks made with gun-firing, and other incredible violences. Since the said month of March, and notwithstanding the memorial presented by the Ambassador, Marquis de Almodovar, on the 14th of the same, in which he complained of the principal grievances, and revived the Memorials that had preceded, three Spanish ships were taken by the English, on the 12th, 19th, and 26th of April, viz. the *Nuestra fra de la Concepcion*, the *la Virgen de Gracia*, and the *las Almas*: which proceeding, together with the other insults, of which a detail was sent to the same Ambassador, in order to be laid before the English Ministry, were sufficient motives for the Ambassador to assert, in his final declaration presented to the Ministry on the 16th of June, that the grievances of the late years did not fall much short of a hundred.

5. In the two last years, and till the beginning of March of the present year, the English navy has insulted at 12 different times, in the European and American seas, the ships of his Catholic Majesty, among which were packets, and other small vessels, that had not a competent force to resist. It makes one blush to describe with what indecency and ignominy the King's flag was treated by the English officers in those and other similar cases. We shall only relate the transaction of the 31st of October of the last year, when an officer having been dispatched by two English frigates to reconnoitre the Spanish sloop, named *Nuestra Señora de la Esclavitud*, between the Isles of *la Mona* and *la Saona*, he obliged it to strike his Majesty's flag, and then, taking it, he wiped the sweat off his face with its coat of arms, to shew a greater contempt for it. This singular officer, with

with his companions, plundered the ship, and stript the seamen of sundry things essentially necessary to their use.

6. The English nation entered the Spanish territories eleven times within a very few years past. Among those attempts, one deserves a particular notice; viz. what was performed on the 31st of April, 1777, by the long-boats of three English frigates, then laying in the bay of Gibraltar, which firing at the King's cutter, and at the guard-house, that was on the bridge *Mayorga*, and carried away the crew and the goods of a bark which had been taken by the said cutter on suspicion of smuggling tobacco and money. After they had possessed themselves of the whole, they retired, displaying affected civilities, and taking off their hats out of derision.

7. The complaints of the Court of Spain have been as many as the insults offered; memorials having been repeatedly presented from time to time in London and in Madrid; so that they might be said to have been innumerable. Nevertheless, the King of England told his Parliament precisely, that many of them never came to his knowledge, adding moreover, that he was fully convinced, he had never given occasion for the unjust proceedings of Spain. We now say it over again, complaints have been so repeatedly made, that on the 5th of February, 1778, *Don Francisco Escarano* having exposed and shewn some of them in writing to Lord *Weymouth*, did express plainly how tired he was of presenting so many, by saying, "That it appeared as if all the Captains of ships of his British Majesty had agreed about the mode of bad behaviour to those of the King and of the Spanish nation; since it was known by a constant experience, that the English ships always began by firing their guns at ours with bullets; then their officers came on board to register them; put the seamen in irons, or confined them under the hatches of

" the ship: did not in the least
 " scruple to carry away what goods
 " they had a fancy to, and when they
 " parted from us, bid us farewell by
 " another cannonading with small
 " shot: that the Spanish ships, and
 " especially the packet-boats, which
 " are provided with guns, might have
 " repelled those insults by force, but
 " that they never did it, on account
 " of the remarkable strict orders they
 " had from the Spanish Govern-
 " ment, which was anxious to live
 " in the best harmony with the Eng-
 " lish nation; and that finally, by
 " comparing the excessive modera-
 " tion of Spain with the frequent
 " affronts offered by the English na-
 " vy, his Lordship will be ab'e to
 " judge, whether they ought not to
 " have been paid attention to; and
 " whether they did not call aloud for
 " redress."

Those were the expressions made use of by Spain, in February 1778. Let us now see what that Court said on the 14th of March of the present year, by the channel of the *Marquis d'Almadovar*, in a memorial written for that purpose to the *Viscount Weymouth*.

The Spanish Ambassador, after referring to two cases that had been answered by the English Minister, he proceeds in this manner; "The King could not help to remark, that, from all the complaints made to the English Ministry by his orders, for these two years, these two cases only met with a clear instructive answer. His Majesty took into consideration the motives of the answer of the 13th of January, and excuses the delay alledged, as to the transaction that happened in America;" but he does not see, why any change in the destination of the ships, the death of the Commanders, or the recall of the Admirals, to whom the orders were directed, should have prevented the verification longed after; such were, however, the motives or pretences al-
 H h ledged.

judged. If the Captains were dead, or if the ships had changed their station, had even those changes and alterations been universal, and had they happened precisely at the time when the verification should have taken place, the command of the places near whom the transactions happened, were, nevertheless, in the same hands, and there it was they should have been enquired into. Suppose the officers had been changed, the exercise of their function was not interrupted, and the tribunals of the districts, who ought to have known of matters of that sort, were still subsisting. Since that time, some of the Captains, who commanded the ships that either took or treated all the Spanish vessels, came over to England, and they might have been interrogated upon many articles.

The Marquis of Almadovar continued to make observations upon particular cases, and concluded his memorial in this manner: "In a word, had even every circumstance concurred to hinder or delay the instruction which the British Ministry desired, previous to its giving redress to my Court, the King, my Master, thought at least, that orders sent by his British Majesty to his officers should have stopt the course of those vexations; so far from it, advice is continually received at Madrid of recent injuries, there having been sent to me from thence the relation of some of them, with injunction to communicate them to your Lordship. In compliance, therefore, with those orders, I have the honour to include the relation thereunto annexed, containing the most notorious facts, omitting others, for fear of multiplying complaints, though they are equally well founded on truth. Your Lordship will know from this the importance of those complaints, and the necessity of accelerating, as much as possible,

" the satisfaction which the King
 " my Master flatters himself he shall
 " obtain from the justice and equity
 " of his British Majesty."

This memorial, given in the month of March, produced nothing but fine promises on the part of the English Ministry, without preventing the making prizes and committing other insults in the months of April and May following, which was hinted at before in the fourth note. We may reasonably question, whether the English Ministry ever took the trouble to read the notes or enumeration of the grievances; and if not, the reason is obvious, why his Britannic Majesty had never been informed of them, as he was pleased to announce to his Parliament.

Spain was more fortunate with the English government, because at least this last never denied facts, but always made good offers, though such as never were productive of a complete redress, or even prevented the usual vexations. All the European Powers know very well the practices of the English navy in its depredations; what country has not experienced them either in the present, or the late war against France and England: but they did not know, nor could they have imagined, that the Captain of the English frigate or sloop of war, *the Zephir*, commanded by *Thomas Haßb*, after taking by unjust means the Spanish ship, *La Trinidad*, going from Bilbao to Cadiz, towards the end of 1777, loaded with leather, nails, iron, and other goods, should carry her into *Tangiers*, and there try to exchange her for an American brigantine (which had been taken by a corsair of *Morocco*) leaving the Captain, pilot, and all the mariners for slaves. Happily, however, the Moors did not accept of that proposal, and the ship was conducted to the Bay of Gibraltar; and there being no kind of pretence to declare her a lawful prize, they abandoned her, after having

having plundered a great deal of her cargo; the ship, however, suffered so much in the action when taken, that having met with a gale of wind near Gibraltar, she could not hold it out, but was shipwrecked on the coasts. No faith would be given to a fact of that nature, if the truth of it was not so well established; and nobody could ever imagine, that a nation so learned and improved as the English are, should bring up and employ sea-officers possessing such principles.

9. The injustice of the sentences pronounced by the English Judges of the Admiralty, and their extravagant conduct, may be ascertained by the two following cases: the English cutter, the *Lively*, commanded by Joseph Smith, took the Spanish ship, the *St. Nicholas*, and *St. Celmo*, (the property of Don Manuel del Cerro Rubio, an inhabitant of the neighbourhood of *La Carugna*) bound from that port to the Spanish isles. The English Captain carried her into the island of *Anguila*, where it was declared she was not a legal prize; and having been released, the English Governor gave her a passport to continue her voyage unmolested. That precaution, however, did not avail to her; for, at her going out of port, another English sloop of war took her, and carried her into *St. Christopher's*, to the port of *Bastierre*, in which place she was sentenced to be a legal prize. The Spanish packet-boat, the *St. Pedro*, commander, Captain *Francisco Xavier Garcia*, had the same lot since, having been taken on the 8th of May, 1778, by the English Captain *James Dunnovan*, and carried into the same isle of *Anguila*, she was there declared an illegal prize, but at her departure, another English cruizer, Captain *Joseph Armet*, which happened to be in the same port, retook her, and carried her into *St. Christopher*, where she was sentenced a legal prize, as the former had been.

10. No other power has experienced, like Spain, the aggressions and usurpations of the English government, made in the time of the most profound peace, and without any previous declaration of war. There is hardly one of those English territories, which formerly belonged to Spain, that has not been taken by surprize, in time of peace; and all the seas may be witnesses, that when the Spanish ships were beaten or taken, there was no reason to believe they should be attacked: it has been a practice with no other Cabinet, but the English, to conclude a treaty with Spain, and immediately after to commit the greatest hostilities against that same treaty. After such a conduct, we leave it to the consideration of the impartial world to decide, if the King was wrong to augment his naval forces, and to frustrate, by anticipation, the designs of his enemies and offenders.

11. No motives whatsoever should have hindered England to give redress to Spain; to have prevented new insults, and return it the gratitude it deserves; since, in spite of the projects and public threats of several Members of the English Parliament, in the session of the months of December, 1777, and January and February, 1778, (who proposed to settle the disputes with the Americans, in order to make war against the House of Bourbon) the Catholic King never would make any treaty with the Colonies, for fear of giving to the Court of London the least pretence for complaints. We do not by this mean to say, that the French Ministry had not the strongest reasons to fear new enemies, and consequently to prevent the hostile designs of the British Cabinet.

12. The French Court behaved with so much candour and sincerity in the treaty made with the Americans, (of which, however, the Catholic King knew nothing then) that the same Court declared, by its Ambassador

in London, that Spain had no hand at all in it. Notwithstanding this, by orders dispatched to *Don Francisco Escarano*, the Spanish *Chargé des Affaires* in London, on the 24th of March, he had instructions, among other things, to declare to the English Ministry, that though his Catholic Majesty had taken no share in what had happened between France and America, and was still resolved to preserve the peace, this was to be understood, "As long as his Majesty could make it consistent with the dignity of his Crown, with the preservation of his rights, and the protection he owes to his subjects; and that, therefore, the conduct of Spain should be guided by that of England." This was the declaration made by *Escarano* to the Viscount Weymouth, in a private audience he had on the 4th of April following, and he acquainted his Court with it, on the 8th of the same month.

13. It has been the manifest leading project of England, to bring about a re-union of the Colonies with the Crown, in order to arm them against the House of Bourbon, or to lead that same House into an error, by means of treacherous negotiations and treaties, in order to take revenge on the Colonies, after having made them enemies to France. The beginning, progress, and conclusion of the negotiations, related in this manifesto, establish evidently the certainty of that project, and the facts contained in the subsequent notes, will prove it beyond a doubt.

14. The King of Spain could not observe a greater circumspection than he did, to avoid engaging himself in an unfruitful negotiation, or getting entangled in its consequences; he used the same expressions with the Court of London that he had done with France, sending orders, on the 19th of April, to the *Chargé des Affaires*, *Don Francisco Escarano*, directing him to require from the Bri-

tish Ministry, "a manifest declaration from them, expressing their real longing after a negotiation with France, by the mediation of his Majesty, and setting forth the chief articles whereupon to ground it."

Those and other like precautions became necessary with a Ministry that always affects to speak mysteriously; ambiguously; and with artful restriction, and who delivered their thoughts to the Spanish Ambassadors and public Ministers in a mode very different from that made use of in the public dispatches of business directed by that same Ministry to the English Ambassador in Madrid. The Spanish Cabinet, which does not adopt that political method of delivery, had the open-heartedness to warn the said Ministry, to set it aside during the course of the negotiation, without insisting on the candour and sincerity the same requires.

15. Orders were sent to *Escarano*, on the 23d and 25th of May, and on the 1st of June last year, directing him to keep a profound silence upon the negotiation that had been agitated; and to declare again to the Court of London, that his Catholic Majesty was always in the same pacific disposition, and would continue so, as long as the conduct of the English nation should not compel him to alter his sentiments. England cannot complain, that Spain has not repeatedly declared this same resolution of the King.

16. It is evident from the contents of the above notes, that hostilities like the preceding, and even greater ones, were committed by England against the Spanish territories, and the Spanish flag, under the mask of friendship, and in the midst of the most cordial protestations, and assurances of peace.

17. It would not appear strange, if clandestine orders, similar to those given to take possession of the French settlements in the East Indies, had been sent,

sent, in the beginning of this year, for to fall upon the Philippine Islands, and if the emissaries, sent soon after through *Alexandria* and *Suez*, had been intrusted with the conduct of that enterprize: at least, those are the opinions of the most judicious men, and also of those who are the best acquainted with the transactions of the Court of London. Time will bring those mysteries and enigmas to light; and the world will be better able to comprehend, how the generosity of the King of Spain has been correspondent with that of the English Cabinet; at a time, when his Catholic Majesty spared no pains to obtain an honourable peace, and free that nation from great calamities and misfortunes.

18 The Catholic King continued his mediation to his Most Christian Majesty, with an intent of making a peace, not only, because his religious and pious heart, and the love he professes to his subjects, and to the human race in general, inspired him with those sentiments; but moreover, because the Court of London continued to insinuate its desire of coming to an accommodation with France. And indeed hardly was the Count of *Almadovar* arrived in London, but he acquainted his own Court, on the 14th of September, 1778, that in a long conference he lately had with the Viscount *Weymouth*, that Minister had concluded his discourse with those terms; viz. "That the King, his Master, knew the amiable dispositions of his Catholic Majesty; that he was indebted to him for his demonstrations of friendship; and most sincerely desired to terminate the present war by his mediations, by a method consistent with the honour of the Crown of Great Britain, and by which, at the same time, an equal regard should be paid to France." In consideration of the usual tenderness and honour due to the Crown, Lord *Weymouth* recommended to the Marquis

d'Almadovar, not to use in his dispatches (as he, *Weymouth*, would have the same care in his own) these words "to ask the mediation," but "to request and to wish that his Catholic Majesty should interpose his mediation." The Lord *Grantham* spoke substantially the same language in Madrid; and his Catholic Majesty, having taken it into his consideration, ordered a note or memorial to be delivered to that Ambassador, on the 28th of the said month of September, and a copy of the same was dispatched to the Marquis of *Almadovar*, with direction to communicate it to the English Government. We thought it indispensably necessary to write out the answer contained in the same memorial; because it will throw light upon, and serve for the right understanding of the said negotiation; and which was as follows;

"The King considering what has been written by his Ambassador, the Marquis of *Almadovar*, and out of love for mankind; and, moreover, to continue upon good and amicable terms with both the Kings of France and Great Britain; and also lest he might be reproached with refusing to promote, as far as lays in his power, the tranquility of Europe, he has resolved to notify to each Court, that if they sincerely wish to enter into a plan of reconciliation, by the mediation of his Majesty, without prejudice to the honour of either Crown, but with an anticipated anxiety for the dignity of both; the most regular and decent mode of proceeding is, that each Court should deliver into the King's hand, without delay, and at the same time, the conditions and the articles they intend to obtain or to grant by the treaty, that his Majesty may communicate to the one Court the propositions of the other, to the end that they may be modified, discussed, or refused. That, after a due examination

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" tion of the whole, his Majesty shall
 " propose his own plan of pacification
 " to terminate the difference. That
 " the negotiation must stipulate the
 " method of concerting with the Ame-
 " ricans; without which the wished-
 " for peace cannot be attained: and
 " finally, that at one and the same
 " time, the conditions relative to the
 " private interest of England and
 " Spain shall likewise be discussed
 " and settled; that the King would
 " be sorry if this method was not
 " adopted, or if the negotiation was
 " not conducted with sincerity; since,
 " in spite of the wishes and pacific
 " dispositions of his Majesty, he fore-
 " sees that the circumstances of the
 " present war must oblige him to be-
 " come a party, the necessity of hav-
 " ing his flag respected, and of re-
 " pelling the insults which are daily
 " offered to his subjects, having oc-
 " casioned expensive armaments, and
 " immense losses." The conclusion
 of the foregoing answer caused
 much uneasiness to the Court of
 London, which, nevertheless, sent a
 frigate that entered the port of *Co-
 runna* on the 10th of November, with
 dispatches for Lord *Grantbam*, with
 the answer of the same Court. That
 answer was delivered on the 14th of
 the said month of November; and
 the contents of it were, that the Court
 of London accepted with pleasure the
 mediation of his Catholic Majesty to
 settle the differences that existed be-
 tween England and France, provided
 the latter would withdraw the suc-
 cours and aid it gave to the Colonies.
 As to the articles relative to the reci-
 procal interest of Great Britain and
 Spain, the reply was, that his British
 Majesty was ready at all times, and
 wished earnestly to enter into that dis-
 cussion; and to settle them so as to
 establish reciprocal advantages to
 both empires. The Catholic King,
 in compliance with the tender he had
 made to both Courts, communicated
 to each of them on the 20th of No-
 vember the pretensions, propositions;

and overtures made respectively :
 persuading both of them, with va-
 rious reasonings, to seek means and
 temperaments productive of a sincere
 and honourable reconciliation. At
 the same time a letter was sent to the
 Marquis of *Almadovar*, setting forth
 what follows; viz. " Your Excellen-
 " cy is authorised to settle the mat-
 " ters relative to our own interest, on
 " which important business the ut-
 " most efforts of your zeal must be
 " employed: since the King, who
 " wishes sincerely to preserve the
 " peace, will receive the greatest
 " pleasure, if he sees those differ-
 " ences satisfactorily settled: to the
 " same purpose let your Excellency
 " remind the English Ministry of the
 " generosity of Spain, for its impar-
 " tial proceedings in circumstances
 " so critical as the present ones.
 " But let your Excellency represent,
 " how badly we have been answered,
 " and how ill we are constantly treat-
 " ed by the English navy, as may be
 " ascertained from the insults that
 " our navigators receive almost daily
 " in different parts of the ocean, and
 " in the very ports and places on the
 " coasts of this peninsula. That
 " Court will understand that the
 " greatest protestations of friendship
 " have no force to persuade, while
 " repeated insults are never reprov-
 " ed or chastised, especially after we
 " have been for years exposing to
 " them our grievances in the most
 " cordial open manner, and with the
 " most cautious expressions.
 " Your Excellency is not ignorant
 " of what has been regulated by the
 " preliminaries of the treaty of Paris
 " in the year 1763, in the 16th arti-
 " cle, relative to the English settle-
 " ments in the Bay of Honduras and
 " other adjacent territories. It was
 " there stipulated in positive terms,
 " that, whatever fortifications had
 " been built, they should be demo-
 " lished; and that the English should
 " only be allowed to have some
 " houses and magazines, without be-
 " ing

" ing molested in the cutting or in
 " the carriage of the logwood out of
 " the territories which have always
 " been acknowledged to belong to
 " Spain. Not only that demolition
 " was never performed, but the for-
 " tifications have even been aug-
 " mented; and there is now artillery
 " and garrisons in them: so that
 " those plantations have been con-
 " verted both into a military go-
 " vernment with patents, and by the
 " authority of that Court; and into
 " a permanent colony by the usur-
 " pation of foreign territories, and a
 " formal contravention to the trea-
 " ties."

" Other enterprizes of the same
 " nature have been made in different
 " parts of those extensive coasts; as
 " his Excellency will find related in
 " the papers of his Secretaryship; and
 " his Excellency is likewise desired
 " to take notice of the artful machi-
 " nations made use of by the English
 " to arm the Indians against the Spa-
 " niards. There being no possibility
 " of establishing a solid and sincere
 " friendship, except redress be given
 " for such notorious grievances, and
 " except they be prevented to hap-
 " pen in future, it becomes the
 " Court of London to compensate
 " those injuries according to the dic-
 " tates of equity, and then, others
 " will be laid before the said Court
 " with the same freedom: those re-
 " dresses, however, once granted;
 " England will find no instances of
 " better disposition than those har-
 " boured in the heart of our august
 " Sovereign.

" I have at different periods ac-
 " quainted your Excellency (as I had
 " often done your predecessor in the
 " embassy) of the various insults we
 " received near *Louisiana*; wherein
 " the English, either intigated the
 " Indians, our allies, to raise a re-
 " bellion against us, and to fight
 " us with the arms and ammunition
 " they had put into their hands, or
 " insulted the Spanish plantations

" and settlements, and even threat-
 " ened to attack the capital towns,
 " with their men of war, under the
 " most frivolous pretences, no way
 " excusable. On this head, I shall
 " only add, that extortions have been
 " so continual, that they cry loud
 " for a prompt remedy.

" Finally, your Excellency is well
 " informed of all the insults we have
 " suffered, and which we never de-
 " served, either by our past or pre-
 " sent conduct. Consequently your
 " Excellency will expose our rights
 " with the greatest cordiality and
 " moderation, to the end that the
 " English Ministry may be con-
 " vinced of the rectitude and sin-
 " cerity of our conduct, and of the
 " necessity of settling at once our
 " differences, and of regulating our
 " claims and interest; at the same
 " time stifling whatever may lead to
 " any future discord, for the respec-
 " tive utility of both nations, upon
 " which I refer to the instructions
 " sent to your Excellency. A suf-
 " ficient power has already been in-
 " vested in your Excellency, and a
 " greater one will be given, if neces-
 " sary, the more effectually to con-
 " solidate the friendship of the
 " two Courts; which important
 " point, and that of a general peace,
 " are the two objects, which the
 " magnanimous heart of our Sove-
 " reign greatly longs after. I sup-
 " pose, however, that your Excel-
 " lency will not forget, that we can
 " do nothing whatever against the in-
 " terest of France, whose friendship
 " must always be one of our greatest
 " concerns."

In consequence of the facts and
 transactions already enumerated, the
 world will be convinced of the cir-
 cumsppection, sincerity, and attention,
 with which the Catholic King has
 endeavoured to conclude a peace
 solidly cemented, and to obtain from
 England redress for an infinite num-
 ber of insults. The Court of Lon-
 don, moreover, affects now to com-

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pel his Majesty to take up arms, (a part he has already taken) by renewing the insults, without any appearance of offering redress.

19. The propositions of England, in answer to the dispatches of his Catholic Majesty of the 20th of November, 1778, were not received in Madrid before the 13th of January, 1779, and were the result of a conference held the 28th of December last, between the Marquis of *Almadovar* and the Viscount *Weymouth*.

What has been the conduct of that Minister in this occurrence, may be collected from the following expressions contained in the dispatches, designed as an answer, and directed to the Marquis of *Almadovar*, on the 20th of the same month of January: "I have read to the King (those are the very words) the whole dispatches of your Excellency, as well as the paper delivered to him by Lord *Weymouth*; I have at the same time informed his Majesty of the remarks and observations that Lord *Grantham* has communicated to me, relative to the same object. This Ambassador has put in my hands another paper similar to that which your Minister of State has forwarded by your Excellency; nevertheless, I must say that, neither in the explications of Lord *Grantham*, nor in the dispatches that he received from his Court, are found the substantial and specific expressions, which been made use of with your Excellency, in order induce the King to propose a method of an accommodation.

"Notwithstanding that, I shall tell to your Excellency with freedom and exactness, the reflections made by the King, the resolution he has taken, and the conduct your Excellency should keep to cause it to be understood, and get an answer, and the present dispatches will serve to your Excellency as instructions.

"His Majesty has already remarked, that the Court of London expresses itself differently by word of mouth to what it does in writing; that is to say, by word of mouth, it appears, as if that Court wished for nothing more eagerly, than to hear the convenient and honourable temperament his Majesty has found, in order to accede to it; and in writing, it appears, that the British Ministry persist in their former ideas, expressing only their desire of a peace by general protestations."

Subsequently to the foregoing reflections, others were set down in the said dispatches to the Marquis of *Almadovar*, explaining some thoughts that occurred to his Majesty, with a desire of falling into a prudent and honourable method that might facilitate the pacification. The substance of those ideas was confined to know, whether it might be expected that the English Cabinet would consent to a long continued truce between the belligerent powers and the Colonies, that might be prudently combined, to preserve the dignity of each of them, and consolidated with various precautions, to remove any suspicion of a new rupture; for which purpose it should be referred to a subsequent negotiation, or to a Congress, to be held in an impartial place, under the mediation of the King, for the stipulating or concluding the treaties that might take place between those powers.

20. From the 20th January of this year, when an extraordinary dispatch was forwarded to London, with the ideas or thoughts of the King, as recited in the above number, the English Cabinet deferred giving any answer until the 16th March. At the end of so long a delay, that Court came to an explication in a dispatch sent to Lord *Grantham*, which was received in Madrid the 28th of the same month. It amounted merely to

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advert at large on the reflections contained in that of the Court of Madrid of the 20th January; but it deserves much notice what sort of satisfaction Lord Viscount Weymouth gave, relative to the difference observed between his manner of explaining himself by word of mouth and by writing. *My language* (these are the words of his answer) *with the Marquis d'Almodovar, flowing from my ardent desire for peace, went too far, and were wanting in exactness, if they imported a disposition to exchange the Royal Honour, and manifest rights for a decent exterior, and plausible temperance.* If, with such a finesse, Ministers recede from their words, and satisfy those with whom they treat, what faith or security can be put in the explanations of a Court made solemnly to the Ambassador of a powerful King?

Be it as it may: after all the observations contained in the forementioned English dispatch of the 16th March, it concluded with an appearance which flattered the King with an hope, that at least a pacification would be effected. *Let France propose* (said the English Cabinet) *her complaints, pretensions, or points of any kind whatever, and an adequate answer will be given; or let there be a truce for a certain time between Great Britain and France, during which period the pretensions of the one and the other may be adjusted through the good offices of his Catholic Majesty.*

Let the Colonies (added the English Cabinet) *propose their complaints, and the conditions for their security and caution, by which may be re-established the continuance and authority of a lawful government: we shall then see if we can come to a direct and immediate agreement; or if they also prefer the method above-mentioned, let there be likewise a truce made with North America, that is, a real truce, and effective suspension of hostilities; during which, the liberty and effects of all sorts and classes of persons may be re-established and se-*

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ured, and all violence suspended, on one side and the other, against the respective individuals, and the estates or effects they possess. In these truces, the French may treat of their own peculiar matters, without giving the umbrage, which would be inevitable, if they mixed in the negotiation their own particular advantages with the supposed interests of those whom France affects to call her allies: and his Britannic Majesty may establish the government of his own dominions, without the disagreeable circumstance of receiving the conditions relative thereto from the hands of a declared enemy.

21. It appears by the opening made by the Court of London, in the dispatch mentioned in the preceding note, for the purpose of establishing a truce between France and the Colonies, that it contained no difficulty, except the reserving for a separate treaty the pretensions of the said Power, and those of the American Provinces aforesaid, so that France should not interfere in the arrangement of their interests;—at least, this is what any person of sincerity and good faith would then or even now believe, who read, or now reads the explanations of the English Cabinet in that dispatch. Under this supposition, we shall communicate, for the eye of the impartial public, the ultimatum of the propositions made by the Catholic King to the two Courts of Paris and London, he having taken on himself the adjustment of the disputes subsisting with the American Provinces, and considering there was not time to communicate to them, or even to France, this his resolution, and whereof advice was given to the said Courts on the 3d of April in the present year: that is to say, seven days after the having received the answer of the English Cabinet.

“ If these openings or propositions
 “ (thus literally are the expressions
 “ of the ultimatum) had come im-
 “ mediately after the King had made
 I i “ his,

his, for the forming a plan of reconciliation, many difficulties might already have been removed or ad-justed by the modifications which it might have been practicable to have negotiated, if reciprocal good faith had existed, and a confidence to conclude a peace. But having lost more than two months time, (without mentioning what was neglected before, and observing in this interval, there was no need of cessation in the forming great expeditions or preparations) suspicions inevitably arose, that the drift was to amuse and consume the remaining months of the campaign, and to continue the war with vigour. If this be the case, every attempt of the King will be useless towards establishing concord between the belligerent powers. Nevertheless, his Majesty, to give the last proof of his love of humanity, and that he has not left undone any thing to impede and put a stop to the calamities of war, has commanded that the following plan be proposed to the two Courts, which on his part is the ultimatum of his negotiation.

That with a view that this suspension of hostilities may re-establish reciprocal security and good faith between the two Crowns, there shall be a general disarming, within one month, in all the European seas, within four, in those of America, and within eight, or one year, in those remote parts of Africa and Asia. That in the space of one month, a place shall be fixed upon, in which the Plenipotentiaries of the two Courts shall meet to treat on a definitive adjustment of peace, regulate the respective restitutions or compensations necessary, in consequence of the reprisals that have been made, without any declaration of war, and to settle such matters of complaint or preten-

sion, as the one Crown may have against the other: to the accomplishment of which end, the King will continue his mediation, and does now, for the holding of this Congress, make an offer of the city of Madrid. That a like suspension of hostilities shall be separately granted by the King of Great Britain to the American Colonies, through the intercession and mediation of his Catholic Majesty, to whom the said Potentate shall promise the observance thereof, and with the condition that it shall not be broke, without giving to his Majesty an anticipated notice of one year, that he may communicate it to the said American provinces; and that there be established a reciprocal disarming the same as with France, in the same times and places, regulating the limits that shall not be passed by the one or the other party, with respect to the places they may respectively occupy at the time of ratifying this adjustment.

That for settling these particulars, and others relative to the firmness of the said suspension, and to the effects it may produce while it subsists, there shall come to Madrid one or more Commissioners or Agents of the Colonies, and his Britannic Majesty will send his under the like mediation of the King (if they should be in need of it) to accord or agree in the foregoing, and that in the mean time the Colonies shall be treated as Independent in acting. Finally, if it be desired by all or any of the belligerent powers, or by the aforesaid Colonies, the forementioned powers shall, jointly with Spain, guarantee the treaties or agreements which shall be made: —the Catholic King now makes an offer of his guarantee to the said preliminaries."

Whoever compares these articles with

with the preceding openings made by the Court of London, will decide, if there can be imagined proposals more moderate or more analogous to the system laid down by the British Cabinet.—Perhaps his Catholic Majesty has rather gone too far in the moderation to which he reduced the said propositions, taking on himself the difficult task of settling the disputes.

22. The greatest repugnance which the British Cabinet affected to shew to the ultimatum and propositions of the King of Spain, rests on the point of treating the Colonies as Independent in acting during the interval of the truce.

To what has been already said, may be added, what was affirmed in all the public papers of the month of February, 1773, that Lord North had on the 17th of the said month, proposed in the House of Commons, as a matter of course, “ That the “ Commissioners, then appointed by “ the Court of London, should treat “ with the American Deputies, as “ if they were Plenipotentiaries of “ Independent States; with proviso, “ that this concession should not be “ prejudicial to Great Britain, if in “ the course of the negotiation the “ Colonies should resolve to desist “ from their claim of Independence.”

It is a thing very extraordinary, and even ridiculous, that the Court of London treats the Colonies as Independent, not only in acting, but of right, during this war, and that it should have a repugnance to treat them as such, only in acting during a truce or suspension of hostilities. The Convention of Saratoga; the reputed General Burgoyne, as a lawful prisoner, to suspend his trial; the exchange and liberating of other prisoners made from the Colonies; the having named Commissioners to go and supplicate the Americans at their own doors; request peace of them, and treat with them and the Congress; and finally, by a thousand other acts

of this sort, authorized by the Court of London, have been, and are true signs of the acknowledgment of the Independence: and the English nation itself may judge and decide, whether all those acts are so compatible with the decorum of the British Crown, as would be the granting to the Colonies, at the intercession of his Catholic Majesty, a suspension of hostilities, adjust their differences, and treat them in this interval as Independent States.

23. It must appear incredible, after having considered the preceding articles, that the Court of London should refuse to accept of the propositions of the ultimatum of that of Madrid, although with some explanations that it might think necessary; but that Court not only rejected them, in its answer given the 4th of May, after various pretexts for delay, but put forth indirect and strained interpretations of the proposals that were then made, having the effrontery to say, that “ the drift of Spain was “ to form, from the pretensions of “ the Colonies to Independence, one “ common cause with them and with “ France.”—The British Cabinet concluding, with saying, “ That if “ the conditions which the Court “ of Versailles had communicated “ to his Catholic Majesty, did not “ present a better aspect than this “ for the treaty, or did not offer “ less imperious and unequal terms, “ the King of Great Britain would “ only have to lament, that he found “ the hopes frustrated, which he had “ always conceived of the happy restoration of peace, as well for his “ subjects as the world in general.”

If this is not a want of respect to the mediating King, a real provocation, and evident in consequence, it will be difficult to find expressions more adapted for it. Neither did his Catholic Majesty make a common cause with France and the Colonies in his last proposals, nor were they made to France, to whom they

were not, nor could not, for want of time, be communicated, before they were transmitted to the Court of London; so that the whole apparatus of those haughty expressions of the English Ministry amount merely to say, that in spite of the overture made by themselves on the 16th of March, they preferred war to peace, or treating with the forementioned mediator, whom they provokingly insulted, treating him as partial, leagued with the enemies of Great Britain, imperious, and inconsistent.

In aggravation to all the foregoing, at the same time the British Cabinet answered the King of Spain in the terms already mentioned, they were insinuating themselves at the Court of France, by means of secret emissaries, and making very great offers to her to abandon the Colonies, and make peace with England. But there is yet more: at the very same time, the English Ministry were treating, by means of another certain emissary, with Doctor Franklin, Minister Plenipotentiary from the Colonies, residing at Paris, to whom they made various proposals to disunite them from France, and to accommodate matters with England, on conditions almost identically the same as those which they had rejected or spurned at, as coming from his Catholic Majesty, but in fact with offers much more favourable to the said Colonies. The said treaty went so far as to be extended in formed articles, with various explanations; and was carried on under the authority of one of the principal English Ministers. Of all this, and much more, it would be easy to inform the public, by true and formal copies, if it were necessary, or that this implacable enemy hereafter obliges it to be done, and who has always been treated by Spain with the greatest moderation.

24. The true intentions of the Court of London being clearly discovered, the Catholic King could not longer withhold the putting in full force the

treaties concluded with France. From what has been observed in the preceding note, it evidently follows, that the whole of the English policy was to disunite the two Courts of Paris and Madrid, by means of the suggestions and offers she separately made to them; also to separate the Colonies from their treaties and engagements entered into with France, induce them to arm against the House of Bourbon, or, more probably, to oppress them, when they found (from breaking their engagements) they stood alone and without protectors or guarantees for the treaties they might enter into with the British Ministry. This, therefore, is the net they laid for the American States; that is to say, tempt them with flattering and very magnificent promises to come to an accommodation with them, exclusive of any intervention of Spain or France; that the British Ministry might always remain the arbitrators of the fate of the said Colonies, in the point of fulfilling any treaties or agreements they might make. But the Catholic King, faithful, on the one part, to the engagements which bind him to the Most Christian King, his nephew; just and upright, on the other, to his own subjects, whom he ought to protect and guard against so many insults; and finally, full of humanity and compassion for the Americans and other individuals who suffer from the calamities of the present war, he is determined to pursue and prosecute it, and to make all the efforts in his power, until he can obtain a solid and permanent peace, with full and satisfactory securities that it shall be observed.

25. To attain, as before-mentioned, the much-desired end of a secure peace, it is absolutely necessary to curtail and destroy the arbitrary proceedings and maxims of the English maritime power; to the attainment of which, all other maritime powers, and even all nations in general, are become much interested. The Catholic

tholic King, for his part, has done all he possibly could, that the insults founded in such proceedings and maxims should be put an end to, but this he has not been able to effect by amicable means. On the contrary, injuries have been repeatedly continued, as has been represented in the negotiation set on foot with England by the mediation of the said monarch. The Court of London has become forgetful, in these later times, that she should have adjusted and settled her differences with Spain according to agreement. In the same month of May, in which this negotiation was put an end to, there came advices of the violences committed by English ships and their crews in the river St. John, and Bay of Honduras, (of which mention has been made in note the first) and it was known also, with great probability, that the English Cabinet had given anticipated orders for the invasion of the Phillipine Islands. From such deeds, as well as from the foregoing, the impartial and candid world will be enabled to do justice in this famous controversy, and decide whether the declaration presented by the Marquis of *Almadovar*, the 16th June last, is founded in reason and truth. In the mean while it should be observed,

that the Court of London, on the 18th of said month, issued orders for commencing and committing hostilities, and making reprisals against Spain, who did not issue similar orders till after she had received advice thereof *.

A serious ADDRESS to the People of Pennsylvania, on the present situation of their affairs. To which is prefixed a particular ADDRESS to the Quakers, &c. †

To the Quakers, Bethlehemites, Moderate Men, Refugees, and other the Tories whatsoever, and wheresoever, dispersed. PEACE.

I entered into the American contest from a love of my fellow-creatures. Lamenting as a Philosopher the consequences of my conduct as a citizen, while I strove to expel despotism, I wept over the victims of ambition. That principle which first prompted me, remains unaffected, nor can I except from amongst men, even those who are my enemies. Equally capable of freedom with others, it is my earnest prayer that you may equally deserve it. The effects of prejudices are known, and humanity calls on us to remove it, if possible; for the same bosom which

* When the foregoing State-Paper was nearly printed off, we received, and had before seen copied into various public newspapers, the answer which the British Ministry gave to the declaration presented in London by the Marquis *d' Almadovar* at the time of his taking leave of that Court. The impartial and judicious world will adjudge to the said answer the degree of merit and value which it deserves, after having read with attention the same declaration, with the foregoing notes which strengthen it: in which are seen, the truth, the probity, fair dealing, and rectitude of the Spanish Cabinet; who are emboldened to ask of all Europe, if it believes there be a possibility to preserve a true friendship, depend upon a sincere negotiation, or conclude with open-heartedness any treaty, with those who possess sufficient serenity to deny or disfigure facts so well proved, so clear, and so positive as those stated and made public in the present notes.

Done at Madrid, by order of the King, 1779.

† This and the following pages to contain a copy of a pamphlet, lately published at Philadelphia, under the above title. In the advertisements, in the American Newspapers, it is said to be written by the Author of the *Farmer's Letters*. flowe

flows with indignation against guilt, melts in pity of ignorance. But I intreat you to remember, that men who shut their eyes against the light, as they will deserve, so will they receive a double measure of punishment.

That it is the will of Heaven, mankind should be free, is evidenced by the wealth, the vigour, the virtue and consequent happiness of Free States. And the idea that Providence will establish such Governments as he shall deem most fit for his creatures without their efforts, is palpably absurd. Did he overturn the walls of Jerusalem by the mere breath of his mouth, or did he stir up the Romans to add Judea to their other Provinces? In short, is not his moral Government of the earth always performed by the intervention of second causes? How then can you expect that he should *miraculously* destroy our enemies, merely to convince you that he favours our cause? Sufficient notifications of his will are always given, and those who will not then believe, neither would they believe though one should rise from the dead to inform them. Trace the progress, and mark the incidents of the war, and you will see evident tokens of providential favour. For whether our success be owing to the folly of our opponents, or to any other immediate cause, we are equally indebted for it to the bounty of Heaven. Many of our measures, which you perhaps justly considered as unwise, have, by an amazing coincidence of circumstances, become the corner-stones of Independence. And on the other hand, many of the enemy's most brilliant successes, which made your hearts to sing for joy, have produced to you nothing but bitterness and woe.

I am led to these reflections and to this address, partly from perceiving and more from being informed, that you derive pleasing hopes from the following circumstances: First, the

taking of Georgia. Secondly, the calumnies against Congress, and supposed divisions among them. And Thirdly, the symptoms of discontent, lately exhibited by the Executive Council of Pennsylvania. I shall take notice of these in their order, make some short observations on public affairs, and then leave you to judge. I exhort you to read with attention, and to determine with that coolness which is due to a subject so important to your welfare, perhaps your existence.

The expedition against Georgia was dictated by the necessities of the British army, and the danger of their own dominions. In the first case, they expected considerable supplies of rice for an army, and for islands, in a starving condition. In the second, they laboured to establish a barrier between these States and East-Florida, the better to secure that latter, and thereby in case of a war with Spain, check the free navigation of the gulf of Florida, through which the treasures of the new world are conveyed to Europe. The consequences are, first, to inspire your brethren in the Southern States, and thereby to purge them of men who would have been pernicious members of a free society. These men will be justly stripped of that property and those rights which they have not spirit to contend for, and by banishment, poverty, and lasting remorse, expiate the guilt of endeavouring to subjugate their fellow-citizens. Secondly, this expedition will rouse the States of North and South-Carolina. They will derive from it that energy which is acquired in a state of war, and which produces obedience and subordination so necessary to society in a state of peace. But thirdly, what is of more importance to such of you as dwell in the middle and eastern States, is, that by dividing the force of your friends, whatever may be the lot of those wretches who

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are doomed to wrestle with a baneful southern clime, it renders their army at New-York less efficient, and consequently less capable of assisting you.

As to the calumnies against Congress and supposed divisions in that body, you are greatly, though not altogether mistaken in the latter fact, and at any rate draw from it very false conclusion. The late abusive writings shew indeed the illiberality of the respective writers, but by no means impeach those against whom they are directed. Being equally indifferent to the several performers, I wish not to balance their respective merits. This is certain, that Billingsgate language marks at most a Billingsgate education, and among those who know the real value of such performances, the reputation of a virtuous citizen will not suffer more from the scurrility of a news-paper, than from the nervous diction of an oyster-wench. The licentiousness exhibited on these occasions, demonstrates the existence of liberty, which is a pleasing consideration to those who have a value for it. And although such productions may offend individuals, yet they are not without use to society, in like manner as the blasts of winter, though keen, are wholesome. We may further deduce from it the fallacy or rather falsity of what was once a favourite position among you, that people did not dare to utter their sentiments; neither is it unworthy of your attention, that the various attacks upon Congress have not drawn the least notice from that body. From hence it is to be concluded, that they have a well-founded confidence in themselves, for did the shaft stick, it would make the body sore. And nothing is truer than this, that little minds are more resentful than great ones, and truth more resented than falsehood. From some acquaintance and good information, I will venture to add, that the present Congress,

considered in the double view of abilities and integrity, is at least as respectable as any which hath yet been assembled. Let it not be concluded from this, that I conceive the individuals of that body to be of a superior nature. They like other men are subject to passions, prejudices, weaknesses, and the influence of the elements, and since the Deity chose one Judas among twelve disciples, it cannot be wondered at, if among a much greater number, some few should be charged with peculiar pravity. But this by no means militates against the general observation.

To say there are divisions in Congress, is only saying in other words that it is a popular Assembly. Different views of the same subject naturally lead men to differ in sentiments. Personal connections excite personal emotions, and the conflict of such emotions sometimes produces personal altercation. The heats inevitable on such occasions seldom evaporate within the walls of one House, but stimulated to bitter observations easily credited, because they flatter a self-importance, which is uneasy at any kind of superiority. Perhaps you will ask how it happens that such things did not exist formerly? They did; but the public dangers and distresses taught men to keep more secret those things which they readily divulge in an hour of greater security. The appearance of such divisions, therefore, in personal matters, are striking marks of national prosperity, and you will find, that however the Members of Congress may disagree about who shall be in and who shall be out, they will be firmly united in refusing to accept the Independence Great Britain is about to offer, and insist on a clear, explicit, and pointed acknowledgment of it in the most extensive sense, previous to any treaty whatsoever.

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For what regards the dispute between the Executive Council of this State and Congress, it is, as far as your views may be served by it, the most trifling of all things. Stimulated by a laudable zeal to discover public abuses, their suspicions were turned to one to whose gallantry America is much indebted. Greatness and weakness are sometimes nearly allied. That spirit which carried him in triumph over the fields of honour, induced a want of respect for Magistrates, to whom he did not deem himself accountable. Charity bids us believe that conscious innocence inspired an elevation which he would not have felt under the pressure of guilt. Perhaps also it was regard to the privileges of his brother soldiers which rejected submission to other than a military tribunal, when his conduct as an officer was arraigned. These and many other reasons, doubtless, suggested themselves to the Council, and had they been at liberty to obey those dispassionate sentiments which embellish their high office, his refusal might perhaps have been disregarded. But on the one hand, attachment to the interests of America, and on the other, divisions in their State, and doubts about their authority, which naturally rendered them more jealous of it than those to whom dignity and power are familiarized, these motives would not permit a moment delay in pursuing the interests and vindicating the majesty of the people. Perhaps there may have been some little personalities concerned, though the reverence which is due to the Supreme Executive of an Independent State, opposes the idea. But be this as it may, Congress seems to have viewed the matter somewhat differently from the State. Conscious of possessing the love and respect of their countrymen in arms as well as of others, they were not open to angry impressions, which indeed are of little use

either in public or private life. Affection also for an army which hath served them so faithfully, so generously, might raise some prejudices in favour of its Members; as an indulgent parent smiles at the petulant vivacity of a favourite child. They did not, therefore, catch the resentments of the Council, and though determined to support the authority of a State, they were not eager to blemish the reputation of a worthy soldier. The Council, probably influenced by good reasons, which they will undoubtedly declare at a proper time, came to certain resolutions which they have published and transmitted to the several States. But this little feverish ebullition, and the ridicule which many have attempted to cast upon it, can do no good to you. The Assembly of Pennsylvania, which by their constitution is of real importance, acts in perfect harmony with the Congress. And depend upon it, whatever your leaders may flatter you with, the Whigs of Pennsylvania will not engage in any dispute with the representative body of America, to the prejudice either of the acknowledged rights of that body, or of the privileges of those brave citizens who have drawn their swords in the cause of Freedom.

And even if any such dispute should exist, can you suppose, that in case of necessity, the President of that State would hesitate a moment to head his militia? That he would not instantly take the field with his wonted alacrity? That he would not fight under the banners of America with his former zeal? Those who know him know better. It would be equally absurd for you to suppose that the Council are disposed to promote public divisions, in order to favour the negotiations of the enemy. Do not dwell on the mysteriousness in Doctor Berkenhout's affair. It is nothing new that an artful man should impose upon the unsuspecting. Hon-
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nefty and knowledge are very different things, and of the two, the former is the most amiable.

As little ground have you for hope in the depreciation of the Continental money. You know that this is in a great degree to be attributed to the arts of interested men, whose efforts to acquire it shew their conviction of its value. I know it hath been a fashionable doctrine, that after the emissions should amount to a certain sum, the bubble, as the phrase was, would burst. But the absurdity of this to men acquainted with human nature, was evident. The reasons are needless, because we may appeal to experience, to shew whether there is the least danger of this event. When two emissions were called in, and every method, consistent with justice and good faith, taken to stop their circulation, those who had principally contributed to depreciate the money, were the very persons who continued to receive the vicious emissions. For as soon as it became a question, whether they should lose not the value, but merely the use of so much money, they made every effort to uphold the credit of it. A few days ago, when a report prevailed of the arrivals of some favourable intelligence from Europe, such of you as are in this city cannot but remember the rapid fall of every article, specie not excepted. Hence the deduction is clear, that the money issued by Congress is intrinsically worth what they contend, but is depreciated by the quantity in some degree, and more by the arts of engrossers. Take the familiar proposition, that a country will easily bear taxation to the amount of some given part of the circulating medium, suppose a tenth, though in fact one-fifth may be raised among a free people, and you will see that, let the paper medium be increased to any degree, it may be sunk in a short period.

Not pretending to great knowledge of national secrets, and little desirous of communicating whatever of this kind it hath fallen to my lot to know, I shall reason with you on these things as I have reasoned for myself, and I trust the event will verify my conclusions. And first, I consider it to be manifestly the interest of every Court in Europe to foster our Independence, because it is in effect the dividing a great empire, whose power was formidable, and whose insolence was insupportable.

Beginning with Russia; iron, potash, and such other commodities as that country produces in common with this, will now have equal advantages at the London market, because no bounties will in future be granted to Parliament to the produce of these States. Sail-cloth and the other articles produced there and consumed here, will come hither directly from thence, and in direct return they will take our rice and tobacco; the commercial advantages of which are evident, not to mention the increase of naval force they may expect from it. Add to these solid reasons of national interest, the personal character of the Empress. This is strongly marked by benevolence and the love of that fame which results from contributing to the happiness of mankind, a disposition evidenced by giving to her subjects all the liberty they are at present capable of. These considerations will naturally lead you to the answer filled with disdain, which she gave to a proposal of the British Ambassador, requesting her troops to subdue us. "My glory shall never be tarnished by the infamy of oppressing those who only contend for freedom and justice." They will also account for her refusal to accede to subsequent propositions from our enemies, the most disgraceful to them, as well as apparently advantageous to her.

The spirit of the State reasons
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abovementioned applies generally to all the Northern Courts, and it must be observed, that the lesser will be very cautious how they contravene the views of the greater. As to Denmark, her imbecility is the best possible reason why she should not side with the weaker party, especially when she holds the little of her West-India possessions as a tenant at will to the maritime powers.

Sweden, the faithful ally of France, if she acts at all, will certainly take part in our favour, and with twenty ships of the line ready at a moment's warning, is in capacity to afford us no inconsiderable aid.

Prussia and Austria, equally desirous of becoming maritime powers, equally desirous to obtain for that purpose a share of the American commerce, and actually at war with each other, will neither of them be willing to send force against America. Nor will the smaller German powers dare to weaken their dominions, by the loss of a single soldier, whilst the Emperor and the King of Prussia are armed in motion, and in capacity to swallow them up.

Of the United Netherlands and Italy nothing need be said, unless that a strict neutrality may be depended on from them; the reasons of which are obvious.

France is already at war with Great Britain for American Independence; and those who know the connection between the Courts of Versailles and Madrid, their enmity to that of St. James's, and their national interests, cannot but perceive that Spain will soon be joined in this contest, unless it be terminated agreeably to our wishes.

Hence then it is evident, either that we shall immediately conclude a safe and honourable peace, or that Great Britain must carry on the war alone, and unsupported against France, Spain, and America; in which case the two former will give every aid in their power, to our trade and

finances; so that on the whole no well founded doubt can exist, that the Continental currency will rise greatly in its value, and that the independence and safety of America will be established on the firmest foundation.

Convinced as you may be of these things, what ought your conduct to be? You cannot pretend to plead conscience on this occasion, because the success of our measures being apparent, it is on your own principles the will of God, to which you are conscientiously bound to conform. If you oppose your countrymen, you may indeed encourage the enemy, and thereby lengthen out the contest, in which case you yourselves shall determine, whether you will not in some degree be answerable for the consequences. You have seen enough of war to wish a termination of it. You have sense enough to perceive that you can live happily under those Governments which you wished in vain to prevent. You ought to fear, that if the enemy perform their threats of wasting our country, your persons may become obnoxious to the vengeance of your fellow-citizens, and your estates be applied to compensate the ravages committed on theirs. Take then the council which I again declare to you, is dictated by humanity. I wish sincerely the happiness of all mankind. I wish sincerely the prosperity and glory of the United States. And as sincerely I wish for peace. May Heaven grant it us, to you, and to all.

AN AMERICAN.

A serious ADDRESS to the PEOPLE of PENNSYLVANIA, on the present situation of their affairs.

Unwilling as I have been to have my attention called from the great object of the Continent, I now find it necessary to pay some regard to the peace and safety of the State I live in. The harmony of the whole is composed

composed of the harmony of its parts; and in proportion as any of them is disordered, the collective force will be weakened, and the general tranquility disturbed. I do not offer this as an apology, but as an *additional reason* for my address; because as a freeman of Pennsylvania, it is both my right and my duty to render every service in my power for its happiness. Yet that I might, at no time, narrow the public sphere in which I endeavoured to serve the greater cause, I willingly declined the exercise of every privilege in the lesser one. I have never given a vote at any election, or on any provincial question, or attended any meeting for that purpose, since the great question of Independence in seventy-six. I contented myself with making my point against the common enemy, and feel concerned that the unnecessary contentions of this State, should call me a moment from that object.

I well know that when men get into parties, and suffer their tempers to become soured by opposition, how tempted they are to assign interested reasons for other people's conduct, and to undermine the force of their reasonings by sapping the reputation of the person who makes them. Therefore, the writer of this, by way of precluding all such insinuation, thinks it proper to declare, that he can boldly look all men in the face, and challenge them to say or to hint, that he ever made profit, place or power his object. He has studied to be useful, and believing that he has been so, feels all that honest kind of civil independent pride which naturally accompanies a willing disinterested mind.

Thus much by way of preface. And I now proceed to a concise and candid enquiry into the rise, reasons, and consequences of the present disagreements; for as a great part of the happiness of any people depends on their good temper with each other,

so whatever tends to consolidate their minds, remove any misconceived prejudice, or illustrate any controverted point, will have a tendency to establish or restore that happiness. I mean to draw all my conclusions from fair reasonings, and to rest nothing on the arrogance of opinion, or the vanity of assertion. Perfectly cool and unfretted myself, I view the matter rather than the parties, and having no interested connection with, or personal dislike to either, shall endeavour to serve all.

