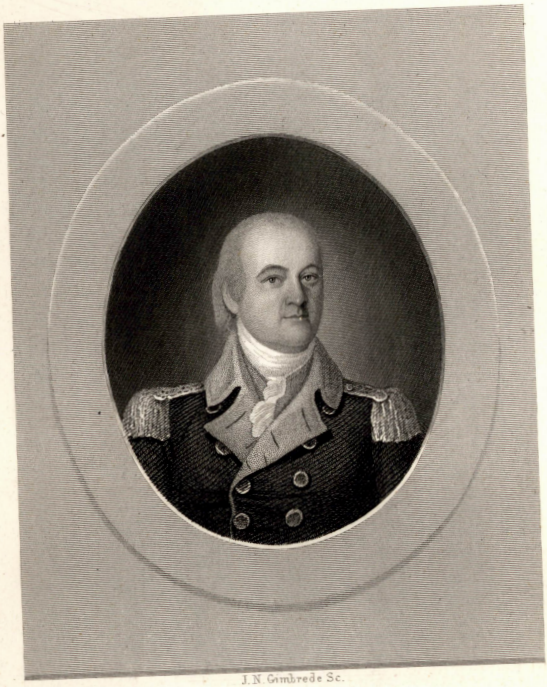

J. N. Gimbrede Sc.

Your Most Humble Servant

1758. Wm Alexander

your Most Humble Servt.

1772. Stirling

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THE LIFE

OF

WILLIAM ALEXANDER,

EARL OF STIRLING;

MAJOR GENERAL IN THE ARMY OF THE UNITED STATES,
DURING THE REVOLUTION:

WITH

SELECTIONS FROM HIS CORRESPONDENCE.

BY HIS GRANDSON,

WILLIAM ALEXANDER DUER, LL. D.

Actis, ævum implet, non segnibus annis.

OVID.

PUBLISHED FOR THE
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TO THE

NEW JERSEY STATE SOCIETY OF THE CINCINNATI,

THIS MEMOIR

OF THE

LIFE AND SERVICES

OF THE

SENIOR OFFICER OF THE REVOLUTIONARY ARMY FROM NEW JERSEY,

Is respectfully Inscribed,

AS A TRIBUTE DUE TO THAT ASSOCIATION

OF HIS

DISBANDED FELLOW-SOLDIERS,

IN WHICH,

HAD HE LIVED LONG ENOUGH,

HE WOULD HAVE BEEN

AMONG THE FIRST TO ENROL

HIS NAME.

PREFACE.

THE chief materials of the following memoir lay for many years unknown in the possession of the widow of its subject, and were not examined until some time after her decease. They were then lost sight of for a long period, in consequence of a hasty removal from an alarm of yellow fever, and when recovered they were presented to the Historical Society of New-York, as a fit depositary for documents serving to illustrate our revolutionary annals.

As the author is well aware that whatever of value or interest may attach to his work will be due to the correspondence it embraces, he cannot forbear expressing his regret that a number of the most important letters in the original collection are not now to be found. They were selected from the mass, and laid aside for greater security; but, as not unfrequently happens in such cases, they were lost—perhaps, hrough the very means intended for their preservation. This accident is the more to be lamented, as the letters in

question comprised the correspondence of Lord Stirling, both during his residence in England and after his return to this country, with the Earls of Chatham, Bute, and Shelburne, Mr. Charles Townshend, Mr. Wedderburn—afterwards Lord Loughborough—and other British statesmen, upon American affairs, during a period when most of those persons were cabinet ministers, and all of them members of Parliament.

The same packet contained also, what was still more valuable, the private correspondence of General Washington with Lord Stirling, during the revolutionary war. This circumstance will account for the very few letters from the former to be found in this publication. Every effort has been made, as may be supposed, to recover the lost packet, but hitherto without success. Should it chance, however, to come to light hereafter, the contents will be communicated to the public through some proper medium.

The plan adopted in the execution of the present work has fortunately left little else for the biographer than the task of connecting the letters by a running narrative, with explanatory notes and observations,—a method recommended not only by approved examples, but as calculated to avoid the temptation, as well as the suspicion, of partiality, which might otherwise arise from the relationship of the author with the subject of his memoir. If in any instance, however, his narrative has received a colouring from so natural a bias, it can hardly escape the attention of his readers, and can never

mislead them—inasmuch as they will be able to form their own judgments of the character of Lord Stirling from the correspondence itself, independently of the remarks by which it is accompanied, and to decide upon his conduct from the extraneous evidence afforded by authentic memorials of the period.

In committing these pages to the press, the author gladly embraces the opportunity of acknowledging his obligations to the Historical Society of New-York; and in particular to Prosper M. Wetmore, Esq., Chairman of its Executive Committee, for the liberality and courtesy, which, by placing the original documents at his disposal, have enabled him to avail himself of them in the execution of his work. To that body, also, and especially to the exertions of one of its most active and efficient members, Dr. John W. Francis, the thanks of the public, as well as of the author, are due for the recovery of these papers on the occasion already referred to.

Morristown, N. J., January 8, 1847.

ADVERTISEMENT.

THE COMMITTEE charged with the publication of this volume would, in behalf of the New Jersey Historical Society, express their obligations to PROFESSOR JARED SPARKS, LL. D., for his liberality, in placing at the disposal of the Society the plates of the battle-grounds which illustrate the work.

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ERRATA.

On page 2, line 10, for "where," read *were.*
Page 95, Note, *dele* "the son of."
Page 113, line 17, for "Sterling," read *Stirling.*

THE LIFE OF LORD STIRLING.

CHAPTER I.

1716–1759.

Among the soldiers of the American Revolution there is none, perhaps, of equal rank, whose services have been so imperfectly commemorated as those of Major-General William Alexander, better known by his title of Lord Stirling. It seems, therefore, not less consonant to justice than duty, that one of his descendants should attempt to compensate for this neglect; and by a full but impartial biography, to illustrate the character and record the acts of an officer, who was surpassed by few of his contemporaries in military experience and enterprise,—by *one* only in disinterested and zealous devotion to his country—by none in the sacrifices he made for it.

The subject of this memoir was born in the year 1726, at the city of New-York. His father, James Alexander, was a native of Scotland, and took refuge in America, in 1716, in consequence of the part he had

taken in favour of the House of Stuart in the rebellion of the preceding year. James Alexander was remarkable at an early age for proficiency in the mathematics, and skill in those branches of practical science which are founded or dependent upon them. Thence he obtained some distinction as an officer of engineers in the service of the Pretender. He seems, however, to have joined the standard of that unfortunate adventurer rather from national than political predilection: certain it is, that his family connections where whig, and that he proved himself a stanch friend of whig principles from the moment of his arrival in the colonies.

At that period too, he enjoyed, through the influence of John Duke of Argyle,* the hereditary friend of his family, not merely the connivance, but the patronage of the provincial representatives of the House of Brunswick. Not long after his arrival at New-York, he received an appointment in the office of the Secretary of the Province, "the best school," says Mr. Smith, the historian of New-York, "for instruction in matters of government." According to the same authority, Mr. Alexander "afterwards became equally distinguished for his humanity, generosity, great abilities, and honourable stations."†

His mathematical acquirements soon recommended him to the appointments of Surveyor General in New-York and in New Jersey; and in 1720, with his countryman, Dr. Cadwallader Colden, he was chosen by Governor Burnet,‡ also a Scotchman, a member of his

* The "great Duke" of Sir Walter Scott—whose character is portrayed with historical fidelity in that most delightful of fictions "The Heart of Mid-Lothian."

† Hist. of New-York, ed. 1830, p. 271.

‡ William Burnet, son of the excellent Bishop of that name, and a son worthy of his illustrious sire. He had exchanged the office of Comptroller of the Customs with Governor Hunter for the Govern-

Council, "in which choice," says the historian, "the Governor showed his wisdom, for they were both men of learning, good morals, and solid parts."

Whilst employed in the Secretary's office, Mr. Alexander found leisure to commence the study of the law, which he subsequently pursued in the intervals of his labours as Surveyor General. When called to the bar he soon became more devoted to his professional business, than to public affairs, though not to the neglect of his official duties. According to Mr. Smith, Mr. Alexander was "by no means distinguished as a public speaker, yet he attained great eminence from his profound legal knowledge, sagacity, and penetration,—was regularly consulted on the most important questions, and his replies were received as the answers of an oracle." On one signal occasion, however, he gained not less celebrity for talents and intrepidity as an advocate, than for the soundness of his side-bar opinions—while manifesting at the same time the most devoted zeal, and unconquerable perseverance as a patriot.

With his friend William Smith,* the father of the historian, and afterwards Chief Justice of the Province,

ment of the two Colonies of New Jersey and New-York, and entered upon his official duties, in the latter Province, in September, 1720. He is described as "polite, sociable, well-read, quick, intelligent, and well-disposed;" and his conduct certainly formed a strong contrast with that of his military predecessors. He had not their usual rage for making money nor their rapacity for power. He married into the Dutch colonial family of Van Horne, and was transferred to the Government of Massachusetts, much to the regret of the people of New-York, and his own. Governor Burnet's family remained in this country. His daughter was married to William Browne, Esq., of Beverly, Massachusetts, and left a son, William Burnet Browne—who married a relative of General Washington's, and settled in Virginia—where many of his descendants now reside. He also left two daughters—one married to a Mr. Hall, of Maryland, and another who long lived, and died unmarried in New-York.

* They came to America in the same ship.

Mr. Alexander volunteered his services as Counsel for Peter Zenger, the printer of the "New-York Journal," whose trial is famous in our colonial annals. Zenger had been arrested and imprisoned for certain publications in his newspaper, alleged to be libellous, and was brought before Mr. Justice DeLancey upon a writ of *Habeas Corpus*—when his Counsel, Messrs. Alexander and Smith, objected to the legality of the warrant upon which Zenger had been committed, and insisted upon his discharge, or admission to bail. They prevailed so far as to obtain an order for his release upon giving bail,—but the amount was fixed at eight hundred pounds, notwithstanding the prisoner had sworn that exclusive of his wearing apparel and the tools of his trade he was not worth forty. He was unable or unwilling to procure the bail required, and was of course remanded to prison. The grand jury refused to indict him; but an information *ex officio* was exhibited against him by Bradley, the Attorney General. The Counsel of Zenger *excepted* to the information on the ground, in the first place, that the commissions of the Judges of the Supreme Court, in which it had been filed, ran *during pleasure*, and not *during good behaviour;* and secondly, that they had been granted by the Governor (Cosby) without the advice and consent of his Council. The Court not only refused to hear the exceptions,* but threw Messrs. Alexander and Smith over the bar for presuming to make them;† nor

* The Chief Justice (Morris) thought the exceptions well taken; but his opinion was overruled by the *puisne* Judges, De Lancey and Philipse.

† The Court afterwards assigned Mr. Chambers as Counsel for Zenger; and on the trial Andrew Hamilton, an eminent member of the Philadelphia bar and an intimate friend of Mr. Alexander's, volunteered and took the lead in his defence. The trial took place before De Lancey—now Chief Justice—and Philipse, the two Judges who had overruled the exceptions; but Zenger was acquitted by the Jury. In an article in the American edition of the Edinburgh En-

were they permitted to resume their practice until the next year, when, upon the death of Governor Cosby, Mr. Alexander was recalled to his seat in the Council, and both he and Mr. Smith were readmitted to the bar.

In both stations the former continued to maintain his reputation, as the constant and fearless advocate and defender of popular rights and constitutional principles. He stood alone in the Council in opposing the election of George Clark, as President of that body—or acting Governor of the Province in 1736; and he finally lost his life by repairing to Albany, when suffering from severe illness, to oppose a ministerial scheme oppressive to the colonists.* A letter, written not long before his death, is preserved in Mr. Sedgwick's Life of Governor Livingston, "as one of the very few literary remains of a man highly distinguished in his day, but who has left but scanty memorials of his character and ability."†

It was not merely as a lawyer, a politician, or a statesman, that Mr. Alexander was distinguished, but also as a man of science. He was not only the principal author, with Dr. Colden, of the memorable report on the Indian trade in defence of the policy of Governor Burnet; but, together with Dr. Franklin, Francis Hopkinson, and others, founded the "American Philosophical Society." He maintained, moreover, a constant correspondence with Halley, the Astronomer Royal at Greenwich, and other learned mathematicians in different parts

cyclopedia—understood to have been furnished by Dr. J. W. Francis of New-York—the learned contributor mentions that the late Gouverneur Morris observed to him, that "the trial of Zenger in 1735 was the germ of American freedom."

* *Vide* Smith's History of New-York, edit. 1830, vol. 2, p. 281.

† *Vide* Sedgwick's Life of Livingston. p. 49. It is addressed to John Taber Kempe, afterwards Attorney General of the Province of New-York, who, with the younger Smith, Governor Livingston, and James Duane, were at the same time students at law in the office of Mr. Alexander.

of Europe, upon subjects relating to their common pursuits—while his skill as a scientific surveyor is attested by the instructions given to his subordinates for running the line of partition between East and West Jersey.

About ten years after his removal to this country, Mr. Alexander intermarried with the widow of David Provoost, who—from his wealth acquired in that illicit trade to which the restrictive system of the mother country afforded such strong temptations to the colonists as to render its pursuit too general to be deemed disreputable—had obtained the *soubriquet* of "Ready-money Provoost." After the death of this worthy, his more respectable relict engaged in lawful commerce on her own account, and in her own name, and so continued to conduct it after her second marriage. James Alexander died in 1756, leaving an ample provision for his widow, and a large but not productive landed estate to be divided between his son and several daughters, who survived him.*

The son had received as good an education as the provincial schools afforded, with the additional advantage of private instruction from his father, in those branches of science to which the latter was particularly addicted, and for which the former had inherited an aptness and taste.† He did not, however, at first pursue them practically; as he entered upon the active business of life, first as the clerk, and afterwards as the copart-

* He had acquired considerable real estate in the city, and elsewhere in the Province of New-York, and was one of the Proprietaries of East Jersey. His daughters were Mary, married to Peter Van Brugh Livingston; Elizabeth, married to John Stevens; Catherine, to Walter Rutherford, and Susannah, to John Reid.

† In the library of the N. Y. Historical Society may be found a manuscript account of his observation of the transit of Venus in 1769,—after he had succeeded his father as Surveyor General of New Jersey.

ner of his mother. In the course of their trade the firm obtained contracts for the supply of the king's troops with clothing and provisions, which led to the junior partner's joining the commissariat of the army. The zeal, activity, and military spirit he displayed in the discharge of his duties, in the field, as well as in the camp, attracted the notice of the commander-in-chief, General Shirley, whose staff he was eventually invited to join as aid-de-camp and private secretary. In this capacity he served during the greater part of the war, which, although not formally declared in Europe until 1756, had actually commenced on this continent, some years before.*

It was thus that young Alexander had the early opportunity of acquiring a knowledge of military affairs, during three severe campaigns in which he served with General Shirley. The following letter from one of his friends, who was afterwards a member of the Congress that declared independence, shows the footing upon which the aid-de-camp was supposed to stand with his General.

Lewis Morris, Jr. to Major William Alexander.

"DEAR SIR,—I beg leave to recommend to you Mr. John Duane, who is greatly desirous of entering the army. He is a smart active young fellow of about twenty-two; of good fortune, education and spirit; and from the opinion I entertain of him I have no doubt but he will make a good officer. As I have an esteem for him and his family—with which I suppose you are

* In this interval, viz. in 1754, Mr. Alexander, together with Philip Livingston, Robert R. Livingston, Wm. Livingston, John Marvin Scott, and Wm. Smith, raised £600 to purchase books to lend to the people, which led to the establishment of the N. Y. Society Library.

probably acquainted*—I shall be extremely obliged to you if you will be kind enough to apply to his Excellency General Shirley on his behalf; and if there is a vacancy, to use your influence to procure him a commission. If there is none at present, be pleased to acquaint the General that he is willing to enter as a volunteer. If there is any prospect of his promotion, I should be glad to have a line from you soon.

"I am, &c."

In December, 1755, a Congress of the Provincial Governors had assembled at New-York, and agreed to raise ten thousand men to enable General Shirley to reduce the posts of Ticonderoga and Crown Point, and the French forts on Lake Ontario. But nothing was done in execution of this agreement. The plans of General Shirley were consequently defeated,—and his recall followed. Major Alexander accompanied him to England in the autumn of 1756, to aid in the settlement of his accounts, and to vindicate by his testimony the character of his commander. He was accordingly examined as a witness on his behalf at the bar of the House of Commons, in April, 1757, and his evidence contributed materially to the justification of his friend and patron. The candour and intelligence of the young American in giving his testimony received the marked approbation of the House, and contributed, with the influence of Shirley and the letters he had brought with him from other military men of rank and family, to facilitate his introduction

* It would seem from this, that the person recommended was a relation,—probably a brother of James Duane, an early friend and companion of young Alexander's, afterwards a member of the Continental Congress, the first Mayor of the City of New-York, after the Revolution; and the first District Judge of the U. S., for the District of N. Y., under the Federal Constitution.

to some of the most eminent public characters in England; while his conciliatory manners, social accomplishments, general information, and enlightened views in regard to the mutual interests of the mother-country and her colonies, recommended him strongly to their esteem and confidence. Among the friends distinguished for rank and station that he made at this period, was the eloquent and ingenious Charles Townshend, the versatility of whose talents and temper has obtained a permanent celebrity in the splendid eulogy and quaint metaphors of Edmund Burke.* The acquaintance between them commenced soon after the examination of Mr. Alexander before the House of Commons, of which Mr. Townshend was a leading ministerial member, and speedily ripened into a friendship which led to a correspondence, of which it is to be regretted that the following letter is all that remains.†

The Right Honourable C. Townshend to William Alexander, Esq.

"Adderbury, near Bunbury, Oxfordshire, Oct. 1st, 1755.

"Dear Sir,—I am obliged to you for thinking of me in your leisure, and shall be happy to receive you here whenever you are so kind as to favour us with your company. Our house is never full, nor can it ever be more agreeable to us than when you have an apartment in it. If General Shirley or Mr. Morris,‡ or both, can persuade themselves to show us the same mark of their kindness, they will oblige us also. I have only to hope

* In his famous speech on American Taxation. In describing the parliamentary eloquence and tact in debate of Mr. Townshend, Burke, with his usual felicity of familiar allusion, observed that Mr. Townshend, when he spoke, "took the House *between wind and water.*"

† *Vide* Preface.

‡ Robert Hunter Morris, Chief Justice of New Jersey in 1738, and Governor of Pennsylvania in 1754.

that you will not only just appear, and then leave us to regret, but that you will pass some time with us.

"The season is too far advanced to expect any but laborious shooting; but I have hounds at command, and will attend you if you love that sport, as far as a sober hare-hunt, at a prudent hour. If you do not love field-sports, there are many fine seats around me;—within doors, there are books, and you may depend upon having the uncontrolled direction of your own thoughts, time, and amusements.

"Thus we live, and if you like to live thus, you can nowhere bestow your leisure where it will be more acceptable than upon

Your affectionate and faithful servant."

It was from the encouragement of Mr. Townshend, the Duke of Argyle, and the Earl of Bute, in addition to the persuasions of General Shirley, and of his friends Messrs. Thomas and John Penn, the Proprietaries of Pennsylvania, and of Mr. Morris, their Governor of that Province, that Mr. Alexander was induced to lay claim to the vacant Earldom of Stirling. His father, before leaving Scotland, was known to be the presumptive heir to the title, but not to the estates of Henry the then Earl. But upon the death of that nobleman, which happened in 1737, James Alexander, not less from the moderation of his views than from the circumstances under which he had left his native country, made no claim to the succession. The son, however, had derived from his father and mother together, a considerable inheritance, and had acquired by marriage* a fortune, sufficient in those days

* Before he visited England, he had married Sarah, the eldest daughter of Philip Livingston, the proprietor of the manor of that name.

for the support of a Scotch Earldom; and from his age, habits, and associates, the rank and title of a nobleman had greater attractions for him, than for his wiser and more philosophic father.

He lost no time, therefore, after he reached Great Britain, in consulting the most eminent Counsel in London and Edinburgh upon the subject, and after a full investigation of his case, he obtained the opinions of Mr. Wedderburn, in London, and of Messrs. Ferguson, Pringle, and Johnston, leading advocates in Edinburgh, in favour of his claim. Wedderburn, as is well known, commenced his professional career in the Scottish capital—but removed to the metropolis of the empire in consequence of a difficulty with the Scotch Judges. He soon attained celebrity and fortune in this new and more elevated sphere—entered parliament under the auspices of the Earl of Bute, and during the administration of Lord North—became in succession Solicitor and Attorney General—and subsequently Chief Justice of the Common Pleas, and Chancellor. On his promotion to the bench he was raised to the peerage under the title of Baron Loughborough, and, on his retirement, gained another step in it, as Earl of Rosslyn. This distinguished person was the principal legal adviser, and became the personal and confidential friend of Mr. Alexander. It was by his advice that the latter repaired to Edinburgh, in the summer of 1757, furnished with the necessary instructions, and with letters of introduction to the Counsel there, and to Mr. Andrew Stuart, an eminent *writer*, or solicitor. He remained in Scotland until the next year, and having, with the assistance of Mr. Stuart, collected the evidence requisite to substantiate his claim, he instituted the proper legal proceeding to establish it.

During his residence in Scotland, Mr. Alexander formed many valuable acquaintances in that kingdom, and found there an old friend and companion in arms, in Captain Staats L. Morris, a native of New-York, who had entered the British army early in life,* and was now the husband of the Duchess dowager of Gordon. From the letters which follow, Mr. Alexander appears to have been domesticated at Gordon Castle during a part of the time he remained in Scotland.

Captain Staats L. Morris to William Alexander, Esq.

"Gordon Castle, January 18th, 1758.

"DEAR ALEXANDER,—I have been honoured with two letters from you since we parted—one from Edinburgh, the other from Newcastle—both which gave me great satisfaction. The day I left you, I got to Haddo House, and staid with Lord Aberdeen till next day after dinner. Then went to Aberdour† and staid all night, and the next day got here. We were as merry as we could be without our agreeable friend Alexander. You make the Duchess and myself extremely happy by the kind expressions you were pleased to make in your letters. I need not repeat my regard and friendship towards you—and as for my Duchess, she bids me tell you she values your friendship, and as far as she can extend hers, you have it, and desires to be remembered to you in the kindest manner.

"I hope this will find you safe in London, and well rested after your journey. I cannot flatter myself to hear often from you, as I know your business will em-

* He had served in America under Shirley, and rose afterwards to the rank of a General Officer. He was the elder brother of Gouverneur Morris.

† A seat of the Earl of Morton.

ploy most of your time; but I hope you will indulge me with a line now and then, to let me know how Morris, Penn* and you go on. I have leave from my regiment to leave this, if I shall think proper, the middle of this month; but I fancy I shall not get away before the middle of March, when I hope to have every thing settled to my satisfaction here.—You may keep Lord George Beauclerc's order,† for I sent one to the Major before you left me, and I have got a spare one from Barclay. Let me know how you are with regard to your health. I was hunting to-day, and we had the finest chase you ever saw. The Duke and all the children desire to be remembered to you; and you have all the good wishes in their power to give. My love to my dear Morris,—tell him I should be happy in the acquaintance of his new relations.

"I am, &c."

The Duchess of Gordon‡ to the Same.

"Gordon Castle, February 3d, 1758.

"SIR,—Your friend Morris intended to have wrote you this evening; but, being prevented by some business, desired me to make his excuse to you, and will write you by next post.

"I am glad to hear you have got safe to London, where I hope you are agreeably entertained.—We all

* Robert Hunter Morris and John Penn, the latter of whom was Governor of Pennsylvania in 1763, and again in 1773. His brother Richard had also been Governor of the same Province. They were descendants of William Penn, and had succeeded to his proprietary rights in the Province.

† An order relating to the recruiting service in Scotland, of which Mr. Alexander's interest in military affairs had induced him to request a copy.

‡ This lady afterwards accompanied her husband on a visit to his relations in America, and was long remembered in New-York for her masculine habits, blunt manners, *frank* conversation, and *good heart*.

regret much the loss of your good company at this place, and think ourselves much obliged by your kind remembrance of us. The boat was launched on the Spy on the king of Prussia's birth-day, and sailed round by sea to Loch Spyrie, where she now rides at anchor. All your friends here join in compliments to you.

"I am, &c."

The following, of a different character, was from an old family friend, who had been in America.

Patrick Græme, Esq. to the Same.

"Perth, February 3d, 1758.

"DEAR SIR,—When I had the pleasure of seeing you here, we promised to write to one another; and having been some time in expectation of hearing from you of your safe arrival in London, but not being favoured with that, I would delay writing no longer.

"The great esteem I always had for your father, and the mutual friendship that ever subsisted between us, makes me more anxious to hear of your good health and prosperity than god-fathers commonly are, of which I hope you will acquaint me on receipt of this: and pray advise me if my very good friend and old acquaintance Governor Hamilton* be come to London—to whom, if he be, make my hearty compliments, and let me know how he is.—I should be glad, also, if you would let me into the Pennsylvania affairs that are carrying on in London; if Isaac Norris and Benjamin Franklin, Mr. Penn's opponents, be in London, and what steps they are taking. I hope Mr. Penn, with his two late Governors,† will be

* Andrew Hamilton, Deputy Governor of Pennsylvania in 1748, and President of the Province in 1771.

† Hamilton and Morris.

able to overset all their measures. My acquaintance with your friend Governor Morris being but small, and many years ago, I am afraid he may have forgot me. However, please to make my humble compliments to him. I was much better acquainted with his father. I hope he and Governor Hamilton will support you, with Mr. Penn, in the *memorandum* you were so kind as to take in your pocket-book, for a patent in favour of my brother in Philadelphia, and my son John. I hope my brother's conduct in his office has been such that the honourable family never mean to remove him—at least, that this proposal of mine will be no prejudice to him. I desire, in a special manner, that you will make my humble duty and compliments to Mr. Penn. It gave me real concern to hear of the death of his son some months ago. I shall be glad to know how he and his family are, and what children he has alive.

"When you write to New-York, make my compliments to your mother in the best manner, who, I am certain, will remember me well. I shall be glad to know what steps you took in Edinburgh towards your title. If in this country I can be of any service to you, I expect you will freely command me, having it truly at heart to serve you.

"I am, &c."

The answer to the above letter is inserted in this place, though out of the order of its date, as in complying with the request of his correspondent, contained in the last paragraph, Mr. Alexander mentions the progress he had made in the affair which carried him to Scotland.

William Alexander, Esq. to Patrick Græme, Esq.

"New Bond Street, April 24th, 1758.

"DEAR SIR,—I had the pleasure of receiving your letter of the 23d of February, soon after the date of it. I should long before have wrote to you in return, but being in daily expectation of seeing Governor Hamilton, I put it off from day to day until I could have that opportunity: nothing else should have made me so long neglect cultivating a correspondence which I much value. The mutual friendship which subsisted between yourself and my father, and the worthy character you have always sustained, are sufficient to make that correspondence more than agreeable to me.

"I heartily wish it had been in my power to have effected the matter we conversed about for your son John. Soon after my arrival from Scotland, by lights I drew from Governor Morris and Mr. Penn, I judged the thing impracticable, and since seeing Governor Hamilton, I am confirmed in that opinion. He tells me that the reversion of the office has for many years been engaged. However, there is not the least complaint against your brother's conduct in office, and I suppose he will hold it for life. Mr. Hamilton will write to you by this post on the subject.

"As to the affairs of Pennsylvania, the Assembly have, for many years, been demanding unreasonable concessions from the Proprietaries. They, on the other hand, have as constantly refused them. This, in its course, has been worked up to a state of feeling that has produced anarchy, confusion, and great mischiefs in the Province. The Assembly, on their part, have sent home*

* It can scarcely be necessary to apprise the reader, that this word "*home*" is here used according to custom before the Revolution, in a sense which would now be rendered *abroad*.

Mr. Franklin,* to represent what they call their grievances. He has hitherto made no application to the Government; but has delivered the "heads" to Mr. Penn, who has laid the matter before the Solicitor and Attorney General for their opinion, whether consistently with the safety of his estate, with the power given him by the Crown, and the nature of the English Government, he can comply with their demands—which, I suppose, will be answered in the negative—and that Mr. Franklin's next step will be to apply to the King in Council.—While the Proprietaries had men of sense and virtue for their Governors, and while Franklin was at the head of the Assembly, they were kept within bounds; but since they have had a Governor, who is worse than a fool,† and since Franklin has been on this side of the water, they are grown frantic. They have imprisoned a number of the inhabitants of Philadelphia—most of them without any cause; though their pretence is indecent behaviour—laughing in their presence.

"As to the affair of my title in Scotland, it has been retarded for want of some written evidence of a matter of which before we had only traditional proof. By my last letters from Mr. Stuart, my *Doer*‡ at Edinburgh, I am informed that he had procured such corroborating evidence as is sufficient to enable him to venture the *service*,§ and by the help of papers in the Duke of Argyle's charter-room—of which I have now the use—all difficulties, I hope, will be put an end to. Mr. Stuart has taken

* Mr. Benjamin—afterwards Dr.—Franklin.

† William Denny, Lieut. Governor from 1756 to 1759.

