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REPORTS OF CONRAD ALEXANDRE GERARD, MINISTER
PLENIPOTENTIARY TO AMERICA, 1778-1779, FROM
HIS MOST CHRISTIAN MAJESTY, LOUIS
XVI, KING OF FRANCE

(Continued)

Ill luck continued to attend upon His Majesty's Commission for restoring peace. It cannot be denied, however, that their conciliatory offers were hailed with joy by Tory proprietors whose property had been confiscated, while latent distrust for England's ancient enemy, together with dread of the latter's Roman Catholic influence, were fanned into flame in many a loyal breast by the prejudiced utterances of the Commissioners against America's new ally. On the other hand, every measure which they brought forward, every disparaging utterance which they permitted themselves, tended to unite the friends of liberty more firmly to the principles of independence and of the Alliance. Indeed it would be hard to conceive of any measure which could have been devised by the Government of Great Britain capable of giving such consistency and strength to the patriot cause as that of sending over such a commission.

Gérard, in his 17th. report, dated August 22, 1778, gives an account of the political situation at that moment. He says :

The deputies of Maryland and Pennsylvania tell me that a great number of citizens who had before refused to take the oath of the states, have presented themselves for admittance, since the character of my mission has been known. It has been the policy of the English to persuade their partisans that the fleet of the king had no other object than to protect the opera-

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tions of our commerce destined to reimburse the king for the sums which His Majesty had advanced to the Americans. I neglect nothing, Mgr. to fortify the impression of the inestimable advantages which the declaration and the open assistance of France have procured the Americans, and every day adds to the conviction that the wisdom of His Majesty has chosen the most favorable moment, and perhaps the only moment when a coalition could have been prevented between England and America. Many members of Congress have avowed to me that the manifesto of the 26th of April, by which the conciliatory bills were rejected in advance, was on its part, a *coup de désespoir*, to offset the pernicious effects which it dreaded from the future and from the manœuvres of the commissioners.

The manifesto here alluded to, which was published six days before news of the French Alliance reached Congress, is so remarkable a document that it requires special mention. It was brought in as a report by a committee appointed by Congress to consider a paper sent to that body by George Washington, and which contained what "purported to be the draught of a bill . . . to enable the king of Great Britain to appoint commissioners with power to treat, consult and agree upon the means of quieting certain disorders within the said states." ¹ The report says in part:

The wickedness and insincerity of the enemy appear from the following considerations:

1. Either the bills now to be passed contain a direct or indirect 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 assent. . . .

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 men-

¹ See *Jour. of Cong.*, Lib. of Cong. edition, Vol. X, p. 374.

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tioned ; but such treaties or agreements are to be of no validity, without the concurrence of the said parliament, except in 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 to set aside any such treaty, and taking advantage of any circumstances which may arise, to subject these colonies to their usurpations.

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 favorable issue. . . .

Upon the whole matter, the committee beg leave to report it as their opinion, that as Americans . . . any men, or body of men, who should presume to make any separate or partial convention or agreement with commissioners under the crown of Great Britain, . . . ought to be considered as opponents, avowed enemies of these United States, unless Great Britain shall, as a preliminary thereto, either withdraw her fleets and armies, or else, in positive and express terms, acknowledge the independence of the said states.

Since the publication of this manifesto in April 1778, the disposition of Congress towards any conciliatory measures of Great Britain, had remained unchanged. The particular danger of the situation as Gérard saw it in August of the same year, lay, not so much in the likelihood that a few weakening members would cause Congress to recede from their position, as in the insidious measures of the Commissioners who sought to entrap them unawares. It required all the vigilance of the experienced and cautious French diplomat, to save them from these hidden snares.

As has been seen in the forgoing chapter, the intention of Congress was to ignore whatever was addressed to it

by the Commissioners. It was in pursuance of this policy that their communication of the 11th of July had been left unanswered. The sudden move on the part of the Commissioners in ratifying the Convention of Saratoga, threw them off their guard.

This unexpected presentation of a new topic occasioned long debate in Congress, where unity of action was difficult to attain. In the mean time, while the President was informing himself through conversations with the French Minister, regarding the principles involved, Congress, roused to indignation by what it termed "daring and atrocious attempts to corrupt its integrity", was hurried into an act, from the consequences of which, as will soon be shown, it had great difficulty in extricating itself.

The matter was as follows. George Johnstone, former Governor of West Florida, now member of the British Commission, had rendered himself particularly obnoxious to the leaders in Congress, by direct and indirect attempts at bribery. On the 11th of August, while still undecided what action to take regarding the ratification of the Convention of Saratoga, Congress drew up a "Declaration", couched in very strong language, in which was set forth the contents of the offending letters, with an account of the actions of the said Johnstone. To this Declaration was appended the following resolution: "*Resolved*, that it is incompatible with the honor of Congress to hold any manner of correspondence or intercourse with the said Governor Johnstone Esq., especially to negotiate with him upon affairs in which the cause of liberty is interested." The Declaration and the Resolution were signed by the President of Congress, and sent under a flag of truce to the British Commissioners, who received it in New York, August 18. Nothing could have better answered their purpose. They were quick to see that in singling out one of their number as wholly unacceptable, Congress had laid itself under a sort of obliga-

tion to admit the rest. For an account of what follows let us return to the reports of Gérard.

On September 1st. he writes in his 21st. report :

A new declaration on their part (that of the British Commissioners) arrived yesterday, accompanied by a letter of the Secretary, Dr. Ferguson, to the President of Congress. The same package contained a personal declaration of Mr. Johnstone, by which he shows joy over the exclusion which Congress makes regarding him, and their resolution not to treat with him. . . . The declaration of the other Commissioners, the Earl of Carlisle, General Clinton, and Wm. Eden, is also enclosed; this letter commences by an equivocal acceptance of the exclusion of Mr. Johnstone, and, under pretext of justifying that Commissioner, passes to details whose object is to persuade the Americans that they have been wrong to ally themselves with France, whose design is to betray them. This letter is so lacking in logic, sense and truth, that it would have been more difficult for me to analyse it than to dictate the translation, which you will find inclosed. I did it last night, the President of Congress having confided the originals to me the moment of their reception.

This chief had a very long interview with me regarding the contents of these documents their purpose and their consequence, as well as the manner in which Congress should reply. He gave me to understand that several members had stopped the resolutions of Congress, because they were of opinion that the ratification of the Convention of Saratoga by the Commissioners would be an indirect recognition of independence. I saw at once that here as elsewhere, those men who tax their ingenuity to invent political refinements, have ordinarily the talent to make themselves heard, and so to obstruct a simple and solid progress. It is unnecessary to give in detail our conversation. Let it suffice to say that as Mr. Laurens persists in his sentiments, and as a great number of delegates seem disposed to go even farther, he has asked me to aid him with my pen and directly with a few members. I agreed to do both on condition that my writings shall pass as his own if he adopts them, and be burned if he does not adopt them.

In drawing them up I put myself in the state of mind which should animate Congress. . . . I will not indicate here more than a few points which may help you to arrive at an opinion :

1st. The Commissioners have not the power to ratify, which power emanates from the Crown alone, and belongs to its prerogative.

2nd. Supposing that they should ratify, their commission and their bills testify that they lack the authority, and that their ratification would have to be ratified not only by the king but also by Parliament.

