

THE
REVOLUTIONARY DIPLOMATIC CORRESPONDENCE

OF THE
UNITED STATES.

EDITED UNDER DIRECTION OF CONGRESS

By FRANCIS WHARTON,

WITH

PRELIMINARY INDEX, AND NOTES HISTORICAL AND LEGAL.

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CORRESPONDENCE.

Observations on Mr. J. Adams' Letter of July 17, 1780.*

[Translation.]

I. The reasons which determined the Count de Vergennes to give Mr. Adams that advice are so plain that they must appear at first view:

(1) To be solicitous about a treaty of commerce before peace is established is like being busy about furnishing a house before the foundation is laid.

(2) In the situation in which America stands at present with regard to England, to announce to that power that they have forgotten her system of tyranny, her cruelties, and her perfidy, is discovering too great a degree of weakness, or at least too much good nature, and inviting her to believe that the Americans have an irresistible predilection for her, and to fortify her in the opinion she entertains, that the American patriots will submit through weariness or the preponderating influence of the tories.

(3) To propose a treaty of commerce which must be founded on confidence and on a union equivalent to an alliance, at a time when the war is raging in all its fury, when the court of London is wishing to ruin or to subjugate America, what is it but to give credit to the opinion which all Europe entertains, conformable to the assertions of the English ministers, that the United States incline towards a defection, and that they will be faithful to their engagements with France only till such time as Great Britain shall furnish a pretext for breaking them?

II. A person may be furnished eventually with plenipotentiary powers without being under the necessity of publishing them until circumstances permit him to use them. This happens every day. Mr. Adams is charged with three distinct commissions: (1) To take a share in the future negotiations for peace; (2) to conclude a treaty of commerce with Great Britain; and (3) to represent the United States at the court of London. It requires no great effort of genius to show that these three objects can not be accomplished at the same moment of time, nor that the two last can not serve as an introduction to the first. It is necessary, first of all, to obtain from England an acknowledgment of the

* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 207, with verbal changes.

independence of America, and that acknowledgment must serve as a foundation for a treaty of peace. Until this is obtained, Mr. Adams can not talk of a treaty of commerce. To propose one while the court of London is flattering itself with the hopes of subduing America, and while with that view it is making the most strenuous efforts, would, in the view of that court, be to propose what was chimerical, and would be taking a step which it would hold in derision.

The case would be the same were one at this time to talk of a minister plenipotentiary from the United States appointed to reside at the court of his Britannic majesty. The only powers, therefore, which circumstances permit Mr. Adams to announce are those which authorize him to take a part in the negotiations for peace. The two other powers can be of no avail until the conclusion of that peace, so that it would be at least useless to produce them at present; and consequently Mr. Adams will not act inconsistent with the design and nature of his appointment by concealing them from the court of London. Although the Count de Vergennes is unacquainted with the instructions of Mr. Adams, yet he is persuaded that they are conformable to the foregoing reflections, and that they do not direct him to make an immediate communication of his powers relative to a treaty of commerce any more than they order him to make a separate peace with Great Britain. This opinion is founded on that which the king's ministry entertain of the wisdom, prudence, and fidelity of Congress.

III. It is to be observed that the English ministry would consider that communication as ridiculous; so that it is deceiving one's self to suppose that it will engage them to enter into any conference, or to say anything more than what is contained in the resolutions of Parliament, namely, that they will listen to the Americans and receive them into favor when they return to their former allegiance. It can answer no good purpose to draw from them such an answer, nor can the United States want such an answer to inform them of the present sentiments of the court of London, and much less to prepare with councils and arms to resist them. It is astonishing to talk of preparations of councils and arms when the war is raging in all its fury, when it has now lasted six years, and England has not made an overture to the Americans that can authorize them to believe that she would agree to their independence.

IV. The English ministry would either return no answer, or if they did, it would be an insolent one. In case of the latter, why should a man needlessly expose himself to insult, and thereby make himself the laughing-stock of all the nations who have not yet acknowledged the independence of the United States? But there is reason to believe Mr. Adams would receive no answer, because the British ministry would not think themselves bound to return one to a man who assumes a character which the court of London must consider an insult. It should not be forgotten that that court always considers the Americans as

rebellious subjects. With such an opinion, how could Lord Germain receive a letter from Mr. Adams, taking upon himself the character of minister plenipotentiary from the United States of North America? How could that minister bear the mention of a treaty of commerce, which can only take place between independent nations? These observations will convince Mr. Adams that France has no occasion for the expedient which he proposes to discover the sentiments and dispositions of the court of London, and that we are already perfectly acquainted with what we ought and may expect from it in the present situation of affairs.

V. The silence or the answer of the English ministry, let which will happen, will neither alarm nor arouse the people of England. That people, without doubt, desire peace and an accommodation with America. But we find that only some individuals talk of independence, and these more from a spirit of opposition than from conviction. There never has been a single motion made in Parliament tending to grant that independence. Yet the people have friends and protectors in Parliament. From this Mr. Adams may judge into what embarrassment the announcing his powers would throw the ministry.

VI. England, as well as the rest of Europe, are perfectly acquainted with the nature of the engagements which subsist between France and the United States. The king caused a declaration to be made by this ministry on the 13th of March, 1778, that he had not secured to himself any exclusive privilege by the treaty of commerce of the 6th February of the same year, and his majesty has confirmed that declaration in a writing published by his order. So that the plenipotentiary powers of Mr. Adams can disclose nothing new either to England or to the other powers of Europe, and the false opinion of the court of London in this matter can be no obstacle to a peace. If such an obstacle existed, the English ministry would themselves find means to remove it if they were determined to make peace; depend upon that.