‡ *Scotice* for agent or man of business.

§ A proceeding in the Scotch law in the nature of an Inquisition, held on the death of an ancestor, to ascertain by the verdict of a jury the person entitled to the succession as next heir.

out the *brieves* for the process, and the affair will, I believe, be soon finished.

"I am, &c."

The proceeding above referred to, partook, however, of the delays for which the law is proverbial, and was not terminated in less than a year. The following letters, written in the interval, are inserted from their reference to a document which was deemed important in the settlement of the Northeastern boundary between the United States and the British possessions, by the Ashburton treaty.

*The Same to Mr. Andrew Stuart.**

"London, November, 1758.

"DEAR SIR,—I hope you will think I offer a very good excuse for not acknowledging your favour of the 5th of October sooner, when I tell you that about the time it came to hand, I was hunting in Oxfordshire, and being in full chase over a slippery piece of ground, my horse's heels flew up, and of course down came your humble servant; the consequence of which was a violent contusion on my right shoulder,† and a total disa-

* This gentleman seems to have enjoyed a station in the society of Edinburgh, above that usually conceded to men of his profession, and which must probably have been acquired by his literary and social accomplishments. In a letter of his to Sir William Johnstone, dated from Paris in December, 1762, and of which an extract is given in an article entitled "Passages in the Life of David Hume," in a late number of the Dublin University Magazine, he says:—"Tell Hume he is so much worshipped here, that he must be void of all passions if he does not immediately take post for Paris. In most houses where I am acquainted here, one of the first questions is, 'Do you know Monsieur Hume whom we all admire so much?' I dined yesterday at Helvetius's, where this same *Monsieur Hume* interrupted our conversation very much."

† This accident happened during a visit to Charles Townshend.

bility of writing until within these few days. It is now better; and one of its first employments is to give evidence of my gratitude for the friendship you have shown in the prosecution of the business under your care. The reasons you give for not bringing on the *service*, are quite satisfactory, and are the highest evidence to me of your regard for my real interest.

"There is no late news from America, but I am in daily expectation of hearing of the reduction of *Fort Du Quesne*. If any thing of importance occurs, I shall inform you.

"I some time since instructed Mr. Dagge* to write to you for a copy from the records of the *Laigh* Parliament House, of a grant from James VI. to Sir William Alexander, for the country of Nova Scotia, it being wanted in some measures the ministry are about to take with respect to the boundaries of that Province; but I find Mr. Dagge, not rightly understanding me, has neglected mentioning it to you. It is now much wanted; and I must therefore desire you will, as soon as possible, send me a fair copy of it, properly authenticated, according to the custom of Scotland.

"I am, &c."

Mr. Andrew Stuart to William Alexander, Esq.

"Edinburgh, 5th December, 1758.

"DEAR SIR,—By the last and preceding posts I am favoured with two letters from you, and in obedience to the first of these, I went to the *Laigh* Parliament House to search among the records for the original grant of Nova Scotia, which I found, and expect to be able to

* His Solicitor in London.

send you by the next post. There is a lad close at work copying it from the record, but the charter being very long, it could not possibly be got ready to-night.

"I do not purpose at this time to take up your time with any further particulars about your own affairs, as in a post or two I am to send you a state of the proof, such as we are to lay before the jury, and Mr. Johnston's opinion thereon,—in whose hands the papers have been for some time past. I shall only tell you at present, that, now our evidence is collected, Mr. Johnston has a favourable opinion of it, and thinks we have, as far as could well be expected in so remote a matter, sufficient to satisfy a jury. I have been bespeaking Lord Dundonald and some others of your acquaintance to be on the jury; and intend to write to Mr. Murray, of Abercairny, to come to town on the occasion, who, I imagine, will not decline this piece of trouble. We would wish to have the jury composed of the most creditable people.

"Captain Morris came to town late on Saturday night from Dunkeld, and returned home early yesterday morning *alongst** with the young Duke of Gordon and his brother, who came to town early on Sunday night. I had not an opportunity of seeing Captain Morris this last time he was in town, but have this night forwarded your letter to him at Dunkeld, where he now is. I had called on him on Sunday to pay my respects;—he happened not to be at home, and the Duke of Gordon and his brother had not yet come to town; the people of the house imagined he was to stay in town some days, and when I called next morning, was so unlucky as to miss him.

"I am, &c."

* According to the Scotch orthography. Many Scottish expressions and idioms occur—as will be observed—in Mr. Stuart's letters.

The *service* was not completed until the spring of 1759, when the favourable result of the proceeding was immediately communicated to Mr. Alexander by his Solicitor.

The Same to the Same.

"Edinburgh, 24th March, 1759.

"DEAR SIR,—Allow me to wish you joy upon your affairs here being brought to a happy period. I had resolved never to write to you until the *service* was over. To tell you what rubs we met with, that occasioned the delay, would give you very little entertainment; all I can propose to do to-night, at this late hour, is to let you know that every thing has ended to our wishes, and that you will have a particular account of the whole from me by next post, with the memorials and answers relating to it. We had a most creditable jury—of the best gentlemen in town, who, with one voice, have found you nearest male-heir to the last deceased Earl of Stirling. I must break off to give this letter a chance of catching the post.

"I am, &c."

The Same to the Same.

"Edinburgh, 28th March, 1759.

"DEAR SIR,—With this you will receive a packet of papers which I intended to have sent by last post, but they could not all be got ready. The return of your *service* from the Chancery is not yet sent me; but the people at the office have promised to send it to me this night, so that it may be forwarded to you with this.

"The papers now sent you, are (No. 1) a memo-

rial* laid before Mr. Ferguson in December last; (No. 2) his answer† to it; (No. 3) a new memorial made up in the month of March, after the evidence was completed, —and (No. 4) answers by Mr. Ferguson, Mr. Solicitor Pringle,‡ and Mr. Johnston to this new memorial. A copy of the depositions was formerly sent you, so that, from those and the papers now sent, you will have a pretty good view of the whole case. That it may be better understood, I likewise send you a *tree* showing the several branches of the family. We had several copies of this tree made out to put into the hands of the jury, that they might more readily apprehend the connection; and, to give more force to the evidence, the witnesses related to the family are distinguished in the tree, to point out the nearness of their own relation, whereby they would have access to know or learn the facts they depose to.

"From the answers (No. 4) to the first memorial, you will observe there was a difference about the sufficiency of our proof in the remote parts of our propinquity, viz., John Alexander's relation to the (first) Earl of Stirling. This made us defer the *service*, and make many searches for some written evidence on that point. We found something to increase the probability, but not absolutely conclusive. In Mr. Ferguson's answers, he suggested that it would be of use to have some evidence of the common fame of the country, about your branch being relations of the Earl of Stirling, from witnesses that were in no ways related to the family. We had the happiness to succeed in this, having examined two very old men, who remembered the common fame in the country a great many years back.

* Or statement of the case.

† His opinion on the case submitted.

‡ Afterwards raised to the bench by the title of Lord Alemoor.

"Having exhausted the searches of the records, and amongst the papers of the family of Argyle, of Mr. Abercrombie of Tulliebody, and of every other place where papers relating to the family of Stirling could be expected to be found, and having examined all the witnesses we could hear of, it was in vain to delay the *service* any longer. I therefore wrote for Mr. Porteous* and Mr. Thomson† to come to town, to be present at the *service*. When they came, there was a necessity of having the *service* delayed a few days, by reason that some of our jury could not attend, and I was resolved that we should not have the matter brought before any jury but one composed of the most creditable gentlemen in the country. An improper choice of a jury would have given a bad aspect to the whole. I found that several gentlemen of the jury were desirous that the whole evidence should be previously considered by the most eminent Counsel here, and their opinion taken in writing whether it was sufficient to entitle you to be *served* heir-male. Accordingly, I made up the memorial No. 3 upon the whole proof, and after being frequently with Mr. Ferguson, Mr. Pringle, and Mr. Johnston on the subject, they gave their joint opinion, whereof a copy is now sent you. Several copies of the memorial No. 3 were made out and put into the hands of the jury, and the opinion of the Counsel was shown to

* The Rev. James Porteous, Minister of Monyvard, in Perthshire, who married into the family of Alexander. He was the son of Captain John Porteous, commander of the municipal guard of Edinburgh, whose *lynching* by the mob of that city is used with so much effect by Sir Walter Scott in his beautiful fiction of the "Heart of Mid Lothian." From the character of the son, as exhibited in his letters and those of Mr. Stuart, he seems to have borne a much stronger resemblance to the Reuben Butler of the Novel, than to his own father.

† *Writer* in Crief, near Stirling, who had been employed by Mr. Stuart in making searches in the records of that city.

most of them. These greatly facilitated the *service;* and the jury were unanimous in finding you the nearest male-heir to the last Earl of Stirling.

"Your relation to the Earl of Stirling being now established, the next thing to be considered, is, how far it entitles you to the peerage? This, I fancy, must be gone about with great deliberation, and after taking the opinions of the most eminent Counsel in England and Scotland. I am told there would be little doubt that in Scotland, a patent not confined to the heirs-male *of the body*, would go to the heirs collateral, but that the case is otherwise in England. One would reasonably think that the laws and customs of Scotland would regulate questions relating to Scotch peerages, excepting so far as altered, either by the Articles of Union, or by express Act of Parliament; and as the rights of heirs-male collateral, and the interpretation of patents, is not affected either by the one or the other, the laws of Scotland should take place in this case.*

"If you intend to lay claim to the peerage in consequence of the *service*, I am humbly of opinion that the most proper method will be to have the opinion here of the most eminent Counsel, upon the laws and custom of Scotland with regard to peerages granted to heirs-male general, in virtue of patents similar to the Earl of Stirling's. I have already learnt some instances that

* It had appeared from the proofs before the jury of *service*, that Mr. Alexander was lineally descended from an *uncle* of the first Earl of Stirling. The direct male line of the latter had failed upon the death of his great-grandson, Henry Earl of Stirling, in 1737, without leaving an heir-male *of his body*, or any collateral male heir lineally descended from the first Earl. The question therefore now arising was, whether, since the union, the laws of Scotland had given place to the law of England in regard to the descent of Scottish peerages. Lord Thurlow was the only great lawyer of the day who contended that it had. But not until many years afterwards.

happened before the union of the kingdoms, and upon further inquiry expect to get many more. I shall not take any steps towards advising Counsel on this point, until receiving your orders, being uncertain whether you intend to lay claim to the peerage upon the general words of the patent.

"Just now the return of your service is sent me from the Chancery,—which you will receive inclosed. By it you will see who the gentlemen were that have been so good as to favour me with their attendance on this occasion. They are all very well known to Mr. Wedderburn, to whom you will please to show this letter, and the papers now sent. He will be able to judge what are the proper steps to be taken.

"I cannot conclude this letter without telling you how much we have been obliged to Mr. Porteous, the minister of Monyvard. He has grudged no trouble or time in this affair—came to town, and staid several days on purpose. It was with great difficulty I prevailed on him to let his charges to town be paid by Mr. Thomson, and he would not accept of any thing further from me to *indemnity* his charges and *consumpt* of time. He was excessively happy at having every thing brought to so good a bearing. I send you inclosed a copy of the account I have paid to Thomson, the writer at Crief: it is as moderate as could be stated in proportion to the trouble I was obliged to give him. There has been various other articles of necessary expense incurred upon this occasion; but I am sure there are none that could have been avoided in a matter so diffused, and that required such investigation. I shall not trouble you with further particulars this night. If there is any thing in the proofs or procedure that you think requires to be

further explained, I beg you will acquaint me; and the reason of the infrequency of my letters no longer subsists, you will find me a more regular correspondent than heretofore.

"I am, &c."

CHAPTER II.

1759–1761.

THE object of Mr. Alexander in procuring himself to be judicially recognized as the heir-male of the deceased Earl of Stirling, was by no means limited to the attainment of the peerage. His main purpose was to obtain the acknowledgment and possession of certain territorial rights of property and jurisdiction in America, which had been granted to his ancestors, and which he conceived to have devolved on him with the title. He did not, however, assume the latter until it had been conferred on him by his correspondents, and he had received the opinion of Mr. Wedderburn and his Scottish Counsel that his case was governed by the laws and customs of Scotland antecedent to the Union. He seems, at this period, to have contemplated purchasing an estate in that kingdom, and after a short visit to America, for the purpose of settling his affairs, to have established himself permanently in Great Britain. But the sequel will explain the reasons which determined him to abandon that intention.

The Rev. James Porteous to the Earl of Stirling.

"Monyvard, April 21st, 1759.

"MY LORD,—I have been this week in Stirling, and took a particular inspection of the house of the first Earl of Stirling, which now belongs to the Duke of Argyle—

whereof he makes nothing, and never visits it. It is a fine situation, and has a grand prospect over the most beautiful country and river in the kingdom. A perfect trifle would furnish therein a small lodging, which would answer your purpose, until you proposed to reside with us in Perthshire; and if you intended a grand house, the materials would save two thousand pounds. I am persuaded his Grace would sell it for a trifle.

"There are two small estates, viz., Newton, and Pleam, in the County of Stirling, worth eight hundred pounds sterling *per annum*. Land is still improving with us, and we generally can lose nothing if we buy at twenty-five years purchase. I presume to give you these hints as you go soon to America. You are happily provided with Mr. Stuart as a *Doer* in Edinburgh; and if you have any business at Stirling you may trust William Danskin, a merchant there—not so much because he is married to a distant relation of ours, as because of his integrity, skill, and friendly disposition. Wishing you a safe voyage, and happy return,

"I am, &c."

William Trumbull, Esq. to the Same.

"Easthampstead Park, July 15th, 1759.

"My Lord,—If your Lordship has not already appointed all your Chaplains, I should be obliged to you if you would give me leave to recommend a particular friend of mine. I hope you will be so good as to excuse the liberty I have taken.*

"I am, &c."

* The advantage resulting from such an appointment, was the privilege enjoyed by the chaplains of noblemen of holding a plurality of *livings* in the Church of England.

The Same to the Same.

"Easthampstead Park, July 25th, 1759.

"My Lord,—I received the favour of your most obliging and genteel compliance with my request, and should not have deferred sending my acknowledgments for it, had I not waited until my friend came hither, that I might send you his proper title. His name is the Reverend George Palmer, Clerk, A. M., Vicar of St. Mary's in Marlborough, Wilts. He desires me to send you his thanks for your very kind favour.

"I hope I shall be in town the beginning of next week, when we shall both pay our respects to you, and shall at all times be happy to see your Lordship here.

"I am, &c."

The writer of the last two letters was the grandson of the former Earl of Stirling, one of whose daughters and coheiresses married Sir William Trumbull, a Secretary of State in the reign of William III. and the friend and correspondent of Pope, who wrote his epitaph.* It was in consequence of a negotiation with this gentleman, and a Mr. Lee, the son of the other daughter, and coheiress of the deceased Earl, for the purchase of their American claims, and the hope of obtaining their confirmation, through the influence of the Duke of Argyle, the Earl of Bute, and his other friends connected with the Government, that Lord Stirling was induced to

* "Epitaph on Sir William Trumbull, who died at his retirement at Easthamsted in Berkshire, 1716."

"A pleasing form; a firm, yet cautious mind;
Sincere, though prudent; constant, yet resigned;
Honour unchanged, a principle professed,
Fixed to one side, but moderate to the rest;
An honest courtier, yet a patriot too;
Just to his prince, and to his country true:
Filled with the sense of age, the fire of youth,
A scorn of wrangling, yet a zeal for truth;
A generous faith, from superstition free;
A love to peace, and hate of tyranny;
Such this man was: who now from earth moved,
At length enjoys that liberty he loved."

postpone his return to America. He now hired a house in London, and resided there for some years, in the full enjoyment of the pleasures of London society, with the peculiar advantages of his position. During this period, the correspondence of his zealous friend, and vigilant and indefatigable professional agent in Scotland, was continued.

Mr. Andrew Stuart to the Earl of Stirling.

"Edinburgh, September 11th, 1759.

"My Lord,—The last letter I had the honour to receive from you, was of so old a date that I am ashamed to mention it.—Being later than any from me, it proves me guilty of too long silence. I have been the greatest sufferer by the want of your correspondence, but of late I have had the pleasure of hearing of you frequently by my brother, whom I am glad to find has been often with your Lordship while at London.

"In your last letter you was pleased to desire me to draw upon you immediately for my reimbursement of money advanced on your account, and to mention my banker. By the business of the Sessions here, and some other affairs which engaged my time and attention of late, your commands have not been obeyed as soon as they ought to have been. I now send inclosed to your Lordship, the accompt of *depursements* and writings, &c. When your Lordship fills up the blank, which is left for such sum as your Lordship thinks proper to allow me for my pains, be pleased to pay the amount to the accompt of my friend Harry Drummond, whose discharge will be equally good with my own.

"The memorial made up in London, which you sent

me after the *service*, has been frequently perused; and it seems to me to be very neatly drawn, and much to the purpose. From the precedents and arguments there stated, one would think it most agreeable to reason that a patent, not limited to heirs male of the body of the patentee, should transmit the title to heirs male collateral, in the same manner that the right to real estate would by such words be carried to collaterals. If the law of Scotland is to regulate the case, the argument will be strong on your side.

"I hear you mean to apply by Petition, so as to have the matter tried at the bar of the House of Lords. I cannot help thinking that this measure should be avoided for many reasons. The Earl of Stirling is already on the roll; and, in such cases, it has not been usual to have recourse to the method by petition. Does it not insinuate a diffidence of the title, your making use of a different mode than that observed in indisputable peerages, where those who enjoy the title do not suppose any objections against themselves, but barely rely upon the goodness of their title to defend against any objections that may happen to be made? Has not your Lordship the same reason to rely on your title? And if ever objections are made at the election of Peers, or any other occasion, then you can be allowed to answer them as fully and to as good effect as at present. Is it not putting yourself to a great deal of expense and trouble that may probably be saved? For it is most likely that no objection will ever be made;—the rather that the objection on the terms of your Patent, would affect several peers in the same situation, who at present enjoy their titles unmolested; whereas by making it a matter of dispute at present, you will, at great charges, fight a

battle for many of the Scotch peers in similar situations, who will give no aid in supporting it. Besides, if the matter comes before the House of Lords, or is referred to the King's Counsel, they will think themselves obliged to state every possible objection, both to the terms of the patent, and the evidence of propinquity, and you may be put to great charges in calling up witnesses, &c.

"I think it my duty to write to you whatever occurs to me in your affairs; but no doubt you have access to much better advice where you are. I only pretend to suggest things for your consideration; and when you favour me with a letter, would be glad to know what are the reasons for the propriety of an application to the House of Lords.

"There are at present some friends of mine, in the next room, who desire to be remembered to your Lordship: Lord Dundonald, and Sir Robert Henderson, desire me to say they will not accept of so short a visit as you paid them when last in Scotland. May we flatter ourselves with the hope of a visit to this part of the world before next winter?

"I am, &c."

The Same to the Same.

"Edinburgh, October 10th, 1759.

"My Lord,—About a month ago, I had the honour to write to your Lordship, and as I have no account of my letter's coming to hand, begin to be afraid it has miscarried. Not knowing your particular direction, I directed the letter and the pacquet therewith to Harry Drummond, from whom I have heard nothing of his receiving them; although at the same time I wrote to him

that the pacquet contained an accompt for which he was to grant a receipt in my name.

"In the letter which I sent to your Lordship, alongst with the pacquet, I stated fully what occurred to me in relation to what I heard was proposed about applying to the House of Lords, for their judgment about your right to the peerage. I stated some reasons that seemed to me to weigh against making it a matter of debate before the House of Lords: however, if your Lordship is resolved or advised to bring it there, I think it would be of great moment to have the signed opinion of the most eminent Counsel here concerning the usage that obtained in Scotland before the Union, in the interpretation of patents similar to that whereon you claim; for if it be once ascertained that according to the laws of Scotland, heirs-male collateral would before the Union have enjoyed a peerage *not expressly limited* to the heirs male descended of the patentee's body, the only thing remaining, would be to show that the treaty of Union was not meant to innovate any rights or privileges of Scotch peerages further than is mentioned in the Articles of Union themselves.

"Mr. Ferguson, our most eminent Counsel here, and one very much conversant with our antiquities and history, is one whom I would recommend to be advised on this occasion; and that a case should be laid before him, collecting what materials can be found in the records here, proper for his consideration. It would, at the same time, be proper to lay before him the case you sent me from London, which, in a few pages, has given a very distinct view of the state of the question, and the arguments it will probably turn upon; but as that case refers to decisions and similar cases of peerages in Scotland,

without any evidence of the cases referred to, it would be necessary to obtain from the records here, the evidence properly authenticated of the terms of the patents, and of the proceedings held upon any of the cases that were disputed. To get these from our records here, will be very expensive, and unless there is to be a trial before the House of Lords, I think would be unnecessary. I shall not, therefore, take any steps in this search of the records, or in advising Counsel, until receiving your commands. If the case is to be argued, I fancy it will likewise be necessary that there be an authenticated copy of the evidence taken at Crief, and elsewhere, concerning the propinquity, which, no doubt, the House of Lords will expect to be laid before them. I beg to have your Lordship's directions with respect to the above particulars as soon as convenient, and to know whether my former letter has come to hand.

"I am, &c."

The Earl of Stirling to Mr. Andrew Stuart.

"London, October 27th, 1759.

"DEAR SIR,—Since I received your letter of the 11th of September, I have been hindered from answering it by a variety of incidents—some of which I hope you have been informed of by our friend H. Drummond, who promised me to make my excuses to you; and since the receipt of yours of the 10th instant, I have been waiting for a conference with Wedderburn, who is chiefly at Windsor, before I could answer it. I saw him a day or two ago, and he has promised me a meeting soon on the subject with our friend Mr. Johnston.

"As for my own part, I have long since been fully of opinion that any petition from me to the Crown would

be very improper; for I cannot help thinking that I have already gone through all the forms that the laws of my country require, to put me in possession of my title, until objections are made at an election of peers; and on this footing I would choose to have left it: nor have I yet heard any thing that had the appearance of a reason why it should not be so. On the contrary, I have urged the very arguments you mention in your letters, and the only answer I could get to them was, "You must petition, or the Lords will notice it in a manner that will be disagreeable to you."—"What must I petition for? The foundation of all the precedents of petitions is removed in my case; for the title is on the roll, and I have no competitor. It is hard to petition when I have nothing to ask for;—a petition without a prayer seems strange to me." This was my language to a certain great man*—but petition I must, and "as to the prayer, let it be that his Majesty would declare and establish it." To end the controversy, I have petitioned. A copy of the petition I will inclose to you. The prayer has already puzzled the Minister, and I believe when it comes to the House of Lords it will puzzle them too. Whether it stands referred to them, I cannot tell; nor shall I give myself the trouble of inquiring: yet I would choose to be well prepared with every thing that is necessary, in case it should be referred, and my Lords should take it up.

"I should be glad, for my own satisfaction, to be possessed of the opinions of the best Counsel in Scotland, with respect to the effect of the law before the Union, in cases similar to my claim. It might also be of

* The Duke of Newcastle, then prime minister.

use to show to my friends out of the House; but I do not believe it would be allowed to be read at the bar. I also think it absolutely necessary to have authenticated evidence from the records of all peerages held in Scotland by collateral heirs-male—of the words of their patents, and of all decisions in similar cases. These I think so absolutely necessary to have authenticated, that I must beg you will do whatever is necessary to obtain them as soon as possible. As to the evidence of the propinquity, Wedderburn is clearly of opinion that the Lords must take it from the return of the jury of *service*, and that their verdict will be sufficient until it is falsified: so that I believe we shall not want any of the evidence authenticated that was laid before the jury; but when I have had this meeting with Wedderburn and Johnston, I will inform you what they think further necessary.

"I can never think of the part you have taken in my affairs but with the utmost gratitude. I am sure that your anxiety for my success was more than equal to my own. I am no less sensible of the frugality, economy, and industry with which you have prosecuted them; and must confess that the expense under your management has been much less than I expected. I have filled up the blank in your account with the sum of two hundred pounds sterling, as the balance of it.

"I am, &c."

The Same to William Trumbull, Esq.

"New Portugal Street, November 9th, 1759.

"Dear Sir,—As you was pleased to desire that I would give you in writing the proposal I made you a few days ago relating to the rights of the heirs of the

first Earl of Stirling may have in North America, that you might communicate it to Mr. Lee ; I shall now state the matter to you for that purpose.

"The rights of which the first Earl died possessed in America, I conceive, were three separate tracts of land,—the first, *Nova Scotia*, an immense country, to which, within these hundred years, several persons have laid claim as having right under one Claude Delatour, a Frenchman, to whom, it is said, the Earl conveyed his right in 1629 ;—but I have sufficient evidence that the country was regained from the French in 1631,—since which time, I believe, nothing has been done by his descendants to invalidate his title—Henry,* the ancestor of your branch of the family, being averse to have any thing to do with his father's affairs, which were much involved by the expenses he had run into for settling this new colony.

"The second tract was Long Island, a country now inhabited by several thousands of families. Here the Earl had his Deputy-Governor many years ; and when he died it was a thriving colony. After his death his Governor held possession many years for the family ; but Henry, for the reason before mentioned, neglected it, and about the year 1662, conveyed his title to the Duke of York, in consideration of his paying the Earl three hundred pounds *per annum*. The consideration, I am told, was never any part of it paid. Whether Henry had any right to make such conveyance, seems doubtful, as he was never *served* heir to his father, which is a form

* The third Earl, and second surviving son of the first—who on the death of his nephew, the second Earl without issue, succeeded to his titles and estates,—William Lord Canada, the eldest son of the first Earl, having died in the lifetime of his father.

in Scotland absolutely necessary to vest him with the rights of his father. However, the Crown has, ever since James the Second's time, been possessed of this Island, and enjoyed the quit-rents.*

"The other tract of which the Earl was possessed, is the country of St. Croix, or Sagadahock, adjoining to Nova Scotia on the west. After Earl Henry made the agreement with the Duke of York for Long Island, the Duke obtained a grant from the Crown of the Province of New-York; and it was to include Long Island as a confirmation of his right to it. It seems the Earl lent the Duke his original grant of Long Island to enable him to make use of the same words [of description]; and that in the same instrument that contained the Earl's right to Long Island, was also contained his right to the country of St. Croix; and the Duke, in his new grant from the Crown, inserted not only the description of Long Island, but of the country of St. Croix also. Thus, whether designedly or not, the Duke obtained a pretence of a right to this third tract, which has since remained in the hands of the Crown, but is not possessed by any of its subjects—a circumstance much in our favour, as the restoring of it will be attended with less inconvenience than if it had been settled.

"This, from the best intelligence I have, is the situation of the claim that the heirs of the first Earl of Stir-

* In 1635, Charles I. requested the Plymouth Company—within whose Charter Long Island was supposed to have been included—to issue their patent to the Earl of Stirling for Long Island and the adjacent islands, which was done accordingly; and in 1637 the Earl appointed James Farret his agent to manage and dispose of the same. By the same instrument he authorized Farret to take up and dispose of, for his own use, 12000 acres of land; in pursuance whereof Farret made choice of Shelter Island and Robin's Island in Peconic Bay—which he afterwards sold to Stephen Goodyear of New Haven: *Vide* Thompson's Hist. of Long Island.

ling have in America. Whether the right to these claims descends to the heirs at law—which would be yourself and Mr. Lee — or whether it descends to his heirs-male—which I am found to be—I cannot tell; but from some circumstances before mentioned, I should think it doubtful whether Henry had any legal right to make the agreement with the Duke of York, or whether he could have any legal right to any part of his father's possessions, as he would not suffer his *service* of heir-male, nor be subject to any of his debts—which occasioned his estates in Scotland to be divided among his creditors; and the only thing that secured his American estate from the like sequestration was its remoteness, and the little value of land in that country at that time. However, I think it best for us all to act jointly in any application that is to be made for the recovery of those rights; and I am willing to come into an agreement with you and Mr. Lee about the matter. I will agree that whatever may be recovered shall be divided—one half between you and Mr. Lee, and the other half to myself; and as I shall have some leisure this winter, I will take all the trouble and expense of searching the matter to the bottom, and of prosecuting it so far as we shall jointly think it prudent. I should be glad if you would communicate this proposal to Mr. Lee, and to have yours and his answer as soon as convenient; for American matters, which were formerly little regarded by the Ministry, are now become an object of attention; and they will now be glad to have the titles of their American Colonies well settled: besides, I shall set out for America next spring, and, perhaps, we shall never again have an opportunity of acting jointly in the matter."

"When you write to Mr. Lee, be pleased to make my most respectful compliments to him. Had I been in Yorkshire this summer, I should certainly have had the honour of waiting on him, and am not without hopes of having that pleasure still, before I leave England.

"I am, &c."

Mr. Andrew Stuart to the Earl of Stirling.

"Edinburgh, November 22nd, 1759.