3rd. All ratification is, by its nature, reserved to the Crown.

4th. The ratification of a military convention bears no recognition of sovereignty. History furnishes a thousand proofs. . . .

5th. It is doubtless important to force England to surmount another repugnance, which belongs to her system of humiliating the United States and Congress : but it is from herself that this act must be obtained, and not from commissioners who have not the power to accord it.

6th. After the solemn declaration of Congress to the English Commissioners it would be to lower the dignity of the United States, to betray the rights of sovereignty and independence, if they were to treat upon other titles than those which the rights of man and the usage of sovereign states admit ; that to negotiate upon simple domestic letters-patent limited in their style and in their effects, would carry with it a shameful mark of subordination.

7th. The civil law of England declares that the king is not bound to hold to treaties made with rebels. The conduct of the Crown and of its officers, having constantly conformed to this maxim . . . the United States cannot count upon the public faith of England until she shall have recognized their independence in the face of the universe.

8th. England will never seriously think of recognizing the independence of the states while Congress shows itself willing to treat with domestic commissioners, whose powers and whose existence even, have no other foundation than conciliatory bills ; the United States would, with reason, always have the reputa-

tion of admitting such bills as acceptable objects of negotiation. It seems that so to act would be equivalent to turning ones back upon one's object, and to creating the greatest obstacles which one's dearest interests could experience. The commission has no longer either powers or instructions, that is to say, it no longer exists, from the moment that the United States declares that it will not treat with it except upon the basis of Independence.

These, Mgr., are the principal considerations which will be presented to Congress, and which it seems, should determine its resolutions upon this point, and lead it to rectify the error into which it was drawn by its resentment against Mr. Johnstone. It did not perceive that in declaring it would not treat with that commissioner, it tacitly engaged itself to treat with the others. It feels its fault, and one must believe, it wishes to repair it.

As to the insinuations, equally false as crafty, made against France, if they were not so affected and so solemn, they would be beneath notice; but in a government like this, every possible avenue must be closed to the entrance of pernicious prejudices among the people. It is therefore agreed to employ writers to reply. I shall try to suggest the manner, because I have not yet found the way to get a sight of the articles before they are printed.

The package from the British Commissioners contained also a letter from a Mr. Temple, who announces he has permission from the English Generals to come to Philadelphia and present his respects to Congress. This man was employed formerly in the American customs but was driven out. He is clever and without principle, and worthy to be used in underhanded designs. I have pointed out to Congress that he can only be a secret emissary, substituted for the practices of Mr. Johnstone, or a species of dependent which they wish to attach as spy to my steps; that if he were attached to any commission, even secret, the rule in times of war requires that he announce it before setting foot upon the territory of the United States.

I am so affected, Mgr., with the importance of all that tends to entertain a thread of liason or correspondence with Great

Britain, that I have no doubt you will judge these details important. I shall not be tranquil until Congress shall have resolved not to admit any agents on the part of Great Britain, who do not come furnished with letters of credit in diplomatic form.

It is with regret, Mgr., that I see myself forced, because of the uncertainty and scarcity of means of communication, to address to you, twelve hundred leagues distant, such incomplete relations; but you will at least, find therein some matter of information and the proof of my zeal and application.

I am, with profound respect, etc.,

GÉRARD.

The first public allusion to the above-mentioned Mr. Temple is to be found in the *Penna. Packet* for July 16, 1778, where, under the heading, LONDON, *April 21st.*," is a paragraph which runs: "Yesterday morning, Dr. Berkenhout, and—Temple Esq. set out for Portsmouth to embark for America, supposed to be sent on a private embassy to Congress." *Rivington's Royal Gazette*, announces the arrival of these emissaries, August 5, 1778.

A correspondent of the *Penna. Packet* for September 3, observes: "It is to be hoped that Congress will disappoint them of their base intentions (for they can have no other) of getting among the good people of these states, in order to sow dissensions among us." From this date on, the *Penna. Packet* continues to make warning entries regarding both of these men.

Gérard, in his twenty-second report, September 5, 1778, says:

You will see, Mgr., that Dr. Berkenhout, reported in the papers as being charged with some secret commission to Congress, was arrested on the third of this month. He had been living for several days incognito in Phila. although he had taken a passport at Elizabethtown, from General Maxwell. It was the State of Pennsylvania that arrested him at the instigation of Congress. A letter was found on him addressed to Richard Henry Lee, with whose brother, Mr. Arthur Lee, he has long

been in correspondence. . . . This letter states, in part: "If the English Minister knew that the Americans were decided in their desire for independence, he would give it to them." The writer then offers himself to be the secret negotiator and only asks, in order to begin his task, that the conditions which America would probably accept be given him on a bit of paper. . . . His offers were coldly received; he was made to feel that he would be tried as a spy, necessary severity to impress similar emissaries, supposed to have been sent to all the English Colonies, in order to consolidate Tory sentiment. The Doctor wrote a submissive letter to Congress, assuring them that he had received neither commission nor instructions; it was couched in very equivocal terms, however; he asked moreover to be allowed to return whence he came. It is likely that the State of Pennsylvania will accord him the desired permission after inculcating a salutary fear. Mr. Temple was more adroit, but not more successful. Congress refused his request, but out of respect for certain persons, whose opinion it finds necessary to conciliate, it wrote to him by its secretary, telling him to address himself to the Assembly of the State where he intends to reside. He owns considerable property in the Province of Massachusetts Bay. Any commentary on my part would be useless, Mgr.; it would only anticipate your own reflections. I must however add a word relative to the resolution of Congress regarding the demands of the Commissioners; that body has not yet found means to retrace its steps so as to break absolutely with them, but everything that is said to me, and all that I hear indirectly, persuades me that it is firm in its resolution to refuse all negotiation of which independence shall not be the preamble.

The result of its deliberations regarding the ratification of the Convention of Saratoga, is a resolution in which it refuses to accept a ratification founded on inductions, and which would itself require a ratification of Parliament.²

² *Journals of Congress*, Library of Congress Edition, vol. xii, p. 880.

Gérard continues the same subject in his twenty-fourth report.

Mr. Drayton, deputy from South Carolina, who was charged by Congress to reply in his own name to the communications of the Commissioners, has arranged with me the writing which will be published. If it comes from the press before my letter goes off, I will enclose a copy. This article seems to me equally valuable to enlighten the people regarding the intentions and manner of procedure of England, as upon the Alliance with France, and so to offset the work of the Commissioners, whose object has only been to sow doubts and defiance among the people, and to arouse the Tories. Up to the present they have had no cause to applaud their success, even in the latter object. A great number of them in Maryland, New Jersey, and in Pennsylvania, begin to show eagerness to be admitted to the oath of fidelity to the states. Some states have adopted the following formula: I—N— declare that I believe the State of —N— is and should be, free and independent, in fact and of right.