The present dissensions of this State took their rise in the latter end of the year seventy-six, immediately after the breaking up of the Convention which formed the Constitution. A principal, if not a greater part of the militia, under the title of Associators, was then out of the State. I believe I am within compass, when I say, that the number which marched into the Jerseys, first and last, at that time, was not less than fifteen or sixteen thousand men. They were young soldiers, it is true, but the ardour with which they turned out, and the circumstance they turned out upon, *viz. to support the DECLARATION OF INDEPENDENCE*, fully proves the disposition of this State to that measure, because there was then nothing compulsive, and every man marched a volunteer. They expected the whole State to be afterwards formed into a legal equal militia, and under that hope put up with the then present inconveniencies, And I cannot help in this place remarking, that the proposals which were afterwards made for continuing the association in preference to the law, however well they might be intended, wore an appearance of being impolitic and unjust; impolitic, because it was disheartening men by service unnecessarily repeated; unjust, because it was riding a free horse to death, to rest, not a tired, but an idle one. A militia law, is neither more or less, than an

undistinguished *association* of the whole, confirmed by legal consent and authority. There are three sorts of men in every State; the willing and the able, the willing and *not* able, and the able and *not* willing. I extend the idea of ability as well to situation and circumstance, as to health and perfection of body. The law gave relief to the first by a rotation of service; to the second by affording him a legal equivalent, or a legal exemption, as his case might be, and compelled the third to draw in equal proportion with the other two. But to return—

The manner in which the Constitution was formed, is so perfectly clear and regular, that it does not admit of an objection. A deputation from the Committee of each county in the State met in Philadelphia, to agree upon the number the Convention should consist of, the time they should meet, and the manner in which they should be elected. No person was excluded from voting; but those who chose to exclude themselves; and in that case, they either shew themselves unworthy of the privileges of an elector, or confiding in the justice and judgment of the rest, signified their consent in the election. I happened to be among the latter, for I gave no vote, neither did I know the ticket for the city till it was public.

The particular form of a Constitution had not then been made a matter of controversy; so that the members met unbiassed, unprejudiced, and unawed by party influence, and under all the advantages of cool deliberation. They had the wisest and ablest man in the State, Dr. Franklin, for their President; whose judgment alone was sufficient to form a Constitution, and whose benevolence of heart would never concur in a bad one.

Though by way of narration I have hinted at the authority by which the Constitution was formed, yet that

which principally concerns us is, whether it is a good one or not; whether it shall be changed, altered or confirmed; whether the defects, if any, are of sufficient importance to justify the expence and trouble of a Convention extraordinary; or whether they shall remain as matters to be discussed and remedied in the manner and form which the Constitution has provided: and lastly, whether the State will be more unanimous under a change than without it. I conceive that if any of these points can be made clear, that the controversy ceases, and unity takes place from a kind of reasonable impulse.

The cry of slavery and tyranny has been loud and frequent; and the danger ought to be great indeed, when those who never yet drew their swords against the common enemy, should see the necessity of threatening it against the Constitution. The Constitution has been loaded with the darkest character, and the supporters of it with the most opprobrious names. It is full time to know whether these things are true or not. If true, the multitude will see the necessity of uniting for relief. If not true, it is fit they should be undeceived. In the one case the gentlemen who first promoted the opposition will be thanked; in the other, they will at least deserve the punishment of a public reprimand; for the peace of a State is something too sensible to be tortured, or sacred to be trifled with.

Before I enter on the controverted parts of the Constitution, I think it necessary to offer a few preliminary observations.

First, That let the Constitution have been formed this way or that, objections, at that time, would have been raised against it. All those who were against independence would have objected against *any* Constitution, because, not daring to attack the declaration of independence itself,

they would have attacked the Constitution as an outpost, and fought through it under the security of a covert way. Besides which, the diversity of opinions and judgments, which always takes place on a new measure, the unaccountable proneness of some men to censure every thing not their own, and the fretfulness of others at not being elected, would have sifted off a party, which becoming an asylum to every future discontent, would have vented itself against any form of Government that might at first have been instituted.

Secondly, It is the interest of all the States, that the Constitution of each should be somewhat diversified from each other. We are a people upon experiments, and though under one continental Government, have the happy opportunity of trying variety in order to discover the best. It does not appear that any form of Government yet known in the world has answered the pretences of its institution. The Greeks and Romans became slaves. All forms have failed in producing freedom and security: therefore to object against the present Constitution, because it is a *novelty*, is to give one of the best indirect reasons for trying it that has yet been given; because as all have been defective, that which shall *not* be so, *must be a novelty*, and that which is *not a novelty*, *must be defective*. By diversifying the several Constitutions, we shall see which State flourishes the best, and out of the many posterity may choose a model, and while the diversity lasts, all men may be pleased by residing in that which they like best. I could wish that every Constitution, as it is now formed, might be tried for any reasonable number of years. The increase of population under each Constitution will determine its goodness; for that which is most liked, will be best peopled, and population is the mother of wealth. Form a Constitution with such dis-

tinction of rights, as shall expel the poor, or cause them to draw off into other States, and the rich will soon supply their places by becoming poor themselves; for where there are none left to labour, and but few to consume, land and property is not riches. An aristocratical Government in any of the States of America, would soon become a democratical one. The poor would quit it, and of course the aristocracy would expire in a democracy of owners. Such a State will not only become impoverished, but defenceless, a temptation to its neighbours, and a sure prize to an invader. Men who either do not, or by some fatality cannot penetrate deep enough into consequences, may please themselves with an idea of a distinction of rights in point of fortune; but it is the worst policy they can pursue. They will decay under it. The rental of their lands, instead of rising, will decline, and their assumed distinction of rights cease to exist, from the want of objects to exercise it over. Greatness is nothing where it is not seen, and a land of Lords would be a land of beggars. Why are the petty Lords and Princes (as they call themselves) of Germany poor, but because they have established Governments with such a tyrannical distinction of rights, that the poor being poor for ever, either desert the country, or, remaining in it, can afford to pay but little for the lands, and less towards the revenue. There is a peculiarity in the temper of the present times, that requires to be consulted. The idea of freedom and rights is high, and men who have yet to settle, will naturally choose to do it where they can have a vote in the whole Government, in preference to where they can only have it for a part. The true policy of constructing Constitutions in a young country, is to calculate for population. The strength, the riches, the defence of a State rest upon it. We feel a scarcity

scarcity of labouring hands at this time, on account of the war, and any distinction of rights which should produce the same effect, would continue the evil. I have heard it advanced, by those who have objected against the present Constitution, *that it was a good one for a poor man*. I reply, that for that very reason it is the best Government for a *rich* one, by producing purchasers, tenants and labourers, to the landed interest, and consumers to the merchant; besides which, to live in a country where half the people are deprived of voting, is to live in a land of mutes from whom no honour can be received. As a rich man, I would vote for an open generous Constitution, as the political means not only of continuing me so, but of encreasing my wealth; and as a poor man, I would likewise vote for it, for the satisfaction I should enjoy from it, and the chance of rising under it. I am not pleading the cause of the one against the other in either case; for I am clearly convinced that the true interest of one, is the real interest of both. Neither am I in this place considering Constitutions politically as to Government, but naturally as to consequences, and showing the effects that will follow, whether men think of them or not. As a political question, it has been hackneyed with a repetition of arguments, but as an interested one, common to all, it has not yet been touched upon. The debaters have been chasing each other these two years like the flyers of a jack, without either enlarging the circle they moved in, or gaining ground in the pursuit.

Riches in a new country, if I may so express it, differ exceedingly from riches in an old one. In the latter it only shifts hands, without either encreasing or diminishing; but in the former, there is a real addition of riches by population and cultivation.

To digress a little from the point before me, I would remark, that there

are three distinct ways of obtaining wealth in a new country. Creating it by cultivation; acquiring it by trade; and collecting it by professional employments. The first is the fountain head; the second, the streams which distribute it; and the third, a kind of ponds which are supplied by drainage; in some instances they may be called pits and swamps, and when they are really useful and beautiful, may be stiled canals. The two former, that is, cultivation and trade, can neither be too large, too numerous, or too extensive; but the last may be all three. They may multiply till society becomes a bog, and every thing chill with an ague. Among the latter I reckon authors and lawyers; I put authors first, because their field is larger, and their chance of doing good or hurt is more extensive. Apologizing for the expression, it would be a blessing to mankind, if God would never give genius without principle; and in like manner would it be a happiness to society, if none but honest men were suffered to be lawyers. The wretch who will write on any subject for bread, or in any service for pay, and he who will plead in *any* case for a *fee*, stands equally in rank with the prostitute who lets out her person.

Thirdly, Having under the second head considered a Constitution as a matter of interest common to all, I shall under this head consider it politically on the same scale of common good.

If we attend to the nature of freedom, we shall see the proper method of treating her; for, to use a new expression, it is the nature of freedom to be free. If the ancients ever possessed her in a civil state, it is a question well worth enquiring into, *Whether they did not lose her through the bolts, bars, and checks under which they thought to keep her?* An injudicious security becomes her prison, and, disgusted with captivity, she becomes

comes an exile. Freedom is the associate of innocence, not the companion of suspicion. She only requires to be cherished, not to be caged; and to be beloved, is, to her, to be protected. Her residence is in the undistinguished multitude of rich and poor, and a partizan to neither is the patroness of all. She connects herself with man as God made him, not as fortune altered him, and continues with him while he continues to be just and civil. To engross her is to affront her, for, liberal herself, she must be liberally dealt with. In absolute countries she is violated into the concubine of an usurper; and in the motley government of Britain, she is held a prisoner of state, and once in seven years let out upon parole. At other times her image only is carried about, which the multitude, a stranger to her person, mistakes for herself.

As America is the only country in the world that has learned how to treat religion, so the same wisdom will shew how to treat freedom. Never violate her, and she will never desert. 'Tis her last residence, and when she quits America, she quits the world. Consider her as the rich man's friend, and the poor man's comforter, as that which enlivens the prosperity of the one, and sweetens the hard fate of the other. And remember, that in all countries where the freedom of the poor has been taken away, in whole or in part, that the freedom of the rich lost its defence. The circle has ever continued to contract, till lessening to a point it became absolute. Freedom must have all or none, and she must have them equally. As a matter of political interest only, I would defend the freedom of the poor out of policy to the rich. *There* is the point at which the invasion first enters, the pass which all without distinction ought to defend, and, that being well defended and made secure, all within is

at rest. First goes the poor, next the tradesman, then the men of middling fortunes, then those of liberal fortunes, till at last some one without any fortune at all, starts up, and laying hold of the popular discontents, tyrannizes over the whole, and under the pretence of relieving them.

This is the natural progress of innovation, whether began by design or mistake. I mean no personal application by these remarks, but there is a leading feature in the complexion of the opposition which requires to be explained. It is objected by some of them, that the Constitution *is too free*. Do the objectors mean that *they* are too free? If that is the case, the Constitution, out of justice to their children, will not suffer them to throw away their portions. But I deny the possibility of a Constitution being too free in point of equality of freedom. It is its equality that makes it safe, and the suspicion of danger therefrom is too illiberal a thought for any man of merit, spirit, education, or fortune to avow. The fear has its origin in meanness, not in pride, for pride would scorn it. We often mistake the operation of those two distinct passions upon the mind, and call the one the other. That Constitution which should exclude the poor would be a *mean* one, and that which should exclude the rich, would be a *proud* one. The former would be a private pilfering, and the latter a bold injustice; for as in either case it is a theft, the difference of the objects attacked would characterise the attempts. Set my wit against a child! *No*. If I set it at all, it should be against my match.

In a former part of this paper I have used the term a *generous Constitution*. By a generous Constitution, I mean a just one; and by a just one that which considers mankind as they came from their Maker's hands—

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a *meer man*, before it can be known what shall be his fortune or his fate; and freedom being secured in this first and naked state, is for ever secured through every possible change of rich or poor. This perhaps would be a *novelty*; but I will venture to pronounce it that kind of novelty which bids the fairest to secure perpetual freedom and quietude, by justly recognizing the equal right of all, and affording no provocations to a part. Rights are permanent things, fortune is not so; therefore the uncertainty and inequality of the latter, cannot become a rule to the certainty and equality of the former. Freedom and fortune have no natural relation. They are as distinct things as rest and motion. To make freedom follow fortune, is to suppose her the shadow of an image on a wheel—a shade of passage—an unfixable nothing.

The toleration act in England, which *granted* liberty of conscience to every man, in religion, was looked upon as the perfection of religious liberty. In America, we consider the assumption of such a power as a species of tyrannic arrogance, and do not *grant* liberty of conscience as a *favour*, but *confirm* it as a *right*. And in so doing, we have in point of justice exceeded every part of the known world. This is the case in the present Constitution of Pennsylvania; and I believe it is nearly the same every where else.

The contention about religious freedom has ceased in America by being universally and equally established, and every dispute about civil freedom will likewise cease under the same sovereign cure. 'Tis the inequality of rights that keeps up contention. As in religion, so in civil rights, every man naturally stands upon the same plane, and the inequality of merit and fortune afterwards will point out the propriety of elections. Merit without fortune

will be attended with inconvenience, and fortune without merit will be incapable of the duty. The best and safest choice is where they are handsomely united. There is an extent of riches, as well as an extreme of poverty, which, by narrowing the circle of a man's acquaintance, lessens his opportunities of general knowledge. The opinions of the former will be chiefly drawn from books and speculation, and those of the latter from traditionary tales. But the man who by situation is most likely to steer right, is looked for in the practical world. The knowledge necessary for raising and applying a revenue with the greatest ease is drawn from business. It is itself business. And that dignity and benevolence in the spirit of laws, which scorns to invade or to be invaded, being the effect of principle refined by education, may be equally sought for in the practical or speculative circle. Two or three lawyers to assist in the technical arrangement of the laws, and prevent clashing in the parts, is highly necessary; but as their future support arises from defects, they require to be looked after, lest they should introduce them. Lawyer and a gentleman are characters but seldom in conjunction. When they meet the union is highly valuable, and the character truly respectable. But the perpetual friction of right and wrong in the common practice of the law, have a natural tendency to rub off those fine feelings which should distinguish the gentleman.

There are some points so clear and definitive in themselves, that they suffer by any attempt to prove them. He who should offer to prove the being of God, would deserve to be turned out of company for insulting his Maker. Therefore what I have or may yet offer on the equality of rights, is not by way of proof but illustration.

I consider freedom as personal property. If dangerous in the hands of the

the poor from ignorance, it is at least equally dangerous in the hands of the rich from influence; and if taken from the former under the pretence of safety, it must be taken from the latter for the same reason, and vested only in those which stand between the two; and the difficulty of doing this shews the dangerous injustice of meddling with it at all, and the necessity of leaving it at large. Wherever I use the words *freedom* or *rights*, I desire to be understood to mean a perfect equality of them. Let the rich man enjoy his riches, and the poor man comfort himself in his poverty, but the floor of Freedom is as level as water. It *can* be no otherwise of itself, and *will* be no otherwise till ruffled by a storm. It is this broad base, this universal foundation, that gives security to all and every part of society.

With this definition in view, I consider freedom to be inseparable from the man as a man; but it may be finally forfeited in the criminal, or the *exercise* of the right may cease in the servant for the time he continues so. By servitude I mean all offices or employments in or under the State, voluntarily accepted, and to which there are profits annexed; likewise all servants in families, because their interest is in their master, and depending upon him in sickness and in health, and voluntarily withdrawing from taxation and public service of all kinds, they stand detached by choice from the common floor; but the instant they re-assume their original independent character of a man, and encounter the world in their own persons, they re-possess the full share of freedom appertaining to the character. The conclusion I mean to draw is, that no *involuntary* circumstance or situation in life can deprive a man of freedom. The supposition of being influenced through poverty, is equally balanced by the supposition of other mens being influenced

through connection. We have no right to such suppositions; and having none, cannot make them a constitutional ground for division.

By a former law of Pennsylvania, prior to the forming the Constitution, it was enjoined, that a man, if required, should swear or affirm himself worth fifty pounds currency, before he should be entitled to vote. The only end this answered was, that of tempting men to forswear themselves. Every man with a chest of tools, a few implements of husbandry, a few spare cloaths, a bed and a few household utensils, a few articles for sale in a window, or almost any thing else he could call or even think his own, supposed himself within the pale of an oath, and made no hesitation of taking it; and to serve the particular purposes of an election day, the money has been lent. It is disgraceful that freedom should be made the property of an oath on such *trifling* things, which, whether they are possessed or not, makes scarce any, or no difference, in the value of the man to the community. Besides which, a merchant who has his property on the seas, or seated in other people's hands, can seldom swear to *any* worth. He may suppose himself rich to-day, and at the same time be not equal to his debts. The present Constitution, therefore, wisely rejected this innovating incumbrance, and fixed on another description, which I shall explain when I come to speak to the parts of the Constitution. Property alone cannot defend a country against invading enemies. Houses and lands cannot fight; sheep and oxen cannot be taught the musket; therefore the defence must be personal, and that which equally unites all, must be something equally the property of all, viz. an equal share of freedom, independent on the varieties of wealth, and which wealth, or the want of it, can neither give or take away. To be telling

men of their rights when we want their service, and of their property when the service is over, is a meanness which cannot be possessed by a gentleman. I speak this to the honour of America. She cannot do it. I conclude this paragraph with a remark, which requires only to be looked at in order to be understood, which is, that all the former Governments on the Continent, from Hampshire to Georgia, grew strong and populous, in proportion as they were, compared with each other, open, free, and generous; from which I infer, that the future improvements under the new Constitutions, will arise in the same manner, and from the same causes. Allowance is naturally to be made for extent of territory.

There is but one effectual way to prevent corruption and party influence from operating in elections; which is, by having the number of electors too numerous to be reached, and composed, as they naturally will be, of men of all conditions, from rich to poor. The variety prevents combination, and the number excludes corruption; therefore any distinction of rights which lessens either the number or the variety, has a tendency to enslave a State, and no one can tell where slavery is to end when once it begins.

I am as little fond of drawing observations from England as any man, because I know their modes of Government are too wretched and ridiculous for imitation; but I would here remark, that the best representations come from those places where the electors are most numerous and various, and their worst from the contrary places. The cry of being elected by a mob, is idle and frivolous: it is a nick-name which all parties give to each other. It means no particular class of men, but any class or number of men acting irregularly against the peace, and cannot be applied in any case to a legal

rightful election. I never did, nor ever would encourage what may properly be called a mob, when any legal mode of redress can be had; but there are evils which civil government cannot reach, and which the dread of public resentment only can lessen or prevent. Of that kind are the present speculators. But to return to my subject—

Hitherto I have only considered an equality of rights on the scale of common good. I now proceed to examine the *inequality* of rights as a private evil. It is well worth observing, that all those principles and maxims, which are unjust in public life, are so in private life. Justice is one uniform attribute, which acting in the man or in the multitude, is always the same, and produces the same consequences.

The man who to-day proposes to regulate freedom by fortune, being rich himself, little thinks what may be his own fate before he dies, or that of his children after his death. His wealth, when divided among them, will lose the influence it had when united in his own person. Some of them may do well, others most probably will be unfortunate, and sinking thereby into the excluded class, become the exiles of a father's pride. The impossibility of knowing into whose hands a distinction of rights may fall, should make men afraid to establish them, lest in the revolutions of fortune, common to a trading country, they should get into the hands of those who were intended to be excluded, and severely exercised over those who were designed to inherit them. Who, fifty or sixty years ago, could have predicted who should be the rich and the poor of the present day; and who, looking forward to the same length of time, can do it now? And this reflection applied by every man to himself, will teach him this just and generous motto: *Leave Freedom free.*

Fourthly,

Fourthly, There are two ways of governing mankind.

First, By keeping them ignorant.

Secondly, By making them wise.

The former was and is the custom of the old world. The latter of the new. All the forms of Government now in being in the old world, bring forward into present view the ignorance and superstition of the times in which they were erected; but the sufferers under them, by constantly looking at them, grow rather familiar to their absurdities than reconciled to them, and impose a silence upon themselves, which is often construed into consent. It is a decided point with me, that Kings will go out of fashion in the world in the same manner as conjurors did, and were Governments to be now established in Europe, the form of them would not be monarchical. The decline of superstition, the great increase and general diffusion of knowledge, and the frequent equalities of merit in individuals, would render it impossible to decorate any one man with the idolatrous honours which are expected to be paid to him under the name of a crowned head. To be kneeling to kiss a man's hand, wrapt up in flannels with the gout, and calling a boy of one and twenty the father of his people, could not now take place as a new custom. We see, know, and feel that those things are debasing absurdities, and could not be made to swallow them or adopt them.

I consider a King in England as something which the Ministry keep to cheat with, in the same manner that wooden gods and conjurors wands were kept in time of idolatry and superstition; and in proportion as knowledge is circulated through a country, and the minds of the people become cleared of ignorance and rubbish, they will find themselves restless and uneasy under any Government so established. This is exactly the case with the people of England.

They are not sufficiently ignorant to be governed superstitiously, nor yet wise enough to be governed rationally; so that being compleat in neither, and equally defective in both, are for ever discontented and hard to be governed at all. They live in an useless twilight of political knowledge and ignorance, in which they have dawn enough to discover the darkness by, and liberty enough to feel they are not free; constantly slumbering, without an ability to sleep, and waking, without an inclination to rise.

It has been the constant practice of the old world to hold up Government to the people as a mystery, and of consequence to govern them through their ignorance; and, on the contrary, it is the practice of the new world, America, to make men as wise as possible, so that their knowledge being compleat, they may be rationally governed. All the constitutions in America have professedly had this in view, and are constructed to effect this end. The provincial disputes about modes and forms will have no ill consequence, but rather a good one, if conducted with temper, and supported by proper and just argument. Order and constancy is the natural result of a well-informed judgment, whereas, on the other hand, there is no dependence to be put on a man, whose consent to a measure is obtained by an imposition on his ignorance. He uniformly agrees with the last that spoke to him, and surrenders to the next that meets him. One thing, likewise, at least is absolutely necessary, and is the true proof of a good citizen, viz. *that the sense of the majority is the governing sense.*

I now come to the resolution of the Assembly, dated November 28, 1778, for taking the sense of the State on the question *for or against* a Convention, after which I shall proceed to the matters proposed therein for consideration.

It is to be wished that the question had been a simple one, and not involved with a personal election at the same time. It would then have stood clear and distinct, and been determined entirely on its own merits. The resolution recommends, that on the first of next April, each freeman of the State shall give in a ticket, on which shall be written his opinion; those who are for a Convention shall write thereon, "*for a Convention,*" and those who are not for a Convention, shall write on theirs, "*against a Convention.*" Thus far the resolution is clear, and the business free from embarrassment. But the resolution likewise recommends, that the electors shall at the same time give in other tickets, whereon shall be written the names of persons to serve in Convention, and the reason assigned is to prevent a second trouble, if it should be the sense of the State to have a new Convention.

The first question is on the propriety of a measure; the second, the choice of persons. But the connecting and involving the persons with the measure, has an indirect influence to produce the measure. Those who may be for a Convention will act naturally in voting for the persons who are to compose it, their tickets being only component parts of the same plan; but those who may be against having a Convention, must feel an awkwardness in electing one at the same time they vote against having any. Besides which, those who may think a Convention unnecessary, and would have voted so had the question been simple, may now, from an approbation of the persons proposed as members, grow indifferent on the first question. It also admits of promoting the election of a Convention through the contrary means, because it may be said, that it is proper to have one at any rate, as well to confirm as to alter, which is not the design of the resolution; for a negative

vote on a new Convention is an affirmative one on the present Constitution. Therefore the question, as I humbly conceive, would have admitted of an easier and clearer determination had it stood single. I would likewise remark, that it may with some have an effect to prevent a Convention, as the shortest way of getting rid of an involved question, which, by a mixture of persons and measures, look full as much like the beginning of trouble as the end of it.

In the former part of my argument I endeavoured to show, in a short and concise manner, the wisdom of the constitutional mode, and the security arising therefrom. I now shall show the great inconvenience attending the proposed alteration, and the great danger it will produce when established.

The Executive Council is composed of one Gentleman from each county in the State, and I would ask, By what means are they to become acquainted with the qualifications of the persons they are to appoint for Justices, or to know what reputation they bear in the place for manners and morality, as well as judgment and discretion? The Council must officially and necessarily take them up upon the single recommendation of the Counsellor who represents that county; which mode will unhappily introduce an intrigue of, "*If you will serve my friends, I will serve your's;*" and the immediate consequence will be, that one man from each county will nominate all the Justices. I think it a great honour to those who are stiled Whigs of the present day, both in government and out, that they, though in power, are the people who most oppose the growth of it even in their own hands. An instance rarely seen and truly noble; for it is not Government generally, but *civil* Government which they mean to support.

If it should be said, that the Council will take other means to know the qualifications of persons before they appoint them, I ask, What means? For in these matters we must proceed upon something like certainty, not upon supposition. We all know how unsafe and even treacherous private information is, in personal characters; and surely *no* man, who valued the welfare of his country, would wish to see a Magistrate created by a whisper.

But if the Council are to seek other recommendation than that which the Counsellor from the county can give them, then I ask, Whether any recommendation can be so *safe*, as that which comes regularly and publicly before them by a ballot of the freeholders, as the Constitution has provided? The choice, as in other elections, *may*, or may *not*, be the very best; but this I will venture to assert, *that* it will never be a *bad* one, and the mode always the *safest* one. For in all those matters where no direct certainty can be fixed, *that* line of conduct, which has the *greatest probability* of being *right* at all times, *is the line*, which for a *standing* one, ought to be taken.—To suppose men capable of electing Members of Assembly and Members of the Executive Council, and to know that the same people have uniformly gone through the great work of raising an original empire, and opposing an enemy at the same time, and are now daily reinforced by new adherents, and to suppose them not capable of electing two or three gentlemen, out of whom the Council is to choose one or two Magistrates, is such a *felo de se*, such a self-murdering argument, that we have a right to question the rationality of those who advance it. It stands upon nothing. It has no foundation; but involves those who proposed it, and those it is proposed to, under one common supposition of idiotism, and to defend it, is to con-

firm both the disgrace and the affront. I make no distinction in this place between the too hackneyed and frequently unmeaning names of Whig and Tory; for as the change in the mode of appointing Justices, is intended as a standing one, therefore it is designed to operate when those temporary distinctions shall cease, and consequently the censure is universally passed on all, and the public a thousand years hence are supposed to be fools. I would really be as mild as the nature of the argument required, my design being not to defeat, but to convince; yet there is a striking indecency in this paradox that even demands reproof.

Next to the danger of private insinuation, in the new proposed mode of appointing Justices, is the still greater danger from them after they are so appointed.—Magistrates created by any Government, will have a fixed eye on their immediate creators, and be too apt to suppose themselves created for particular purposes, instead of equal justice, and in time be naturally inclined to consider Government as a distinct party in the State. Do the gentlemen who brought the new proposals into the Assembly (and to which proposals the constitutional part of the Assembly yielded to for quiet sake, submitting thereby the propriety of them to the sense of the public) do these gentlemen, I say, consider how many questions of right or property, in which Government must necessarily appear as a party, will, on the opening of trade, naturally come before the Magistrates? Do they consider how many disputes about revenue, whether of excise, customs, or other taxes, will, or may hereafter fall within the jurisdiction of a Court of Justices; and would they be so unwise as to invest the party necessarily interested with the power of appointing the Judge? Surely not. And do those gentlemen likewise see how nicely and

and wisely the Constitution has provided against those things by placing the Magistrate so, that he shall feel at his creation no partial bias, and neither be tempted to favour licentiousness for popular applause, nor to promote an encrease of power from hopes of interest.

We are necessarily obliged to have the Judges of the Supreme Court appointed by the Executive Council, because they being Judges for the whole State, there is no other practicable method, and it is likewise one of those exercises of delegated power, for which the Representative body of Counsellors is chosen. The propriety is founded on necessity, and the right in representation. But neither of these take place in the case of county Magistrates; for, in the first instance, there is *no* necessity; and in the second, there is *no adequate* representation; the Council from each county being but one. Therefore to invest him or them separately or collectively, with more official discretionary power than the convenience of civil Government requires, would be to transform them from Representatives into Ministers, and to bastardize a Republic by the intrigues of a Court.—I sometimes think that the gentlemen who opposed the Constitution are not constitutionally in earnest, and feel an inclination to believe, that they started without a thought, and, in the passion of the race, mistook heat for judgment. That the dispute has been an unfortunate one, is without a doubt; for had half the vigour been exerted to save the city, that has been spent to overturn the Constitution, the enemy, I sincerely believe, had never been in it. The people were lost in a wilderness of unserviceable passions, and having confidence in no body, felt no inclination to unite. One gentleman at least made a merit of refusing to serve his distressed country, as a General of the Militia, be-

cause his fancy* in the Constitution, even before the sense of the people could be known, was not immediately gratified, and the excuse afforded to many a convenient shelter from actual service. I am surprized that Government struggled through so well as it did, considering how great was the desertion, and how civil the pretence. There were others, and I mention it with respect, who quitting private opinion for public good, continued, and in some instances encreased their service.

Returning from this digression, I take up again the appointment of the civil Magistrate. It is an important point, and that not as a matter of debate (for I am fully persuaded that those who proposed the alteration cannot make their ground good upon it) but it is important in itself, being the channel through which the exercise of the laws circulate upon a country; therefore, every argument which shows the importance of the office to society, proves the danger of the new proposed method of appointment.—Here the proposers, and myself, draw to a close line, and they will naturally perceive that my intention is to take their ground from them, and to erect the constitutional mode on the very reasons which they advance against it. They say that the office is important, and therefore the power of selecting fit persons ought to be invested in the Government. I likewise say, that the office is important, and therefore ought *not to be made a Government appointment*; for it is not its importance *only*, but the *nature* of its importance which we are most to consider. It is not an office which requires a peculiarity of genius or acquired accomplishments to fill, and which the public, considered as a public, may not be supposed to understand; that is, it is not the office of a Professor of Natural Philosophy, or of Mathematics, or of any branch of the arts or sciences,

sciences, or of languages ; but it is a civil office, an office of trust and honour, an office of decision, arbitration or compromise, between neighbours differing with each other, and between the claims of the State upon the individual, and the individual upon the State. It is established with a design to prevent frivolous and vexatious law-suits, by healing disputes in the first instance ; to secure property from invasion, and freedom from oppression ; to give relief without the terror of expence, and administer justice from a goodness of heart : therefore, it requires those very kind of qualifications in which the judgment of the public, as a public, is supposed to be the most compleat ; and this leads me to consider what the necessary qualifications in a Magistrate are.

He ought to be neither proud, passionate, or given to drink ; easy of access, and serenely affable in his deportment. Patient enough to hear a tale of wretchedness, and wise enough to discover invention from fact. He ought to understand the laws, not for practice like a lawyer, but for advice like a friend, or for decision like a Judge, and to be neither subtle in his refinements, nor obscure in his definitions. He ought to be a man of application, as well as knowledge ; and of sound, rather than of fine sense. He is to be the useful, rather than the shining man, and to consider himself more like a physician to recover than the surgeon to cut off. He ought to have fortitude enough to be neither fascinated by splendor, nor womanishly affected by a melancholy tale ; and is always to remember, that he is to decide on cases, not on persons. Now, there is nothing in this collection that is either intricate or extraordinary, but is composed of those visible materials, which the generality of men are known either to have or to want. Therefore, the private character quickly becomes

a public one, and is easily known, three parts of it being made up from the good man, and the rest from the wise one.

I confess myself quite at a loss to discover by what ideas the gentlemen are led who proposed the alteration. That they are unwisely making a rod for themselves and their heirs, is, to me, as clear as light ; for, surely, no man, unless he sought to make a trade of Government, would wish to arm it with powers that might be afterwards secretly exercised over him as an individual. The experience of all the world is against their policy. Every instance of the kind has proved that Government Magistrates will, in the line of their office, become Government men. It is necessary that every State, for the convenience of business, should have a law-officer of its own ; but it would be the height of imprudence, to make every Magistrate an Attorney-general. It is needless to say that the rotation in the Executive Council by frequent elections, makes this suspicion unnecessary. The Magistrate, so appointed, would know *no* change ; the power, though not the persons that made him, would be always in being ; he would officially become the humble servant of every succeeding Council, and the Council would in turn, possess him by a kind of heirship ; his interest would be to please, and their pleasure would become the line of his conduct. Surely, no man who wished to live comfortably on his plantation, reputably on his trade, or independently on his fortune, would wish to see a Magistrate so created and so circumstanced.

If we ever cast our eyes towards England, it ought to be rather to take *warning* by, than *example*. Their county Magistrates are created in the same manner which the new method proposes, and the consequence is, that they are, in general, the bears of the country and the spaniels

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of the Government. It is a frequent recommendation to the letting of a farm, that there is neither a Peer nor a Justice in the neighbourhood, and this dislike arises from that insufferable insolence, which their mode of creation gives them. The most, and almost the only, respectable Magistrate in England is the Lord Mayor of the city of London, and he comes into office very nearly in the same manner which the Constitution has provided in the case of Justices. The Livery, that is the freemen of the city of London, choose two persons, out of which the Court of Aldermen select one, who is afterwards presented to the Executive power at St. James's for approbation; and what, I ask, would the Livery of London think, if any party of men should propose to have the choice of their city Magistrate taken out of their hands, and vested solely in him whom they call a King? Good Heaven, what would they not think! And what would they not do to prevent it! For to do them justice, they seem to be almost the only spirited body of men in the nation.

I feel ashamed to argue this point any longer. It seems like fighting, not against a windmill, but a butterfly; and shall therefore conclude with remarking on the supposed causes which betrayed the proposers into such an unwise, and unconstitutional a proposal.

How far the present Magistracy may be compared with that under the Proprietary Government, I will not undertake to be particular in, because I am not fond of investigating personal matters; otherwise I could show instances wherein the former was not only improper, but indecent and scandalous.

Perhaps some of our present Magistrates are not the best qualified; and that will ever be the case, in any

mode of electing or appointing, either them, or any other officers; yet we have this relief, that they are removeable for misconduct, whenever it shall be sufficiently proved. But this supposed deficiency in the choice of the man, neither was, nor is, the fault of the Constitution, neither was it the fault of those who voted, but of those who did *not* vote. If men from indolence, or fractiousness of temper, or a temporary fear of electing or being elected, or from any other cause, will neglect the exercise of their own rights, and persuade others into the same omission, they can have no just cause afterwards to quarrel with the consequences, but with themselves. Neither do I know any deficiency in the present Magistracy equal to the weakness of judgment shewn by the Opposition; for admitting, that the choice might have been better, yet the remedy which they have recommended is like cutting off a leg to cure a corn, and proposing to set the example themselves. This being the case, we have no right to wonder at the lameness of their judgment, or the slackness of their progress; for who that is sound and in his senses, would enlist into a party where the necessary qualification is a defect. If the gentlemen choose to be cripples, and that not in the defence of liberty, but against it, they are welcome to the honour. It is perhaps a new law in heraldry, that those who invented their own *arms** should have but *one leg*.

I here close my arguments for continuing the constitutional mode for electing and appointing Justices, in preference to the proposed scheme of investing that power in the Executive Council; and, in so doing, I think it is visible, and wish it to be generally understood, that I have not supported a party for the sake of a party, but a public right for a public good.

* Coat of Arms.

For the REMEMBRANCE.

The King of France's Declaration concerning the Insurance.

Given at Versailles the 17th August, 1779, and registered in Parliament the 6th September, 1779.

Louis, by the Grace of God, King of France and of Navarre:—To all those who shall see these presents, *greeting*: The insuring of ships, goods and merchandizes from losses at sea, contributes advantageously to the extension of commerce, by multiplying the sums usually employed therein, and forms in itself a new branch of commerce, wherein the risks by being divided, improve the activity of individuals, and prevent many inconveniencies. It has always deserved the protection of the laws, which secure the mutual confidence to each of the contracting parties, by necessary clauses in the contracts or policies of insurance, and leave them at the same time at liberty to insert whatever conditions they are willing to agree upon. These are the dispositions of the ordinance published in the month of August, 1681; the wisdom whereof has been universally acknowledged; but the time, wherein it appeared, was little more than the infancy of a reviving commerce. Experience, during a century, hath discovered new facts, against which the said ordinance has made no provision; the ordinary variations in commerce have therefore required more clearness in some of its dispositions, as the personal interest, by endeavouring to avoid the execution of the law, has been productive of many abuses. In providing against these inconveniencies, we shall give new proofs of our protection to the commerce in general: And for these reasons, and others known unto us, by and with the advice of our Council, and from our certain knowledge, full power and royal authority, we have said, declared and ordained, and by these presents, signed by us, do say, de-

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clare and ordain, and are pleased to will, as follows:

ART. I. No trading ship or vessel whatever shall henceforth take in any goods or merchandize in any port of our dominions, before it is proved that the said vessel is properly fit for sea, sufficiently armed and provided with all necessary stores, in proportion to the size of the ship, and the length of her intended voyage. To this effect all vessels shall be inspected by a captain, or officer of a ship, a ship-builder and the ship-wright of the port, or in want of such, by three other persons properly qualified, and officially appointed by the officers of the Admiralty, who, in the presence of the two principal officers of the vessel, shall draw up an account of her condition, stores, &c. in the form of a schedule; which said schedule shall be signed by the said officers of the vessel, as well as by the three persons appointed to inspect the same, and after having been duly presented and certified by one of the officers of the Admiralty, shall remain on board the said vessel, annexed to the clearance ordained under the article of clearances in the ordinance of 1681, and which said clearance shall not be deemed valid, without the said schedule being annexed thereto.

ART. II. The officers of the vessel, as well as the inspectors appointed by the judge, shall digest the said schedule without delay. And we hereby command them to proceed therein with all possible exactitude and fidelity, upon pain, on the part of the officers of the vessel, of being suspended for the term of two years, or for ever, if there be reason for it; and on the part of the inspectors, of forfeiting the sum of 300 livres each; provided always, that extraordinary proceedings may be had thereupon, if the case requires it.

ART. III. Whenever a ship shall be ready to take in her cargo on return, she shall be first re-examined in

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the same form, and by persons of the same qualification, as those mentioned above; and then the officers of the ship shall produce the schedule executed in the port from whence she failed, in order to be verified, and to ascertain the average which may have happened during the course of the voyage, either from accidents at sea, or from a defect in the ship. And as to privateers, or cruising vessels, or ships trading to the Archipelago, and the seaports on the Levant, the proprietors, captains, or mates, shall not be obliged to have their ships re-examined until one year and one day after the date of their first schedule.

ART. IV. In case a ship should, by misfortune at sea, be rendered unfit to continue her voyage, and be condemned in consequence thereof, the insured may recover the damage of the insurer, on delivering up the body and keel, rigging and other stores of the said ship, conformable to the dispositions of the ordinance of the month of August 1681. But the insured shall not be admitted to claim such damages without producing the schedule, as ordered in the Articles I. and III. of this present declaration.

ART. V. Neither shall the insured be admitted to claim payment for a ship that is stranded, if the said ship being got off, either by her own crew, or by other assistance, hath continued her voyage to the place of her destination; but they shall be intitled to all the expences occasioned by such accident, as also to the average, as well on the ship as on her cargo.

ART. VI. The freight already gained, being insured, shall not be deemed a part of the damages recoverable of the insurers, unless it is expressly mentioned in the policy of insurance; but the freight not yet gained, shall belong to the insurers, and shall be deemed a part of the damages sustained, unless there be a

clause to the contrary in the policy of insurance; provided however, that nothing here ordered shall be deemed any ways prejudicial to the wages of the ships crew, or to contracts of general adventures, in regard to which the dispositions of the ordinance of the month of August, 1681, shall be executed, according to their form and tenor.

ART. VII. When a ship has been condemned as unfit to proceed on her voyage, the insured of any part, or the whole of her cargo, shall be obliged to signify the same, without delay, to the insurers, who, as well as the insured, shall use all possible diligence to procure another vessel, in order to transport the said goods and merchandize to the place of their destination.

ART. VIII. In case that no vessel can be procured to carry the said goods to the place of their destination, within the time allowed in the articles XLIX. and L. of the ordinance of the month of August, 1681, under the title of insurance, the insured shall be intitled to the amount of their insurance, by conforming themselves to the dispositions of the said ordinance.

ART. IX. In case that the said goods are shipped on board of another vessel, the insurers shall run the risks of the said goods until they are safely landed at the place of their destination; and they shall moreover be accountable to the insured for all average upon the said goods, as also for all expences incurred in saving, shipping, housing, and re-shipping the same, together with all duties that may have been paid, and the additional freight, if there be any.

ART. X. In such a case, where the ship and her cargo shall be insured in one and the same policy of insurance, and for one single sum, the said sum so insured shall be divided between the ship and the cargo,
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In proportion to the evaluations of the one and the other, if they are mentioned in the policy of insurance; but if they are not mentioned, the value of the ship shall be ascertained by persons properly qualified, after the schedule taken on examining the ship, and the account of the owners expenses for fitting her out; and the value of the cargo, according to the dispositions of the ordinance of 1681, concerning the evaluation of ships cargoes.

ART. XI. All effects, whereof the price shall be mentioned in the policy of insurance in foreign coin, or such as is not current in the interior part of our kingdom, and whereof the numerical value is fixed by our edicts, shall be valued at the price, as the stipulated money may amount to in livres Tournois. And we hereby strictly enjoin and forbid every one, not to make any other stipulation, contrary to this, upon pain of nullity.

ART. XII. All our former ordinances, edicts, declarations, letters patents, acts and regulations, shall remain in their full force and be executed in all that is not contrary to the dispositions of this present declaration. *We therefore hereby enjoin our beloved and trusty counsellors and others, holding our Court of Parliament at Paris, to cause these presents to be read, published and registered, even in time of vacation, and the contents thereof to be kept, observed and executed, any thing to the contrary notwithstanding: For this is our pleasure. In witness whereof, we have caused our seal to be set to these presents. Given at Versailles the seventeenth day of August, in the year of our Lord one thousand seven hundred and seventy-nine, being the sixth of our reign.*

Signed LOUIS.

And lower: By his Majesty's command,

AMELOT.

And sealed with the great seal and yellow wax.

Registered, and heard, at the requisition of the King's Attorney General, to be executed according to its form and tenor; and attested copies sent to all bailliwick, courts of seneschal's and Admiralties of this jurisdiction, to be there read, published and registered: enjoining all substitutes of the King's Attorney General to see the same duly executed, and to acquaint the court thereof, within one month, according to the act of this day. Given at Paris, in Parliament, all the Grand Chambre and Tournelle meeting, the sixth day of September, one thousand seven hundred and seventy-nine.

Signed, LEBRET.

*Philadelphia, March 13.
Head-quarters, Middlebrook, March 8,
1779.*

Sir,

I herewith transmit your Excellency an extract of a letter from Major-general Putnam, containing an account of the incursion of the enemy to Horseneck, which I mentioned in my last.

I also inclose you a return of the prisoners we have taken from the enemy in their retreat.

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

G. WASHINGTON.

His Excellency John Jay, Esq.

Extract of a letter from Major-general PUTNAM, dated Camp, at Reading, March 2, 1779.

" A detachment from the enemy at Kingsbridge, consisting of the 17th, 44th, and 57th British regiments, one of Hessian, and two of New Levies, marched from their lines for Horseneck, on the evening of the 25th ult. with an intention of surprizing the troops at that place, and destroying the salt-works.

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" A Captain and thirty men were sent from our advanced lines at Horseneck as a scout, who discovered the enemy at New Rochelle in their advance. They retired before them undiscovered as far as Ryeneck, where it growing light, the enemy observed and attacked them. They defended themselves as well as possible, and made their way good to Sawpits, where they took the advantage of a commanding piece of ground, and made some little stand; but the superior force of the enemy obliged them to retire over Byrum Bridge, which they took up, and by that means had an opportunity of reaching Horseneck in safety.

" As I was there myself to see the situation of the guards, I had the troops formed on a hill by the meeting-house, ready to receive the enemy as they advanced. They came on briskly, and I soon discovered that their design was to turn our flanks, and possess themselves of a defile in our rear, which would effectually prevent our retreat. I therefore ordered parties out on both flanks, with direction to give me information of their approach, that we might retire in season. In the mean time a column advanced up the main road, where the remainder of the troops (amounting only to sixty) were posted. We discharged some old field pieces, which were there, few times, and gave them a small fire of musketry, but without any considerable effect; the superior force of the enemy soon obliged our small detachment to abandon the place.

" I therefore directed the troops to retire and form on a hill a little distance from Horseneck, while I proceeded to Stanford, and collected a body of militia and a few Continental troops that were there, which I returned immediately, and found that the enemy (after plundering the inhabitants of the principal part of their effects, and destroying a few

salt works, a small sloop and stores) were on their return. The officer commanding the Continental troops, stationed at Horseneck, mistook my orders, and went much farther than I intended, so that he could not come up with them to any advantage. I however ordered the few troops that came from Stanford to pursue them, thinking they might have an opportunity to pick up some stragglers. In this I was not mistaken, as your Excellency will see by the inclosed list of prisoners. Besides these, eight or nine more were taken and sent off, so that I cannot tell the particular regiments to which they belong. One ammunition and one baggage waggon were also taken. In the former there were about two hundred rounds of cannister, grape, and round shot, suited to three-pounders, some slow match, and about two hundred tubes; the latter was filled with plunder, which I had the satisfaction of restoring to the inhabitants from whom it was taken. As I have not yet got a return, I cannot tell exactly the number we lost, though I don't think more than ten soldiers, and about that number of inhabitants, but a few of which were in arms.

" List of prisoners taken at Horseneck the 26th ult. 17th regiment, 15 privates.—44th ditto, 5 privates.—57th ditto, 3 privates.—Loyal American regiment, 5.—Emmerick's corps, 3.—First battalion of artillery, 1.—Pioneers, 1. Total 38.

" N. B. Seven deserters from Emmerick's corps."

Published by order of Congress.

CHARLES THOMSON, Sec.

Boston, April 15.

The following account of the attempt of the enemy upon Falmouth, in the county of Barnstable, and their repulse by the militia, is authentic:

Falmouth, 5th April, 1779.

Friday, April 2d, in the afternoon, Major Dimock of this town was informed,

formed, that about 10 or 12 vessels were seen in the sound steering this way; supposed with design of plundering and destroying this town: he immediately sent expresses to Sandwich and Barnstable for the militia to come to their assistance. Col. Freeman with Captains Fish and Swift, of Sandwich, and their companies arrived here that night and Saturday morning. It being then very foggy, part of the enemy's fleet appeared off Wood's Hole, to which a party of the militia were ordered and posted there: soon after, the fog cleared off, and several of the vessels appeared against the town, near a low level piece of ground that extended from the shore quite to the houses; there had been a small entrenchment made some years ago, upon the edge of the beech, which yet remained. Col. Freeman marched the remainder of the men down to the shore, posting about 50 in said intrenchment, and about 30 at about 130 rods distance, being the most convenient places for the enemy to land; about half past eleven they formed their fleet, consisting of two schooners and eight sloops, into a line, against the two posts, and commenced a very warm fire on our people, with cannon-ball, double headed shot, bars of iron, grape shot, and small arms, and manned their boats, about ten in number, with about 220 men, leaving to appearance, near double the number on board, and made various attempts to land, in several places, keeping up a constant fire upon our people from half past 11 A. M. till half past 5 P. M. Col. Freeman and Major Dimock, with about 50 men defended the intrenchment, and repeatedly challenged them (being within call) to land, which they durst not attempt. Our people till now had generally reserved their fire, but being ordered to fire on their fleet, they soon moved further off into the Sound, where they remained quiet

till next morning: a party of them, in their boats, attempted to land at Wood's Hole, but about 30 of our men posted there gave them a warm fire which soon drove them off, and the boats went to Nonnamecet, an island near Wood's Hole, where they landed and killed the few sheep, cows, and hogs the enemy had before left, and threatened to kill the family that lived there, because they said the d—d rebels had been killing them; they had two wounded men with them. Our people being about to go upon the island, they retreated precipitately to their boats, carrying off only one hog and half a cow that calved the day before. They enquired of the island's people our numbers, and said the rebels fought like devils. The next day (April 4th) a little after sun rise, they fired again from the vessels to drive us from the entrenchment, and our people returned them a warm fire with their small arms for a few minutes, upon which they put off for Holmes's Hole. This morning (Monday the 5th) one armed vessel proceeded to Nonnamecet Island, and sent off a boat to get the provisions they had killed and left there; but a party of our people got there before them, and prevented their landing; and some boats of ours had like to have cut them off from the sloop: upon her getting to the sloop, she hastened to join the fleet, which then made sail for Nantucket, as they said.—A boat landed on Martha's Vineyard, where they shot a few cattle, sheep, and hogs, which they carried off, paying for two sheep only. They told the vineyard people they had sent one sloop to Rhode Island, with cowards who had refused to fight, but probable the wounded. The party consisted of Tories. Some of them were known to have gone from this State. The commander was said to be one Winslow; the second in command one Leonard. They fired on Saturday about 500 cannon. Had
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the intrenchment been given up, the town could not have been saved; their number on Saturday being much superior to ours, and no men came to reinforce the Sandwich and Falmouth men, till the firing was over on Saturday. Col. Freeman and Major Dimock, with their officers and men, behaved with the greatest prudence, resolution and bravery. And we hope these base enemies of our country will be deterred from future attempts on this town.

By sundry persons of veracity, who arrived here last Sunday evening from Nantucket, we have the following account of a descent made on that Island, by a party of the enemy, styled, "loyal refugees," after their enterprize at Falmouth, as mentioned above, viz.

That nine sail of armed vessels arrived there on Monday last at four o'clock in the afternoon, from Newport, but last from Falmouth; upon which the inhabitants sent off a boat to know what demands they had, or what their business was: they were told, that they were come after the property of the rebellious subjects of America, mentioned among others, Thomas Jenkins and Timothy Fitch. They immediately landed near 200 men, and entered the town with fixed bayonets and drawn swords; filed themselves Loyal Refugees (Royal Sheep stealers it should be) and pretended to act under commission from the Commandèr in Chief of the British forces at Newport. They immediately began to break open and plunder the stores, warehouses, &c. first that of Mr. Thomas Jenkins, which they cleared of a great quantity of goods, 260 barrels of oil, 2000 weight whalebone; and stript it of every thing, even to some chalk and an old grinstone; broke open a number of other stores, took a large quantity of oil, molasses, sugar, coffee, and all kinds of goods that fell in their way, 30 or 40 suits of sails, with anchors, cables, towlines, great

quantities of cordage, rigging, &c. also the whole craft and provisions they came across. A hundred and fifty men or more were employed from 4 P. M. on Monday to 6 next morning, in plundering, insulting, and abusing the inhabitants; compelling them to truck down to their vessels what they had taken from them. They owned they had been to Falmouth, (in the county of Barnstable) that they intended to have landed; but after proceeding with their boats along shore, they found no place so convenient to land as that they first proposed (where a party of our people were placed) and made sail and came in shore, especially with two vessels full of men, determined at all hazards to land; but as they got near in shore, the rebels, who lay in ambush, rose and fired upon them, and killed 15 and wounded 20 more, whom they sent off in a sloop to Rhode Island; that Edward Winslow (formerly of Plymouth) was commanding officer when at Falmouth, but being wounded by a ball through the breast, was gone to Newport in said vessel; this was told by the sentries, although George Leonard, (formerly of Boston, miller) pretended that he was gone to Rhode Island with the gout in his stomach. This Leonard being next in command to Winslow took the command at Nantucket, and Pelham Winslow (formerly of Plymouth) was next to him, after Edward Winslow was wounded; one Murray of Rutland, was the third in command.

There were with them, who were known besides, two of Brigadier Ruggles's sons, of Hardwick; a Foster, late belonging to Plymouth, one Upham (supposed Major Upham, of Brookfield) Eldad Tupper, Lemuel Bourn, and Samuel Perry, late of Sandwich; a William Shearmon, and a Toby, of Rochester; Hicks, the printer, late of Boston; a Bardin, Christopher Hargil, a Sloacum, and two Siffone, of Newport.

They at last were told that a 20
gun

gun ship and a privateer of the Americans were coming to take them, and being told the people would not bear with them four hours longer, they retreated precipitately, carrying most of what they had plundered, but leaving some loaded carts which they could not stay to take with them—carried off two brigs, with their cargoes, bound to the West Indies, and two or three schooners, and a large number of boats; some things they could not carry off they destroyed. They told the people they should come again very soon, and if they abused those who were friendly to them, they would chastise them; that they intended to attack Falmouth again in a fortnight.

Some of our people who were on the spot, observed Doctor Tupper very busy with them, and they showed great partiality of friendship to their brother Tories.

From the above account, compared with what they owned at Nonnaset and the Vineyard, we have reason to think Colonel Freeman, and the brave men under his command, gave the poor rascals a decent drubbing.

The following Proclamation of the associated Refugees from the different parts of this State, which one of them in their great hurry left behind, shews in the clearest light the malignity of the whole herd of Tories, and the impolicy of admitting any of them to return, or to remain among us—and it is hoped the real estates of our inveterate absentees will soon be sold in this State, as they have been in the neighbouring States, notwithstanding many of them have been lately leased for a short term.