"My Lord,—In a letter lately to Harry Drummond, I desired him to make my apology to your Lordship for the delay of my writing. By my being so much at Hamilton, and other parts of the country this vacation, I have not yet got the searches completed, which in your last were directed. I want to have them completed before taking the opinion of Counsel. When the records have supplied me with the materials, (which I expect now in a few days,) I shall state in the case all the precedents that have any relation to the present question; and if subjoined to this, be the favourable opinion of our most eminent Counsel, I cannot but think it ought to have some effect above. I know such opinions will not be allowed to be read at the bar, but the same persons whose judgment determines the matter within doors, may possibly form their opinions from what they learn out of the House. Mr. Johnston and I have appointed to meet the beginning of next week for settling the case, which will be forwarded to you as soon as completed.

"I am much indebted to your Lordship for the obliging, and I may say, too favourable light in which you have been pleased to view my endeavours in your affairs, and for the manner in which you have footed up my ac-

compt. Every opportunity I have of showing the sense of your Lordship's favour and friendship, will give me real pleasure. None of my concerns I find can escape your notice; the congratulations upon the return of the Hamilton business, are a proof of this. Such short-lived revolutions are very agreeable where one has the experience of so good friends taking part in their concerns. The behaviour, indeed, of Duke Hamilton's guardians all along in my affairs, was such as I had the greatest reason to be pleased with.

"May I beg leave to give your Lordship the trouble of presenting my compliments and best respects to Mr. Townshend, and tell him how sensible I am of the honour of his remembrance.

"I am, &c."

From the following extract of a letter from Mr. Lee to Mr. Trumbull, with the letter inclosing it to Lord Stirling, it appears that the proposal made by the latter respecting the Sagadahock* lands, had been accepted by those gentlemen; and the subsequent correspondence between the parties explains more fully the nature of the agreement finally concluded between them.

William Philipps Lee, Esq. to William Trumbull, Esq.

"York, November 28th, 1759.

"I have returned you Lord Stirling's letter, to whom, when you write, I desire you will present my respects. As to his Lordship's proposal, if you agree to it, I shall readily come into it, and am willing to sign any agreement necessary to the carrying it into execution."

* A territory comprising all the present State of Maine, lying eastward of the Kennebec River.

William Trumbull, Esq. to the Earl of Stirling.

"Easthampstead Park, December 13th, 1759.

"My Lord,--Above is a copy of my cousin Lee's letter in relation to your Lordship's proposal in your letter of the 9th of November last; and as he is very willing, so am I, to come into the agreement you proposed. I have therefore now sent up all the writings and papers, relating to our North American affairs, as well as a book of Sir William Alexander's correspondence while he was Secretary of State for Scotland.

"I think a proper agreement should be drawn up for us all to sign, which I desire the favour of your Lordship to do.

"I am, &c."

William Philipps Lee, Esq. to the Same.

York, January 12th, 1760.

"My Lord,--Upon receiving the honour of your Lordship's letter, I writ to Mr. Trumbull mentioning some trifling alterations in the copy of the agreement you was so obliging as to send me. My cousin has since been in London, but was not so happy as to meet with your Lordship. He will soon, I hope, be more successful, when I doubt not a very few words will entirely settle the affair.

"I am, &c."

The Earl of Stirling to William Philipps Lee, Esq.

"London, February 27th, 1760.

"Sir,—I had the pleasure of receiving your letter of the 12th of January, which I should have acknowledged before, but was in daily expectation of seeing Mr. Trum

bull, who has been kept out of town by a cold, until a few days ago. Since he came to town we have corrected the draft of the agreement, and added a clause explaining that I am to be at all costs until something is recovered. I hope the agreement as it now stands, and the power of attorney, will be quite agreeable to you. I have executed the agreement on my part, and have delivered it to Mr. Trumbull, who will transmit it to you, with the power of attorney, for your signing. I should have been extremely glad to have waited upon you on this occasion, but that pleasure I must debar myself the hope of, until towards summer, when I shall certainly call on you on my way north.

"The claims we have on government, and in America, are very important, and I think there is evidence sufficient to make them quite clear. I have them in such forwardness as to lay before the King and Council soon; but whatever steps are taken I will inform you of.

"I am, &c.'

William Philipps Lee, Esq. to the Earl of Stirling.

"York, February 18th, 1760.

"My Lord,—Before I received the honour of your Lordship's letter, Mr. Trumbull sent me the Articles and letter of Attorney, which, by the return of the post, I sent back to him signed, and hope by this time they have come safe to your Lordship's hands.

"If your Lordship should be at any time, a quarter of an hour at leisure, it would give me great pleasure to know what your brother peers are quarrelling about before a court-martial. We have a report here that Lord George Sackville, to all appearance, is not to take his

trial.* I am very sorry to hear it; for I think the honour of the British nation requires a strict scrutiny into that affair.

"I am, &c."

The Earl of Stirling to William Philipps Lee, Esq.

"London, February 23rd, 1760.

"DEAR SIR,—I had the pleasure of receiving your letter of the 18th on Thursday last, and yesterday I received from Mr. Trumbull the Articles of agreement and letter of Attorney. The steps that I am advised are necessary in that affair I shall pursue immediately.

"Lord George Sackville, to all appearance, has acted the part of a man desirous of his trial. After many doubts whether he was liable or not—the Attorney and Solicitor General having given it as their opinion that he was—his charge was made out, to wit, "disobedience of orders," and a court-martial was ordered, but no time appointed for their sitting. Thus it stood a day or two ago; but this morning I am told that next Monday se'nnight is appointed for their meeting. I wish he may have justice done him. If he is guilty let him suffer. If he is innocent, not only he, but the whole British nation have been very ill used. The circumstances reported on both sides are very strong, but I must defer forming any opinion until I see the evidence given at the court-martial, and I shall then do myself the pleasure of writing to you again on the subject.

"I am, &c."

* He was a Lieutenant General in the army, and charged with misconduct at the battle of Minden—found guilty, and cashiered. He afterwards assumed the surname of Germaine—was created Viscount Sackville, and appointed Secretary of State for the Colonial Department—and President of the Board of Trade. He died in 1785.

William Philipps Lee, Esq. to the Earl of Stirling.

"York, March 12th, 1760.

"My Lord,—I am glad to hear by the letter of the 23rd of February, your Lordship honoured me with, that the papers I sent to Mr. Trumbull are come safe to your hands. I hope soon to hear that your Lordship has entered upon this arduous affair, which proved too much for my uncle Lee, who often solicited in favour of the younger children of my grandfather Stirling, but without success.

"Lord Charles Hay's* affair is now finished, but the result of it is yet a secret; and as to Lord George Sackville's, I cannot guess when it will be finished if they do not make more haste than they hitherto have done. The gallant Captain Elliot's† victory is a circumstance of the greatest consequence to the northern sea-coast of England, and will probably sink the insurance, which has been very high of late.

"I am, &c."

* He was tried in January of this year, upon charges involving "every military crime of which an officer could be guilty, except *cowardice* and *disaffection*." But no further proceedings were had in consequence of his death on the first of the following May. *Vide* Gent. Mag. for February and May, 1760.

† Commander of the Æolus of 32 guns, stationed at Kinsale in Ireland. Having received advice from the Lord Lieutenant, that three French ships had appeared off Carrickfergus, he sailed, accompanied by the Pallas and Brilliant of 36 guns each, in quest of the enemy. On the 28th of February, he got sight of them, and gave chase. About 9 o'clock, Capt. E. came along side of the French Commodore; in a few minutes the action became general; and having continued about an hour and a half, *all* the French ships struck their colours. They lost their gallant Commodore, *Thurot*, and about 300 men. The British loss amounted to but five men killed and thirty-one wounded. *Vide* Gent. Mag. for March, 1760.

The Earl of Stirling to Mr. Andrew Stuart.

"Portugal Street, June 22d, 1760.

"DEAR SIR,—I have received your two letters of the 7th and 9th instant, with the copies of the several patents and extracts therein mentioned, which gave me great satisfaction, as some of them apply exactly to the very letter of my case, and the others are in the same spirit. There can be no doubt, I believe, with gentlemen acquainted with the laws and customs of Scotland, that titles descended to collaterals, as well as estates, by the general words of "heirs-male;" but as we are to show that in a country where the practice is quite different, we must be as strong as possible in our evidence of the practice; wherefore I must beg you will continue your searches for as many more cases as possible, that will apply to mine.

"I have desired Mr. Dagge to make inquiry into the proceedings at the time of sustaining Lord Colville's claim; which, when he has got, I will send you. It is pretty certain, I believe, that there was no reference of it to the Attorney and Solicitor General; for it seems to be agreed that they have no business with Scotch peerages. The best sort of proof of the usage in Scotland, seems to be such as you have been collecting, properly attested; and of the propinquity, I am told that the Lords will expect to see attested copies of the evidence that was given on the trial of the *service;* and if any further evidence be collected, it may be taken before some Chief Magistrate. They will not expect any witnesses to be brought up to be examined *viva voce;* but I believe the *service* will have sufficient weight with them. It was very lucky indeed that we got the evi-

dence of Mr. McLeish and John McGrowther* taken in time. I much approve of the alteration you have made in the sketch of the history of my family which I sent you ;† when it is completed I shall be glad to have a copy of it.

"People in general, here, are much alarmed at the news we have from Quebec. Indeed they all give up the place as lost. For my part, I am not in such a fright about it. General Murray has still a good garrison with him—the works are quite sufficient to withstand an assault, and if the enemy are reduced to make a siege of it, I am in hopes they will be called off by the danger of Montreal, before they can effect their design. Mr. Amherst‡ set out from New-York, about the same time that the enemy must have arrived at Quebec. Preparations for his march were already made on our frontier, and if he pushes on briskly, he will surprise Montreal without defence. Upon the whole, I think this march of the French upon Quebec may turn out a lucky incident for us in the easier reduction of Canada; as the French, by being so early out as all the month of April, must be ruined: for in that country, there is not a worse month in the year to be in the field, and at Quebec, even May is terrible. The frost is hardly out of the

* These were very aged witnesses, who both died shortly after their examination before the jury of service. Their memories enabled them to trace by tradition and their own knowledge, the descent of James Alexander, the father of the claimant, from John the uncle of the first Earl of Stirling. They had been personally acquainted with James Alexander before he left Scotland; and they testified that he had always been reputed to be the presumptive heir to the Earldom.

† It had been supposed by Lord Stirling, in common with others, that he was descended from John, the fourth son of the first Earl; but it was rendered clear by the evidence of McLeish and McGrowther, that he was descended from John the Uncle.

‡ General, afterwards Sir Jeffrey Amherst—subsequently raised to the peerage by the title of Lord Amherst.

ground—wet-thawing rains coming on, with violent gusts of snow and hail, are great inconveniences to troops badly provided with equipage;—and to these the French must be exposed, while the garrison of Quebec is covered by comfortable houses, with plenty of provisions, and while Mr. Amherst is marching through a more southern climate, where the warm season is more advanced.*

"I am, &c."

William Philipps Lee, Esq. to the Earl of Stirling.

"York, July 16th, 1760.

"My Lord,—I have received the honour of your Lordship's letters, with the copies of the Petitions. The gout, which has not yet quite left my hands, prevented my acknowledging these favours sooner. I am very sorry to hear of the melancholy occasion which calls your Lordship to America, but hope you will be able to leave things here in a promising way. Pray has your Lordship received any answer yet from the Board of Trade?

"I am, &c."

The "melancholy event" above alluded to, was the death of Mrs. James Alexander. From what has already been said of this remarkable woman, it will readily be credited that she was long remembered for her liberality and intelligence—for her mental vigour, as well as her skill and activity in business.† Notwithstanding the loss

* These predictions were verified almost to the very letter. Mons. De Levi, who, after the fall of Montcalm, succeeded to the command of the French army in Canada, was compelled by General Murray to raise the siege of Quebec on the 11th of May; and Montreal capitulated to General Amherst on the 8th of September. *Vide* Annual Register for 1761.

† As a proof of the *respectability* of this notable woman—it is mentioned by Miss Sedgwick, in one of her novels, that Mrs. Alexander was at one period the only person in New-York, except the Governor, who kept *a coach.*

of his mother, Lord Stirling was induced to prolong his stay in England for another twelvemonth—probably from unwillingness to leave the subject of his petition before the House of Lords undecided. His patience, however, seems at length to have been exhausted; and urged moreover by the necessity of attending in person to his affairs in America, especially after the death of his mother, he quitted England, after all, before the recognition of his peerage was obtained. He left London on the 24th of July, 1761, and the next day reached Portsmouth—where he was to embark on board the *Alcide*, man-of-war, Captain Hankerson, which he found waiting to sail with the first fair wind. At noon on the 28th, the signal was made for him to repair on board—and in the evening the ship was under weigh. She had under her convoy a fleet of transports and merchantmen,—which so much retarded her progress across the Atlantic that it was not until the 21st of October that she cast anchor in the bay of New-York.*

* In the MS. journal kept on this passage by Lord Stirling, he complains of the delays occasioned by the dull sailing, dilatoriness in obeying, or total disregard of signals, of the vessels under convoy of the *Alcide;* and suggests that while thus in charge of a man-of-war, merchant vessels should be subject to martial law.

CHAPTER III.

1761–1764.

On his return to America, Lord Stirling took possession of the house in New-York, in which his parents had resided, and not long afterwards commenced building another at Baskenridge, in New Jersey, and improving a large tract of land there which he had inherited from his father. On the completion of this house, he made the place his summer retreat, and eventually his permanent residence. Soon after his removal to New Jersey, he was chosen a member of the Provincial Council, and continued to hold the office until the Revolution. So long as the political ties which connected the Colonies with the mother-country remained unsevered, his intercourse with his friends in Great Britain was kept up by a frequent interchange of letters. Besides his Counsel and Solicitors, his principal correspondents during that period, were the Messrs. Penn, his friends and banker Mr. Henry Drummond,* the Reverend Mr. Porteous, and

* As an instance of the general ignorance in regard to America and Americans, prevailing at that period in England, Lord Stirling used to relate a circumstance attending his introduction to the lady of Mr. Drummond. Her husband had informed her that he had invited *a native American* to dine with them on a certain day; and upon presenting his lordship to the lady of the house on the day of the dinner, he found his *mystification* had succeeded—for she exclaimed in broad Scotch—"*mie God! the awnimal is wheete.*" She expected to see one of the copper coloured *natives*.

some others of his Scotch relations. He also wrote occasionally on public affairs to the acquaintances he had formed among men in political life in England.* In the winter succeeding his arrival at New-York, he addressed a letter—of which there remains among his papers but the following imperfect draft—to the former preceptor and then confidential friend and favourite minister of George III., whose influence over the mind of that monarch ended only with his life.

The Earl of Stirling to the Earl of Bute.

"My Lord,—When I had last the pleasure of seeing your Lordship—which was the day before I left London—I fully intended to have been in England again this winter; but being detained by contrary winds some time in the Channel, and that succeeded by a passage of above three months,† made my arrival here so late in the year, that I had scarce time to do any thing in the affairs that occasioned my coming over to this country, before I was stopped in my proceedings, by the winter setting in very severely—and it has continued so ever since.

"I have a number of tenants in different parts of this Province, and in New Jersey, who have been without leases these five years. The value of their farms has, in the mean time, greatly increased, and it will scarce be possible to settle the rents without visiting the farms myself, which cannot be done until the beginning of summer. Besides this, I have a good deal of intri-

* *Vide* Preface.

† *Vide* Note p. 49. To what is there mentioned, may be added the circumstance that the *Alcide* had—besides the North American trade—a convoy for the West Indies also in charge—which rendered it necessary to make the southern passage across the Atlantic, and consequently to prolong the voyage.

cate work to go through: the division and settlement of two large landed estates—one of which, in my absence from hence, has come to me from my father, and the other by my wife—and unless I attend to this business myself, it must be done at very great disadvantage to me. These things, my Lord, render it almost impossible to be in England before next winter. But if, in the mean time, the House of Lords incline to go into an examination of the foundation of my title, I have ordered Mr. Dagge, my Solicitor, to lay a full state of my case before their Lordships, with the evidence in support thereof—all of which he is already possessed of; and in this case, my Lord, I must beg the favour of a little of your attention, that I may have your protection and assistance so far as to obtain that justice which every one in like circumstances in Scotland enjoyed. I only ask what the express words of the patent give to me;—what has constantly been the practice of succession in Scotland for a century or two before the Union;—what has not been altered by that treaty, but is confirmed by it; and this, my Lord, under your protection, I can make no doubt of obtaining, and therefore should be glad to have the proceedings in my case in Scotland brought before their Lordships as soon as possible, that they may be satisfied that I hold my title agreeably to the practice in that country, in the most authentic manner.

"I must beg leave to congratulate your Lordship on the happy event of his Majesty's marriage to a Princess so truly worthy of that high station as the world confesses her to be. I must also congratulate your Lordship on the success his Majesty's arms have already met with in the attack of the Island of Martinico. The troops astembled at the *rendezvous* without any accident—left

Barbadoes the second of January, and made good their landing near Cape Solomon, in Martinico, the sixth, with very little loss, the opposition being trifling. The Captain of a vessel that passed by the Island on the 15th, says that he spoke with some of our men-of-war's boats, who informed him that there had been very brisk firing for three days near the town of Port Royal. The *Raisonable*, man-of-war, in attempting to take her station, in order to silence a battery, struck on a rocky shoal; the ship is lost, but the men and stores are saved. I hope, my Lord, in a few days to hear of the entire reduction of the Island.

"After the reduction of Martinico, our force there would, in case of a Spanish war, be sufficient to take the town and port of the Havannah.* The possession of that port would enable us at once to cut off the Spanish trade to all Mexico, and the main as far as Carthagena; for every ship from those vast and rich countries must, in their passage to Europe, pass within sight of the Havannah. It would also deprive Spain of one of her best dock-yards; the troops would be at hand to make an attempt on Louisiana, and, if there be any suspicion that the troops now in the West Indies would not be sufficient for the work, they may be reinforced with eight or nine good battalions from hence, provided these Colonies be ordered to relieve them from garrison duty by Provincials.†

"Since my return to America, I have met with many new materials that will enable me to execute my map much farther into the interior parts of the country,

* The conquest of the Havannah was actually made in the course of that year. *Vide* Ann. Reg. 1761.

† A very considerable body of troops, raised chiefly in New England, was, in fact, employed in these expeditions. *Vide* Marshall's Life of Washington, Vol. I. Introd.

where I find the French travellers have not been so accurate in their surveys as we might have expected. I purpose next summer to make a journey round all the great lakes; after which I intend to finish my map so far, and to do myself the honour of sending your Lordship a copy, with the measure of a degree on Hudson's River, which I am now preparing to execute." * * * * * *

Henry Drummond, Esq. to the Earl of Stirling.

"London, April 10th, 1762.

"My Dear Lord,—I received the pleasure of yours of the 11th of February, about three weeks ago, which, I assure you, gave me real pleasure, as I was extremely uneasy at your long silence. The packet you mention to have sent by Dr. Smith, has come safe to hand.

"I am much obliged to you and my friend Amherst for the care you took of the two volunteers, who, I hear, are both provided for at Martinico. I sincerely wish you joy of our success there; which, you may easily imagine, gave me no small pleasure, considering the great share Rodney had in it, who has been so kind as to write to me on every occasion the particulars, all of which you will have heard long before this gets your length. The consequence of this, in my opinion, must bring about a peace,—not so much from the event of such a conquest, which is no doubt one of the most material during the war, but that it will be a sufficient reason for us to begin treating again with France; and when we do, remember my words, a peace *must speedily follow*. I am so much convinced of this, that the moment I hear of a negociation, you may depend upon my putting every farthing I am worth in the world into the stocks.

"I refer you to a letter I have desired Mr. Dagge to write, for all particulars relating to the steps that have been taken about your peerage; and I hope Lord Borthwick's having carried his, after all the ill-natured things that could be said against him, is a good omen in favour of yours. I shall take care that Dagge wants not for money to carry it on; and if it should still come on this session, you may depend upon my leaving no stone unturned to do what little service may be in my power. If it should not come on this year, I do sincerely hope you will be on the spot yourself next winter, as I do solemnly think that your presence will be the means of carrying it.

"Some time ago I had the inclosed sent to me from the Board of Trade; the fees of which I ventured to pay, though I had no direction for it; which I believe is called a *Mandamus*,* and I take it for granted is a great honour to you; and I suppose would not have been made out without your desire. I hope it will arrive safe; I have taken all the care I could in sending it under a war-office cover, and putting it safe in that office-bag.

"Your friend Mr. Charles Townshend goes on extremely well, and gives great satisfaction in his office.† I have wished several times we had not troubled you and Amherst with the volunteers, as commissions in the new corps that have been raised since you went, have almost gone a begging. There has been an amazing promotion in the army since you left us,—all down to Lieutenant Colonel Brudenell have got the rank of Colonel; and all

* This writ related to the Sagadahock claim, and was directed to the Governor of Massachusetts-Bay.

† Chancellor of the Exchequer.

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† Chancellor of the Exchequer.

the Majors, including our friend George Scott, have got the rank of Lieutenant Colonel, and to-day I hear of two or three others; one of which is Jamie Stuart, Andrew's brother.

"I had liked to have forgot to tell you that Morris sets out in a few days for India, to join his regiment. I suppose he will write you himself. The Duchess behaves extremely well on the occasion.

"I am, &c."

The following is referred to and was inclosed in the above.

Mr. Henry Dagge to Henry Drummond, Esq.

Bloomsbury Square, 10th April, 1762.

"Dear Sir,—As it will be proper to inform our friend in New York, of what has passed in relation to his, and the other claims to Peerages, you will be pleased to transmit this letter to him.

"Upon the hearing of the first peerage—which was that of the Earl of Cassilis—it was determined by their Lordships, that no *retour* posterior to 1710, should be admitted as evidence of pedigree—where that retour was taken *with a view of taking up the title.*

"Upon the hearing of the next claim, viz., of the title of Borthwick, which was thought to be a very exceptionable claim, there were produced several deeds and papers of an ancient date, in order to make out the claimant's pedigree, which was not made out to the satisfaction of their Lordships, among whom there was a difference of opinion as to the nature of the evidence required in order to make out such ancient pedigrees, upon two former hearings, but was fully made out at

the final hearing on Wednesday last, when *parol evidence was admitted to be given by a witness examined at the bar of the House, of the general reputation of the country where the family resided, as to the extinction of some branches of the family, who, if they had existed, would have taken as heirs of the last Lord preferable to the claimant.*

"The admission of this kind of evidence will be of use to us when we bring on our claim, which our Counsel do not consider it safe to do with the evidence as at present possessed of. We are pretty well assured Mr. Stuart will be able to get some deeds and papers from the Duke of Arygle, and Mr. Abercrombie of Tulliebody, their charter-chests, which, together with the parol evidence which we shall be able to offer, will be sufficient to satisfy their Lordships of our friend's pedigree. In the mean time there is an order that neither he, nor any other of the claimants, shall use their titles until they have legally proved their right: so that we think it desirable that he should not make use of the title, *in subscriptions or any other public acts*, until after the hearing, because his doing so might in strictness be considered a contempt of the House of Lords.

"Mr. Wedderburn and I join in our best respects and wishes to our friend, who may be assured of our most earnest endeavours to serve him in this matter.

"I have cautiously avoided naming the person or title, for a reason which will be obvious from the caution we give our friend to delay using it until there is a hearing and determination on his claim, which I hope will be at the very beginning of the next session of Parliament; before which time we hope for the pleasure of seeing him in England.

"I am, &c."

That Lord Stirling did not comply with the order of the House of Lords may be readily imagined. Besides its retroactive effect, he considered it repugnant to the Treaty of Union between England and Scotland, by which he was advised, the question of his right could only be entertained by that branch of the British Legislature, in case his vote at an election of representative peers for Scotland should be contested before it. There was moreover no other claimant of the title; and he had been acknowledged and treated both in public and private for more than two years while he remained in England, and after his return to America, as the lawful possessor of the Earldom. He had used the title in his intercourse and correspondence with the ministers of the Crown and other officers of State, and in return had been addressed by it both in person and by letter, and so continued to be, both officially and familiarly, by public functionaries as well as private individuals; in Great Britain, as well as in the Colonies; before and during the Revolution, and to the day of his death, without denial, question, or doubt, until after he had taken up arms in support of the liberties and independence of his native country; and although several attempts have since been made to disprove his right, for the purpose of establishing others pretending to be better—yet to this day no subsequent claimant has succeeded.*

* It is stated by Mr. Turnbull, a Scottish Advocate, and the editor of the "Trial of Alexander Humphreys"—(one of the late claimants of the Earldom)—in his preface to that publication, that the petition of the American claimant *was rejected by the House of Peers on the 10th of March*, 1762. But it is evident from the dates of the last two letters that this is an error, into which the learned editor was probably led, by the entry *on that day of the order forbidding the use of the title until the claim was allowed.* Humphreys claimed as heir-at-law of John Alexander, fourth son of the first Earl—whom he alleges to have left a son, whose *daughter* married one Wil-

It has indeed, been suggested,* that the disobedience of Lord Stirling to the order of the House of Lords, pro-

liam Humphreys, father of the claimant. Now without dwelling upon the fact proved before the jury of service in Lord Stirling's case, that this John left only a daughter, it will be sufficient to enable the reader to judge of the merits of this claim of Humphreys', merely to remind him that the patent in 1633, to the first Earl, is limited to *heirs male*. To get over this, Humphreys pretends that, in 1639, a charter of *Novo-damus* was granted to the Earl of Stirling extending the entail of the whole of his estates in Scotland and America, as well as of the honours in the original patent, to his *heirs female*. Upon the production of this document with others, Humphreys was indicted for forgery ; and on his trial, the jury, according to a practice allowed in Scotland, found a verdict that the instrument in question, and some of the others, were *forgeries*—but that it was *not proven* that the prisoner forged them, or was guilty, *art or part thereof*, or as an accessory thereto ; and also that it was *not proven* that he uttered them as genuine, *knowing them to be forged*. Besides this indictment, a civil suit was instituted in the Court of Session in 1833, by the officers of State in Scotland, against Mr. Humphreys-Alexander, (for he had obtained a license from the Crown, to add the latter to his original surname,) for the purpose of setting aside certain proceedings under which he had assumed the title, and claimed the privileges of the Earl of Stirling. In this suit the various pretences set up by the defendant in support of his claims were met and opposed upon the following grounds amongst others, *viz.*, " that the documents adduced were false, forged, fabricated and devised, vitiated and erased *in substantialibus*, and defective in the solemnities required by law" —that they were " irregular, and illegal, and *funditus* void and null ;"—and that the defendant was not lawful and nearest heir in general or in special to the first Earl of Stirling. The judgment of the Court on all these points was against the defendant, who appealed to the House of Lords, where the case is now pending.