Many of the Tories have objected that they ought not to be forced to declare their sentiments when it was not question of their vote; that their effective submission to the actual government should be sufficient. I admit, Mgr. that I have supported these arguments by every sort of political consideration; several members of Congress are of the same opinion, but the decision remains with each separate state, and I strongly suspect that a similar formula has been sought, in order to render more difficult the return of the Tory Proprietors and to have a pretext for the confiscation of their possessions. In all the Southern Provinces, as well as in New England, nothing is feared from them; they are there either subdued or expelled; but in the central states, commerce with England has attached a great number of inhabitants to the interests of that country. Two-thirds of them could have been relied upon if the ravages of the enemy had not made numerous converts among them, who felt that while they risked everything, they gained nothing by remaining faithful; because the English could only burn

their houses while Congress could confiscate their lands. But there are still a sufficiently great number along the coasts near New York to render the enemy important services. There is a constantly increasing effort to draw a line of separation, but so many private considerations complicate the situation, that I do not know that one can hope to see good measures adopted. The necessity to prevent the manoeuvres of the emissaries suspected to have been sent by the Commissioners into all the provinces for the purpose of banding together the Tories, will perhaps lead to salutary results. They are nowhere in arms except on the borders of Pennsylvania and Virginia, in association with the savages, who, with few exceptions, are openly friendly towards England. . . .

Two days later, in his twenty-seventh report, Gérard writes to Vergennes :

A gentleman of this city announces to me the departure of a vessel for Bordeaux and I profit by the occasion to address to you duplicates of my last letters with to-day's newspaper, which contains the letters, the declaration of Mr. Johnstone, that of the other Commissioners, as also the resolutions of Congress and the detailed refutation which Mr. Drayton makes, under the secret auspices of Congress, of the sophisms advanced by the Commissioners. (Penna. Packet for Sept. 12th. 1778). It is thought here that this article will satisfy France and at the same time enlighten the people of America. I am sending several copies in order to facilitate the translation. The greatest desire is shown to have these documents spread broadcast in America and in Europe. I assume that the author of *Des Affaires d'Angleterre et d'Amérique*, will willingly render this service, and I beg you to be so good as to send me a dozen copies of the translation.

It seems to me, Mgr., that taking the resolution of the Congress with the article which it tacitly authorizes, it has regained part of the lost ground and that the resolution not to treat except upon the basis of independence, by itself annuls the British Commission. Should the Commission permit itself

some new move, it seems probable it will only serve to develop further this resolution, and that the Court of London will be at length convinced that the recognition of independence will be the preliminary of any negotiation. If the first reports of the Commissioners had been made in good faith, without deference to ministerial views, this effect would perhaps already have been produced. Until the moment arrives when this fact is grasped, it is not probable that the political system of that Court will assume consistency. . . .

As a sample of Mr. Drayton's article, above alluded to, the following extract may be of interest. It is addressed to their "Excellencies the Earl of Carlisle, Hon. Gen. Clinton, Knight of the Bath and Wm. Eden, Esq.

Your Excellencies must be sensible that it does not comport with the measures of Congress to make any observations upon your declaration of the 26th of August. But as it was evidently calculated for the people, I make no doubt you will be glad to know what effect it is likely to produce. . . .

And do you really think you have offered everything that is or can be proposed by the French Alliance? I am apt to think your Excellencies are inclined to pleasantry. Pardon me if I introduce a serious idea. I will be short, nay, I will use but a single word. INDEPENDENCE! This is proposed by the Alliance with France. This is not to be found in your offers. . . .

You are astonished at one circumstance; I may be permitted to express a little surprise at another; it is at your assertion that France has *ever* shown herself an enemy to all civil and religious liberty. I cannot suppose that you are unread in the histories of France, of Germany and of the Low Countries. . . . For a period of eighty years from the peace of Westphalia the civil and religious liberty of Germany and the Seven United Provinces, found in the power of France, a friend and a guarantee; and the same power is now a guarantee to the civil and religious liberty of America. On the other hand, the power of England *has been and now is* an enemy to civil and religious liberty. . . . Witness your penal laws against Roman Cath-

olics, and the rejected petitions of dissenters. . . . Witness the present reign in Great Britain. . . . Your Excellencies should look at home before venturing to cast your eyes and your censure abroad. . . .

The final resolution of Congress regarding the ratification of the Convention of Saratoga was not only publicly printed, but the Commander-in-chief was ordered to send a copy to the Commissioners.³

General Washington writes :

HEADQUARTERS, WHITE PLAINES
SEPTEMBER 16TH. 1778.

Gentlemen,

I am commanded by Congress to transmit to your Excellencies the inclosed Resolution.

I have the Honour to be,

With great Respect, Your Excellencies'

Most Obedient Servant,

(Signed) GEORGE WASHINGTON.

This final act seems to have convinced the Commissioners that no further move on their part would serve to bring about the release of the British troops still held prisoners in America.⁴

As a last resource, however, Gen. Clinton, in his capacity as Commander-in-chief of the British Army, wrote personally to Congress, a letter received Sept. 28th. 1778,

³ Stevens's Facsimiles 1155.

⁴ See *Journals of Congress*, vol. xii, p. 901 *et seq.* By an order of Congress, in November, 1778, the army of Burgoyne, numbering at that time some 4,000 officers and men, was marched off to an internment camp in Virginia, a distance of 700 miles, where it remained during the greater part of the war. It was not released until the end, though at that time, through death, desertion and exchanges the number had dwindled to a mere handful. The action of Congress in holding firmly to its prize, was not only a staggering blow to the British, but a humiliation which they bitterly resented.

wherein he attempted by threats to arrive at the desired end. The reply elicited was sent through the Secretary, and was as follows: "Sir: I am directed to inform you that the Congress of the United States of America makes no reply to insolent letters.

I am etc.

(signed) CHARLES THOMSON."⁵

The British Commander did not wait to receive a reply before beginning to put his threat into execution. Gérard writes to Vergennes:

On the 22nd. the English, to the number of from four to five thousand men made a descent upon New Jersey, towards Newark and the Hackensack river; they reembarked after foraging the country.

A few days later he adds more details:

The English continue to devastate the country by little expeditions. Their object seems to be to destroy every small vessel that remains, and every port that serves them as an asylum. They have made several fruitless attempts upon the coasts of New England, and show themselves now, on the shores of New Jersey. . . . All the defenses have been assembled that could be furnished by the surroundings. As regards the descent upon Newark, the troops did not retire as was supposed, but continued their ravages. General Washington has sent several detachments, to join with those that are at Elizabeth-town and to the militia of that part of the Jerseys. . . . In the neighborhood of Hackensack they surprised Col. Baylor with the better part of a regiment of cavalry and nearly one hundred men were massacred in cold blood, having been surprized in the middle of the night by the treachery of a Tory. On the East bank of the North River, a detachment approached an advanced post of General Washington, but fell into an ambush and were either taken or dispersed. . . .

⁵ *Journals of Congress*, vol. xii, p. 964.

You see, Mgr. that General Clinton follows with implacability his plan of destruction. Personal animosity seems to animate him. . . . Congress is deeply affected by the barbarity the English put into their expeditions, and by the massacre of the sleeping troops. They seriously deliberate upon means of reprisal. The great number of officers taken with General Burgoyne seems to put all the advantage of this frightful conflict upon the side of Congress. . . .

A final Manifesto and Proclamation was issued by the Commissioners in October 1778, and addressed to "The Members of Congress to the Members of the General Assemblies of the several Colonies . . . and to all the Inhabitants". In their report to the Secretary for the Colonies, Lord George Germain, they wrote: ⁶

NEW YORK, OCT. 15TH. 1778.