To further in some degree the service of our most gracious Sovereign, and to afford the means by which the greatly injured people redress themselves, his Excellency the Comman-

der in Chief has, at the request of a number of Loyal Refugees, permitted them to associate and embody themselves under proper officers, duly appointed and commissioned, and to retaliate upon and make reprisal against the inhabitants of the several Provinces in America, in actual rebellion against their Sovereign, the associated Refugees now think proper to declare in the most public manner, the reasons which have induced them to engage in this business.

And first they call God to witness, and they trust their future conduct will prove, that they are not actuated by any design to prolong the horrors of war, or to increase the miseries of their country; but on the contrary, they do most sincerely and cordially wish to see it again flourishing and prosperous, emancipated from Roman Catholic leagues, and freed from the intolerable tyranny of Congress and committee men.

Impressed with a due sense of loyalty to the best of Kings, and fully convinced of the mildness and benignity of the British Government, these associators gave no credence to the many wicked suggestions artfully propagated by the leaders of the people, to excite them to overturn the established Governments and to raise a civil war, but always considered the authors of those suggestions as the real enemies of the country:—For this they have been calumniated, insulted and imprisoned; have been compelled to abandon their dwellings, their friends and connections; have had their estates sequestered, and themselves formally banished from their several homes, never to return, on pain of death.

Thus circumstanced, they conceive themselves warranted, by the laws of God and man, to wage war against their inhuman persecutors; and to use every means in their power, to obtain redress and compensation for the indignities and losses they have suffered.

Generally

Generally acquainted with the country and its inhabitants, it is their intention to distinguish between the faithful loyalist and the insidious rebel, between the peaceful citizen and the persecuting committee man, but as damage may be done by their parties through ignorance or inattention, to the property of some persons well affected to the King's cause, the associated Refugees promise and engage to make satisfaction from the common stock of the association.

And they call on and invite, all those of their countrymen who still preserve their loyalty to his Most Gracious Majesty George III. as well as on all those, who are sensible of the wretched state of the country, have at length grown weary of Congressional tyranny and paper money, and who now hate with the true spirit of English subjects, French frippery, French politics, French religion and alliances, to join with them in their endeavours to recover for their country, its ancient form of Government, together with the inestimable blessings of peace, and the friendship and protection of Great Britain.

Signed at Newport, the 30th of March, 1779, by order and in behalf of the Associators.

JAMES CLARKE, Sec.

— Poughkeepsie, May 3.

An enterprize against the Onondaga settlements of the Indians, having been projected and approved by his Excellency General Washington, and the direction of it committed to Brigadier-general James Clinton, commanding in the northern department, he, on the 7th of April, issued his orders, and gave the execution of them to Col. Van Schaick, commander of the first battalion of New-York Continental troops, appointed as second and third in command Lieutenant-colonel Willet and Major Cochran, of the third New-York battalions, all officers of approved

courage and abilities. The detachment for the service consisted of six companies of New-York, one of Pennsylvania, one of Massachusetts troops, and one of riflemen.

Philadelphia, May 11.

Extract of a letter from General SCHUYLER to General WASHINGTON, dated Albany, 27th April, 1779.

“ Last night Captain Graham, of Van Schaick's, delivered me dispatches from that officer, advising me of the success of the troops of the United States, under his command on the enterprize against Onondaga; for particulars permit me to refer your Excellency to the enclosed papers.

The secrecy, dispatch and propriety with which Col. Van Schaick has executed his orders, do him great honour, and he is highly satisfied with the conduct of the officers and troops that accompanied him on the expedition.”

Fort Schuyler, April 24, 1779.
Minutes and proceedings of the Onondaga expedition.

Early on Monday morning, the 19th inst. I marched from Fort Schuyler with a detachment of troops consisting of 558 men, including officers, and after putting 8 days provision into 29 batteaux which had been conveyed over the carrying-place in the night, and leaving a sufficient number of soldiers to assist the batteaux-men to get the boats down Wood Creek, with five officers to hurry them on, the remainder of the troops marched to the old Scow Place, 22 miles by land, but much more by water; the troops arrived at 3 o'clock P. M. but the boats did not all arrive till 10 o'clock, having been much obstructed by trees which had fallen across the Creek. As soon as the boats arrived, the whole of the troops embarked, and upon entering the Oneida lake, were much impeded by a cold head wind

wind, made one half in the night for the rearmost boats to come up, and proceeded to Priffer's Bay, where we arrived at eight o'clock in the morning of the 20th inst. to wait again for the coming up of all the boats, when we continued with as much expedition as possible to the Onondaga landing, opposite to Old Fort Brewington, and arrived there at three o'clock, P.M. from whence, after leaving the boats with a proper guard, we marched eight or nine miles on our way to the Onondaga settlement, and lay on our arms all night without fire, not being able to continue our march in the dark. (The night cold).

Very early on the 21st we proceeded on to the Salt Lake, forded an arm of that lake 200 yards over and four feet deep, a considerable part of the way; pushed on to the Onondaga Creek, where Captain Graham with his company of light infantry took an Onondaga warrior prisoner, which was the first Indian we had discovered; ordered Captain Graham to endeavour to surround the first Onondaga settlements, which were about two miles off, and hastening on the troops by companies as they crossed the creek upon a log (the creek not being fordable) I soon arrived with the whole of the detachment at the principal castle; but was before apprized of their having discovered our advanced parties, while they were taking some prisoners upon which I ordered different routes to be taken by several different detachments, in order to surround as many of their settlements as possible at the same time, which extended eight miles in length, with some scattered habitations lying back of the castles, and on the opposite side of the creek; but notwithstanding we entered their first settlement in the most secret manner, and quite undiscovered by them, they soon received the alarm throughout the whole, and fled to the

woods, but without being able to carry off any thing with them. We took 33 Indians and one white man prisoners, and killed 12 Indians. The whole of their settlements, consisting of about fifty houses, with a large quantity of corn and beans, were burnt, a number of fine horses, and every other kind of stock we found were killed, about 100 guns, some of which were rifles, were found among the plunder, the whole of which, after the men had loaded themselves with as much as they could carry, was destroyed, with a considerable quantity of ammunition; one swivel, taken at the Council House, had the trunnions broke off, and was otherwise damaged, and, in fine, the destruction of all their settlements was complete. After which we began our march back, re-crossed the creek, and forded the arm of the lake, along side of which we encamped on very good ground. Having been once interrupted in our return by a small party of Indians, who fired at us from the opposite side of the creek, but were soon beat off by Lieut. Evans's rifle-men, with the loss of one killed on the part of the enemy, and none on our own, (fair weather all this day) 22d, — marched down to the landing, found the batteaux in good order, reembarked and rowed to the Seven Mile Island, where we encamped. — Fair weather — 23d, crossed the lake, and landed two miles up Wood Creek, at two o'clock left two companies to guard and assist the batteaux-men in getting up the boats, marched eight miles and encamped along side of Fish Creek. Fair weather. Saturday 24th, small showers of rain on our march to the fort, where we arrived at 12 o'clock, having been out five days and an half, the whole distance of going and returning being 180 miles, not having lost a single man.

G. V. SEATON.

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A return of prisoners taken, and the number of killed in the Onondaga Castle, on the 21st of April, 1779.

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| 2 Sachems, | } Prisoners. |
| 6 Warriors, | |
| 12 Women, | |
| 13 Children, | |
| 1 White man. | |

12 killed, chiefly warriors.

(Copy) G. V. SCAICK, Col.

Published by order of Congress,

CHARLES THOMSON, Sec.

Extract of a letter from Fort Pitt, dated April 20.

"We have certain accounts here of a woman on Cheat River killing one Indian, wounding another with a broad ax, and making her escape. On my way over the Laurel Hill, I heard of Mr. Sampson's son being taken by the Indians at his plantation, and another man and woman of that neighbourhood. About the 9th, a party of four men were sent express from this post for Hannahs Town, and every one found dead and scalped about fifteen miles from this on the great road.—13th, David Morgan, of Monongalia county, being at his field near a fort, discovered two Indians creeping up to a few young people, who were at work in the field; he gave the children the alarm, and upon the Indians pursuing them, he shot down the foremost, the other pursued him, made a blow at him with his tomohawk, cut off his little finger, and the second almost through; they then closed and struggled for the Indian's knife, which Mr. Morgan got hold of, drew it through the hand of the savage, and stabbed him; upon which they disengaged. Mr. Morgan made to the fort, and the other to the woods. A party immediately set out, found the one dead, and the other sitting; he asked mercy, and it was granted; but on their way in he became surly, one of the party tomohawked him, and took in both their scalps.—14th, at Cavell's mill, a man who had fled from the

north side of the Pennsylvania road, was hunting his horse, he discovered two Indians skulking in a thicket within a few hundred yards of the house, he fired and wounded one of them, then ran to the house, where a few more joined him; they followed the track, found him, and took his scalp; they pursued the other, but he made his escape.—16th, David Maxwell and his wife were killed and scalped at Brush-run, within a few miles of Braddock's old road, their daughter (a young woman) was taken some time ago. By this you may observe that our situation is more alarming than you have ever seen it; nay, the very place where the inhabitants flew to for security, is now become a dangerous frontier."

Philadelphia, August 5.

The English accounts tell us, that the Marquis de la Fayette, is on board the Squadron under M. la Mothe Piquet, but they are mistaken; it is a cousin of the Marquis, who had the command of the troops on board that fleet, and is safe arrived at Martinique.

On Monday last was sent in here, by the frigates Boston and Deane, the privateer schooner Fryall, of 10 guns, of New-York, by whom we learn, that the privateer Flying-fish is also taken by the frigates, and may be hourly expected.

By authentic accounts from the frontiers it appears, that on the 28th of July, a small fort, called Freeland's Fort, about 17 miles from Sunbury, was attacked by about 200 Indians, and 100 Whites, who called themselves Regulars, but are supposed by some to be Tories, dressed in red regimentals. They were commanded by one McDonald. There were in the Fort about 30 men, and 50 women and children. Upon the attack being made, Capt. Hawkins Boons, a very brave and gallant officer, with about 30 men, went to the relief of the fort, but before he got there, the fort surrendered.

dered, and with the neighbouring houses, was set on fire and burnt. McDonald consented to let the women and children come away, but it is not yet known what has been the fate of the men. Capt. Boone advanced to the fort and engaged the enemy, but was soon overpowered by numbers, and fell gallantly fighting for his distressed country. Captains Dougherty and Hamilton are also missing, and 18 of the party. Some prisoners who came from them say, that Captain Boone's and 11 other scalps were brought into the fort in a handkerchief, before they came away. On the 29th of July, Northumberland was the frontier, and it was expected the next day, that all the people and effects would be removed over to Sunbury. Fort Munsey is evacuated.

On the 3d ult. the savages killed three men, and took two prisoners, near Lyconna. The 8th, they burnt the widow Smith's mills, and killed one man. The 17th, they killed two men, and took three prisoners, near Fort Brady. The same day they burnt Starrer's mills, and all the principal houses in Munsey township. The 20th, they killed three men at Freeland's Fort, and took two prisoners; after which the main body attacked the fort, as has been related. Those few people who are left in the county, have behaved with a great deal of spirit, but the draught that has been made from the frontier counties for the boat service, and other duties on General Sullivan's expedition, has left very few men, compared with their former strength. General Sullivan was at Wyoming when the last accounts came away; but as his principal magazine was at Sunbury, and that under a serjeant's guard, until the country people gathered there, it is to be feared this movement in his rear, may have serious consequences as to the expedition.—Colonel Matthew Smith (a Member of

the Executive Council) with a number of brave volunteers, are gone from Paxtang, and other parts of the county of Lancaster, until they can be supported by 600 militia, ordered out from Cumberland and Lancaster. The county of York having for some time neglected their militia, and omitted giving their distressed brethren assistance on a former occasion, have not been called upon now. But as there are doubtless many brave and humane men in that large and populous county, it is expected, that many of them will turn out as volunteers.—We are assured that the Executive Council have given all possible encouragement to the volunteers who have marched.

Philadelphia, August 7.

Extract of a letter from Orange County, dated July 29.

“ Last Friday part of the Goshen and Warwick militia were called for, on an alarm, that the Indians had made an incursion on Old Minisink. When Colonel Hawthorn, Lieutenant-colonel Weisner, Colonel Thurston, Major Papan, with a number of other officers and men, marched to the assistance of their neighbours; they followed the savages thirty miles into the wilderness; an action ensued, wherein our people, had they stuck together, would have taken and killed the whole; however, we have taken upwards of twenty. We have lost Lieutenant-colonel Thurston, Major Papan, Captain Wood, of Goshen, Captain Little, four other Captains, two Lieutenants, and near thirty in the whole killed, wounded, and missing. This party of Indians and Tories, one hundred and thirty in number, was commanded by Brant, as two of them wore red cloths, and being shot at by good marksmen, one of them was not seen for some time before the action was over, which lasted upwards of four hours, and wonderful howling and lamentation was heard after the action.

New-York, August 18.

By a person just arrived from Joseph Brant and his brethren, we are favoured with a list of the principal inhabitants of Goshen, who were killed in the late engagement near Minisink.

Colonel Benjamin Tustine, junior, Captain Samuel Jones, Captain John Little, Captain John Wood, Captain Duncan, Captain Benjamin Vail, Capt. Reat Tyler, Adjutant Nathaniel Fink, Lieutenant Benjamin Duning, Lieutenant Samuel Knap, Lieutenant John Wood, Lieutenant Abraham Shepard, Justice Gabriel Weisner, Justice Gilbert Vail, Justice Roger Townsend, Justice William Barker, Commissioner James Knap, Commissioner James Mashier.

Out of 149 that went out on the party, 30 returned, missing, 119.

Joseph Brant had with him only 27 white men, and 60 Indians.

Burnt at Minisink, 10 houses, 12 barns, one fort, and two mills.

Wounded, Major Hans Decker, Major Samuel Meeker, of the Minisink militia.

Boston, April 22. It may be relied on, that the recruiting service for the Continental army, has lately gone on with more rapidity and success, than for a long time past. A single officer, who has not been long upon that service, will soon send forward from this quarter, no less than 200 recruits. Others have met with like success. At the same time we are well informed, that by far the greater part of the brave Americans, under General Washington, have re-enlisted during the war: nine-tenths of the southern forces have done it. The men are highly pleased with their excellent clothing, which is now acknowledged to be equal, if not superior, to that of any soldiery in the world: they are equally pleased with the plenty and quality of their provisions, and the attention that has been paid by the several States, as well as by Congress, to their families. Many of these noble spirited men, upon their

re-enlistment, have laughingly said, "The term is too short; the war, we know, can last but a little; bring us an indenture for 99 years."

Williamsburg, April 16. The Dove, Capt. Haywood; the Ranger, Capt. Hinton; the St. Tamminy, Capt. Cunningham; the——, Capt. Baine; the——, Capt. Selden, from St. Eustatia, and a large French ship, mounting 20 guns, from Hispaniola, are safe arrived in James River, with valuable cargoes. In the Dove came passenger, Jonathan Loring Austin, Esq. of Boston, the gentleman who carried to France the important news of the surrender of General Burgoyne and his army.

Philadelphia, April 22.

Extract of a letter from Virginia, April 10, 1779.

"Indian corn has fallen more than one half. In February it was sold for twenty-five pounds per barrel, and lately it sold at vendue at ten pounds.—My correspondent at Manchester writes me on the 22d of March, that flour will be cheaper, and that corn was falling very fast: and my friend at Petersburg informs me, that it may be had there at ten pounds."

Trenton, April 28. The price of wheat, from the present prospect of very fine crops the ensuing season, has fallen six dollars per bushel. This circumstance will operate forcibly with respect to importations from abroad, as the French, Dutch, and other nations, will be induced to come to our markets, when they find the produce of the country falling so considerably.

Boston, April 22. Saturday last arrived here, a packet boat, in thirty-nine days from Brest; she sailed a few hours after receiving her orders and dispatches from the Court; she brought very few private letters, but large dispatches for Congress, and the Minister of France at Philadelphia, which will probably determine the arrangements of Europe for the ensuing summer, and the

the issue of the negotiations of the Marquis d'Almadovar, the Spanish Ambassador at London. These dispatches were immediately forwarded, with a proper guard, to Philadelphia. By this packet, which left Brest the beginning of March, we learn, that the armaments of France were going on still with great rapidity and success; that the spirit of the nation was high; that the navigation of the French and Americans, was much more safe and unmolested in the European seas, than it had been; particularly that the Bay of Biscay had for some time been free, in a manner.

Two days before the above packet left Brest, five ships of the line, and a number of frigates, with some troops, sailed for the West Indies, as an additional re-inforcement to the Count d'Estaing; and some time before, seven sail of the line, with transports, and a proportion of frigates, and 6000 troops, had gone from France to the East-Indies.

By the same conveyance we learn, that the Court of France had strongly insisted, by their Ambassador at the Hague, that the States of Holland ought to yield to the just demands of the merchants of that Republic, in asserting to the full, and at all adventures, their rights as a neutral power, and the liberty of trade with America; and that the States were taking the most effectual measures, with other neutral powers, for establishing a point in which not only France and Holland, but all the maritime powers in Europe, are much interested.

Our last advices from Holland, by the packet from France, intimate, that there have been no small dissensions in that Republic, occasioned by the gold of the British Ministry, and their unwearied exertions to maintain a party in Holland, in favour of all their views, respecting America. The Stadtholder, and the city of Rotterdam, are said to have entered into

these views, and to have embarrassed every measure of spirit, entered upon by the States-general, for supporting their neutral right, and protecting the free trade of Holland. On the other hand, Amsterdam, Zell, and Zealand, are warm for insisting upon this right, and for co-operating with France in preventing a monopoly of the American trade from ever returning into the hands of Britain. More than two-thirds of the people of Holland are possessed with the same inclinations. The province of Zealand particularly, speaks in a high tone upon this and other points, and seems determined to make application to the Emperor of Germany, who is strictly united with France, for his protection.

Philadelphia, May 5. Saturday last arrived here from Cadiz, a polacre, with a large and general assortment of dry and wet goods; by her we learn, that the spirit of France is at the highest pitch, and their only ambition is to encrease their navy—that the squadron at Brest does consist of 38 ships, from 70 to 100 guns, and would be ready for sea by the 15th of May—that Mons. De Fabry is at Toulon with eight sail of the line and six frigates; the English have only two ships and two frigates at Gibraltar, to guard their trade in the Mediterranean—that two of the Smyrna ships, valued at 3,600,000 livres, are taken—that the Court of France has obliged the Dutch to declare their sentiments, who have requested to remain neuter, and have offered France to furnish her with all the cordage, duck, and masts for their navy, and that the King of Prussia and the Emperor of Germany had settled their dispute.

Extract of a letter from the Continental Agent at St. Eustatia, to the Hon. Commercial Committee of Congress, dated April 1, 1779.

“ We have the pleasure to inform you, that the prohibition on exporting powder, arms, &c. here, is taken off, and

and we have free liberty now to send those articles to any part of the world."

Published by order of the Committee,
MOSES YOUNG, Sec.

Boston, July 29.

*Extrall of a letter from Townsend,
July 21.*

" We this afternoon arrived safe in Townsend harbour, in company with 50 sail of armed ships, besides brigs, &c. and we saw at anchor in the harbour 110 sloops, transports, with provisions, men, &c. and expect we shall sail for Penobscot by next day after to-morrow, where the enemy have 700 men, who have hove up a battery on Bregaduce Point. Their naval force consists of four ships of war and one schooner, besides transports. They have sent to New-York and Halifax for a reinforcement of ships and land forces."

The Captain of the Brig Sally, bound from Topsham to Trepassy (Newfoundland) and taken off Cape Race by an American privateer, appeared before the Hon. Council of this State on Tuesday last, and testified as follows: that he sailed from Torbay the 23d day of May, with a fleet under the command of Admiral Arbuthnot, consisting of six sail of the line, viz. three of 74, two of 64, and one of 50 guns and two frigates, one of which was bound to Newfoundland, the other, with a ship of 64 guns, bound to Quebec. The Admiral was bound to New-York, and the rest to different parts of America—That he left them about a month ago, in long. 20, eastward of the Westward Islands—That it was reported they had 7000 land forces with them bound to America, which were Hessians and British. The Experiment was bound to Georgia.

On the 28th of June, the fleet from France, that has been some time expected, arrived in the Bay of Fort Royal, in Martinica. It consisted of

46 sail of merchantmen, 19 King's transports, under convoy of two men of war of 74 guns, two of 64, four of 50, two frigates of 36, and one of 26 guns. Their passage was 50 days, *Monf. de la Mothe Piquet*, Commander in Chief. The fleet, besides a great body of troops, brought a large quantity of provisions and stores of all kinds for the land forces, and navy of France, in the West-Indies.

Trenton, April 23, 1779.

SIR,

Thinking that the inclosed letter, which lately fell into my hands, may perhaps be of some use to Congress, as a most convincing proof of what has been so often denied by our enemies, that the British court endeavoured to procure both our domestic slaves, and the savages of the wilderness to destroy us; and that at so early a period of the contest as the year 1775, I do myself the honour to transmit it to Congress; and am with great esteem, Sir, your Excellency's most obedient humble servant,

WILLIAM LIVINGSTON,

*His Excellency John Jay, Esq.
President of Congress.*

Whitball, 2d August, 1775.

MY LORD,

The hope you held out to us in your letter of 1st of May, that with a supply of arms and ammunition, you should be able to collect from amongst Indians, Negroes, and other persons, a sufficient force, if not to subdue rebellion, at least to defend Government, was very encouraging; but I find, by your letters delivered to me by Lieutenant Collins, that you have been obliged, from the violence of the times, menaced by one branch of the legislature, and abandoned by the other, to yield up all the powers of Government. and to retire yourself on board the *Fowey*. I have the King's commands to send you his Majesty's leave to return to England; which,

which, together with his letter, and a commission to Mr. Corbin, to administer government during your absence, will be delivered to you by Captain Atkins, of his Majesty's ship *Acteon*, who goes convoy to the *Maria* store ship.

At the same time it is left to your Lordship's discretion to use this leave of absence or not, as you shall see occasion; for, relying upon your firmness, I have still a hope, that with the supply of arms now sent you, and with the assistance of a greater naval force, the King's government in Virginia may yet be maintained: and should this happily be the case, it will not be necessary, that Mr. Corbin should be informed of his Majesty's intention in his favour. I am, my Lord, your Lordship's most obedient humble servant,

DARTMOUTH.

Earl of Dunmore.

Published by order of Congress.

CHARLES THOMSON, Sec.

Letter from Governor LIVINGSTON, to Sir HENRY CLINTON.

Elizabeth-town, March 29, 1779.

SIR,

After having apologized for my delaying your and Mr. Franklin's dinner, by being accidentally abroad when you did me the honour a few days ago to send Col. Stirling to wait upon me to New-York, I beg leave to acquaint you, that I am possessed of the most authentic proofs of a General Officer, under your command, having offered a large sum of money to an inhabitant of this state to assassinate me, in case he could not take me alive. This, Sir, is so repugnant to the character which I have hitherto formed of Sir Henry Clinton, that I think it highly improbable you should either countenance, connive at, or be privy to, a design so sanguinary and disgraceful. Taking it, however, for granted, that you are a gentleman of too much spirit, to disown any thing that you

think proper to abet, I give you this opportunity for disavowing such dark proceedings, if undertaken without your approbation; assuring you, at the same time, that, if countenanced by you, your person is more in my power than I have reason to think you imagine. I have the honour to be, with all due respect, your Excellency's most obedient humble servant,

WILLIAM LIVINGSTON.

General Sir Henry Clinton.

His Excellency's Answer.

New-York, April 10, 1779.

SIR,

As you address me on a grave subject, no less than life and death, and your own person concerned, I condescend to answer you, but must not be troubled with any further correspondence with Mr. Livingston.

Had I a soul capable of harbouring so infamous an idea as assassination, you, Sir, at least, would have nothing to fear; for, be assured, I should not blacken myself with so foul a crime to obtain so trifling an end.

Sensible of the power you boast, of being able to dispose of my life, by means of intimates of yours, ready to murder at your command, I can only congratulate you on your amiable connections, and acknowledge myself

Your most humble servant,

HENRY CLINTON.

Will. Livingston, Esq. New-Jersey.

Governor LIVINGSTON returned the following answer.

Elizabeth-Town, 15th April, 1779.

SIR,

I received your Excellency's letter of the 10th instant this afternoon, and had an opportunity about an hour thereafter, to see a copy of it in the *New-York American Gazette*, together with mine of the 29th of March, which occasioned it. Your Excellency, by these publications

compared with a certain passage in your letter, seems determined to close our correspondence, by precluding me from a reply. But by the laws of England, Sir, (the best of which we intend to adopt, leaving the rest to our old friends of the realm) he who opens a cause, hath the privilege of concluding it.

It is the observation of foreigners, that America has shewn her superiority to Great-Britain, no less in the decency of her writings, than in the success of her arms. I have too great a respect for my native country, whatever I ought to have for Sir Henry Clinton, to furnish an instance in contradiction of so honourable a remark.

Pethaps, Sir, you entertain too exalted an opinion of your own importance, in deeming it a *condescension* in you, to answer a letter, informing you, in the most inoffensive terms, of an overture made by one of your General Officers to have me assassinated. Alas, how many a hopeful gentleman has been made giddy by a star and garter! It had doubtless redounded more to your honour, and afforded a stronger argument of your abhorring such infamous measures, to have called upon me for the proofs, and manifested a proper resentment against the criminal, than to flourish about *the capability of your soul*, and to betray a want of politeness, so unusual in persons of your rank and breeding; and that without any other provocation, than my complaining to you of the conduct of one under your command, so repugnant to the law of arms, and the sentiments of humanity.

That you have a soul capable of harbouring so infamous an idea as assassination, I was so far from intimating, that I told you, I thought it highly improbable you should either countenance, connive at, or be privy to, a design so sanguinary and disgraceful: and I remember, that when I used the word *improbable*, I

had like to have said *impossible*; but that I was deterred, on recollecting numerous instances, by the extreme difficulty of precisely ascertaining the utmost possibility of British cruelty. Whatever your soul may be capable of, I should have ventured, before the receipt of your letter, to have pronounced it impossible for you to be capable of opprobrious language. How far, Sir, I am now to believe this impossibility, I leave you, in your cooler moments, to determine.

How trifling an end soever you may suppose would be obtained by my assassination, you certainly thought my capture, not long since, important enough to make me a principal object of what was, in a literal sense, a very dirty expedition.

What could induce you to say, that I boasted of the power of being able to dispose of your life, by means of intimates of mine, ready to murder at my command, I am at a loss to guess. Is there a word in my letter either about your life, or about murder? Or is your Excellency so haunted with the thoughts of murder, from a consciousness of British barbarity, that you cannot write three paragraphs, without being startled at the shocking spectre? And if there are any intimates in the case, how do you know but that they are intimates of your own? I told you that your person was more in my power than I had reason to think you imagined. But is there no such thing as one person's being in the power of another without murder? Indeed, Sir, from this specimen of your inductions, you ought to be a much better General than you appear to be a logician, or America need be under no apprehensions about her independence, during your administration.

As to your must not be troubled with any farther correspondence with Mr. Livingston, — believe me, Sir, that I have not the least passion for interrupting your more useful correspondence with the British Ministry, by which

which the nation will doubtless be greatly edified, and which will probably furnish materials for the most authentic history of the present war; and that you cannot be less ambitious of my correspondence, than I am of yours; because, whatever improvement I might hope to receive from you in the art of war, and especially in the particular branches of conducting * *moon-light retreats*, and planning † *secret expeditions*; I should not expect, from our correspondence, any considerable edification or refinement in the *epistolatory* way. I am, therefore, extremely willing to terminate it, by wishing you a safe voyage across the Atlantic, with the singular glory of having attempted to reduce to bondage, a people determined to be free and independent.

I am, Sir,

Your Excellency's humble servant.

WILLIAM LIVINGSTON.

*His Excellency General
Sir Henry Clinton.*

In Congress, Philadelphia, April 24.

Whereas Congress on the twenty-first day of August last, did resolve, That when any persons are desirous of going within the enemy's lines, they shall apply to the executive power of the state to which they belong, and if the said executive power approve the motives and characters of the persons applying, and shall be of opinion, especially at so critical a conjuncture as the present, that no danger will ensue by granting such, that they recommend them to the officer commanding the troops next to the enemy, who upon such recommenda-

tion may, at his discretion, permit the persons to go in. For the better execution of the said resolution,

Resolved, That any officer who shall permit a person to go within the enemy's lines without such recommendation, or the orders of the Commander in Chief, or the Commander of a separate department, and shall therefore be duly convicted before a Court-martial, shall thereby forfeit his commission.

Extract from the Minutes.

CHARLES THOMSON, Sec.

*In Council, Philadelphia, April 24,
1779.*

Whereas it hath been heretofore represented by his Excellency the Commanded in Chief, to this Board, that the intercourse which has been maintained by the passing of so many persons to New-York, is exceedingly prejudicial to the interests of America, generally, and the safety of the army in particular, and it being also apparent, that some persons who have been recommended to go within the enemy's lines on condition of not returning, have, nevertheless, returned, and are now residing in this state.

Resolved, That this Board will not, in future, give any recommendation, but in cases of a particular and extraordinary nature, and then only to such as shall be recommended to the Board, by persons of known good character; and, that in all cases where a recommendation is given, upon condition of not returning, without the permission of public authority, two good securities be given

* Sir Henry Clinton informed the Ministry, that in his retreat at Monmouth, he took the advantage of the *moon-light*; when in reality he did not begin his retreat till some hours after the moon was set. [Pen. Packet.]

† It is remarkable, that of all the *secret expeditions* planned by this gentleman, since he has had the chief command of the British army (and those expeditions have been multifarious) not one of them has succeeded. It is therefore to be presumed, that Great-Britain proposes to obtain, by his Generalship, a most *untrifling end*. [ibid.]

for the performance, or the application be rejected.

Extract from the Minutes.

T. MATLACK, Sec.

In Congress, May 28, 1779.

The Board of Treasury having reported, "that, in their opinion, it will be impracticable to carry on the war by paper emissions, at the present enormous expences of the Commissary-general, Quarter-master-general, and Medical department, that it appears to them that a general opinion prevails, that one cause of the alarming expences in these departments, arises from allowing commission to persons employed in purchasing for the army, and that a very general dissatisfaction has taken place on that account among the citizens of these United States—and that in their opinion it is necessary to put the said departments on a different footing, with respect to the expenditure of public money."

Resolved, That the same be referred to a Committee of three, and that they be directed to report a plan for that purpose.

The members chosen, Mr. Dickinson, Mr. Huntington and Mr. Burke.

May 28, 1779. Resolved, That a Committee of three be appointed to consider the most advisable mode of negotiating a foreign loan, to what amount, and in what manner the same may be most advantageously applied to the use of these States.

The members chosen, Mr. Dickinson, Mr. Laurens, and Mr. Smith.

Ordered, That the report of the Committee appointed to confer with the Commander in Chief, dated February 2, 1776, be referred to the said Committee.

June 8. According to the order of the day the Congress proceeded to the consideration of the report of the Committee of thirteen on foreign affairs, and on the question.

"Shall Mr. R. Izard be recalled?"
Resolved in the affirmative.

A motion was then made by Mr. Duane, seconded by Mr. Armstrong.

"That Mr. Izard be informed, that it is the sense of the Congress, that he need not repair to America until it suits his convenience."

An objection was made to this as being out of order.

On the question, "Is the motion in order?"

Resolved in the affirmative.

On motion of Mr. Sherman, seconded by Mr. Lovell,

Resolved, That the words, "until it suits his convenience" be struck out.

On the question to agree to the motion as amended,

Resolved in the affirmative.

On the question, "Shall Mr. W. Lee be recalled?"

Resolved in the affirmative.

A motion was made by Mr. S. Adams, seconded by Mr. Sherman, that Mr. William Lee be informed, that it is the sense of the Congress that he need not repair to America.

Resolved in the affirmative.

Resolved, that there be but one Plenipotentiary, Minister or Commissioner for the United States at a foreign court.

June 9. On motion of Mr. Dickinson, seconded by Mr. Burke,

Resolved, That the management of all business relating to the Marine of these United States be vested in Commissioners.

Resolved, That a Committee of three be appointed to prepare a plan for conducting the Marine business of the United States, and ascertaining the duties and powers of the Commissioners.

The members chosen, were Mr. Dickinson, Mr. Whipple, and Mr. Collins.

CHARLES THOMSON, Sec.

Philadelphia, May 8. The people of Pennsylvania are greatly obliged

to the Printers for the information given them, respecting the vote of Congress on the question for recalling Arthur Lee, Esq: it is hoped the public will be made acquainted with the motives which induced three of our Delegates to vote for his recall. Whatever may be guessed at with respect to Mr. Lee's proposed recall, nobody, that I have heard of, can guess at any honest motive for recalling Dr. Franklin, whose abilities, integrity, and patriotism, is acknowledged by all, whose character is firmly established in Europe, and whose attention to the interests of America is equal to our wishes. And yet it is certain that his recall has actually been moved for in Congress, and put to the vote. This may throw a light on the former question. You will add to the obligation already conferred by procuring and publishing the yeas and nays, on the question relating to this venerable patriot and friend of liberty. These attempts to remove, at this critical point of time, our tried and firm friends from their important stations abroad, excite in the minds of all ranks of men, strong suspicions that there is something *wrong* intended. Every body appears anxious to know *the men* who are concerned in this measure, in hopes they may be able to judge from their *former* conduct, what are their *present* motives. Will it be possible to ascertain who were intended for our new foreign ministers, if the recall had taken place? if it could, it would throw a further light on this dark business.

New-York, May 8. Overtures having been made by General Washington for settling a cartel for the exchange of prisoners, Commissioners met by appointment at Amboy, April the 12th, and remained there until the 23d, when Colonel Hyde, of the foot guards, and Capt. Andre, Aid-

de-camp to his Excellency the Commander in Chief, returned to New York, and made the following report:

To his Excellency Sir HENRY CLINTON, K. B. &c. &c.

Report of Col. HYDE and Capt. ANDRE, Commissioners on the part of his Excellency Sir HENRY CLINTON; for negotiating an exchange of prisoners, &c.

To his Excellency Sir HENRY CLINTON, K. B.

S I R,

We beg leave in this report, to refer your Excellency to our letters from Amboy: in these we expressed our surprize to find that General Washington's Commissioners objected anew, to the powers we produced, as being incompetent to a general cartel, which must rest, as they termed it, on the broad basis of national faith, not on personal confidence; they quoted on this occasion, the customs of nations at war where Commissioners, were vested with powers from the supreme authority of the state, not from the commanders of armies: we would not consume time in refuting such inapplicable parallels, or in questioning the great breadth of basis ascribed to the faith of unrecognized power which ratified the convention, but desired to proceed on the powers we had, to an immediate exchange of prisoners, and to frame regulations for others in future, under whatever name they chose to enter into such an agreement, as it was surely an object of importance enough to deserve our attention, and fully within the compass of our commission to redeem some thousands of individuals from captivity, and to provide for the more speedy relief and more comfortable maintenance of such as should hereafter be taken. We thought it rather derogating from the zeal professed by the enemy in this affair, to hear their Commissioners propose in answer, that in case your Excellency was not autho-

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rified

vised to pledge the faith of the nation, the change might be deferred till such authority could be obtained from Europe. They, however, admitted that they could treat on a present exchange. In order, therefore, to enter closely on the subject, we proposed a mutual communication of the nature of the agreement we had in view, and we produced to them an imperfect sketch of a cartel which we had drawn up, according to the spirit of our instructions, and of which we subjoin a copy.

In return, they exhibited to us some articles which they had compiled, and had intended as the chief tenor of a general cartel, had they judged our Commissioners to have been sufficient. These pieces were not interchanged, we can therefore only observe as to theirs, that most of the articles differed widely from ours, and many appeared to us ill defined, and leaving room for arbitrary constructions, which might easily afford ill-grounded pretences for violations. We could not but be very cautious in hearkening to terms of such a tendency, when the business under our consideration, brought to mind such flagrant instances of perversions of that nature in the affair of the Cedars, and in a treaty of much greater importance, where a few cartouch boxes were wrested into a pretext for invalidating a solemn convention.

The American Commissioners refused their assent to our first article for the universal delivery of prisoners, in which we conceived they would, on computation, have remained indebted to us; but from our account, they struck off all prisoners in Georgia, having, they assured us, no authentic intelligence concerning them, probably upwards of 1000 men; like-

wise between 4 and 500 officers and soldiers pretended to be forfeited by an infringement on the agreement at the Cedars: officers of militia not taken in arms, therefore stiled citizens*. By these and similar deductions, they transferred the balance to their own side.

We were not more successful in bringing their ideas to coincide with ours, when we proposed to agree on an exchange as far as our abilities should be found to extend, involving in the exchange of all officers, that of a certain proportion of private soldiers.

Upon the whole, they appeared to circumscribe their views to the redemption of their officers on Long-Island, pressing us to mention the number of private men we should insist on receiving, if an exchange took place, as if whatever equivalent we might have, their instructions had been to limit the private men they were to surrender.

Unable to bring them to compliance with our terms, or to induce them to name their own, we at length, on Monday the 19th instant, presented the following definitive proposals, the form and diction of which, we said might be altered, if necessary, as we had not adverted particularly to those points.

As each subject of these offers had been fully discussed in our several conferences during the preceding week, we thought, if the enemy's instructions admitted of any agreement, much time could not be required for deliberation. But as they had throughout the negotiation objected to every thing with a malicious spirit of contention, we drew no favourable reference from their delay in answering, and provided they were only framing a reply which should

* Establishing rates of exchange for unequal ranks, so as to favour themselves in this particular case.

serve as an apology to the unhappy people, who, through the obvious policy of avoiding all exchange (except possibly on a very particular and confined principle) are to remain in captivity. We therefore, after waiting three days, wrote to them the letter which we annex, together with their answer.

Having thus closed our business, we quitted Amboy. We have now with our warmest acknowledgments to assure your Excellency of our sense of the honour you conferred upon us, and to entreat you to be persuaded, that our zeal to effect the benevolent purposes of our commission, is only equalled by the concern we feel at their having been so unhappily frustrated.

We have the honour to be, &c.

WEST HYDE.

JOHN ANDRE.

New-York, April 24, 1779.

Definitive Proposals to Colonels DAVIES and HARRISON, Commissioners on the part of General WASHINGTON for an exchange of prisoners.

We renew our first proposal, which we still think the most equitable that could be adopted: that a general restoration of all prisoners of war now in possession of both parties take place, including the troops of the Convention of Saratoga, the balance in favour of either to be accounted for by the other with the first prisoners taken: in default of similar ranks unequal to be interchanged on a tariff which we annexed.

But as this was objected to on a supposition that the prisoners of one party would not extend to the redemption of those of the other; a more partial mode was suggested. Having in our several conferences on that subject fully investigated the matter, we now offer the following terms as a result and a final proposal:

1. The troops of the Convention shall be first exchanged, and in the following succession as far as the prisoners in the hands of the British in any part of the continent will suffice to exchange:

- | | | | |
|--------|--------------------|---|-------------|
| | Half the Artillery | } | Right Wing. |
| | One Regt. British | | |
| | One Foreign | | |
| Major | General | } | Left Wing. |
| | Foreign | | |
| | British | | |
| Lieut. | General | } | Left Wing. |
| | British | | |
| | Foreign | | |
| Major | General | } | Left Wing. |
| | Foreign | | |
| | British | | |
| | Foreign | } | Left Wing. |
| | Half the Artillery | | |

Dragoons, staff officers and corps not included above, to be exchanged half with each wing, and disposed as may be agreed upon.

Brigadier-generals with their regiments.

2. In the above exchange, officers shall be accounted for according to the ranks they held on the 17th Oct. 1777, (the day of signing the Convention) and shall be exchanged by us for officers of equal ranks as far as numbers will admit. In cases where the ranks and numbers will not exactly apply, officers shall be exchanged by an adequate proportion for other ranks the nearest to their own, according to the tariff annexed.

In the exchange of our general officers, we will return those of the highest ranks in our possession, reserving a sufficient number of Brigadiers and field officers to replace all those of ours who are prisoners, according to the principle of equality.

On the other hand, the private soldiers of the Convention, who shall exceed the number of privates we may have

have to return for them, shall be exchanged by an adequate proportion (according to the tariff) of such staff officers, subaltern officers, and afterwards officers of next inferior rank as may remain in our possession more than the number of subalterns and staff officers of the Convention troops.

The account of these balances to be settled according to the returns of officers and men actually and *bona fide* restored on each side; and such British regimental officers as are absent on parole shall be accounted for with their regiments, or if required, be exchanged amongst the first on the footing of their being already restored.

3^d. And should there after this, remain prisoners in the hands of the British in any part of the continent, Georgia particularly included, they shall be assigned to a further exchange of prisoners, as far as they will extend.

4. Officers who being on parole have not complied with the summons to return, and officers who have violated their paroles, are to be sent back immediately, or accounted for first in the exchange. And Sir Henry Clinton leaves it with General Washington in the present case to determine as to officers of the American army, which shall be accounted for as having unwarrantably absented themselves.

5. And though we are instructed to assert the just pretension, and to claim in the most explicit manner the due performance of the capitulation of the Cedars, yet that no obstacle may remain to impede the immediate object of these proposals, we consent that the discussion of that affair shall remain for some future opportunity.

6. And we further consent, in the same view of removing difficulties, that serjeants continuing to be exchanged as heretofore as privates,

subaltern officers shall only be rated as you propose at six men, though we think the appreciation inadequate.

7. In case either party from motives of generous confidence, and to accelerate relief, should be induced to dispossess themselves of a portion of prisoners before circumstances admit of receiving an equivalent, the plighted honour of the Generals, or some adequate security, must guarantee the delivery of the said equivalent, so that no pretence whatever may be made use of to delay or evade it. But we can neither on the present or in any future case admit that officers and soldiers of militia not on service shall be exempted from being made prisoners of war.

We are not unwilling to frame regulations to establish and facilitate future periodical exchanges upon terms of mutual advantage, and which can leave no room for altercation or misconstruction. Whether such an instrument shall be called a general cartel, we will not dispute, and shall be contented with powers on the part of the American Commissioners of a like tenor with our own

T A R I F F

Gen. commanding in chief	-	5000
Lieutenant-general	- -	1200
Major-general	- - -	350
Brigadier-general	- - -	250
Majors of brigade	} according to rank in the army.	
Aides de camp		
Colonel	- - - -	159
Lieutenant-colonel	- - -	75
Major	- - - -	35
Captain	- - - -	20
Lieutenant	- - - -	10
Ensign	- - - -	5
Adjutant	- - - -	10
Quarter-master	- - - -	10
Chaplain	- - - -	10
Serjeant	- - - -	2
Corporal	- - - -	1
Private	- - - -	1
Drummer	- - - -	1

If

If the above rates are agreed to, it will be easy to settle others for the staff, &c. upon the same principles of equity.

Signed WEST HYDE.

JOHN ANDRE.

Commissioners on the part of
Sir HENRY CLINTON.

Amboy, Thursday, April 22, 1779.
Gentlemen,

With a patience inspired by our anxious wishes to effect the end of our commission, and supported by the duties of personal politeness, we have waited three days to receive your assent or negative to the proposals we offered you on Monday; as they are determinate and unalterable, so we hope they are clear. In the first case, they can only require a decisive answer; should they be deficient in perspicuity, we shall be happy to explain them.

We present you on our part terms unpropred by argument and resting only on the basis of their equity, should you not be inclined to acquiesce in them, we trust you will not on your side detain us for the purpose only of entering at large into your motives, especially as we have Sir Henry Clinton's orders to bring this negotiation to a speedy conclusion, and to return to New-York so soon as we are convinced there are no hopes of success.

We are, gentlemen,

Your most obedient and
most humble servants,

WEST HYDE,

JOHN ANDRE.

Colonels Davies and Harrison.

Amboy, April 22, 1779.

Gentlemen,

We are very sensible of your personal politeness through the whole of our negotiation, and should be extremely unwilling you should indulge an idea that in any instance we would wish to detain you unnecessarily.

We affect not delay, but actuated by the warmest desires to accomplish the humane purposes of our appointment, we have paid the closest attention to the proposals you have offered; we have found them extensive and important in their consequences, involving a variety of interests, which necessarily required much consideration. With a truly anxious zeal we have endeavoured to accommodate them to our mutual advantage and that of the prisoners, and are sensibly distressed to find ourselves unexpectedly restricted to a bare assent or negative to your proposals. Should they however be finally determinate and unalterable as you express, we have only to lament that they are such as we cannot accede to, without manifest injury to our country, and incurring the disapprobation even of our unfortunate prisoners themselves.

We are, Gentlemen,

Your most obedient and most
humble servants,

WILLIAM DAVIES.

ROB. H. HARRISON.

Col. Hyde and Capt. Andre.

Letters referred to in the report from Colonel Hyde and Capt. Andre to the Commander in Chief, with his Excellency's answer.

Amboy, April 14, 1779.

S I R,

We landed on Monday at about twelve o'clock, and yesterday had a first conference with the gentlemen deputed to meet us. At interchanging our powers, we were not a little surprized to find ours objected to as to their competence to effect a general permanent cartel, these being the same grounds on which they had before obliged British Commissioners to break off a similar conference. They wished to have read in our commission from your Excellency, "I do hereby, in virtue of full powers to me delegated, nominate and appoint you, &c.

We

We also thought it rather inauspicious and not easily to be reconciled to the zeal expressed by the enemy for an exchange, to hear their Commissioners in a first interview propose, that if your Excellency were not authorised to pledge the faith of the nation, the release of prisoners might be deferred till such authority could be obtained from Europe.

Solicitous, however, to find if any desire of treaty existed on their part, and cordially resolved to attempt every thing on ours, we entered on the subject; and in our conversations of yesterday and this morning have been able to observe,

That although they conceive our powers inadequate to a general cartel, they do not alledge them to be so as to a present exchange of prisoners, nor can we find where they mean to draw the line, which is to circumscribe our regulations for the future; we are therefore inclined to hope that in this we are disputing on words.

They disclaim all intention to draw us into an acknowledgment of their independence, and have fully satisfied us that the preamble may be couched in terms not repugnant to our general mode of expression with respect to them. They appear willing to talk of an exchange without entering into accounts. But

They stile General Burgoyne a *Commander in Chief*, and intimate that he and the other general officers should be first exchanged.

They will not accede to a general delivery of prisoners, pretending, contrary to what we know to be the case, that the balance is greatly in their favour.

They profess ignorance of all transactions in Georgia, and refuse to enter into any agreement extending to prisoners taken there.

They cavil upon the rates at which unequal ranks might be interchanged where their interest in the present case appears concerned. And

They seem to be aiming, in the mode of exchange, at an arrangement which may leave private soldiers in their possession.

We will not however despair of agreeing upon some measures for granting relief to the whole or a large portion of the prisoners now in their hands, and of fixing some line by which to be guided on future occasions of this nature.

We take the liberty to observe to your Excellency, that we cannot recommend the concession they required in the matters relative to our powers, confident that the main point of shortening or alleviating the pain of captivity is in no manner connected with it, and as we think it only demanded in the same spirit of encroachment with which in each successive power granted to Commissioners for treating on this subject, they have affected to display more at large their usurped dignities.

We must acknowledge that the gentlemen we have met, are personally such as we could have wished to confer with.

We have the honour, &c.

WEST HYDE.

JOHN ANDRE.

Amboy, April 16, 1779.

S I R,

We have to give your Excellency some farther information as to our proceedings.

We find that the American Commissioners still urge the enlargement of our powers as necessary for a *general cartel*, but we evidently see that it is for the purpose of appearing to treat on the footing of a nation at war; and we cannot perceive that a concession on this head would have any other effect than giving them a triumph, especially as they introduce very improper matter to be acceded to, which this would not tend to remove.

We have candidly shewn them the ground on which we can proceed, and

sending to your Lordship the copies of letters which I have this morning received from Major-general Mathew and Sir George Collier, together with the returns of ships, stores and magazines already destroyed in the Chesapeake Bay: the operations have been well conducted, and the success has been very compleat.

Copy of a letter from Major-general MATHEW to General Sir HENRY CLINTON, dated Portsmouth, Virginia, May 16, 1779.

SIR,

After a very favourable passage of four days, we entered the Capes of Virginia the 8th instant, contrary winds prevented our landing till the 10th.

About three in the afternoon the army was landed at the Glebe, on the western shore of Elizabeth river, just out of cannon shot of the fort. As the troops landed, the column moved to invest the fort. The enemy, perceiving that their retreat would be cut off, evacuated before we could reach the south branch of Elizabeth river.

The artillery and stores, taken in the fort and town, will appear by the returns I have the honour to inclose.

Having taken possession of the fort, and placed guards in the town, I encamped in two lines, right to the fort, and left to the south branch.

On the 11th the flank companies of the guards took a strong position ten miles in front of the right wing. The volunteers of Ireland took one equally strong, seven miles in front of the left wing. The center of the line was covered by an impenetrable swamp.

On the 12th, the guards marched at night to Suffolk, eighteen miles, and arrived at day-break. The town was hastily deserted; and some vessels, a very large magazine of provisions, with naval stores, and two pieces of cannon, were destroyed. The re-

turns, Sir, will ascertain the quantities. Mr. Barrett, volunteer, with one light infantry, were wounded.

The volunteers of Ireland have had some slight skirmishing, in which they have suffered little. The enemy have lost, in killed, wounded, and prisoners, four and twenty.

I am prosecuting your Excellency's further instructions, in which I have great reason to believe very many of the inhabitants will contribute their assistance,

I have the honour to be, &c.

EDW. MATHEW.

Copy of a letter from Sir GEORGE COLLIER to General Sir HENRY CLINTON, dated Reasonable, May 16, 1779.

SIR,

After leaving New-York the 5th inst. with the men of war and transports under my command, I proceeded towards the place of our destination with the most propitious winds, and on the 4th day (from our sailing) made the Capes of Virginia. The fleet anchored that night between the sands near Willoughby Point, which they had hardly done, when the most terrible flurry of thunder, lightning, wind, and rain, came on, that I ever recollect: its continuance, however, was not more than half an hour, and the ships were all so fortunate as to escape driving on shore. At sun-rise we saw some rebel ships and vessels in Hampton road, with their sails loose, who, as soon as the tide admitted of it, got under weigh, and ran up Elizabeth and James rivers; our fleet also weighed, and the Reasonable anchored shortly after in Hampton Road, her great draught of water not admitting of her going further with conveniency. I immediately shifted my broad pendant to the Rainbow, and proceeded with the fleet up Elizabeth river, till a contrary wind and the ebb tide obliged us to anchor. The next morning being calm, prevented

vented the ships from moving with the flood, on account of the narrowness and intricacy of the channel; and as the intended place of descent was not more than five or six miles distant, the General, anxious to lose no time, embarked the first division in the flat boats, and covered by the Cornwallis galley, and two gun-boats, that carried a six-pounder at each end, proceeded up, and landed without opposition at the Glebe, which is distant about three miles from the town of Portsmouth. The fort fired some heavy guns at the galley, which the distance rendered of no effect. A favourable breeze having arose, brought the ships up, even before the first division had got on shore; and the remainder of the troops, with the field artillery, &c. were landed immediately with the utmost expedition.

The movements of the army afterwards, General Mathew will best explain to your Excellency; the rebels still kept their colours flying upon the fort, from which circumstance we judged they intended making some defence, though we did not expect much. To give them, however, no time for throwing up fresh works, or for waiting to be reinforced by more rebel troops, it was agreed between the General and myself, that the Rainbow should move up with the morning tide before the fort, and that the troops, at the same time, should attack it on the land side. The enemy, however, saved us the trouble by quitting it that evening, and we took possession of the fort and town of Portsmouth, as also of Norfolk (which is on the opposite side of the river) without the least opposition.

The enemy by this surrender lost several ships and vessels which fell into our hands. Some were burned by themselves, among which were two large French ships, who were said to be loaded with a thousand hogsheds of tobacco.

Apprehending that many more rebel vessels had pushed up the river, I dispatched the Cornwallis galley, two gun-boats, four flat-boats manned and armed, together with four privateers which had desired to receive orders from me, under the command of Lieutenant Bradley, assisted by Lieutenants Hitchcock and Johnson, in pursuit of them. They were very successful in their enterprise, taking and burning a great number of the enemies vessels, many of which were on the stocks ready for launching. Amongst the captures was the Black Snake, a rebel privateer of 14 guns, who, after being cannonaded by the gun-boats, was carried by boarding, with the loss of some of the rebels, but on our side two men only were wounded.

I had sent some small ships, under the direction of Captain Creyk of the Otter, up the main branch of the Chesapeak, at the same time I entered Elizabeth river. The movements of this little squadron were so judicious, that the enemy were much harrassed and distressed; they destroyed many vessels and captured others, among which were two with about two hundred hogsheds of tobacco.