VII. It is certain that the whole English nation, and even the ministers themselves, wish for peace. But it has been observed that there has not been a single motion made in favor of the independence of America. Certainly the plenipotentiary powers of Mr. Adams will not change the present dispositions of the people in that respect, and consequently the communication that might be made of them will neither facilitate nor accelerate the conclusion of peace.

VIII. This is a sensible reflection. It proves that Mr. Adams is himself convinced that there are circumstances which may induce him to conceal his powers. The king's ministry think that such circumstances will continue till the English nation shall show a disposition to acknowledge the independence of the United States. That acknowledgment will not be facilitated by proposing a treaty of commerce, for the English are at present well persuaded that they will have such a treaty with America when they shall judge it proper. They have besides, as Mr.

Adams has himself mentioned in his letter of the 19th of February last, a full knowledge of his commission, so that the communication of his full powers will teach them nothing new in this respect.

IX. In answer to this paragraph, it may be observed that there is not an Englishman who is not persuaded that the United States are disposed to grant the advantages of commerce to their ancient metropolis; but it would be a very difficult task to persuade an Englishman, or any thinking being, that by granting independence in exchange for these advantages the court of London would make an honorable and advantageous peace. If this was the real sentiment of the people of England, why have they for these six years past, without murmuring, furnished ruinous supplies for subduing America?

X. The English ministry either have sincere intentions of making peace, or they mean to amuse and penetrate the designs of Spain. In the first case they will express the conditions on which they desire to treat; they will then be obliged to explain their views and their demands with regard to America. They will assuredly forget nothing which they think will forward peace; and upon agreeing to her independence, their first care will be to demand equal privileges with France in regard to commerce. On the contrary, if the English ministry only means to amuse Spain, to penetrate her designs, and to slacken her preparations for war, Mr. Adams should do the ministry of Madrid the justice to believe that they will have sagacity enough to discover their views, and have understanding and prudence sufficient to determine on the conduct they ought to pursue.

XI. If Mr. Adams is as sure as he is of their existence that the English ministers have no intentions of making peace on terms which France and America can agree to, to what purpose communicate to them at present powers which can not be made use of until after the peace? How can Mr. Adams persuade himself that the court of London will be seduced by the bait of a treaty of commerce while it still manifests an invincible repugnance to acknowledge the independence of America? Whenever it shall be disposed to acknowledge that independence it will of itself propose the conditions on which it will think it proper to grant it, and Mr. Adams may rest assured that it will not forget the article of commerce. Then will be the proper time for him to produce his plenipotentiary powers. In the mean time it is necessary to pursue measures for the establishing the foundation of that negotiation, namely, the independence of America, and that can only be effected by carrying on the war with vigor and success.

No. 3.

Copy of M. D'Audibert Caille's Appointment.*

[Translation.]

COPY OF A FRENCH TRANSLATION OF A WRITING IN ARABIC, THE MOST AUTHENTIC OF THOSE THAT ARE WRITTEN AT THE COURT OF HIS MAJESTY THE EMPEROR OF MOROCCO.

"Let the name of the only God be praised; there is neither wisdom nor power but what proceeds from the Lord most high and most mighty.

"We make known by this our present and generous writing that we have appointed the Christian D'Audibert Caille, who is the bearer hereof, to officiate as consul for all those nations who have no consuls in our dominion, and who are, the empire of Germany, Russia, Prussia, Naples, Sardinia, Rome, Tuscany, the States of America, Genoa, Ragusa, Hamburg, Lubec, and Dantzic, all of whom may come into our ports, and each of them there traffic under the flag of his nation, such as it may be. The said consul will assist them, by our order, in whatever may be useful to them, in like manner as the other consuls do towards the subjects of their nations. And all the officers and governors of our ports will acknowledge him for a consul as they do the other consuls, and whichsoever of the said nations shall come into our ports they shall not be molested by any of our officers or commandants whatsoever of our ports. To all our captains whom we shall order to cruise by sea the said consul will give a passport, and we renew our order to him to hoist the flag of peace at his house without being therein opposed by anybody. He may also hoist it in any port whatever where he may have a house of commerce, and he shall be mediator between us and the said nations, because we esteem him.

Given the 8th of the moon of Alcahda, 1193. (1st of November, 1779.)"

[Signed by the emperor.]

We, Stephen d'Audibert Caille, a French merchant, resident at Salé, appointed by his majesty the Emperor of Morocco consul of those foreign nations who have none in his dominions to protect them in that capacity on all occasions, and to be mediator between him and those nations, certify to all whom it may concern that the above copy is conformable to the original, compared by Don Miguel Cassori, the interpreter of his Catholic majesty. In faith of which we sign the present certificate, sealed with the seal of the consulate of peace, at Salé.

Done at Araujues, where I happen to be in passing, the 21st of April, 1780.

S. D'AUDIBERT CAILLE.

No. 4.

[Translation.]

COPY OF THE DECLARATION WHICH HIS MAJESTY THE EMPEROR OF MOROCCO (WHOM GOD PRESERVE) ORDERS TO BE NOTIFIED TO ALL THE CONSULS AND CHRISTIAN MERCHANTS WHO RESIDE IN THE PORTS OF TANGIER, SALÉ, AND MOGADORE, DATED THE 20TH OF FEBRUARY, 1778.

"That in future all vessels which carry Russian, German, Prussian, Hungarian, Neapolitan, Sardinian, Tuscanian, Genoese, Maltese, or American flags may freely enter into the ports of his dominions; and in consequence of his determination he

* 4 Sparks' Dip. Rev. Corr., 286.

† 4 Ibid., 287.