The forged papers were alleged to have been " recovered" in 1837, through the means of the notorious *Marie Anne Le Normand*, the most adroit and successful of French fortune-tellers, who died in 1843, leaving a large fortune, the result of tact and industry in her *trade*. The following account of the acquaintance of Mr. Humphreys-Alexander and his family with this ingenious personage is given in his own words; not so much from its connexion with the details of the text, as to compensate for their dullness: " It appears," says Mr. Humphreys-Alexander, "that Lady Stirling had become acquainted with Mdlle. Le Normand in 1812, and had received from her the strongest marks of attention and regard, during her residence in France in the years 1812, 1813, and 1815; and that afterwards she kept up a correspondence with that lady from time to time. The appellant (Humphreys) had been frequently advised to direct searches to be made in France for any documents that might throw light on the history of the family of Stirling; and accordingly investigations had been repeatedly made in different quarters, under his directions. Among others who had been applied to

* By Mr. Sedgwick, in his Life of Governor Livingston, p. 215.

hibiting him from assuming the title until the hearing of his petition, may have influenced the final decision. But

with a view to interest themselves on his behalf, Lady Stirling had made application to Mdlle. Le Normand, who had an extensive literary acquaintance, and who promised to get searches made in the public offices of France for any papers bearing on this subject. Accordingly she bestowed much pains in making the necessary investigations, and repeatedly made it known to a large circle of acquaintances, that she had undertaken to make these inquiries. Mdlle. Le Normand one day, about the middle of July, 1837, communicated to him that she had received a document which might be of importance to him; and after conversing some time about his family, she drew from under a heap of papers, a packet; and taking off the cover she showed him the map of Canada now in process. Various inquiries were afterwards made by her, for the purpose of tracing the individuals in whose custody this document had previously been preserved, but without effect. In consequence of the appellant's anxiety that the map of Canada should be brought over in safety to this country, he sent his second son, Mr. Charles Alexander, to Paris, for the purpose of receiving it from Mdlle. Le Normand. Mr. C. Alexander, who had been previously residing in Edinburgh, with his mother, was only nine days in Paris, when the map was delivered to him, on the 8th of November, 1837, being the same day on which he left Paris. The map was enclosed in an envelope, having the following mark upon it in the handwriting of Mdlle. Le Normand :— "Cette carte du Canada, revetue de divers autographes, fut mise en ma possession le 11 Juillet, 1837. Je l' ai remise aujourd hui aux mains de Monsieur Alexander, second fils de Lord Stirling—a prèsent a Paris. La ditte carte est sous envellopèe revetue de mon cachet. Je m'en dèsaissis en faveur de la famille Stirling. Cette carte n'est point sortie de mon interieur que pour être rèvètue de formalitèes necessaires. En foi de quoi J'ai signè. M. A. Le Normand." Upon this map of Canada were written and pasted various somewhat lengthy letters, some dating as far back as 1707, respecting the charter in favour of William Earl of Stirling. One is a long letter from M. Mallet, who concludes with these words :—" Ainsi Le Roi d'Angleterre donnè au Compte de Stirling, et a assurè a ses descendants en perpètuitè *assez de terres* fonder un puissant empire en Amèrique." And the alleged original of this letter bears upon its margin the following, asserted to be a memorandum by his Majesty Louis XV.— ' Cette note est digne de quelque attention dans les circonstances presentes; mais qu'en m'envoie la copie de la charte originale.' M. Villenave adds beneath this : ' J' atteste que les quatres lignes ce-dessus sont de la main de Louis XV., et parfaitements conformè a l'ecriture de ce Roi dont je possessè de plusieurs pieces et lettres autographs.' Upon these and the other French documents relied on by the appellant, the respondents made the following among other remarks : " The appellant sets forth that on the 12th of July, 1837, he received information of the existence of an old map of Canada containing certain documents concerning his family, partly written, partly pasted on its back, from

were such decision ever made, it would have been much more likely to have been made in consequence of the

Mdlle. Marie Anne Le Normand, whom he is pleased to style, an authoress of some note, who keeps a circulating library in Paris and possesses a considerable collection of unpublished MSS.' Mdlle. Le Normand is undoubtedly a person 'of some note,' since she turns out to be no other than the person who acquired such unquestionable celebrity as a sybil and diviner, and was mixed up in many of the intrigues of the Court of Napoleon and the Empress Josephine. She appears now to have fallen somewhat in station, though she still practises the arts of divination for hire. The documents thus furnished, are not traced to any higher source than that of Mdlle. Le Normand. What they want, however, in historical evidence is supplied by a profusion of attestations of their genuineness by persons of high contemporary celebrity. These papers, the most important of which purport to be a private and confidential letter from a supposed ancestor of the appellant, and a copy of an inscription on a tomb in Ireland, which cannot upon any theory be supposed to have interested any human being except the defender, or the family with which he claims to be connected, and the succession to which did not open by the failure of the direct line, until long after, are yet actually authenticated by the alleged holograph attestations of such persons as Flechier Bishop of Nismes, and the illustrious Fenelon. They are further dignified by a note which is gravely said to be the handwriting of Louis XV., a prince who is believed to have written only two words in his reign, his own name, 'Louis R.,' and 'bon,' as an approval of any document submitted to him. His disapproval was marked by a line *deleing* the proposal, to save the fatigue of further penmanship—which indeed he so carefully eschewed that even his notes to his mistresses are written by a secretary." *See* Trial of Alexander Humphreys, *Introd. pp.* 46, 47. It is by no means improbable however that some of these papers may have been genuine, though fraudulently obtained by Mdlle. Le Normand and afterwards adapted by her to the views of Humphreys, or rather to her own purpose of deceiving him. A letter will be found on a subsequent page, from the *Comte Alexandre-d'Hanache* to Lord Stirling, referring to the family connection between them. The descendants of the *Comte* are still living in France, and at the time of the production of the map by Mdlle. Le Normand, his son the Comte Ernest d'Hanache was a captain in the *garde royale*, and an equerry to the Duchess of Berry, about whose person his sister also held an office. It is therefore very possible that the subtle and adroit sybil may have contrived by her artifices to procure from them without their knowledge, materials sufficient to deceive Humphreys, though not sufficient to deceive any one else, or establish his claim. In contrasting the claims of this person with those of the "American" Lord Stirling, Mr. Turnbull observes that the former "modestly lays claim not only to the Earldom, but also to the whole territory in Canada, besides the Scottish estates pertaining thereto," while the latter "confined his claim to the honours of the patent of 1633, limited to heirs-male; and although he made no formal claim to the

part he took in the American Revolution, in favour of his native country, especially when it is recollected that he had always been an ardent whig, and that the whig ministry who were in power when he was in England, with many of whom he was on terms of personal intimacy, were superseded by the authors of the oppressive measures which provoked the resistance of the Colonies.* Be this as it may, enough has been adduced to show that his claim—whether allowed or not—was not unfounded, or at least, not unsupported by strong presumptive proof; and that it was preferred in good faith, under a full conviction of its justice and validity. To establish these positions, and thus to vindicate his name from the aspersions of enemies who have represented him as a mere adventurer, and a usurper of honours to which he had neither title nor pretence, were the only motives for dwelling on the subject; nor would this exposition have been deemed necessary had his reputation in this respect been vindicated by those professing friends, who in their imperfect record even of

general estates, he assumed a right to the lands in Canada." It has, however, appeared that he purchased the right in those lands from the heirs-at-law of his predecessor. Mr. Turnbull "considers it probable" that Lord Stirling's "share in the *rebellion* arose from the decision of the House of Lords against him." The reverse, however, is nearer the truth. We have seen what that decision was; and Mr. Maidment, in his *Analectica Scotica*, is of opinion that "his right to the title was well founded," and states his reasons, which, confirmed as they are by the above correspondence, seem conclusive. As to the claim of Humphreys, were his descent even what he pretends, and his charter of *Novo-damas* genuine, it would not help him—for in that case, the present Marchioness dowager of Downshire comes in before him, as descended in the female line from an elder branch—viz., from a daughter of Henry the fourth Earl. She has accordingly presented her petition to the House of Lords, complaining of the assumption of the title by Humphreys.

* According to a statement furnished by the proper officer of the House of Lords, the last proceeding in relation to the subject, appearing on the Journal, was *on the 10th of March*, 1762, when its further consideration was *postponed until the next session of Parliament.*

his public services, have omitted to do justice to his private character.

To resume the course of our narrative. Among the public institutions of his native city, with which Lord Stirling was connected, there was none in which he felt greater interest, or in the prosperity of which he was more active in promoting, than King's, now Columbia College, of which he was a *Governor*. At an early period of its existence, when it was languishing from want of pecuniary support, the Board of Governors commissioned Doctor James Jay* to repair to England to solicit aid from the wealthy and benevolent patrons of education in that country. In addition to his formal credentials he was furnished with the following introductions :—

The Earl of Stirling to Lord Romney.

"New-York, May 27th, 1762.

"My Lord,—This part of his Majesty's dominions in North America, though populous and flourishing, still labours under the very great disadvantage of wanting a proper seminary for the education of youth. Some attempts have been made towards establishing one. A College has been founded and partly built, but for want of sufficient funds it is, in some measure, at a stand, and cannot go on with spirit.

"It is an object that seems to me so worthy of the notice of the Society for the encouragement of Arts, Manufactures and Commerce ;† that I could not avoid recom-

* A younger brother of *John Jay*, so conspicuous in the councils of the Revolution, and in the various high public stations adorned by his virtues and talents.

† Of which Lord Romney was the President.

mending it to your Lordship. The bearer, Dr. Jay, will present your Lordship with an address from the Governors of the College. They most ardently wish for the countenance of the Society, as it will be the best recommendation they can have to the rest of the world.

"I am, &c."

The Earl of Stirling to the Earl of Bute.

"New-York, May 24th, 1762.

"My Lord,—This part of his Majesty's dominions, though very flourishing, and growing in numbers, still labours under the great disadvantage of being without a seminary of learning for the education of its youth. Attempts have been made for establishing a College in the Province of New-York; but, for want of sufficient funds, the plan cannot be carried into execution: wherefore the Governors of the College now send Dr. Jay over to England to endeavour to collect some funds there. He carries with him a petition to his Majesty, for his Royal favour, and is ordered to wait on your Lordship with it, hoping that your Lordship will be so good as to advise him what will be the most agreeable manner of its being presented.

"The Governors also most fervently wish to have your Lordship's countenance and protection, from my frequent experience of which, I am induced to trouble your Lordship with this letter.*

* On the presenting of this Petition by Dr. Jay, the King was pleased to confer upon him the honour of Knighthood. But this, it is believed, was the extent of the "Royal favour" to King's College. Sir James was, however, more successful in other quarters. Lord Bute contributed liberally. Several private individuals, among whom was Mr. H. Drummond, also made donations; and the University of Oxford, a valuable one in books. It seems from the following

"We have just received advice of the Earl of Albemarle's safe arrival at Martinique, with his troops in good health; and, after having joined the other troops there, of his being on his way to the Havannah. I congratulate your Lordship on the prosperous aspect that expedition now wears.

"I am, &c."

Besides these letters, there was one to Mr. Drummond, soliciting his aid and good offices for the College, and requesting permission for Dr. Jay to make use of his banking-house for depositing the money he might collect.

Applications to Lord Stirling for recommendations and introductions to his friends in England were not confined to occasions of a public nature, but were frequently asked for by private acquaintances, and cheerfully given to all he thought worthy of them. The following partakes of the former character, while it refers to one of the latter description.

letter that Sir James Jay, after his return, had some dispute with the Governors respecting his compensation:—

Sir James Jay, Kn't, M. D. to the Earl of Stirling.

"My Lord,—As I have sent cards to the Governors of the College acquainting them that the meeting held on Monday next is for the purpose of concluding matters between that Corporation and myself, it might appear rude were I to omit doing the same to your Lordship. Lest a total silence on my part should countenance such an appearance, I take the liberty to address myself to you. But allow me, my Lord, to say that even if the trouble you have already taken on my account did not preclude me from expecting you should put yourself to any inconvenience, the idea I entertain of your Lordship would make me think it indelicate, as well as unnecessary, as you know of the meeting, to hint a wish of that kind to a person who it is evident wants no other incitement than his own generosity to lend his assistance on such an occasion. I am, &c."

Thomas Harley, Esq. to the Earl of Stirling.

"London, June 12th, 1762.

"My Lord,—I duly received your favour of the 26th of February last, and am greatly indebted to your Lordship for interesting yourself in my welfare in the manner you have done. The method you propose of introducing me to the acquaintance of the principal people in the Province of New-York, is of all others the most agreeable to me; and I assure you I shall look upon it as a great honour to be employed in the service of the Assembly of so respectable a Province, and will endeavour to discharge the duty of that office to their utmost wishes. At present, I have no acquaintance with Mr. Robert Charles,* but I do not doubt of your carrying on the business with harmony, to the satisfaction of the Assembly.

"You very rightly observe that this will not only be an introduction to the most considerable houses in New-York, but will be the means of making me fully acquainted with the affairs in North America in general, which I hope, when it pleases God to restore to us a peace, to see in a more flourishing condition.

"As yet, I have not had the pleasure of seeing Mr. Peter De Lancey, Jr. He sent your letter to me by a messenger, a few days ago, too late for the last mail, otherwise, I should have acknowledged the receipt of it sooner. You may depend upon my showing him every civility; and where my little knowledge will be of any service to him, I will give him my advice freely.

"I am, &c."

* The Agent in England of the N. Y. House of Assembly, with whom Mr. Harley was, upon the recommendation of Lord Stirling, joined as a counsellor and adviser.

Peter De Lancey, Jr. Esq. to the Earl of Stirling.

"London, July 5th, 1762.

"My Lord,—I hope your Lordship will pardon my taking the liberty to trouble you with my most thankful acknowledgments for the favour you did me by your kind recommendations, from which I have received particular advantages, especially from that to Mr. Wedderburn, who has been the chief means of settling me here in a way from which I hope a prospect of great advantage and happiness.

"Give me leave to assure your Lordship that I shall always have a grateful remembrance of your kindness.

"I am, &c."

Philip Livingston, Jr. Esq. to the Earl of Stirling.*

"London, October 25th, 1762.

"My Lord,—From the marks of kindness you have shown me by your advice and letters of recommendation to gentlemen of figure here, I flatter myself that it will not be displeasing to you to hear of my present situation; having it now in my power to acquaint your Lordship that I am well fixed in the Temple according to my wishes, in a pleasant sett of chambers in New Court,

* This gentleman was the son of Peter Van Brugh Livingston, a brother of Lady Stirling's, and of a sister of his Lordship's. He was at its date pursuing the study of the Law in the Temple. After his return to America, he commenced its practice in New-York; but relinquished it upon the death of his father, from whom he inherited an ample fortune. He was the first President of the N. Y. Branch of the first Bank of the United States, and afterwards a Representative in Congress. He was not an orator, but an excellent business member, and highly respected for his strict integrity, sound judgment, general information, and good sense. From his high breeding and courtly manners, he early acquired the *soubriquet* of "Gentleman Phil," and he certainly seems to have entertained very *gentlemanly* notions as to his style of living in London.

Middle Temple. They are not elegant, notwithstanding they are at a high rent, but still so decent that I am not ashamed to have any gentleman shown in, that is so kind as to call on me. My mornings are generally engaged in study, which, as they are very long, I am told is sufficient to be applied in reading, for I seldom dine until four o'clock; and then with a sett of gentlemen at the Turk's head Coffee-house in the Strand, in whose acquaintance I think myself very happy. The Mr. Allens of Philadelphia were so kind as to introduce me to this sett, on my first coming up to town. Most of them are men of considerable fortune,—two of your friends, Messrs. John and Dick Penn, when in town, dine frequently with us. The only circumstance that may be disagreeable in my present connection is that of expense, which I am afraid will be greater than my father at first intended. But I lately wrote to him that I find it will be impossible to live on less than £450 sterling *per annum*. This is undoubtedly the case, for the rent of chambers being high, the expenses of servants, clothes, &c., so many and so great, that it is absolutely impossible for an American who has never *lived* in London to have an idea of it. Your Lordship's advice in any particular will be esteemed the highest favour.

"I am, &c."

"P. S. The high and mighty William Franklin has taken his passage for Philadelphia."

The following, from an old family servant, forms no unpleasing contrast with that which precedes it.

Johannes Race to the Earl of Stirling.

"Stissing, November 2d, 1762.

"MAY IT PLEASE YOUR LORDSHIP,—As by the generous beneficence of your Lordship's ever honoured father, deceased, your aged servant has enjoyed a free possession of a small part of his estate, which, for such considerations as well became the noble donor, was freely given during life; and as your Lordship is now entitled, not only to the paternal estate, but august honours of your noble family, your aged servant, with equal confidence, addresses your Lordship, requesting the privilege to call home the bearer, his youngest son, to live with him, to contribute to the comfort of his infirm and declining years, by overseeing his business, and taking such filial care as your aged servant's circumstances require.

"Much relying and confiding in the continuance of the favours of your noble family,

"I am, &c."

The letters that immediately follow, although relating to the personal concerns and connections of the parties, are not without interest, from either the nature of the circumstances, or the characters of the persons to whom they refer.

John Penn, Esq. to the Earl of Stirling.

"Stoke, September 3d, 1762.

"DEAR STIRLING,—I am almost angry with you for not writing me a line since you left England, especially, as you may be assured, not one of your friends would have been more pleased with hearing from you than my-

self. I can only forgive you upon your promising to behave better for the future, which I expect to have under your hand as soon as you receive this, if you are not so thunderstruck with what I am going to inform you of, as to be deprived of the use of your senses for some time.

"It is no less amazing than true, that Mr. William Franklin, son of Benjamin Franklin, of Philadelphia, is appointed to be Governor of the Province of New Jersey! The warrant for his commission was ordered to be made out last Wednesday. The whole of this business has been transacted in so private a manner, that not a tittle of it escaped until it was seen in the public papers; so that there was no opportunity of counteracting, or, indeed, doing one single thing that might put a stop to this shameful affair. I make no doubt but the people of New Jersey will make some remonstrance upon this indignity put upon them. You are full as well acquainted with the character and principles of this person as myself, and are as able to judge of the impropriety of such an appointment. What a dishonour and disgrace it must be to a country to have such a man at the head of it, and to sit down contented! Surely that will not be the case —at least, I should hope that some effort would be made, before our Jersey friends would put up with such an insult. If any *gentleman* had been appointed, it would have been a different case—but I cannot look upon the person in question in that light, by any means. How this matter will turn out, I know not, but I should be very sorry to see him first in that Government, as there cannot, in my opinion, any good result from it—but, on the contrary, dishonour and disgrace to the country, and hatred of the people to himself. I may, perhaps, be too strong in my expressions, but I am so extremely aston-

ished and enraged at it, that I am hardly able to contain myself at the thoughts of it.

"We are told we shall see you in England; but if you do not make haste, I believe I shall taste some of your old Madeira before you are aware of it; but I reserve that for another time. I think I have given you a pretty good dose this bout; so shall take my leave of you, by assuring you that

"I am, &c."

Robert Hunter Morris, Esq. to the Earl of Stirling.

"Tinton, March 4th, 1763.

"My Dear Lord,—John Penn mentioned to me a design to come to America, and tells me in a second letter that he did not choose the thing should be talked of: and having mentioned the same thing in a letter to your Lordship, he begs me to hint to you to be silent on that head, until we hear further from him.

"The Duchess of Gordon, from whom I have a letter since I left you, begs to be particularly mentioned to your Lordship. The Duke and Lord William are gone from Geneva to Italy.

"I beg my compliments to Lady Stirling and the family. With great respect,

"I am, &c."

William Coxe, Esq. to the Earl of Stirling.

"Philadelphia, May 16th, 1763.

"My Lord,—This will be delivered to you by Mr Francis, a brother of Mrs. Coxe's, whom I have taken the liberty of introducing to your Lordship's notice, because I have no doubt of your friendship.

"The matter is this, my Lord; Mr Francis, on a late tour to Pittsburgh, was informed by Mr. Croghan, the present deputy-agent for Indian affairs under Sir William Johnson, in that district, that he had applied for liberty to resign, on a call he has to England on his private business; and Mr. Francis's natural disposition, and some pains he has taken to qualify himself for that kind of service, inclines him to try if he can get it—and his knowledge of the Six Nations' language and customs, he thinks, will enable him to execute it well.

"I know not to whom to address myself, my Lord, on this occasion; but if your Lordship can favour Mr. Francis with your advice and assistance to get the thing mentioned to Sir William Johnson, or Sir Jeffrey Amherst, we suppose it lies with them to give it to the person they judge fit for it; and, from Mr. Francis's service in the army, he is not unknown to either; for he is now an old lieutenant in the 44th, and his service under Sir William in the reduction of Niagara, and under Sir Jeffrey in the finishing service against Montreal, may not be unfafourable circumstances—more particularly as he had a greater share of command with Indian parties, to embarrass the enemy and get intelligence, than most regular officers.

"If your Lordship can put our brother in the proper road to make the application, it will be gratefully acknowledged by a family that esteem it their greatest happiness that they are a family of harmony; and I think it would be augmented by seeing their brother like to continue in this country, where they may sometimes have his company. Whether this will be best done by a recommendatory letter from your Lordship, or otherwise, I own I am not a competent judge; but any mode your Lord-

ship shall point out, Mr. Francis will willingly pursue. I knew not, my Lord, any of my friends that could so well do me this piece of service; and your kind offices to Mr. Francis, I hope will not reflect on your Lordship's judgment, because I think him deserving.

"I am, &c."

The following note from the Commander-in-Chief of the King's troops in America, relates, probably, to a party of soldiers he had lent for fatigue duty on some official survey in New Jersey.

Sir Jeffrey Amherst to the Same.

New-York, June 19th, 1763.

"My Lord,—I am sorry to be obliged to take away the small detachment of men I lent your Lordship. But the alarms from the Indians on the back settlements are so great, that I must collect all the force I can, to be in readiness to march for the protection of the inhabitants. I therefore send an officer with orders to receive the men and conduct them to the camp on Staten Island; but shall be very glad to order them back again when the service will permit me.

"My respects to Lady Stirling and the young ladies. I did not know of their leaving town so soon, or I should have waited on them before they set out.

"I am, &c."

The following letter is addressed to the Minister under whom the treaty of peace with Great Britain in 1783 was negociated, and the independence of the Colonies acknowledged. The occasion of it was his appointment as President of the Board of Trade and Plantations: its subject displays the watchfulness and saga-

city of the writer in seizing upon an opportunity to promote the prosperity of his native country; and it also serves to show what occupations he had proposed to himself in his retirement as most conducive to his own happiness, and his usefulness to others.

*The Earl of Stirling to the Earl of Shelburne.**

"New-York, August 6th, 1763.

"My Dear Lord,—Nothing could have given me greater satisfaction than hearing of your Lordship's ap-

* Afterwards Marquess of Landsdown, and father of the late, and present peers of that title. The character of this nobleman is admirably, and it is believed faithfully, portrayed by the younger D'Israeli in his political novel of "Sybil." The historical interest and fidelity of the passage, as well as the felicity of its language, will excuse its introduction here. After sketching, with a bold and dexterous hand, the characters and policy of Bolingbroke, and of Carteret, whose daughter Lord Shelburne married—the author proceeds: "Of him (Shelburne) it is singular that we know less than of his father-in-law; yet from the scattered traits, some idea may be formed of the ablest and most accomplished minister of the eighteenth century. Lord Shelburne, influenced probably by the example and traditionary precepts of his eminent father-in-law, appears early to have held himself aloof from the patrician connection, and entered public life as the follower of Bute in the first great effort of George III., to rescue the sovereignty from what Lord Chatham called 'the Revolution families.' He became in time a member of Lord Chatham's last administration, one of the strongest and most unsuccessful efforts to aid the grandson of George II., in his struggle for political emancipation. Lord Shelburne adopted, from the first, the Bolingbroke system; a real royalty in lieu of the chief magistracy; a permanent alliance with France, instead of the whig scheme of viewing that power as the natural enemy of England; and, above all, a plan of commercial freedom, the germ of which may be found in the long maligned negociations of Utrecht, but which, in the instance of Lord Shelburne, was soon in time matured by all the economical science of Europe, in which he was a proficient. Lord Shelburne seems to have been of a reserved and somewhat astute disposition: deep and adroit, he was, however, brave and firm. His knowledge was extensive, and even profound; he pursued both literary and scientific investigations; his house was frequented by men of letters, especially those distinguished by their political abilities, or economical attainments. He maintained the most extensive private correspondence of any public man of his time. The earliest and most authentic information reached him from all Courts and quarters of Europe; and it was a common phrase, that the minister of the day sent to him

pointment to preside at the Board which must have so great a share in the government of a country in which it is my lot to reside. Your Lordship's early inquiries, and strong desire of acquiring knowledge of this new world, must now be of great use to your country; for on a proper management of the Colonies on this continent, much of Great Britain's future greatness depends. The wants of its increasing population must at all events greatly increase the manufactures of the mother-country; but the suppression of such branches of trade as interfere with the importation of them from Great Britain, and the encouragement of such a cultivation of these Colonies as will supply her with the raw materials, for which she is now obliged to pay millions to foreign nations, is a work that must render the value of this continent to Great Britain inestimable. These things have, no doubt, occurred to your Lordship, as well as the proper mode of carrying them into execution. But if you can indulge me, I will, from time to time, send you such hints as occur to me, of measures suitable to this part of the continent; you may perhaps find something among them that has escaped your notice.

"The making of pig and bar iron, and the cultiva-

often for the important information which the cabinet could not itself command. Lord Shelburne was the first great minister that comprehended the rising importance of the middle class; and foresaw in its future power, a bulwark against the great 'Revolution families.' Of his qualities in council we have no record: there is reason to believe that his administrative ability was conspicuous; his speeches prove that if not supreme, he was eminent, in the art of parliamentary disputation, while they show on all questions discussed, a richness and variety of information with which the speeches of no statesman of that age, except Mr. Burke, can compare." This portrait, tinged, as it is, with some of the peculiarities of its eccentric, though clever author, goes far to redeem his "young English" absurdities. Yet there are some touches in it that do not altogether harmonize with his late speeches and vote against the repeal of the corn-laws.

tion of hemp, are two articles that want encouragement greatly. We are capable of supplying Great Britain with both, to a great extent; but the first requiring a large stock to begin with, people of moderate fortunes cannot engage in it; and those of large ones are as yet very few, and their attention is generally given to the pursuit of other objects. Some few, indeed, in this Province, and in New Jersey, have lately erected excellent works, the success of which, I hope, will encourage others to follow their example. As to hemp, our farmers have got into a beaten track of raising grain and grazing cattle, and there is no persuading them out of it, unless by examples and premiums; and these it would be well for Government to try—a few thousand pounds expended in that way might have a good effect.

"The making of wine, also, is worth the attention of Government. Without its aid, the cultivation of the vine will be very slow; for of all the variety of vines in Europe, we do not yet know which of them will suit this climate; and until that is ascertained by experiment, our people will not plant vineyards;—few of us are able, and a much less number willing, to make the experiment. I have lately imported about twenty different sorts, and have planted two vineyards, one in this Province, and one in New Jersey; but I find the experiments tedious, expensive, and uncertain; for after eight or ten years' cultivation, I shall perhaps be obliged to reject nine tenths of them as unfit for the climate, and then begin new vineyards from the remainder. But, however tedious, I am determined to go through with it. Yet I could wish to be assisted in it. I would then try it to a greater extent, and would the sooner be able to bring the culti vation of the grape into general use.

"It is in these vineyards, my Lord, and the clearing a large body of rich swamp lands in New Jersey, and fitting it for the cultivation of hemp—settling a good farm in the wilderness, and bringing to it some of the productions and improvements of Europe, that are my present employments. They have taken place of the pleasures of London, and I sometimes persuade myself that this is the happier life of the two. Yet there are some hours I could wish to have repeated, those in which I was honoured with your Lordship's conversation, which, I shall ever recollect with the greatest pleasure.

"I am, &c."

Lt. Colonel William Amherst to the Earl of Stirling.*

"New-York, October 11th, 1763.

"My Dear Lord,—Napier and your humble servant arrived here safe last night after a pleasant ride. We brought the packet in with us, which Napier all along said we should do. He stands a fair chance of suffering for witchcraft, which he must now be shrewdly suspected of.

"I have not yet seen a paper, nor heard any material news. Correspondents say there is nothing new since the last packet. The Queen was expected to lay in every day, when the packet sailed, which was the 20th of August. General Monckton† had a very gracious reception.

"It may not be long before my brother and I leave this country. He has his leave signified to him in the most gracious manner. This is only to yourself. Whatever

* A brother of Sir Jeffrey's.

† Robert Monckton—he had served as a Brigadier under Wolfe, and was afterwards Lieut. Governor of Nova Scotia, and Governor of New York.

country I am in, I should be happier were you there, as there is no one who can say, with more real esteem and regard to your Lordship, that

"I am, &c."

"P. S. The situation of things will not permit our departure yet awhile. It will probably be late in the winter first. I shall therefore spend some sociable hours by your fireside—to whom I beg to be remembered. Pray forward the enclosed with care and dispatch to Mrs. Gage,*—she will be glad to receive it."

Lt. General Gage† to the Earl of Stirling.

"New-York, December 14th, 1763.

"My Lord,—Captain Price, agent for transports, having informed me that your Lordship has knowledge of an affair in dispute between him and Mr. Wallace, and that you had agreed to become his bail—which was to have been completed yesterday, had not some difficulty arose in regard to it. I should therefore be much obliged to your Lordship for any insight or information you can give me relative thereto. Though, from what I at present perceive, it is a private transaction betwixt Captain Price and Mr. Wallace, in which the Commander-in-Chief, or the Crown are in no ways interested; nevertheless, from the representations of Captain Price that

* The Lady of General Gage, the successor of Sir Jeffrey Amherst in the command in America. She was of the Kemble family, and was then on a visit to her relations at Mount Kemble between Baskenridge and Morristown, N. J.

† This officer afterwards rendered himself notorious by his conduct at Boston at the breaking out of the Revolution. On his return to England he was created a Baronet—and after his death, his son, who adopted his profession and distinguished himself in the service, was raised to the peerage.

he must go to goal if Mr. Marston withdrew his bail—which he told him he would—and from his assuring me that in case the difficulties of your Lordship's becoming his bail could not be removed, Colonel De Lancey had promised to be security for him, I took upon me to write to Mr. Marston, desiring he would postpone doing any thing until this day, and that I would inquire into it, and endeavour to have it settled. In order to comply with which, I take the liberty of imposing upon your Lordship this trouble.

"I am, &c."

Robert Hunter Morris, Esq. to the Earl of Stirling.

"Tinton, December 23rd, 1763.

"My Dear Lord,—It gave me great concern that my illness in Philadelphia prevented my seeing your Lordship at Burlington, and thanking you in person for the two letters you did me the honour to write since we parted.

"Your Lordship doubtless heard what was done in the Sessions relative to the Indian war, as well as what was attempted and not done; and being no stranger to the men, or the principles upon which they act, you will easily account for their conduct. Perhaps, should the Eastern Governments come heartily into the General's measures, something may be done at the next meeting; but New-York must lead the way, and if we follow, it is as much as can be reasonably expected from us, especially as Pennsylvania will do nothing, at least at their first sitting.

"My best regards attend Lady Stirling; I hope she has had her health since her return to New-York. My

compliments to Lady Mary and Lady Kitty,* who, I doubt not, enjoy the town and its amusements the better from having sung Psalms at Baskenridge last summer.

"I am, &c."

The circumstance mentioned at the commencement of the following letter, in connection with its date, and the date and authorship of that which precedes it, affords a striking instance of the uncertainty of human life.

The Earl of Stirling to Governor Franklin.†

"New-York, January 30th, 1764.

