

U. S. Continental Congress, 1779.

OBSERVATIONS

ON THE

American Revolution.

PUBLISHED

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City of Washington

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.

Compiled by Gouverneur Morris.

PHILADELPHIA: ✓

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M DCC LXXIX.

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Office

October 15. 1778. Congress having received intelligence that a number of vessels are engaged in New York by the Commissioners of his Britannic Majesty, to go with flags to the several States in this Union, for the purpose of spreading among the Inhabitants a manifesto and proclamation, published by the said Commissioners at New York, on the 3^d day of October instant, for the purposes of sedition, &c.

Ordered, That the Paper containing the intelligence be referred to a Committee of five: the members chosen, Mr. G. Morris, Mr. Duar, Mr. Matthews, Mr. R. H. Lee, and Mr. Gerry.

October 24. 1778.

Resolved, That a Committee of three be appointed to superintend the publication of such matters relating to the disputes, Petitions, ^{and} negotiations, to and with the Board of Great Britain, and such notes and explanations thereon as to them shall appear proper; and that they agree with the printer for 1300 copies of such publication, on account of Congress: the members chosen Mr. G. Morris, Mr. Drayton, Mr. R. H. Lee.

November 13. 1778

Ordered, That Mr. S. Calaries be added to the Committee appointed to superintend the publication relative to disputes, petitions and negotiations, to and with the Board of Great Britain, and that the Committee be appointed to proceed in the publication as they judge proper.

Wednesday, June, 17. 1778.

Resolved. That a Committee of three be appointed to make proper extracts from the Journals and Files relative to the Letters received from the Commissioners, and reports Congress previous to presentation.

The members chosen, Mr. G. Morris, Mr. R. H. Lee, and Mr. Drayton.

OBSERVATIONS

ON THE

AMERICAN REVOLUTION.

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 cursory 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 tho' it introduced new incidents not to be met with in the antient 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
A. exercised

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 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 shew, 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 inconveniencies. 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 vigor 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 antient trunk to support them for a while in the storm of ambition. Our ancestors therefore, stimulated by their necessities, 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

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 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 altho' 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 thro' the principle 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 disputed 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

change in the treatment of these colonies. By a statute made in the fourth year of the present reign, a time of profound peace, alleging "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; 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 defend-

“defending the king’s dominions” on this continent. The penalties and 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 tranquillity 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 necessities 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 twenty-fourth day of March, 1769.

THESE statutes of the year 1767, revived the apprehensions and discontents 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

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 one with 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 institutions 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 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

THE judge 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 tranquillity 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
B " letter

“ letter from the speaker, and to declare their disappro-
 “ bation 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 plea-
 “ sure, that you should immediately dissolve them.”

THIS letter being laid before the house, and the reso-
 lution 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 con-
 duct 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 even of those statutes
 against which they so unanimously were complaining, re-
 monstrating 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-

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 "oppression 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 displease 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 disunited, 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,

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 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 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

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 care, the tranquillity 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

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 that much more willingly would bleed in your majesty's service. Yet so greatly have we been misrepresented, that a necessity has been alleged 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 colonists 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

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 connexion 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 alleged 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 our 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 descendents 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 but 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,

"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, 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."

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AND to inforce 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 road was 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 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 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 intention 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 a committee

mittee 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
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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 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 with-holding 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 revenue secures a perpetual return of duty or 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,

DISTROUS 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 proferred, 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 burthened with oppressive taxes, to provide sine cures for the idle or the wicked, under colour of providing for a civil list. While parliament pursue
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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 courts 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

position 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 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

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

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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 England 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 case 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,

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

putes 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 thro' 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 clothes, without money, without officers, without discipline, without a single fortification, a very considerable faction ready to join her enemies, exposed thro' 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,

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 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 expense 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

self 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 counsels. 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 present 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;

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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 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
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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, tho’ 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,

capacity, 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 choosing 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

matting 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, 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. Tho' 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 truly 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 chase 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 Sussex 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

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 connexion 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~~ most glorious and 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

“ 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 thro' 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 proceeding 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 distresses.

“ 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

cruel enemies, who abuse your royal confidence and authority, for the purpose of effecting our destruction.

“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

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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 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 affection 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

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 inhospitable 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 embrue 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 commerce. 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

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 necessities 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 *Charleston*, 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 descendents.

“ 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 descendents of *Britons* tamely submit to this? No, sirs! we never will, 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; there

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 necessities 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 us 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 with-held 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,

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 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 manners and manners are similar to yours, your markets afford them the conveniencies 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.

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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 alleged 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

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 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 dependents. 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

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 subjecting 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, of your defeat :---what blind fanaticism can urge you to a pursuit destructive of all that Britons hold dear?