The Reasonable remaining stationed before the town of Hampton, with some armed tenders, blocks up that port, and the navigation of James river; Elizabeth river is already taken effectual care of, and Captain Creyk's little squadron renders the ingress and regress of the Chesapeak almost impracticable for the rebel vessels without their being taken.

I have now informed your Excellency of the detail of our military operations by sea, to the present time. Our success, and the present appearance of things infinitely exceed our most sanguine expectations; and if the various accounts the General

and myself have received can be depended upon, the most flattering hopes of a return to obedience to their Sovereign may be expected from most of this province; the people seem importunately desirous that the royal standard may be erected, and they give the most positive assurance that all ranks of men will resort to it. You are too good a judge, Sir, of the very great importance of this pass we now hold, to render my saying much upon that subject necessary; permit me, however, (as a sea-officer) to observe, that this port of Portsmouth is an exceeding safe and secure asylum for ships against an enemy, and is not to be forced even by great superiority. The marine yard is large and extremely convenient, having a considerable stock of seasoned timber, besides great quantities of other stores.

From these considerations, joined to many others, I am firmly of opinion, that it is a measure most essentially necessary for his Majesty's service, that this port should remain in our hands, since it appears to me of more real consequence and advantage than any other the Crown now possesses in America; for by securing this, the whole trade of the Chesapeake is at an end, and consequently the sinews of the rebellion destroyed.

I trust and hope, Sir, you will see this matter in the same important light I do, and give such directions for reinforcements to be sent here as you may think necessary, in order for our pursuing and improving those advantages, which we have with so much good fortune acquired.

General Mathew proposing to write to you by this express-boat, I shall leave to his pen to inform you of the destruction of the considerable magazines in Suffolk, (intended for the Rebel army) by a detachment of the King's troops under Colonel Garth; and, before I conclude my letter, permit me to express my great satisfac-

tion in the choice of the officers you were pleased to name for co-operating with me on this expedition, as too much praise cannot be given General Mathew for his indefatigable zeal and attention for the King's service; and I have the pleasure in acknowledging the perfect harmony and understanding which subsists between his Majesty's land and sea-officers.

I have the honour to be, &c.

Sir, &c.

(Signed) G. COLLIER.

Sir Henry Clinton, K. B.

Return of stores, ships, &c. &c. taken by his Majesty's troops in the town of Portsmouth and River Elizabeth, in the Province of Virginia, May 15, 1779.

- 26 Casks of nails.
- 87 Piles of rope.
- 8 Hawfers.
- 5 Cables.
- 110 Pieces of sail-cloth.
- 21 Bags stuffed.
- 14 Bales of cloth.
- 6 Ditto blankets.
- A large quantity of iron.
- 193 Hogheads of tobacco.
- 43 Ditto rum, 1 puncheon ditto.
- 117 Barrels of pork.
- 113 Ditto flour.
- 6 Ditto oil.
- 59 Hogheads molasses.
- 67 Bags of salt, with a number of barrels ditto.

A large quantity of rigging, sails, blocks, tar, and other stores not enumerated.

- 1 Ship loaded with tobacco.
- 1 Ditto.
- 1 Ditto with mahogany and logwood, with a number of smaller vessels.

In the Dock Yard,

- 1 Frigate ready to launch, burnt by the Rebels at our approach.
- 1 Ditto for 36 guns, on the stocks.
- 1 Ditto larger, keel only laid.
- 1 Brig pierced for 20 guns, on the stocks.
- 1 Sloop ditto.

A large

A large quantity of masts and yards, with timber, plank, iron, and other stores to a very considerable amount.

Upwards of 3000 barrels of pork destroyed, with the stores, &c. at Suffolk; also a large quantity of different species of provisions at Shepperds, on the Nanfemond.

22 vessels, with a considerable quantity of powder taken and destroyed up the South Branch of the navy.

At Norfolk.

1 Stand of colours, sails, and canvass prepared for the ships and vessels on the stocks, 4 four-pounders, 1 six ditto, 7 hogsheds of tobacco, some provisions, and other stores.

A brig with 8 guns, and a sloop burnt up the West Branch.

(Signed) EDW. MATHEW, M. G.
Return of iron ordnance and stores taken at Portsmouth in Virginia, May 11, 1779.

Iron guns on ship carriages. 19 six-pounders, 3 four pounders, 6 three-pounders.—Total 28.

Spare carriages, 9. Firelocks, 400. Bayonets, 263. Pistols, 3. Half barrels powder, 8. Whole barrels ditto, 2.

(Signed) H. ROGERS, Lieut. commanding a detachment of the Royal Artillery in Virginia.

N. B. At the Dock-yard, omitted to be included, 4 six-pounders.

Return of ordnance and stores taken in Fort Nelson, near Portsmouth, in Virginia, May 11, 1779.

Iron guns on ship carriages. 9 twenty-four-pounders, 2 nine-pounders, 11 six-pounders.—Total 22.

Iron guns on travelling carriages. 4 four-pounders, 2 three-pounders.—Total 6.

Round shot. 768 twenty-four pounders, 80 nine-pounders, 311 six-pounders, 89 four-pounders.—Total 1248.

Bar shot. 17 Twenty-four-pounders,

12 nine-pounders, 27 six-pounders.

—Total 56.

Grape shot. 28 twenty-four-pounders, 30 six-pounders.—Total 58.

Chain shot. 10 twenty-four-pounders.

Cartridges paper filled. 77 twenty-four-pounders, 28 nine-pounders, 63 six-pounders, 94 three-pounders.—Total 185.

Handspike, common, 350. Handspikes flawed, 200. Powder in whole barrels, 18. Powder in broken barrels, 20. Wadhooks, 10. Ladles with wadhooks, 6. Ladles, 14. Sponges, 11. Searchers sets, 2. Damaged powder barrels, 3 and a half. Iron truck wheels, 6. Spare carriages, 19.

(Signed) H. ROGERS, Lieut. commanding a detachment of the Royal Artillery in Virginia.

Admiralty Office, June 26, 1779.

Lieutenant Wickey, of his Majesty's ship the Rainbow, arrived late at Night on the 22d instant, with letters from Sir George Collier, Commander in Chief of his Majesty's ships and vessels in North America, to Mr. Stephens, of which the following are extracts, viz.

Rainbow, off Portsmouth, May 17, 1779.

Having concerted with Sir Henry Clinton, Commander in Chief of the King's forces in America, the most probable means for restraining the trade of his Majesty's rebellious subjects, a descent in Virginia was judged of the greatest utility for that and other purposes; in consequence of which, I sailed from New-York on the 5th instant, with his Majesty's ships Reasonable and Rainbow, the Otter, Diligent, and Haerlem sloops, and Cornwallis galley, together with several private ships of war, and twenty-two transports, having on board the grenadiers and light companies of the guards, the 42d regiment, the royal volunteers of Ireland, and the Heñian regiment of Prince

Charles;

Charles; all under the command of Major-general Mathew.

Our passage was so favourable, that the fleet anchored, on the fourth evening from our sailing, between the shoals of Willoughby Point, in Virginia, and early the next day proceeded up Elizabeth River, leaving the Raisonable in Hampton Road, whose great draught of water made her going further very hazardous.

When the tide of ebb and a calm made it necessary for the fleet again to anchor, we were not above five miles from the intended place of descent. Anxious to give the enemy no time for preparation and reinforcement, the first division of troops were embarked in the flat boats, proceeded and covered by the Cornwallis galley, and two gun boats (carrying a six-pounder at each end) and landed without opposition at the Glebe, two miles and a half from the fort, and three from the town of Portsmouth; a favourable breeze brought up the ships soon after, and the disembarkation of the rest of the troops was made with the utmost expedition.

Except a few guns fired at the Rainbow from the fort, which the distance rendered of no effect, there was no opposition made by the rebels: they abandoned their works with precipitation, leaving the rebel colours flying, which were taken possession of the same evening by the King's troops. The enemy lost by this surrender several ships and vessels in the harbour, which fell into our hands; many others were burnt by themselves; amongst whom were two large French ships, laden (as it is reported) with a thousand hogheads of tobacco.

We found in the dock-yards a very large quantity of naval stores of different kinds, which I shall direct to be shipped in the transports, for his Majesty's careening yard at New-York.

After the necessary posts were established, and possession taken of Portsmouth and Norfolk, a detachment of the army marched to Suffolk, and destroyed the salted provisions designed for Mr. Washington's army, to what quantity is not exactly ascertained, but it is reported at 5000 barrels.

The enemy upon the whole have suffered very considerably; for besides their loss in naval stores, tobacco, molasses, and other articles, there have already been destroyed and taken, since our entering the Chesapeake, not less than 130 vessels, amongst which are a ship of war of twenty-four guns, almost rigged, burnt by themselves; another of thirty-six guns, not quite finished, and on the stocks; one of eighteen, one of sixteen, and three of fourteen guns, all designed for cruizing on the British trade.

I have the honour to send these dispatches to their Lordships by Mr. Wickey, my First Lieutenant, an officer of merit, who is deserving of my recommendation of him to their Lordships.

Philadelphia, May 5. On Monday last, the 26th ult. about break of day, a detachment of British, consisting of seven hundred men, were discovered by a scouting party of Col. Ford's, coming up the North River, about half a mile below the Red Bank, who immediately gave the alarm. The enemy directly landed four hundred men at Painter's Point, and about forty of them marched up to Shrewsbury; the remainder went about half a mile to the westward, and came out about William Wardill's place, with a view to cut off a retreat of near three hundred of our people posted on that station. Col. Ford's party (uncertain of the enemy's force) retreated, and got about four hundred yards a-head of them; the enemy pursue

performed them to the Falls, firing all the way, but could not overtake them. They then set fire to High Sheriff Van Breenk's house, and a house, the property of and adjoining to Colonel Hendrickson's dwelling house, which were burnt to the ground. They also fired the houses of Capt. Richard M'Knight and John Little, Esq. The enemy then returned to Shrewsbury, plundering all the way to Colonel Breeze's, whom they robbed of all his money and most of his plate, and at Justice Holmes's, where they plundered and destroyed every thing they could lay their hands upon; and then retreated to their boats, a few militia firing on them. They then went to Middleton, and joined three hundred who had crossed over there, when the four hundred marched to Shrewsbury, and staid till evening, burning a house and barn, and plundering some of the inhabitants. Colonel Holmes had by this time assembled one hundred and forty of the militia, who drove them to their boats near the gut, dividing the Highlands from Sandyhook. One of the enemy was killed, and another taken prisoner. The enemy carried off with them Justice Covenhoven and son, likewise several others. They got off by sun-set, and returned to New-York, taking away some cattle and horses.

On Saturday last George Hardy, convicted of high treason, and condemned to be hanged, was taken to the place of execution, and a few minutes before the time in which he expected to be launched into eternity, a reprieve from his Excellency the President and Council unexpectedly arrived, by which the execution of the sentence is respited "until the end of the next sitting of General Assembly,"* agreeable to the Constitution. The reprieve evidently gave

satisfaction to the spectators, who were strongly moved by compassion toward the wife and children of this unhappy man: perhaps the more so, as Hardy was but a poor man, and had few friends. It is remarkable, that much less interest had been made to save him than any other person under sentence of death since the establishment of the present government.

New-York, June 7. We hear that the greatest part of Washington's army have left their camp at Middlebrook, and are marched towards Tappan and Haverstraw, on the west side of Hudson's river.

London Gazette, July 10, 1779.

Yesterday afternoon Captain Fraser, late of the Guards, and now in the 4th regiment, arrived at this office in twenty days from New-York, with dispatches from General Sir Henry Clinton, Knight of the Bath, to the Right Hon. Lord George Germain, one of his Majesty's Principal Secretaries of State, of which the following are extracts:

Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated Head Quarters, Philipsburg, June 18, 1779.

I had the honour to transmit to your Lordship, in my dispatches of the 16th and 19th ult. forwarded by the Carteret packet, copies of letters which I had just then received from Major-general Mathew, and Commodore Sir George Collier, giving an account of their success in Chesapeake Bay; and I likewise inclosed a copy of my instructions to Major-general Mathew. I now send a copy of the letter which I received afterwards from General Mathew. The whole fleet returned here on the 29th of May,

* A pardon cannot be granted until that time

Having ever been sensible of the importance of the posts of Stoney Point and Verplanks, the most direct and convenient communication between the provinces on either side of Hudson's river, I have conceived no hour could be better chosen to possess myself of them, than when the enemy's works should be nearly compleated: in these opinions, it has been made the first operation of the campaign. With the advantages derived from the enemy's labour, I have been able, with little work and few materials, to establish at this pass a post of tolerable security.

I shall not trouble your Lordship with a detail of the movements for this purpose, but content myself with informing you, that the troops destined for this service, under Major-general Vaughan, were joined after their embarkation by the corps from Virginia, which arrived in just time to proceed with him up the North River on the 30th of May.

In the morning of the 31st Major-general Vaughan landed with the Gros of his command on the east-side of the river, eight miles below Verplanks, whilst the 17th, 63d and 64th regiment, with 100 Yagers, which I accompanied, proceeded to within three miles of Stoney Point, where they landed under Lieutenant-colonel Johnson. On the ships coming in view, the rebels evacuated their works, which were in some forwardness, and set fire to a large block-house. As the troops approached to take possession, they made some shew of resistance, by drawing up upon the hills, but did not wait a conflict.

Sir George Collier favoured the expedition with the assistance of the galleys and gun-boats of the fleet under his own direction; these exchanged some shot with Fort la Fayette, a small but compleat work on the east side of the river; whilst the troops were possessing themselves

of the heights of Stoney Point, which commanded it.

In the night, the artillery, which I found necessary, was landed, and Major-general Pattison assumed the command. His exertions and good arrangements, seconded by the cheerful labour of the troops, gave me the satisfaction of seeing a battery of cannon and mortars opened at five the next morning on the summit of this difficult rock. Their effect was soon perceived, as well as that of the galleys. General Vaughan appearing at this time in the rear of the fort, prevented the retreat which the enemy were concerting. Under these circumstances they delivered themselves into our hands upon the terms of humane treatment, which I promised them.

The fort mounted four pieces of artillery, and the garrison consisted of one Captain, three Lieutenants, a Surgeon's mate, and 70 privates.

I have much satisfaction in acquainting your Lordship, that this little success was effected without the loss of a single man, and that only one Yager was wounded on the occasion.

Copy of a letter from Major-general MATHEW to Sir HENRY CLINTON, dated on board the Rainbow in Elizabeth River, May 24, 1779.

SIR,

Since my last of the 16th instant, we have continued to collect stores of all sorts to a very great amount, military, naval, and provisions; the last have been daily distributed to the numerous inhabitants of Portsmouth and its neighbourhood.

Having been informed on the 16th that some parties of the enemy were sculking about the Great Bridge, seven miles in front of Lieutenant-colonel Doyle's post, I ordered him to march suddenly to surprize them, having sent to him some dragoons under the command of Captain Deimar for that purpose. The enemy

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was dispersed, and Colonel Doyle took post at the bridge. Intelligence was received, that there were many public stores at Kempe's Landing, in Princess Ann County, and some considerable vessels in the East branch of Elizabeth River, and on the stocks: a strong detachment from the 42d regiment was ordered to pass the river to Norfolk, and march to Kempe's Landing, nine miles: a gun-boat and some flats went up the branch. Colonel Stirling was pleased to go with this detachment; their success was complete, as will appear by the returns.

The troops returned to their camp the same day, May the 17th. From this time to the 22d, little more occurred than embarking the enemy's stores that have fallen into our hands. The engineer has been employed for many days, with near 100 blacks, to destroy the fort, which was so substantially constructed, as to give us a great deal of trouble in the demolition.

May the 22d, a party of the 42d, in two flat boats, fell down the river to Tanner's Creek, and destroyed six vessels on the stocks, one of which, nearly completed, for 16 guns. I determined to reembark the 24th, to return to York, according to your Excellency's orders, by the 1st of June.

The out-posts were this day withdrawn, without being incommoded in the least by the enemy; and the whole embarkation was completed before noon.

I have the honour to be, &c.

EDW. MATHEW.

The general return not being completed, I have enclosed Colonel Stirling's particular one.

Invoice of stores found at Kempe's Landing by the 42d or Royal Highland Regiment, May 1779.

Eight cannon, 2 cohorns, 1 swivel, 4 ladles and worms, 2 rammers, 15 carriages, 4 anchors, (2 large and 2 small) 2 cambouses, (1 large and 1

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small) 164 barrels of tar, 19 hogheads of tobacco, a small hawser, 17 grindstones, a few sheets of lead, and a beam and weights.

Gentlemen,

You are hereby ordered and required to send the above stores to Portsmouth within forty-eight hours from the date hereof, under pain of military execution.

(Signed) T. STIRLING, Colonel,
*To the Inhabitants
of Kempe's Landing.*

N. B. Seven vessels burnt, one to be sent down by the owner tomorrow, one protected by the Commodore.

Five swivels and some rope brought in boats.

Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated Head Quarters, Philipsburgh, June 18, 1779.

Not having received any accounts whatever from Major-general Prevost, since his letter of the 16th of April, I can only inclose, for your Lordship's information, copies of reports and intelligence lately received from Georgia.

These reports mention, that General Prevost had advanced to South-Carolina; that the enemy had deserted and destroyed Fort Johnson; that the British troops were in possession of James Island; that preparations were making to attack Sullivan's Island; and that General Prevost had said in a letter, written to Savannah, that he hoped soon to be in possession of Charles-town: that they had offered to capitulate, on condition of their remaining neuter, which the General would not grant them, or any other terms but their surrendering prisoners of war. That at Beaufort, Port Royal, the General had had a skirmish with the rebels; that he then proceeded, having been joined by great numbers of Carolinians; and that many of the inhabitants

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tants on the north side of the Savannah had come into the out-posts, and were forming into a body, naming themselves the Carolina Volunteers. The troops were uncommonly healthy, and provisions were plentiful and very cheap. The *Rose* and another man of war with the convoy were arrived, without losing a vessel, at Savannah, from New-York; and seventeen sail of ships had also arrived from Great Britain and Ireland at Tybee: that great numbers of refugees were preparing to return from East-Florida and Georgia to South Carolina, induced thereto by the successes the British troops had met with in those provinces.

These reports were received from Captain Symonds of his Majesty's ship the *Solebay*, which arrived at New York the 17th of June, from Savannah, in fifteen days.—From Mr. Paumier, Deputy Commissary of the army in North America, in a letter dated Savannah, 23d of May.—And from Mr. James M'Alpine, commander of a schooner, who arrived at New York on Wednesday the 16th of June, from St. John's in East Florida; and last from off Tybee in Savannah River, Georgia, whence he took his departure the 5th of June.

London Gazette, July 13.

Admiralty Office, July 13. The letters from Sir George Collier, Commander in Chief of his Majesty's ships in North America, to Mr. Stephens, of which the following are extracts and copies, were received on Saturday evening:

Raisable, off New York, June 18.

The *Solebay* arrived last night. She brings me dispatches from Captain Henry, senior officer of the King's ships at Georgia, which I have the honour to communicate to their Lordships herewith; and am, Sir, Your most obedient, and most humble servant,

GEO. COLLIER.

Philip Stephens, Esq.

Extract of a letter from Captain HENRY, senior officer of his Majesty's ships in Georgia, to Sir GEORGE COLLIER.

Savannah, May 23. I have the honour of your letter and orders by the *Rose* and *Solebay*, who brought all their convoy in safe. This goes by the *Solebay*, who sails to-morrow morning.

The King's troops, about 3000, under Major-general Prevost, crossed Savannah River on the 29th of April, and marched from Purisburgh towards Charles-town, the rebels abandoning every strong post as our army approached. We are now, without loss, in possession of James Island, John's Island, and all the south side of Charles-town harbour, the rebels having abandoned and burnt Fort Johnston. General Moultrie is in Charles-town with 1000 men; and General Lincoln at Dorchester, afraid to come on Charles-town Neck, lest we should get behind him.

The Greenwich armed sloop, *Comet* and *Snake galleys*, with four victuallers of easy draught, are gone up to Stono Inlet, and from thence up the river to Wapoo Cut, agreeable to the General's request.

The *Vigilant* is ordered from Port Royal with eight transports and an ordnance brig to Five-fathom Hole, within Charles-town Bar, to co-operate as much as possible with the army.

The Germain Provincial armed ship remains at Port Royal, for the protection of the inhabitants, who, together with all the other islands, have sent in their submissions. When the *Vigilant* and armed vessels sailed from hence, they went through Callibogie Sound and Scull Creek into Broad River, and on their approach the rebels burnt Fort Littleton in Port Royal, and abandoned another fort on St. Helena, leaving it entire. We have taken the guns out of both, there being no troops to garrison them, and not caring to leave

leave them in our rear, lest the rebels should re-possess them.

Charles-town has offered to capitulate, if they might remain neuter during the war, which was refused: our army is in possession of several flats and canoes on Ashley River; they have besides seven flat boats from hence; their plan is to cross the harbour, and, if possible, possess Mount Pleasant.

The Rose and Keppel brigs are to sail in two days with two of the victuallers from York, and one from hence with rum, which the army wants; they are ordered to join the Vigilant in Five-fathom Hole.

Four vessels are just arrived from the West Indies with rum, which has set us up in that article.

The supply of stores and slops you have been pleased to send in the Rose is very ample to our wants.

Sir, your most obedient and
most humble servant,

(Signed) JOHN HENRY.

Raisonable, off New-York, June 13.

Major-general Mathew being the commanding officer of the King's land forces employed on the expedition to Virginia, I directed, in consequence of his requisition, those troops to be re-embarked in the transports; previous to which however they demolished the parapets and barracks of the fort, and set fire to all the remaining stores, storehouses, and other buildings in the dock-yard at Gosport; as also to the vessels on the stocks, &c. to an immense amount: the town and harbour of Portsmouth was then abandoned by us, and I put to sea with the men of war and transports mentioned in my former letter, together with seventeen prizes, making in the whole fifty-three sail, and proceeded back to New-York, where we safely arrived on the 29th of May, after a most favourable passage of little more than three days.

I am, Sir, your most obedient,
humble servant, GEO. COLLIER.

Philip Stephens, Esq.

Raisonable, off New-York, June 14.

In my letter to you of yesterday, I mentioned the men of war and transports under my command arriving here on the 29th of last month from Virginia; you will be pleased to acquaint their Lordships, that immediately on my anchoring, the Commander in Chief of the army informed me of his intention to proceed on an expedition up the North river, to reduce the works the rebels had thrown up at Verplanks and Stoney Point, for the security of the important pass of King's Ferry; the General expressing a wish for my being present, and to have the assistance of the troops returned from Virginia, I directed the transports to move up Hudson's river immediately, and accompanied them in the *Raisonable*, having also with me the *Camilla*, *Vulture* sloop, *Cornwallis*, *Crane*, and *Philadelphia* galleys, and two gun-boats. We passed the *chevaux de frize* without any accident, and came to with the *Raisonable*, about eight miles above *Dobb's Ferry*; I then went into the *Camilla*, and proceeding on with the transports, anchored just out of random shot of *Fort la Fayette*, which the rebels had erected on *Verplanks Point*; Major-general *Vaughan*, with a part of the army, landing on the East side, and Sir *Henry Clinton*, with Major-general *Pattison*, and the remainder of the troops, on the opposite shore, about a mile and a half from *Stoney Point*, an exceeding strong post, where the rebels were erecting a block-house, and fortifying the heights. On our approach they quitted their works, and set them on fire, escaping to the mountains. The troops very soon took possession, and, with infinite fatigue and labour, heavy cannon were dragged up a steep precipice from a very bad landing place; the three galleys being advanced, fired upon *Fort la Fayette*, which was returned by the rebels. Major-general *Pattison*, of the artillery, had, with indefatigable

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perseverance,

perseverance, erected two batteries (one of which were mortars) during the night, and at dawn of day began to play upon the rebel fort; the distance across the river being about a thousand yards, and was commanded by the high ground of Stoney Point; the cannonading continued all day, during which General Vaughan and his division marched round, and completely invested the enemy's post.

As soon as it was dark, I ordered the Vulture and Cornwallis galley to pass the fort, and anchor above it, to prevent the escape of the rebels by water; this was done without damage, and had the intended effect; the fire from our batteries and galleys being now much superior to that of the enemy, they beat the chamade; the cannonading ceased; a flag of truce was sent in to summons them, and they consented to surrender the fort and their arms, and become prisoners of war. We found the fort a small complete little work, with a block-house, double ditch, chevau de frize, and abatis. His Majesty's troops have taken possession of it, and are also fortifying the strong post of Stoney Point, by which we are masters of King's Ferry, and oblige the rebels to make a detour of ninety miles across the mountains to communicate with the country east of Hudson's river. I am, Sir,

Your most obedient

humble servant,

GEO. COLLIER.

Philip Stephens, Esq.

Philadelphia, May 5.

Extract of a letter from a Gentleman of rank in South-Carolina, dated Charles-town, April 5, 1779.

"The camp formed by his Excellency Governor Rutledge encreases,

"Colonel Hammond marched with a detachment a few days ago towards Fulsome's Fort, at Ogeechee, in Georgia, in order to attack a large

body of disaffected Indians, Creeks, and Cherokees, under the command of Tate, Cameron, and other white barbarians: these having received intelligence of Colonel Hammond's approach, burnt and abandoned the fort the 28th of March; many of them fled towards the Indian country; about seventy attempted to join the British troops at Savannah, but Colonel Hammond came up with and routed them, killed eight Indians and took three prisoners, killed two white barbarians, and took three of them prisoners. Of the Indians slain, two were principal men of the Creek Nation; one of the prisoners is the son of Mistizego, or otherwise called the Big-fellow.

"Colonel Hammond sustained no damage, excepting a wounded Lieutenant, Ross.

"Our friends of the Creek nation wished we should give those fellows a drubbing: I hope this will have a good effect.

"Yesterday our state vessels brought in four prizes, two brigs with rum for the enemy, at Georgia, a New-Providence sloop, intended for the same place, and a privateer sloop of twelve guns.

"In the beginning of the present contest with Great Britain, we said we would spend one half to save the other; if we have a tenth part of the virtue we then boasted of, let us pay as the Dutch did, one twentieth penny, and we shall soon sink our paper money."

London Gazette, Sept. 25.

Whitehall, Sept. 25, 1779.

By Lieutenant-colonel Prevost, who arrived in town on the 23d inst. from Georgia, a letter from Major-general Prevost to Lord George Germain, one of his Majesty's Principal Secretaries of State, dated at Savannah the 4th of August, has been received, of which the following is an extract:

Extract

Extract of a letter from Major-general PREVOST to Lord GEORGE GERMAIN, dated Savannah, August 4, 1779.

SIR,

Since my last dispatches from St. John's Island (copies of which are herewith sent) I have had no opportunity to write directly to your Lordship; our operations since that time have been chiefly confined in removing from one island to another, and establishing the different posts intended to be occupied during the great heat, and the sickly season: however, on the 10th of June, after every preparation had been made to abandon the post on Stono Ferry, and to quit the island of St. John's, the enemy's whole force attacked that post with eight pieces of cannon and 5000 men; their attack was at first spirited, but the good countenance of the troops, and the fire of the armed flat that covered the left flank of our post, just as the troops were ferrying over to reinforce it, obliged the enemy to retreat; a favourable opportunity of pursuing them, and giving them a severe check, was lost for want of the horses, which had been sent away two or three days before; and, before the troops had arrived on the ground, the rebels had got too great a distance to expect to come up with them on foot. I have the honour of sending herewith a return of our loss on that day. Lieutenant-colonel Maitland, who commanded there, had with him the first battalion 71st, then much reduced, a weak battalion of Hessians, and the refugees of North and South Carolina, amounting in the whole to about 800 men; they all behaved with coolness and bravery. The enemy lost a Colonel of artillery, much esteemed amongst them, and about 28 officers of different ranks, and between three and four hundred killed and wounded; they were enabled to carry off the latter, and many of the former, by

having a number of empty waggons, brought with them for that purpose. The troops, after remaining three days longer on that ground, at last abandoned it, and began to move towards Port Royal Island, where the last arrived about the 12th ult. A corps has been left there to act at all times upon a most respectable defensive, and occasionally to harass the quarters of the enemy, and those parts of the province that are accessible to our galleys and boats from the bay of St. Helena; it cannot be eligible to extend our posts far to the westward, for reason for which I beg leave to refer to Lieutenant-colonel Prevost, whose departure I must lament, as his abilities and zeal for the service made him a most useful assistant on every occasion: his knowledge of the country and its resources will enable him to give your Lordship every necessary information: Sir James Wright's arrival in the Experiment, the 13th instant, having relieved him from the civil administration.

Return of the killed, wounded and missing, at the repulse of the rebels at Stono Ferry, South-Carolina, June 20, 1779.

71st Regiment. 1st Battalion. 1 Lieutenant, 1 Ensign, 1 Serjeant, 15 rank and file, killed; 1 Captain, 1 Lieutenant, 1 Ensign, 1 Serjeant, 32 rank and file, wounded.

Ditto. 2d Battalion. 1 Rank and file, killed; 11 rank and file, wounded.

Trumbach's Hessians. 2 Serjeants, 2 rank and file, killed; 1 Major, 2 Lieutenants, 4 Serjeants, 1 Drummer, 28 rank and file, wounded; 1 missing.

1st Battalion South Carolina Royalists. 1 Major, 1 Serjeant, killed; 1 Captain, 1 Serjeant, 3 rank and file, wounded.

2d Battalion and North Carolina volunteers. 1 Serjeant, 3 rank and file, wounded.

Total.

Total. 1 Major, 1 Lieutenant, 1 Ensign, 4 Serjeants, 18 rank and file, killed; 1 Major, 2 Captains, 3 Lieutenants, 1 Ensign, 7 Serjeants, 1 Drummer, 77 rank and file, wounded; 1 rank and file, missing.

Artillery. 1 Matross killed. 1 Captain, 2 Lieutenants, 3 matrosses, 5 additional, wounded.

(Signed)

A. PREVOST, M. G.

Officers killed

Lieutenant Rod. Mutchison, 1st battalion, 71st regiment.

Ensign William Mackintosh, ditto.

Major William Campbell, 1st battalion of South Carolina Royalists.

Officers wounded.

Captain Colin Campbell, 1st battalion, 71st regiment.

Lieutenant Thomas Frazer, ditto.

Ensign M. Mutchison, ditto.

N. B. Lieutenant Wallace, since dead of his wounds.

Hessians wounded.

Major Endemen, Lieutenant Wiedekin, Lieutenant de Greisheim, Lieutenant Engelhard.

Lieutenant-colonel Prevost has also brought a triplicate of another letter from Major-general Prevost to Lord George Germain, dated head-quarters, St. John's Island, 12 miles from Charles-town, June 10, 1779, of which the following is an extract; neither the original or duplicate having been received :

Extract of a letter from Major-general PREVOST to Lord GEORGE GERMAIN, dated Head-quarters, St. John's Island, 12 miles from Charles-town, June 10, 1779.

I would have been happy to be able to acquaint your Lordship with the surrender of Charles-town.

I shall relate to your Lordship the means by which our progress was so little interrupted, and the reason for bringing his Majesty's army into this province.

Towards the latter end of April, I

received information that General Lincoln (who till then had occupied a position on the north side of Savannah river, by which he equally covered every part of a river at all times extremely difficult, but deemed impassable in times of freshes, and in the face of an army) had marched the best part of his army toward Augusta, to penetrate from thence into Georgia, and to protect a meeting of the rebel delegates appointed to meet at Augusta, on the 10th ultimo; this consideration, added to a wish to preserve the reputation of his Majesty's arms, by acting on the offensive, and to oblige Mr. Lincoln to quit his project, and to procure provisions from this province, induced me to penetrate into Carolina. The corps of observation of the rebel army being about 2000 men, but chiefly militia, under the command of Brigadier-general Moultrie, surprized to see the British troops emerging from swamps deemed impassable, were struck with such a panic as to make but a weak resistance at the several strong passes through which we had to pass in pursuit of them, and fled with the greatest hurry and consternation towards Charles-town.

The enemy were so well persuaded that we only meant to forage the country, that it was not till some days after our progress into South-Carolina, that General Lincoln could be persuaded to retreat, and come to the assistance of Charles-town; towards which he immediately detached a body of infantry, mounted for the purpose of dispatch, and after collecting all the militia of the upper parts of the country, he proceeded himself towards Dorchester. The facility with which the British army had proceeded towards Charles-town, notwithstanding the numbers of rivers, creeks and swamps, and the natural impediments of the country, added to the repeated suggestions of the friends of Government we met with,

with, who assured us positively, that Charles-town would certainly surrender at our approach, induced me, with the advice of all the field officers of the army, to make the attempt; and Lieutenant-colonel Prevost, who commanded the advance, had orders to summon them the 12th ult. but I have the greatest reason to believe, that the want of a naval force to co-operate with us, our want of battering artillery, and momentary expectations of a reinforcement, and the approach of General Lincoln's army, actuated them in the proposal they made of a neutrality for their province, and the refusal of the generous offers made to them if they would surrender. The numerous artillery mounted on their ramparts, their shipping and galleys covering and flanking their lines; our small numbers, not having more than 2000 fit for duty, and the risk of staking the safety of this small but spirited army, and the province of Georgia, induced me, and every member of the Council of War held on this occasion, to resolve to return to the south side of Ashley river, where a part of the troops had been left to secure the passage of that river, and our retreat if necessary. From that time the troops have been chiefly on the Islands of St. James and St. John, in hopes and expectations of the supplies which our long expected march, the heavy rains, the many rivers we had to cross, had rendered indispensable to us; the first that came, for want of a sufficient naval force, was partly taken and destroyed, and the rest drove back by a few rebel privateers. His Majesty's ships the *Perseus* and *Rose* are since arrived off the coast with the ammunition and provisions we wanted.

I shall shortly change my quarters to Beaufort, where the advantage of keeping a footing in Carolina, and quartering the troops there during the great heat of the weather, and the unhealthy season, in the best situation,

are combined with that of being the most eligible position for effectually covering and securing Georgia from any attempts of the enemy.

The following account of the affair at Stono Ferry, was published at Charles-town on the 24th of June.

General Lincoln having received such intelligence of the intention, strength and position of the enemy, as rendered it advisable to attack them at Stono Ferry, did so, on the 20th inst. about seven in the morning, with great vigour. They were advantageously posted, and covered by three strong redoubts, and a well-constructed abattis, supported by several pieces of artillery. The picquets having been driven in, the attack began on the right, which was instantly continued through the line. A large body of Highlanders sallied out on our left, but were soon driven, with considerable slaughter, into their redoubts.

The action continued without intermission fifty-six minutes, when, as the General could not draw the enemy out of their lines, (which were so strongly constructed that our light field-pieces could make no impression upon them) as the force of the enemy was much greater than had been represented, and as they had, during the engagement, obtained a large reinforcement from John's island, our troops were withdrawn from the line, and our artillery and wounded brought off. Our loss is not considerable; many of the wounded are already on duty, and most of the rest (their wounds being slight) it is judged will soon recover. The enemy's is supposed to be much greater, as a number of their dead were reckoned on the ground, and it was observed that their field pieces were several times left without a man to work them. Upon the whole, though we had not the wished for success, our people are convinced that they would

would have beaten the enemy, if they had quitted their lines. It is probable from the enemy's sticking close to them, they were of the same opinion. Our men are in high spirits, and wish for a fair trial by equal numbers in the open field,

Colonel Roberts, of the South-Carolina artillery, Major Ancrum, Aid-de-camp to General Auger, Capt. Dogget, and Capt. Goodwin, of the South-Carolina Continental brigade, Lieut. Charleton of the North-Carolina Continental brigade, died of their wounds.

Extract of a letter from Bristol, (in England) to a gentleman in London.

"Colonel Prevost arrived here last night from Georgia. From an officer with him I got a tolerable account of the state of things. The Americans made two attacks on the King's forces, one at Beaufort, the other at Stono Ferry; at the latter place it was serious; the British lines were forced, and almost all the officers killed; of the artillery a serjeant and seven men only remained. Lincoln having near 5000 men, and Moultrie in the town having declared he would defend it to the last, Prevost retired without firing a shot, the same day he sent the summons. On his retreat, he was harrassed exceedingly, and distressed for provisions and necessaries. At length he got shelter on the island of Port Royal, with the remains of his army, about 1200; and they are supposed to be safe there, unless an American naval force should dislodge them.

"Prevost is gone to Savannah, and has sent his brother, the Colonel, home with complaints. The fact is, he has no hope of any success in that quarter, his people in want of food, of money, in short of every thing; he has sent repeatedly to New-York, but can get no satisfactory answer. Sir J. Wallace in the Experiment got safe to

Georgia, but soon went for New-York.

"Colonel Cruger (brother to Mr. Cruger here) in the King's army, was taken prisoner, but released on parole. Thus ends the mighty expedition to Carolina."

New-York, August 18.

Extract of a letter from a gentleman of the first distinction in Georgia, dated Savannah, July 27, 1779.

"During near three months that the Royal Army was in South-Carolina, this whole province, excepting our three posts of Savannah, Ebenezer and Sunbury, was entirely in the rebels power; and the consequence has been that the whole country to within twenty-five miles of Savannah has been plundered, and every man almost who had submitted to, and received the protection of government, either killed or taken prisoners, and the few that have escaped that fate, have been obliged to submit to such terms as the rebels pleased to prescribe.

"On the 26th ult. we were alarmed with accounts of a large body of horse having penetrated into the heart of our lower settlements; having a few days before received a small reinforcement from our army, a detachment of about fifty men was sent out from this garrison to watch their motions, but by very bad conduct they fell in with, and were surprized by upwards of one hundred of the enemy, within seventeen miles of Savannah; in consequence of which, the commanding officer, Captain Muller, and several privates were killed, and the remainder of the detachment made prisoners.

"Colonel Maitland now commands at Beaufort with about 1500 men; the rest of the army is here with General Prevost. We have force enough to defend that part of the country that we are in possession of. At present the weather is so excessive

excessive hot, that nothing material can be attempted.

“ Our worthy Governor Sir James Wright arrived here in the Experiment, Commodore Sir James Wallace, on the 13th inst. He was much disappointed on finding a descent had been made upon Carolina, which it is hoped, in England, would have been deferred till the arrival of the augmentation of our land forces.”

Articles of Convention for the Exchange of Prisoners.

By his Excellency Montfort Browne, Esq. Brigadier-general in the service of his Britannic Majesty, Captain-general and Governor in Chief of the Bahama-Islands, and of the garrisons there or that shall be sent thither, Chancellor, Vice-admiral and Ordinary of the same, &c. and his Excellency Robert, Count D'Argout, Major general in the service of his Most Christian Majesty, Governor, Lieutenant-general and Commander in Chief in the Island of St. Domingo, and its dependencies, &c.

Art. I. Forty-two shillings Jamaica currency shall be paid at Nassau, Providence, or fifty livres at St. Domingo, for each sailor, Captain, patrol or soldier, to be returned on either side.

Art. II. All passengers made prisoners, who may not be officers either by land or sea, but only private citizens, shall be at liberty to return home by the way they may think proper; and if they choose to go by the flags of truce, they must pay eight pounds, six shillings and eight pence at New-Providence, or two hundred livres at St. Domingo, for their passage in the cabin and at the table of the Captain; or if they prefer to take their ration and passage as common men, they must be entered upon the list of prisoners to be exchanged, and paid for agreeable to the foregoing article.

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Art. III. The ransom of slaves shall be fixed at sixty-two pounds, ten shillings, Jamaica currency, at New-Providence, or fifteen hundred livres at St. Domingo, independent of their passage and maintenance, which must also be paid by their owners, at the rate of forty-two shillings or fifty livres.

Art. IV. All King's officers, who shall be taken on either side, shall respectively receive the pay to which they are entitled, and enjoy on shore in their own country, according to their rank; they shall also be provided with the needful lodgment: as to sailors, they are to have the usual ration; and with respect to these objects, a proper account, or state, shall be made out in form, whereon the reimbursement shall be ordered from court to court.

Art. V. All sick officers, soldiers and sailors, shall have and be provided with the hospital, according to their rank, and to the current market price of the country; and the reimbursement shall equally be ordered from court to court, agreeable to the state or formal account to be furnished respectively, as per the foregoing article.

Art. VI. In case of death of officers, soldiers or sailors, prisoners, proper certificates shall be mutually furnished as particular as possible, and shall be signed or certified by the General, to avoid charges.

Art. VII. People of colour being free, cannot be looked upon as slaves on either side, but shall be reclaimed by their respective governments, in order that they may be exchanged for people of the same class: or should they be taken in arms, or on board of armed vessels bearing commission or letters of marque, they shall be restored without difficulty, provided that they prove their liberty in an authentic manner. In regard to slaves that may be taken on board of vessels as above, they may be sold on either side, unless the pro-

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prietors

Priectors should think proper to claim them, and pay the sum of fifteen hundred livres, or sixty-two pounds ten shillings per head, in which case they shall not be returned to them; for this reason, they shall not be exposed to sale, until three months after their arrival in New-Providence or at St. Domingo.

Art. VIII. It is agreed that all flags of truce shall carry at least thirty prisoners to be exchanged, and shall be permitted to remain eight days, counting from the day after their arrival in the port they may be bound for; but if any cartel shall be sent from either side without the number of prisoners required, she will not be admitted unless charged with some other important business.

Given under my hand and seal at arms, at Nassau, New-Providence, this 6th day of March, 1779.

MONTFORT BROWNE, (L. S.)

By his Excellency's command,

NICH. M. ALMGREEN,

Prov. Secretary.

Donne au Cap Francois Sous le Sceau de nos Armes, & le Contersaign de notre Secretaire, le 29 Mars, 1779.

D'ARCOUT, (L. S.)

Par Monsieur Le General,

DE LA HOGUE.

London Gazette of May 29.

Admiralty-Office, May 29, 1779.

Extract of a letter from the Honourable Vice-admiral BYRON to Mr. STEPHENS, dated on board his Majesty's ship the Princess Royal, off St. Lucia, the 2d of April, 1778, received the 28th instant.

The ship British King, in the service of the Treasury, being bound from hence to Corke, I take the opportunity to give their Lordships some account of the proceedings of his

Majesty's ships under my command.

The Squadron under Commodore Rowley having arrived from England on the 12th of February, in good condition, I sent him, with the ships * named in the margin, to cruize to windward of Martinique, in hopes of preventing a junction between the ships expected from France and those at Fort-Royal; he sailed upon that service the 19th of February, but was recalled a few days after upon my receiving certain advice of M. De Grasse, with four or five sail of the line, some frigates and store-ships, having got safe to Martinique. Since then detachments from the fleet have occasionally cruized to windward, and others between the islands of St. Lucia and Martinique, for intercepting such of the enemy's vessels as might attempt that channel, and at the same time to give protection to our small craft, when reconnoitring the strength and position of the French Squadron in Fort Royal Bay; one of these detachments, under the command of Capt. Griffith, was carried greatly to leeward by the current the 15th of last month; their situation must have been observed from Martinique, and I think the prospect of these ships not being able to regain their anchorage, probably occasioned the enemy to make a movement; for M. D'Estaing, with four other Flag-officers, with 15 sail of the line, with some frigates and small vessels, having previously embarked a number of troops, came out of Fort Royal Bay the morning of the 18th, at which time several of the ships under my command, that had been cruizing, were taking in a supply of water at the Cul de Sac, and Captain Sawyer, with three sail of the line and a 50 gun ship, was to windward of Martinique. With the rest of our force I split and put to sea the moment the French Squadron

* Suffolk, Magnificent, Sterling, Castle Medway, Centurion; Isis, Preston, Carrisot.

was

was discovered, and made for them with all possible expedition; but although equal in number and strength to the ships I had collected, they returned to the protection of their batteries, without putting it in my power to bring them to action. I stood close in with Fort Royal next morning, and had a full view of the enemy's batteries and ships; but their only movement upon our approach was to get under sail, and work farther into the Bay; I therefore tacked, and stretched towards this place, but a strong lee current kept the Squadron several days at sea.

The frigates that are upon this station, have been kept cruising to windward of Barbadoes, and among the islands; but no prize of consequence has been taken by any of them, excepting the ship Governor Trumbull, an American privateer of 20 guns and 150 men, which the Venus took off St. Christopher's the 6th of last month, after several hours chase.

Admiralty-Office, May 19, 1779.

Vice-admiral Sir Peter Parker, Commander in Chief of his Majesty's ships at Jamaica, has, in his letter to Mr. Stephens of the 9th of March last, transmitted a list of vessels taken by the ships of his Squadron, between the 18th of May, 1778, and 24th of February, 1779.

Admiralty-Office, May 29, 1779.

Extract of a letter from Rear-admiral DRAKE to Mr. STEPHENS, dated Buffalo, Downs, May 22, 1779.

The French snow privateer, which was brought into the Downs yesterday, proves to be the Dunkirk of that port, mounting 18 six-pounders, and 96 men: she was taken on her passage from the northward to Dunkirk by Lieutenant Cook, whom I had appointed to command the Fairy during the absence of leave their Lordships had granted to Captain Frederick. The mate of that sloop, who was put on board the privateer

to take charge of her, acquaints me, that he lost company with the Amphitrite, Fairy, and the other cruizers, and thought it adviseable to bring her into the Downs. He informs me likewise, that Lieutenant Inglis, of the Griffin cutter, had taken a brig privateer, mounting 16 six-pounders; that on board the two vessels, there were eight ransomers. I shall not have it in my power to give their Lordships any farther particulars till the arrival of Captain Gaborian of the Amphitrite.

London Gazette, Aug. 3.

Admiralty-Office, Aug. 2, 1779.

Extract of a letter from Vice-admiral Sir PETER PARKER, Commander in Chief of his Majesty's ships at Jamaica, to Mr. STEPHENS, dated the 14th of June, 1779.

The 7th instant, the *Æolus*, Ruby, and Jamaica sloop, brought in here a remarkable fine French frigate of 36 guns, twelve-pounders, and 314 men, named *La Prudente*, commanded by the Viscount D'Escars. They fell in with her off the island of Gonave, in the Bite of Leogane, about one in the morning of the 2d instant; between seven and eight o'clock she struck; the Ruby having some time before got a breeze of wind, which carried her within point-blank shot of her. Captain Everitt and one of the seamen were killed on board the Ruby, by random shot. Captain Deane being much indisposed, Captain Everitt commanded the Ruby for a cruise; by his death, the King has lost an humane and good officer, whose zeal and abilities to serve his country, placed him high in the esteem of his brother officers.

Extract of a letter from St. Lucia, June 11.

“Orders are come for our army to separate. The 4th, 14th, 28th, 40th, and 55th regiments, to go to Georgia, under General Prescott; the 5th and 46th to go on board the

squadron; the 27th, 35th, and 49th, are to remain with General Sir Harry Calder."

London Gazette, Sept. 28.

Whitehall, September 28, 1779.

Several letters brought by the last ships from the Leeward Islands have been received by Lord George Germain, one of his Majesty's Principal Secretaries of State, from Valentine Morris, Esq. his Majesty's Governor of the Island of St. Vincent, dated in the months of June and July last, in which are contained an account of the landing of a party of 450 French troops from Martinico on that island, on the 16th of June, commanded by Lieutenant de Trolong du Romain; that the enemy having possessed themselves of the heights which commanded the town of Kingston, the Governor, with the concurrence of Lieutenant-colonel Etherington, who commanded the King's troops within the island, had thought fit to propose terms for the surrender of the island, which, with some alterations, were agreed to the same day by the French officer, and the island was surrendered accordingly upon the following Capitulation:

ARTICLES OF CAPITULATION between Le Chevalier DE TROLONG DU RUMAIN, Lieutenant of his Most Christian Majesty, Commander in Chief of the French troops, and and his Excellency VALENTINE MORRIS, Esq. Captain-general and Governor in Chief in and over his Majesty's Island of St. Vincent, and its Dependencies, Chancellor, Ordinary and Vice-admiral of the same, &c. &c.

I. Governor Morris demands, in the first place, that the officer and drummer, sent by him yesterday to the Commander of the French troops, be restored to him; the detaining these when sent as a flag of truce, and then continuing to march on,

appearing to him to have been a great infringement of the laws of war.—Granted.

II. The Governor and staff officers, officers of the troops, and the soldiers to march out with their colours flying, drums beating, ten rounds a-piece, with two brass field pieces, arms, baggage, and all the honours of war.—Granted.

III. The regular troops, officers, soldiers, and artillery men, to be carried to the island of Antigua in good vessels, sufficiently victualled at the expence of his Most Christian Majesty, and there to be at liberty to do duty, the Governor engaging an equal number of equal qualities of French prisoners to be exchanged in their room; the same for an officer of engineers, and an assistant engineer.—The troops shall be exchanged at Antigua for an equal number of French prisoners.

IV. The officers and others shall have liberty to carry their wives and families, and domestic slaves, to the English islands by the shortest route, and that they shall be furnished with good vessels and provisions for the passage.—Granted.

V. The inhabitants of the island shall march out of their posts with the honours of war, their baggage, arms and colours, drums beating, and lighted matches.—The inhabitants shall go freely to their homes.

VI. The inhabitants of the island shall continue to enjoy their civil government, their laws, usages, and ordinances. Justice shall be administered by the same persons that are now in office, and the interior police of the island shall be settled between his Most Christian Majesty's Governor and the inhabitants; and in case the island be ceded to the King of France at the peace, the inhabitants shall be at liberty either to preserve their political government, or to ac-

cept

cept that which is established in Martinico and the French islands.—Granted.

VII. The inhabitants, both secular and clergy, shall be maintained in the possession of their real and personal estates, and property of what nature soever, as well as in the enjoyment of their rights and privileges, honours and immunities, and the free negroes and mulattoes in their freedom.—Granted.

VIII. That they shall pay no other duty to his Most Christian Majesty than they paid to his Britannick Majesty, without any other tax or impost; the expence of the administration of justice, the salaries of ministers, and other ordinary charges shall be paid out of the revenues of his Most Christian Majesty, in like manner as under the government of his Britannick Majesty.—Granted, if it was granted at Dominica.

IX. That the slaves, baggage, vessels, merchandize, and every thing else taken since the landing of the French troops, and during the attack of the island, shall be restored.—Granted, as far as it possibly can be effected.

X. The absent inhabitants, and those in the service of his Britannick Majesty, shall be maintained in the enjoyment and possession of their estates and effects, which shall be managed by their attornies—Granted.

XI. The inhabitants shall not be compelled to furnish quarters, or any thing else, for the troops, or slaves to work on the fortifications.—This article cannot be granted.

XII. The ships, vessels, and droghers, belonging to the inhabitants of this island, shall remain their property.—Granted.

XIII. The widows, and other inhabitants, who, from sickness or other obstacles, cannot sign the Capitulation, shall have a limited time to agree to it.—Granted.

XIV. The inhabitants and merchants of the island, comprehended in the present capitulation, shall enjoy all the privileges of trade on the same terms as are granted to the subjects of his Most Christian Majesty throughout the extent of his dominions.—Granted.

XV. The inhabitants shall observe a strict neutrality, and not be forced to take up arms against his Britannick Majesty, or any other power.—Granted.

XVI. The inhabitants shall enjoy the free exercise of their religion, and the ministers their curacies.—Granted.

XVII. All the prisoners taken, or persons detained, since the landing of the French troops, shall be reciprocally restored.—Granted.

XVIII. Merchants of the island may receive ships to their addresses without being confiscated, dispose of their merchandize, and carry on trade, and the port shall be entirely free on paying the same duties as in the French islands.—Agreed, provided they wear French colours after they arrive,

XIX. The inhabitants shall keep their arms. Rejected.

XX. No persons but those now resident on the island, or at present proprietors of lands and houses, shall hold any house or land, by purchase or otherwise, until the peace; but at the peace, if this island be ceded to the King of France, the inhabitants, who decline living under the French government, may then be at liberty to sell their estates, both real and personal, to whom they please, and to retire wherever they shall think proper, for which purpose a reasonable time shall be allowed them. Granted.

XXI. The inhabitants of the island may send their children to be educated in England, as well as to send them back, and to make remittances for their maintenance while in England.—Granted.

XXII.

XXII. The inhabitants shall be at liberty to sell their estates and effects to whom they may think fit.—Granted.

XXIII. That the Court of Chancery shall be held by the Members of the Council, and the proceedings be the same as are now used in the island of Antigua, except that all writs and other process shall be granted by the President of the Council; and the Great Seal, now used in this island, shall be given unto and remain in his custody, for the purpose of sealing all writs, process, and decrees issuing out of and made by the said Court.—Granted, if it was granted to Dominica.

XXIV. That the wives of such officers and others as are not in the island may retire with their effects, and the number of domestics, according to their rank.—Granted.

XXV. There shall be delivered to the General of the French troops all the artillery and stores in the colony of St. Vincent belonging to the King of England, all the batteries on the coast, and the respective posts, as well in the Carrib Country as elsewhere in the island, shall be surrendered in the same state they were in when the island was attacked, such injury as these may have received in any attack excepted; all the arms belonging to the King of England's troops shall be delivered in like condition, excepting those of the officers of the troops and militia. No powder shall be secreted or carried out of the magazines, which shall be delivered by the Governor.—Granted.