"DEAR SIR,—By the death of Chief Justice Morris another seat in your Excellency's Council has become vacant; upon which I beg leave to offer you my sentiments. The office of Chief Justice is a dangerous one to leave open; for its being so will be an inducement to the Ministry to fill it up. They will think it incumbent upon them to fill up an office they are informed is vacant; and if they do fill it up from thence, it is a thousand to one if it be tolerably filled—for who will leave Britain for this appointment? And yet the office is of the utmost importance to the Crown, as well as to every individual in the Province.

"On the other hand, if your Excellency fills it up during pleasure, and recommends your appointment for

* The daughters and only children of Lord and Lady Stirling. The former afterwards married to Robert Watts, Esq., of New-York, and the latter to Col. William Duer.

† William Franklin, the natural son of the Philosopher, whose appointment to the Government of New Jersey, and the disgust it produced, are mentioned in preceding letters (see p. 70). This disgust arose in part, probably, from the illegitimacy of his birth. His time-serving conduct and courtier-like propensities were, however, the chief causes of it. He was originally a Whig, but became, *ex virtute officii*, a Tory.

confirmation, it is most likely it will obtain it; and if you determine on this measure, the person who most naturally occurs to me is Charles Reade.* But the superannuated state of Mr. Nevil leaves Mr. Reade alone on the bench, and makes it necessary that some other person should be thought of to fill up one, if not both the other seats. Fit persons are difficult to be found in New Jersey. Few, if any of the gentlemen of the country have read Law enough to qualify themselves for the bench, and as few of the lawyers fit for it, will give up their business. The only one I can think of is Mr. Kearney. I believe he inclines to retire from business, and your Excellency's offer of the office to him, with a seat in the Council, may, perhaps, induce him to accept it. If he should not incline to be in the Council, the next that occur to me are James Parker, and Cortland Skinner, both residing at Amboy, which is a convenient circumstance, added to their other qualifications.†

* He was appointed.

† John Berrien was appointed.

CHAPTER IV.

1764–1774.

It was in the spring of 1764, that the British Parliament adopted, at the instigation of a tory administration, the fatal measure which first provoked the resistance of the Colonies to the authority of the mother-country. This rash experiment, though but the entering wedge of a system that in the end was fated to rend asunder the British Empire, and deprive its monarch of "the brightest jewel that adorned his crown," proved not less propitious in its event to the recusant Provinces, than immediately disastrous to the parent-state. Pressed by the difficulty of finding new sources of revenue to replenish a treasury well nigh exhausted by the expenditure of the war then lately terminated, the British Minister in an evil hour departed from the policy of Sir Robert Walpole,* who conceived it more consonant to the principles of the British Constitution to confine the Colonies to the use of British manufactures, than to tax them in any other way. The person that now occupied the post that Walpole had so long held to the increase of

* When urged to establish a system of internal taxation in the American Provinces, that sagacious statesman replied that "he would leave *that* to some of his successors who would have more courage, and less attachment to commerce than himself." *Marshall's Life of Washington*, Vol. II. p. 78.

the wealth and commercial prosperity, and to the peace of his country, though wanting his political tact, was possessed of that courage in which the former had confessed himself deficient. Mr. George Grenville* was the first British Minister "bold" enough to propose taxing the Colonies without their consent, and the reception which his Stamp Act met with in America was such as had been predicted by those who understood the character and temper of the Colonists, and it led, as they had foreseen, to the speedy abandonment of that odious measure.†

Lord Stirling had been among the foremost and most active of its opposers in America. He had encouraged a passive resistance to its execution by promoting the agreement to dispense with stamped paper without prejudice to the contracts in which it was required to be used, and now exerted his influence in England in procuring the removal of the Parliamentary agent of the Province of New Jersey, who had supinely witnessed the enactment of the obnoxious law, and substituting in his place the eminent Solicitor he had employed in his affairs before the House of Lords, and from whom, after its repeal, he received the following letter:

* The younger brother of Earl Temple, who was the brother-in-law of the *great* Earl of Chatham. Mr. G. Grenville was the only member of his family who was not a zealous whig. The late Marquis of Buckingham, and the late Lord Grenville, were his sons.

† Its repeal was announced to Lord Stirling by his brother-in-law, Mr. Rutherfurd, in a letter addressed to him at Baskenridge, and dated, "New-York, May 29th," of which the following is an extract: "I have the pleasure to congratulate you on the repeal of the Stamp Act, and the certain assurance the Governor gives us, by a letter he has from Secretary Conway, that the laws on trade will be regulated and modified."

Henry Wilmot, Esq. to the Earl of Stirling.

" Bloomsbury Square, September 25th, 1766.

" My Dear Lord Stirling,—I received the favour of your Lordship's letter of the 20th of June, relative to my being appointed agent for your Colony. I am very sensible of the honour your Lordship has done me in thinking me worthy of it. If I was ever so averse to it, I would refuse nothing your Lordship wished me to accept. I refer your Lordship to my letters to the President and Speaker; and I am certain I need not desire your Lordship to see the salary regularly paid.

" I hope the mother-country will have no more misunderstandings with her children. I think it not likely they should begin on our side. I entirely agree with your Lordship that we should be content with your commerce, which, indeed, is all that is valuable in colonies, —and if this commerce will bring every farthing of your money to Britain, I agree with your Lordship that we can have no more.

" We have now had another change of administration. These frequent changes are certainly detrimental to the public. I think them so destructive that I think it wrong to change, even to a better administration, if it could be had. Indeed I do not see to whom his Majesty can now apply, if he is dissatisfied with this administration. Lord Chatham is certainly in full possession of the closet, at present. My friend Lord Camden is Chancellor, and my old master, Lord Northington, President of the Council. I am sorry Lord Dartmouth does not continue. I cannot but think it had been of great advantage to the Colonies to have had the First Lord of Trade, Secretary of State for the Colonies. It would have given

greater dispatch, and lessened expense. This was intended. The whole matter was settled, and Lord Dartmouth would have kissed hands for it if the last administration had continued a week longer. This measure, it seems, was not liked by Lord Chatham, who would not permit it. Lord Dartmouth thought it inconsistent with his honour, unless that business was completed, to continue, and therefore resigned. The Parliament is to meet the 11th of November for the dispatch of business. The opposition will be considerable; but there is not the least doubt but the present administration will stand if they continue to have the support of the Crown—which, for no other reason than the necessity of it, I think they must have.

"I am, &c."

A calm now seemed to overspread the political waters, and the agitation on this side of the Atlantic had entirely subsided. But the stillness proved ominous; and was speedily disturbed by the revival, in a different shape, of the former project of drawing a revenue from the Colonies, without the consent or intervention of their local Legislatures. This interval was passed by Lord Stirling in the pursuits described in his letter to Lord Shelburne. He usually spent a part of every winter in the city of New-York. The remainder of the year he passed in New Jersey, principally at Baskenridge, where he devoted himself to those public duties and objects, which, with the exercise of private hospitality, formed his chief occupations and pleasure. His correspondence during this period possesses no greater interest than it affords in illustrating these pursuits. From the letter which immediately follows, it appears that, at its date,

he was upon much better terms with its author than was the case some few years afterwards.

Governor Franklin to the Earl of Stirling.

"Burlington, April 2d, 1767.

"My Dear Lord,—I have granted a Sheriff's commission to Mr. Cooper, agreeable to the promise I some time ago made to your Lordship and Mr. Kemble.

"It affords Mrs. Franklin and myself a good deal of pleasure to hear that you, with Lady Stirling and the young ladies, are well. We were not a little chagrined at our disappointment in not being able to join your party in your jaunt to Bethlehem; but it was impossible, owing to continued sickness in my family, from the time of our return from Baskenridge, to the beginning of December. I was myself confined to my chamber upwards of three weeks. I should have wrote to your Lordship at the time, to acquaint you that it was not in our power to be of the party, but that I was in daily expectation of being able to undertake the journey, until I heard you had actually set out. But, although we were disappointed of that pleasure, we are not without hopes of seeing your Lordship and the ladies this Spring at Burlington when the Assembly meets, which will probably be some time next month. I only wait to hear the result of the session of Parliament with respect to a paper currency, to determine the time of meeting, of which your Lordship shall have timely notice. Mrs. Franklin says Lady Stirling did give her a promise of a visit at that time, if it suited your Lordship to bring her and the young ladies with you. I heartily wish nothing may happen to prevent our having that happiness.

"I am, &c."

The Earl of Stirling to Governor Franklin.

"Baskenridge, May 26th, 1767.

"Dear Sir,—Your very obliging letter of the 2d of April, I received some time ago, which I should have acknowledged before, but I waited to hear when your Excellency should fix the meeting of the Assembly, in order to know what answer I could make to your kind invitation of Lady Stirling and my daughters to Burlington; which they determined upon accepting, if their other engagements could possibly admit of it. The first week in June they expect company from New-York,—some of whom are to stay while the hot weather continues. This must deprive them of the pleasure of waiting upon Mrs. Franklin this summer; but as soon as the summer heats are over, I purpose giving them a jaunt to the Westward, and spending some days at Burlington. I promise myself the pleasure of waiting upon your Excellency the 9th or 10th. I hope by that time you will receive such advices from England, of the result of this session of Parliament, as will enable you to meet the other branches of the Legislature with mutual satisfaction. Lady Stirling and our girls join in best respects and wishes.

"I am, &c."

Philip Livingston, Jr. to the Earl of Stirling.

"New-York, 6th October, 1767.

"My Dear Lord,—Ralph Izard* told me last night that he was to set out this day with a large party of

* Afterwards a Delegate to the Continental Congress, from S. C., and Minister of the United States at the Court of Turin; and subsequently a Senator in the first Congress after the adoption of the present Constitution. He married into the New-York family of De Lancey.

Carolinians to pay you a visit, first taking Captain Kennedy's,* and the Passaic Falls in their way. The party consists of Mr. Blake and lady, Mr. Mott, (a gentleman who was here several years ago, and perhaps you may remember him,) and Ralph and his wife. They dine to-day at Captain Kennedy's;—to-morrow they set out for the Falls, and return at night to Second River; and on Thursday you may expect them with you.

"As their party is large, I have desired Izard to forward this letter to you from Newark, if an opportunity offer; if not, to send one of his servants with it a few hours before him, in order to give you some notice.

"Our family is all well. Mrs. Hoffman† is brought to bed of a son. Make my best respects to Lady Stirling, Lady Mary, and Lady Kitty.

"I am, &c."

"P. S. I find Major Butler‡ of the 29th Regiment is also of the party."

John Tabor Kempe, Esq.§ to the Same.

"New-York, October 13th, 1767.

"My Lord,—I have, with the approbation of some of your Lordship's friends and mine, taken the resolution of visiting England immediately, from the prospects, in the present situation of affairs there, of effecting a proper establishment for the offices I hold,—American affairs being now the great object of the consideration of the Ministry—and the arrangements and dispositions

* Afterwards Earl of Cassilis. He was by birth a Scotchman; had married into the New-York family of Watts, and settled in New Jersey.

† A sister of Lady Stirling's.

‡ Pierce Butler, of S. C., afterwards a delegate to the Continental Congress, a member of the Convention that formed the Constitution of the U. S., and a Senator in Congress.

§ Attorney General of the Province of New-York.

with respect to the Crown officers, and their support in the Colonies, being postponed for this winter's consideration. This, my Lord, is my principal reason for the voyage; though I do not communicate it to any but those I esteem my particular friends, and would wish it may remain a secret.

"As in the transacting of this business I must necessarily see those in power, and who have influence in the Court of Great Britain,—many of whom are your Lordship's friends and acquaintances,—and as you are not unacquainted with the labours I must submit to here, and that the whole burthen of the business of the Crown in my department is on me, and at present is at my own expense, with a very inadequate support,—I have taken the liberty to beg from your Lordship the favour of such letters to such of your friends as can serve me, as you can with convenience allow yourself to give me. If I can settle my affairs, I would wish to go in the Edward, Captain Miller (who will certainly sail by to-morrow week at farthest)—as Mr. Daniel Coxe and Mrs. Coxe propose going by the same opportunity. Let me entreat your Lordship to excuse the liberty I take in making this request.

"I am, &c."

Daniel Coxe, Esq. to the Same.

"Elizabethtown, October 27th, 1767.

"My Lord,—I propose sailing for England about the 15th of next month, *via* Philadelphia; and when there, shall enter upon the transaction of some family affairs, which will require the influence and countenance of the first characters, if I can be so happy as to obtain their notice. I am sensible, my Lord, it is in your power

to assist me by your good offices in this particular; and I need not say how much myself and family will esteem themselves obliged in your kind recommendations in my favour, to any of your noble acquaintance in England, whose countenance you may judge of consequence. I should not, my Lord, have taken the liberty to intreat this favour, were I not persuaded, from the long acquaintance and friendship of our families, that you would gladly do any thing in your power to serve us—and which, I hope, will apologize for this address.

"I would have waited on your Lordship in person to have received your commands, but I am much straightened in point of time to prepare. Any letters that you may honour me with, I shall be obliged to your Lordship to forward to Lady St. Clair, who will be so good as to take charge of them for me. I shall be happy to execute any commissions for your Lordship and family, in my power, in England. The Mississippi claim is my object.

"I am, &c."

Captain Archibald Kennedy, R. N. to the Same.

"New-York, the 30th November, 1767.

"My Dear Lord,—I proposed doing myself the pleasure of waiting on your Lordship before I left the Jerseys, but was prevented by a suit in Chancery relating to our family affairs, which I am afraid will occasion my leaving this country without enjoying that happiness, unless your affairs should call you to town.

"I beg you will please to make my best respects to Lady Stirling, Lady Mary, and Lady Kitty. If in any thing I can serve you at home, please direct your favours for me to Will's Coffee House.

"I am, &c."

The Earl of Stirling to John Tabor Kempe, Esq.

"Baskenridge, December 16th, 1767.

"DEAR SIR,—I did not receive your letter of the 12th of October, until three weeks after its date; and as I understood by it you were to embark in the Edward, I concluded you had sailed before it came to my hands. Yesterday I was informed you had not gone in the Edward, but proposed to go in the Coventry. Though I am afraid this will be too late to reach you in New-York, yet I hope it will reach you in London, early enough to be of some use to you.

"Of those among the great in England, who honoured me with their acquaintance, some are dead; others change places so often that it would be difficult to pitch upon any who may now be of use to you; but there is one gentleman,—the person to whom the enclosed letter is directed—who can be of great use to you, as well in your application respecting the support of your offices, as in the claims of the Coxe family. Mr. Wilmot is one of the most eminent Solicitors in London—intimately acquainted with many of the greatest personages in power—has easy access to most of them—is Secretary to the present, and was to the late Lord Chancellor. He is agent to this Province and several of the West India Islands. To him I have recommended you, and doubt not he will give you the best assistance in his power. I have mentioned to him the situation of your affairs, and have left it open to you to communicate other matters to him as you find most proper. That you may succeed in your hopes, and return to this country in a manner agreeable to yourself and your friends, is the wish of

"Yours, &c."

The Same to Henry Wilmot, Esq.

"Baskenridge, December 16th, 1767.

"DEAR SIR,—This will be delivered to you by my friend Mr. John Tabor Kempe, the present Attorney General of the Province of New-York,—which office he has held for some years with great reputation and honour, and has gone through the whole labour of the Crown business without assistance, and at his own expense, except a trifling salary.

"American affairs being now an object of attention of the Ministry, and the arrangements and dispositions with respect to the Crown officers, and their support in the Colonies, being, as we are told, postponed for this winter's consideration, induces him to make this visit to Great Britain in hopes of obtaining a better establishment and support for the offices he holds. He has also some other matters in view respecting the claims of the Coxe family, with whom he is connected. Let me intreat you, my dear sir, to be the friend of this worthy man, and to excuse the liberty I have taken in this recommendation.

"Some time since, the Council of Proprietors of East Jersey, appointed a Committee to correspond with you to the intent of getting some papers relative to their affairs which were formerly in the hands of Humphrey Bowles, of London. The discovery of those papers may be of very great use in the affairs of the Proprietors in general, and to mine in particular,—especially three books of Minutes and Registers. The latter contain records of most of the early deeds and conveyances between proprietor and proprietor. They were, as appears from a letter of Margaret Bowles, dated upwards

of twenty years ago, in her hands. About eight years ago, Messrs. De Lancey and Cuyler of this country, made a purchase of Bowles's estate in this Province, and, by their agent, Mr. Moses Franks, in London, bargained that all the papers relating to New Jersey in the hands of Bowles, should be delivered up to them. While I was in London, Mr. Franks often told me there were many large chests and trunks full of those books, parchments, and papers (cart-loads, and tuns, were sometimes his expression); but afterwards, on sending for them, with the approbation of De Lancey and Cuyler, a few deeds relative to the particular estate of Bowles, only have appeared. You will oblige me and all the proprietors very much, by giving your attention to this affair; to find out from Bowles's executors, what papers and books they delivered up to Franks, what he received from Bowles, and how he disposed of them;—and let me beg of you to give me the earliest intelligence of your success.

"I am, &c."

The Same to Captain Archibald Kennedy, R. N.

"Baskenridge, December 16th, 1767.

"Dear Sir,—I did not receive your favour of the 30th of November, until this day;—nor did I, until then, know of your intention of sailing this fall, or I would certainly have met you in New-York. I most sincerely wish you a good voyage, and a speedy return to this country; and, if it is in the policy of the great ones to keep any ship on this station, that you may come out in one to your liking. I can at present write nothing that can be new to you, so soon after your departure, excepting that I have heard the New-York Assembly

have at last exactly complied with the billetting Act, and that the Bill for that purpose is accepted by the Governor and Council; wherefore, I am in hopes that we shall now live in peace on that subject.

"I should be glad you would bring out for me Lord Littleton's New History of Henry VII.; a very good spying-glass, or refracting telescope; a neat, plain barometer, and a thermometer with graduations more extensive, and tube longer than they are commonly made, as our extremes of heat and cold often either fill the tube or sink the mercury into the ball.

"Ten of the chiefs of the Cherokees are arrived at New-York from Carolina, on their way to Sir William Johnson's, where they expect to conclude a treaty of peace with the Six Nations. Rogers* is playing the devil at Michilimackinack.

"I am, &c."

The following letter relates to the claims of the Earl of Perth as a Proprietor of East Jersey. It would seem that some misunderstanding had arisen between that nobleman and Lord Stirling; which could not, however, have been of any long duration, as the latter was not long afterwards upon terms of intimacy with Lord Drummond, the son and heir of Lord Perth, who came to this country to look after his father's affairs, and who, as will be seen hereafter, applied to Lord Stirling to assist him in a serious difficulty in which he became involved at an early period of the Revolutionary War.

* Major Robert Rogers, of New Hampshire, an active partisan officer, commanding a corps of Rangers. About Dec. 1st he had taken possession of the French fortress at Detroit. Although he started thence with the intention of going to Michilimackinack, he was obliged to abandon the attempt on account of the ice.

*The Earl of Stirling to William Smith, Jr. Esq.**

"Baskenridge, October 18th, 1768.

"My Dear Sir,—In consequence of what I informed you in my last I had written to Mr. Kelly, I had a meeting with Lord Drummond and him at Elizabethtown, by their appointment, on Monday the 10th instant. They showed me all the opinions except yours, on the controversy between the Earl of Perth and the Assignees of Sonmans. This I understood to be the express and sole intent of the meeting, and, as Surveyor-General, I read those opinions purely in the intention of being instructed in the duty of my office; yet I found afterwards that they expected that those opinions would have had some influence on me with regard to the merits of the controversy, and seemed to wonder that I did not immediately make some proposition towards giving the claim against Lord Perth quietly up. I had so little idea of this being any part of the intention of the meeting, that I never consulted the gentlemen concerned against Lord Perth on it, in this view of the matter, and consequently could have no power to make any propositions, nor any right to deliver an opinion on the merits. Had I been alone in the controversy, I would freely have told them my sentiments.

"I found also, from Mr. Kelly, that Lord Perth is much exasperated against me for the part I have acted in this matter. If it is as Surveyor-General, my answer is, that I have only obeyed orders which I conceive the duties of my office obliges me to obey;—if as a party claiming against his Lordship, I have only joined in

* The son of the historian, afterwards Chief Justice of New-York, until the Peace of 1783—when he was transferred to Canada.

measures advised by eminent Counsel as proper to preserve an estate which they supposed we had an equitable title to,—and this I conceive every man has a right to do without deserving censure. However, as I have a great regard for several gentlemen who are mutual friends of Lord Perth and myself, and as I am desirous that the censorious part of the world shall not have it in their power to say that my behaviour in this matter is swayed by interest, I came to a determination to be no longer concerned therein against his Lordship, and have accordingly totally and *bona fide* divested myself of all claim, right or title to the half-propriety in controversy, by a conveyance thereof to John Stevens and Walter Rutherfurd, by whom I was first invested with a part of that claim, and I hope my Lord Perth and his friends will no longer suppose that I act partially to the concerned.

"Mr. Kelly also alluded to a report which, among other misrepresentations, I have reason to believe, has reached the ears of Lord Perth, to wit, that R. H. Morris and myself, being parties concerned, sat at Council in judgment on my Lord Perth's first receiving his warrant on this half-propriety. But the truth is, we were neither of us interested at that time, nor expected to be; but became so in the remainder of Sonman's estate many months afterwards. Had the advice I then gave, of granting the warrants to the heirs or assigns of Lord Melford, been adhered to, this controversy would long since have been determined;—for, on the first location of them, a suit might have arisen, which would have brought the matter to a speedy issue. But enough of this. Believe me that

"I am, &c."

About this time Lord Stirling appears to have given up his house in New-York, and thenceforward to have resided altogether in New Jersey. He continued, in his retreat at Baskenridge, his former course of life, combining with his private occupations, the duties of his public stations.

It was at this period that an event occurred, which caused much excitement among the people, and great uneasiness to the Government of New Jersey. In July, 1768, Stephen Skinner, Treasurer of the eastern division of the Province, reported to the Governor, that the iron chest in which he kept the public money, had been robbed of more than six thousand pounds. All attempts to discover the robbers were in vain. The subject engaged the attention of the Legislature, and was warmly discussed at several sessions, without arriving at any conclusion as to the guilty parties. At length a resolution was passed by the Assembly, declaring that the robbery happened through the negligence of the Treasurer. In order to exculpate himself, that functionary made new and greater exertions to discover the criminals; and it seems that his suspicions had for some time rested on one Samuel Ford, an Englishman by birth, who had married and settled in New Jersey. The result of these efforts proved that his suspicions were not unfounded.

Ford had previously resided in the City of New-York, where he had once been apprehended on a charge of uttering forged bills of credit, purporting to have been issued by the Province of New Jersey. On that occasion he was admitted to bail; but no further proceedings were had against him. Immediately upon his release, he made arrangements for carrying on the trade upon a

more extensive scale, and for that purpose, removed to New Jersey, and established his manufactory in a secluded spot near Hanover, in the County of Morris. He there formed a connection with one Joseph Richardson; and, after some abortive attempts at imitating the bills of New-York and New Jersey, the two accomplices repaired to *Ireland*, in consequence of hearing that the art of counterfeiting had been brought to great perfection in Dublin. Not satisfied with their improvement in that school, they crossed the channel, and visited London, and the chief manufacturing towns in England, in order more fully to inform themselves of its mysteries. In 1772 they returned to America, and commenced operations by a new emission of bills in Pennsylvania and New Jersey; and succeeded so well as to escape detection for a year or more.

Ford was a person of much low cunning and some address; and had art enough to persuade several individuals of respectable connections in New Jersey, to aid in the circulation of his spurious currency. The discovery that a quantity of these bills had been suddenly thrown into circulation, alarmed the community, and excited the vigilance of the civil authority; but the guilty parties for a long time eluded detection. The suspicion of the public, however, fell naturally upon Ford. It was well known that he possessed no visible means of livelihood but a neglected and unproductive farm; and that, although he led an idle life, he had always the command of money. These circumstances, in connection with the former charge against him, led to his arrest. Not long after his commitment to prison, with the assistance of one John King, a subordinate confederate, he effected his escape, and, in company with King and Richardson, fled to the western wilderness.

Several of the persons who had aided Ford in the circulation of his bills, were subsequently arrested; and bills of indictment were found in the County of Morris against Doctor Barnabas Budd, Samuel Haynes, David Reynolds, and Benjamin Cooper, who severally pleaded *not guilty* to the charge. Another individual of the name of Ayres, a Justice of the Peace, who had hitherto maintained a fair character, was also implicated; but, as his offence was committed in another county, he was not indicted with the others. Subsequently, however, he confessed his guilt; but whether he was sentenced or pardoned, does not appear. Budd, Haynes, Reynolds, and Cooper, were condemned to death; but Reynolds, who had furnished the types, alone was executed. The respectability of the connections of the others enabled them to bring an influence to bear, which proved powerful enough to procure their pardon.

Reynolds, before his conviction, had testified that on one occasion, when in want of money, Ford promised to procure it for him; and at the same time showed him a package of bills, which he gave Reynolds to understand had been obtained by robbing the Treasury. He afterwards saw Ford cutting up sheets of bills; and, as the counterfeit bills had been printed separately, this circumstance was deemed conclusive evidence that the bills in sheets had been obtained surreptitiously, before their regular emission. Cooper, in his first confession, said nothing of the robbery; but he afterwards swore that Ford had made known to him all the circumstances, and acknowledged that he had committed it with the assistance of two soldiers from the garrison of Amboy.

As Governor Franklin had been much censured for not taking measures for recovering the sum abstracted

from the Treasury, on the ground of his negligence, these confessions of Reynolds and Cooper were pressed by him on the attention of the Assembly, at its next session, as exculpating the Treasurer, and affording a sufficient excuse for the lenity extended to him: but without effect. The Governor's conduct in relation to the Stamp-Act had deprived him of the confidence of the people, and produced the election to the Assembly of a majority opposed to him. In this affair of the Treasury, the opposition members put forth their whole strength against him. A committee, to whom the subject had been referred, made a Report exculpating Ford, and charging the Treasurer himself with the robbery. This Report was concurred in by the House; and a long and angry correspondence ensued between the Governor and the Assembly as to the proper course to be pursued in order to bring the Treasurer to trial. The Governor was supported thus far, by the unanimous voice of his Council, including Lord Stirling, although, since the Stamp-Act, at the head of the political opposition to his administration. The dispute ended by the resignation of the Treasurer, and the appointment of a successor with authority to bring a suit to recover the lost money.

In this controversy, both parties displayed great perverseness. The Governor was, as usual, violent and undignified; his opponents, disrespectful and unreasonable; and it would have been difficult to decide which party was most to blame, had not the Governor afterwards called the Ex-Treasurer to his Council, in contempt of the opinions of a large majority of the people. The subject was canvassed in the public newspapers after it had ceased to be discussed in the Assembly; and never, perhaps, did party spirit rage with greater violence

under the Colonial Government, or a Provincial Legislature exist more decidedly opposed to the immediate representative of the Crown. The opposition on this question was eventually merged in the far more serious dispute provoked by those measures of the mother-country which led to the overthrow of her authority not merely in New Jersey, but in all the Colonies. The robbery of the Provincial Treasury, the counterfeiters, and all the circumstances which had caused so much agitation, were speedily forgotten; the Ex-Treasurer adhered to the Royal cause; the suit against him was never brought to a close; Ford and his accomplices were no more heard of; and, to the last, as much doubt was entertained by many, as to the guilt of the several parties accused of the robbery, as existed at the time of its discovery.*

The following letter from one of the accomplices, who had been in the employ of Lord Stirling, was addressed to him after the writer had been convicted as an accessory to the forgeries, and shortly before the day fixed for his execution. In this case, it is more probable that the interposition of Lord Stirling, in consequence of this letter, and the former good character of the convict, procured his pardon, than the influence of his family.

Benjamin Cooper to the Earl of Stirling.

"Morristown, N. J., September 7th, 1773.

"My Lord,—I am here confined and sentenced to die for a crime in itself dreadful; but I had but little to

* The author is indebted for these particulars to William A. Whitehead, Esq., of Newark, whose familiar acquaintance with our Colonial antiquities is manifest in his "History of East Jersey"—presented by him to the Historical Society of the State, and published as the first volume of their Collections.

do with it. I will give an exact account to you of all I ever did.

"In the spring of 1771, at the close of the accounts belonging to the Hibernia Company, at your house, Samuel Ford and many others met at Daniel Cooper's, in order to settle and sign my letter of license; at which time Ford was to lend two hundred pounds, to be appropriated to the use of the Company. Shortly afterwards, he called me to Morristown, where he told me first of the villainous scheme of passing bad money. My necessities, distressed to distraction, led me into it. There I received between thirty and forty pounds of what he called counterfeit money, which was passed by John King and Samuel Haines. This was the first. I afterwards had a further parcel. This I burned, conceiving myself wrong. I never had any more; determined and resolved I would quit it; and if I had lived to the year 2000, should not by any means had any further hand. This is all in one week, in the year 1771. Two of the Judges, one of which was my father, and one other that he can inform you who it was, promised me I should never have it mentioned further than as an evidence, if I would give a narration of such as was concerned in counterfeiting and passing, if any I could. On these promises I gave the account that the Judge lays before the Governor and Council. It was at the bottom I gave it, that I had received and passed; but here you have all—the whole.