Sir,

We have thought proper the 3rd. inst. to issue the inclosed Manifesto and Proclamation, and we trust we have taken such measures for transmitting it both to individuals and different descriptions of men in the several colonies, as must oblige the Rebel leaders (whatever disrespect they may show to the Instrument itself), to allow its circulation among His Majesty's subjects on this continent. . . . Our duty seemed to require an explicit declaration of our purpose, no longer to favor an idea which too many were inclined to entertain from our stay on this continent, that the independency of America was still to be acknowledged. . . . We are not entirely destitute of hopes that the terms we repeat and the pardons we have given, may revive the grateful loyalty of a Few, and the Cautious Feelings of Many. . . .

The "Pardons" were to be good for Forty Days—Oct. 3rd. to Nov. 11th. inclusive—after which "any adherence to the treasonable connections attempted to be framed with a Foreign

⁶ See Facsimiles, 1178.

Power, will, after the present grace extended, be considered as crimes of the most aggravated kind. . . .

CARLISLE,
H. CLINTON,
WM. EDEN.

The measures for transmitting, as announced in the Manifesto, provided for their being carried "by Flags of Truce". Congress at once took measures for thwarting the plans of the British Emissaries and wrote to all the States that the sending of vessels of truce on the occasion of the Proclamation of the Commissioners was contrary to the rights of man and the laws of war, and recommended that the ship's company be detained and treated as spies.

Gérard writes in his thirty-second report :

The vessel destined for Philadelphia, perished on the coast of Jersey. The crew had great difficulty in saving themselves. They were seized by the inhabitants and yesterday brought and imprisoned here. Two officers, said to be of distinguished birth, were in charge of this commission. Their papers were lost. This accident will probably put them in the rank of ordinary prisoners, and, it is said, will save their heads.

In his thirty-sixth report, written November 10, the French Minister writes :

I had the honor of sending you an account of the effect that the Proclamation of the Commissioners had upon Congress. The impression produced upon the people is analogous: a parody in verse, inserted in the *Packet* (for Nov. 5th.) has demonstrated to the people the travesty of that production as the best reasoning could not have done. Nevertheless, the term fixed by the Commissioners expiring the 11th. there is reason to fear that the General may undertake some enterprise to make effectual their threats. . . .

The ship with the flag of truce bearing the Proclamation to Virginia, having arrived near Williamsburg, the Governor or-

dered it off at once, declaring that the State had neither the power nor will to treat with the enemy, and that if they again attempted the same enterprise, they would be regarded and treated as common enemies of America. The resolution of Congress to treat these vessels as spies had not then reached Virginia.

On 14 November in his thirty-seventh report, Gérard says further :

Congress has received certain intelligence that the Commissioners are now engaged in selecting the emissaries whom it has been resolved to send to the number of five or six, into each Province. They are not to be ostensible like Dr. Berkenhout, nor to have any public notice given. On the contrary, these instruments are to act secretly upon the people with whom they are to mix, and in this way the Commissioners hope that a division may be operated among them, and especially that distrust for France may be created. Congress feels the danger of this method. It has addressed instructions to all the States, to engage them to be on the watch for those who enter into their territory, and to seize all suspected persons. . . .

In his forty-first report, dated December 4, Gérard is able to announce :

It is learned from New York that the twenty-fifth of last month the British Commissioners embarked with their belongings on board the *Roebuck*, a vessel of 44 cannon and were to start out with the first favorable wind for England. I do not know what the judgment of the Court and of the nation will be, regarding the manner in which they have executed their commission, but the effect which I have under my eyes demonstrates that it has been prejudicial to England, because the Commission has excited the derision of the Americans. . . .

The general feeling entertained among the Americans at this time for France came out strongly at what Gérard calls "a solemn repast" given by the state of Pennsylvania

in honor of the newly elected President of its Legislative Council, at which he was an honored guest. He says in the same report :

It would be impossible, Mgr., to show more sensibility and joy than that assembly, composed of 156 persons, manifested every time that France or the Alliance was mentioned. When the health of the King was drunk all the halls resounded at the instant with acclamations and great cries of joy; of *HOURA*, which they repeated three times. The new President having shown to one of his neighbors the portrait of the King (the one with which he honored me at my departure) the whole assembly wished to see it; the box in which it was contained made the circuit of all the tables; a deputation was sent to thank me and to testify to the pleasure with which they regarded the countenance of a monarch, protector of humanity and the best friend the United States could have.

There is no exaggeration, Mgr. in this recital. The transports with which every thing concerning France have been welcomed, persuade me more and more, that all the public officers, and all those capable of thinking, feel, spite of their national prejudices, the full value of the friendship and the actions of His Majesty.

The attitude of the Home Government towards the Commissioners comes out clearly in the reply of Lord George Germain, to their expedition of September 5, 1778, the contents of which reply is revealed in his letter. He writes: ⁷

WHITEHALL, OCT. 15, 1778. |

My Lord and Sirs,

I have the pleasure to acquaint you that I am commanded by His Majesty, to signify to you His Majesty's entire approbation of your remonstrance to Congress (that of August 26) and also of your having sent a Duplicate of your Requisition respecting the Saratoga Convention, without its being sub-

⁷ Facsimile 1184.

scribed by Mr. Johnstone . . . as His Majesty would have been unwilling there should have been the slightest Pretext to palliate so gross a violation of the Public Faith as they will be guilty of, who decline making good the terms of that Convention. . . . His Majesty has only hoped that these repeated Remonstrances will at last produce the desired Effect and that if they persist in the unjust detention of those brave but unfortunate troops, it will be a proof to all Europe . . . of the lack of faith of that body.

It was Mr. Johnstone who carried to London in person the next dispatches of the Commissioners. The pouch contained among other things, the final resolution of Congress regarding the Convention of Saratoga, with the letter of General Washington that accompanied it; also a copy of the famous number of the *Pennsylvania Packet* for September 12. There was moreover a letter showing the embarrassment into which the presence of the French Fleet in American waters had thrown the British forces. The reply to this budget by Lord Germain, under date of November 4, is marked *Most Secret and Confidential*.⁸ This shows conclusively that the solidity of the Franco-American Alliance is at last penetrating their consciousness, thus fulfilling the prediction of Gérard made sometime previously. The British Minister writes:

My Lord and Sirs:

Your letter of 21 September was delivered to me by Mr. Johnstone and I took the first opportunity of laying it before His Majesty. . . . I sincerely wish that the resources of this country could afford such reinforcements as might enable Sir Henry Clinton to carry on an offensive War in the most extensive manner; but you must Consider that America is not now the only object of attention but that the whole power of France is to be opposed, and I am sorry to say, that the great arma-

⁸ Facsimiles 1206.

ments of Spain give us too much Reason to apprehend that the Court of Madrid will soon depart from the neutrality which it now professes. This I mention to you in Confidence, that you may see the true state of the situation, and you may be convinced that every possible effort will be made, consistent with the Safety and Interest of this Country, for reducing the Rebels to obedience, and whatever Ideas have been entertained that Independence will be granted them. . . . I have authority to say that no such Proposition will be made or supported by His Majesty's Servants. . . . I hope that the Forces in America will be sufficient to maintain our present Possessions. . . . In the mean time the Rebels will feel severely the effect of the War which will keep their Coast in perpetual alarm, and by taking or destroying their Ships and Stores, while we prevent their growing into a Maritime Power, our own Commerce may be freed from the insults of their Privateers. . . .