XXVI. None of the Indians or Carribs shall, on any account, be permitted to garrison, or be quartered in any of the forts, posts, towns, or houses in the island; and the inhabitants demand and expect the protection of his Most Christian Majesty's Commander to preserve their persons and properties inviolate, so long as

they faithfully observe the present Articles of Capitulation.—Granted, with the exception in the reference.

XXVII. All negroes, now absent or run away, shall, when taken and brought in, be delivered up to their proprietors; and if any such are harboured by the Indians, Carribs, or free negroes, they shall, upon demand, be restored.—Granted.

XXVIII. Whatever depredations the Carribs have committed during or since the attack of the island, they are to be compelled to instantly desist therefrom, and be made to release and give up all slaves and effects which they have taken, and to be fully restrained from hereafter committing the least disorder on the persons and effects of the inhabitants.—As much justice as possible shall be rendered.

XXIX. All the Carribs now under arms, and who have joined the French troops, to be immediately disarmed, dismissed, and ordered to their respective homes, and all others now in arms to be disarmed, and also compelled to retire to their respective homes, and to remain in their own districts.—Granted, with the exception in the reference.

XXX. A safeguard to be granted for all the papers at the Government House, and these not to be liable to any inspection, and Governor Morris to be at liberty either to keep those there or to remove them.—Granted.

XXXI. The like to be granted for all papers and records in the respective offices of the Customs, the Marshal, Secretary, and Register, Receiver-general, Treasurer, and Commissary, and of all other public records and papers to be left in the custody of their respective officers, and not to be inspected.—Granted.

XXXII. Permission to send either to England, or to some of his Majesty's Admirals or Governors, advice

vice to be forwarded to his Britannick Majesty of the present event.— Whenever the Governor thinks proper.

XXXIII. Governor Morris to remain in the island some time, in order to settle his own affairs, as also any of the King's officers, if required. Granted.

Articles demanded by the French General.

XXXIV. The inhabitants shall not be obliged to pay any debts due to English persons not residing in this island, and who are not capitulants thereof, until the end of the war.

XXXV. All vessels taken after the Capitulation will be restored.— Granted, with the exception in the reference.

XXXVI. The colony shall be obliged to advance a sum of money to pay the French troops, which will be discounted from the revenue.

We, the Commander in Chief of the French troops, legally authorized in the King's name by the Count d'Estaing, and Valentine Morris, Esq. Governor in Chief of the island of St. Vincent, have agreed to and signed three copies of the above thirty-six articles.

Government house.

St. Vincent. La Chev. DE TROLONG DU RUMAIN.

June 18, 1779.

Par ordre, DALLAN, Secrétaire.

By command,

VALENTINE MORRIS.

R. WESTFIELD, Sec.

R E F R E N C E S.

1. As to the twenty ninth article, although Mr. Canonge had allowed it, if it has been agreed that the Carribs shall be sent to their homes, and there be restrained from doing any injury to the inhabi-

tants and Red Carribs, without disarming them.

2. Relative to the twenty-sixth article, after the words, in any of the forts, there shall be understood, except in case of an attack.

3. The ships from Europe make an exception to the thirty-fifth article.

Par ordre, Le Chev. DE TROLONG DU RUMAIN.

DALLAN, Secrétaire.

By command,

VALENTINE MORRIS,

R. WESTFIELD, Sec.

Abstract of the return of the seven companies of the 60th foot, at St. Vincent, April 1, 1779.

Second battalion, 60th. 1 Lieutenant-colonel, 3 Captains, 9 Lieutenants, 3 Ensigns, 1 Adjutant, 1 Quarter master, 21 Serjeants present, 16 Drummers ditto, 357 rank and file fit for duty, 50 ditto sick in barracks, 54 ditto sick in hospital, 3 ditto on furlough. Total, 464.

London Gazette, September 10, 1779.

Admiralty Office, Sept. 10, 1779.

Yesterday in the evening the Honourable Vice-admiral Barrington, and Capt. Sawyer, of his Majesty's ship the Boyne, arrived at this office with dispatches from the Honourable Vice-admiral Byron, of which the following are copies and extracts :

Copy of a letter from the Honourable Vice-admiral BYRON, to Mr. STEPHENS, dated Princess Royal at sea, the 8th of July, 1779.

SIR,

Agreable to what I wrote you by the St. Alban's, duplicate of which will accompany this, I sailed from St. Christopher's the 15th of last month, at the same time the trade left it for Europe, and proceeded to windward of the islands for protection, of the convoy, intending to call at

Barbadoes

Barbadoes in my way to St. Lucia; but a strong lee current, with the wind at east, retarded our progress so much, that it was the 30th of June before the squadron could weather the Island of Martinico. This induced me to proceed directly to St. Lucia, where I arrived next morning, and learnt that the French had possessed themselves of the Island of St. Vincent, with a very small force, and without opposition. Upon a conference with Major-general Grant it was determined to attempt the retaking of St. Vincent's, for which purpose the troops were ordered to be embarked immediately on board the transports, and every thing got in readiness without a moment's loss of time; but intelligence being received of a fleet seen that morning to leeward steering a course for Grenada, I wrote to Lord Macartney, by one of his Aids de Camp that happened to be at St. Lucia, to give his Lordship notice of our motions, and that the troops and squadron would immediately come to his relief, if, at St. Vincent, or on the passage thither, we should learn that Grenada was attacked. I likewise sent an officer in a fast sailing schooner to look into Fort Royal Bay, where he saw thirteen large ships, which he supposed ships of war, more especially as one of them bore a flag at the foretop gallant mast-head; but a frigate and some other small craft giving him chase, he was prevented from going so near as he intended.

The line of battle, to be transmitted herewith, will shew that the squadron under my command consisted of twenty-one ships and a frigate; with these and the transports I sailed from St. Lucia on Saturday the 3d, and next afternoon had intelligence from St. Vincent of more than thirty sail of French men of war and armed ships having passed there on Thursday, and among

them appeared to be upwards of twenty ships of the line of battle; it was farther reported that Monf. de la Motte Piquet had joined the Count D'Estaing about a week before with a strong reinforcement. Upon this information the signal was made instantly to bear up for Grenada; but it fell calm soon after, and continued so until nine o'clock next morning, about which time a small schooner that left Grenada on Saturday evening came into the fleet, and the principal person on board her (a merchant) reported, that the French had landed about two thousand five hundred troops near the town of St. George on Friday, made an attack upon the fort that night, and were repulsed; that Lord Macartney expected to hold out a fortnight; and that he had seen the enemy's naval force there, which did not exceed eight ships of the line, besides frigates and armed transports. Another schooner from Grenada joined us soon after, and brought a similar account; only the master of her, who had been frequently a pilot on board the King's ships, reported, that the enemy had between fourteen and nineteen ships of the line. It being my intention from this intelligence to be off St. George's Bay, soon after day-break, I drew the ships of war from among the transports, leaving only the Suffolk, Vigilant and Monmouth for their protection, under the orders of Rear-Admiral Rowley, who was intended to conduct the debarkment of the troops; but he was to join me with these ships if I saw occasion for their service. One of the enemy's frigates was very near us in the night, and gave the alarm of our approach. Soon after day-light on Tuesday the 6th, the French squadron was seen off St. George's, most of them at anchor, but getting under way, seemingly in great confusion, and with little or no wind. The signal was immediately
made

made for a general chase in that quarter, as well as for Rear-admiral Rowley to leave the convoy; and as not more than fourteen or fifteen of the enemy's ships appeared to be of the line from the position they were in, the signal was made for the ships to engage, and form as they could get up; in consequence of which, Vice-admiral Barrington in the Prince of Wales, with Captain Sawyer in the Boyne, and Captain Gardner in the Sultan, being the headmost of the British Squadron, and carrying a press of sail, were soon fired upon at a great distance, which they did not return until they got considerably nearer; but the enemy getting the breeze of wind about that time, drew out their line from the cluster they were lying in, by bearing away and forming to leeward on the starboard tack, which shewed their strength to be very different from our Grenada intelligence; for it was plainly discovered they had thirty-four sail of ships of war, twenty-six or twenty-seven of which were of the line, and many of those appeared of great force; however, the general chase was continued, and the signal made for a close engagement; but our utmost endeavours could not effect that, the enemy industriously avoiding it, by always bearing up when our ships got near them; and I was sorry to observe, that their superiority over us in sailing gave them the option of distance, which they availed themselves of, so as to prevent our rear from ever getting into action; and being to leeward they did great damage to the masts and rigging, when our shot would not reach them. The ships that suffered most were those the action began with, and the Grafton, Captain Collingwood; the Cornwall, Captain Edwards, and the Lion, Captain Cornwallis. The spirited example of Vice-admiral Barrington with the former three, exposed them to a

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severe fire in making the attack; and the latter three happening to be to leeward sustained the fire of the enemy's whole line as it passed on the starboard tack; the Monmouth likewise suffered exceedingly, by Captain Fanshaw's having bore down in a very gallant manner to stop the van of the enemy's Squadron, and bring it to action; but from the very smart and well-directed fire kept up by these ships and others that were engaged, I am convinced they did the enemy great damage, although their masts, rigging and sails appeared less injured than ours. The four ships last mentioned, with the Fame, being so disabled in their masts and rigging as to be totally incapable of keeping up with the Squadron, and the Suffolk appearing to have received considerable damage in an attack made by Rear-admiral Rowley upon the enemy's van, I took in the signal for chase, but continued that for close engagement, formed the best line which circumstances would admit of, and kept the wind to prevent the enemy from doubling upon us, and cutting off the transports, which they seemed inclined to do, and had the latter very much in their power, by means of their large frigates, independent of ships of the line. The French Squadron tacked to the southward, about three o'clock in the afternoon; and I did the same, to be in readiness to support the Grafton, Cornwall, and Lion, that were disabled, and a great way astern: but the Lion being likewise much to leeward, and having lost her main and mizen topmasts, and the rest of her rigging and sails being cut in a very extraordinary manner, she bore away to the westward when the fleets tacked; and, to my great surprize, no ship of the enemy was detached after her. The Grafton and Cornwall stood towards us, and might have been weathered by the French, if they had kept their wind, especially

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the Cornwall, which was farthest to leeward, had lost her main topmast, and was otherwise much disabled; but they persevered so strictly in declining every chance of close action, notwithstanding their great superiority, that they contented themselves with firing upon these ships, when passing barely within gun-shot; and suffered them to rejoin the squadron, without one effort to cut them off. The Monmouth was so totally disabled in her masts and rigging, that I judged it proper to send directions in the evening for Captain Fanshaw to make the best of his way for Antigua; and he parted company accordingly.

When we were close in with St. George's Bay, the French colours were seen flying upon the fort and other batteries, which left no doubt of the enemy being in full possession of the Island. To dislodge them was impracticable, considering the state of the two fleets; I therefore sent orders to Captain Barker, the agent, to make the best of his way with the transports to Antigua or St. Christopher's, which ever he could fetch, intending to keep the King's ships between them and the French squadron, which at the close of the evening was about three miles to leeward of us, and I had no doubt, would at least be as near in the morning; for although it was evident, from their conduct throughout the whole day, that they were resolved to avoid a close engagement, I could not allow myself to think, that with a force so

greatly superior, the French Admiral would permit us to carry off the transports unmolested; however as his squadron was not to be seen next morning, I conclude he returned to Grenada.

It is my duty upon this occasion to represent that the behaviour of the officers and men of his Majesty's squadron was such as became British seamen, zealous of the honour of their country, and anxious to support their national character. The marines, likewise, and troops that were embarked with their officers in the King's ships, behaved as brave soldiers; and from the exemplary good conduct of those who got into action, from the visible effect which their brisk and well directed fire had upon the enemy's ships, and from that cool determined resolution and very strong desire of coming to a close engagement, which prevailed universally throughout the squadron, I think myself justifiable in saying, that the great superiority in numbers and force would not have availed the enemy so much, had not their advantage over us in sailing enabled them to preserve a distance little calculated for deciding such contests.

You will herewith receive a list of the killed and wounded: Vice-admiral Barrington is among the latter, but his hurt is slight, which is happily the case with a considerable part of the wounded,

I am, Sir,

Your most obedient humble servant,

J. BYRON.

LINE OF BATTLE.

The Suffolk to lead with the starboard, and the Grafton with the larboard tacks on board.

Honourable Vice-admiral Barrington's division.

				Men.	Guns.
Suffolk,	—	Rear-admiral Rowley	—	617	74
		Capt. Christian	—		
Boyne,	—	Capt. Sawyer	—	520	68
Royal Oak,	—	Capt. Fitzherbert	—	600	74
Prince of Wales,	—	Honourable Vice-admiral Barrington	—	617	74
		Capt. Hill	—		

Magnificent,

Magnificent,	—	Capt. Elphinston	—	—	600	74
Trident,	—	Capt. Molloy	—	—	500	64
Medway,	—	Capt. Affleck	—	—	420	60

Honourable Vice-admiral Byron, Commander in Chief, his division.

[*Ariadne frigate to repeat signals.*]

					Men.	Guns,
Fame,	—	Capt. Butchart	—	—	600	74
Nonfuch,	—	Capt. Griffith	—	—	500	64
Sultan,	—	Capt. Gardner	—	—	600	74
Princess Royal	—	Honourable Vice-admiral Byron	—	—	} 770	90
		Capt. Blair				
Albion,	—	Capt. Bowyer	—	—	600	74
Stirling Castle,	—	Capt. Carkett	—	—	500	64
Elizabeth,	—	Capt. Truscott	—	—	600	74

Rear-admiral Parker's division.

					Men.	Guns.
Yarmouth,	—	Capt. Bateman	—	—	500	64
Lion,	—	Hon. W. Cornwallis	—	—	500	64
Vigilant,	—	Sir Digby Dent	—	—	500	64
Conqueror,	—	Rear-admiral Parker	—	—	} 617	74
		Capt. Harmood				
Cornwall,	—	Capt. Edwards	—	—	600	74
Monmouth,	—	Capt. Fanshaw	—	—	500	64
Grafton,	—	Capt. Collingwood	—	—	600	74

A Return of the killed and wounded on board his Majesty's Squadron, under command of the Honourable Vice-admiral BYRON, in an action with the French fleet, off Grenada, the 6th day of July, 1779.

Ships.	Kill.	Wound.
Suffolk,	7	25
Boyne,	12	30
Royal Oak,	4	12
Prince of Wales,	26	46
Magnificent,	8	11
Trident,	3	6
Fame,	4	9
Sultan,	16	39
Princess Royal,	3	6
Albion,	—	2
Stirling Castle,	2	6
Elizabeth,	1	2
Cornwall,	16	27
Monmouth,	25	28
Grafton,	35	63
Medway,	—	4
Lion—	} 21	} 30
not known with certainty, but said by Capt. Fanshaw, who spoke her after she parted from the squadron, to be		

Officers killed.

Lieut. W. Bowen Parrey, of the Royal Oak; Lieut. John Hutchins, 2d Lieut. of the Grafton; and Mr. Necoll Bower the Gunner; Lieut. Jonah Veale, of the marines, Sultan.

Officers wounded.

Lieut. Richards, of marines, Royal Oak; Lieut. Brett, of the Grafton; Lieut. Caldwell, 46th regiment, on board the Sultan; and Lieut. Bowdens, of the 4th regiment, Magnificent.

Extract of a letter from the Hon. Vice-admiral BYRON to Mr. STEPHENS, dated Princess Royal, off St. Christopher's, July 17, 1779.

I arrived here the 15th with all the ships of his Majesty's Squadron that were with me off Grenada, except the Monmouth and Lion; the former got in yesterday, and the latter is said to be at anchor off the island of Saba, where the Maidstone frigate is sent to her assistance.

Major-general Grant, with about half the transports, are arrived; several more are now coming in.

Extract of a letter from the Hon. Vice-admiral BYRON to Mr. STEPHENS, dated Princess Royal at sea, the 3d of August, 1779.

The account I had of the Lion being at anchor under Saba, proved to be a mistake; and I have not learnt any thing certain of that ship since the Monmouth spoke her some days after the action. All the transports, reached St. Christopher's except one ship, with the Lieutenant-colonel and part of the 4th regiment on board, which ship had lost her mizen-mast by another vessel running foul of her; and I learnt from two gentlemen who left Grenada about a week ago, that she fell in with the French fleet, and was taken the day after the action. The same gentlemen acquainted me, that although great pains, were taken to conceal the loss which the French sustained in the engagement, yet they were well assured, that three Captains, eighteen Lieutenants, and twelve hundred men lost their lives, and that the wounded amounted to nearly two thousand; which account does not differ materially from what we had from St. Eustatius, and other quarters.

Whitehall, September 10, 1779.

Extract of a letter from Major-general GRANT, Commander in Chief of his Majesty's forces in the Leeward Islands, to the Right Honourable Lord GEORGE GERMAIN, one of his Majesty's Principal Secretaries of State. Dated on board the Sybella, victualler, at sea, the 8th of July, 1779.

MY LORD,

Admiral Byron bore down to leeward the 6th of June to protect the trade, which had assembled at Grenada, and were to rendezvous at St. Christopher's. He proceeded accordingly to the last mentioned island, and we lost sight of his squadron, from the heights of St. Lucie, the 8th of June,

The French taking advantage of the absence of the British fleet, when

employed in protecting the homeward-bound trade of the West-Indies, sent four armed vessels under the command of Monsieur le Chevalier Du Rumain, with three hundred men, composed of regulars and militia, and landed the 12th of June upon the island of St. Vincent. The island submitted without firing a shot, and the capitulation was signed the 17th.

I waited on Admiral Byron as soon as possible, after he came to an anchor, the 1st of July, at Gros Islet, upon returning with his fleet from the cruize to leeward. When I got on board, I found he had but just received an account of the reduction of St. Vincent's. None of the express vessels which had been dispatched for him having been lucky enough to fall in with the squadron.

The gentlemen of the navy who were on board with the Admiral seemed much alarmed about Grenada, I had not heard of an attack upon that island, but readily agreed to proceed with the fleet and army to save or retake Grenada and St. Vincent's.

Upon my return to head-quarters at six o'clock in the evening, orders were given for embarking next morning at day-break, and the embarkation was completed in the course of that day and night. The Admiral was informed the 3d, at seven o'clock in the morning, that every thing was ready to go to sea.

In consequence of which signals were made, and we sailed with twenty-one ships of the line, the Ariadne, fourteen transports, four ordnance, four hospital, and two convalescent ships, three victuallers, the agent of transports, the engineers, and a horse sloop.

We made St. Vincent's the 4th, and were informed, that the French had but three hundred regulars and three hundred militia upon the island; that they were fortifying themselves; with the assistance of four hundred negroes;

negroes; and that the Caribbs had joined them.

The Admiral received advice the 5th, in the morning, that Grenada was actually attacked; that the French had from eight to ten sail of the line, with seven or eight frigates, and had landed from two to three thousand men; that Lord Macartney was in possession of the hill which commands the town of St. George; and, knowing from a Mr. Houston that he was to receive immediate support, would of course maintain his post as long as possible.

The fleet carried this day all the sail they could, and was in sight of Grenada and the French fleet the 6th at day break,

The British squadron bore down upon them with all the sail they could crowd, and the attack began at half an hour after seven in the morning, and continued till twelve; was renewed again at two, and continued till sun-set.

General Meadows and I saw the whole very distinctly from the ship. Nothing could exceed the determined bravery and gallantry of the whole squadron. We lookers on were full of admiration at many handsome things which we saw done and attempted in the course of the day.

But things turned out very differently from what we had reason to expect, from the intelligence which Admiral Byron had received. D'Estaing was reinforced before he left Martinique, and had at least twenty-six sail of the line, and eight frigates, with six or eight thousand men. The French gave out ten thousand land troops and marines.

Admiral Byron therefore very prudently determined to stand for St. Christopher's, to refit the damaged ships, and sent to inform me of his intention. I am convinced he will soon recover his superiority at sea; as the French, though superior in numbers, must at last give way to the intrepidity of the British squadron.

Admiralty-Office, Sept. 11, 1779.
Extract of a letter from Rear-Admiral EDWARDS, Commander in Chief of his Majesty's ships at Newfoundland, to Mr. STEPHENS, dated St. John's, July 24, 1779.

I arrived here the 21st instant; I found his Majesty's ship *Surprise*, Capt. Reeve, who on the 14th inst. was preparing her for sea; and receiving information, that his Majesty's armed schooner *Egmont* had been attacked and taken off Cape Spear that day, by a privateer brig, immediately slipped his cables, and went out after her. In the evening he got sight of her, chased, and about twelve o'clock at night took her. She proved to be the *Wild Cat* privateer of Salem, not ten weeks off the stocks, mounting fourteen carriage guns, and had seventy-five men when she came out. Lieutenant Gardiner, and twenty of the *Egmont's* people were retaken in her, but unfortunately the schooner had separated before Capt. Reeve, whose conduct upon this occasion deserves much commendation, could get sight of them.

I have the pleasure to inform their Lordships, that Capt. Cadogan, in his Majesty's ship *Licorne*, on the 31st of May fell in with and took L'Audacieuse French privateer, of twenty-four six pounders, and 194 men, who engaged him half an hour. The privateer had 22 men killed, and 17 wounded. The *Licorne* had only one man wounded.

On the 15th of June Captain Cadogan parted with his convoy in lat. 48° 50 north, and long. 42° 48 west, in a violent gale of wind; and on the 19th (in sight of land off here) saw a ship, which he chased, and at two P. M. the next day, came up with and took her. She proved to be the General Sullivan American privateer, of twenty-four six-pounders, and 106 men, and arrived here the next day with the *Licorne* and French prize. I beg leave to note, that Captain Cadogan's conduct in preserving

preserving his convoy from the 19th, (the day he first saw the French privateer) to the 31st (the day on which he took her) is very commendable.

Captain Pasley in his Majesty's ship Sybil, arrived here the 23d of May. In his passage out he retook the Townside privateer of Liverpool; and on his first cruise on the banks retook a brig loaded with wine; both which prizes he brought in with him to St. John's.

London Gazette, Oct. 2.

Extract of a letter from Vice-admiral Sir PETER PARKER, Commander in Chief of his Majesty's ships at Jamaica, to Mr. STEPHENS, dated on board the Ruby, in Port Royal Harbour, July 16, 1779. Received Sept. 29.

His Majesty's ship the Lion arrived here the 20th instant, almost a wreck, having suffered very considerably in an engagement, the 6th instant, off Grenada, between the English and French fleets.

I think it but justice to Captain Cornwallis to assure their Lordships, that, from the distressed situation of the Lion, she could not possibly rejoin Vice-admiral Byron. The gallant behaviour of Captain Cornwallis during the action, and the unwearied pains taken by him afterwards to attack a ship of equal force [this proved to be the Monmouth, of 64 guns] supposed to be one of the French squadron, are worthy of commendation.

London Gazette, Sept. 21.

Whitehall, Sept. 21, 1779.

Copy of a letter from Lord MACARTNEY to Lord GEORGE GERMAIN, dated near La Rochelle, Sept. 4, 1779; received the 19th instant by the packet from Ostend.

Near La Rochelle, France,

My Lord, Sept. 4, 1779.

I flatter myself that long before

this letter reaches your Lordship, you will have received my dispatch of the 5th of July (A) from Grenada, giving you an account of that Island's being in possession of the French. I sent several copies of it by different channels; but lest none of them should have come to hand, I shall now in a few words acquaint your Lordship, that on the 2d of July the Count d'Estaing arrived at Grenada, with 25 sail of the line and 12 frigates, having 6500 land troops on board. We made the best defence we could with the handful of people we had, which consisted of 101 rank and file of the 48th regiment, 24 artillery recruits and between 3 and 400 militia.

We had the good fortune to repulse the enemy in their first attack, but in the second they carried our lines by dint of superior numbers, after a conflict of about an hour and a half, in which they had killed and wounded 300 men and upwards, which amounts to more than the whole force we had to oppose to their attack; for in the preceding night we were deserted by almost all the coloured people, and the greatest part of the new subjects. Being at the discretion of the enemy, without means of resistance or prospect of relief, we were obliged to propose a capitulation, which was instantly and peremptorily refused by the Count d'Estaing *in toto*; and in lieu of it he sent to me the most extraordinary and unexampled project that ever entered into the mind of a General or a politician. This I rejected in my turn; and there being no possibility of obtaining any other, all the principal inhabitants to whom I communicated it were unanimous in preferring a surrender without any conditions at all to the one that was offered; and upon that footing the enemy are now possessed of the island.

My letter of the 5th of July is so

(A) The letter referred to above has not been received.

full

full and circumstantial, that I must refer your Lordship to it, and to the papers inclosed in it, for the particulars. I flatter myself that your Lordship will believe, that nothing was omitted that could possibly have been done for the preservation of Grenada: this reflection is the only consolation I have under the misfortune of its loss.

In my former letter I mentioned, that it was intended that my fellow prisoners of the remains of the five companies of the 48th regiment, &c. should embark with me for Europe in a ship set apart for that purpose; but I know not why its destination was altered; the troops were sent, I am informed, to Guadaloupe, and I was put on board a French frigate bound for this place, where we arrived last night. I have written to M. de Sartine, through whose hands this letter passes, to know the intention of his Court with regard to my enlargement, and expect his answer in a few days.

M. d'Estaing would not consent to any exchange of prisoners in the West Indies on this occasion.

An assurance was given to the inhabitants of Grenada, that they should retain quiet possession of their estates, and that, during the war, they should not be obliged to carry arms against his Majesty. The other arrangements, I presume, will depend on the Court of Versailles.

I am, &c

MACARTNEY

An Account of the taking of the Island of Grenada.

Published by authority at Paris, Sept. 10, 1779.

The 2d of July the French squadron appeared in the morning off Grenada, in the evening anchored in Molinier Bay, and landed 2300 troops, who took possession of the neighbouring heights, Count Dillon, eldest Colonel, taking the command. In the night a party of these troops,

under Count d'Estaing, made a forced march to be able to command the hospital, where he learned their principal force and hopes were centered.

The 3d of July, at day-break, we discovered the position of the enemy upon this Morne, whose declivity, extremely steep and embarrassed with large stones heaped up, was fortified with pallisadoes at bottom, and three retrenchments one above the other. We knew that the enemy had 140 soldiers of the 48th regiment, 40 of the royal artillery, 200 volunteers, and 400 of their best militia. We had no cannon, it would have been too far to have brought them, besides Admiral Byron's squadron might arrive; but our General resolved to take advantage of the next night, and carry the post by storm. During the rest of the day he made the necessary disposition to make the attack, in three columns, on the east part of the Morne, which looked to the heights he had got round. He ordered, at the same time, a feigned attack should be made under the Hospital, on the side of the river St. John. In consequence of these directions, the division of the Viscount de Noailles, who had got to the Morne of St. Eloi, had orders to join the Count d'Estaing at Pradine's house. We had made a long march in the heat of the day, but the example of their chief, whose love of glory made him seek it wheresoever it could be found, made the men support the fatigue. On the afternoon, the General sent a summons to Lord Macartney, the Governor of Grenada, to surrender. His Lordship answered, he did not know the force of Count d'Estaing, but he knew his own, and would do all in his power to defend his island.

Before night, Count Dillon, and the other officers of the division, examined, as near as possible, the retrenchments they were going to attack, to find out the roads their columns

sums should take. The detachment of artillery, having no cannons to serve, requested to march at the head of the columns:—towards midnight the troops put themselves in motion; before two they got to Lucas house, about a quarter of a league from the Morne they were to attack, and there formed the three columns, and halted.

The column on the right was commanded by the Viscount de Noailles, having under him Lieutenant-colonel O'Dun, Major Macdonel, Major Mondion, and the Chevalier Dupuy, Captain in the royal artillery; with 100 rangers, 130 men of the regiments of Auxerrois and Martinico, and 10 of the artillery.

The column on the left was commanded by Count Arthur Dillon, Colonel commandant of the regiment of his name, with Colonel Brown, the grenadiers, and the rest of Dillon's regiment, and 10 of the artillery. They were to follow the road to the careening place, and from thence mount up to the retrenchments. The Count d'Estaing marched at the head of the grenadiers of that column, which was immediately preceded by the advanced guard, commanded by the Count de Durah, Colonel in second of the regiment of Cambresis, and composed of 50 volunteers under M. Vence, 50 grenadiers of the regiment of Hainaul, 50 of the regiment of Foix, and 30 of the regiment of Martinico. The Sieur de Saint Ciram, Captain in the royal corp du Génie, was with this advanced guard, and entered with it into the retrenchments.

The division destined to make the first attack was commanded by the Count de Pondevaux, Lieutenant-colonel of the regiment of Auxerrois, having under him, Lieutenant-colonel Hussenot of the legion of Lauzan; Major de la Bretonnerie of the regiment of Martinico, and Major Kerangues of the provincial regiment

of Marines, with 200 men of the regiment of Champaigne, Viennois; Martinico, and the legion of Lauzan.

The false attack having begun about two o'clock in the morning, as had been directed, the three columns marched to the Morne of the hospital; according to the routs that had been shewn them. The ships of the Marquis de Vaudrenil, being under the battery at the time of the attack, seized that moment to cannonade it, which produced a very useful diversion. When we were near the intrenchments, we underwent a very brisk fire from the enemy. The English man of war, the York, which was moored near the carenage, incommoded our troops very much, by firing upon Count Dillon's column, which passed within gun-shot. Count Durat's advance guard having cleared the pallisadoes and climbed up the Morne; the last and center columns, getting nearer to each other, by the nature of the ground joined the van guard—neither the fire of the retrenchments, nor of the York, which flank-ed our troops, nor the steepness of the place, could slaken the ardour of our men, excited by the presence of the General, who leaped over the retrenchments, with the first grenadiers. They mounted the Morne, in close column, the men pressing and pushing up each other. The enemy were successively routed every where. The division of the Viscount de Noailles, having a greater round to make, shortened the distance by the alertness of his march; and having overcome every obstacle, he arrived at the same time at the top of the Morne, of which we made ourselves masters in less than an hour. We found there, four cannons of 28 pounds ball; two eight-pounders, four six-pounders, one four-pounder, and six mortars of different calibres. Lord Macartney, thinking himself impregnable in that post, had carried thither his plate, jewels, and most valuable effects, and his

his principal officers had followed his example.

As soon as it was light we turned one twenty-four pounder on the fort, which the Morne nearly commands. On the first shot being fired, an officer came with a flag of truce, whom the Governor had sent to capitulate. He found our General in the battery, who, taking out his watch, gave Lord Macartney an hour and an half to make his proposals. They were sent by the time prescribed, but our General rejected them all, and his Lordship then agreed to surrender at discretion :

Our troops then took possession of the fort; and made the following prisoners.

Of the 48th Regiment.

1 Lieutenant-colonel

2 Majors

3 Captains

4 Lieutenants

1 Ensign

157 Non-commissioned officers and soldiers.

Of the Royal Artillery.

2 Lieutenants

25 Men

Of the Militia.

5 Colonels

6 Majors

31 Captains

31 Lieutenants

33 Ensigns

218 Non-commission and rank and file, besides several seamen—in all 700.

We took also three colours, 102 pieces of cannon of different bores, and 16 mortars.

If we would mention the officers who distinguished themselves, we must be obliged to name every one of them.—The troops shewed that good will and brilliant courage which characterises our nation. Particular praises are due to the commanders of the several divisions, to the superior officers who served under them, and to the staff, which was composed of

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the Count de Durat, Major-general; Major de Manoel, of the Hainault battalion, who was second under him; M. Gautier, Assistant Quarter-master-general, who mounted the retrenchments with the General and M. Passet de la Chapelle, Major of the Martinico militia.

Some of the sea officers had leave to be present at the attack—Lieutenant Du Romain, and Ensign de Barras, marched with the Viscount de Noailles; and Lieutenant de Broves, and Ensign de Combaud, mounted the trenches with Count d'Estaing.

We must not omit one circumstance as honourable for the General, who knows how to reward merit, as for the brave fellow who deserved it:—a Serjeant of grenadiers of the regiment of Hainault, named Horadan, was in the advanced guard. After having shewn the greatest intrepidity, during the action, he leaped the last battery on the Morne, and rushing through the enemies soldiers, saved the life of the Sieur Venice, who was just before him. The Count d'Estaing, under whose eye the Serjeant fought, got the battery just at that instant, embraced the Serjeant, and declared he would make him an Officer.

The loss on our side amounts to 35 killed and 71 wounded.

List of the Officers killed and wounded.

Officers killed.

Patrick M'Sheey, second Lieutenant in Dillon's regiment.

Chevalier de la Bretonniere, Major in the regiment of Martinico.

Dubourg, Captain of grenadiers in the same regiment.

Officers wounded.

De la Pelin, Captain of grenadiers in the regiment of Hainault.

Duggan, sub-lieutenant in the regiment of Dillon.

Morgan, ditto.

Deloy, the younger, ditto.

Chevalier de Kergus, Lieutenant in the regiment of Martinico.

T t

Gautier,

Gautier, de Kervequen, Assistant Quarter-master general.

An Account of the Sea Fight, off the Island of Grenada, on the 6th of July, 1779, between the Squadron of his Majesty and that of the King of England.

Published by authority in Paris, Sept. 10, 1779.

The King's fleet having kept the same anchorage from the 2d of July, the fort of the hospital Morne having been taken by assault in the night between the 3d and 4th, we did not change a position that was more to windward than that in the bay. The royal fort in the town of St. George, and the colony having been surrendered at discretion the same day by Lord Macartney, some ships, which the foul ground in Molenier creek had caused to drive, had stretched as far as the bay, to find better anchorage.

The 5th of July, having notice that the English fleet had been seen off the island of St. Vincent, steering south, at day-break a signal was made for our fleet to weigh, and then another signal to prepare for action.

At half past one in the afternoon, the signal for rallying having called back the ships which had driven and were under sail, they worked up against the strength of the contrary currents. If the wind had been to the south-east, the fleet would have got under sail directly, to meet the enemy and bring on a battle, which was more desired than expected; but as the winds were from east, to east north-east, the currents and the calm would have driven us further off, and most likely have thrown us to leeward, so far as to have made it difficult to beat up again, it was therefore thought preferable to pass the night at anchor.

The 6th of July, at half past three in the morning, our frigates who were looking out to windward, made signal of the approach of the English fleet.

The signal for getting under way was immediately made; the repetition of the signals from the frigates made it necessary to renew the signal for sailing at a quarter past five. In a quarter of an hour more the day broke, and the enemy's fleet appeared to windward, at about a league and a half distant, coming down upon us with all sails set. Some of our ships being still at anchor, we made signal for them to cut their cables. We all got under way. Signal was made, at three-quarters past five, to form the nearest line on the starboard tack; the enemy approaching, it became necessary to form our line of battle as speedily as possible, without paying any regard to the post or rank of the ships.

The English fleet was then composed of nineteen sail of the line, and a frigate to repeat signals; made a tack opposite to our fleet. There lay to, to windward, a fleet from twenty-five to twenty-eight sail, which we knew had English troops on board, destined for a debarkation, escorted by two ships of the line, and some frigates. The sea was smooth, and we had a pretty breeze during the whole day. At half past seven the signal for engaging was thrown out, the briskness of getting under way not having permitted a just formation of the line.

Several ships going to leeward, made signals for them to work up to it as close as possible, to crowd sail to get into their station, and for the van to shorten sail, that both the windward and leeward ships might get into the line, and form a rear guard. These signals were successively made till three quarters after eight.

It is probable the enemy did not know that the island was taken: it is to be presumed they thought they had a sufficient force. They stretched along our line, which presented to them fewer vessels to engage than they had

had, yet they received a fire equal to their own. As soon as they had passed our line, they put on the same tack with us, and wore with the wind a-stern. The headmost ship of their van had continued on her tack as far as the opening of the bay of St. George, when the forts fired on her. The enemy carrying sail, and keeping as near the wind as possible, was then joined by the two ships of the line which had hitherto kept with the transports, and who coming down full sail, got to the head of the line. Three ships of the rear guard then appeared very much out of order, and began to fall to leeward.

The rest of the English fleet got closer together, and appeared to strive to get farther from our fire. At a quarter past nine, and at half past nine, signals were thrown out to form in a line, to keep as close to the wind as possible. Three of the English rear seemed desirous of attacking some of our ships which were to the leeward of the line; but having been better acquainted with them, they stood off at 20 minutes past ten, to regain their post in the line, which still kept up in the wind.

At 40 minutes past ten, signal was made for ten of our ships, which were to leeward of our line, to wear and form a rear guard. The signals were repeated by the frigates; two of the ships worked up, and by keeping their wind got into the line. The fifteen ships which first constituted the line, had handled, very roughly, the van of the English, whose course, by the extension of their line, and by the efforts they made to keep the wind, could not assist; but through our rear guard.

At a quarter past twelve, the action ceased. The fire had been very brisk, five English ships were greatly hurt in their masts and rigging; three ships of the rear guard, were separated from the rest, and more to leeward. The signals made to our leeward ships to

tack and form in a line, had been successively obeyed, as well as they could be done, and at a quarter past two the line was completely formed. As soon as that was certain, a signal was made to be ready to engage together. The object of this manœuvre to separate, if possible, the three ships of the English rear from their main body. We continued to keep on the starboard tack, till three quarters after two, when, being certain the preparatory signal was sufficiently understood, the signal for the execution of the design was then made, and the whole line tacked at once, without one vessel missing stays.—The enemy made a like manœuvre at the same time.

The King's fleet finding itself thus at a stand, made the signal to form the line with a contrary position, and the signals to crowd sail, and to hold the wind, were successively thrown out. The leewardmost of three English ships, immediately put afore the wind, and consequently was totally separated from the fleet. If she had been chased, it is very likely she would have been taken, but it was thought proper to avoid any separation of our fleet, that we might not fall to leeward of Grenada, a return thither being the most useful, and the best proof of the advantage it had gained. The two other English ships continued on the same tack, and making a stretch to join their own fleet, we passed to leeward. The centre had received the whole fire of the line, but our critical situation did not bring down the English fleet, who continued to keep their wind to get from us.

Our fire during the night; the two tacks we made in the same water; the bad condition of some of Admiral Byron's ships; his perseverance in keeping his wind, when one of his ships was cut off by putting before it, and when another stood in great want of assistance; his retreat; his quitting the field of battle; in fine, the capture

ture of an English transport with 250 soldiers, and a colony lost, will not leave any doubt of the success of his Majesty's arms. It would have been still greater, if it had been possible to have got the wind of the twenty-five transports, and to have got nearer to the enemy. But it is the more glorious, since the King's ships, who fought together, and in a line, were always inferior in number to the English fleet, which came to attack them, completely formed, and with the advantage of the wind.

The particular manœuvres of the general officers and captains, who, by their skill and their zeal, have replaced that alone which can constitute the force of a fleet, uniformity—the manner in which they mutually supported each other—the small ships which thought themselves in their place when at the head, or midst of a line of battle; and who, in posts which were not their proper situations, resisted an enemy whose fleet were formed only of great ships, and where they now attacked with boldness, conducted themselves with much bravery and dexterity—the prudent and well directed fire of divers ships—the promptitude with which some of them got into their stations—the care they took to keep them in them—the good-will and cheerfulness of the crews, who did not hesitate a moment during a long and bloody fight—all this would require that we should enlarge separately on the conduct of each particular ship.

List of the Officers killed and wounded.
Officers killed.

In the Provence.

De Champorein, Captain,

In the Amphion.

Ferron da Quengo, Captain.

De Gotho

Chevalier de Gotho

De Marquerie

Jaquelot

De Comprédon

In the Fier Roderigue.

} Lieutenants.

De Montaut, Captain.
Bernard de la Turmelieré } Midship-
Tuffin de Ducis } men.
Military officers killed on board the fleet.

De Fremont, Captain in the regiment of Foix.

D. Clairaud, Lieutenant in the regiment of Auxerrois.

Naval Officers wounded.

- Captain de Castellet,
- Captain de Dampierre,
- Captain de Cillart de Suville,
- Captain Chevalier de Retz,
- Lieutenant de Normand de Victor,
- Lieut. de Massilian,
- Lieut. de Gleraux,
- Lieut. de Vassal,
- Lieut. de Carnet,
- Ensign Scostierna, a Swede,
- De Reynier, Midshipman,
- De Baras Melan, ditto
- De Briarg, ditto;

Military Officers wounded.

- Count Edward Dillon—Colonel in second,
- De Boulouvard,
- De Barentin,
- De la Martiniere,
- Le Roy,
- Froissard,
- Buiffon
- Jugau
- Chevalier de la Meth, Captain of cavalry.
- Chevalier de la Poyrelongues, of the artillery.
- Plunket, of Walsh's regiment.
- Rafin, Captain in the regiment of Auxerrois,
- Da Mary, sub-lieutenant in the same.

} auxiliary officers,

The following Proclamations were issued at Grenada, as soon as the French obtained possession of the Island. Perhaps the infamous Terms enforced by them are without parallel in the History of the World.

TRANSLATION.

BY THE KING.

JOHN FRANCIS Count de Durat, Colonel of infantry, Knight of the *Roya*

*Royal Military Order of St. Louis,
Governor-general of the Grenades
and the districts thereunto belong-
ing.*

It is hereby notified to all the inhabitants of this Government, that Lord Macartney has surrendered with the colony at discretion; by which means both the troops and inhabitants are entirely dependent on the goodness and clemency of his Majesty: in consequence of which the said inhabitants are hereby informed, that having, by the reduction of the island, become subjects to the King of France, they are to fulfil the duties of such, under penalty of being declared traitors to the Crown, and liable to be tried and treated accordingly.

Given at the Grenades, the 7th of July, 1779.

(Signed) Count DE DURAT,
Gov. General.

BY THE KING.

JOHN FRANCIS Count DE DURAT
Esq. &c.

Being informed of all the oppressions exercised by the English Government, particularly against the French inhabitants of the island of Grenada, called new subjects, contrary to the capitulation of the colony on the 4th of March, 1762, the treaty of peace at Versailles in 1763, the treaty of Utrecht in 1713, and others, confirmed and agreed to at the said treaty of 1763; in violation of their natural rights, and the rights of nations, as well as the laws of England; who, in revenge have committed acts which have been injurious to the whole members of the colony, and which will be the object of a particular memorial to be sent to our Court.

We have therefore, from henceforward and for ever, discharged all the inhabitants of the island of Grenada, or according to the exigencies of the times only (and this for a certain term which will be limited)

from the payment of all mortgages and other agreements of whatsoever kind, by them contracted with the city of London, and all other places of trade, subject to his Britannic Majesty, without any exception; reserving to the Court of France to make good all reclamations that are just and well-founded, and dependent on the present articles. As the representative of his Britannic Majesty in the Island of Grenada, instead of agreeing to yield at discretion, the Governor might have proposed such honourable conditions, as its value, strength, and his birth, titles, employments, and honours, would have induced us readily to agreed to; and his only motive could be to prevent the inhabitants of the Grenades from enjoying those advantages granted by the English to the inhabitants of the Island of St. Lucia; whilst the principal inhabitants of the Genades, deceived by a point of honour, have sacrificed their interest to that degree, as to permit their money to be taken from them, and to loose all they had accumulated (after the example of Lord Macartney) in a place which they thought impregnable.

To recompence them, for these and other considerable losses which they have sustained, it is prohibited under pain of disobedience, military execution, and confiscation of their effects, to all and every of the inhabitants of the Grenades, to make good any payments that may be due to the subjects of his Britannic Majesty—whether directly or indirectly.

As the debtors that the inhabitants of the Grenades have in England may refuse the exact and instant payment of what they may owe, it will be provided by a decree of the Chief Judges, and after examination of the claim, to release those English inhabitants that are actually there resident on the lands under the government of his Britannic Majesty.

jefty, of like fums to fuch as may be due in England to the inhabitants of the Grenades, whether French or English; and the furplus of the produce of the effects of the English absentees shall be provisionally thrown into the Treasury of the Colony, to be restored at the peace. The managers who have taken the oath of fidelity shall not be changed so long as they administer well;—but there shall be appointed by the Government guardians of the estates of the absentees, who, after having been admitted on oath in a judicial court, shall preserve, keep account, pay, and discharge to the actual managers, who shall be dispossessed in case of mismanagement;—but that only by a decree of the Judge.

Given at the Grenades, July 7,
1779.

(Signed) Count DE DURAT,
Governor-general.

BY THE KING.

J. FR. DURAT, &c.

Being informed that several individuals of the United Provinces have supplied divers of the inhabitants of the Grenades with considerable fums of money, under mortgage of their habitations, slaves, or other immovables, with the guarantee of English merchants, and by authority of the Parliament of Great Britain; and as these money-lenders cannot be considered but as borrowed names of the subjects of his Britannic Majesty, all these creditors come under the class of those which are specified in our Proclamation, of the 7th of this month: we therefore defer the payment, as it is ordered in that proclamation, being evident that the subjects of the United Provinces cannot thereby be injured, having their recourse upon their correspondent, and that all the losses must fall on these last, which so far diminishes the property of our enemies.

Given at the Grenades, July 10,
1779.

Translation of a letter from the King of France to the Archbishop of Paris.

“ My Cousin,

“ The motives which have compelled me to have recourse to the means of arms, in order to obtain that satisfaction which I have for too long a time asked, are known to all Europe. The dignity of my crown, and what I owe to my subjects, will not any longer allow that I defer vengeance for the repeated insults on my flag, protecting the commerce of my subjects, and re-establish the liberty of those seas, by repelling the attempts of a nation which my moderation has encouraged and made bold in her projects of usurpation.

“ After having provided for the surety of my kingdom, and my possessions in America, by the augmentation of my naval forces, I was determined to use reprisals, and to attack England in her own colonies.

“ In Africa, Senegal, the different forts on the coast belonging to England, have been either taken or destroyed. In America the island of Dominica has been surprized by my frigates and troops, which the Marquis De Bouille, Governor-general of Martinico, led to this expedition. More recently the frigates and troops under Vice-admiral Count d’Estaing, Commander of my naval forces in America, have taken possession of the island of St. Vincent’s. Lastly, on the night of the 3d of July last, my troops under Count D’Estaing have taken, sword in hand, the island of Grenada, and made 700 prisoners, who were compelled to surrender at discretion, as well as the Governor, and to give up upwards of 100 pieces of cannon, 16 mortars, and a great number of shipping, which were under the protection of the batteries. Two days after, the English squadron, being twenty-one sail of the line, commanded by Admiral Byron, having

having under his convoy 4000 men for a debarkation, approached Grenada with a design of retaking it. Count D'Estaing got my fleet ready, offered, and gave battle to the English fleet, and after having disabled several, compelled the whole to flight, and gained a conquest. The success of these different expeditions, in which my officers, soldiers, and sailors, have exerted every degree of French valour, as well as in the different sea engagements since the commencement of hostilities, can only be attributed to the divine favour of the God of arms, who knowing the integrity of my intentions and my desire of peace, has seconded the justice of my cause.

“ For the purpose of rendering a public homage of my gratitude, to supplicate a continuance of his divine protection, I write to you, signifying my desire that you cause *Te Deum* to be sung in the Metropolitan-church of Paris on a certain day and hour, of which the grand master, a master of the ceremonies will, from me, inform you of, praying God to preserve you, my cousin, under his holy and divine keeping.

(Signed) L O U I S .

(Under signed) A M E L O T .

(And on the back of the letter)

To my cousin, the Archbishop of Paris, Peer of France, and Commander of the Order of the Holy Ghost.

London, Gæober 1. A letter from Richard Oliver, Esq. dated from the Grenades, says, “ We have lost this valuable sugar island, and I am afraid that most of the others will soon be taken. We are all in a miserable situation, and we have no prospects or hopes of things being better. The reinforcements daily arriving from France to join Count D'Estaing's fleet, will soon enable him to drive the English

fleet out of the West Indies, and to make him master of all the West India Islands, so that trade to that part of the world will be totally lost to England.”

For the REMEMBRANCE.

Notwithstanding the Ministry are again at their dirty work of abusing the celebrated DOCTOR FRANKLIN in their daily, dirty, Court newspapers, it is a well-known fact, that when their *poor tool* (P——) was last year sent three times to Paris (by his noble patrons, North and Bute) to solicit the Doctor's countenance to their *pitifully insidious* Commissioners, (as they have turned out) then going over to supplicate Congress for peace and re-union, among a variety of *tempting offers*, which *the tool* was directed with all humility to make to the Doctor, was, that, “ Mr. Wed——e should, in the most express terms, and in the public newspapers, ASK THE DOCTOR'S PARDON,” for the famous, or rather infamous *Philippic*, uttered by him on a memorable occasion at the Cock-pit Royal, before the most numerous assembly of Privy Counsellors that had ever been convened, since the *last* glorious Revolution! and on which occasion (as was affirmed in the time of it) a *Great Personage* and *the Bute* were there *in cog*, behind a screen, and most luxuriously enjoyed the Scot's abuse. That abuse, however; with the subsequent doings on the occasion (equally remarkable for their *policy as justice*) hath already cost his —— at least, HALF A CROWN! or, as old Mother Grant would have expressed it, *thirteen baubles and a few sugar islands*; and may, in the way that affairs are at present going on, cost his *something more*.

Tribulation and anguish are now approaching with rapid strides: they are even at the threshold! the signs
are

are as visible as the stars in the firmament; wisdom itself hath pointed them out. "Pride goeth before destruction, and an haughty spirit before a fall."

OMNIPOTENCE hath been impiously tacked to the word parliament; and no bounds have been set to barbarous ministerial *menaces*, and perhaps more barbarous *orders* for their execution. Vide Adam Ferguson's Manifesto, or *valedictory Address* to Congress, signed
CARLISLE, CLINTON, AND EDEN.

Unconditional submission, or *more* than Roman severity,

GERMAIN.

God and nature hath put into our hands the *scalping knife and tomahawk*, to torture them to unconditional submission . . . The late

SUFFOLK.

There must be *an abridgement* of English liberties; and means must be adopted to *take off* such leaders in the Colonies, as appear in opposition to the measure.

* HUTCHINSON AND BERNARD.

They suffered to catch fish upon their own coasts! No, *starvation*, is too good for them.

DUNDASS.

A Cowardly race of men; they fight! they dare not look an English man in the face.

SANDWICH.

Five hundred highland lads, with whips, or even thistles in their hands, would drive them all from one

end of the continent to the other.

GRANT.

I will willingly pay fourteen shillings in the pound, but they *shall* submit to *our* taxation.

VINER.

I will never stop, until I have brought them suppliant to my feet.

NORTH.

You must do more, you must *kill* 'em; for we have passed the Rubicon, and if you don't kill them, they possibly may kill you.

MANSFIELD.

the main mover, and main spring of all! With many more well-remembered similar speeches, uttered "in the hour of our insolence," during the four last sessions; but they have been all to no purpose; such impious threats, and more barbarous and brutal acts have availed nothing. When Britain was honest and great, her Ministers and Officers were above uttering threats; they are the language of mean and dastardly minds, which in the hour of our *insolence and disgrace*, have been plentifully dealt out to the manifest derision of surrounding nations, as well as of the *successful rebels* to whom they were sent. But, *the hour* (not of insolence, but of sorrow) is drawing near! Somebody *must* account for the great evils that are come upon us; and for the *contemptible* as well as forlorn condition, into which the British dominions in all parts of the world are fallen. THE PEOPLE have a right to *save themselves* from total ruin, and they will do it.

SULLY.

* I by proclamation prescribe, and even cut off from Royal Mercy, *John Hancock and Samuel Adams*.

G A G E.

Philadelphia, May 25th, 1779.
 “ *Oft when the Judge declares the
 felon's doom,
 Might he more juſtly ſuffer in his room.* ”

The reputation which requires the aid of anonymous ſcribblers to ſupport it, is of little worth; and they who ſuppoſe that the publications of ſuch perſons can eſſentially injure the character of an honeſt man, have but little knowledge of the world. Honesty is the beſt policy; and he who makes it the baſis of his actions, has nothing to dread from an enquiry into his conduct. A man of candour makes truth the object of his enquiries, and will be aſhamed to wound ſecretly the reputation of any perſon.