"I was indicted, and to this confessed guilty of uttering. I then see death, of course. I was also indicted for aiding; and the Judge said it was useless to plead *not guilty*. This I did; however, I knowed nothing of the making or any thing belonging to it, excepting

the paper. I see it going to him. This was all I knowed about the whole. This is the substance, as near as I can recollect. I have just to beg your Lordship's interest and influence with the Governor and Council for me, if you can do it consistent with honour, or as far as may be. This I would be extremely obliged to you for.

"Several deeds ought to be made to you by me, and many things you are a stranger to, I fear, by which you will suffer, that otherwise you would not, had I not been called hence. But God's will be done. I am endeavouring to prepare for the world to come. It is my chief aim now—I believe it is time—I fear I am to depart. I have no one but your Lordship to place the least dependence on; and this only from your natural humane, benevolent disposition towards all mankind. Here only, I hope for your interest, which if properly obtained and applied, no doubt would lengthen my days. Many things in the course of my perplexity I could say more respecting your interest, as also my present situation. Now I pray you only, my good Lord, if you can possibly do me any service in this present situation of mine. Grant me your aid for God's sake.

"I am, &c."

"P. S. I was indicted for aiding Ford, when I left you at Hibernia, and went with my family to Hunterdon Ford was taken while you was at the works. I left you on Saturday morning; I returned the Friday following. I had reason to think he was in the woods. Miss Odle asked me to give her a hat and shirt: I did, and it was for Ford. However, I did not know positively who it was for, but by suspicion. For this alone and all the aid I gave I was indicted, and was advised

by Isaac Ogden to plead guilty. My crimes, for which I am condemned, if they were all known, would not appear so bad."

The following correspondence between the late Colonel Samuel Ogden of Newark, and Lord Stirling, probably grew out of some interference, on the part of the former, in relation to Ford and his accomplices, upon which Lord Stirling thought proper to ground a charge before the Council, which he afterwards withdrew, for some good reason that does not appear, but renewed upon being urged by Colonel Ogden to do so.

Colonel Samuel Ogden to the Earl of Stirling.

"Burlington, December 3rd, 1773.

"My Lord,—I am informed that you, some days past, exhibited to the Governor and Council now sitting at this place, a charge against Samuel Tuthill, Esq., and myself, greatly impeaching and reflecting on Mr. Tuthill's and my characters as gentlemen, and magistrates in the execution of our offices, by taking several depositions partially and unfairly, and by suppressing the testimony of witnesses material for bringing certain criminals to justice.

"Your Lordship is not unacquainted with my repeated applications to the Governor and Council to have a hearing before them, on the several matters wherewith Mr. Tuthill and myself were accused, and they have been refused by reason that said charges were not before them. From the above state of the matters, I hope you will think that the request I now make, viz., that you do re-enter on the minutes of the Board that charge expunged without Mr. Tuthill's or my consent, is con-

sistent with honour and common justice in your Lordship to grant, and me to ask. Your immediate answer will much oblige.

"I am, &c."

The Earl of Stirling to Colonel Samuel Ogden.

"Burlington, December 3rd, 1773.

"SIR,—I received your letter of this day's date while I was at dinner at the Governor's, or I would have acknowledged it immediately by a written message.

"Upon perusing your letter I find that you request that I should re-enter upon the minutes of the Council a certain charge against you and Samuel Tuthill, Esq. As this is a matter which would counteract a measure of the Governor and Council, which they went into for reasons to them appearing of public utility, I conceived it my duty to lay your letter before them, and to inquire of them, whether the same reasons still hold good in their opinion; and as, on consulting them, I find it their opinion that the same reasons do hold, I cannot think myself at liberty to reinstate the charge. But, Sir, if you think any conduct of mine, which, in my station as one of the Council of this Province, I conceived it my duty to go into, injurious to your character, I am willing to join you in any proper measure, consistent with my duty to the Board, to do you justice, and fairly to try whether any charge I have exhibited against you is well founded or not, provided it be done as soon as possible, and during the present session of the Legislature.

"I am under an engagement to set out for Philadelphia to-morrow morning, and intend to return to this place on Monday or Tuesday next.

"I am, &c."

Colonel Samuel Ogden to the Earl of Stirling.

"Burlington, December 4th, 1773.

"My Lord,—On reading your Lordship's letter in answer to mine of yesterday, I find your Lordship refuses to grant the request made you lest you might thereby counteract a measure of the Governor and Council, which they went into for reasons to them appearing of public utility, and that you had therefore conceived it your duty to lay my letter before them, and to inquire of them, whether the same reasons in their opinion still hold good; and as on consulting them you found it their opinion that the same reasons do still hold good, you could not feel yourself at liberty to reinstate the charge. Your Lordship soon after says that you are willing to join me in any measure, consistent with your duty to the Board, to do me justice, and fairly to try whether the charge exhibited against me was well founded or not, provided it be done immediately and during the present session of the Legislature. This last offer, and its being done immediately, I am not so happy as to reconcile with the former part of your letter.

"I must beg leave to inform your Lordship, that as an innocent man, I do consider my reputation and honour much injured by your exhibiting said complaint against me; and as the same was withdrawn without my consent, I cannot help asking of your Lordship a copy thereof, and your reasons for withdrawing the same; and whether you did withdraw it upon such terms as left any stain on my honour, or imputation of guilt to my charge? I must beg your Lordship will be very explicit in answering the above; and that you will do the same as expeditiously as possible,—it being an affair of the most delicate nature, and of the greatest impor-

tance to me, and what alone brought me to this town, and hath detained me here for several days past, of which your Lordship must be sensible.

"I am, &c."

The Same to the Same.

"Burlington, 11 o'clock Saturday morning.

"My Lord,—Your Lordship's answer* to my letter of this morning I just now received, but as I am unluckily obliged now to attend a Committee of the House of Assembly, have it not in my power to answer it. As soon as they dismiss me, I will send your Lordship such answer in writing as shall become a gentleman and man of honour, and hope your Lordship will defer setting out for Philadelphia.

"I am, &c."

The Earl of Stirling to Colonel Samuel Ogden.

"Saturday morn. near 12 o'clock.

"Lord Stirling has already twice informed Colonel Ogden that he is engaged to be in Philadelphia to-day; and he does not conceive that any request from Colonel Ogden should induce him to break that engagement. But if Colonel Ogden conceives the business he has to transact with Lord Stirling requires such immediate despatch, he may call on Lord Stirling in Philadelphia, where he expects to be for two or three days.

Colonel Samuel Ogden to the Earl of Stirling.

"Burlington, Saturday morning.

"My Lord,—Finding it rather uncertain as to the day when you will be in Philadelphia, and being obliged

* This *answer* does not appear, but its contents may be surmised from the subsequent part of the correspondence.

to return to East Jersey without any longer delay, I do inform your Lordship, as you are pleased to say you are "no Councillor in Philadelphia," I presume the same will hold good in New-York, and upon my being informed of your Lordship's being there, you may be assured I will renew my demand, which I can but think reasonable.

"I am, &c."

The Earl of Stirling to Colonel Samuel Ogden.

"Burlington, December 11th, 1773.

"Lord Stirling was desirous of giving Colonel Ogden every reasonable satisfaction in his power, and therefore proposed a conference for that purpose on the 4th instant. But the contemptuous neglect which Colonel Ogden has shown to that offer, renders his acceptance of it at present impossible. Besides, there are some expressions in the last letter which Lord Stirling received from Colonel Ogden on the 4th instant, which must be fully explained, before it can be proper for them to meet on business of that nature."

The following seems to relate to the same subject.

Elisha Boudinot, Esq. to the Earl of Stirling.*

"Newark, 27th January, 1774.

"My Dear Lord,—I received yours of the 15th instant, concerning the report that is prevailing relative to the transactions before the Council, &c. I believe one of its greatest springs took its rise at the last Morris Court; but, as you cannot be at a loss to find out the origin of it there, shall be silent on that head.

* Afterwards a Judge of the Supreme Court of the State of New Jersey.

"A few days after I returned from Morris, I was at my brother's* at Elizabethtown, who was mentioning the subject, and much in the same manner it had been related at Morris; and he said he heard Mr. Hoffman telling the story at Mr. Lott's in New-York. This is as true and as straight an account as I can get of it.

"With regard to the appointment of a certain *Justice*, as your Lordship was so polite as to promise me your assistance in it, if when you are at Council you should not think there was a great probability of carrying it through, notwithstanding the opposition of *a particular gentleman*, I would rather it should not be mentioned, as a repulse would be rather mortifying, especially from that quarter. I have wrote to Mr. Stockton on the subject, and should be glad your Lordship would mention it to him when you see him at Burlington. If it could be accomplished, it would give me real pleasure, and would greatly chagrin some other persons, as a gentleman in office, of an independent spirit, does not coincide with their views.

"If any thing that is in my power can at any time be of the least service to your Lordship, you may freely command me.

"I am, &c."

Governor Franklin to the Earl of Stirling.

"Philadelphia, May 3rd, 1774.

"My Dear Lord,—Your letter of the 26th of last month is just delivered to me at this place, where I am on a visit. It gives me great concern to find the affair be-

* Elias Boudinot, who was afterwards a delegate from New Jersey, and President of Congress under the Confederation; subsequently a member of the first House of Representatives under the present Federal Constitution—and the first Director of the Mint of the United States.

tween your Lordship and Colonel Ogden is not yet settled. I was in hopes from what I had said to some of his friends, and from what had passed between your Lordship and me, as well as from some other circumstances, that your differences would have soon after terminated in a happy accommodation. As that, however, is not the case, and your Lordship has thought proper to renew the charge against Colonel Ogden, I shall take the first opportunity of laying it before the Council.

"The Chief Justice* and Mr. Stockton will probably be at Burlington next week, when I shall be able to get a sufficient number to form a Council; but I do not believe they would proceed to hear the merits, even if all the parties were present at that time, unless the East Jersey members of Council were likewise present. The West Jersey members refused, for the like reason, to determine at the last meeting any thing respecting Colonel Ford's conduct. Judge Ogden† will of course not sit in this business; and as Colonel Ogden intimates that he intends bringing the affair before a Court of Judicature, perhaps Mr. Chief Justice and Mr. Stockton‡ may on that account likewise object to being present at any hearing or determination on the subject, before the Council. It will therefore be proper that some time should be fixed when Mr. Kemble, Mr. Parker, and Mr. Skinner§ can attend. Your Lordship may depend upon receiving early notice of the determination of the Council in this respect.

"I am, &c."

* Frederick Smyth.

† David Ogden, a Justice of the Supreme Court, N. J.

‡ Richard Stockton, appointed a Justice of the Supreme Court the February preceding, but who had not yet taken his seat upon the bench.

§ Peter Kemble, James Parker, and Stephen Skinner.

"P. S. I am obliged to your Lordship respecting the heads of inquiry sent over by Lord Dartmouth, though they came to hand too late, as I sent my answer to them about a month ago. Your notes, however, contain some particulars which I have not mentioned; I shall therefore take a copy of them and transmit you the original."

The controversy between Lord Stirling and Colonel Ogden seems to have ended in the following public advertisement by the latter.

"A Pamphlet having been published and handed about town last evening, containing a pretended state of the dispute between Lord Stirling and Colonel Ogden, the Colonel begs of the Publick that they will suspend their opinion, until the hearing before the Governor and Council is ended, and he shall have opportunity and leisure to lay his case fairly before them. The Colonel remarks several misrepresentations to have been inserted in the Pamphlet, and he thinks it necessary to assure the Publick that the letter or note marked F. in the Pamphlet, and dated "Saturday Morn. near 12 o'clock," was never received by the Colonel; but that the messenger at that time sent to his Lordship's lodgings, returned with the information to the Colonel that his Lordship had left neither letter nor message.

"Amboy, January 17th, 1775."

CHAPTER V.

1774–1776.

During the interval between the correspondence with which the last Chapter closed, and the events which led immediately to the Revolution, Lord Stirling continued to reside at Baskenridge, engaged in his former occupations, to which, of late years, he had added the general superintendence of several extensive iron-works which he had established, principally in the County of Morris. These pursuits were interrupted only by occasional visits to New-York, and the performance of his public duties as Surveyor-General, and a member of the Council of New Jersey. Nothing of a public or interesting character appears in what has been preserved of his correspondence during this period, until the autumn of 1775, when the projects of the British Court again threatened a rupture between the mother-country and her Colonies. A whig, not merely from education, and early political associations, but from the convictions of his maturer judgment, Lord Stirling opposed, as we have seen, the execution of the Stamp Act, and used whatever of influence he possessed in England, in procuring its repeal; and he now withstood, with similar promptness and decision, the equally un-

constitutional expedients adopted as a substitute for that odious measure. Though less oppressive in its operation than the former attempt, the new project involved the same violation of principle, in the assertion of a power to tax the colonists without their consent, and was met by them in the same indignant spirit of resistance. When coercion was resorted to by Great Britain to put down the open opposition in Massachusetts, Lord Stirling was among the first in the other Provinces to take up arms, in what he deemed the common cause. From the military experience he had acquired early in life, not less than from his local influence and personal popularity, he was chosen to command the first regiment of militia, raised by the authority of the Provincial Congress, in the county in which he resided. On being informed that he had accepted the appointment, Governor Franklin, in summoning Lord Sterling to a meeting of the Council, directed his Secretary to inquire whether the report he had heard of his acceptance were true. To this demand, the following answer was returned.

The Earl of Stirling to Governor Franklin.

"Baskenridge, September 14th, 1775.

"Sir,—I have received a letter from Mr. Pettit, dated the 7th instant, informing me that your Excellency has appointed a Council to be held at Amboy the 15th instant, and that my attendance is expected. The gout, which at present is my constant companion, will render it impossible for me to go from home at that time, and therefore I hope your Excellency will be able to dispense with my attendance.

"In the same letter, Mr. Pettit informs me that he has it in command from your Excellency, to acquaint

me that it is a matter of *public report*, that I have accepted a Commission from the Provincial Congress of New Jersey, appointing me to the command of a regiment of militia in the County of Somerset, and that your Excellency requires an answer from me whether I 'have, or have not, accepted such commission ?'

"I must acknowledge, Sir, that the style and manner in which this inquiry is made, a good deal surprises me; especially as I have ever been used to experience from your Excellency, the behaviour becoming a gentleman in your exalted station. That you could think of commanding your Clerk to correspond with me on so delicate a subject, or to catechise me in so peremptory a manner, equally astonishes me. However, I will indulge your Excellency's curiosity.

"I have lately been informed that the good people of this County have unanimously chosen me Colonel of a regiment of militia; that the Congress of this Province have approved of the choice, and have issued a commission accordingly,—which I have received. This mark of the confidence of the people among whom I reside, is most satisfactory, and, I think, honourable to me. To be thus called forth at a time when their dearest rights are invaded, to take so prominent a part in their defence, cannot but excite the most grateful feelings of one who has ever been a friend of the liberties of mankind; and in accepting this commission, and serving my country faithfully, I cannot doubt of your Excellency's highest approbation, when I recollect your frequent public, as well as private declarations, that the rights of the People, and the prerogatives of the Crown, were equally dear to you,—and equally your duty and inclination to preserve.

"I am, &c."

An angry correspondence ensued, which was closed by a letter from Lord Stirling, concluding with this significant passage:—"The world is apt to be censorious when those who are entrenched in office indulge in offensive language; and on this very occasion there may be some who will suspect that your letter would not have been penned in the style it is, had it been written in any other Province than New Jersey.*

The *rebellious* Colonel—to use the epithet applied to him in one of Governor Franklin's letters—lost no time in organizing and disciplining his regiment; and on the 18th of October he issued orders for a general review and muster to take place on the 6th of November; "every man to bring with him the best arms he can, and those who have no firelocks are, notwithstanding, desired to attend, as other arms will be furnished for them." This was done at his private expense; but, before the day appointed for the review, Lord Stirling was transferred to the command of the first of two regiments of regular troops, directed by Congress to be raised in New Jersey for the continental service, into which he was followed by several of the officers and men of his militia regiment.

Upon hearing of this appointment, Lord Stirling repaired to Philadelphia to receive his commission, and confer with his friends in Congress. On the 22d of November, he proceeded to Burlington to endeavour to prevail on the Committee of Safety of New Jersey, to take proper measures to secure arms for the two regiments, and to get barracks prepared for their reception. From

* Gov. Franklin's appointment was not acceptable to the people of New Jersery, and his conduct in office, less so. See letters of J. Penn., and P. Livingston, Jun., *ante*, pp. 67, 69.

thence he visited several other of the principal towns in the Province, on the same errand. He had little difficulty in obtaining more volunteers for his own regular regiment among the men who had served under him in the militia, and within a week of his leaving Philadelphia he had established its head-quarters at Elizabethtown.

In a letter to the President of Congress written on his arrival at that place, he complained of the impediments thrown in his way by the local magistrates, in issuing warrants against his men, upon the smallest pretext; and suggests to Congress the expediency of adopting a rule similar to one which had prevailed in the Province of New Jersey during the former war, exempting every person in the military service from arrest for debts less than fifteen pounds. In consequence of his representations, Congress subsequently provided a similar remedy for this inconvenience.

Whilst engaged in recruiting at Elizabethtown, he availed himself of his position and opportunities to gain intelligence in relation to the British ships of war in the harbour of New-York, and was thus enabled more effectually to watch their motions. The following letter to the President of Congress, affords evidence of his vigilance, and contains some hints of the advantages to be derived from the measures he had taken.

Colonel the Earl of Stirling to his Excellency John Hancock.

"Elizabethtown, December 19th, 1775.

"Sir,—In consequence of the new orders published by Captain Parker, of the Phenix, since his arrival at New-York, all vessels coming from foreign countries to that port, receive on the coast orders from us to come into this Province, and, if possible, to this place. Sev-

eral have already arrived at Prince's Bay, and in the Sound between this and Amboy. Some of the owners of them, being apprehensive that the men-of-war at New-York may send their cutters and boats to seize and carry them off, have applied to me for protection. The saving a vast useful property from falling into the hands of our enemies, must be right; and although I have no orders for it, I shall give them every protection in my power, until I receive orders to the contrary from Congress.

"This will, most probably, draw some of the tenders and smaller ships of war to the avenues of New-Jersey on this side. It will, therefore, be highly necessary to have an immediate supply of ammunition at this place; and, if possible, half a dozen field-pieces, with some round, grape, and cannister shot. We might then hope to make them quit any station in harbour; and the season of the year will soon make them quit every other station.

"This new order of Captain Parker's is in direct violation of an Act of Parliament; it alarms and rouses the moderate, and sorely vexes the Tories of New-York, from their being obliged to seek protection here; and in proportion as their property will be lodged among us, their pulses will beat, and their conduct will be regulated. If this circumstance be properly managed, I am in hopes it will turn out a very fortunate one.

"It just occurs to me that it may be very proper that there be an order of Congress to receive for the continental use, all the ammunition imported in the vessels that may arrive in this Province, on paying a moderate price for it; some small quantity may be in each; and every little helps.

"I am, &c."

In pursuance of this suggestion, Lord Stirling was directed by Congress, "to seize and secure all the ammunition and warlike stores belonging to the enemy, which now are, or hereafter may be, imported into the Colony of New Jersey, and to keep them until he shall receive the orders of Congress respecting them."

The following letter contains another proof of his watchfulness and foresight on the subject mentioned in that preceding it.

Colonel the Earl of Stirling to the President of Congress.

"Elizabethtown, January 6th, 1776.

"SIR,—Having particular reasons for believing that an express which went through this place about noon this day for New-York, was charged with despatches of importance for the Ministry of Great Britain, I immediately despatched the bearer hereof, Captain Morris, of my regiment, to overtake the messenger, which he did, at the second ferry between this and New-York; and has this moment brought back the messenger, with the enclosed two packets directed to the Earl of Dartmouth, which I think it most proper to send you unopened, in order to be laid before Congress.

"Captain Morris, who on this occasion has behaved with great prudence and alertness, will wait for whatever despatches or commands you may have for me.

"I have the pleasure to inform you that several vessels with valuable cargoes from foreign ports, have arrived in this Province; and, under the protection I have afforded them, have landed their cargoes. Among the rest, are some hundred barrels of gun powder.

"I am, &c."

"P. S. After sealing the above, I found on the messenger some private letters to *Mrs. Gage*, which I have forwarded. The handwriting of one of them, I knew to be that of a most dangerous man; and for very particular reasons I was induced to open it. I now send it to you."

Having some reason (derived probably from the above mentioned intercepted letter) to suspect that his old friend Governor Franklin meditated an escape from the Province, he directed Lieutenant Colonel Winds, who was stationed at Amboy, to prevent it. A correspondence thereupon took place between that officer and the Governor, which was transmitted by Lord Stirling to Congress, with the following.

Colonel the Earl of Stirling to the President of Congress.

"Elizabethtown, January 10th, 1776.

"Sir,—I now send you inclosed, copies of some letters which have passed between Governor Franklin, and Lieutenant Colonel Winds. As it is evident from the last letter from the Governor, that he intends no longer to remain quiet, I thought it most prudent to secure him, and remove him to this place. I accordingly sent orders to Lieutenant Colonel Winds this morning, for that purpose. I have provided good, genteel private lodgings for the Governor, at Mr. Boudinot's, which I expect he will occupy this afternoon, and where I intend he shall remain until I have directions from Congress what to do with him.

"I am, &c."

Lieut. Colonel William Winds to William Franklin, Esq.

"Barracks at Perth Amboy, January 8th, 1776.

"SIR,—I have had hints that you intend to leave the Province in case the letters that were intercepted should be sent to the continental Congress. As I have particular orders concerning the matter, I therefore desire you will give me your word and honour that you will not depart this Province until I know the will and pleasure of the continental Congress concerning the matter.

"I am, &c."

William Franklin, Esq. to Lieut. Colonel Winds.

"January 8th, 1776.

"SIR,—Being conscious that my letter which was intercepted contained nothing but what it was my duty to write as a faithful servant of the Crown,—being a mere narrative of such facts and reports as had come to my knowledge respecting public transactions,—I have not the least intention to quit the Province; nor shall I, unless compelled by violence. Were I to act otherwise, it would not be consistent with my declarations to the Assembly, at the last session, nor my regard to the good people of this Province.

"I am, &c."

The Same to the Same.

"Perth Amboy, January 9th, 1776.

"SIR,—I observed this morning that armed men were placed at my gate, who, from time to time, have been relieved by others. On inquiry, I am given to understand that they are placed there as sentinels by your

orders. This, I scarcely know how to believe, not only as I am convinced that you can have no proper authority for it, but as I had before, under my hand, assured you, (who are a member of the House of Representatives,) that agreeable to my declarations to the Assembly at my last session, and I might have added, in compliance with their request,—I was determined not to quit the Province unless compelled by violence. Such an assurance on my part was certainly equal to any promise I could make, and ought of course to have weight with those who pretend to act on principles of honour. However, let the authority, or let the pretence be what it may, I do hereby require of you, if these men are sent by your orders, that you do immediately remove them from hence, as you will answer the contrary at your peril.

"I am, &c."

Lieut. Colonel Winds to William Franklin, Esq.

"January 9th, 1776.

"Sir,—As you in a former letter say you wrote nothing but what was your duty to do as a faithful officer of the Crown, so I say, touching the sentinels placed at your gate, I have done nothing but what was my duty to do as a faithful officer of the Congress.

"I am, &c."

Colonel the Earl of Stirling to the President of Congress.

"Elizabethtown, January 11th, 1776.

"Sir,—In consequence of orders I sent to Lieutenant Colonel Winds, on the 9th, between the 9th and 10th instant he sent two officers attended by a proper guard to wait upon Governor Franklin, who at first refused pay-

ing any attention to the message which kindly invited him to dine with me at this place ; but finding it in vain to act that part, he ordered up his coach in order to proceed to this place. But Chief Justice Smyth,* thinking it possible to put the matter upon an easier footing for the Governor, prevailed on him to give his *parole* not to depart from his house on any pretence whatever, not even if a rescue should be offered by Captain Parker,† or any other person. I have given the Lieutenant Colonel orders to let the Governor remain at his house, on the conditions stipulated until I have the orders of Congress to the contrary.

"I am, &c."

The Governor, however, would not remain quiet, but afterwards issued a Proclamation for assembling the former Provincial Legislature ; upon which the Convention of the Province declared his authority at an end ; and he was thereupon directed by Congress to be removed to Connecticut. There he remained a prisoner until the end of the war, when he sailed for England, where he received a pension and continued to reside until his death.‡

Lord Stirling was now entering upon more active service ; and the first orders he received from a military superior, were from the Commander-in-Chief himself.

* Frederick Smyth ; the last Chief Justice of New Jersey, under the Colonial government.

† Commander of the British man-of-war Phenix.

‡ Governor Franklin was born about the year 1731. He was a Captain in the French war, and served at Ticonderoga. After the peace of Paris, he accompanied his father to England ; and by the recommendation of the Earl of Bute, was appointed Governor of New Jersey, in 1763 ; from which time he continued in the office until deposed, as above related. He died in England in 1813, at the advanced age of 82. By his first wife, a West Indian, he had a son, *William Temple Franklin*, who edited his grandfather's works, and is accused of suppressing some highly important matters. This gentleman resided latterly at Paris, where he died in 1823.

General Washington to Colonel the Earl of Stirling.

"Cambridge, January 10th, 1776.

"My Lord,—Having received undoubted intelligence of the fitting out of a fleet from Boston, and of the embarkation of troops from thence, which, from the season of the year, and other circumstances, must be destined for some expedition south of this; and having such information as I can rely on that the inhabitants of Long Island, or a great part of them, are inimical to the rights and liberties of America, and, by their conduct and professions, have discovered an apparent inclination to assist in subjugating their country and fellow-citizens to the system of tyranny administration are attempting to establish,—there is the greatest reason to apprehend that this armament, if not immediately designed against New-York, is nevertheless intended for Long Island.—Knowing it to be of the last importance to the interest of America, to prevent the enemy getting possession of these places, and the North River, which would give them the command of the country, and a free communication with Canada, I have despatched Major General Lee* with orders to repair to New-York, with such volunteers as he can raise on his way, (having no troops to spare from hence,) to put the city and the fortifications up the River in the best posture of defence the season and situation of affairs will admit of; and for taking such proper steps against such persons on Long Island, and elsewhere, whose conduct has rendered them suspected of designs unfriendly to the views of Congress. I have directed him to apply to you for the troops of New Jersey, under your

* Charles Lee, an Englishman by birth, and a resident of Virginia.

command, in the continental pay, or such of them as he may think necessary for effecting the purposes of his going. I beg, and am assured, that you will afford him every assistance in your power for facilitating this business, as far as may be consistent (or not repugnant) to orders you have received from Congress, with all possible expedition.

"I am, &c."

About this period, Lord Stirling planned and executed an enterprise, which at once established his character for gallantry, activity, and zeal, and gained for him one of the earliest complimentary votes granted by Congress.* With the regular troops under his command, and some volunteers from Elizabethtown, and its neighbourhood, he embarked on board a pilot-boat and three smaller vessels, and, while the Asia man-of-war and her tender lay at anchor in the bay of New-York, proceeded at night to sea, and, with musketry alone, attacked and carried a British armed Transport of three hundred tons burthen, mounting six guns, and laden with stores and provisions for the enemy at Boston; and the next day succeeded in conducting his prize safely into the port of Perth Amboy.

The following is his official report of the affair to Congress.

* In Congress, January 29th, 1776. *Resolved*, that the alertness, activity, and good conduct of Lord Stirling, and the forwardness and spirit of the gentlemen and others from Elizabethtown, who voluntarily assisted him in taking the ship Blue-Mountain-Valley, were laudable and exemplary; and that his Lordship be directed to secure the capture until the further order of Congress; and that, in the mean time, he cause such part of the lading as would otherwise perish, to be disposed of by sale. *Cong. Journ.* 1776.

Colonel the Earl of Stirling to the President of Congress.

"January 24th, 1776.

"SIR,—On Monday last I received intelligence that a Transport laden with stores for the Ministerial army at Boston, was hovering off Sandy Hook, in distress, and waiting for assistance from the men-of-war at New-York. I thought it a matter of so much importance that I immediately set out for Amboy, and there seized a Pilot-boat, with forty men, that was just putting out, and about two, yesterday morning, I was joined by three other boats from Elizabethtown, who voluntarily came on this service under Colonel Dayton and Lieutenant Colonel Thomas. We found her about six leagues South-East of Sandy Hook. We boarded and took her without opposition. She proves to be the *Blue-Mountain-Valley*, commanded by Captain *James Hamilton Dempster*, laden with coal, provisions, &c. (I wish it had been arms and ammunition, as I expected.) We are now off Amboy, and intend to push this evening into the Sound, between Staten Island and the Main. I write now in the hurry and noise incident to such occasions; I will write the particulars as soon as possible.*

"I am, &c."