The above letter concludes with reiterated assurances of His Majesty's permission for them to return home when this shall seem advisable, but with characteristic obtuseness, the Commissioner for the Colonies adds: "But I shall be happy if you are induced to remain in America by seeing a prospect for restoring Peace, and thereby fulfilling the object of your mission."

The disappointed Commissioners were already on their way back to England when these last instructions arrived. From the "Roebuck" on November 27, 1778, while waiting off Sandy Hook, they wrote their final report, which terminates thus: "We have only to add that we still have the mortification to be without any accounts from Europe of a later date than the beginning of August, and are consequently without the benefit of any Instructions with which your Lordship may have honoured us.

We have the honour to be, etc.

CARLISLE, WM. EDEN."

This early and empty-handed return of the British Com-

missioners to England was a triumph for that party in Congress which favored an honorable adherence to the principles of the Alliance. The party of the Opposition, as Gérard soon begins to call it, had totally different views. These, however, had been thus far held in check through the immediate danger arising from the presence of the British Commissioners in America. This cause of alarm being now removed, personal animosities and private jealousies began quickly to assert themselves and were fanned into fury by an event that soon followed. This was the necessity of hearing the report of Mr. Silas Deane, late Commissioner to France, who had been recalled nearly a year previously for the ostensible purpose of giving an account to Congress of the condition of affairs in Europe. In reality his recall was the direct result of the inordinate jealousy of his colleague at the Court of Versailles, Mr. Arthur Lee. This gentleman, native of Virginia, was a narrow-minded, suspicious character who, it is now known, was seriously endeavoring to get both Franklin and Deane removed and himself made sole Commissioner to France. He had the powerful support in Congress of his two brothers, and, of more consequence still, that of John and Samuel Adams with their friends.

The fundamental note of the policy of the Opposition was to discredit Washington in America, as the too popular head of the Army, and Franklin in France as the much too enthusiastically admired chief of the diplomatic corps. Their only hope of winning for themselves the coveted *first places*, was to throw over France, now that through her coöperation they had secured the vantage point against England, and boldly take into their own hands the initiative in coming to an understanding with the Mother-Country. The first step in the carrying out of their program was getting rid of Silas Deane.

This Commissioner had returned to America in company

with the French Minister, bringing with him a fleet of His Most Christian Majesty, and letters of testimonial from Franklin and the Court of France, all which proofs of the success of his diplomacy only served to deepen the animosity of his enemies against him. In the months that had intervened since his return, although repeatedly urging upon Congress his claim to be heard, he had suffered the continued mortification of having his claim ignored. Roused at last to indignation, he threatened to appeal to the People of America, and to reveal everything, unless Congress decided speedily to hear him. As no reply was forthcoming, he proceeded to put his threat into execution. In its issue of December 1778, the *Pennsylvania Packet* printed a lengthy article addressed to the FREE and VIRTUOUS CITIZENS of AMERICA, a denunciation directed against certain members in Congress, and of their relatives in office; it gave moreover an account of the transactions of Dr. Berkenhout and J. Temple, and accused a prominent delegate of "constantly and pertinaciously maintaining the doctrine" that by the Alliance with France, America was at liberty to make peace without consulting her ally, unless England should declare war. It even went so far as to name Mr. Richard Henry Lee as the said delegate.

Gérard, writing a few days later, December 12, says.

The denunciations made by Mr. Deane continue to develop the feeling that already existed in that regard; moreover, his article does not displease the majority of the members of Congress, weary and ashamed of the ascendancy which they have permitted the party, of which Mr. R. H. Lee and Mr. Samuel Adams are the chiefs, to acquire. Even the Public seems to be pleased with the author for having made the revelations, and reproach him only for having set the example instead of waiting for it.

In his forty-third report, written some days previously

(Dec. 6), Gérard enters more deeply into the accusations made by Mr. Deane in his article. He says :

He published it without letting me know, fearing I would dissuade him. He justifies his action by the necessity of enlightening the Public regarding the operations, the connections and the designs of Mr. Temple and Dr. Berkenhout, whose history you will doubtless recall. . . . The arrival at Philadelphia of the first of these emissaries, animated the zeal of Mr. Deane, and I owe to him the justice of admitting, that relatively to France his sentiments are pure. He assures me that Mr. Temple, since he has been here, holds the same talk as Dr. Berkenhout regarding a speedy reconcilliation. He adds that the month of January will not pass without an English Plenipotentiary arriving. . .

This Mr. Temple succeeded in getting himself admitted to take the oath in Massachusetts, and has even brought letters of recommendation. He is all the more dangerous since he enjoys all the rights of citizenship. . . . Some zealous members of Congress have denounced his presence and proposed measures of precaution; Mr. Samuel Adams strongly insists that Mr. Temple has only the best intentions, so it is most important that means be found to enable Congress to act against him. . . .

You will be struck, Mgr. with the sentiments he (Mr. Deane) imputes to Mr. Richard Henry Lee. . . . These principles, of which I had the honor to speak to you before, though then ignorant of the author, having now been publically announced, it seems to me that they are of a nature not to be passed by in silence. The occasion appearing to me to be favorable for procuring, in the most positive manner, a pronouncement by Congress, in order to restrain all the members . . . I have decided to ask the President to bring the matter before that body. . . .

In his forty-fourth report, written next day, Gérard continues :

I have taken the step which I had the honor of preparing you

for in my last dispatch. The President received my observations very kindly. I reminded him that he had prevented me from demanding the revocation of the erroneous passage in the writing of Mr. Drayton, but that now the same doctrine, supported by a distinguished member of Congress, and bound to events as surprising as the histories of Messrs. Temple and Berkenhout, made me keenly desire that Congress would let me understand exactly its way of thinking. I added, that so long as the Court of England nourished hopes (which the notions carried away by Gov. Johnstone and the liberty accorded Mr. Temple would have confirmed) to bring the United States to a separate negotiation, or even to lead them to accept conditions incompatible with their independence and with their engagements, that Court would not seriously think of acknowledging their independence in the one suitable manner, by treaties concerted with France. I had moreover, Mgr., reserved for some favorable occasion, the confidence which you have authorized me to make, of the conciliatory negotiations with which Spain has charged herself, and of the refusal of His Majesty to withdraw his declaration, and I told him that the King expected in every occurrence the most perfect return from the United States. My account was accompanied with reflections that seemed to me proper to make them better realize the value of the firmness of His Majesty, who prefers the advantage of the United States and the execution of his engagements to the most advantageous arrangements which England had proposed, and at which price that Court would buy, more willingly than ever, the neutrality of France. All these considerations seemed to strike Mr. Laurens, who in general seems to feel as I do. He deplores the manner in which the affair of Messrs. Temple and Berkenhout has been conducted, but assures me, nevertheless, that he is firmly persuaded that the first of those emissaries would not find a single member of Congress who would listen to his insinuations. He believed himself assured of the disposition of Mr. Samuel Adams himself, notwithstanding the warmth of the latter's personal interest in Mr. Temple. He begged me to express my feelings regarding this emissary. I did not hesitate to reply

that the simple presence in Philadelphia of this man, compromised the dignity and the reputation of Congress and produced every kind of bad effect in France, in England and in the whole of Europe. The President seized all my points, and gave me reason to hope that in a few days, means would be found to send him away. He will be very zealous, because he sees with distress that the State of South Carolina has received Messrs. Godson and Williams, rich proprietors of that state, who having taken refuge in England, have been sent to Charlestown in a parliamentary vessel, and who having been admitted to the oath, abjured the King of England. These are considered very dangerous characters, and their expulsion is sought, for it is supposed they have political dispensation to take all the oaths in order the better to arrive at their ends.