Much hath been ſaid of peculation and fraud in the expenditures of public money. If ſuch things have not happened in America, it may be conſidered as a miracle; but where are the inſtances, and who are the perſons guilty of ſuch crimes? It behoves all ranks of people to aſſiſt in detecting and bringing to puniſhment every ſuch offender. Can it be a matter of ſurpriſe then, that Mr. Smith ſhould make a motion in Congreſs evidently deſigned to do juſtice to the public? Is it not rather aſtoniſhing that there ſhould have been any oppoſition to the enquiry propoſed! if it be aſked what could ſtimulate him to make the motion, I will tell you—it was an independent ſpirit, the love of juſtice, and the public good;—which led him alſo to take an early, open, active, and diſintereſted part in the preſent conteſt with Britain; and have eſta bliſhed his character upon a foundation not to be ſhaken by Mr. Laurens or any of his adherents. I requeſt you to publiſh the proceedings of Congreſs upon this occaſion. I will not, at preſent, make any ſtrictures upon them. The public will take a comparative view of the conduct of all

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concerned, and be able to judge for itſelf. By what is on the journal, Mr. Laurens has acknowledged that he wrote a private letter of a certain date to Governor Houſton. Where then are the ſhining virtues of Mr. Laurens, and the dignity of Congreſs? The following anecdotes will ſhow you. It is ſaid that Mr. Laurens, in oppoſing Mr. Smith's laſt motion, obſerved, “ that he did not expect his addreſs would have been entered upon the journal!—that the entering it was a very imprudent meaſure;—that had he voted upon it, he would have voted no;—that when he ſaw the unanimous vote, he thought the lying ſpirit had got into the Houſe.”—

*In Congreſs Friday, May 14,
 1779.*

After reading the journal, Mr. M. Smith aroſe, and in his place informed the houſe that he ſaw printed in a newspaper, intitled Royal Gazette, publiſhed in New-York, by James Rivington, a letter written by Henry Laurens, and directed to Governor Houſton of Georgia, which contained matter derogatory to the honour of Congreſs, injurious to the intereſt of theſe United States, and tending to deſtroy that confidence which the States ſhould reſoſe in this body; and therefore he moved, as a matter of privilege, that the ſaid letter be read, and that Mr. Laurens be called on to declare whether he wrote that letter.

Objections were made to the ſaid motion as out of order, being contrary to the order of yeſterday, that after reading the journal this morning the report on finance ſhould be conſidered. But Mr. Smith inſiſting on his motion as a matter of privilege, the debate was proceeding on the queſtion of order, when intelligence was communicated to the houſe in the words following:

“ Extract of a letter from his Excellency Thomas Johnſton, Eſq. dated
 U u Annapolis,

Annapolis, 12th May,—27, to Col. Henry Hollingsworth. Sir, Last night Capt. Hanfon, with whom Capt. Plunkett was going as a supercargo, put back to this place; they inform they saw a frigate, a brig of about 14 or 16 guns, a small armed vessel or two, and two prizes in the bay. Hanfon narrowly escaped being taken. Capt. Jack Nicholson was drove on shore, on or near Gwin's Island. Yesterday near the mouth of Patuxent they met with one Mr. Robinson, in a boat belonging to Choptank, bound down the bay. Robinson told them that on Monday morning he spoke a schooner in the mouth of Puonkatank, bound to sea, and chased in by a fleet of between twenty and

thirty sail, among them several large ships; that she made this fleet off the Horse-shoe on Saturday morning, but it being hazy they could not make out the exact number; that there were several sloops and schooners amongst them. We have yet heard nothing further.

I am, Sir, your's, &c.

THOMAS JOHNSON."

Whereupon a motion was made by Mr. R. H. Lee, seconded by Mr. S. Adams,

That the consideration of the question of order be postponed until order be taken on the intelligence aforesaid.

On this question the yeas and nays being required by Mr. Smith,

New-Hampshire,
Massachusetts-Bay,

Rhode-Island,
Connecticut,

New-York,

New-Jersey,

Pennsylvania,

Maryland,

Virginia,

North-Carolina,

South-Carolina,

Mr. Whipple,	ay
Mr. S. Adams,	ay
Mr. Lovell,	ay
Mr. Gerry,	ay
Mr. Holten,	ay
Mr. Ellery,	ay
Mr. Sherman,	ay
Mr. Spencer,	ay
Mr. Jay,	ay
Mr. Duane,	ay
Mr. Floyd,	ay
Mr. Scudder,	ay
Mr. Fell,	ay
Mr. Armstrong,	ay
Mr. Shippen,	ay
Mr. Atlee,	ay
Mr. Searle,	ay
Mr. Muhlenberg,	ay
Mr. Wynkoop,	ay
Mr. Plater,	ay
Mr. Paca,	ay
Mr. Carmichael,	ay
Mr. Henry,	ay
Mr. Jenifer,	ay
Mr. Smith,	no
Mr. R. H. Lee,	ay
Mr. Griffin,	ay
Mr. Flemming,	ay
Mr Penn,	ay
Mr. Burke,	ay
Mr. Sharpe,	ay
Mr. Laurens,	ay
Mr. Drayton,	ay

So

So it was resolved in the affirmative.

The intelligence being again read, Resolved, That the said intelligence be committed to the Board of War, and that they be directed to take measures to prevent any stores from falling into the hands of the enemy, should the fleet get the intelligence mentioned, attempt a descent any where in the Bay of Chesapeak, or the rivers that empty therein. And

New-Hampshire,
Massachusetts-Bay,

Rhode-Island,
Connecticut,

New-York,

New-Jersey,

Pennsylvania,

Maryland,

Virginia,

North-Carolina,

South-Carolina,

So it passed in the negative.

On the question, Is that part of Mr. Smith's motion, that Mr. Laurens be called on to declare whether

New-Hampshire,
Massachusetts-Bay,

that copies of the said letter be transmitted to the Commander in Chief, the President of Pennsylvania, and the Governor of Delaware.

Congress resumed the consideration of the question under debate, and a division being called for by Mr. Duane on the question, Is the motion of Mr. Smith for reading the letter referred to in this information in order? The yeas and nays being required by Mr. Laurens.

Mr. Whipple,	no
Mr. S. Adams,	no
Mr. Gerry,	no
Mr. Lovell,	no
Mr. Holten,	no
Mr. Ellery,	no
Mr. Sherman,	no
Mr. Spencer,	no
Mr. Jay,	ay
Mr. Duane,	ay
Mr. Floyd,	ay
Mr. Scudder,	no
Mr. Fell,	no
Mr. Armstrong,	no
Mr. Shippen,	no
Mr. Atlee,	ay
Mr. Searle,	no
Mr. Muhlenberg,	no
Mr. Wynkoop,	ay
Mr. Plater,	ay
Mr. Carmichael,	ay
Mr. Jenifer,	ay
Mr. Smith,	ay
Mr. Griffin,	no
Mr. Flemming,	ay
Mr. Lee,	no
Mr. Penn,	ay
Mr. Burke,	ay
Mr. Sharpe,	ay
Mr. Laurens,	no
Mr. Drayton,	ay

he wrote that letter, in order? The yeas and nays being required by Mr. Laurens.

Mr. Whipple,	no
Mr. S. Adams,	no
Mr. Gerry,	no
Mr. Lovell,	no
Mr. Holten,	no

U u 3

Rhode

Rhode-Island,	Mr. Ellery,	no
Connecticut,	Mr. Sherman,	no
	Mr. Spencer,	no
New-York,	Mr. Jay,	no
	Mr. Duane,	no
	Mr. Floyd,	no
New-Jersey,	Mr. Scudder,	no
Pennsylvania,	Mr. Armstrong,	no
	Mr. Shippen,	no
	Mr. Atlee,	no
	Mr. Muhlenberg,	no
	Mr. Wynkoop,	no
Maryland,	Mr. Plater,	no
	Mr. Carmichael,	no
	Mr. Jenifer,	no
Virginia,	Mr. Smith,	no
	Mr. R. H. Lee.	no
	Mr. Flemming,	no
	Mr. Griffin,	no
North-Carolina,	Mr. Penn,	no
	Mr. Burke,	no
	Mr. Sharpe,	no
South-Carolina,	Mr. Laurens,	no
	Mr. Drayton,	no

So it passed in the negative.

Resolved, That the order of the day be postponed.

Adjourned to ten o'clock to-morrow.

In Congress May 15, 1779.

After reading the journal, Mr. Laurens arose, and with the leave of the house read in his place a paper, which he delivered in, and which being read at the table, was ordered to be entered on the journal, and is as follows:

Mr. President. The motion which was made yesterday by one of the Honourable Delegates from Virginia, for reading a presumed copy of a letter, said to have been written by me, and printed in the garrison of the enemy, on New-York Island, and for calling upon me to declare, whether I had written such a letter, appeared to me to be irregular, unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent

citizens of these United States, thence arose those cautions and admonitions, which a sense of duty prompted me to offer to the House, while the subject was under debate, and I rejoice in that wisdom, which was displayed by the House, in over-ruling the attempt.

Sir, had the gentleman who made the motion, called on me, and in proper terms enquired, whether the printed letter was a copy of an original address from me to Governor Houston, I would have given him all the satisfaction that could have been desired by any man of true honour.

And now, Sir, as, if I have been guilty of aught criminal, or have inadvertently expressed any thing amiss in my correspondence as a private citizen with Mr. Houston, I would rather receive a censure or reproof from Congress, than be charged with a want of candour, or commit my conduct to the whispers of malice, I take the liberty of informing Congress, that I did, on the 27th August,

write

write a private letter to Governor Houston.

If the House shall judge it proper to determine by a vote, that they may of right demand a copy of that private letter, and shall in consequence of such vote call on me; or if Congress shall be pleased by a vote to direct their President in writing to request me to lay before them a copy of that letter, I will in either case produce a genuine and true copy, reserving to myself in the mean

time the privilege of voting, as I certainly should vote, if I were not a party concerned

I confide in the candour of the House, to order this address to be entered on the journal, and if the House shall be pleased to call for, or request a copy of my letter, I shall expect that will also be entered on the journal.—15 May, 1779.

On the question for entering the above on the journal, the yeas and nays being required by Mr. Laurens.

New Hampshire,
Massachusetts-Bay,

Rhode-Island,

Connecticut,
New-York,
New-Jersey,
Pennsylvania,

Maryland,

Virginia,

North-Carolina,

South Carolina,

Mr. Whipple,	ay
Mr. S. Adams,	ay
Mr. Lovell,	ay
Mr. Holten,	ay
Mr. Ellery,	ay
Mr. Collins,	ay
Mr. Sherman,	ay
Mr. Jay,	ay
Mr. Scudder,	ay
Mr. Armstrong,	ay
Mr. Shippen,	ay
Mr. Searle,	ay
Mr. Muhlenberg,	ay
Mr. Wynkoop,	ay
Mr. Plater,	ay
Mr. Jenifer,	ay
Mr. Smith,	ay
Mr. R. H. Lee,	ay
Mr. Flemming,	ay
Mr. Penn,	ay
Mr. Burke,	ay
Mr. Drayton,	ay

So it was resolved in the affirmative.

Mr. Smith then moved, seconded by Mr. Penn, that the sense of the House be expressed, whether the motion he made yesterday, was an attempt irregular, unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States."

A motion was made by Mr. Burke, seconded by Mr. Griffin, as a substitute to the foregoing, in the words following:

That by the vote, for entering on the journal the paper delivered in by Mr. Laurens, Congress did not mean to give any opinion on the suggestion therein contained, that the motion made by Mr. Smith was unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States.

On the question, Shall this be received as a substitute? the yeas and nays being required by Mr. Laurens.

New-

New-Hampshire,	Mr. Whipple,	ay
Massachusetts-Bay,	Mr. S. Adams,	ay
	Mr. Lovell,	ay
	Mr. Holten,	ay
Rhode-Island,	Mr. Ellery,	ay
Connecticut,	Mr. Sherman,	ay
	Mr. Spencer,	ay
New-York,	Mr. Jay,	no
	Mr. Duane,	no
	Mr. Floyd,	ay
New-Jersey,	Mr. Scudder,	ay
Pennsylvania,	Mr. Shippen,	ay
	Mr. Atlee,	no
	Mr. Searle,	ay
	Mr. Muhlenberg,	ay
Maryland,	Mr. Plater,	no
	Mr. Carmichael,	no
	Mr. Henry,	ay
	Mr. Jenifer,	ay
Virginia,	Mr. Smith,	no
	Mr. R. H. Lee,	ay
	Mr. Griffin,	ay
	Mr. Flemming,	no
North-Carolina,	Mr. Penn,	no
	Mr. Burke,	ay
	Mr. Sharpe,	no
South-Carolina,	Mr. Laurens,	ay
	Mr. Drayton,	no

So it was resolved in the affirmative.

On the question, to agree to the substitute as a resolution.

Resolved in the affirmative.

Tuesday, May 18, 1779.

Mr. Smith then rose, and with the leave of the House, read in his place a paper, in answer to the paper delivered in by Mr. Laurens, in which he repeats his request, "that Congress will explicitly declare, whether it be their opinion, that the motion which he made on Friday was full of dangerous consequences—deroga-

tory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States; and hopes that Congress having indulged Mr. Laurens with entering his address upon the journals, will do him equal justice, and allow him the same indulgence, by entering his address upon the journal of Congress." The motion being seconded by Mr. Penn.

On the question, Shall Mr. Smith's address be entered on the journal? the yeas and nays being required by Mr. Smith.

New-Hampshire,	Mr. Whipple,	no
Massachusetts-Bay,	Mr. Gerry,	no
	Mr. Lovell,	ay
	Mr. Holten,	no
Rhode-Island,	Mr. Ellery,	no
	Mr. Collins,	ay
Connecticut,	Mr. Sherman,	no
	Mr. Spencer,	no
New-York,	Mr. Jay,	ay

New-

	Mr. Morris,	<i>no</i>
	Mr. Floyd,	<i>ay</i>
New-Jersey,	Mr. Scudder,	<i>no</i>
	Mr. Fell,	<i>no</i>
Pennsylvania,	Mr. Armstrong,	<i>no</i>
	Mr. Shippen,	<i>no</i>
	Mr. Atlee,	<i>ay</i>
	Mr. Searle,	<i>no</i>
Maryland,	Mr. Wynkoop,	<i>no</i>
	Mr. Plater,	<i>ay</i>
	Mr. Carmichael,	<i>ay</i>
	Mr. Henry,	<i>ay</i>
Virginia,	Mr. Jenifer,	<i>ay</i>
	Mr. Smith,	<i>ay</i>
	Mr. R. H. Lee,	<i>no</i>
	Mr. Griffin,	<i>ay</i>
North-Carolina,	Mr. Flemming,	<i>ay</i>
	Mr. Penn,	<i>ay</i>
	Mr. Burke,	<i>ay</i>
South-Carolina,	Mr. Sharpe,	<i>ay</i>
	Mr. Laurens,	<i>no</i>
	Mr. Drayton,	<i>ay</i>

So it passed in the negative.

Extract from the Minutes.

CHARLES THOMSON, Sec.

Tuesday, May 18, 1779.

Mr. President,

It gave me real concern to find that Mr. Laurens, a Delegate from the State of South-Carolina, considers the motion I made on Friday last, as an *attempt* "irregular, unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States." I conceive it to be the duty of every Member of the Congress to receive the information, and to communicate it to Congress, of the venality, speculation and fraud of any of its Members, or of other persons employed in the public service. If the information leads to the investigation of truth, it is worthy of notice, and should be attended to. The contents of the letter alluded to in the information I gave; the manner in which it was published, and the probability that a letter directed to the Governor of Georgia, might have fallen into the hands of the enemy,

in Georgia, did, in my opinion, require the attention of Congress and of all the free and independent citizens of these United States, since the honour of the one, and the interest of the other, demanded an enquiry concerning the truth of the contents. The publisher in *this* instance, could not be called upon to justify the publication, either by Congress or Mr. Laurens, because he was not within the line of their power; but Mr. Laurens might have refuted the publication by a bare denial of the authenticity of the letter; which justice to Congress and his own honour required, if the letter published was not genuine. In my opinion, therefore, there was no impropriety in the motion for demanding of Mr. Laurens whether he had written the letter of which that publication was said to be a copy. I am sure the demanding of a *person*, whether he was the *author* of a letter published in a *news-paper* was not unprecedented

dented even in this house. But Mr. Laurens could not be compelled to give evidence against himself, or even to answer the question. A regard to truth and his own honour, were the only considerations which could oblige him to answer my question. The motion, therefore, could not be "full of dangerous consequences," nor could it be "alarming to the free and independent citizens of these United States," unless Mr. Laurens, and the free and independent citizens of these United States, should be of opinion that truth and honour ought not to influence the conduct of men. If Mr. Laurens has discovered those scenes of venality, speculation and fraud, which are mentioned in the letter alluded to; or if he was warranted to say what is therein expressed, he ought *indeed* to have rejoiced that an opportunity was given him to unfold them, and thereby to have been instrumental in bringing to punishment the authors of such mischiefs to the public.—But Mr. Laurens has charged me openly in Congress, with having attempted what was "irregular, unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States." And he has said that he rejoices "at the wisdom displayed by Congress in *over-ruling the attempt*." This charge is contained in a written paper, which he read in his place, and desired might be entered upon the journals of Congress. It hath been reserved, and is entered upon the journal by order of Congress.

Without calling upon Congress for that protection against *personal* insult, to which every Member is entitled whilst he is performing his duty in this House, and a consequent reparation of the breach of privilege, I demanded of Congress the justice

due to my honour,—that the sense of Congress might be expressed, whether the motion I had made was of such a nature as Mr. Laurens had declared, and I thought myself entitled to satisfaction on this point, as Congress had received the *implied* thanks of Mr. Laurens, for the wisdom displayed, in *over-ruling the attempt*.

Congress has not been pleased to answer the question; but hath adopted a resolution, which, in my opinion, countenances the charge; as it apologizes for having admitted the declaration to record, and leaves it in full force against me.—A mode of proceeding which, if it shall be conclusive in this case, I fear, will impeach the candour, if not the justice of Congress. I therefore, as well out of regard to the dignity of Congress, as to my own honour, repeat my request, that Congress will explicitly declare, whether it be their opinion that the motion which I made on Friday last, was "full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States," and having *indulged* Mr. Laurens with entering his address upon the journal of Congress, I hope Congress will do me equal justice, and allow me the same indulgence, by entering this address upon the journal of Congress.

MERIWETHER SMITH.

Williamsburg, June 5.

Articles of Capitulation proposed by
Lieutenant-Governor HAMILTON,
to Colonel GEORGE ROGER CLARK,
dated Fort Sackville, February 24,
1779.

Article 1. Lieutenant-governor Hamilton engages to deliver up to Col. Clark Fort Sackville (Fort St. Vincen's) as it is at present, with all the stores, ammunition and provision, reserving only 36 rounds of powder and ball per man, and as many weeks provision

provision as shall be sufficient to conduct those of the garrison, who shall go by land or water, to their destination, which is to be agreed on hereafter—2d. The garrison are to deliver themselves up prisoners of war, and to march out with their arms, accoutrements, and knapsacks. A guide or guides to be given, with a safe-guard, to escort the garrison to their destination, as also horses for the transport of provisions, provided the garrison marches by land.—3d. The garrison not to be delivered up till the person employed by Col. Clarke shall receive an account of the stores, &c. — 4th. Three days time from the signing the articles to be allowed the garrison to provide shoes, &c. necessary for the journey (if by land) and for baking bread, as also for settling accounts with the traders of this post,—5th. Officers or others of the garrison who have families, to be allowed to return to their homes on promise of not acting during the present contest between Great-Britain and America. — 6th. The sick and wounded be recommended to the humanity of Col. Clarke; any charges incurred by them to be discharged by Lieut. Governor Hamilton, who will leave a draft for 50l. New-York currency, for their use. — 7th. Officers to take their private baggage.

(Signed) HENRY HAMILTON.
Lieutenant governor Detroit.

Articles agreed on.

1. Lieutenant-governor Hamilton engages to deliver up to Colonel Clarke, Fort Sackville, as it is at present, with all the stores, ammunition, provision, &c. &c.—2d. The garrison to deliver themselves up prisoners of war, and to march out with their arms, accoutrements, and knapsacks. 3d. The garrison to be delivered up to-morrow morning at ten o'clock.— 4th. Three days to be allowed the garrison to settle their accounts with the traders and inhabitants of this town.—5th. The officers of the gar-

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rison to be allowed their necessary baggage.

Signed at Post St. Vincent,
February 24, 1779.

GEORGE CLARKE.

Agreed on for the following reasons :

1. The remoteness of succour—2d. The state and quantity of provisions. 3d. The unanimity of officers and men on its expediency. — 4th. The honourable terms allowed.—And lastly, The confidence in a generous enemy.

HENRY HAMILTON, Lt. Gen.
and Superintendent of Detroit.

Williamsburg, (Virginia.)

In Council, June 16.

The Board proceeded to the consideration of the letters of Col. Clarke, and other papers relating to Henry Hamilton, Esq. who has acted some years past as Lieutenant-governor of the settlement at Detroit, and Commandant of the British garrison there, under Sir Guy Carleton as Governor in Chief; Philip Dejoin, Justice of the Peace for Detroit, and William Lamothe, Capt. of Volunteers, prisoners of war, taken in the country of Illinois.

They find that Governor Hamilton has executed the task of inciting the Indians to perpetrate their accustomed cruelties on the citizens of these states, without distinction of age, sex, or condition, with an eagerness and activity which evince that the general nature of his charge harmonized with his particular disposition; they should have been satisfied from the other testimony adduced that these enormities were committed by savages acting under his commission, but the number of the Proclamations which, at different times, were left in houses, the inhabitants of which were killed or carried away by the Indians, one of which Proclamations, under the hand and seal of Governor Hamilton, is in the possession of the Board, puts this fact beyond doubt. At the time of his captivity it appears, that he

X x

had

had sent considerable detachments of Indians against the frontier settlements of these States, and had actually appointed a great Council of Indians to meet him at the mouth of the Tanissee, to concert the operations of this present campaign. They find that his treatment of our citizens and soldiers, captivated and carried within the limits of his command, has been cruel and inhuman; that in the case of John Dodge, a citizen of these States, which has been particularly stated to this Board, he loaded him with irons, threw him into a dungeon, without bedding, without straw, without fire, in the dead of winter and severe climate of Detroit; that in that state he harassed and wasted him with incessant expectations of death; that when the rigours of his situation had brought him so low, that death seemed likely to withdraw him from their power, he was taken out and attended to till somewhat mended, and then again, before he had recovered abilities to walk, was returned to his dungeon, in which a hole was cut seven inches square only, for the admission of air, and the same load of irons again put on him; that appearing again to be in imminent danger of being lost to them, he was a second time taken from his dungeon, in which he had lain from January to June, with the intermission before-mentioned of a few weeks only; that Governor Hamilton gave standing rewards for scalps, but offered none for prisoners, which induced the Indians, after making their captives carry their baggage into the neighbourhood of the fort, there to put them to death, and carry in their scalps to the Governor, who welcomed their return and successes by a discharge of cannon; that when a prisoner, brought alive, and destined to death by the Indians, the fire already kindled, and himself bound to the stake, was dextrously withdrawn, and secreted from them

by the humanity of a fellow-prisoner, a large reward was offered for the discovery of the victim, which having tempted a servant to discover his concealment, the present prisoner Dejain, being sent with a party of soldiers, surrounded the house, took and threw into gaol the unhappy victim and his deliverer, where the former soon expired under the perpetual assurances of Dejain, that he was to be again restored into the hands of the savages, and the latter when enlarged was bitterly and illiberally reprimanded and threatened by Governor Hamilton.

It appears to them that the prisoner Dejain, was on all occasions the willing and cordial instrument of Gov. Hamilton, acting both as Judge and keeper of the goal, and instigating and urging him by malicious insinuations and untruths, to increase rather than relax his severities, heightening the cruelty of his orders by the manner of executing them; offering at one time a reward to one prisoner to be the hangman of another, threatening his life on refusal, and taking from his prisoners the little property their opportunities enabled them to acquire.

It appears that the prisoner Lamothe was a Captain of the volunteer scalping parties of Indians and whites, who went out, from time to time, under general orders, to spare neither man, woman, nor children.

From this detail of circumstances which arose in a few cases only, coming accidentally to the knowledge of the Board, they think themselves authorized to presume by fair deduction what would be the horrid history of the sufferings of the many who have expired under their miseries, (which will therefore remain for ever untold) or who have escaped from them, are yet too remote and too much dispersed to bring together their well-grounded accusations against these prisoners.

They

They have seen that the conduct of the British officers, civil and military, has in its general tenor, through the whole course of this war, been savage and unprecedented among the civilized nations; that our officers and soldiers taken by them have been loaded with irons, consigned to loathsome and crowded gaols, dungeons, and prison-ships; supplied often with no food, generally with too little for the subsistence of nature, and that little sometimes unsound and unwholesome, whereby so many of them have perished, that captivity and miserable death have with them been almost synonymous; that they have been transported beyond seas, where their fate is out of the reach of our enquiry, have been compelled to take arms against their country, and by a new refinement in cruelty to become the murderers of their own brethren.

Their prisoners with us have, on the other hand, been treated with moderation and humanity; they have been fed on all occasions with wholesome and plentiful food, lodged comfortably, suffered to go at large within extensive tracts of country, treated with liberal hospitality, permitted to live in the families of our citizens, to labour for themselves, to acquire and enjoy property, and finally to participate of the principal benefits of society, while privileged from all its burthens.

Reviewing this contrast, which cannot be denied by our enemies themselves in a single point, which has now been kept up during four years of unremitted war, a term long enough to produce well-founded despair that our moderation may ever lead them into the practice of humanity, called on by that justice which we owe to those who are fighting the battles of their country, to deal out, at length, miseries to their enemies, measure for measure, and to distress the feelings of mankind by exhibiting to them spectacles of severe retaliation, where

we long and vainly endeavoured to introduce an emulation in kindness; happily possessed, by the fortune of war, of some of those very individuals, who having distinguished themselves personally in this line of cruel conduct, are fit subjects to begin on with the work of retaliation, this Board has resolved to advise the Governor, that the said Henry Hamilton, Philip DeJain, and William Lamothe, prisoners of war, be put in irons, confined in the dungeon of the public gaol, debarred the use of pen, ink, and paper, and excluded all converse, except with their keeper. And the Governor orders accordingly.

(A true copy)

Attest. ARCHIBALD BLAIR, C. C.
Washington, June 4, 1779.

“ S I R,

“ Since my last, which I had the honour to address to your Excellency, some of the Chiefs of the peaceable towns of the Cherokee nations of Indians came into Fort P. Henry, where they delivered some talks, which I herewith send you. Some short time since I received a letter from the Chiefs of Chickamogga, accompanied with one other from Oconastora, the Great Warrior of Chota, with orders to dispatch them to your Excellency, which I also send you by express. It gives me real satisfaction to find by the contents of those letters, and other circumstances, that those people are reduced to a sense of their duty and a willingness to treat for peace with the United States, which I flatter myself will ease us, in some measure, from the calamities incident to an Indian war.

“ I am informed that the Chiefs of the Chickamogga towns have since my departure from that place discharged all the white people and traders from amongst them who came from Mobile, or had connections with the British party, and from the purport of their letters it seems they depend solely on the State of Virginia

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for

for goods. I would therefore beg leave to offer it as my opinion, that if some necessary goods could be procured for them, it might answer a good end.

I am, &c.

EVAN SHELBY.

His Excellency the Governor of Virginia.

Published by order of Congress,
CHARLES THOMSON, Sec.

Baltimore, June 29.

The Governor of the Commonwealth of Virginia, by advice of his Council, hath ordered Henry Hamilton, Esq. Lieutenant-governor of the settlements at and about Detroit, and Commandant of the British garrison there, under Sir Guy Carleton; Philip DeJain, Justice of the peace for Detroit; and William Lamothé, Captain of Volunteers, prisoners of war, lately taken in the Illinois country, to be put in irons, confined in the dungeon of the public gaol at Williamsburg, debarred the use of pen, ink, and paper, and excluded all converse, except with their keeper, being considered as fit subjects to begin on with the work of RETALIATION.

In Congress, July 17, 1779.

“ A letter of the 17th from Mrs. Anne Conyngham, and a petition from a number of the inhabitants from Philadelphia were read, representing, that Captain Gustavus Conyngham, now a prisoner with the enemy, is closely confined, and ordered to be sent to England; and praying that measures may be taken for the security of his person.”

“ Ordered,

“ That the same be referred to a Committee of three. The members chosen were Mr. Morris, Mr. Dickinson, and Mr. Whipple.”

The Committee, to whom was referred the petition and letter, respect-

ing Captain Gustavus Conyngham brought in a report, whereon Resolved,

“ That the following letter from the Secretary of Congress, be written to the Admiral or other commanding officer of the fleet, or ships of his Britannick Majesty, lying in the harbour of New-York; and that if a satisfactory and proper answer thereto, be not forthwith given, the proper officers be directed to confine to close imprisonment, as many of the British Marine Officers (now on parole in these States) as our Committee may think fit.”

Copy of a letter from Mr. CHARLES THOMSON, Secretary for the Congress, to Commodore Sir GEORGE COLLIER, Commander in Chief of his Majesty's fleets in North America, together with the answer that was returned upon that occasion.

Philadelphia, July 17.

SIR,

I am directed by the Congress of the United States of America to inform you, that they have received evidence, that Gustavus Conyngham, a citizen of America, late commander of an armed vessel in the service of the said States, and taken on board a private armed cutter, had been treated in a manner contrary to the dictates of humanity, and the practice of Christian civilized nations. I am ordered in the name of Congress to demand that good and sufficient reasons be given for this conduct, or that the said Gustavus Conyngham be immediately released from his present rigorous and ignominious confinement. With all due respect I have the honour to be, Sir, your most obedient humble servant.

CHARLES THOMSON,
Sec. of Congress,

To the Admiral, or other Commanding Officer of the Fleet, or Ships of his Britannick Majesty, in the harbour of New-York.

Resolved,

Resolved,

“ Unless a satisfactory answer be received to the foregoing letter, on or before the first day of August next, the Marine Committee do immediately cause to be confined, in close and safe custody, such and so many persons as they may think proper, in order to abide the fate of the said Gustavus Conyngham.”

Raisonable, off New-York, July 24.

SIR,

I have the honour to inform you, by direction of Sir George Collier, Commodore, and Commander in Chief of his Majesty's ships in America, that he has received the letter you wrote him, by order of the Congress, respecting Gustavus Conyngham; and I have it in command from the Commodore to say, that not holding himself accountable for his conduct to any of his Majesty's subjects in this country, he is still less inclined to answer demands when they are made in the uncivil way they appear to him in your letter of the 17th instant. He, however, is pleased to bid me inform you, that no prisoners are ever treated (to his knowledge) by the King's officers contrary to the dictates of humanity; and as it is the practice of civilized nations to punish criminals in the usual course of justice, Gustavus Conyngham, whom you enquire after, stands in this predicament, and is therefore sent to England to receive that punishment from his injured country which his crimes shall be found to deserve. I am, Sir, your humble servant,

JOHN MARR.

*Secretary to the Commander in Chief.
Charles Thompson, Esq.*

The Committee of Congress having reported and read the answer from Sir George Collier, the Congress gave orders to the Superintendent of prisoners, to cause three British marine officers, the non parole in Philadelphia, to be confined in a close

room of the common gaol, denied all converse but with the gaoler, and the use of pen, ink, and paper.

These resolves and proceedings were transmitted from Philadelphia to Sir George Collier at New-York, and the names of British officers confined in consequence thereof specified.

N. B. *Captain Conyngham was brought from New York to Falmouth, on board the Sandwich Packet, was kept in irons the whole voyage and sent ironed to Pendennis Castle, from which he was in a few weeks removed to Mill Prison, Plymouth, on petition to the Board of Sick and Hurt, and is now rated as an exchangeable prisoner, together with near 190 of his countrymen, for whom there is a cartel settled, and now passing to and from France.*

In Congress, July, 29.

As Congress are bound by every motive of policy and of public and private justice, to maintain the credit of the paper money emitted by their authority on the faith of the United States, so it is their intention, not only to avoid further emissions but diminish the quantity in circulation, provided that the respective States, by correspondent and vigorous exertions, shall put it in their power to raise the necessary supplies.

Resolved therefore, That twenty millions of dollars, or such a part thereof as shall be brought into the Continental Loan Offices, on or before the first day of October next, be borrowed on the faith of the United States, at an interest of six per cent. per annum.

For facilitating the said loan.

Resolved, 1. That the Loan Offices in every State, do immediately open subscriptions for the said loan.

2. That the executive authorities of the several States be requested immediately to appoint persons of character and influence in every county, town or district, to receive sub-

subscriptions, and transmit the same to the Loan Office or Offices in the States respectively.

3. That no subscriptions be received for less than five hundred dollars.

4. That all subscriptions under ten thousand dollars, shall be paid into the Loan Office where the same shall be subscribed, or into the hands of the person obtaining the subscription, within fourteen days after the subscription shall be made.

5. That any person, subscribing ten thousand dollars or upwards, shall be allowed to pay the same at two periods, to wit. One half within fourteen days after the subscription: residue, on or before the first day of October next; the whole to bear interest from the time of the first payment, provided the other payment shall be punctually made.

6. That each lender shall have his election either to receive the principal at the expiration of three years, from the date of the loan, or to continue it in the funds on interest, until the whole amount of Continental bills in circulation, shall not exceed the sum in circulation, at the time of the loan.

7. That interest on all sums, which shall be paid into the Loan Office before the first day of October, or which shall be subscribed and paid agreeable to the terms of the 5th. resolution aforesaid, shall be payable annually at the Continental Loan Office of the State in which the money was originally subscribed.

8. That when the interest on monies, which have been, or may be, placed in the several Loan Offices, on or before the first day of March, 1778, shall become due and be paid, the same, until some more accurate standard of value can be devised, shall be increased in proportion to the increase of the sum of Continental paper money, which

may be in circulation, after the date of such loans respectively.

Extract from the Minutes,
CHARLES THOMSON, Sec.

Philadelphia, July 13.

Extract of a letter from an Officer of rank, in the army of the United States.

"A few days ago the officers of the army on this side of the Hudson's River, undertook to regulate the price of all necessaries; a copy of their proceedings I inclose you: we are determined to live on our rations rather than exceed those stipulations, and we hope the combined virtue of the army and the numerous Committees throughout America, will give an effectual check to the depreciating of our money. In the present regulations, we held in view the current prices in Philadelphia, but we shall shortly meet again to reduce several of the present rates, and include many things omitted, previous to which I think we shall form a correspondence with the Philadelphia Committee, and, I make no doubt, a Board will be appointed for that purpose."

General Orders.

Head Quarters, Smith's-Glows,
July 1, 1779.

The Board, appointed in the order of the 29th of June of last, to meet for the purpose of fixing the prices, make the following report:

June 30. Agreeable to a general order of the right wing, dated June 29, 1779, the field officers, commanding officers of regiments, and principals of departments, and other gentlemen of the army, being assembled to regulate the prices of fresh provisions, vegetables, spirits, sugar, &c. &c. hereafter to be given to farmers and others, selling to the army, have formed themselves into a Committee, and appointed Colonel Morgan, President. The Committee

con-

considering the present depreciation of the Continental currency, as well as the extravagant prices demanded for every necessary and convenience of life, and the proportionate price of every article of commerce, have agreed to give the following prices for the articles hereafter mentioned :

And do recommend it to all the officers and other gentlemen of the army, to give no higher prices than hereby established.

[The list of articles, with their prices, follow here.]

In all exchanges of salt provisions for fresh meat, vegetables, &c. salt pork and beef shall be rated at half a dollar per lb.

Having agreed upon the rates, we report the same to the commanding officer of the right wing, agreeable to the aforesaid order, and agree unanimously, with the approbation and consent of the officers of the army, in general, to observe the same inviolably until a further regulation of rates shall take place. And we shall deem any officer or other gentleman of the army, trespassing against the regulations when established, unworthy of confidence or respect, and shall report him accordingly.

Subscribed by nine Colonels, three Lieutenant-colonels Commandants, three Majors, and one Captain Commandant, the senior Surgeon present of the Flying Hospital, the Deputy Commissary-general of Issues, Commissary-general of Forage, the Superintendent of Artificers.—The General approves and confirms these regulations, and orders them to take place immediately.

It cannot be doubted these measures, so entirely calculated for the benefit of all ranks in the army, will be cheerfully adopted by all, though they may be for a few days subjected to some inconveniences. But cannot be any obstruction to so salutary a measure.

The General thinks it necessary, that all non-commissioned officers and soldiers who shall give higher prices than are established by this regulation, shall be tried by a Court-martial for their misconduct.

As there can be no doubt of the determination of officers to adhere strictly to an agreement, formed by so fair and full a representation of every part of the army, he thinks it entirely unnecessary to observe, that every violation on their part will be held in the most dishonourable light, and treated as disobedience of orders.

Worcester, July 8.

It is with pleasure we can inform our readers, that the spirit of patriotism is now reviving in all the seaport towns we have lately had intelligence from, and that many articles of merchandize have fell 50 per cent. in their prices. Nothing is now wanting to compleat the political salvation of this country, but a general adoption of those measures entered into by our brethren in the seaports, and the fulfilment of those interesting and important matters lately recommended by Congress in their most excellent address to the inhabitants of these United States. [See page 132.]

Philadelphia, June 29.

Extract of a letter from Albany, dated June 16, 1779, to a gentleman in this city.

“ We rejoice that so noble a spirit prevails among you, and that the Philadelphians, who lately had the name of the greatest extortioners on the continent, now freely step forth to remedy the evil which threatened destruction to the land. I hope you will persevere in it, until extortioners and monopolizers are known no more among you. We in this little city have cheerfully followed your example. We have chosen a Com-
mittee,

mittee, who have regulated the prices of goods, and have wrote to the several districts, to come into the same measure, which it is expected they will carefully do.

“ Last week two transgressors, who sold rum for more than the regulated price, were publicly cried through the city by order of the Committee, as having incurred the just indignation of the people. The inhabitants ordered them immediately to appear before them, being met at the market-house, where, by falling on their knees on a scaffold, they acknowledged themselves guilty, and promised to abide by and assist the orders of the Committee, upon which they were discharged. It is earnestly wished and hoped the town of Boston and its State will come into the measure, for if they do not, we shall cut off all trade and commerce with it, and confine ourselves to Philadelphia. Hard money is not to pass here any more; we have lately hung up and burned in effigy a dealer in hard money.

“ P. S. All our districts have chosen Committees, and are regulating the prices of country produce.”

A gentleman from Albany tells us, that the American forces in that quarter had marched for Fort Schuyler; that several Tories had been brought in prisoners for attempting to burn Johnstown; and that the new Committee proceeded vigorously in supporting the regulated prices; two traders having been detected in offending, and brought to their marrow-bones for it.

Philadelphia, July 10.

By authentic accounts just received from Colonel Broadhead, commander at Fort Pitt, we find that the Wyandotts, Artawas, Chipawas, and several other nations, have made such overtures of peace, as denote an entire change among most of the hostile Indians to the westward. Fourteen Cherokees, with the head warrior of Cheta, called the Raven, was at

Cohocking, the town of the Delawares, who were lately on a visit to Congress. They all discovered the most friendly disposition; and proposed a visit to Pittsburg. Capt. Bird, at Detroit, had set out with a party to attack Fort Laurens, but finding the Indians utterly averse to joining in the enterprize, he had returned.

The Mingoes seem wavering, but the Senecas yet remain hostile. Intelligence having been received about three weeks ago, that a party was on their way to attack our settlements, Capt. Brady, of the 8th Pennsylvania regiment, with twenty white men, and a young Delaware Chief, all painted like Indians, set out to meet them; but the Indians had passed them, and in their progress killed a soldier between Fort Crawford and Fort-Hand, and proceeded to Sawickly settlements, where they killed a woman and four children, and took two children prisoners. Captain Brady pursued the party and fell in with seven of them, about fifteen miles above Kitanning, where the Indians had chosen an advantageous situation. However, he immediately attacked them. Their Captain, a considerable warrior of the Munfey tribe, was killed, and several badly wounded, as appeared from their bloody tricks. Captain Brady retook six horses, the two children who were prisoners, the scalps they had got, and all their plunder: he also took all their guns, tomahawks, and watch-coats, which they had thrown off in their flight. Captain Brady distinguished himself on the occasion, as well as the young Delaware. Lieutenant Harding, an Officer of merit, and a great partizan, had also gone out with eleven men, to retaliate upon the Seneca towns, some of the barbarities which they have been long exercising upon our distressed frontiers.

We also learn from Fort Pitt, that a Shawanese town, called Chaita-cothy,

cothy, had been lately attacked by the Americans, supposed to be some of the gallant Colonel Clark's troops. Three chiefs were killed in the attack besides many others of inferior note. A great deal of Indian plunder and a number of horse, were taken, and the town burnt. That these troops making with the Indians about 80 or 90, were a little on this side Sandusky, building a fort, Colonel Clark's success seems to have given such life and spirit of enterprise to all the troops and inhabitants of the back country, as has totally changed the face of affairs.—All is despondency and terror on the part of our enemies. Vigour and alacrity on our part. So that the reduction of Detroit is now talked of as a matter of certainty next campaign.

Boston, July 10.

At a Meeting of the whole of the inhabitants of Machias, being warned and legally assembled on Tuesday, the 22d of June, 1779.

In order to consult and consider what measures to take, on hearing that the enemy had arrived at Penobscot—in order to fortify, &c.

First. Made choice of Mr. Morris O'Brien, Moderator.

2dly. It is Resolved, by this meeting, that we will put ourselves in the best posture of defence in our power, and defend ourselves and property to the last extremity.

3dly. Resolved. To build three block-houses immediately; one on each side of the river at the western falls, and one on the eastern river.—Also to picket in as many houses as may be thought necessary.

4thly. Resolved. That the following gentlemen be a Committee to transact the business for and in behalf of the whole.

Major GEORGE STILLMAN,

Capt. JEREMIAH O'BRIEN,

STEPHEN JONES, Esq.

Col. BENJAMIN FOSTER,

Mr. JAMES IN SHANNON.

Attest. Wm. TUPPER Clerk.

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PROCLAMATION.

By JOHN ALLAN, Esq. *Continental Agent, Colonel Commander in Chief of Indians, Eastern Department, and Commanding Officer at Machias, in the State of Massachusetts Bay.*

Whereas a number of troops, with several ships of war, belonging to the British King, now in open war with the United States of America; have invaded the eastern part of the State of Massachusetts-Bay. Taking the advantage of the indigent state of this country, and encouraged by a number of venal wretches and sycophants, who have been perpetually lurking within the bowels of this persecuted country, using that deception and art with which they are so conspicuous—thinking by this means to overcome the quiet and peaceable inhabitants, by caresses and promised indulgence; in order to cut off and subjugate a great part of this country, and bring them under the arbitrary government of Britain. And whereas by repeated abuse of such promises, which the inhabitants of this continent have experienced during this war, should convince every rational mind, what they must expect by giving up tamely their all, into the hands of such beings, and that nothing else is intended but to wrench from this free country all that is dear, human and sacred. Still some who are actuated from principles of fear—attachment to Britain's self, and other lucrative views, seem willing to comply themselves, and endeavour to lead others into the same snare.

Therefore to prevent the bloody and horrid designs of our enemy, whose tenderest mercies are cruelty, I do hereby promise all persons whatever, who will join the troops in the service of the United States for the defence of the eastern country, every encouragement given to the troops in the Continental service, in proportion according to the time they enlist for, and that every help and aid shall be given, that the situation

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the country will admit, and all rations, pay, &c. which may be deficient, shall be fully and compleatly made good and delivered at the several persons habitations, free from expences.

It is strongly recommended to those inhabitants who seem to be desirous of resigning themselves in the hands of Britain without using their endeavours to defend, to duly reflect upon the consequence and importance of such extraordinary conduct, and whether it is consistent for subjects of a state by whose laws they have been protected and defended, to take upon themselves as an independent people, to turn against government when their own fancy leads them. Surely it cannot be the terror of Britons that occasions this, they are not invincible, they are but men like our selves. Experience repeatedly has convinced the world, that the sons of America in their lowest estate, were equal to Britons, though supported by every human aid. Even should you submit, it is but for a short time you can enjoy their company and favour, for without the common course of things in providence be reverted, it is impossible for them to pursue their diabolical intentions much longer; but must soon withdraw from our shores—then you cannot expect to be treated as other subjects of America—Let not the exaggerated threats of a Manifesto or Proclamation, so common and repeatedly issued by the servants of the British King, (should you not comply) intimidate. Surely your own wisdom must dictate how *preposterous* and *vain* they have been since the contest began, and always dissolved and terminated in *nothing*. These matters are customary in time of war, and always practised by the military. Is it because the country is so reduced with poverty? then look back and see the declaration made at the beginning of the contest, that “before

you would be deprived of liberty, and subjugated to the power of Britain, you would suffer the greatest calamities.”—Is this noble spirit intirely eradicated from your breasts? But the country cannot be so reduced—there is still a hope and a sufficiency for subsistence, though it is acknowledged is very difficult.—But view the situation of your ancestors, who first settled in this wilderness—see their suffering and perseverance—shall their posterity who have experienced, and many other advantages more than they had, tarnish their glory, and tamely submit to that power who drove them from their native country? Heaven forbid, it cannot be so.—There appears but the far smaller part in this country, who are so imprudent; and it is strongly recommended, that the inhabitants in general would be very cautious how they attend to the advice of such designing and artful wretches, which are distributed thro’ the Eastern country, and generally known by their conduct.

The inhabitants may rest assured, that upon exerting themselves, every possible measure will be pursued by the commanding officer for the protecting and securing their families and property, and that the Indians (who are now collecting) will be embodied in conjunction with the whites for the purpose; and it may be further depended upon, that they need not be under any apprehension of danger from the Eastern Indians; and as to the Canada Indians, there is very few who will join Britain; for it may be relied on; that the Chiefs and Sachemes of the St. Francis Knaugh’na’wa’gues—Kau’na’fa’du were the principal tribes in Canada have made a declaration against taking up the hatchet in opposition to France and America, though it is probable some desperado Tories, far more savage than the natives of the wilderness, may be employed for such horrid

horrid purpose as at Susquehannah: but there need be no fear, if people would put themselves in to so respectable a situation, as the country is capable of doing.

The commanding officer relies, that under Providence, by the exertions of the whole, it being determined to act against our common enemy, and pursuing such necessary measures as is required for our defence, with unity and harmony, that we shall still secure and preserve all that we esteem so valuable.

Given under my hand at Machias, June 23, 1779, and in the 3d year of American Independence.

J. ALLAN.

Extract of an Epistle from Philadelphia, June 20, 1779.

“Colonel Proctor’s continental regiment of artillery is gone from hence, to join the intrepid General Sullivan, who has marched against the Indians, in the back parts of this State.”

“Three valuable prizes arrived here within a few days, one of them carries 28 guns, one 16, and the other 10:—our continental frigates have sailed together with fourteen sail of privateers and letters of marque. Goods continue to fall daily, and the loan for Congress goes on grandly: we appreciate our currency hourly, you may rely on it—great concord and harmony in Congress now.”

A large schooner, with 90 pipes of old Madeira wine, several half pipes, &c. &c. prize to the privateer Terrible, of Marblehead, arrived in a safe port the week past.

Boston, July 15.

Civilized nations, says a correspondent, have, to the honour of human nature, been gradually allaying the horrors of war, and imposing laws, by mutual consent, upon this

unavoidable evil, to prevent, as far as may be, all unnecessary severity in the course of it, even towards those in arms, but especially towards women and children; and the truly brave are ever ambitious of distinguishing themselves by a nice observance of these laws, and by every act of humanity and generosity in the field. Britain, who boasts of her bravery, her progress in the polite arts, and her generosity of temper, has, in her manner of conducting the war in America, most infamously outraged all these laws, and set an example of savageness and brutality, detestable to every civilized people, and to every friend of human kind.

In vain do the best characters now left in that nation, justly stigmatize such a conduct in both Houses of Parliament, and exert themselves to prevent it: the ruling part meanly deny it, and at the same time secretly encourage their officers to continue it. They have thrown away the brightest jewel of their crown, the richest source of their commerce, and now they are destroying the character of their nation in the eyes of all the world. Their prison-ships, their murders in cold blood, their wanton burnings and devastations, their ravishments, exhibit a picture of barbarity that Europe shudders at, and can scarcely believe. What a situation must America be in, should she ever be reduced to an absolute and unlimited subjection to such a nation? who would not rather wish to roam with the Indians of the West, or the Tartars of the East? but thanks to Heaven, there is no danger of such a subjection: the cruelty of the Britons lessen this danger, and disappoint themselves: it excites not fear, (for we know, as well as they do, they cannot conquer us) but only indignation and aversion: it awakens every motive that can animate a manly bosom, to despise every difficulty

culty and every danger in repelling such savage invaders, and humbling such enemies to human kind: it raises a spirit in all orders, which, sooner than they imagine, may put it out of their power ever to exhibit again upon these shores, such shocking inhumanities.

Three days ago, arrived in a safe port three prizes, one taken by the Centipede privateer, laden with fish and oil, from the coast of Newfoundland; another with the same kind of cargo, and from the same coast, prize to the Roebuck; and a third laden with provisions of various sorts.

The Pilgrim has taken two vessels from New-York, laden with tobacco, bound to Europe, a ship and a sloop, both valuable prizes: the ship arrived very lately at a safe harbour. The Pilgrim has captured three other vessels since she left port.

It is computed that the wet provisions and flour in this State, lately captured from the enemy, are sufficient to supply our whole navigation for more than a twelve-month; and that the prizes of a neighbouring State of this kind, are sufficient to the same purpose there, for more than nine months.

No less than ninety prizes, captured from the enemy, have been brought into this State within three months.

A prize ship, bound from Liverpool to New-York, arrived safe at a southern port on the 3d instant.

Friday morning arrived at Salem, a sloop and brig, prizes to a privateer out of that place, laden with Irish provisions of all kinds.

It is computed, that within the last six or seven weeks, upwards of 20,000 barrels of provisions, wet and dry, designed for the use of the enemy on this continent, have found their way into our ports.—This is no small supply to ourselves, and no inconsiderable loss to our cruel invaders, who may soon feel it, and be checked in some

of their barbarous plans, by the want of these stores.

Last Thursday arrived in safe port, a ship of 400 tons, prize to the privateer ship Harlequin, of Salem, having on board 5400 barrels of provision, 1300 of which are flour.—She carried 18 guns sixes and nines, and was taken after a smart engagement.

It is not doubted but Congress will properly resent the treatment given to the brave Capt. Cunningham, who, it is said, is to be sent from New-York to Britain in irons, under pretence that he has acted without a commission. If it be true, that the brave love the brave, what shall we think of the Britons, who through the course of the present war, have made such the particular objects of their cruelty and revenge.

At a legal Meeting of Freeholders and other Inhabitants of the Town of Boston, at Faneuil-Hall, on Friday last.

The Honourable Samuel Adams, Esq. Moderator.

The following gentlemen, Mr. Samuel Ruggles, Capt. Amos Davis, Mr. Thomas Walley, Elias Gray, Esq. Mr. Stephen Higginson, Samuel Barret, Esq. and Captain John Ballard, were chose by ballot, a committee to meet in Convention at Concord, on 14th of July current, with such Committees as may be sent from the other towns for the purpose of carrying into effect such measures as have been recommended by Congress in their late address, and the resolutions and proceedings of the people of this town, in consequence of the said address, at their meeting on the 17th of June last.

On a motion, voted, That every inhabitant of this town, be, and hereby is earnestly called upon to report to the Committee of Correspondence, Inspection and Safety, the names of any persons whose characters

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are suspicious, that a matter of so much consequence to the safety of this town, may be properly and effectually attended to.

The following persons were chosen clerks of the market in the place of others who were chosen, but are now out of town, viz.

Messrs. Benjamin Austin, jun. William Dennison, John Joy, William Dall, jun.

Then the meeting was adjourned to meet at Faneuil-Hall on Monday the 26th inst. 10 o'clock before noon.

(Attest) WILLIAM COOPER,
Town Clerk.

Journal of Military Operations in South Carolina.

Charles-town, (S. Carolina.) May 29.

On the 28th of April, a party of the British army, said to be 300 of the 71st regiment, under the command of Major Frazer, landed six miles below Purisburgh; and on the next morning Lieutenant-colonel Maitland, with the light infantry of the line, and 2d battalion of the 71st, landed four miles higher up Savannah river. Colonel Mackintosh, who commanded at Purisburgh, having only 240 men, the major part of whom were militia, after calling in his outpost, was obliged to retire as the enemy advanced towards the town, of which they took possession that afternoon.

General Moultrie was at this time posted at Black Swamp with about 800 men. The enemy's drawing more of their forces on this side the river, and advancing higher up, evidently indicated an intention of attacking the General before he could be joined by Colonel Mackintosh. General Lincoln with the main body of the army being then 80 miles further up the country, should the enemy have succeeded in the attempt, there would be no obstacle in their march to Charles-town, and as their force was treble-General Moultrie's, the worst

was to be apprehended. These considerations induced the General to retire on the 30th, and that night he met Colonel Mackintosh on his march to join him at Black-Swamp. The event proved the propriety of the movement, as next morning the British were in possession of the ground our troops had evacuated.

The General halted at Coosa-watchis that night, and having marched over the bridge, before daylight next morning proceeded to Tullisfinny, and took post there. A Field Officer's guard was left at the bridge.

Early in the morning of the 2d of May, advice was received that the enemy were in motion, and about two in the afternoon an attack was commenced by their advanced party of light infantry at the bridge, where the guard had been reinforced by 150 riflemen. Their superior numbers rendered it impossible to stop their progress. Little other loss was sustained in this skirmish than Colonel John Laurens being wounded in the right arm, which has yet deprived the army of that gallant officer's services.