* The following are the names of the officers and men, belonging to the militia of Elizabethtown, who volunteered on the occasion: *Colonel*, Elias Dayton, *Lieut. Colonel*, Edward Thomas, *Captains*, Oliver Spencer and William Button, 1*st Lieutenants*, Francis Barber* and Aaron Hatfield, 2*nd Lieutenants*, Thomas Morrell, *Quarter-Master*, George Evertson, *Surgeon* William Barnet, *Commanders of Boats*, Smith Hatfield and John Thomas, *Sergeants*, William Stegins, David Ross, and Henry Baker, *Privates and citizens*, Samuel Smith, Lewis Blanchard, Edmund Thomas, Thomas Elstone, Ephraim Marsh, Adam Lee, Thomas Quigley, Henry M. Monagal, Price Parcel, Barney Ogden, Timothy B. Stout, Joseph Meeker, Jun., George Weeks, Edward Beaty, David Stewart, Daniel Craig, Thomas Lee, Stephen Wheeler, Farrington Price, Elijah Woodruff, Jonathan Woodruff, Aaron Ogden,* Edward

The following relates to the disposition made of the Blue-Mountain-Valley, and her cargo, and to other matters to which the writer draws the attention of Congress:

Colonel the Earl of Stirling to the President of Congress.

"Elizabethtown, February 2nd, 1776.

"SIR,—The cargo of the ship Blue-Mountain-Valley is now chiefly unladen, and brought up to this town, except the coal, which it will be best to take out as it is disposed of.

"I have as yet received no orders from Congress relative to this ship, nor any answer to the three letters relating to her, since her capture, and of which it was impossible for me to keep copies. Captain Dempster is very desirous of returning to England. Two of his mates, and his foremast-men, would be glad of working their passage home, or through the West Indies. It will perhaps be best to send them to Philadelphia for that purpose, in preference to any of the ports to the Eastward.

"I am told that Congress has established some rules with regard to prizes; and also, some Admiralty juris-

Jones, William Clark, Jonathan Clark, Jonathan Nichols, Samuel Mann, Silas Freeman, William Meeker, Samuel Ogden, Gabriel Meeker, Jonathan Pierson, Elihu Parsons, Robert Spencer, Daniel Macarty, William Ramsden, Samuel Sealey, Samuel Lee, Thomas Hoyt, Lewis Woodruff, Isaiah Gray, William Livingston, Jr., Brockholst Livingston,* John Hendrix, Samuel Morehouse, Jacob Carle, Benjamin Woodruff, Daniel Woodruff, Benjamin Hinds, John Gray, James Clenchy, John Miller, John Runyon, Nicholas Deane, Moses Connel, Godfrey Blackney, Timothy Burns, Simon Simonson, Richard Miller, and John Miller, 2nd. Those marked with an asterisk were afterwards *aids* of Lord Stirling, and subsequently rose to greater eminence. *Francis Barber*, in a few years attained the command of a regiment, and distinguished himself on several occasions during the war. *Aaron Ogden* became Governor of the State; *Brockholst Livingston*, a Judge successively of the Supreme Court of New-York and of the United States.

diction; but, as I have not seen them, I cannot tell whether this ship is comprehended within them, and shall be glad to be instructed in regard to that point.

"I now enclose a copy of the orders I gave to Captain Rogers, when I put the ship into his charge. This Captain Rogers was well recommended to me by the New-York Committee of Safety. He is, I believe, as fit a man as any to command a ship of force; or, if it should be thought proper to keep three or four small sloops, to run in and out of Sandy Hook, and the inlets of Egg Harbour, Barnegat, &c., I believe he would be a very proper person to command them.

"Some attempts have been made in this Province to break through the prohibition ordered by Congress to the shipping of lumber and provisions. I have taken every step in my power to prevent it; and have laid the whole proceedings before the Convention of this Province, which is now sitting at Brunswick. Enclosed is a copy of my letter to them on the subject, as also a copy of my letter to them on the subject of arms, and I hope they will come into the measure I have recommended to them.

"I now enclose copies of the orders sent to Colonel Maxwell with regard to preparing his regiment for marching to Albany, and his answer thereto. These would have been transmitted sooner to you, but my absence a few days from this place, on the little naval excursion, and my illness in consequence of it for a day or two more, has thrown me behindhand in my correspondence; which, I find, swells to such a size that it will be impossible for me to get through it, with any regularity, without the help of one or two good clerks.

"I just hear that seven hundred men from New

England, arrived in New-York this afternoon; and that General Lee is at Kingsbridge with a like number.

"I am, &c."

While Lord Stirling was thus engaged in organizing and disciplining his regiment, and availing himself of every opportunity of rendering service to the cause in which he had so ardently embarked, he received orders to repair to New-York. Upon his arrival at that post, he was enabled to communicate the thanks of Congress to the inhabitants of Elizabethtown, for their aid in the capture of the British transport, in the following letter to the Chairman of the Committee of Safety of that borough; and he took the opportunity to add his own acknowledgments for the co-operation and kindness he had personally received from them on all occasions while quartered there.

Colonel the Earl of Stirling to Robert Ogden, Esq.

"New-York, February 9th, 1776.

"SIR,—It gives me great pleasure and satisfaction to have it in my power to transmit to you a Resolve of the Continental Congress, which does so much justice to the gentlemen of Elizabethtown, who assisted me in taking the ship Blue-Mountain-Valley, and consequently, to the Committee of that town, who encouraged and directed that reinforcement. The Resolve,* of which the enclosed is a copy, I received this evening.

"I now send orders to Mr. Blanchard, conformable to the directions I have received from Congress, which I have not the least doubt will be faithfully carried into

* See Resolution, *ante*, p. 124, Note.

execution. I now send to Brigadier General Livingston,* a copy of some further directions I have received from the Congress, which he will communicate to you, and which, I doubt not, your Committee will give him their best assistance, if necessary, to carry into punctual execution.

"I take this opportunity of requesting you, Sir, to give my best thanks to the Committee of Elizabethtown, for their readiness at all times to assist me in carrying on the service under my direction, while I was at that place; and to the inhabitants in general, for the many instances of confidence and friendship I have received from them.

"I am, &c."

The Same to the President of Congress.

"New-York, February 19th, 1776.

"Sir,—On the 4th instant, I informed you of my having received General Lee's orders to march with my regiment to this place. I accordingly marched the next morning, with four companies, from Elizabethtown, and arrived here the next day, as soon as the ice permitted us to cross Hudson's River. The other four companies followed the next day.

"Your most agreeable letter of the 2nd instant, I received on the 9th, enclosing the Resolve of Congress of the 29th of January, which gave me more pleasure and satisfaction than any incident I ever met with.

"I now send you inclosed, copies of the measures I immediately took to carry into execution the orders of

* William Livingston, afterwards Governor of New Jersey. He was the brother-in-law of Lord Stirling, and at this time a Brigadier General of Militia, and as such succeeded to the command at Elizabethtown.

Congress relative to the ship Blue-Mountain-Valley, and Mr. Blanchard's letter to me in answer to the one I wrote him, by which Congress will see the present situation of that ship. I wish you would give full instructions to John De Hart, Esq. and Mr. John Blanchard, what to do with her and her cargo, as my situation will prevent my paying any attention to her.

"When I arrived at this place, I expected to have found a continental Commissary of provisions who would have provided my regiment with rations; but there being no such officer here, with General Lee's approbation, I have directed my Quarter-Master to furnish my regiment with provisions, as nearly as possible, agreeable to the ration fixed by Congress, and to do it with all the economy possible. He has hitherto purchased provisions with his own money, and such as he could borrow; but as that source must soon fail, I must beg that Congress will, as soon as possible, give the necessary directions relative to this point. I have wrote Colonel Lowrey on this head, and have informed him of our situation, that he may take the necessary steps to relieve us, in case he is empowered by Congress.

"I am, &c."

On the 1st of March, Lord Stirling was promoted by Congress to be a Brigadier General, and which was officially announced to him, as follows:—

The President of Congress to Brigadier General the Earl of Stirling.

"Philadelphia, March 1st, 1776.

"My Lord,—I do myself the honour of enclosing to you a commission of Brigadier General in the Conti-

nental army. From the high opinion the Congress entertain of your zeal and attachment to the American cause, they flatter themselves you will do every thing in your power to discharge your duty to your country on this important occasion. I have it in charge from Congress to direct that you will continue at New-York, until further orders.

"I am, &c."

The intelligence was also conveyed to him in a private letter from a friend in Congress, containing more particulars in regard to his command and to other military arrangements.

James Duane to B. G. the Earl of Stirling.*

"Philadelphia, March 1st, 1776.

"My Dear Lord,—I am afraid you will suspect I have been unmindful of your request when last here, and of your interest; but I beg you will be assured that inattention to my friends is one of the vices of which I feel myself incapable.

"The first opportunity I have embraced to solicit your promotion, in which I was so happy as to be supported by my friends. Your Lordship is accordingly appointed a Brigadier General for the *Middle department*, comprehending New-York, New Jersey, Pennsylvania, the Lower Counties, and Maryland; the Colonies to the southward, the four Eastern Provinces, and Canada, form the other three departments.

"It is now determined that General Lee shall command in the Southern department, where an immediate attack is expected. The debates of this day did him singular honour, and evince the confidence Congress have

* See *ante* p. 8, Note.

in his zeal and abilities. He was given up to the Southern Colonies, as most exposed, with great reluctance. General Schuyler, with Brigadier General Thompson and yourself are destined for the Middle department. The Commander-in-Chief for Canada remains to be filled up, and is the subject of some perplexity as well as of very great importance. It was the anxious wish and earnest advice of our much lamented friend Montgomery, that he should be succeeded by General Lee; but the situation of our affairs prevented it. General Schuyler's very precarious state of health, and the danger to which his native Province is exposed, will, we suppose, make the disposition respecting him very agreeable. Present my respectful compliments to him and General Lee.

"I am, &c."

B. G. the Earl of Stirling to the President of Congress.

"New-York, March 3rd, 1776.

"Dear Sir,—I have this evening the honour of receiving your letter of the 1st instant, enclosing a Commission to me of Brigadier General in the Continental army.

"This instance of the good opinion which the Congress entertain of my zeal and attachment to the American cause, does me high honour, and I receive it from my country with that gratitude and satisfaction which will excite me to do every thing in my power to deserve it. I wish I had more knowledge and experience, and was better qualified to execute the arduous task, I am now appointed to; but the Congress may rest assured that in every situation, I will endeavour to do the best I can, and execute their commands so far as it is possible.

"I am, &c."

The Chairman of the Elizabethtown Committee, was the first to congratulate him upon his promotion.

Robert Ogden, Esq., to B. G. the Earl of Stirling.

"Elizabethtown, March 4th, 1776.

"My Lord,—I heartily congratulate you on your appointment to be a Brigadier General. It will give every friend to his country great pleasure to see that posts of so much importance are filled by gentlemen of the first abilities, and so strongly attached to the common cause. I sincerely wish all officers, from the highest to the lowest, may be advanced according to their abilities, merit, and valour, and none but such be employed in the service.

"I am, &c."

After the departure of General Lee, the chief command at New-York devolved on Lord Stirling, concerning whose fitness for the station, that veteran and accomplished officer had declared to the President of Congress, in his letter announcing the change, that he was "in very little pain about the execution of what they had concerted, as it was committed to the hands of Lord Stirling, who showed much intelligence and activity;"—and again, in his letter to the Commander-in-Chief, he says, "Lord Stirling will take the command until the arrival of Schuyler. His Lordship is active and discreet, and will acquit himself well."* How far these favourable opinions were confirmed, will now be seen

Upon assuming the command at New-York, Lord Stirling's attention was immediately directed to cutting off the communication between the inhabitants of Staten

* See the letters in the American Archives, 4th Series, Vol. V. pp. 50 and 74.

and Long Islands, and the ships of war of the enemy in the adjoining waters;—in calling in the remaining force from New Jersey;—and in preparing for the reception of the troops from Massachusetts. To insure the first of these objects, he requested the President of the Provincial Congress of New Jersey, to order four hundred minute-men to be stationed near the watering place at Staten Island, who, besides effecting that particular object, might keep a constant and vigilant look-out towards the sea, and give information of the arrival of vessels, and of the movements of the ships of war in the harbour. To this corps, he recommended that a few light cavalry should be added, to bring intelligence to New-York; while another party should be stationed between Sandy Hook and the mouth of the Raritan, with a detachment on the highlands of Navesink, to protect the country from surprise.

Receiving intelligence that the whole, or the greater part of the British army had embarked at Boston, and was probably on its way to New-York, he requested the Provincial Congress of New Jersey to order the third battalion raised for the continental service to be marched to that city. He expressed to them also his opinion that they should remain in session, or appoint a Committee of Safety to sit daily in their stead. In anticipation of the arrival of the American army, he took immediate measures for raising a corps of artificers, consisting of carpenters, shipbuilders, wheelwrights, and blacksmiths, to the number of one hundred men, and entered into large contracts for the supply of clothing for the troops expected from Cambridge. The following letter to the officer in command on Long Island, shows what extreme measures the exigency of that critical period seemed to require.

B. G. the Earl of Stirling to Colonel Ward.

"Head-Quarters, New-York, March 8th, 1776.

"DEAR SIR,—I write this letter to you in the utmost confidence of secrecy, and therefore, no man but yourself is to see it. It is absolutely necessary to prevent the communication between the ship Phenix, which lies off the west end of Long Island, below the Narrows, and the people of that part of Long Island; but more especially to take or destroy a certain Frank James, a pilot who now assists Captain Parker, who commands the Phenix, in decoying and taking vessels of great importance to the cause we are now engaged in. There are some other pilots serving Captain P. in the same way, whose names I am not informed of, but they are well known to Mr. Christopher Duyckinck, who with three or four other guides will attend you for the purposes hereinafter mentioned.

"You will pick out of your regiment two of the most alert officers, with two parties of about twenty men each, to be supplied with twenty rounds of ammunition and three days' provisions ready dressed, who, with these guides are to proceed to the places they will show them,—conceal themselves as much as possible from the people of the country,—take such stations as are most proper for securing or destroying such pilots, or any persons belonging to the man-of-war. It will be best that the two parties march from your quarters to-morrow evening, a little before moon-rising, so that the men may arrive at their stations before day-light; and it will be absolutely necessary that the officer of each party consult with, and put the utmost confidence in the guides assigned to them. When the parties have taken their stations, they should,

if possible, without firing, or by any means alarming the man-of-war, or the country, prevent any boats from leaving the shore; and the shortest way to effect this, will be for single men, about day-light, to examine the shore, and with their hatchets cut a hole or two in the bottoms of all the small boats they find there, and to remove to some secret place the oars, paddles, or sails.

"You will see the necessity of this matter being conducted with secrecy and alertness; and I doubt not you will choose your men accordingly.

"I am, &c."

From the following it appears that Lord Stirling was among the first to discern the merit of the late General Hamilton, and would have appointed him his Brigade Major, had not the future hero and statesman preferred, at that time, the command of a company of artillery in the line of the army.

Elisha Boudinot, Esq., to B. G. the Earl of Stirling.

Newark, March 10th, 1776.

"My Lord,—On my brother's return from New-York, he informed me that Mr. Hamilton had already accepted the command of Artillery, and was therefore deprived of the pleasure of attending your Lordship's person as Brigade Major. The bearer, Captain Harry G. Livingston, is very desirous of offering you his services in that capacity, but his modesty would not suffer him to do it personally. He therefore begged me to write this. As he is a young gentleman of character, spirit, and fortune, I thought few could be found fitter for that place. I have therefore taken the liberty of men-

tioning him to your Lordship, if you should not be already provided.

"I am, &c."

The official correspondence of Lord Stirling with his military superiors, after taking the command at New-York, commenced with the following letter to one of the oldest and most intimate of his private friends.

G the Earl of Stirling to Major General Philip Schuyler.

"New-York, March 10th, 1776.

"My Dear General,—General Lee communicated to me your letter of the 29th of February; since the date of which, Congress have made a new arrangement of the commands in America, of which you will doubtless be informed before this reaches you. However, lest by any accident that should not be the case, I shall just recapitulate what our friend Duane writes me on the subject.

"General Lee is to command in the *Southern department*, comprehending Virginia, the Carolinas, and Georgia. The *Middle department*, comprehending New-York, New Jersey, Pennsylvania, the Lower Counties, and Maryland, is under your command, with Thompson* and myself as Brigadiers. The New England Colonies compose the *Eastern department*, and Canada, the Northern—who was to command in the latter, was not yet determined.†

* William Thompson, of Pennsylvania, afterwards a Major General.

† John Thomas, lately appointed a Major General, who had commanded with reputation at Roxbury, and of whose military capacity a very favourable opinion had been formed, was appointed to this very important command.

"In consequence of this arrangement, General Lee set out from this place, on Thursday evening, for Philadelphia, and has left me in a situation not a little perplexing, especially to a young beginner, as I may call myself after twenty years' retirement. It will require at least eight thousand men, to put this place and Long Island in any posture of defence, by the month of May. We have not above eighteen hundred: of these, one thousand Connecticut troops will leave us on the 25th of this month. Of the remainder, three hundred are minute-men; so that we shall be reduced to about five hundred. I have indeed ordered Colonel Dayton to get the third battalion of Jersey troops in readiness to march as soon as possible; but before I order him to march to this place, I must wait to know his destination from yourself or Congress. I know not the state of the battalions raising in this Province; but I believe they are backward in their recruiting,—especially those in this quarter. Their field-officers are not yet appointed. I most sincerely wish you were here, for when General Thompson arrives, he will be equally at a loss what to do. Until we have your particular orders, however, as I know General Lee's ideas about the fortifying of this place, I shall pursue his plan as far as possible, until I receive further orders.

"A copy of your letter to General Lee is sent to the Convention of this Province, in order that they may co-operate with you in the preparation of the campaign in Canada. It is high time that the General who is to command in that department was on his way to it.

"By General Lee's directions, I have engaged in New Jersey, two companies of carpenters, each consisting of one Captain, one Lieutenant, and twenty-five

men, designed for Canada; but, as I observe, you have fifty ready to go at a moment's warning, I shall retain them until further orders. They can, in the mean time, be well employed at this place, in building platforms and barriers.

"March 11th. Last night, three gentlemen landed here from on board a packet from England. The advices they bring are that seven regiments of foot, amounting to about four thousand men, were to sail from Cork, about the 6th of January, bound to the Southern Colonies; that Great Britain had engaged four thousand Hanoverians, and six thousand Hessians for the American war, and was in treaty for ten thousand Prussians; that the French Ambassador had declared to the English Ministry, that while the quarrel between Great Britain and her Colonies was carried on by their own force, the King, his master, would not meddle with it, but if any foreign power was introduced, he would no longer be an idle spectator. They had not heard in England that the French had any troops in the West India Islands. I think this looks well for us.

"I am, &c."

From a return which Lord Stirling directed to be made to him, it appears that the effective force, at this time under his command, amounted to about two thousand men, consisting of the following corps, viz.: his own regiment, with Waterbury's, Drake's, Swartwout's, and Van Ness's, with Hamilton's Artillery, and Ledyard's company of volunteers, in New-York, and Ward's regiment upon Long Island.

On the 13th, he received intelligence from General Washington, that the King's army at Boston had actu-

ally embarked, and that there was the greatest reason to believe that its destination was New-York. He called, therefore, upon the Committees of six of the adjoining Counties in New Jersey, to assemble their militia, and select three or four hundred of the best men from each regiment, and send them to New-York, to assist in its fortification and defence. This requisition, however, was not generally complied with; but, in several instances, was objected to on the ground that the Committees had no power to send the Militia out of the Province, and, that if they had, it would be inexpedient to do so, inasmuch as the arming of the two battalions in the Continental service, had drained the Province of its best arms, and the detachment now required, would leave it defenceless, and exposed to continual incursions from the British in New-York. The Committee of Newark, however, sent one hundred and fifty men; that of Elizabethtown followed the example, and the remote County of Morris, where Lord Stirling had much personal influence, was induced by the following letter, to send three hundred.

B. G. the Earl of Stirling to Alexander Carmichael, Esq.

"New-York, March 17th, 1776.

"SIR,—I have your letter of yesterday's date. Give me leave to assure you, that by appointment of the Continental Congress, the District of the commanding General here extends to the Province of New Jersey, and that I have it in command from Congress to call in so many of the Militia of the neighbouring Provinces, as I find necessary for fortifying and defending this place, and its environs; and to assure them that they

shall receive the same pay and provisions with the Continental troops employed in the Middle department, to commence from the time they actually begin their march for this place. As to the fears of the people about Amboy, Congress will take care of it; and as to the men out on furloughs, they are all ordered to their regiments. I hope, therefore, there will no longer be any objections to the three hundred men required from Morris County.

"I am, &c."

A similar requisition was made upon the Governor of Connecticut, which had, in part, been anticipated by the zeal of that sturdy patriot and his Council.

B. G. the Earl of Stirling to Governor Trumbull.

"New-York, March 17th, 1776.

"Sir,—You have doubtless received the intelligence I have from General Washington, relative to the motions of the ministerial troops from Boston, and the situation of our troops which surround it. That General Howe intends to move this way with his army, I think highly probable. Many little manœuvres of Governor Tryon,* and the men-of-war in this harbour, seem to confirm it. I am taking every step in my power to be prepared for their reception, by fortifying every advantageous spot near this city, and on Long Island. But whatever may be the designs of General Howe, it appears from all the intelligence received, that the Ministry are determined to make an effort to gain possession of this city; and I

* The last Colonial Governor of New-York, who had taken refuge on board of the Asia, 64.

have, therefore, the orders of Congress, by all possible means, to provide for its safety.

"I have also their direction to apply to the neighbouring Colonies for such parts of their Militia or Provincial troops, as may be necessary until the Continental troops, destined for this service, arrive here. The two regiments from Connecticut now here, and on Long Island, deserve the thanks of the public, for their good order, industry, and alertness; and I sincerely wish they could be prevailed on to stay while their services are necessary, (as it would save time and pay to an immense amount,) in the Continental service. But I understand many of them are farmers of property, having families at home, and wish to be there to mark out the work of their farms for the ensuing season. However, I will, with the Colonels Waterbury and Ward, endeavour to prevail upon as many of them as possible, to stay until they are relieved by others from your Colony. In the mean time I think it highly necessary, and I have no doubt your Excellency will carry it into execution, that recruits be raised to complete these two regiments to at least six hundred privates each; and that another regiment of like strength be raised in your Colony, if possible, on condition of serving the campaign, or as long as the service requires; and to be armed, accoutred, and clothed, as well as time will permit.

"I am, &c."

The intelligence from General Washington, above referred to, was contained in the following letter, addressed

To the Commanding Officer at New-York.

"Cambridge, March 14th, 1776.

"Sir,—I have strong reasons since I wrote to you last, to confirm me in my opinion, that the army under General Howe is on its departure. All their movements indicate it; but lest it be a feint, I must continue on my guard, and not weaken my lines too much, until I have a certainty of their departure. It is given out that they are bound to Halifax; but I am of opinion, that New-York is their place of destination. It is an object worthy of their attention, and it is the place that we must use every endeavour to keep from them: for should they get that town, and the command of the North River, they can stop the intercourse between the Northern and Southern Colonies, upon which depends the safety of America.

"My feelings upon this subject are so strong that I would not wish to give the enemy a chance of succeeding at your place. I shall therefore despatch a regiment, and some independent companies of riflemen, this day; and to-morrow, or as soon as can conveniently be done, five more regiments will set out from this camp. I cannot part with more while the enemy remain in sight; but I have written to Governor Trumbull, to send you two thousand men, as soon as he possibly can. If you can get one thousand from New Jersey, with the Militia of the country called in, if not repugnant to the will of Congress, I think you can make a sufficient stand, until I can, with the main body of this army, join you; which, you may depend, will be as soon as possible, after I can with any degree of certainty tell their route.

"The plan of defence formed by General Lee is,

from what little I know of the place, a very judicious one. I hope, nay, I dare say, it is carrying into execution with spirit and industry. You may judge from the enemy's keeping so long possession of the town of Boston against an army superior in numbers, how much easier it is to keep an enemy from forming a lodgment in a place, than it will be to dispossess them, when they get themselves fortified. As I have in my last told you, that the fate of this campaign, of course the fate of America, depends upon you, and the army under your command, should the enemy attempt your quarter,—I will dwell no more thereon, though the vast importance of the subject would make an apology for repetition needless.

"I am, &c."

To this letter Lord Stirling, by whom it was received, returned the following answer.

B. G. the Earl of Stirling to General Washington.

"New-York, March 20th, 1776.

"DEAR GENERAL,—In consequence of General Lee's departure on the 7th instant, I have had the honour to receive your letter of the 14th, directed to the commanding officer at this place.

"I am happy to find that the aid I called in from New Jersey and Connecticut exactly concurs with your sentiments. The two regiments from Connecticut now here, consisting of about five hundred rank and file each, are impatient to go home, as many of them are farmers, and want to lay out their summer's work. The time of their engagement with General Lee ends next Monday. I have used my best endeavours to prevail upon them to

stay till their places are supplied from that quarter, but it is still doubtful whether they will consent to it. Of this I have apprized Governor Trumbull, and have requested him to make up the whole two thousand from that Colony. From New Jersey I have requested one thousand men: about two hundred of them are come in. About one thousand are ordered from the northern counties of this province: none of them is yet arrived.

"We have now at this place and on Long Island, about two thousand five hundred men, including the above two Connecticut regiments. The militia in town amount to about as many more. Nearly one-half of the whole are on fatigue every day, carrying into execution the plan of defence formed by General Lee. They go on with great spirit and industry. The Congress have ordered eight thousand men for the defence of this city and province. The corps to make up this number are four regiments from Pennsylvania, one from New Jersey, and four from this province; none of which is yet arrived, and most of them are incomplete, and unfit to march, especially those of this province; of whom not above two hundred are yet in town; and some of them, I find, are to be employed on Hudson's River, and in the northern parts of the province.

"I am, &c."

"P. S. Brigadier General Thompson is arrived here this day, and of course takes the command; my utmost industry will be exerted to assist him in it."

To give greater efficacy to his defensive operations, the following "*Regulations*" were agreed to between Lord Stirling, and a Committee of the Provincial Congress of New-York; viz.:

"1. That all the inhabitants capable of fatigue duty, be immediately employed on the fortifications of this City, as well as the negro-men in the City and County of New-York.

"2. To this end, that the commanding officer of each corps draw out his corps, and parade at the Common at 9 o'clock to-morrow morning, without arms, but with as many intrenching tools as they are possessed of; and that they take care to have all the negro-men in their respective districts turned out and provided in the same manner.

"3. Lord Stirling having informed the Committee of the arrival of a quantity of powder in this City, and that another quantity is soon expected, the whole directed by the Continental Congress for the service of the army at Cambridge, it is agreed that the forwarding of the said powder shall be deferred until the further order of the Continental Congress; and that an express be immediately despatched by Lord Stirling on the subject.

"4. It is agreed that it be recommended by the Provincial Congress to issue an order to the General Committee of New-York, to make immediate report of all the provisions and iron in town; and to prevent the exportation of either until further orders.

"5. That the Provincial Congress immediately authorize Dr. John Jones, and Dr. Treat, to purchase all the hospital medical stores and apparatus which they may think necessary; and make report of their doings without delay; and possess themselves of the hospital stores in possession of Mr. Commissary Curtenius.

"6. That the Provincial Congress issue immediate orders to the Committee of King's County, to order the inhabitants of that County to give assistance in fatigue to

Colonel Ward, by turning out for the service one half of their male inhabitants, negroes included, every day, to work at the fortifications in that County; and to take with them their spades, pickaxes and hoes, and begin to work on Friday next.

"7. That a guard of six of the troop of horse of said County, under such person as shall from time to time be appointed by the Provincial Congress, shall be constantly posted at some convenient height near the west end of Nassau, or Long Island, to reconnoitre the entrance of any enemy into Sandy Hook, or appearing on the coast, and to give immediate intelligence to the Congress, or commanding officer of the continental troops at this place, as occasion may require.

"8. That the Provincial Congress issue an order, to the Committee of Cow-neck and Great-neck, for a like number of horsemen from Queen's County, to keep a look-out at Thomas Cornwall's, at Rockaway, for the same purpose.

"9. That orders issue to the Colonels of the regiments in Orange, on the south side of the mountains, to draft one hundred men to be sent immediately to this City, armed and accoutred in the best manner possible.

"10. That the like orders issue to the Colonels of Westchester and Duchess, for two hundred men each, for like purposes."

This course of preparation was pursued by Lord Stirling until he was superseded in the command by his senior officer Brigadier General Thompson; about which time he received the following from the General commanding the department.

Major General Schuyler to B. G. the Earl of Stirling.

"Albany, March 16th, 1776.

"My Dear Lord,—Hudson's River is now clear of ice, and that in the Lakes has become impassable for the passage of troops. I am therefore under the necessity of detaining them here, until the Lakes can be passed by water. Batteaus, and every thing is prepared to convey the troops and stores.

"Be so good as to let me have a return of the troops under your command, that I may be able properly to dispose of the regiment raising in this quarter. Eight tons of powder arrived yesterday from Philadelphia.—The cannon and shot from New-York are not yet come up. The moment the troops, cannon, and powder, are embarked at Lake George, I propose joining you. My health is much re-established, and I have great hopes I shall not soon experience a relapse.*

"I am, &c."

On the day previous to General Thompson's arrival Lord Stirling made the following Report to Congress.

B. G. the Earl of Stirling to the President of Congress.

"New-York, March 19th, 1776.