As to the doctrine which I attacked, Mr. Laurens affirmed that it was an opinion that would lead to no consequences. He tried all sorts of ways to elude my request, but I insisted, and I believe he will immediately put my observations before Congress.

That the French Minister was right in his estimate of the character of Mr. John Temple, can to-day be proved beyond a shadow of doubt, for though this man was powerfully supported by many leading patriots in America, he was secretly in the pay of the British. Among the Auckland Mss. in the King's College Cambridge, in the handwriting of Wm. Eden,⁹ is the following note under date of April, 1778; "Mr Temple is to proceed with all possible dispatch to North America, in such ship or vessel as the Minister shall think proper, and pledges his Honour that he will there faithfully exert his utmost influence in assisting the Commissioners now going out, to bring about a reconciliation or reunion, between those Colonies and Great Britain. In consideration of which, and his former faithful services under the Crown, Mr. Temple is to have 2,000 £ sterling

⁹ Stevens's Facsimiles 424.

immediately, and is to be authorized to draw on the Treasury (if the said Commissioners should approve his conduct) for 2,000 £ more; he is to be made a baronet of Great Britain, the Patent for same to be sent out to America by the Commissioners, and independent of the success of the Commission he is to have 2,000 £ per annum (subject to certain specified restrictions) provided the Commissioners now going out to America, shall approve of his conduct in that country." An explanatory note is attached to the above (supposed to be by Lord North) explaining that there must be "notoriety and Weight" to his conduct, sufficient to engage the attention of the Commissioners.

In view of the enormous price which the Government of Great Britain was willing to pay Mr. Temple for his services, we must suppose that important results were hoped for from his intervention and that of the influential friends whose help he could command. Most prominent among the latter, was his father-in-law, Mr. James Bowdoin, President of the Massachusetts Assembly who wrote to General Washington, November 7, 1778:

. . . The Gentleman who waits upon you is Mr. John Temple, Esq. lately returned from England, where he has resided the last eight years. He held at several times, responsible and lucrative offices under the Crown . . . of which he was successively deprived for his refusal to join in the infamous measures for oppressing the trade and liberties of America, and the last four years his continuance in England was the effect of Ministerial persecution. . . . I beg leave to introduce him as a warm, steadfast, persecuted friend to ye cause in America. . . .

The letter ends with a request that the Commander-in-chief send him on to Congress "with a line of recommendation".¹⁰

To this request, Washington responded in the following way:

¹⁰ See *Papers of the Continental Congress*, no. 78, vol. iii, f. 205.

HEADQUARTERS, NOV. 23RD. 1778.

Mr. Temple will have the honor of presenting this to your Excellency. I do not know what Mr. Temple's views are, but it seems he has some application to make to Congress. I never had till now the pleasure of a personal acquaintance with him but from the terms in which Mr. Bowdoin speaks of him, as your Excellency will perceive from the enclosed letter, and from other recommendations I have of him, I consider him as a gentleman of sense and merit and of warm attachment to the rights of his country, for which he seems to have suffered greatly in the present contest. I have the Honour to be, etc.

(signed, G. WASHINGTON.)¹¹

Jonathan Trumbull, the famous Governor of Connecticut, wrote with no less warmth and feeling as did also the Governor of New Hampshire, Maj. Gen. Sullivan and others. It is not therefore surprising that Congress was not disposed to proceed harshly with this emissary, particularly when he counted many warm personal friends among the delegates themselves.

By what means Mr. Temple had succeeded in ingratiating himself with the authorities in England, while still bearing in America the character of a persecuted patriot, remains obscure. Some further light is thrown upon the subject from a letter preserved among the Mss. of the Earl of Dartmouth, and given by Stevens.¹² This bitterly incriminating letter, dated September 1773, is from Mr. Benjamin Hallowell, former chief of Mr. Temple, and one time Commissioner and Comptroller of the Port of Boston. It is addressed to the under-secretary in the Colonial Office. Mr. Hallowell says in part: "What Mr. Temple could have done since he has been in England to engratiate himself with those in Power, is surprising to all ranks of people here. . . .

¹¹ *Washington Papers*, Library of Congress, vol. 93, f. 12297.

¹² Facsimiles 2029.

If he has cleared his character to the satisfaction of his Superiors, or any others, he has most violently imposed on them. . . .” The letter then proceeds to specific accusations, not only of insubordination, but of embezzlement to the amount of 12,000 £ sterling.

This Mr. Hallowell was himself a Tory whose property was afterwards confiscated. As for Mr. Temple, through the untiring vigilance of the French Minister, all the hopes of the British through him were annihilated. As his reward however, was to be “independent of the success of the Commission,” it is interesting to find him¹³ in 1785, Consul-General of the Port of New York, and that now he is “*Sir John Temple*”.

Yet all the while it seems quite certain that the English understood his character. In another facsimile (487) is reproduced a lengthy memorial by Paul Wentworth, an American in the pay of the British who was spying upon Franklin and Deane from the beginning of their being in Paris, which sums up the leading men of the Revolutionary Period for the benefit of the English King. In this, James Bowdoin is characterized as a “weak ignorant man, guided by his passions; vindictive, intemperate, sour. His son-in-law, *John Temple*, is not unlike him, but more plausible, artful, persevering and naughty.”

But to return to the French Minister. While the controversy was still raging regarding the revelations made by Silas Deane, Gérard writes in his forty-fifth report, under date of December 10, 1778:

Monseigneur,

Having perceived in my conversations with the President that, notwithstanding the conformity of his sentiments with mine, he felt out of regard to Mr. Lee, some repugnance to bearing my request to Congress, and that he sought to satisfy

¹³ See *Papers of the Con. Cong.*, no. 92, p. 551.

me by keeping me constantly informed, I took upon myself to write him a letter, of which I enclose a copy, but I urged him in presenting it, to assure the Congress that no personalities were intended.

This letter of Gérard's, which had all the desired effects, is here given in the official translation preserved in the Papers of the Continental Congress, Vol. 94, pp. 60-63. He writes :

PHILADELPHIA, 7 DECEMBER, 1778.

Sir,

I have had the honor of explaining to you the motives of my embarrassment, on the subject of transmitting to my court, ideas relative to certain persons, strongly suspected of being emissaries of the Court of London, as well as concerning the doctrine which it is pretended, the United States have preserved, of treating with that power separately from their ally, as long as Great Britain shall not have declared war against the King my master. I notified to you, how remote it was to my character, to rely on public rumor, or the reports of any individuals whatever, in a matter as serious as it is delicate, and I expressed to you my desire that Congress itself, would be pleased to furnish the means of forarming my Court, and thro' it of all the present and future friends of the United States, against the impressions which these ideas might produce. . . .