The General's army being chiefly composed of militia, whose families and effects lay in the way of the enemy, was every moment diminishing, and laid him under the necessity of retiring, which he did by Saltketcher road, having destroyed the bridges of Tullisfinny and Pecotaligo in his way. The army halted for a few hours at the Meeting-house, and then marched on to Athapoo. They passed the bridge in the forenoon of the 4th, took post for the rest of the day on the high grounds near Mr. Pinkney's houses. Intelligence was this night received that the enemy's advanced party had reached Godfrey, Savannah, and that their main body had found means to cross Saltketchers river, notwithstanding our having taken the precaution to destroy the bridge; this joined to the inferior numbers of our army,

army, which was considerably less than when it left Black-Swamp, and to the nature of the country which rendered it impossible to make a stand without being exposed to be surrounded, obliged the General to quit Ashpoo between three and four in the morning of the 5th. At night the army halted at Mr. Fergulson's plantation, called Spring-Grove, having destroyed Jacksonborough-Bridge in their way, and reached Becon-bridge next night, where General Moultrie left the army, and proceeded to town.

Major Butler, who joined the army at Jacksonborough, with a party of horse, on the 6th, fell in with a foraging party of the enemy, sixteen miles to the southward of Parker's Ferry. Three of them belonging to the 71st light infantry, were taken prisoners, and a few horse killed and wounded.

Part of Count Pulaski's legion arrived on the 8th.

On the 9th, Col. Mackintosh with the troops left at Becon-bridge, and a detachment from Orangeburgh arrived in town. And next day Colonel Harris, who had been detached by General Lincoln with 300 Continental troops to reinforce General Moultrie, and Colonel Noel with 300 men from Orangeburgh, also arrived.

In the evening of the 10th, intelligence was received of the royal army being encamped on the south side of Ashley Ferry, where they appeared so suddenly as to prevent the ferry-boats being destroyed. The troops stationed in town, regulars and militia, were under arms the whole night.

The enemy began to cross Ashley Ferry, at ten in the forenoon of the 11th. Their advanced party, composed of light infantry, cavalry and savages, took post half a mile from the ferry. General Pulaski, after re-

connoitring them, left a detachment to watch their motions, and repaired to town, in order to confer with the Council. During this interval the enemy had completed their passage of the river, and were advancing in three columns towards the town; their advanced guard consisted of 200 horse, 400 Highlanders, and Indians; their rear guard of cavalry.

At the distance of five miles from town, some of the Count's party were ordered to fire, principally with a view of, announcing the enemy's approach. The enemy made frequent halts, in order to explore the ground over which they were to pass.

The Count who had ordered the infantry of his corps to form an ambushade, and directed a detachment of volunteer horse which he fell in with to second his infantry, advanced and made his disposition for inducing the enemy to detach their cavalry from the head of their column. A close fire began, both our cavalry and infantry charged; but the latter were exceedingly embarrassed and countered in their movements by the volunteer horse, owing to a misapprehension of orders. Notwithstanding these difficulties, and the superiority of the enemy's numbers, the ground was obstinately disputed. But at length the order for retreat became necessary, and the enemy, by their prudence in not advancing, escaped the fire of the artillery from our works. The enemy's loss was forty-five soldiers and officers, and ours thirty in all.

The Count two days after attacked a detachment of the enemy, took several prisoners, and obliged the remainder to save themselves by flight.

About 10 at night, an alarm being given by one of our sentinels, occasioned a general fire of cannon and musketry from the lines, and the armed vessels stationed on the flanks.

Major

Major Benjamin Hughes, who had been sent out with a party to fill up a gap in the abbatis, and three privates, were unfortunately killed. He was a gentleman whose memory will be ever dear to all those who had the happiness of knowing him; and whether considered as a citizen, as a soldier, as the father of a family, or as a friend, is universally regretted. The enemy had several men killed, they say chiefly from the shipping.

On the morning of the 12th, Major Gardner, of the 60th regiment, was met with at some distance from the lines, bearing a flag from General Prevost. Several others passed and repassed; but in the afternoon all further intercourse of that kind was discontinued, and every preparation made for vigorously repelling a general assault expected at night, which, however, was never attempted.

Early in the morning of the 13th, Count Pulaski went out with a small party of horse to reconnoitre; and the surprize can scarcely be conceived, which was occasioned by his sending intelligence of the enemy having decamped and recrossed Ashley Ferry. Eleven deserters, and about as many prisoners, were brought into town during the course of the day.

The sudden departure of the enemy gave rise to a variety of conjectures; the most probable appeared to be their being misinformed respecting the garrison and works, and their having some intimation of General Lincoln's approach. They were for some days after their retreat, encamped in different places in the neighbourhood of Ashley Ferry, and on James's Island. On General Lincoln's coming to Ashley Ferry, they drew in force towards Wappoo, and it was imagined meant to hazard an action; but the night before last suddenly decamped, and passed over to John's Island, where by the last accounts they are at present. Some

are of opinion that they intend proceeding through the island to Port Royal.

A party of the John's Island and Port Royal militia stationed at Stoutenburgh's landing, were surprized on Friday morning the 21st by a party of the British light infantry, commanded by Major Graham of the 16th regiment, and several wounded with bayonets. The others that were there taken prisoners are since exchanged.

As some movements of the enemy gave reason to imagine they intended to attack Fort Johnson, and the greater part of the forces then in this neighbourhood being required for the defence of the works in town, that fortification was blown up on the 12th. Great part of the ball, &c. have been since brought off. Thirty of Capt. Matthews's company of the Charles-town militia being sent down to cover a party employed in bringing off some more of the iron work, were attacked on Saturday last by Major Gardner with a superior number of men, but were fortunate enough to escape with the loss of seven wounded and one taken prisoner.

Of seven sail of vessels, laden with military stores and provisions for the British army from Savannah, two have been taken and one destroyed by our cutters, and it is still matter of doubt whether any of the remaining four have escaped.

June 4th. The accounts respecting Major-general Prevost's army since our last, are, that part of it is intrenched on the main at Stono Ferry; the remainder including the invalids, who are numerous and daily increasing, quartered in different parts of John's Island. It is said that a detachment went on Wednesday to Simmon's Island.

The enemy when they retreated from Wappoo and James's Island, left upwards of 400 horses with a
number

number of cattle behind them, and burnt several waggons, quantities of furniture, &c. Their army was within these few days entirely destitute of rum, salt and flour; and some accounts mention their being scarce of ammunition.

Philadelphia, July 28.

Extract of a letter from Barb (in North-Carolina) July 5.

“Last night’s mail brought a letter from the Post-master, Mewbern, which informed me, that by letters from Charles-town, we had taken two gallees from the British army, which lay to guard their works at Stono Inlet, destroyed all their flat-bottom boats, bridges and other works—The present situation of our army—Lincoln 4000 men at Stono. Two thousand militia commanded by General Moultrie, and Count Polaski, also between the enemies lines and their shipping—Their gallees, flat-bottom boats and bridges all destroyed; and the above army, are got between the enemy and their shipping.”

Downing-town, Chester county, July 21, 1779.

At a meeting of the Committee of said county, at the time and place aforesaid, SAMUEL CUNINGHAM, Esq. Chairman.

The Committee having taken into their consideration the Philadelphia rates of prices, for the present month, have

Resolved, That in order to give efficacy to the laudable endeavours of the citizens of Philadelphia for their country’s good, that the prices be the same as there regulated (proper allowance being made for carriage) for the present month, and the rates which shall be set in Philadelphia for next month, be adopted in Chester county, until the next meeting of Committee of said county, allowance for carriage being made as above.

Resolved, That the commanding officer of each batalion in our county be empowered to cause his battalion to chuse two or more persons, to correspond with the Committees of the other counties in this State, in order to a uniformity of measures, with regard to prices.

Resolved, That whereas we have good and wholesome laws in our government, but for want of virtue and resolution in the people, are many of them not executed; we do therefore resolve, That we will, to the extent of our power, endeavour to bring to condign punishment all transgressors of our laws, in a legal method; and that the name of an informer shall not be odious, but highly reputable.

The Committee adjourned until Monday, the 16th day of August next, to meet at the same place, at which time and place, it is requested of those townships, that have not sent delegates, that they send them.

Extract from the Minutes.

SAMUEL CUNINGHAM,
Chairman.

London Gazette Extraordinary, September 24.

This morning Captain Dickson, of his Majesty’s ship the Greyhound, arrived from North America with dispatches from Commodore Sir George Collier to Mr Stephens, of which the following are copies:

Raisonable, in Penobscot Bay, SIR, August 20, 1779.

In the letter I wrote you for their Lordships information the 28th of last month, by the Sandwich packet, I mentioned my having received certain information that his Majesty’s garrison at Penobscot was besieged by a considerable rebel armament of troops and ships from Boston, and that I proposed immediately proceeding with the squadron to their relief, flattering myself I should be able to
give

give their Lordships a good account of the enemy's fleet, those hopes have not proved illusive; for we have taken, blown up, and destroyed them all, not a single vessel of any kind having escaped.

I sailed from Sandy-Hook on the 3d instant, with his Majesty's ships *Raisable*, *Greyhound*, *Blonde*, *Virginia*, *Camilla*, *Galatea*, and *Otter* sloop; nothing very particular happened in the passage, except the taking of two privateers by the *Greyhound* and *Galatea*.—The constant thick fogs separated the squadron, but they all rejoined me in a few hours after I arrived off the *Island Monhagen* (the place of rendezvous) except the *Otter* sloop, which I have never heard of since. We lost no time in immediately proceeding up *Penobscot Bay*; and the next morning (14th August) about eleven o'clock, the rebel fleet presented themselves to our view, drawn up in a crescent across the river, and seemed inclined to dispute the passage; their resolution, however, soon failed them, and an unexpected and ignominious fight took place. The *Blonde*, *Virginia*, and *Galatea* were at this time advanced about three miles a-head; nevertheless, without waiting to form the squadron, I made the signals for battle, and for general chase: the King's ships followed them with all the eagerness which a desire of destroying their enemies could inspire. Two of the enemy's fleet (viz. the *Hunter* and *Defence*) made an unsuccessful attempt to get off by the West passage of *Long Island*; but failing in that, the *Hunter* run ashore with every sail standing, and the *Defence* hid herself in a small inlet, where she anchored, both intending to push out to sea so soon as it was dark. I sent Lieutenant Mackey of the *Raisable* and 50 men to board the *Hunter*, which he succeeded in without loss, though many popping shots were fired at him by the rebel crew

from the woods. She is a fine ship, mounting 18 guns, and supposed the swiftest sailer in America.

I directed Captain Collins, of the *Camilla*, to proceed into the inlet, and take or destroy the *Defence*; that measure however was not carried into effect, by her blowing herself up at midnight. She was a new brig, carrying 16 six pounders.

The King's ships continued their pursuit of the rebel fleet up the river *Penobscot*, and considerable hazard attended this part of the chase, from the extreme narrowness of the river, from the shoals, and from the flaming ships on each side the *Hampden*, of 20 guns, finding herself so closely beset, as not to be able to run ashore, surrendered. All the rest of the rebel fleet (amongst which a beautiful frigate called the *Warren*, of 32 guns, 18 and 12 pounders, together with 24 sail of transports) were all blown up and destroyed.

His Majesty's sloops the *Nautilus*, *Albany*, and *North*, which had been left for the protection of the garrison, soon got themselves in condition, and joined in the chase.

General Lovel, who commanded the rebel army, and Commodore Saltonstall, the fleet, had fixed on this day to have made a general assault on the fort and ships, which our appearance happily prevented.

The remainder of their army and sailors are now exploring their way through thick woods and desert wastes, where probably many of them will perish with hunger.

Since their defeat, they have quarrelled amongst themselves, and fought, by which between 50 and 60 men are slain.

We have taken a great many cannon, though I cannot ascertain the number; there are amongst them some of 18 and 12 pounders, which will be very useful to the garrison; several of the ships guns will also be recovered.

It is incumbent on me to express to their Lordships my particular approbation of the behaviour of the Captains and officers of the Squadron, who shewed the most spirited exertions in the attack and destruction of the enemy's fleet.

I enclose a return of the killed and wounded on board the three sloops of war during the siege, as also a list of the rebel fleet.

I have the honour of sending their Lordships these dispatches by Captain Dickson, of the Greyhound, an officer of merit, and who has had a principal part in contributing to our successes.

I propose staying but a few days here, to make some necessary arrangements, and then return to New-York.

I am, Sir

Your most obedient,
and humble servant,

GEORGE COLLIER.

Philip Stephens, Esq. &c. &c.

A return of the killed, wounded, and missing of the crews of his Majesty's sloops North, Albany, and Nautilus, during the siege by the rebels of his Majesty's garrison of Penobscot.

Albany, 1 killed, 4 wounded, 1 missing; North, 2 killed, 2 wounded; Nautilus, 1 killed, 3 wounded, 1 missing.

(A copy) GEORGE COLLIER.

A list of the rebel fleet, under the command of Commodore D. SALTONSTALL, destroyed at Penobscot.

Warren, 32 guns (18 and 12 pounders) Monmouth 24, Vengeance 24, Putnam 22, Sally 22, blown up; Hampden 20, taken; Hector 20, blown up; Hupiter 18, taken; Black Prince 18; and Sky Rocket 16, blown up.

Brigs.—Active, 16 guns; Defence 16, Hazard 16, Diligence 14, Tyrannicide 14, Providence sloop 14, blown up; armed schooner Spring Bird 12, burnt; Nancy 16, bound on a cruize, but captured by the Greyhound on our passage to Penobscot; Rover 10, bound also on a

cruize, but captured by the Galatea on our passage to Penobscot. Together with 24 sail of ships and vessels as transports, all burnt. Some provision vessels taken.

GEORGE COLLIER.

State of Massachusetts Bay.

Council Chamber, Boston, July 3, 1779.

Resolved. That the Committee appointed to enlist men for the manning the ships and vessels destined on the expedition to Penobscot, be, and are hereby empowered and directed to publish and proclaim to all persons inclining to take a part in the Penobscot expedition, that the State will not, directly or indirectly, have any part of any armed vessel or ships, or transport, or other vessel, which may be captured by the fleet destined to Penobscot, or by any vessel thereto belonging; and that the share that might accrue to this state, shall enure to the captors, and be shared among them. And it is further

Resolved, That the embargo laid by the General Court for forty days, shall peremptorily be construed for that term, unless the said expedition to Penobscot shall be finished: and if it should so happen that the said expedition to Penobscot should not then be terminated, this Board will continue said embargo as necessity will require it, till said expedition shall be ended, or the General Court meet; and the said Committee are directed to publish this Resolve, that no seaman or other person may neglect to put himself into such advantageous business as the Penobscot expedition, under the delusive idea, that as soon as the Penobscot fleet sails, all ships and vessels will be permitted to put to sea.

(True copy.)

Attest,

JOHN AVERY, Dep. Sec.

Captain Dickson also brought duplicates of Sir George Collier's dispatches to Mr. Stephens, of the 27th and 28th of July last, of which the following are extracts; the originals not being yet received:

Extract

Extract of a letter from Sir GEORGE COLLIER to Mr. STEPHENS, dated Raisonable, off New-York, July 27, 1779.

You will be pleased to acquaint their Lordships, that the rebels on the shores of the province of Connecticut, having for a considerable time past, impeded, and almost totally destroyed the trade of his Majesty's faithful subjects passing through the Sound, it was judged necessary by Sir Henry Clinton and myself that desultory invasions should be made along the Connecticut coast, with an intention of destroying their whale-boats and other piratical craft, to prevent a continuance of their depredations. The land forces, consisting of 2600 men, commanded by Major-general Tryon, I caused to be embarked in transports, and sending the Renown, Thames, Otter, and two armed vessels to block up New-London and the East entrance of the Sound, I proceeded on the 3d instant from New-York, by the way of Hell Gates, with his Majesty's ships Camilla, Scorpion, Halifax brig, and Hussar galley, together with the transports, and on the 5th landed the army in two divisions at the town of Newhaven, which, after an irregular resistance from the rebels, was taken possession of by us, together with a small fort at the entrance of the harbour, which latter we destroyed, (after spiking up the guns;) as also many warehouses filled with stores, &c. together with several vessels and whale boats: the number of killed, wounded, and missing on our side amounted to fifty-six; that of the rebels we are unacquainted with, but suppose the numbers considerable. We embarked the troops without loss, and two days afterwards our flat boats, covered by the galley and gun boats, landed near Fairfield, though opposed by the militia and some continental troops, the rebels

firing from the windows and tops of houses occasioned the band of loyal refugees to set several of them on fire, which communicating to others, burnt the whole town, and also several whale boats. The troops embarked from thence without molestation, and the third day following they were landed again in three divisions at the town of Norwalk, which, for the treacherous conduct of the rebels, in murdering the troops from windows of houses after safeguards were granted them, was destroyed; together with five large vessels, two privateer brigs on the stocks, and twenty whale boats; as also two saw mills, a considerable salt work, several warehouses of stores, merchandize, &c. The small town of Greenfield suffered the same chastisement; two row-boat privateers were destroyed, and many whale boats. I returned afterwards with the fleet to New-York, and flatter myself that the navigation of the Sound will be more clear for some time from the numerous pirates that infested it, and the passage to Rhode Island rendered more safe and secure.

Extract of a letter from Sir GEORGE COLLIER to Mr. STEPHENS, dated Raisonable, off New York, July 28, 1779.

The rebel privateers are very numerous upon our coasts. I am sorry to acquaint their Lordships, that his Majesty's armed sloop Diligent and Haerlem, commanded by the Lieutenants Walbeoff and Rogers, are both taken by them; the former, after an obstinate action, which has done him honour; the latter by a very superior force of armed vessels, but he had the good fortune to make his escape from them in an open boat from near the Delaware River; but as the rest of the officers are prisoners with the rebels, I have as yet ordered no Court-martial to enquire their loss.

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The rebels under the command of a General Wayne, surprized and stormed the important post of Stoney Point up the North River, a few days ago; I immediately moved up with the frigates and transports, on board the latter of which part of the army was embarked; the rebels, on the appearance of the ships, quitted the post, burnt the works, and carried off part of the cannon, and all the mortars; but a large galley they had brought down the river to carry away the artillery, was sunk by some fortunate shots from our battery at Verplanks Point. We are now again in possession of this pass, and the General is throwing up strong works to prevent the rebels from regaining this important post.

The Greyhound, with General Lord Cornwallis, arrived here from England on the 21st instant; she had met with bad weather, and came in with her masts and bowsprit sprung; but she is now put in proper condition for service.

I received this morning certain intelligence, that an armament failed from Boston on the 21st instant to attack his Majesty's new settlement in Penobscot River; their armed force I can't exactly learn, but it consists of the Warren and several other frigates, which, together with transports, amount, as I am informed, to 47 sail. I intend putting to sea at day light to-morrow with the Reasonable, Galatea, Camilla, Blonde, Virginia, Greyhound and Otter floop; and flatter myself I shall be so fortunate as to give their Lordships a very good account of this rebel fleet in my next letter.

Whitehall, September 23, 1779.

Copy of a letter from Colonel M^r LEAN to Lord GEORGE GERMAIN, dated Camp at Majebigwaduce, on the river Penobscot, August 26, 1779.

MY LORD,

Commodore Sir George Collier having acquainted me with his in-

tentions of sending a frigate to Europe, I should think myself remiss in my duty, did I not take the opportunity of informing your Lordship of the events that have taken place here, as your Lordship will thereby receive an earlier account than by the report which I have transmitted to his Excellency the Commander in Chief.

Having received Sir Henry Clinton's directions to establish a post on the river Penobscot, and to detach for that purpose such part of the troops in the province of Nova Scotia as I should judge sufficient, and compatible with the safety of Halifax, and his Excellency having at the same time honoured me with a discretionary power to proceed on any other expedition myself, that I might judge practicable, to the eastward of Casco Bay; I thought I should answer his Excellency's intentions best by coming here myself, and be more at hand to judge of the practicability or utility of any further movement. I was encouraged to leave the province by the consideration, that while here the ships and troops employed on this service were, in fact, covering the coast on the Bay of Fundy; and I judged nothing could be carrying on in the New England provinces without my obtaining sufficiently early intelligence of it; and I am happy since I came here in having received his Excellency's approbation of my coming.

On the 16th of June I landed here with a detachment of 450 rank and file of the 74th regiment, and 200 of the 82d.—Your Lordship will no doubt, before this can reach you, have received from Sir Henry Clinton the report which I did myself the honour of sending him of our proceedings. At our arrival, the difficulties in clearing the wood, landing our provisions and stores, and placing them in safety, made it be the 2d of July before the intended fort

fort could be marked out; and notwithstanding the diligence with which we worked on it, your Lordship will not be surpris'd when I inform'd you, it was very far from being in a state to afford us any security from the vigorous attack with which we found ourselves threaten'd.—On the 21st of July, by the certain information I received of the sailing of a considerable armament from Boston for the purpose of reducing us, two of the bastions of the intended fort were then untouched, and the remaining two, with the curtains, were in no part above four or five feet in height, and twelve in thickness; the ditch in most parts not above three feet in depth, no platform laid, nor any artillery mounted; however, relying on the zeal and ardour which appeared in all ranks, we laid aside all thoughts of finishing it, and employ'd ourselves in putting our post in the best posture of defence the shortness of the time would admit of. His Majesty's ships Albany, North, and Nautilus, were in the river, the commanders of which joined their efforts to ours for our mutual safety; and I beg leave to assure your Lordship, if there has been any contest between us during our difficulties, it has only been which should be most forward in giving the necessary assistance to the other.

On the 25th, the enemy's fleet, to the number of 37 sail, appeared in sight, and at two in the afternoon their armed vessels began cannonading our ships of war and a battery of 4 twelve pounders, which I had thrown up on the bank of the river for the protection of the shipping; the warmth with which it was returned oblig'd them to retire, and anchor off the west end of the peninsula on which we were posted, and about the middle of which our fort was intended to be made. On the 26th, they renewed

their attack on the ships, but with the same success. I had previously intrenched the isthmus which connects the peninsula with the main; and as the shipping guarded the entrance of the river, I was in no pain for their landing at any other part but the west end, where the natural strength of the ground gave me room to hope I should be able to protract the time to some length. On the night of the 25th, and during the 26th and 27th, they accordingly made several attempts to land, but were constantly repuls'd by our piquet, consisting of a Captain and 80 men; another party of 70 men, posted in a fleche at hand to support the piquet. However, on the morning of the 28th, under cover of a very heavy cannonade, they, to my great surprize, effected their purpose, and oblig'd the piquet to retire to the fort, before I had any intelligence of their being landed, owing to the Serjeant who was sent by the Captain losing his way in the wood. We were now oblig'd to withdraw all our outposts, and confine our attention to strengthening our works. On the 30th the enemy opened a battery at about 750 yards distance, and a few days after another 50 yards nearer; the first of two eighteen pounders, one twelve pounder, and a five and half inch mortar; the other of two eighteen pounders, from both which they cannonaded us briskly; notwithstanding which our work went on with great spirit, the gorge of one of the unfinished bastions was fill'd up with logs, and as our well was in the other, we carried a work of fascines and earth, ten feet thick, round it platforms were laid and artillery mounted, by which we were enabled to return their fire. A sort of chevaux de frize was carried round the fort, and without that a tolerable abatis; so that we daily increased in strength, and in a few days were out of all apprehensions of being storm'd.

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The enemy having erected a battery on an island at the entrance of the harbour near our shipping, the Captains of the men of war, as well as Lieutenant-colonel Campbell and myself, thought it necessary for them to remove higher up the river, which was accordingly done; and I removed the four twelve-pounders (which had been placed for their protection) to the fort, putting there in their stead three of nine-pounders, which Captain Mowat had landed for our service. Their armed vessels made frequent attempts to anchor within the mouth of the harbour, but were constantly repulsed by our superior force.

From the 30th of July to the 12th of August, the cannonading continued with great spirit on both sides, with frequent skirmishes without the fort, owing to the necessity we were under of supporting our battery, and preserving the communication with the shipping, which was never interrupted. On the 12th, a deserter came in and informed us, that they intended attacking the ships and storming the fort, at the same time, on the ensuing day. From the former we were under no apprehensions; but as we judged, that their great superiority in point of numbers might tempt them to hazard the latter, we threw up a small work, about 150 yards without the fort, for five six-pounders, supported by 100 men, for whom there was a good position under cover from their fire. With these, and from the experienced resolution of the commanders and seamen of our little fleet, we had no doubt of the fate of their attempt had they put it into execution, which we however waited for all day in vain. On the morning of the 14th, at four o'clock, being without the fort reconnoitring, and perceiving an unusual degree of quiet in the enemy's camp, I sent a small party to examine closer, and found their works abandoned. A party which had been formed under Lieutenant

Carfrac, of the 3rd regiment, to act as light infantry, was immediately pushed into the wood, and another sent across the isthmus, in hopes of cutting off their rear, but in vain, as they had embarked the whole, with all their artillery, during the night, except what was on the island at the entrance of the harbour, viz. two eighteen and one twelve-pounder, which they spiked, but which soon will be rendered serviceable again.

We were endeavouring to increase the confusion manifest among their shipping, by bringing down two twelve-pounders to the Point to play on them, when the appearance of a fleet of his Majesty's ships, under the command of Commodore Sir George Collier, of which we had as yet no intelligence, cleared up our doubts with regard to the enemy's flight, and rendered our labour unnecessary.

As Sir George Collier will send the necessary information of what ensued, I have only to add my congratulations to your Lordship on the entire destruction of the rebel armament, not one vessel escaped being either taken or burnt; and their army, which at first, from the best information I can procure, consisted of from 2,500 to 3,000 men, but which was considerably diminished, being dispersed, and endeavouring to escape through the woods to the westward.

Inclosed your Lordship has a return of the killed and wounded, and it only remains for me to endeavour to do justice to the cheerfulness and spirit with which all ranks of our little garrison underwent the excessive fatigue required to render our post tenable. The work was carried on under the enemy's fire, with a spirit that would have done credit to the oldest soldiers; from the time the enemy opened their trenches, the mens spirit increased daily, so that at last our chief difficulty was in restraining them.

To

To Lieutenant-colonel Campbell I am indebted for the most unwearied diligence in every part; and I should not do justice to the united voice of officers and men, if I neglected mentioning the particular services we received on every occasion from the activity and conduct of Lieutenant Carfrac, of the 82d regiment, who commanded a small body of picked men, who acted as light infantry.

I have also great pleasure in acknowledging the readiness with which Captain Mowatt, and under him Captains Selby and Farnham, of the navy, assisted us on every occasion.

I think myself obliged to acquaint your Lordship, that on the arrival of the rebel armament in these parts, many of the inhabitants who had taken the oaths of allegiance and fidelity to his Majesty's government joined them; as, however, it was represented to me, that they had been compelled to it by force, which seems to be confirmed by a Proclamation issued by General Lovell, of which I send your Lordship a copy, I, with the concurrence of Sir George Collier, and relying on his Majesty's merciful disposition, issued a second Proclamation, of which I also inclose your Lordship a copy. The time granted in it not having yet expired, I cannot say what will be the effect of it on the people.

I am, &c.

FRANCIS M'LEAN.

Return of the killed, wounded, dead of their wounds, and missing, of a detachment of the 74th and 82d regiments, under the Command of Brigadier General FRANCIS M'LEAN, Majebigwaduice, 21st August, 1779.

Royal Artillery. 1 private wounded.
74th regiment. 3 Corporals, 8 privates, killed.

2 Serjeants, 3 privates, dead of their wounds.

3 Serjeants, 1 Corporal, 1 drum-

mer, 15 privates, wounded, 8 privates missing.

82d regiment. 1 Serjeant 1 Corporal, 5 privates, killed. 1 Serjeant, 1 Corporal, 10 privates, wounded, 3 privates missing.

Lieutenant M'Neil, Lieut. Graham, of the 82d regiment, wounded.

FRANCIS M'LEAN,

London Gazette, October 5.

Whitehall, October 5, 1779.

Extract of a Letter from General Sir HENRY CLINTON, to Lord GEORGE GERMAIN, dated Headquarters, Dobb's Ferry, July 25, 1779.

In my dispatch, No. 57, I had the honour to inform your Lordship of my having taken possession of Verplanks and Stoney Point upon the North River.

On the night of the 15th instant, the enemy suddenly assaulted and carried the lines at Stoney Point. The greater part of the garrison, consisting of the 17th regiment of foot, the grenadier company of the 71st regiment, a company of the Loyal Americans, and a small detachment of the Royal Artillery, under the command of Lieutenant-colonel Johnson, of the 17th regiment, were either killed or taken. I have not yet been able to procure accounts sufficiently satisfactory to form a decisive judgment upon this accident. I have the honour to inclose Lieutenant-colonel Johnson's account, as likewise that published by the rebels.

The enemy immediately began a heavy cannonade with our guns from Stoney Point, upon Lieutenant-colonel Webster, who commanded at Verplanks, with the 33d regiment, Loyal Americans, and detachments from the Royal Artillery, and from the 71st regiment. At the same time Lieutenant-colonel Webster was informed, that a considerable force was in his rear, who, if they did not mean to attack him from that quarter, at least

least would make his retreat, should he be driven to that extremity, very difficult.

Upon the first intelligence I received of this matter, I ordered the army to advance to Dobb's Ferry, pushing forward the cavalry and some light troops to the banks of the Croton river, to awe the enemy in any attempt by land against Verplanks. Brigadier-general Stirling was in the mean time embarked with the 42d, 63d, and 64th regiments, for the relief of Verplanks, or the recovery of Stoney Point. The northerly winds, rather uncommon at this season, opposed Brigadier-general Stirling's progress till the 19th; when, upon his arriving within sight of Stoney Point, the enemy abandoned it with precipitation, and some circumstances of disgrace.

Lieutenant-colonel Webster, who had with great firmness supported the heavy fire of the enemy, had not, during the whole time, deigned to return a single shot, being sensible that it would have been of no material effect. The enemy possibly supposing, from this circumstance, that he might have no heavy cannon, brought down a galley to carry off from Stoney Point part of the artillery, which would have found difficulty in retiring through the roads of that country. As soon as the cannon were aboard the galley, Lieutenant-colonel Webster turned upon her an eighteen-pounder, the only piece of heavy ordnance he had, which raked her with such effect, that, to prevent her sinking, the crew ran her ashore, and there set fire to her; such of the cannon as remained upon Stoney Point were buried, or thrown into the river by the enemy, who immediately made a most precipitate retreat.

Having been apprehensive that the delay, occasioned by the contrary winds, might have given the enemy

time to collect a force at the Points, too powerful for Brigadier-general Stirling; and being anxious that no step should be omitted, for the security of Verplanks and recovery of Stoney Point, I had embarked with the light infantry, and joined General Stirling's in Haverstraw Bay. My whole army being within my reach, I had some hopes of being able to betray Mr. Washington into an engagement for the possession of Stoney Point. Possibly he suspected my view, and declined adventuring any measure which might bring on an action in a country unfavourable to him.

Brigadier-general Stirling is now at Stoney Point with five battalions, preparing the works, which are a good deal damaged.

Copy of a letter from Lieutenant-colonel JOHNSON, of the 17th foot, to Sir HENRY CLINTON, dated Hardy's Town, July 24, 1779.

The bearer, Lieutenant Armstrong, of the 17th infantry, will give you a full and perfect account of the unfortunate event of the morning of the 16th instant, whereon the post of Stoney Point fell into the hands of the enemy. I am inclined to think, that upon a just representation you will be fully convinced, that it was not any neglect on my part, nor of the troops under my command, but the very superior force of the enemy that caused the capture of the place. Inclosed I send a return of the killed, wounded, missing, and prisoners, as nearly as could be collected by the commanding officers of corps.

The very distressed situation of our people, for want of necessaries of every kind, occasioned my making application for a flag, in order to have them provided. General Washington's permission to send a subaltern officer of each corps, I received but this instant. The Commissary of prisoners being under the necessity of returning immediately, obliges me to

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draw a conclusion, referring your Excellency to Lieutenant Armstrong for any further particulars.

I have the honour to be, &c,
(Signed) H. JOHNSON.

Lieutenant-colonel, 17th Foot.

His Excellency

Sir Henry Clinton, &c. &c.

Return of the killed, wounded, missing, and taken prisoners by the enemy, of his Majesty's troops, under the command of Lieutenant-colonel HENRY JOHNSON, at the engagement upon Stony Point, July 16, 1779.

Royal Reg. of artillery. 4 rank and file, wounded; 1 lieutenant missing; 1 captain, 1 lieutenant, 1 conductor, 1 drummer, 42 rank and file, prisoners.

Grenadiers of the 71st regiment.— 1 serjeant, 1 drummer, 5 rank and file, killed; 1 captain, 2 lieutenants, 1 serjeant, 20 rank and file, wounded; 1 captain, 1 serjeant, 23 rank and file, missing; 5 lieutenants, 3 serjeants, 1 drummer, 95 rank and file, prisoners.

17th regiment of foot. 1 captain, 2 serjeants, 10 rank and file, killed; 1 lieutenant, 1 ensign, 43 rank and file, wounded; 1 drummer, 20 rank and file, missing; 1 colonel, 2 captains, 6 lieutenants, 3 ensigns, 1 adjutant, one surgeon, 17 serjeants, 12 drummers, 222 rank and file, prisoners.

Loyal American regiment. 1 ensign wounded; 11 rank and file missing; 1 captain, 2 ensigns, 2 serjeants, 2 drummers, 49 rank and file, prisoners.

Volunteers of Ireland. 1 serjeant, prisoner.

Total. 1 captain, 3 serjeants, 1 drummer, 15 rank and file, killed; 1 captain, 3 lieutenants, 2 ensigns, 1 serjeant, 67 rank and file, wounded; 1 captain, 1 lieutenant, 1 serjeant, 1 drummer, 54 rank and file, missing; 1 colonel, 4 captains, 12 lieutenants, 5 ensigns, 1 adjutant,

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1 surgeon, 1 conductor, 23 serjeants, 16 drummers, 408 rank and file, prisoners.

Names of the officers, killed, wounded, missing, and prisoners.

Royal Reg. of Artillery. Lieutenant Roberts, missing; Capt. Tiffin, Lieutenant Harden, Conductor Enslow, prisoners.

71st Grenadiers. Captain Campbell, wounded and missing; Lieutenants Ross and Cumming, wounded; Lieutenants Dunkinson, Nairn, Ross, and Grant, prisoners.

17th Reg. of Foot. Capt. Tew, killed; Lieutenant Simpson, and Ensign Sinclair, wounded; Lieutenant-colonel Johnson, Captains Darby, and Clayton, Lieutenants Armstrong, Carey, Williams, Simpson, and Hayman, Ensigns Hamilton, Sinclair, and Robinson, Adjutant Hamilton, Surgeon Horn, prisoners.

Loyal American Regiment. Ensign Huford, wounded; Captain Robinson, Ensigns Huford and Swords, prisoners.

Lieutenant Marshal, prisoner.

N. B. Surgeon Achmuty, prisoner, not included in the above.

Signed H. JOHNSON, Lieut. Col. 17th Infantry.

Copy of a letter from General Sir HENRY CLINTON, to Lord GEO. GERMAIN, dated Head Quarters Dobb's Ferry, July 25, 1779.

I have the honour to inclose, for your Lordship's information, a copy of my instructions to Major-general Tryon, (who was detached on a desultory expedition into the East Sound, with a view to draw Mr. Washington from the strong post which he occupied in the mountains of Connecticut) together with a copy of his report, &c. to which I refer. I have also the honour to transmit the copy of a report made to me by Lieutenant-colonel Tarleton of the legion, whom I detached in hopes of surprising a regiment of the ene-

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my's cavalry, at Pound Bridge, to which I beg leave to refer your Lordship for the success of this little excursion.

Extract of a letter from Major-general TRYON to General Sir HENRY CLINTON, dated New-York, July 20, 1779.

Having on the 3d instant joined the troops assembled on board the transports at White Stone, Sir Geo. Collier got the fleet under way the same evening; but the winds being light, we did not reach the harbour of Newhaven until the 5th in the morning.

The first division, consisting of the flank companies of the Guards, the Fusiliers, 54th regiment, and a detachment of the Yagers, with four field-pieces, under Brigadier-general Garth, landed about five o'clock, (A. M.) a mile South of Westhaven, and began their march, making a circuit of upwards of seven miles, to head a creek on the western side of the town.

The second division could not move till the return of the boats, but before noon I disembarked with the 23d, the Hessian, Landgrave, and King's American regiments, and two pieces of cannon, on the eastern side of the harbour, and instantly began the march of three miles, to the Ferry from Newhaven, East, towards Brentford.

We took a field-piece, which annoyed us at our landing, and possessed ourselves of the Rock battery of three guns, commanding the channel of the harbour, abandoned by the rebels on our approach. The armed vessels then entered, and drew near the town.

General Garth, got into the town, but notwithstanding opposition, loss, and fatigue, and reported to me at half past one, that he should begin the conflagration, which he thought it merited, as soon as he had secured the bridge between us over Neck-Creek.

The collection of the enemy in force on advantageous ground, and with heavier cannon than his own, diverted the General from that passage; and the boats that were to take off the troops being not up, I went over to him, and the result of our conference was a resolution, that with the first division he should cover the North part of the town that night, while with the second I should keep the heights above the Rock Fort. In the morning the first division embarked at the South East part of the town, and crossing the Ferry, joined us on the Easthaven side, excepting the 54th, which were sent on board their transports.

In their progress of the preceding day from Westhaven, they were under a continual fire; but by the judicious conduct of the General, and the alertness of the troops, the rebels were every where repulsed. The next morning, as there was not a shot fired to molest the retreat, General Garth changed his design, and destroyed only the public stores, some vessels and ordnance, excepting six field pieces, and an armed privateer, which were brought off.

The troops re-embarked at Rock Fort in the afternoon, with little molestation; and the fleet leaving the harbour that evening, anchored the morning of the 8th off the village of Fairfield.

The boats not being sufficient for the whole of the first division, I landed only with the flank companies of the Guards, one company of the Landgrave's, and the King's American regiment, with two field-pieces, east of the village, and south-west of the Black Rock Battery, which commands the harbour.

We pursued our march (under a cannonade without effect) towards the village, but in our approach received a smart fire of musquetry. The Rebels fled before the rapid advance of the Guards, and left us in possession of it, and of the heights in
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the West, until General Garth, who landed two miles in the South, joined us with the remainder of the troops in the evening.

Having laid under arms that night, and in the morning burnt the greatest part of the village, to resent the fire of the rebels from their houses, and to mask our retreat; we took boat where the second division had landed, the enemy throwing only a weak, scattered fire on our flanks; the regiment de Landgrave, by a very proper disposition, having effectually covered our rear.

Wanting some supplies, we crossed the Sound to Huntingdon, and there continued till the eleventh, and re-passing that day, anchored five miles from the bay of Norwalk.

The sun being nearly set before the 5th, the Landgrave's regiment, and the Yagers were in the boats, it was near nine in the evening when I landed with them at the Cow Pasture, a peninsula on the East of the harbour, within a mile and an half of the bridge, which formed the communication between the East and West parts of the village, nearly equally divided by a salt creek.

The King's American regiment being unable to join us before three the next morning, we lay that night on our arms. In our march, at the first dawn of the day, the 5th led the column, and soon fell in with the rebels out-posts, and driving the enemy with great alacrity and spirit, dispossessed them of Drummond-hill, and the heights at that end of the village, East from and commanding the bridge.

It being now but four o'clock in the morning, and the rebels having taken post within random cannon shot upon the hills upon the North, I resolved to halt until the second division, landing at the Old Wells, on the West side of the harbour, had advanced and formed the junction.

General Garth's division passed the

bridge by nine; and, at my desire, proceeded to the North end of the village, from whence, and especially from the houses, there had been a fire for five hours upon our advanced guards.

The Fuzileers, supported by the light infantry of the Guards, began the attack, and soon cleared the quarters, pushing the main body and an hundred cavalry from the Northern Heights, and taking one piece of their cannon.

After many salt pans were destroyed, whale boats carried on board the fleet, and the magazines, stores, and vessels, set in flames, with the greatest part of the dwelling-houses, the advanced corps were drawn back, the troops retired in two columns to the place of our first debarkation and unassaulted, took ship, and returned to Huntingdon-bay.

We were waiting only for fresh supplies of artillery and force adequate to the probable increase of the rebels, by the decrease of the objects of their care, and the alarm of the interior country, when I was honoured on the 13th, with your command of the 12th, for the return of the troops with the fleet to White-stone.

The rebels in arms at Newhaven, were considerable, more numerous at Fairfield, and still more so at Norwalk.

Two hundred and fifty continental troops had now joined their militia, under General Parsons, and together were said to be upwards of 2000. The accounts of their loss are vague, it could not be trifling.

The general effect of the printed address from Sir George Collier and myself, to the inhabitants recommended by your Excellency, cannot be discovered till there are some further operations and descents upon their coasts. Many copies of it were left behind at Newhaven and at Fairfield. I sent one by the Rev. Mr. Sayre, their episcopal missionary,

under flag to a party in arms, and received the answer of a defiance, already transmitted. I regret the loss of two places of public worship at Fairfield, which took fire unintentionally by the flakes from other buildings; and I gave strict orders and set guards for the preservation of that burnt at Norwalk; but it is very difficult, where the houses are close, and of very combustible materials of boards and shingles, to prevent the spreading of the flames.

I should be very sorry, if the destruction of these two villages would be thought less reconcilable with humanity than with the love of my country, my duty to the King, and the law of arms, to which America has been led to make the awful appeal.

The usurpers have professedly placed their hopes of severing the empire, in avoiding decisive actions, upon the waste of the British treasures, and escape of their own property, during the protracting of the war.

Their power is supported by the general dread of their tyranny, and the arts practised to inspire a credulous multitude with a presumptuous confidence in our forbearance. I wish to detect this delusion, and, if possible, without injury to the Loyalists.

I should do injustice, if I closed this report without giving every praise to the troops I had the honour to command.

Sir George Collier co-operated with us in the direction of the armed vessels employed in the descents; and I have the pleasure to add, that we had a perfect concert of opinion in the main operations.

The Royal refugees possess a zeal, which, with their intimate and minute knowledge of the country, will always render them useful on such services.

I must not withhold my commendations even from the mariners of the transports who were generally em-

ployed in manning the flat boats and batteaux, and who were as alert as if they had been intitled to national rewards.

I have the honour herewith to transmit your Excellency a general return of the killed, wounded, and missing on this expedition.

Return of the killed, wounded, and missing, of the King's troops, under the command of his Excellency Major-General Tryon, on an expedition in the Sound, from the 3d of July to the 14th of July, 1779.

At Newhaven, July 5.

Guards. 1 Officer, 1 rank and file, killed; 1 Officer, 1 serjeant, 9 rank and file, wounded; 14 rank and file, missing.

7th, or Royal Fusileers. 1 serjeant, 7 rank and file, wounded; 2 rank and file, missing.

23d, or Royal Welch Fusileers. 1 drummer, 1 rank and file, wounded.

54th Reg. of Foot. 1 serjeant, 5 rank and file, killed; 2 Officers, 1 drummer, 5 rank and file, wounded; 1 serjeant, 7 rank and file, missing.

Landgrave Reg. 2 rank and file, wounded. Detachment of Yagers. 1 rank and file, wounded; 1 rank and file, missing.

King's American Reg. 1 Officer killed; 1 serjeant, 9 rank and file, wounded.

Royal Artillery. 1 Driver wounded.
Names of the Officers killed and wounded.

Guards. Adjutant Campbell, killed; Captain Parker, wounded.

54th reg. of Foot, Captain Bachop, Lieutenant Powel, wounded.

King's American reg. Ensign and Adjutant Watkins; killed.

At Fairfield, July 8.

Guards. 4 rank and file killed; 1 Serjeant, 10 rank and file, wounded; 2 rank and file, missing.

54th reg. of Foot. 1 Serjeant wounded; 1 rank and file, missing.

Landgrave reg. 1 rank and file, killed; 1 Serjeant, 11 rank and file, wounded.

Detachment

Detachment of Yagers. 2 rank and file, killed; 2 ditto wounded; 1 ditto missing.

King's American reg. 2 rank and file, killed; 4 ditto wounded; 1 ditto missing.

At Norwalk, July, 11.

Guards. 1 rank and file, wounded.

7th, or Royal Fuzileers. 1 rank and file, killed; 2 Serjeants, 13 rank and file, wounded; (1 since dead of his wounds). 1 rank and file missing.

23d or Royal Welch Fuzileers. 2 rank and file, wounded.

54th reg. 1 rank and file, killed; 1 ditto wounded.

Landgrave regiment. 3 rank and file, wounded; 1 ditto missing.

Detachment of Yagers. 1 rank and file wounded.

King's American reg. 2 rank and file wounded.

Total. 20 killed; 96 wounded; 32 missing.

W. TRYON, M. G.

Return of ordnance and stores taken and destroyed at and near New-haven, &c. on the 6th of July, 1779, by a detachment of the army, under the command of his Excellency Major-general TRYON.

Iron ordnance.

Mounted on garrison carriages. 2 twelve pounders; 2 nine ditto.

On travelling carriages, with ammunition boxes, side arms, &c. &c. complete; 2 nine pounders; 4 ditto; 2 six ditto.

Given to the Royal Charlotte, a privateer, belonging to the refugees, 4 nine pounders.

Taken off by the navy, 2 six pounders.

Taken and destroyed by the Royal Fuzileers, in the action of Norwalk, 1 three pounder.

Taken and destroyed on the Rock Battery, and on the East side of the entrance of Newhaven harbour, 4 three and six pounders.

Total ordnance destroyed 23.

Stores destroyed.

500 flannel cartridges, with shot fixed to wood bottoms for the above ordnance.

Seventeen barrels of powder.

A laboratory, with a very considerable quantity of musket cartridges and ordnance stores.

(Signed) THO. HENRY ABBOTT.
Lieutenant, commanding the Royal Artillery under Major-general Tryon.

Copy of Lieutenant-colonel TARBLETON's Report to Sir HENRY CLINTON. Dated Camp on the Brunn, July 2, 1779. Eleven P. M.

SIR,

I have the honour to inform your Excellency, that I moved with the detachment you were pleased to intrust me with, consisting of seventy of the 17th Light Dragoons, part of the Legion Infantry and Cavalry, Queen's Rangers, Hussars, and some mounted Yagers, in all about two hundred, at half past eleven o'clock last night. The weather being remarkably bad, prevented my reaching North-castle church before four o'clock next morning, where I received confirmation of my intelligence relative to the numbers and situation of Sheldon's regiment and 100 Continental foot, but no tidings of Moiland's regiment of dragoons.

I pursued my route through Bedford to Pound-bridge, without any material occurrence. In the district of the Ridge, and within 300 yards of the enemy, who were not alarmed, my guide in front mistook the road; another guide informed me of the error, and it was rectified as soon as possible.

The enemy's vidette had noticed to them our passing their front. The whole regiment was mounted and formed behind the Meeting-house. An attack was instantly made by the advanced guard, consisting of the

17th

17th Light Dragoons, the ground not allowing more than seven or eight in front. The enemy did not stand the charge, a general rout immediately ensued. The difficulty of the country, and there being no possibility of obtaining their rear, enabled the greatest part of the regiment to escape. The pursuit continued for four miles on the Stamford and Salem roads.

The loss of men in Sheldon's Dragoons, upon enquiry and comparison of accounts, I estimate at 26 or 27 in killed, wounded, and prisoners; but their disgrace in the loss of the standard of the regiment, and of helmets, arms, and accoutrements, was great. Part of the officers and regimental baggage fell into our hands.

I have hitherto omitted mentioning the militia to the amount of 120, who, together with the Continental foot, broke and dispersed at the approach of the King's troops.

The militia assembled again on eminences and in swamps, and, before we quitted the ground on which the first charge was made, they fired at great distances. We were successful in killing, wounding, and taking fifteen of them; the rest hovered almost out of sight.

The inveteracy of the inhabitants of Pound-bridge, and near Bedford, in firing from houses and out-houses, obliged me to burn some of their meeting and some of their dwelling-houses with stores. I proposed to the militia terms, that if they would not fire shots from buildings, I would not burn. They interpreted my mild proposal wrong, imputing it to fear. They persisted in firing till the torch stopped their progress; after which not a shot was fired.

With pleasure I relate to your Excellency that the loss sustained by his Majesty's troops is trifling, 1 hussar of the legion killed, 1 wounded, 1 horse of 17th dragoons killed;

the whole of the detachment, except the above, being returned to camp. The infantry of the legion, mounted on horses, are extremely fatigued by a march of 64 miles in 23 hours.

I have the honour to be, &c.

(Signed) BANASTRE TARLETON.
Lieutenant-colonel British Legion.

Extract of a letter from General Sir HENRY CLINTON, to Lord GEO. GERMAIN, dated New-York, August, 21, 1779.

On the 19th instant, the garrison of Paulus Hook being reinforced, Lieutenant-colonel Buskirk was detached with part of the troops to cut off some small parties, who interrupted the supplies of provision, a considerable body of the rebels availed themselves of that opportunity to attempt the post. At three in the morning, they advanced to the gate of the works, and being mistaken by a negligent guard for Lieutenant-colonel Buskirk's corps returning, entered without opposition. I fear they found the garrison so scandalously absorbed in confidence of their security, that they made themselves masters of a blockhouse and two redoubts, with scarcely any difficulty. The alarm being now spread, Major Sutherland, the Commandant, threw himself, with forty Hessians, into a redoubt, by an incessant fire from which he forced the enemy to quit the post, without either damaging any of the cannon, or setting fire to the barracks. In short, their retreat was as disgraceful as their attempt was well conducted. They carried off with them near forty invalids prisoners. A detachment being sent over from New-York, Major Sutherland pursued the enemy, and coming up with their rear, made a Captain and some privates prisoners. Lieutenant-colonel Buskirk, on his return, had a small skirmish with the rebels, and took four prisoners without any loss on his part.

By his Excellency Sir HENRY CLINTON, K. B. General and Commander in Chief of all his Majesty's forces, within the colonies lying on the Atlantic Ocean, from Nova Scotia to West Florida, inclusive, &c. &c.

PROCLAMATION.

Whereas the enemy have adopted a practice of enrolling NEGROES among their troops; I do hereby give notice, that all NEGROES taken in America, or upon any military duty, shall be purchased for a stated price; the money to be paid to the captors.

But I do most strictly forbid any person to sell or claim right over any NEGROE, the property of a Rebel, who may take refuge with any part of his army: and I do promise to every NEGROE who shall desert the Rebel standard, full security to follow within these lines, any occupation which he shall think proper.

Given under my hand at Headquarters, Philipsburgh, the 30th day of June, 1779.

H. CLINTON.

By his Excellency's command.

JOHN SMITH, Secretary.

Head-quarters, New Windsor, July 16, 1779, half after nine o'clock, A. M.

SIR,

I have the pleasure to transmit your Excellency the inclosed copy of a letter from Brigadier-general Wayne, which this moment came to hand. I congratulate Congress upon our success, and what makes it still more agreeable, from the report of Capt. Fishbourn, who brought me General Wayne's letter, the post was gained with but very inconsiderable loss on our part. As soon as I receive a particular account of the affair, I shall transmit it.

I have the honour to be, with great respect,

Your Excellency's

Most obedient servant,

G. WASHINGTON

P. S. General Wayne received a slight wound in the head with a musket ball, but it did not prevent him from going on with the troops.

His Excellency John Jay, Esq.
Stoney-Point, 16th, July, 1779, two o'clock. A. M.

Dear General,

The fort and garrison with Colonel Johnston are ours. Our officers and men behaved like men, who are determined to be free. Your's, most sincerely,

ANTHONY WAYNE.

General Washington.

Published by order of Congress,

CHARLES THOMSON, Secretary.
Extra of a letter from Major Gen.
GREEN.

" I have the pleasure to congratulate you upon our success last evening.

" Gen. Wayne with the Light Infantry surprized the garrison at Stoney Point and took the whole prisoners. The particulars we have not yet; but it is not less than five hundred men. Our troops behaved to a charm, marching in the face of a heavy fire without firing a gun.

Head-quarters, New Windsor, July 21, 1779

SIR,

On the 16th instant I had the honour to inform Congress of a successful attack upon the enemy's post at Stoney-Point, on the preceding night, by Brigadier-general Wayne, and the corps of light infantry under his command. The ulterior operations in which we have been engaged, have hitherto put it out of my power to transmit the particulars of this interesting event. They will now be found in the inclosed report, which I have received from General Wayne. To the encomiums he has deservedly bestowed on the officers and men under his command, it gives me pleasure to add, that his own conduct throughout the whole of this arduous enterprize, merits the warmest approbation

bation of Congress. He improved upon the plan recommended by me, and executed it in a manner that does signal honour to his judgment and to his bravery. In a critical moment of the assault, he received a flesh wound in the head with a musket ball, but continued leading on his men with unshaken firmness.

I now beg leave for the private satisfaction of Congress, to explain the motives which induced me to direct the attempt.