“IF you have no regard to the connexion 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 distresses to which we are reduced, we sometimes forget our own afflictions, to anticipate

ticipate 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 altho' our enemies have endeavoured to stigmatize 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 reprizals upon private property, but leveled their resentment at those only who were engaged in aiding and assisting the armies
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employed

employed against us; nor did they until the 23^d 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 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 the colonies to be in open rebellion, forbidding all trade and commerce with the inhabitants thereof, until they shall accept pardon 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

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 lest 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 the defeat before Quebec was not yet known, but, on the contrary, it was expected that ca-

pital fortress 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 whatever 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

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 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

hands 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 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 the present king of Great-Britain 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

“ 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.

“ 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

“ 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

peated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, 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 connexions 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 iudge of the world for the rectitude of our intentions, do, in the name, and by 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 connexion 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 honor.”

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 as such, 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 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

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, tho’ 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

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

“ We gave 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

that no accomodation 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 exceptions 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 vigor 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 favor 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, well pleas’d, the storm of vengeance to the head of freedom. But that full tide of success, which had carried their expectations so high, began to ebb away: The gallant army, commanded by Burgoyne, checked by impediments

ments 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 splendor 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 York-Town, 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.*

“ **W**HEREAS 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

“ 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, 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

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 honor 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.

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 authorised 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 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 April, 1778.

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 ;

“ **T**HE 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,

“ **T**HAT 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

“ 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. 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,

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

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

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

“ 5^{thly}. 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.

“ 6^{thly}. 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 British 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 hath 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 labored 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
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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 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

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 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

doubt but they will as heretofore, upon the first favorable 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 or treaty 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 strenuous 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

“ 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 tho’ 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 laboring in the service of despotism ; on the other, virtue and fortitude supporting and establishing the rights of human nature.

“ You

“ You cannot but remember how reluctantly we were dragged into this arduous contest ; and how repeatedly, with the earnestness of humble intreaty, 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 thro’ 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 clothing, 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 thro’ 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.

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“ BUT,

“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 rigors 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 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

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, inevitably 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 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. Altho' 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 labor 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 ob-

tain,

tain, would be the justice and moderation of a parliament who have sold the rights of their own constituents. And this slender security is still further 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 childrens 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, inflamed 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

your armies 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 favor.

“It is to obtain these things that we call for your strenuous, unremitted 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.

S I R,

“H A V I N G, 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,

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,

H. W. R."

Henry Laurens, Esq;

President of the Congress.

Head-Quarters, Philadelphia, June 3, 1778.

S I R,

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 effect which is hoped from them. I have the honor to be, Sir,

Your most obedient and

Most humble servant,

Henry Laurens, Esq;

H. CLINTON."

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

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."

7 " *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.*

" **W**HEREAS 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

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 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, so much of an 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.*

“ **F**OR 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 Georgia; 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 authorise 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 honor 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 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 any 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 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 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 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 honor 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.

TO YOUR

" 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 honor 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,

Lord Howe.

HENRY LAURENS,
President of Congress."

York-Town, June 6, 1778.

SIR,

" I HAVE had the honor 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 those 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 honor of independent nations, the interest of their constituents, and the sacred regard they mean to pay to treaties. I have the honor to be, Sir,

Your most obedient, and

Most humble servant,

HENRY LAURENS,
President of Congress."

*His Excellency
Sir Henry Clinton, K. B. Philad.*

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,

“ **W**ITH 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 honor 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 tranquillity 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 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

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

fect 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, 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 apprize 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

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,
9th June, 1778.

CARLISLE,
WM. EDEN,
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,

Philad. June, 1778.

CARLISLE,
WM. EDEN,
GEO. JOHNSTONE."

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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 antient 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 William Howe, Knight of the most honorable 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 commission 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 William Howe, Esq; now Sir William Howe, 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 commission 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 there-

their commissions, together with all and singular the
 powers and authorities formerly granted unto them, the
 said Lord William Howe and General William Howe,
 as also all and singular our will and pleasure
 therein contained, in such manner and form, as in and by
 our said letters patent, and letters patent, relation
 hereunto respectively bearing, divers other things
 therein expressed, more fully and at large appear. And
 whereas the said petitioners and others, by reason of divers jea-
 lousies and apprehensions of danger to their liberties and
 rights, which have alarmed many of our subjects in the
 colonies, counties and plantations of New-Hampshire,
 Massachusetts, 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 session of Parliament, intituled, "An Act to
 enable his Majesty to appoint Commissioners, with suffi-
 cient powers to treat, consult and agree upon the means
 of settling 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 law-
 ful for his Majesty, from time to time, by letters patent un-
 der the great seal of Great-Britain, to authorize and empower
 five able and sufficient persons, or any three of them, to
 do and perform such acts and things, and to use and ex-
 ecute 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
 abovementioned; Now know ye, That we have revoked
 and determined, and by these presents do revoke and de-
 termine 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, re-
 posing especial trust and confidence in your wisdom, lo-
 yalty, 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, William Eden, and
 George Johnstone, or any three of you, to be our Com-
 missioners 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 Vis-
 count Howe, Sir William Howe, William 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 pa-
 tent, and of such further instructions 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 autho-
 rise, 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 po-
 litic 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 go-
 vernment 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 re-
 spectively, for the common defence of this realm, and the
 dominions thereunto belonging; and of and concerning
 any other regulations, provisions, matters and things, ne-
 cessary or convenient for the honor of us and our Parlia-
 ment, 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