Your zeal, Sir, to your Country, and the preservation of a harmony so happily established, is too well known to me not to hope that you will render an account to Congress of this matter, which my anxiety for whatever regards the support and the reputation of the Alliance makes me consider very important.

I am persuaded, Sir, that you will at the same time be so good as to inform the Congress, of the proof of the firmness and attachment to the interests of the United States, the common cause, and the Alliance, which the King my master, has given in rejecting the overtures which the Court of London has made thro' the channel of Spain.

I have the honor to be, etc.

GÉRARD.

The foregoing letter was read in Congress the same day and a committee of five, namely: Mr. William Henry Drayton, Mr. Samuel Adams, Mr. Gouverneur Morris, Mr. William Paca, and Mr. John Jay,¹⁴ was appointed to take the matter into consideration.

Commenting still further upon the situation, Gérard in the last mentioned report, observes:

The propriety of my observations was unanimously recognized, and a committee was formed to decide upon the best way to satisfy my request. A great many members have spoken with me about it, some in groups, others separately. All have assured me that, as I have had the honor of informing you from time to time, that the assertions of Mr. Henry Lee have been received with disdain and indignation; that the plurality of the delegates from his state, and of those of Massachusetts, despite the influence of Mr. Samuel Adams, thought with Congress, that the principle of which it was question, would be a manifest infraction, and that it would forever dishonor the United States; that Congress was resolved not to allow me to remain ignorant of anything that could interest the alliance, or serve to conciliate the confidence of the King or of his ministers. Two members protested to me that from hence forth they would not allow a single equivocal word upon these matters to pass without seeing that immediately the public was informed regarding the opinion, and the name of the member supporting it, so as to give them over to the resentment of the nation. The deputy from North Carolina, who has had a seat in Congress since the beginning, has assured me that his state, which had been the farthest from acceding to the Declaration, was to-day, so attached to it as well as to the Alliance, that whoever would propose some modification, would do so at the peril of his life. He added that the State of Virginia, whose sentiment he knows, is entirely of the same disposition. One of the Delegates from Maryland, confided to me that his State is so far imbued with the same ideas that they have orders to do all that lies within their power to convince me of it. . . .

¹⁴ *Journals of Congress*, Lib. of Cong. Edition, vol. xii, p. 1197.

As to Mr. Temple, all the delegates have assured me that Congress thinks absolutely as I do regarding this emissary, and upon his presence in Philadelphia, that it is believed to be one of the means employed by Great Britain to scatter seeds of discord and misunderstanding between the United States and France. They affirm that there are not two men in Congress capable of listening to any proposition of Mr. Temple, but the conduct of the state of Massachusetts hindered their action. Several members consulted me upon the best method for getting rid of him; they assured me that the facts asserted by Mr. Deane had so irritated the people of Philadelphia, that a number of the most considerable citizens had offered to have the chief magistrate seize this emissary, and conduct him outside the city limits; that, moreover, all his acts are noted, and that at the least occasion which he may give, they will proceed against him. . . .

It is added to the details given by Mr. Deane concerning the Lees, that he who distinguishes himself by the name of William, is still on the almanach of the court of London for 1778, as alderman, which is positive assurance, it is said, that he has supplemented in some manner the formalities which continuation in that office requires in the absence of the incumbent. Mr. Francis Lightfoot Lee, who came to replace his brother during the absence of the latter in Virginia, made a feeble reply (to Mr. Deane's article) inserted in yesterday's Packet. He is the last of the four brothers. He and I are on very good terms since my letter to the President. I very well understand, that the fear to see me takè sides, will help him to contain himself, better indeed than any step I could take directly. Moreover, I cannot do otherwise than praise infinitely the conduct of Mr. R. H. Lee, who, in his capacity of President of the Board of War, has shown great zeal to procure whatever I have asked for the service of the fleet.

Gérard's forty-sixth report, written two days later, begins with an account of the resignation of Mr. Laurens as President of Congress and the election of his successor, Mr. John Jay. Speaking of Mr. Laurens the French Minister says:

Truly, Sir, I have always found him infinitely zealous, and full of the best intentions. He is, moreover, endowed with sense, and with knowledge, acquired by several voyages to Europe; but by character, and in order to avoid the reproach of assuming authority, he has not perhaps acquired the influence which belongs to his position, and which the good of the cause requires. As for the new President, he has only been here sixteen days, and as I shall see much of him, I shall not anticipate a judgment upon his character, talents and disposition, from the vague notions that I have received so far. He is of French origin, as is also Mr. Laurens; his family is from La Rochelle; he has relatives in Paris. . . .

The committee to which my letter has been referred, is deeply occupied with it. A deputation was sent to me yesterday which testified in the most positive and satisfactory manner, the feeling of the committee and of Congress. This deputation said to me in substance, what a great number of members had already confided, that reason and gratitude, in accord with their engagements, prohibited their treating of peace, without the coöperation of the King; that the Congress had it more and more deeply at heart to convince me of this in order that the same conviction might pass to the minister of His Majesty and thro' him to the friends which he might acquire for America. They avowed that Mr. R. H. Lee had obstinately upheld the doctrine imputed to him. The deputation assured me that not a single member known to them shared his opinion. As to Mr. Temple, they exceeded what I had asked, and consulted me on the best method of sending him away. I replied that perhaps the best thing would be to regard him from the point of view which he himself has put forth, that of being a good American citizen, and to say to him, that as he had no special business in Philadelphia which could justify his staying there, he would give the best proof of his attachment and zeal for the United States by keeping at a distance from the place where Congress meets. It seemed to me, Mgr., that this idea was calculated to avoid the dangers that were feared. It seemed to me allowable to assure the Committee that no one in Europe doubted that Mr. Temple was an English emissary, furnished with secret instructions. . . .

Mr. Samuel Adams, came recently to justify himself regarding any consequences which might be drawn from his connection with Mr. Temple; he protested that he had only once entertained him in his home, and that he showed him this courtesy simply because he was recommended by the state which he represented. The ostensible subject of this apology was a paragraph in the Packet for the 8th. of the month, where a certain delegate was warned not to receive such frequent visits from Mr. Temple. Mr. Adams declared that he was invariably attached to the Alliance and had me to read some passages in the letters of the Governor and several other chiefs, and indicated that he shared their sentiments. As I know, Mgr., that notwithstanding his intimate friendship with Mr. Lee, he has not adopted his opinion, I assured him that I was persuaded that a man who had taken such a leading part in the Revolution, and who had felt the pleasure of contributing to the happiness of his country, would never stoop to betray or dishonor it. . . .