It has been the unanimous sentiment to evacuate the captured post at Stoney-Point, remove the cannon and stores, and destroy the works, which was accomplished on the night of the 18th, one piece of heavy cannon only excepted. For want of proper tackling within reach to transport the cannon. The movements of the enemy's vessels created some uneasiness on their account, and induced me to keep one of the pieces for their protection, which finally could not be brought off, without risking more for its preservation than it was worth. We also lost a galley, which was ordered down to cover the boats. She got under way on her return the afternoon of the 18th. The enemy began a severe and continued cannonade upon her, from which having received some injury, which disabled her from proceeding, she was run ashore. Not being able to get her afloat, till late in the flood tide, and one or two of the enemy's vessels under favour of the night, having passed above her, she was set on fire and blown up.

It is probable Congress will be pleased to bestow some marks of consideration upon these officers, who distinguished themselves upon this occasion. Every officer and man of the corps deserves great credit, but there were particular ones whose situation placed them foremost in danger, and made their conduct most conspicuous. Lieut. Colonel Fleury and Major Steward commanded the two attacks.

Lieutenants Gibbons and Knox commanded the advanced parties or *forlorn hopes*, and all acquitted themselves as well as it was possible. These officers have a claim to be more particularly noticed.

Mr. Archer, who will have the honour of delivering these dispatches, is a volunteer aid to General Wayne, and a gentleman of merit. His zeal, activity, and spirit, are conspicuous upon every occasion. I have the honour to be,

With the greatest respect and esteem,
Your Excellency's

Most obedient humble servant,

G. WASHINGTON.

I forgot to mention, that two flags and two standards were taken, the former belonging to the garrison, and the latter to the 17th regiment. These shall be sent to Congress by the first convenient opportunity.

Stoney-Point, July 27, 1779.

SIR,

I have the honour to give you a full and particular relation of the reduction of this point, by the light infantry under my command.

On the 15th instant at 12 o'clock we took up our line of march, from Sandy-beach, distant 14 miles from this place; the roads being exceedingly bad and narrow, and having to pass over high mountains, through deep morasses, and difficult defiles, we were obliged to move in single files the greatest part of the way. At eight o'clock in the evening, the van arrived at Mr. Springsteel's, within one and a half miles of the enemy, and formed into columns as fast as they came up, agreeable to the order of battle annexed; viz. Colonels Febiget's and Meig's regiments, with Major Hull's detachment, formed the right column; Col. Butler's regiment and Major Murfree's two companies, the left. The troops remained in this position until several of the principal officers, with myself had returned from reconnoitring the works

works. Half after eleven o'clock, being the hour fixed on, the whole moved forward, the van of the right consisted of one hundred and fifty volunteers, properly officered, who advanced with unloaded muskets and fixed bayonets, under the command of Lieut. Col. Fleury; these were preceded by twenty picked men, and a vigilant and brave officer to remove the abatis and other obstructions. The van of the left consisted of one hundred volunteers, under the command of Major Steward, with unloaded muskets and fixed bayonets; also preceded by a brave and determined officer, with twenty men, for the same purpose as the other.

At twelve o'clock the assault was to begin on the right and left flanks of the enemy's works, whilst Major Murfree amused them in front; but a deep morass covering their whole front, and at this time overflowed by the tide, together with other obstructions, rendered the approaches more difficult than were at first apprehended, so that it was about twenty minutes after twelve before the assault began, previous to which I placed myself at the head of Febiger's regiment or right column, and gave the troops the most pointed orders not to fire on any account, but place their whole dependence on the bayonet, which order was literally and faithfully obeyed. Neither the deep morass, the formidable and double rows of abatis, or the strong works in front and flank could damp the ardour of the troops, who, in the face of a most tremendous and incessant fire of musketry, and from cannon loaded with grape-shot, forced their way at the point of the bayonet, through every obstacle, both columns meeting in the center of the enemy's works, nearly at the same instant. Too much praise cannot be given to Lieut. Col. Fleury, (who struck the enemy's standard with his own hand) and to Major Steward, who com-

manded the advanced parties, for their brave and prudent conduct.

Colonels Butler, Meigs and Febiger conducted themselves with that coolness, bravery and perseverance, that will ever insure success. Lieut. Colonel Hay was wounded in the thigh, bravely fighting at the head of his battalion. I should take up too much of your Excellency's time, was I to particularize every individual who deserves it, for his bravery on this occasion. I cannot, however, omit Major Lee, to whom I am indebted for frequent and very useful intelligence, which contributed much to the success of the enterprize; and it is with the greatest pleasure I acknowledge to you, I was supported in the attack by all the officers and soldiers under my command, to the utmost of my wishes. The officers and privates of the artillery exerted themselves in turning the cannon against Verplanks Point, and forced them to cut the cables of their shipping, and run down the river.

I should be wanting in gratitude, was I to omit mentioning Capt. Fitzbourn and Mr. Archer, my two aids de camp, who on every occasion shewed the greatest intrepidity, and supported me into the works after I received my wound in passing the last abatis.

Inclosed are the returns of the killed and wounded of the light infantry, as also of the enemy, together with the number of prisoners taken, likewise of the ordnance and stores found in the garrison.

I forgot to inform your Excellency, that previous to my marching, I had drawn General Muhlenberg into my rear, who, with three hundred men of his brigade took post on the opposite side of the marsh, so as to be in readiness either to support me, or to cover a retreat in case of accident, and I have no doubt of his faithfully and effectually executing either, had there been any occasion for him.

B b b

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The

The humanity of our brave soldiers, who scorned to take the lives of a vanquished foe calling for mercy, reflects the highest honour on them, and accounts for the few of the enemy killed on the occasion.

I am not satisfied with the manner in which I have mentioned the conduct of Lieutenants Gibbons and Knox, the two gentlemen who led the advanced parties of twenty men each—their distinguished bravery deserves the highest commendation—the first belongs to the sixth Pennsylvania regiment, and lost 17 men killed and wounded in the attack; the last belongs to the ninth ditto, who was more fortunate in saving his men, though not less exposed.

I have the honour to be, with great respect,

Your Excellency's

Most obedient humble servant,

ANTHONY WAYNE.

Gen. Washington.

A return of the killed and wounded of the light infantry, at the storm of Stony Point, under the command of Brigadier-general Wayne, July 15, 1779.

Colonel Febiger's regiment. Killed, 1 Serjeant, 6 privates. Wounded, 7 Serjeants, 1 Corporal, 29 privates.
Colonel Butler's regiment. Killed, 1 Serjeant, 2 privates. Wounded, 1 Lieutenant-colonel, 2 Serjeants, 2 Corporals, 25 privates.

Colonel Meig's regiment. Killed,

3 privates, Wounded, 2 Captains, 2 Lieutenants, 1 Serjeant, 6 privates.

Major Hill's detachment. Killed, 2 privates. Wounded, 1 Lieutenant, 4 privates.

Total killed, 2 Serjeants, 13 privates.

Total wounded, 1 Lieutenant-colonel, 2 Captains, 3 Lieutenants, 10 Serjeants, 3 Corporals, 64 privates.

By order of the General,

BENJAMIN FISHBOURN,
A. D. Camp.

Fort Montgomery, July 21, 1779.

(True Copy.)

General return of the prisoners taken at Stony Point.

Officers sent to Easton on parole, 1 Lieutenant-colonel, 4 Captains, 12 Lieutenants, 4 Ensigns, 1 Conductor of Artillery, 1 assistant-Surgeon.

Officers and privates wounded and sent in: 2 Lieutenants, 1 Ensign, 1 Surgeon, 39 privates.

Left at Kakiate. 9 privates, 2 attendants.

Sent to Easton. 441 privates, 25 servants to officers.

Total, 543.

ABRAHAM SKINNER,
D. Com. prisoners.

Goshen, July 20, 1779. (Copy.)

Return of the enemy's killed.

1 Captain, 1 Lieutenant, 8 Serjeants, 3 Corporals, 50 privates.

Total 63.

Return of Ordnance and Stores, taken at Stony-Point, July 15, 1779.

Ordnance.	Braft.	{ Heavy,	12	2	
			{ Light,	12	1
	Braft.	{		3	1
			24	2	
			18	2	
			12	1	
	Braft.	{	Howitzers,	8 Inch.	1
			Mortars,	10 do.	1
				5½	2
				4 2-5ths.	2

30 sponges, different sorts, with staves and rammer heads, 9 ladles with staves. 11 wadhooks with staves.

Species.

Specs. 4 Drag-ropes with pins. 4 draught chains. 24 traversing and common head-spike. 11 aprons of lead. 12 felling and pick-axes. 20 felling and tube boxes. 10 buckets. 40 ten inch wood bottoms. 5 budge barrels. 4 kitt brushes. 10 hand barrows. 1 sling cart compleat. 21 large and small leather cartouches. 2 iron crows. 5 muzzle caps. 2 compasses. 10 lb. of tallow-candles. 15 oil cloths.

			No.
Flannel Cartridges,	filled	Guns { 24 Pdrs. — — — 603	
		Guns { 12 ditto — — — 1174	
		Guns { 3 ditto — — — 295	
		Howitzers 8 inch — — — 20	
		Mortars { 5 $\frac{1}{2}$ — — — 38	
	Mortars { 4 2-5ths. — — — 40		
	Mortars { 4 2-5ths. — — — 146		
	empty	Mortars { 5 $\frac{1}{2}$ — — — 240	
		Mortars { 4 2-5ths. — — — 240	
		Cartridge Paper, { filled 18 Pdrs. — — — 158	
Cartridge Paper, { empty 18 — — — 100			
Cartridge Paper, { Musket, with ball — — — 28,752			

3 funnels of plate and copper, for filling shells. 555 fuzees, of different sizes, 1267 muskets flints. $9\frac{1}{2}$ lb. flax. 1 powder horn. 11 tanned hides. 4 hand beam hooks. $9\frac{1}{2}$ sets of mens harness. 6 hand hatchets. $2\frac{1}{2}$ tons junk. 1 compleat triangle gin. 3 iron bars. 3 cutting, paring, with block and staple knives. 9 lb. kitt. 3 melting iron ladles. 3 Muscovy and dark lanterns. 7 skeins of Hambro' line. 3 laboratory chests. 2 different measures of copper. 11 mallets and letters, of different forts. 8 white and tarred marline skeins. 100 lb. of nails, of different sizes. 5 mantalets. 2 sledge and 18 claw hammers.

Powder	corned, whole barrels — — — 39
	duffy ditto — — — 4
	mealed — — — 4

20 doz. portfires. 15 punches for vents. 3 pairs pinchers. 12 plummetts of lead. 2 quadrants. 4 rasps, $\frac{1}{2}$ pound. 8 fathoms of rope for lashing. 12 lb. of rockets with sticks. 18 flicks of portfire. 40 spikes for nailing guns. 3 saws, tennant and cross-cut.

			No.
Shot fixed	with powder, 12 Pdrs.	round — — — 217	
		case — — — 92	
		round — — — 304	
		case — — — 104	
		round — — — 908	
		round — — — 200	
Shot,	case fixed to wood bottoms	round — — — 106	
		howitzers 8 inches — — — 40	
		mortars { 5 $\frac{1}{2}$ — — — 80	
		mortars { 5 2-5ths. — — — 80	
		24 Pdrs. — — — 95	
	grape { iron bottoms	18 — — — 42	
		in bags { 10 inch mortar — — — 40	

B. 5 b 2

228 1006

358 loose shot for 24 and 18 pounders. 39 sheep skins. 50 fathoms of skid and parbuckle rope. 2 of 2 feet, and 1 brass scales. 4 pairs of scissars.

				No.		
Shells.	{	10 inch	—	{ fixed	—	20
				{ empty	—	74
	{	8	—	{ fixed	—	15
				{ empty	—	90
	{	5½	—	{ fixed	—	21
				{ empty	—	141
	{	4 2-5ths	—	{ fixed	—	40
				{ empty	—	160

6 scrapers for shells. 3300 sponge tacks. 12 spades. 6 shovels. 2 tarpaulings. 10 Tompions. 3 officers and laboratory tents. 5790 tubes. 12 lb. of twine. 30 priming wires. 1 set of brass weights from 4 lb. ½ oz. 2 lb. of worsted. 84 wads for 24 pounders.

For the use of the HORSE DEPARTMENT.

5 sets of large horse shoes, 3200 ditto nails,

For the use of the SMITH.

1 forge bellows. 1 anvil with pick iron. 1 standing vice. 1 tew iron.
1 cask of coals.

Return of Arms and other Articles not included before.

				No.
Tents.	{	Tents,	—	134
		Markes,	—	5
		Horsemen's tents,	—	8
		Wall Tents,	—	9

334 muskets with bayonets. 103 carbuch boxes.

Published by order of Congress:

CHARLES THOMSON, Secretary.

In Congress, July 26th, 1779.

Resolved unanimsly, that the thanks of Congress be given to his Excellency General Washington, for the vigilance, wisdom and magnanimity, with which he hath conducted the military operations of these States. and which are among many other signal instances, manifested in his orders for the late glorious enterprise and successful attack on the enemy's fortress on the banks of Hudson's River.

Resolved, That the thanks of Congress be presented to Brigadier-general Wayne, for his brave, prudent and soldiery conduct, in the spirited and well conducted attack of Stony Point.

Resolved, That Congress entertain a proper sense of the good conduct of the officers and soldiers under the command of Brigadier-general

Wayne, in the assault of the enemy's works at Stony Point, and highly commend the coolness, discipline and firm intrepidity exhibited on the occasion.

Resolved, That Lieutenant-colonel Fleury and Major Stewart, who by their situation, in leading the two attacks, had a more immediate opportunity of distinguishing themselves, have by their personal achievements exhibited a bright example to their brother soldiers, and merit in a particular manner the approbation and acknowledgement of the United States.

Resolved, That Congress warmly approve and applaud the cool determined spirit with which Lieutenant Gibbons and Lieutenant Knox led on the forlorn hope, braving danger and death in the cause of their country.

Resolved,

Resolved, That a medal emblematical of this action be struck. That one of gold be presented to Brigadier-general Wayne, and a silver one to Lieut. Col. Fleury and Major Stewart.

Resolved, That a brevet of Captain be given to Lieut. Gibbons and Lieut. Knox.

That the brevet of Captain be given to Mr. Archer, the bearer of the General's letter and volunteer Aid to Brigadier general Wayne.

That Congress approve the promises of reward made by Brigadier-general Wayne, with the concurrence of the Commander in Chief to the troops under his command.

That the value of the military stores, taken at Stoney Point, be ascertained and divided among the gallant troops by whom it was reduced, in such manner and proportion as the Commander in Chief shall prescribe.

Extract from the Minutes,

CHARLES THOMSON, Secretary.

Hartford, July 13.

A number of copies of the following insolent Address, were left in New-haven by the British troops:

By *Commodore Sir GEORGE COLLIER, Commander in Chief of his Majesty's ships and vessels in North America, and Major General WILLIAM TRYON, commanding his Majesty's land forces on a separate expedition.*

A D D E R S S

[To the Inhabitants of Connecticut.]

The ungenerous and wanton insurrection against the sovereignty of Great Britain, into which this colony has been deluded by the artifices of designing men, for private purposes, might well justify in you every fear, which conscious guilt could form respecting the intentions of the present armament.

Your towns, your property, yourselves, lie within the grasp of their power, whose forbearance, you have ungenerously construed into fear;

but whose lenity has persisted in its noble efforts, even though branded with the most unworthy imputation.

The existence of a single habitation on your defenceless coast, ought to be a constant reproof to your ingratitude: Can the strength of your whole province cope with the force which might at any time be poured through every district of your country? You are conscious it cannot.

Why then will you persist in a ruinous and ill judged resistance? We hoped that you would recover from the phrenzy which has distracted this unhappy country; and we believe the day to be now come, when the greater part of this continent begin to blush at their delusion. You who lie so much in our power, afford the most striking monument of our mercy, and therefore ought to set the first example of returning to allegiance.

Reflect on what gratitude requires of you; if that is sufficient to move you, attend to your own interest; we offer you a refuge against the distress, which you universally acknowledge, broods with increasing and intolerable weight over all your country,

Leaving you to consult with each other upon this invitation, we do now declare, that whosoever shall be found, and remain in peace at his usual place of residence, shall be shielded from any insult either in person or property, excepting such as bear office either in civil or military under your present usurped governments; of whom it will be further required, that they shall give proofs of their penitence and submission; and they shall then partake the like immunity.

Those whose folly and obstinacy may slight this favourable warning, must take notice, that they are not to expect a continuance of that lenity which their inveteracy would not render blameable.

Given on board his Majesty's ship
Camiila

Camilla in the Sound, the fourth Day of July, 1770.

GEORGE COLLIER.

WM. TRYON.

The above was sent by a flag to Col. Whiting.

COLONEL WHITING'S *Answer*.

Connecticut having nobly dared to take up arms against the cruel despotism of Britain, and the flames have now preceded their answer to your flag, they will persist to oppose to the utmost that power exerted against injured innocence.

SAMUEL WHITING, Col. Com.

Major General Tryon.

7th July, Sunset.

The JUSTIFYING MEMORIAL of the KING of GREAT BRITAIN, in Answer to the EXPOSITION, &c. of the Court of FRANCE. (See page 156.)

The ambition of a power, ever a foe to public tranquility, hath at length obliged the King of Great Britain to employ the strength which God and his people have confided to him, in a just and lawful war.—It is in vain that France endeavours to justify, or rather disguise, in the eyes of Europe, by her last Manifesto, the politics which seem to be dictated by pride and cunning, but which cannot be reconciled with the truth of facts, and the rights of nations. That equity, moderation, and love of peace, which have always regulated the steps of the King, now engage him to submit the conduct of himself and his enemies, to the judgment of a free and respectable tribunal, which will pronounce, without fear or flattery, the decree of Europe to the present age, and to posterity. This tribunal, composed of the understanding and disinterested men of all nations, will never regard professions; and it is from the actions of Princes, that they ought to judge of the motives of their conduct, and the sentiments of their hearts.

When the King ascended the throne, he enjoyed the success of his arms in the four quarters of the world! His moderation re-established public tranquility, at the same time that he supported with firmness the glory of his crown, and procured the most solid advantages to his people. Experience had taught him how bitter and afflictive even the fruits of victory are; and how much wars, whether happy or unsuccessful, exhaust a people without aggrandizing their Princes. His actions proved to the world, that he knew the value of peace, and it was at least to be presumed, that that reason which had enlightened him to discern the inevitable calamities of war, and the dangerous vanity of conquest, inspired him with the sincere and unshaken resolution of maintaining the public repose, of which he was himself the author and guarantee. These principles were the foundations of that conduct which his Majesty held invariably for the fifteen years which followed the peace concluded at Paris in 1763; that happy era of quiet and happiness, will be preserved for a long time, by the recollection, perhaps the regret, of the European nations. The instructions of the King to all his Ambassadors, were impressed with the marks of his character and maxims.

He recommended it to them, as the most important part of their duty, to listen, with the most scrupulous attention to the complaints, and representations of the powers, his neighbours or allies; to stifle in the beginning, all grounds of quarrel that might embitter or alienate the minds of men; to turn aside the scourge of war, by every expedient compatible with the dignity of the Sovereign of a respectable nation; and to inspire all people with a just confidence on the political system of a Court which detested war, without fearing it; which employed no other means than those of reason and sincerity,

erity, and which had no other object, but the general tranquillity. In the midst of this calm, the first sparks of discord were kindled in America. The intrigues of a few bold and criminal leaders, who abused the credulous simplicity of their countrymen, insensibly seduced the greater part of the English Colonies to raise the standard of revolt against the Mother Country, to which they were indebted for their existence and their happiness. The Court of Versailles easily forgot the faith of treaties, the duties of allies, and the right of Sovereigns, to endeavour to profit of circumstances, which appeared favourable to its ambitious designs. It did not blush to debate its dignity, by the secret connections it formed with rebellious subjects; and after having exhausted all the shameful resources of perfidy and dissimulation, it dared to avow, in the face of Europe (full of indignation at its conduct) the solemn treaty which the Ministers of the Most Christian King had signed with the dark agents of the English Colonies, who founded their pretended independence on nothing but the daringness of their revolt. The offensive Declaration which the Marquis de Noailles was ordered to make to the Court of London, on the 13th of March, in the last year, authorized his Majesty to repel, by force of arms, the unheard-of insult that was offered to the honour of his crown; and the King remembered, on that important occasion, what he owed his subjects and himself. The same spirit of imposture and ambition continued to reign in the councils of France.—Spain, who has, more than once, repented having neglected her true interests, to follow blindly the destructive projects of the elder branch of the House of Bourbon, was engaged to change the part of mediator, for that of enemy of Great Britain. The calamities of war are multiplied, but the Court of Versailles hath, hitherto, nothing to

boast of the success of its military operations; and Europe knows well how to rate those naval victories, which exist nowhere but in the Gazettes and Manifestos of pretended conquerors.

Since war and peace impose on nations, duties entirely different, and even opposite, it is indispensibly necessary to distinguish, in reasoning, as well as in conduct, the two conditions: but in the last Manifesto, published by France, these two conditions are perpetually confounded: she pretends to justify her conduct in making the best, by turns, nay, almost at the same time, of those rights which an enemy only is permitted to claim, and of those maxims which regulate the obligations and procedure of national friendship. The finess of the Court of Versailles, in blending incessantly two suppositions, which have no connection, is the natural consequence of a false and treacherous policy, which cannot bear the light of the day. The sentiments and conduct of the King have nothing to fear from the most severe scrutiny; but, on the contrary, invites it to distinguish clearly what his enemies have confounded with so much artifice. Justice alone can speak without fear, the language of reason and truth.

The full justification of his Majesty, and the indelible condemnation of France, may be reduced to the proof of two simple, and almost self-evident principles.—First, That a profound, permanent, and, on the part of England, a sincere and true peace; subsisted between the two nations, when France formed connections with the revolted Colonies, secret at first; but afterwards public and avowed.—Second, That according to the best acknowledged maxims, of the rights of nations, and even according to the tenor of treaties actually subsisting between the two crowns, these connections might be regarded as an infraction of the peace; and the public avowal of these connections

rections was equivalent to a declaration of war on the part of the Most Christian King.—This is, perhaps, the first time that a respectable nation had an occasion to prove two truths, so incontestible, the memory of which is already acknowledged by every disinterested and unprejudiced person.

“When Providence called the King to the throne, France enjoyed a most profound peace.” These are the expressions of the last Manifesto of the Court of Versailles, which easily remembers the solemn assurances of a sincere friendship, and the most pacific disposition which is received from his Britannic Majesty, and which were often renewed by the intervention of Ambassadors to the two Courts, during four years, until the fatal and decisive moment of the Declaration of the Marquis de Noailles. The question, then, is to prove, that during this happy time of general tranquility, England concealed a secret war under the appearance of peace; and that her unjust and arbitrary procedure was carried to such a pitch, as to render lawful, on the part of France, the boldest steps, which are permissible only in a declared enemy. To attain this object, griefs clearly articulated and solidly established, should be produced before the tribunal of Europe. This great tribunal will require formal, and, perhaps, repeated proofs of the injury, of the complaint, of a refusal of competent satisfaction, and of a protestation of the injured party, that it held itself highly offended by such refusal; and that it should look upon itself hereafter as released from the duties of friendship, and the bonds of treaties. These nations which respect the sanctity of oaths, and the advantages of peace are the slowest to catch hold of opportunities which seem to discharge them from a sacred and solemn obligation; and it is but with trembling that they dare to renounce the friendship of powers, from which they have long borne injustice and insult.

But the Court of Versailles hath been either ignorant of these wise and salutary principles, or it hath despised them; and, instead of fixing the foundations of a just and legitimate war, it hath contented itself to spread through every page of its Manifesto, general and vague complaints, expressed with exaggerations in a metaphorical style.—It goes above three score years back to accuse England of her want of care to ratify some commercial regulations, some articles of the treaty of Utrecht. It presumes so to reproach the King's Ministers with using the language of haughtiness and ambition, without condescending to the duty of proving imputations as unlikely as they are odious. The free suppositions of the ambition, and insincerity of the Court of London, are confessedly healed up, as if they feared to be discriminated; the pretended insults which the commerce, the flag, and the territories of France, have undergone, are insinuated in a very obscure manner, and at last there escapes an avowal of the engagement which the Most Christian King had already made with Spain, “to avenge their respective wrongs, and put bounds to the tyrannical empire which England had usurped, and pretended to maintain over every sea.”

It is difficult to encounter phantoms, or to answer closely and precisely to the language of declamation. The just confidence of the King, would doubtless desire to submit to the strictest examination, those vague complaints, those pretended wrongs, upon which the Court of Versailles has so prudently avoided to explain itself, with that clearness and particularity which alone could support its reasons, and excuse its conduct. During a fifteen years peace, the interests of two powerful, and perhaps jealous nations, which approached in so many places in the old and new world, would inevitably furnish subjects of complaint, and discussion,

which

which a reciprocal moderation would always know how to settle, but which are but too easily sharpened and impoisoned by the real hatred, or affected suspicions, of a secret and ambitious enemy: and the troubles of America were but too apt to multiply the hopes, the pretences, and the unjust pretensions of France. Nevertheless, such has been the ever uniform, and ever peaceable conduct of the King and his Ministers, that it hath often silenced his enemies; and if it may be permitted to discover the true sense of these indefinite and equivocal accusations, whose studied obscurity betrays the features to shame and artifice—if it may be permitted of contested objects which have no existence, it may be affirmed with the boldness of truth, that several of these pretended injuries, are announced for the first time, in a declaration of war, without having been proposed to the Court of London, at a time when they might have been considered with the serious and favourable attention of friendship. In respect to those complaints which the Ambassadors of his Most Christian Majesty have communicated from time to time to the King's Ministers, it would be easy to give, or rather to repeat satisfactory answers, which would demonstrate, to the eyes of France herself, the King's moderation, his love of justice, and the sincerity of his disposition to preserve the general tranquillity of Europe. Those complaints, which the Court of Versailles may dispense with recollecting, were very rarely founded in truth and reason; and it was most generally found that those persons in Europe, America, or on the sea, from whom an ill-founded and suspected intelligence was derived, had not been afraid to abuse the confidence of France, the better to serve her secret intentions.

If some facts, which France enhanced as the ground of her complaints, were built on a less brittle

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foundation, the King's ministers cleared them without delay, by a most clear and entire justification of the motives and rights of their Sovereign, who might punish a contraband trade on his coast, without wounding the public repose; and to whom the law of nations gave a lawful right to seize all vessels which carried arms or warlike stores to his enemies, or rebellious subjects. The courts of justice were always open to individuals of all nations, and those must be very ignorant of the British constitution, who suppose that the royal authority was capable to shut out the means of an appeal. In the vast and extended theatre of the operations of a naval war, the most active vigilance, and the most steady authority, are unable to discover or suppress every disorder; but every time that the Court of Versailles was able to establish the truth of any real injuries that its subjects had sustained, without the knowledge or approbation of the King, his Majesty gave the most speedy and effectual orders to stop an abuse, which injured his own dignity, as well as the interest of his neighbours, who had been involved in the calamities of war. The object and importance of this war will suffice to shew all Europe, on what principles the political proceedings of England ought to be regulated. Is it likely, that whilst England employed her forces to bring the revolted Colonies of America back to their duty, she should have chosen that moment to irritate the most respectable powers of Europe, by the injustice and violence of her conduct? Equity hath always governed the sentiments and conduct of the King, but on this important occasion, his very prudence is a warrant for his sincerity and moderation.

But to establish clearly the pacific system that subsists between the two nations, nothing more is wanting than to appeal to the very testimony of the Court of Versailles. At the very time in which it doth not blush to place all these pretended infrac-

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tions of the public peace, which would have engaged a prince less sparing of his subjects blood, to make, without hesitation, reprisals, and to repel insult by force of arms, the Minister of the Most Christian King spoke the language of confidence and friendship. Instead of denouncing any design of vengeance, with that haughty tone, which at least spares injustice from the reproaches of perfidy and dissimulation, the Court of Versailles concealed the most treacherous conduct under the smoothest professions. But those very professions serve, at present, to belie its declaration, and to call to mind those sentiments which ought to have regulated its conduct. If the Court of Versailles is unwilling to be accused of a dissimulation unworthy of its grandeur, it will be forced to acknowledge, that till the moment that it dictated to the Marquis de Noailles, that Declaration, which has been received as the signal of war, it did not know any grounds of complaint, sufficiently real or important, to authorize a violation of the obligations of peace, and the faith of treaties, to which it had sworn in the face of heaven and earth; and to disengage from that amity, to which, to the last moment, it had repeated the most solemn and lively assurances.

When an adversary is incapable of justifying his violence in the public opinion, or even in his own eyes, by the injuries which he pretends to have received, he has recourse to the chimerical danger to which his patience might have been exposed; and in the place of facts, of which he is totally unprovided, he endeavours to substitute a vain picture, which hath existence only in his own imagination, perhaps his own heart. The Minister of the Most Christian King, who seems to have felt the weakness of the means they were forced to employ, yet make impotent efforts to support those means, by the most odious and unaccountable suspicions. "The Court of London made preparations

in its ports, and armaments, which could not have America for their object. Their intention was consequently, too well determined for the King to mistake them, and from thence it became their duty to make such dispositions, as were capable of preventing the evil designs of his enemy, &c.—In this state of affairs, the King found he had not a moment to lose." This is the language of *France*; now we will shew that of *truth*.

During the disputes which had arisen between Great Britain and her Colonies, the Court of Versailles, applied itself, with the most lively and determined ardor, to the augmentation of her marine. The King did not "pretend to reign as a tyrant of the seas," but knows that, at all times, maritime forces have constituted the glory and safety of his dominions; and that they have often protected the liberty of Europe, against the ambitious state, which hath so long laboured to subdue it.

A sense of his dignity, and a just knowledge of his duty and his interest, engaged his Majesty to watch, with an attentive eye, over the proceedings of France, whose dangerous policy, without a motive, and without an enemy, precipitated the building and arming of ships in all her ports; and which employed a considerable part of her revenues in the expence of those military preparations, the necessity or object of which it was impossible to declare. In that conjuncture the King could not avoid following the counsel of his prudence, and the example of his neighbours. The successive augmentation of their marine served as a rule for his; and without wounding the respect that he owed to friendly powers, his Majesty declared publicly to his Parliament, that England should be in a respectable state of defence. The naval force which he had so carefully strengthened, was designed only to maintain the general tranquility of Europe; and whilst the dictates of his own conscience disposed the King to give

give credit to the professions of the Court of Versailles, he prepared to have nothing to fear from the perfidious designs of its ambition. France now dares to suppose that the King, "instead of confining himself within the limits of a lawful defence, gave himself up to a hope of conquest, and that the reconciliation of Great Britain with her Colonies, announced, on her part, a fixed project of re-allying them with her crown, to arm them against France." Since, then, that the Court of Versailles cannot excuse its procedure, but in favour of a supposition destitute of truth and likelihood, the King hath a right to call upon that Court, in the face of Europe, to produce a proof of an assertion as odious as bold; and to develop those public operations, or secret intrigues, that can authorise the suspicions of France, that Great Britain, after a long and painful dispute, offered peace to her subjects, with no other design than to undertake a fresh war against a respectable power, with which she had preserved all the appearances of friendship.

After having faithfully exposed the frivolous motives, and pretended wrongs of France, we can reflect, with a certainty, justified, by reason and by fact, on the first proposition, so simple and so important.—That a peace subsisted between the two nations, and that France was bound by every obligation of friendship and treaty with the King, who had never failed in his legitimate engagement.

The first article of the treaty signed at Paris, the 10th of February 1763, between his Britannic, Most Christian, Catholic, and Most Faithful Majesties, confirms, in the most precise and solemn manner, the obligations which natural justice imposes on all nations which are in mutual friendship; but these obligations are specified and stipulated in that treaty by expressions as lively as they are just.—After having comprised, in a general form, all the States and subjects of the High Contracting

Powers, they declared their resolution "not only never to permit any hostilities by land or sea, but even to procure reciprocally, on every occasion, all that can contribute to their mutual glory, interest, and advantages, without giving any succour or protection, directly or indirectly, to those who would do any prejudice to one or other of the high contracting parties." Such was the sacred engagement which France contracted with Great Britain; and it cannot be disguised, that such a promise ought to bind with greater strength and energy against the domestic rebels, than the foreign enemies of the two crowns. The revolt of the Americans put the fidelity of the Court of Versailles to a proof, and notwithstanding the frequent examples that Europe hath already seen of its little regard to the faith of treaties, its conduct in these circumstances astonished and enraged every nation which was not blindly devoted to the interests, and even to the caprices of France. If France had intended to fulfil her duty, it was impossible for her to have mistaken it; the spirit as well as the letter of treaty of Paris, imposed on her an obligation to bar their ports against the American vessels; to forbid her subjects to have any commerce with that rebellious people; and not to afford either succour or protection to the domestic enemies of a crown with which she had sworn a sincere and inviolable friendship. But experience had too well enlightened the King in regard to the political system of his antient adversaries, to suffer him to hope that they would conform exactly to those just and reasonable principles, which would have assured a general tranquility.

As soon as the revolted colonies had completed their criminal enterprise, by an open declaration of their pretended independence, they thought to form secret connections with the powers who were the least favourable to the interests of their mother country; and to draw from

Europe those military aids, without which it would have been impossible for them to have supported the war they had undertaken. Their agents endeavoured to penetrate into, and settle in the different states of Europe; but it was only in France that they found an asylum, hopes, and assistance. It is beneath the King's dignity to enquire after the era, or the nature of the correspondence that they had the address to contract with the Ministers of the Court of Versailles, and of which the public effects were soon visible in the general liberty, or rather unbounded licence of an illegitimate commerce. It is well known that the vigilance of the laws cannot always prevent artful illicit traders, who appear under a thousand different forms, and whose avidity for gain makes them brave every danger, and elude every precaution: but the conduct of the French merchants, who furnished America not only with useful and necessary merchandize, but even with saltpetre, gunpowder, ammunition, arms, and artillery, loudly declared that they were assured not only of impunity, but even of the protection and favour of the Ministers of the Court of Versailles.

An enterprize so vain and so difficult, as that of hiding from the eyes of Great Britain, and of all Europe, the proceedings of a commercial company, associated for furnishing the Americans with whatever could nourish and maintain the fire of a revolt, was not attempted. The informed public named the chief of the enterprize, whose house was established at Paris; his correspondents at Dunkirk, Nantz, and Bourdeaux, were equally known. The immense magazines which they formed, and which they replenished every day, were laden in ships that they built or bought, and they scarcely dissembled their objects, or the place of their destination. These vessels commonly took false clearances for the French islands in

America, but the commodities which composed their cargo were sufficient, before the time of their sailing, to discover the fraud and the artifice. These suspicions were quickly confirmed by the course they held; and at the end of a few weeks, it was not surprizing to hear they have fallen into the hands of the King's officers cruising in the American seas, who took them even within sight of the coasts of the revolted colonies. This vigilance was but too well justified by the conduct of those who had the luck or cunning to escape it; since they approached America only to deliver the rebels the arms and ammunition which they had taken on board for their service. The only marks of these facts, which could be considered only as manifest breaches of the faith of treaties, multiplied continually, and the diligence of the King's Ambassador to communicate his complaints and proofs to the Court of Versailles, did not leave him the shameful and humiliating resource of appearing ignorant of what was carried on, and daily repeated in the very heart of the country. He pointed out the names, number, and quality of the ships, that the commercial agents of America had fitted out in the ports of France, to carry to the rebels arms, warlike stores, and even French officers, who had engaged in the service of the revolted Colonies. The dates, places and persons were always specified, with a precision that afforded the Ministers of his most Christian Majesty the greatest facility of being assured of these reports, and of stopping in time the progress of these illicit armaments. Amongst a crowd of examples, which accuse the Court of Versailles of want of attention to fulfil the conditions of peace, or rather its constant attention to nourish fear and discord, it is impossible to enumerate them all; it is very difficult to select the most striking objects. Nine large ships, fitted

fitted out and freighted by the Sieur de Beaumarchais, and his partners, in the month of January, 1777, are not confounded with the Amphitrite, who carried about the same time a great quantity of ammunition, and thirty French officers, who passed with impunity into the service of the rebels. Every month, almost every day, furnished new subjects of complaint; and a short Memorial that Viscount Stormont, the King's Ambassador, communicated to the Count de Vergennes, in the month of November, in same year, will give a just, but very imperfect idea of the wrongs which Britain had so often sustained—"There is a sixty gun ship at Rochfort, and an East India ship, pierced for sixty guns, at L'Orient. These two ships are destined for the service of the rebels. They are laden with different merchandize, and freighted by Messrs. Chaumont, Holken, and Sebatier.—The ship L'Heureux, sailed from Marseilles the 26th of September, under another name: she goes streight to New Hampshire, though it is pretended she is bound to the French islands. They have been permitted to take on board three thousand musquets, and 25000 pounds of sulphur, a merchandise as necessary to the Americans as useles to the island. This ship is commanded by M. Lundi, a French officer of distinction, formerly Lieutenant to M. de Bouganville.—L'Hippopotame, belonging to the Sieur Beaumarchais, will have on board four thousand musquets, and many warlike stores for the use of the rebels.—There are about fifty French ships laden with ammunition for the use of the rebels, preparing to sail to North America. They will go from Nantz, L'Orient, St. Malo, Havre, Bourdeaux, Bayonne, and other different ports.—These are the names of some of the persons principally interested; M. Chaumont, M. Menton, and his partners, &c. &c.

In this kingdom where the will

of the Prince meets with no obstacle, succours, so considerable, so public, so long supported; in fine, so necessary to maintain the war in America, shew clearly enough the most secret intentions of the Most Christian King's Ministers. But they still carried further their forgetfulness, or contempt of the most solemn engagements, and it was not without their permission that an underhand and dangerous war issued from the ports of France, under the deceitful mask of peace, and the pretended flag of the American colonies. The favourable reception that their agents found with the Ministers of the Court of Versailles, quickly encouraged them to form and execute the audacious project of establishing a place of arms in the country, which had served them for an asylum. They had brought with them, or knew how to fabricate letters of marque, in the name of the American Congress, who had the impudence to usurp all the rights of sovereignty. The partnership, whose interested views, easily embarked in all their designs, fitted out ships that they had either built or purchased. They armed them to cruize in the European seas, nay, even on the coasts of Great Britain. To save appearances, the Captains of these corsairs hoisted the pretended American flag, but their crews were always composed of a great number of Frenchmen, who entered, with impunity, under the very eyes of their Governors and the officers of the maritime provinces. A numerous swarm of these corsairs animated by a sport of rapine, sailed from the ports of France, and after cruising in the British seas, re-entered, or took shelter in the same ports. Thither they brought their prizes, and under a rude, weak artifice, which they sometimes vouchsafed to employ, the prizes were sold publicly and commodiously enough, in the sight of the royal officers, always disposed to protect the commerce of those traders, who violated the

the laws, to conform to the French Ministry. The corsairs enriched themselves with the spoils of the King's subjects; and after having profited of full liberty to repair their losses, provide for their wants, and procure all warlike stores, gunpowder, cannon, and rigging, which might serve for new enterprises, they departed freely from the same ports, to make new cruizes. The history of the Reprisal privateer may be cited from a crowd of examples, to set the unjust, but scarcely artificial, conduct of the Court of Versailles in a clear light. This ship, which had brought Mr. Franklin, agent of the revolted colonies to Europe, was received, with two prizes she had taken in her passage. She remained in the port of Nantz, as long as she thought convenient; put twice to sea to plunder the King's subjects, and came quietly into L'Orient with the new prizes she had made.

Notwithstanding the strongest representation of the King's Ambassador; notwithstanding the most solemn assurances of the French Ministers. The Captain of that corsair was permitted to stay at L'Orient as long as it was necessary to refit his ship, to provide sixty barrels of gunpowder, and to receive as many French seamen, as chose to engage with him. Furnished with these reinforcements, the Reprisal failed a third time from the ports of their new allies, and presently formed a little squadron of pirates, by the concerted junction of the Lexington and the Dolphin, two privateers; the first of which had already carried more than one prize into the river of Bourdeaux; and the other, fitted out at Nantz, and manned entirely by Frenchmen, had nothing American, but the Commander. These three ships, which so publicly enjoyed the protection of the Court of Versailles, in a short time afterwards took fifteen British ships, the greatest part of which were brought into the ports of France,

and secretly sold.—Such facts, which it would be easy to multiply, stand instead of reasonings and reproaches. The faith of treaties cannot avoid being called upon, on this occasion; and it is not necessary to shew that an allied, or even a neutral power, can ever permit war, without violating peace. The principle of the law of nations, will, doubtless, refuse to the Ambassador of the most respectable power that privilege of arming privateers, which the Court of Versailles granted under-hand, in the very bosom of France, to the agents of rebels. In the French islands, the public tranquility was violated in a manner yet more audacious, and notwithstanding the change of the Governor, the ports of Martinico served always as a shelter to corsairs who cruized under American colours, but manned by Frenchmen. Mr. Bangham, agent for the rebels, who enjoyed the favour and confidence of two successive Governors of Martinico, directed the arming of those privateers, and the public sale of their prizes. Two merchant ships, the Lancashire Hero, and the Irish Gambier, which were taken by the Revenge, assures, that out of her crew, consisting of 125 men, there were but two Americans; and that the owner, who at the same time was proprietor of eleven other privateers, acknowledged himself to be an inhabitant of Martinico, where he was looked upon as the favourite, and the secret agent of the Governor himself.

In the midst of all these acts of hostility, (which it is impossible to call by any other name) the Court of Versailles continued always to speak the language of peace and amity, and its Ministers exhausted all the sources of artifice and dissimulation, to lull the just complaints of Great-Britain, to deceive her just suspicions, and to stop the effects of her just resentment. From the first era of the American troubles, to the moment of a declaration of war by the Marquis de Noailles, the Minister

ters of the Most Christian King never ceased to renew the strongest and most expressive protestations of their pacific dispositions; and, however, the common conduct of the Court of Versailles was adapted to inspire a just doubt, yet his Majesty's just heart furnished him with powerful motives to believe, that France had at length adopted a system of moderation and peace, which would perpetuate the solid and reciprocal happiness of the two nations. The Ministers of the Court of Versailles endeavoured to excuse the arrival and residence of the rebels agent, by the strongest assurances, that he found only a simple asylum in France, without either distinction or encouragement.

The freedom of commerce, and the thirst of gain, serve sometimes as pretexts to cover the illegitimate designs of the subjects of France; and at a time when they vainly alledged the importance of the laws to prevent abuses, which neighbouring states know so well how to suppress, they condemned, with every appearance of sincerity, the transportation of arms and ammunition, which she permitted with impunity, for the service of the Rebels. To the first representation of the King's Ambassador upon the subject of the privateers, which were fitted out in the ports of France under American colours, the Ministers of his Most Christian Majesty, replied, with expressions of surprise and indignation, and by a positive declaration, that attempts, so contrary to the faith of treaties, and the public tranquility, should never be suffered. The train of events, of which a small number hath been shewn, soon manifested the inconsistency, or rather the falsehood of the Court of Versailles; and the King's Ambassador was ordered to represent to the French Ministers the serious, but inevitable consequences of their policy. He fulfilled his commission with all the consideration due to a respectable power, the preservation of whose friendship was desired, but

with a friendship worthy of a Sovereign, and a nation little accustomed to do, or to suffer injustice. The Court of Versailles was called upon to explain its conduct, and its intentions, without delay or evasion; and the King proposed to it the alternative of peace or war.—France chose peace, in order to wound her enemy more surely and secretly, without having any thing to dread from her justice. She severely condemned those succours and those armaments, that the principles of public equity would not permit her to justify. She declared to the King's Ambassador, that she was resolved to banish the American corsairs immediately from all the ports of France, never to return again; and that she would take, in future, the most rigorous precautions to prevent the sale of prizes taken from the subjects of Great-Britain. The orders given to that effect astonished the partizans of the Rebels, and seemed to check the progress of the evil; but subjects of complaint sprung up again daily; and the manner in which these orders were first eluded, then violated, and at length entirely forgotten, by the merchants, privateers, nay, even by the royal officers, were not excusable by the protestations of friendship, with which the Court of Versailles accompanied those infractions of peace, until the very moment that the treaty of alliance, which it had signed with the agents of the revolted American colonies, was announced by the French Ambassador in London.

If a foreign enemy, acknowledged by all the powers of Europe had conquered the King's American dominions, and if France had confirmed by a solemn treaty, an act of violence, that had plundered in the midst of a profound peace, a respectable neighbour, of whom she styled herself the friend and ally, all Europe would stand up against the injustice of a conduct which shamefully violated all that is most sacred among men. The first discovery, the uninterrupted pos-

session.

session of two hundred years, and the consent of all nations, were sufficient to ascertain the rights of Great Britain over the lands of North America, and its sovereignty over the people that had settled there with the permission, and under the government of the King's predecessors. If even this people had dared to shake off the yoke of authority, or rather off the laws, if they had usurped the provinces and prerogatives of their Sovereign; and if they had sought the alliance of strangers to support their pretended independence; those strangers could not accept their alliance, ratify their usurpations, and acknowledge their independence, without supposing that REVOLT hath more extensive rights than those of WAR; and without granting to rebellious subjects a lawful title to conquest, which they could not have made but in contempt of both law and justice. The secret enemies of peace, of Great Britain, and perhaps of France herself, had nevertheless the criminal dexterity to persuade his Most Christian Majesty, that he could, without violating the faith of treaties, publicly declare, that he received the revolted subjects of a King, his neighbour and ally, into the number of his allies. The professions of friendship which accompanied that declaration, which the Marquis de Noailles was ordered to make to the Court of London, only serve to aggravate the injury by the insult; and it was reserved for France to boast of pacific dispositions in the very instant that her ambition instigated her to execute and avow an act of perfidy, unexampled in the history of nations. Yet, such as the Court of Versailles dares allow itself to use, "Yet it would be wrong to believe that the acknowledgment that the King has made of the independence of the Thirteen United States of North America, is what has enraged the King of England: that Prince is, without doubt, not ignorant of all the examples of the like kind that the British

annals, even of his own reign, do furnish."—But these pretended examples do not exist.—The King never acknowledged the independence of a people, who had shaken off the yoke of their lawful prince; it is doubtless very afflicting that the Ministers of his Most Christian Majesty, have cheated the piety of their sovereign, to cover, with so respectable a name, assertions without any foundation or likelihood, which are contradicted by the memory of all Europe.

At the commencement of the disputes which arose between Great-Britain and her Colonies, the Court of Versailles declared, that it did not pretend to be a judge of the quarrel, and its ignorance of the principles of the British constitution, as well as the privileges and obligations of the colonies, ought to have engaged it to persist always in such a wise and modest declaration, that would have spared it the shame of transcribing the Manifestos of the American Congress, and of pronouncing now, "That the proceedings of the Court of London had compelled its antient colonies to have recourse to arms for the maintenance of their rights, their privileges, and their liberty. These vain pretensions have been already refuted in the most convincing manner, and the rights of Great Britain over that revolted people, her benefactions, and her long patience, have been already proved by reason and by facts. It is sufficient here to remark, that France cannot take any advantage of the injustice with right, and in fact is the object of dispute. And the King's dignity will not permit him to accept of those proposals, which, from the very beginning of a negociation, grants all that can satisfy the ambition of the rebellious Americans, whilst they exact from his Majesty, without any stipulation in his favour, that he should desist, for a long or indefinite term, from his most lawful pretensions. It is true, the Court of Versailles vouchsafed to consent, that the Court of London might

might treat with the Congress, either directly, or by the intervention of the King of Spain. His Majesty, certainly, will not so much demean himself as to complain of that insolence, which seems to grant him, as a favour, the permission of treating directly with his rebellious subjects. But the Americans themselves are not blinded by passion and prejudice, they will see clearly in the conduct of France, that their new allies will soon become their tyrants, and that that pretended independence, purchased at the price of so much misery and blood, will be soon subjected to the despotic will of a foreign Court.

If France could verify that eagerness which she attributes to the Court of London, to seek the mediation of Spain, a like eagerness would serve to prove the King's just confidence in the goodness of his cause, and his esteem for a generous nation which hath always despised fraud and perfidy. But the Court of London was obliged to own, that the mediation was offered to it by the Ministers of the Catholic King, and it claims no other merit, than that of having shown, on all occasions, a lively and sincere inclination to deliver its subjects, nay even its enemies from the scourge of war. The conduct of the Court of Madrid, during that negotiation, soon shewed the King that a mediator, who forgets his own dearest interests, to give himself up to the ambition, or resentment of a foreign power, must be incapable of proposing a safe or honourable accommodation. Experience confirmed these suspicions; the unjust and inadmissible scheme just mentioned, was the sole fruit of this mediation. In the same instant that the Ministers of the Catholic King offered, with the most disinterested professions, his capital, his good offices, his gauranty, to facilitate the conclusion of the treaty, they suffered to appear from the bottom of obscurity new subjects for discussing, particularly relative to Spain,

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but upon which they always refused to explain themselves. His Majesty's refusal to accede to the *ultimatum* of the Court of Madrid, was accompanied with all convenient precautions and respect: and, unless, that Court will arrogate to itself a right to dictate conditions of peace to an independent and respectable neighbour, there was nothing passed in that conjuncture, which ought to have altered the harmony of the two Crowns. But the offensive measures of Spain, which she could never cloath with the fairest appearances of equity, will soon show that she had already taken her resolutions; had been instigated by the French Ministry, who had only retarded the Declaration of the Court of Madrid, from the hope of giving a mortal blow to the honour and interest of Great Britain under the mask of friendship.

Such are the unjust and ambitious enemies, who have despised the faith of treaties, to violate the public tranquillity, and against whom the King now defends the rights of his Crown and people. The event is yet in the hands of the Almighty; but his Majesty, who relies upon the divine protection, with a firm but humble assurance, is persuaded that the wishes of Europe will support the justice of his cause, and applaud the success of his arms, which have no other object than to establish the repose of nations on a solid and unshaken basis.

But France herself appears to feel the weakness, the danger, and the indecency of these pretensions; when, in the declaration of the Marquis de Noailles, as well as in her last Manifesto, she quits her hold on the right of independence: she is content to maintain, that the revolted Colonies enjoy *in fact*, that independence they have bestowed on themselves; that even England herself, in some sort acknowledges it, in suffering acts of sovereignty to subsist, and that therefore, France without any violation of

peace, might conclude a treaty of friendship and commerce with the United States of North America.— Let us see in what manner Great Britain had acknowledged that independence, equally imaginary in right, as in fact. Two years had not yet elapsed from the day in which the rebels declared their criminal resolution of shaking off the yoke of their mother country; and that time had been occupied by the events of a bloody and obstinate war. Success had hung in suspense, but the King's army, which possessed the most important maritime towns, continue always to menace the interior provinces. The English flag reigned over all the American seas, and the re-establishment of a lawful dependence, was fixed as the indispensable condition of the peace, which Great Britain offered to her revolted subjects, whose rights, privileges, nay even whose prejudices she respected. The Court of Versailles, which announced, with so much openness and simplicity, the treaty signed with the pretended States of America, which it found in an independent situation, had alone contributed, by its clandestine succours, to foment the fire of revolt; and it was the dread of peace that engaged France to employ the rumour of that alliance, as the most effectual means to inflame the minds of the people who began already to open their eyes upon the unfortunate consequences of the revolt, the tyranny of their new leaders, and the paternal disposition of their lawful Sovereign.

Under such circumstances it is impossible, without insulting in too gross a manner both truth and reason, to deny that the declaration of the Marquis of Noailles, of the 13th of March, 1778, ought to be received as a true declaration of war on the part of the most Christian King; and the assurances "that he had taken eventual measures, in concert with the United States of America, to maintain

a freedom of commerce," which had so often excited the just complaints of Great Britain, authorized the King, from that moment, to rank France in the number of his enemies. The Court of Versailles could not avoid acknowledging that the King of England, after having "recalled his Ambassador, denounced to his Parliament the measures taken by his Majesty, as an act of hostility, as a formal and premeditated aggression." Such was, indeed, the declaration which both honour and justice demanded from the King, and which he communicated, without delay, to the Ministers of the different Courts of Europe, to justify beforehand the effects of a lawful resentment. From then it is useless to seek for orders, that were sent to the East-Indies, to remark the precise day when the fleets of England or France quitted their respective ports; or, to scrutinize into the circumstances of the action with the *Belle Poule*, and the taking two other frigates, which were actually carried off in sight of the very coast of France. Hence the reproach made to the King of having, so long suspended a formal declaration of war, vanishes of itself. These declarations are only the measures that nations have reciprocally agreed on, to avoid treachery and surprize; but the ceremonies which announce the terrible exchange of peace for war, the Heralds' declarations and manifestos are not always necessary, are not always alike. The declaration of the Marquis de Noailles was a signal of the public infraction of the peace. The King directly proclaimed to all nations that he accepted the war which France offered; the last proceedings of his Majesty were rather the spring of his prudence, than his justice, and Europe may now judge if the Court of London wanted means to "justify a declaration of war, and if she did not dare to accuse France, publicly, of being the aggressor."

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