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 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, W. 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

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 description 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

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 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 honorable 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 William 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 authorised to use
and

and exercise, do, perform and execute the same. And we do hereby require and command all the officers, civil and military, 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 April, in the 18th year of our reign.

By the KING himself.

A true Copy,
ADAM FERGUSON, Secretary.^{w^s}

Y O R K E.

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

“To their Excellencies the Right Honorable 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 enclosures, 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 honor 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,

Britain, 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 honor 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 have been bound in honor, as

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we certainly were by inclination and the principles of humanity, to enter upon a conference for the purpose of sheathing the sword of civil war. 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 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

terwards 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 unfavorable, or they so honest as not to make the attempt, any future parliament would be in legal capacity to disannul 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 laboring 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 cre-
“dit and value of the paper circulation.” On which it is
to be observed, that as our debt consisted of this paper cir-
culation, 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 generous 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 con-
sequently 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 re-
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“ ciprocal deputation of an agent or agents from the dif-
 “ ferent 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 mi-
 nisterial 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 of-
 fered 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 ap-
 pointed by the king and partly by the people, but all hold-
 ing 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 legisla-
 ture, 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 profess to
 extend to trade,*” some faint idea may be formed of the
 meditated system.

THE last offer is, “ to establish the power of the re-
 “ spective legislatures in each particular state, to settle its
 “ revenue, its civil and military establishment, and to
 “ exercise a perfect freedom of legislation and internal go-
 “ vernment, so that the British states throughout North-
 “ America, acting with us in peace and war under one
 “ common

“ common sovereign, may have the irrevocable enjoyment
 “ of every privilege that is short of a total separation of in-
 “ terests, 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, rique, 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 an union of force with us. The necessary consequence is, that, notwithstanding their pretended superiority, they must not only make peace with us, but
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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 ~~are~~ an inviolable 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 clarify or even to enlarge that Independence.

“Is the other alternative you propose, that his Majesty should withdraw his troops and his arms

“And that

“ **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 judgement 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 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, No. 6 and 9, it is stated that you should have the

~~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. JOHNSTON.”

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 acknowledgement 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 17th instant from the British Commissioners.

1776.

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 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 chicane, 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

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 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, the 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 the 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 honor; 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:

S I R, New-York, 19th September, 1778.

“**N**OTHING 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

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 candor to acquit me of the consequences that must follow from the new system of war you are pleased to introduce. I have the honor to be, Sir,

Your most obedient and most humble servant,

H. CLINTON.

His excellency HENRY LAURENS, Esq, the president, and others the members of the American Congress, at Philadelphia.

Extract of a letter from the right honorable lord George Germain, one of his majesty's principal 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
 “ I 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, who
 “ 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 decided 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 Con-
 “ gress.” But instead of this, there is simply a *direction* of
 a secretary of state to their general “ to give the fullest as-
 “ *surances, &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 vil-
 lainy of counterfeiting money, and with whom it was a fa-
 vorite 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 in-
 decent, 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 they on
 the 3d of October, 1778, published the following mani-
 festo and proclamation :

*To the members of the Congress, the members of the General
 Assemblies or Conventions of the several colonies, plantations and
 provinces*

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,

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 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 honors of a military life are become their object, let them

them seek those honors 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 endeavoring 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 influence 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
P war,

war, when they tended to distress a people still considered as our fellow-subjects, and to desolate a country shortly to become again a source of mutual advantage : But when that country professes the unnatural design not only of estranging herself from us, but of mortgaging herself and her resources to our 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-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.

2^d 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 forever 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 communion with which we have in vain been honored, 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 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

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, jurymen, 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 ancient 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,

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 and cordial endeavors 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

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 burthenfome 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

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 endeavoring 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 imbue 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 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 or revenge, so through every possible

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 wean 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

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 something 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 4thly. 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 endeavor 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 scalping-knife itself 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 assailed; and firmly retort every infringement of the law of nations with unfeeling perseverance. To remedy the latter, oeconomy in the expenditure of money, and taxation, are the natural means, and, in addition to these, private oeconomy, 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 enterprise 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 favor 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.