Samuel Adams speaks of his interview with the French Minister and of the embarrassment caused him by the presence of Mr. Temple, in a series of letters written at this time to his wife and several of his friends. (See, Writings of Samuel Adams by H. A. Cushing; Vol. IV. pp. 95-110). To John Winthrop he writes in part as follows:

PHILAD. DECR. 21 1778

My Dear Sir:

Your obliging letter of the (9th) of November was delivered to me by Mr. Temple immediately after his Arrival here. I must candidly confess that when the Gentleman informed me by his Letter dated in New York, of his Intention then to pay a Visit to this City, I was disagreeably impressed with it, and interested myself, as far as I could do it with Decency, to prevent it. . . . The testimonials he has brought with him, added to the warm Recommendations of some of my most virtuous and honorable Fellow Citizens have not been sufficient to obtain for him a welcome Reception. The Time & Manner of his leaving England, the Company he came with and the

favorable Treatment he met with in New York, were judged to be Grounds of Suspicion which more than balanced the Recommendations of his Friends & Countrymen, who, though acknowledged to be very respectable, it was supposed, might possibly be partial in their judgments of him. His Connections in Boston, & the Character he had sustained there before he left that Place, it was said, made him the fittest Instrument to carry into Effect the Purposes of the British Ministers. . . .

I do not suspect Mr. Temple; but I have been under the Necessity of violating my own Inclination to pay every kind of respect to that Gentleman, or risque the *consistent* Character which a Delegate of that State ought to support in the Opinion of Congress, of the Minister of France and the People of America. I have conversed with that Minister on this Occasion; and I have Reason to think we concur in opinion, that however pure the Views & Intentions of any Gentleman may be, yet if a Suspicion generally prevails that he is secretly employed by the British Court his continuing to reside near the Congress may make improper Impressions on the Minds of our Friends abroad. Mr. Temple left this City yesterday.

December 19th., in his forty-seventh report, Gérard is able to announce:

Congress has unanimously adopted the counsel I gave them relative to Mr. Temple, and have disembarassed themselves of a man dangerous by his talents, his insinuating manners, and still more by an error that he has helped to widely propagate, namely, that there is no difference between an American Whig and an English Whig—regrettable misconception caused by an abuse of words, and the feeling that certain individuals who pleaded their cause before their declaration of Independence, are still their best friends regardless of the present state of affairs.

On the 24th, pursuing the same subject, Gérard writes:

Mr. Temple left the city the day after the hint was given to him that I had suggested. It will doubtless seem unbelievable

to you, but I have very authentic information for believing it to be true, that Mr. Temple's hope, seconded by his friends, was, to have been employed in Foreign Affairs. Nevertheless, those who supported him are simply supposed to have been blinded by ancient connections. . . .

In a postscriptum is added, Dec. 25th. :

The manner in which Congress shall reply to my demand, relative to the doctrine of Mr. Lee, is still vigorously debated in Committee. It has been confidently communicated to me that four members approve, and that Mr. Samuel Adams, who is the fifth, and a friend of Mr. Lee, opposes and tries to persuade them that the object being regulated by the treaty, needs no explicit answer. I have warned his colleagues against such a false and insidious reply, and I hope they will persevere in their attitude.

This matter is touched upon again at the end of the forty-ninth report, under date of December 30.

Mr. Richard Henry Lee, Mgr., came to communicate to me a letter, the translation of which I think right to send you, that it may serve as proof of the effect of my conduct towards that person. The conduct of Mr. Samuel Adams is not less assiduous towards me, which proves that my neutrality imposes upon them as much as the opposite would do. I wish it might bring them to sentiments which, except for them, Congress unanimously professes. Mr. Francis Lightfoot Lee, also has made every possible advance to me, and does not cease to praise my solicitude for the honor of Congress and for the reputation of the Alliance. These beautiful demonstrations do not destroy my distrust, because I know positively, that it is Mr. Samuel Adams who, alone, by little artifices, and petty quibbling, prevents my receiving, relative to the doctrine of Mr. Lee the very positive and very satisfactory reply, which the other members of the committee have long since adopted.

As Congress still remained silent upon this subject, the

French Minister, after waiting until Sunday, January 10, 1779, addressed a still more urgent appeal, politely but firmly demanding a “speedy, formal and categorical declaration” of the mind of Congress.¹⁵ This procedure had the desired effect; three days later the French Minister received the following letter from the President of Congress.

PHILA. JAN. 13TH. 1779.

Sir,

It is with real satisfaction that I execute the order of Congress, in sending you the inclosed copy of an Act of the 11th instant, on a subject rendered important by affecting the dignity of Congress, the Honor of their great Ally and the interest of both nations.

The explicit disavowal and high disapprobation of Congress, relative to the publications referred to in this Act, will, I flatter myself, be no less satisfying to His Most Christian Majesty, than pleasing to the people of these States: nor have I the least doubt but that every attempt to injure the reputation of either, or impair their mutual confidence, will meet with the indignation and resentment of both.

I have the honor to be, Sir, etc.

(Signed) JOHN JAY.

Gérard replied on the following day:

I have received the letter you honored me with the 13th of this month, containing the resolution of Congress in reply to the representations which I had the honor of making the 5th. and 10th. . . . and I entreat you to receive and to express to Congress the great appreciation which I feel for the noble, frank and categorical manner in which they have destroyed the false and dangerous insinuations, which might mislead ignorant people, and put arms into the hands of the common enemy.

To the King, my Master, no proofs are necessary, Monsieur, for the foundation of confidence in the firm and constant adherence of Congress in the principles of the Alliance, but His

¹⁵ *Papers of the Continental Congress*, Vol. 94, p. 87.

Majesty will always see with pleasure the measures which Congress takes to maintain its reputation intact. . . .

I am with respect and consideration, etc.

GÉRARD.

The reply of the French Minister, together with the resolution of Congress and the letter of the President, are to be found printed in the *Pennsylvania Packet* for January 16, 1779, (also in the Journals of Congress, Library of Congress Edition, Vol. 13, pp. 62 ff.)

In transmitting the above enclosures in his fifty-third report, Gérard writes:

I hope, sir, that you will be satisfied with the issue of these affairs. They had become very complicated and very delicate; not however, as to ground of the matter, for not a single member voted against the declaration that I demanded, but the friends of the persons who thought themselves compromised, notwithstanding the extreme care I took to avoid personalities, . . . sought to diminish the effects which they feared, and used all sorts of artifices to render the resolutions less explicit. They came to sound me, but I persisted in demanding that they be catagoric. Indecent personalities were indulged in during the debates. I shall, Sir, spare you the details; they are neither instructive nor edifying. . . .

I will add Sir, only one remark, which is, that the turn of the debates upon Messrs. Temple and Berkenhout as well as the upon the writings of Mr. Deane . . . have always had the air of a deliberate attack upon France, and also that the party of the Opposition, has never been composed of any one but the Messrs. Lee and their partisans; they continue to show me special marks of attention. I only hope that their interior resentment may remain centered in their hearts.

With the settling of this vexed question, the first essential problem which confronted Gérard on coming to America, came to a satisfactory termination. The second problem, which grew out of the first, was already, with all its com-

plexities, surging to the front in the consciousness of men's minds, and was ranging them, with ever accentuating bitterness, into the two opposite camps which the Congressional discussions just announced showed to be already existent. This is the second phase of the test to which the powers of the French Diplomat are to be put. It will be interesting to watch the battle as it progresses, to note the keen contest for supremacy, and finally, to see on which side victory will declare itself. Before taking up this second phase, however, it will be necessary to turn back, in order to fill in the details of the picture whose outline has here been drawn. Again, it is the reports of Gérard that will furnish us the material for this detail.

ELIZABETH S. KITE.

Washington, D.C., March 8, 1922.

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