"Dear Sir,—I have this evening, by express, received the two enclosed letters from General Washington. I have communicated the contents of them to the Committee of Safety of this Province, and shall meet them to-morrow morning, to consult on such measures as necessarily arise from this intelligence. The Congress

* General Schuyler was at this time, and during the remainder of his life, subject to frequent and severe attacks of gout.

may be assured that every step will be taken to prepare this place for the reception of the enemy. The work is great; not a moment of my time is left unemployed in effecting it.

"I had the honour of receiving your letter of the 16th instant, last night; in consequence of which I ordered five tons of the powder destined for Cambridge, to proceed immediately, and the rest to follow as soon as it could be shifted into proper barrels,—which would have been accomplished to-morrow,—and sent forward, but on this intelligence from General Washington, and a message which this express brings from Colonel Mifflin,* that every thing on the road to the camp at Cambridge be stopped, and sent to this place, I have ordered the whole eleven tons of powder to be stored here.

"You may depend upon it, Sir, that General Howe at first intended a feint, in hopes of preventing General Washington from possessing himself of the heights of Dorchester; and finding the bait did not take, the distress of his army, and his uneasy situation after that post was secured, obliged him, in the utmost hurry and confusion, to make a real embarkation of his army. I have written a free letter to General Lee on our situation here, which with the other from General Washington to him, (after the Congress has perused them,) you will be so good as to forward to him, if he has left Philadelphia.

"I am, &c."

The following was enclosed in the above.

* Thomas Mifflin, afterwards Governor of Pennsylvania, then Quarter-Master-General.

General Washington to B. G. the Earl of Stirling.

"Cambridge, March 19th, 1776.

"My Lord,—I am now to acknowledge the receipt of your favour of the 11th instant, and to give you every congratulation upon your late appointment by the honourable Congress.

"If the intelligence is true, and to be depended on, which was brought by the gentlemen to New-York, I think with you, that we shall have an opportunity of securing and putting the continent in a tolerable posture of defence, and that the operations of the summer's campaign will not be so terrible as we were taught to expect from the accounts and communications which the Ministry have held forth to the public.

"I have the pleasure to inform you that on the morning of the 17th instant General Howe and his army abandoned the town of Boston without destroying it, an event of much importance, and which must be heard with great satisfaction, and that we are now in full possession. Their embarkation and retreat were hurried and precipitate; and they have left behind them stores of one thing and another to a considerable amount, among which are several pieces of heavy cannon, and one or two mortars, which are spiked. The town is in a much better situation and less injured than I expected from the reports I had received;—though, to be sure, it is much damaged, and many houses despoiled of their valuable furniture. The fleet is still in King's and Nantasket roads; and where they intend to make a descent next, is altogether unknown; but supposing New-York to be an object of much importance, and to be their view, I must recommend your most strenuous and active exertions in preparing to prevent any designs or attempts they may have or make against it. I have

detached the Riflemen, and five battalions hence, to your assistance, which will be followed by others as circumstances will allow. These, with what forces you have, and can assemble, if there should be an occasion, I trust will be sufficient to hinder the enemy from possessing the city, and making a lodgment, till the main body of this army can arrive.

"I am, &c."

The following answer to General Schuyler's last letter, exhibits the preparations made by Lord Stirling to receive the enemy at New-York, when he relinquished the command of that post.

B. G. the Earl of Stirling to Major General Schuyler.

"New-York, March 20th, 1776.

"My Dear General,—I had the honour of receiving your letter of the 16th, this day. The important intelligence received within the last three days from General Washington, of General Howe's preparations for embarking his army at Boston, I have not communicated to you, as I concluded that the same intelligence would reach you at Albany, at least as soon as it came to this place. Indeed, it was impossible for me to write to you sooner than this moment. My whole time has been employed in making arrangements for the defence of this place.

"The troops here, consisting of the first battalion, from New Jersey, about five hundred men, sick and well, and two regiments from Connecticut, about five hundred each, whose time of service expires on Monday next, and I am fearful I shall not be able to persuade them to stay longer. We have besides about five hundred minute-men from the Counties of Westchester and Duch-

ess, and about two hundred militia from New Jersey. This is our whole army at present; but I cannot send you an exact return, as some of the latter have only arrived to-day, and I have not yet received a report from the reviewing officer. The whole of these, except the necessary guards, are employed on fatigue, on this, and Long Island, in executing the fortifications agreed on between General Lee and myself. In these works, we are assisted by about one thousand of the inhabitants of the City, who have turned out on this occasion with great alacrity,—the inhabitants and negroes taking their tour of duty regularly; and I have the satisfaction to see that, according to the numbers, the work goes on amazingly well.

"On considering the whole of the intelligence from Boston, I am of opinion that General Howe has been playing off manœuvres to divert General Washington from taking full possession of the ground at Dorchester. Yet by the last accounts he has proceeded too far in his embarkation to leave us room to think it all a feint. That General Washington is of that opinion, I can have no longer a doubt, as he is himself preparing soon to be at this place. Some part of his army is on its way hither. The destination of the remainder must depend on circumstances.

"Brigadier General Thompson is this afternoon arrived from Philadelphia, and, of course, has the command.

"I am, &c."

Lord Stirling had hardly relinquished his command, before he had the satisfaction of learning that his request of further aid from Connecticut, had, as already intimated, been anticipated.

Governor Trumbull to B. G. the Earl of Stirling.

"Lebanon, March 21st, 1776.

"My Lord,—I received your favour of the 17th, the last evening, by Lieutenant Betts. I have now, on this commencement of correspondence, to congratulate you on your late appointment, and from your known zeal in the great American cause, and your abilities to serve it, I cannot but form pleasing expectations. I have also to congratulate you on the shameful retreat of General Howe and his army from Boston; which they actually abandoned, and a detachment of General Washington's army took possession, the last Sabbath day. They have left it in a less ruinous situation than was expected;—their own works entire, and about thirty large cannon spiked up, and a considerable quantity of wheat. They are lying in the Road; supposed waiting for a wind,—very probably designing a descent upon New-York, or parts adjacent. I am extremely pleased to hear you are taking every step in your power to be prepared for their reception. It is of the utmost importance to prevent their establishing themselves there.

"His excellency General Washington, well aware of their designs, had, by his letter of the 14th, earnestly requested me to throw in two thousand men from this Colony, for the same purposes mentioned and requested by your Lordship's letter, until be could arrive there with the army under his command; large detachments of which are now on their march. In consequence of which, I had, with the advice of my Council of Safety, despatched orders on the 19th, for nearly that number of our militia to march forthwith from the nearest frontiers of this Colony, to New-York, under the command of Colonels

Silliman and Talcott. It is not time yet to hear what progress they have made; but I hope and believe, as good as the nature of the thing will admit, and that they will very soon be with you.

"Thus I have—and I have no doubt you will have—much pleasure to find your request anticipated. I am happy to hear that our regiments now with you have done themselves the honour to merit your approbation, and I have no doubt, but they, and our men in general, will continue to do so, and serve their country well, while they meet with generous usage from their commanders, and have no doubt they will ever experience it from a nobleman of your distinguished generosity and politeness.

"I expect and depend that Colonel Waterbury's and Ward's regiments will remain in the service, or the greater part of them, until they can be properly relieved and spared, and I have wrote them accordingly. You will please to repeat to them my request for this purpose, and state that in the highest probability, great part of the main army will soon be there. The troops now sending from us, you will perceive, were requested by the General until they might be relieved by his army. If it should be necessary to have a regiment raised and stationed there for the season, you may rely on it, that nothing in my power will be wanting to serve this great and just cause in this, or any other way.

"Colonel Dyar and Colonel Williams, two gentlemen of my Council, will wait on you next week, on their way to Philadelphia, and will be instructed to confer with your Lordship on this, or any other subject you may think proper, whereby the common interest of this much injured country may be promoted.

"I am, &c."

While Lord Stirling was thus sustained in the measures he was pursuing for the defence of New-York, by co-operation from the neighbouring Colony, he was encouraged to persevere by the approbation of his superior in the Department.

Major General Schuyler to B. G. the Earl of Stirling.

"Albany, March 20th, 1776.

"My Dear Lord,—I am honoured with your Lordship's favour of the 10th instant, and also with a letter from the honourable President Hancock, advising of what your Lordship observed of the military arrangements made by Congress. I am ordered to continue the head-quarters in this City until further orders, that I may be able to superintend the necessary supplies of provisions, military stores, &c., for the army in Canada. General Thomas is to command in Canada.

"I am clearly of opinion with your Lordship, that the number of men you mention, will be necessary to defend New-York and its environs, and to carry on the works that must be erected; and it alarms me greatly to find that the Connecticut troops are to leave you on the 25th instant. At this critical juncture such a diminution of force is by no means prudent, and I wish (if they should not be moved by the time this reaches you,) that they were detained until you could communicate your thoughts on the subject to Congress, and learn their determination. I am the more anxious to have them detained, as the levies in this part of the Colony go on with great tardiness, as well as in your quarter; and when completed, which will certainly be late, will be ill-armed.

"Could I have the vanity to flatter myself with superior skill in preparing a place for defence, to either your Lordship or General Thompson—which I very sincerely assure you that I do not—yet it would be very improper, at this distance, to prescribe a line of conduct to you. I can suggest nothing which your own good judgment will not anticipate from your immediate view of things: a variety of circumstances may arise, which no man at this distance can know or foresee.

* * * * * * *

"The interposition of France in our favour, besides the immediate good effect of preventing foreign troops from coming to America, will, I hope, raise a dust against the Ministry for having so confidently declared that that power would not interfere. I have, in the whole course of the winter, ventured to declare to the French prisoners and others going to Canada, that we had assurances of the friendly disposition of France towards us. It cannot be supposed that the ancient affection of the Canadians for the French, is altogether eradicated; and if they believe that the *Grand Monarque* is in our favour, they will act the more vigorously for us.

"I am &c."

Upon delivering up the command at New-York to General Thompson, and possessing him of the necessary information in regard to the measures he had adopted, and the works he had erected for the defence of that city, Lord Stirling repaired to New Jersey, in order, by his personal influence and presence, to expedite measures for putting the eastern part of that Province also in a state of defence. With this view he addressed himself to the Committee of Safety of the Province,

and to Brigadier General Livingston, in the following letters.

B. G. the Earl of Stirling to Samuel Tucker, Esq., Chairman, &c.

"Elizabethtown, March 23rd, 1776.

"DEAR SIR,—I have just received the enclosed letters from General Washington, and Brigadier General Thompson. From them, you will see the necessity of every Province contiguous to New-York, exerting themselves in sending troops to that place to assist in fortifying and defending it; and also in defending and fortifying such parts of this Province as are most liable and likely to be invaded. With an attention to the latter, I came over from New-York yesterday, in order to view the grounds and heights of Bergen Neck, the Kill van Kull, and Staten Island. I was prevented by bad weather from proceeding so far in this as I could have wished; but, on the whole, I think the militia of the Counties of Bergen, Essex, and Middlesex, should be immediately employed in fortifying Amboy, Elizabethtown Point, the Kill, and Bergen Neck, with Powles' Hook. I shall communicate my plan to Brigadier General Livingston, and shall return to New-York to-morrow morning, and will be over here again in a day or two, and bring some assistant Engineers with me, in order to lay out such works as General Thompson shall approve of. In the mean time, I hope your Committee of Safety will, without delay, direct the militia before mentioned, to be employed in the way above suggested; and also direct the militia of the interior Counties to march either to the succour of New-York, or to the most exposed parts of this Province, as may be found necessary.

"There is a Resolution of Congress, passed a few days ago, that such militia of this Province as are called upon for the service of fortifying and defending New-York, shall receive pay agreeable to the establishment of the Continental troops in the Middle department; and as these works proposed in New Jersey, are with the view to the same point, I make not the least doubt but the troops employed in them will be put on the same footing. For the further satisfaction of your Committee of Safety, they can send a copy of this letter to Congress, and know their determination of this matter. But, for God's sake do not, at this critical moment, suffer any delay in your directions for the march of the militia from the interior Counties, nor for the employment of the others in the works of defence, which may be found necessary.

"I am &c."

B. G. the Earl of Stirling to Brigadier General Livingston.

"Elizabethtown, March 24th, 1776.

"Dear Sir,—I now enclose you copies of a letter from General Washington of the 19th, one from Brigadier General Thompson, of yesterday's date, and another from me to the Committee of Safety of this Province. From these, you will see the necessity of putting the eastern part of this Province, as well as New-York, in an immediate state of defence. From the conversation I have had with you on the subject, you know my sentiments with regard to fortifying the several places mentioned in the letter to the Committee. I think it highly necessary, also, to possess some commanding height on Staten Island. The men employed in these

works, will be in the most proper places to guard the Province; and I should think the militia of the Counties of Bergen, Essex, and Middlesex, would be sufficient, if only one third of them were employed weekly on the works.

"The militia of the interior Counties ought to be sent forward to New-York as soon as possible; and you may be assured that as soon as they can be spared from thence, they will be sent over again to New Jersey, or to Staten Island, for the purpose before mentioned; and in case the enemy should attempt to land their army in New Jersey, a very considerable part of our army in New-York will be detached to oppose them. I shall only add that as soon as you shall inform General Thompson or me, when the men of those (three) Counties will be ready to go to work, I will attend with the Chief Engineer to mark out the grounds most necessary to be fortified.

"I am, &c."

On his return to New York, Lord Stirling received the following note from Dr. Franklin, who, with others, had been appointed by Congress, to proceed as a Committee, to Albany, upon a visit to the army destined for the invasion of Canada.

Dr. Benjamin Franklin to B. G. the Earl of Stirling.

"Brunswick, March 27th, 1776.

"My Dear Lord,—I received your obliging letter some time since at Philadelphia, but our deputation from thence being uncertain, I could not until now, acquaint your Lordship when we expected to be in New-York. We move but slowly, and think we shall scarcely reach

farther than Newark to-morrow; so that we cannot have the pleasure of seeing your Lordship before Friday. Being myself, from long absence, as much a stranger in New-York as the other gentlemen, we join in requesting you would be so good as to cause lodgings to be provided for us, and a sloop engaged to carry us to Albany. There are five of us, and we propose staying in New-York two nights at least.

"I am, &c."

In consequence of General Thompson's being ordered to Canada, the chief command at New-York again devolved on Lord Stirling, and he continued to hold it until the arrival of General Washington with the main army from the eastward. During this interval he laboured at the completion of the works for the defence of the city and harbour of New-York. The principal fort on the island of New-York, was erected on that part of Harlaem heights which overlooks the Hudson, and received the name of *Fort Washington*. That opposite to it, on the Jersey shore, he called *Fort Lee*. Smaller works were constructed at Horen's Hook, and Throg's Neck, for the defence of the passage by water, at Hellgate; while the approach to the city by land, was guarded by a redoubt at McGowan's pass, a narrow defile near the village of Harlaem. A line of fortified entrenchments was also drawn on Long Island, across the peninsula between the Wallaboght and Gowannis bays, and forts were erected or repaired at Red Hook and the Narrows, and on the small islands in the harbour.

General Washington arrived with the American army on the 14th of April; but it was late in June before the first division of the British troops arrived at

Sandy Hook. The rear soon followed, accompanied by General Howe in person. Passing the Narrows with his whole force, he landed at Staten Island, where General Washington had placed a small force merely for the purpose of driving off the stock, which might otherwise have served to supply the invading army. Here the British General resolved to await reinforcements from England, which were already on their passage on board a fleet commanded by his brother, Lord Howe, who, with a part only of his force, arrived at Staten Island on the 12th of July.

It was the middle of August before the reinforcements of the enemy had all arrived. His force then consisted of about twenty-five thousand men; while the American army, including officers and men of every description, amounted nominally to something above twenty thousand; but from sickness and absences, there were left but a few more than eleven thousand, besides officers, fit for duty. Many of these were militia, suddenly called from their homes, unaccustomed to arms and to the exposure and hardships of a military life; and this small force was distributed from Brooklyn to Kingsbridge, over a space of fifteen miles. An attack from the enemy was daily expected; but before it was made, General Washington was reinforced by about three thousand New-York Militia, under Brigadier General George Clinton, who formed an encampment at Kingsbridge,—three thousand from Connecticut, two battalions of riflemen from Pennsylvania, one from Maryland, and a regiment from Delaware; increasing his numbers to about twenty-seven thousand, of whom, one-fourth were reported to be sick, and incapable of service.

After delaying until the 26th of August, the British army crossed to Long Island, and made good their landing near the villages of Gravesend and New Utrecht under cover of a cannonade from the fleet. Their apparent design was to cross the island, and reach the City by the ferries over the East River. In anticipation of this movement, General Washington had posted a body of troops at Brooklyn opposite to the City, in a position secured on the land side by the chain of redoubts and entrenchments thrown up by Lord Stirling, and defended towards the water by batteries constructed by him at Red Hook and Governor's Island.

The centre of the British army occupied a plain on the opposite side of a range of hills extending from the Narrows to the village of Flatbush. The left wing, formed near the coast at New Utrecht, was commanded by Major General Grant,* an officer who had served in America during the former war, and was now, and had for some years been, a member of Parliament. A detachment under Lord Stirling, consisting of the Pennsylvania, Maryland, and Delaware regiments, was ordered out to meet him,† and encountered the superior force opposed to them with signal bravery and steadiness, contesting every foot of ground, until Lord Cornwallis with a part of Sir Henry Clinton's division fell

* A greater interest attached to their meeting from the circumstance that Lord S. when in England had heard Grant, in a debate in the House of Commons on American affairs, declare that he would undertake to march from one end of the continent to the other with 5000 men. Lord Stirling, after forming his troops to receive the enemy, told them of this bravado, and informed them that the advancing column was headed by that very General Grant. "He may have," said he, "his five thousand men with him now—we are not so many—but I think we are enough to prevent his advancing further on his march, over the continent, than that mill-pond." The effect of this speech is related in the text. *MS. Diary of Lord S.*

† Sparks' Life of Washington, p. 177.


Buchanans I.
Montrose I.
Hell Gate
Bloomingdale
Harlem R.
Blackwells I.
Flushing Bay
British Army encamped Sep. 24th 1776
Flushing
Newtown
Turtle Bay
Kips Bay
Newtown Inlet
HUDSONS RIVER
Greenwich
Redoubt
Battery
Battery
American Canal
Bushwick Inlet
Bushwick
American
British
Ferry
P. George
Battery
NEW YORK
Corlaer's Hook
East River
Wallabout Bay
Governor's I.
BROOKLYN
Red Hook
Redoubt
Gen.l Putnams Lines
Mill
Cornwallis
Fort Stirling
Gowans Cove
Bedford
Col. Williams
Col. Miles
Gen.l Sullivan
Redoubt
Gen. Heister
Flatbush
Jamaica
Light Infantry
Gen.l Clinton
Artillery
Earl Percy
Artillery
45th Regt
Baggage
Flatland
Lord Cornwallis
Lord Stirling
Americans retiring
New Utrecht
Gravesend
Position of the British Army
Gen.l Grant
Gen.l Lambert
Gen.l Valentine Jones
Gen.l Agnew
Gen.l Vaughan
Gen.l Matthews
Gen.l Erskine

upon their rear, bringing them between two fires, and compelling them to retire. To secure the retreat of the main body of his detachment, Lord Stirling in person, at the head of about four hundred of the Maryland regiment, had attacked with great spirit a corps stationed under Cornwallis, in a house at some short distance above the place at which he proposed to cross the Gowannis creek, and was upon the point of dislodging him, when the force in front of the Americans increasing, and Grant pressing on their rear, they were no longer able to withstand the superior numbers that assailed them on every quarter, and, with their General, were compelled to surrender themselves prisoners.* His object was nevertheless effected, in the escape of the main body of his force. The courage and good conduct of Lord Stirling and his troops, on this occasion, were universally acknowledged. He was himself conducted on board the flag-ship of Lord Howe, where he remained until he was exchanged. In the interval he addressed the following letter to the Commander-in-Chief:—

B. G. the Earl of Stirling to General Washington.

"Eagle, 29th August, 1776.

"My Dear General,—I have now an opportunity of informing you of what has happened to me, since I last had the pleasure of seeing you.

"About 3 o'clock of the morning of the 27th, I was called up and informed by General Putnam, that the enemy were advancing by the road from Flatbush to the Red Lion; and he ordered me to march with the two regiments nearest at hand, to meet them. These

* Marshall's Life of Washington, Vol. II. p. 445. Sparks' do. 178.

happened to be Haslett's and Smallwood's, with which I accordingly marched, and was on the road to the Narrows just as the day-light began to appear. We proceeded to within half a mile of the Red Lion, and there met Colonel Atlee, with his regiment, who informed me that the enemy were in sight,—indeed, I then saw their front between us and the Red Lion. I desired Colonel Atlee to place his regiment on the left of the road, and to wait their coming up, while I went to form the two regiments I had brought with me along a ridge from the road up to a piece of wood on the top of the hill. This was done instantly, on very advantageous ground.

"Our opponents advanced, and were fired upon in the road by Atlee's regiment, who after two or three rounds, retreated to the wood on my left, and there formed. By this time, Kitchin's riflemen arrived; part of them I placed along a hedge under the front of the hill, and the rest in the front of the wood. The troops opposed to me were two brigades of four regiments each under the command of General Grant, who advanced his light troops to within one hundred and fifty yards of our right front, and then took possession of an orchard there, and some hedges that extended towards our left. This brought on an exchange of fire between those troops and our riflemen, which continued about two hours, and then ceased by those light troops retiring to their main body. In the mean time Captain Carpenter brought up two field-pieces, which were placed on the side of the hill so as to command the road, and the only approach, for some hundred yards. On the part of General Grant, there were two field-pieces: one howitzer advanced to within three hundred yards of the front

of our right, and a like detachment of artillery to the front of our left. On a rising ground, about six hundred yards distant, one of their brigades formed in two lines opposite our right, and the other extended in one line to the top of the hills in front of our left.

"In this position we stood commanding each other until about eleven o'clock, when I found that General Howe, with the main body of the army, was between me and our lines, and I found the only chance of escaping being all made prisoners was to pass the creek near the yellow mills; and in order to render this the more practicable, I found it absolutely necessary to attack a body of troops commanded by Lord Cornwallis, posted at the house near the upper mills. This I instantly did with about half of Smallwood's regiment, first ordering all the other troops to make the best of their way through the creek. We continued the attack a considerable time, the men having been rallied, and the attack renewed five or six several times, and we were on the point of driving Lord Cornwallis from his station, but large reinforcements rendered it impossible to do more than provide for safety. I endeavoured to get in between that house and Fort Box, but on attempting it I found a considerable body of troops in my front, and several in pursuit of me on my right and left, and a constant firing on me. I immediately turned the point of a hill, which covered me from their fire, and was soon out of reach of my pursuers, but as soon found that it would be in vain to attempt to make my escape, and therefore went to surrender myself to General De Heister, the Commander-in-Chief of the Hessians.*

* In his letter to Congress of the 31st of August, General Washington observes, that this letter of Lord Stirling's "is not as full and certain as I could

The disastrous issue of this battle was ascribed by General Washington, in a great measure, to the surprise suffered by the two detachments posted on the roads leading through the wood between Brooklyn and Red Hook,—their retreat having enabled the enemy to lead a great part of their force against the detachment commanded by Lord Stirling, whose bravery and resolution he highly commends.† This danger had been foreseen by General Washington; and in a letter to General Putnam, who had been sent over to take the command on Long Island, he had directed him particularly to attend to that wood, and secure it where necessary by *abattis*, in order to render the enemy's approach as difficult as possible. It was moreover unfortunate that General Greene, who was to have had the chief command on the Island, *without the lines*, was taken so severely ill as to be confined to his bed; so that this command unexpectedly devolved on General Sullivan, who was to have commanded, under Putnam, *within the lines*. He therefore assumed the command intended for Greene, under circumstances of great disadvantage, which he subsequently took occasion to explain. His real position, and the part he took in the action, were described by that excellent officer himself, in a letter to Congress about fourteen months afterwards, of which the following is an extract, dated "Whitemarsh, October 25th, 1777:—I know it has been generally reported that I commanded on Long Island when the action happened there. This is by no means true. General Putnam had taken the command from me four days before the action. Lord

wish; he was hurried most probably, as his letter was unfinished." *Sparks' Writings of Washington*, Vol. IV. p. 71.

* See his letter, *Sparks' Writings of Washington*, Vol. IV. p. 102.

Stirling commanded the main body without the lines. I was to have commanded under General Putnam within the lines. I was uneasy about a road through which I had often foretold the enemy would come, but could not persuade others to be of my opinion. I went to the hill near Flatbush to reconnoitre,—and with a picket of four hundred men was surrounded by the enemy, who had advanced by the very road I had often foretold, and which I had paid horsemen fifty dollars for patrolling by night, while I had the command, as I had no foot for that purpose. What resistance I made with these four hundred men against the British army, I leave it to the officers who were with me to declare. Let it suffice for me to say that the opposition of the small party lasted from half-past nine to twelve o'clock."

General Washington lost no time in endeavouring to regain the services of Lord Stirling. Before evacuating the City, he proposed to General Howe to exchange him for General Donald McDonald, who had commanded a party of Royalists in North Carolina, and upon being defeated by some of the Militia of that Province, had been captured and sent to Philadelphia. This was declined by General Howe, on the ground of the superior rank of McDonald, whom he had commissioned as a Major General; but he offered to exchange Lord Stirling for Governor Montfort Brown of Florida. To this proposal, General Washington readily agreed, and expressed a hope that Lord Stirling would be at once set at liberty, upon the promise that Governor Brown should be sent to the British Head-Quarters immediately upon his arrival at Philadelphia. Accordingly, as soon as Governor Brown reached New-York, the arrangement was completed.

CHAPTER VI.

1776–1777.

It was not until after the evacuation of New-York by General Washington, that Lord Stirling was enabled to rejoin the army. He continued with it during its memorable retreat through New Jersey; and when it was conducted to its winter quarters at Morristown, he was ordered to take command on the lines opposite to the enemy. Here he was engaged in frequent skirmishes with parties of the British, detached on various expeditions into the country. On one of these occasions Lord Cornwallis had marched out in force from Perth Amboy, and advanced as far as the *Short-Hills*, near Springfield, with the view, as was supposed, of breaking up General Washington's winter quarters at Morristown. Lord Stirling put himself at the head of the few continental troops on the lines, encountered the advance of the British with great gallantry, and at length, when compelled by superior numbers to retire, he took so advantageous a position as to arrest the progress of the enemy and frustrate his design.*

He was then ordered to take post on the right bank of the Delaware, to examine the shores and watch the crossing places, and in the event of the enemy's attempt-

* MS. letter of Colonel Aaron Ogden, late Governor of New Jersey, who was engaged in the affair.

ing to pass the river, to repair to the point and attack him. If his efforts proved ineffectual to prevent the passage of the enemy, he was directed to retreat towards Germantown. These cautionary measures were duly executed, and deterred the enemy from attempting at that time to cross the Delaware. Instead therefore of proceeding to Germantown, Lord Stirling was now directed to fall back upon Princeton to watch the motions of the British, while the Commander-in-Chief himself fell upon the Hessians at Trenton, where he was so signally successful in surprising them and storming their camp.

On the 19th of the ensuing February, Lord Stirling was promoted by Congress to the rank of Major General, and ordered to join the main army at Morristown. Upon breaking up his winter quarters at that place, General Washington reassembled his troops at Middlebrook, in the adjoining county of Somerset, where he encamped behind a strong and commanding range of hills near the Raritan, whence they might be marched with great ease and expedition to the defence of Philadelphia, in case the enemy should attempt—as was apprehended—to take possession of that place. In order, however, to cover his light parties on the lines from the incursions of the enemy, and annoy him when retreating again to Staten Island, General Washington afterwards moved forward to Quibbletown, about seven miles nearer to Amboy. Lord Stirling's division was then advanced a few miles nearer to the enemy, in order to co-operate with the parties on the lines, and harass the enemy on his retreat. With the view of bringing on an engagement, and, by turning the left wing of the American army, to gain possession of the heights in its rear, Sir William

Howe recalled his troops from Staten Island, and made a rapid movement in two columns towards Westfield. The right, under Lord Cornwallis, took the road through Woodbridge to the Scotch Plains. The American troops were instantly put in motion—regained with celerity their camp at Middlebrook, and took possession of the heights which the enemy had intended to seize. Lord Cornwallis, on his route, fell in with Lord Stirling, and a smart skirmish ensued between them, in which the latter was driven from his ground with the loss of three pieces of cannon and a few men. He thence retreated to the hills, and was pursued as far as Westfield, where the column led by Cornwallis halted, who, finding that his adversary, by seizing upon the passes, had defeated the object of his expedition, returned to Amboy, whence the whole British army crossed to Staten Island.

The following orders and report relate to measures adopted to guard in future against similar inroads.

Major General the Earl of Stirling to Lt. Colonel Hollingsworth.

"Baskenridge,* 12th, March, 1777.

"Sir,—I have ordered a party of one hundred men of Colonel Rumsey's regiment, one hundred and thirty of the four Virginia companies of volunteers, and about one hundred and twenty from Colonel Guyzer's regiment, to march to Quibbletown to-morrow morning by eight o'clock; of which troops you are to take the command, and proceed with them to that place. You had better march the detachment of Colonel Rumsey's by

* While Lord Stirling's division was quartered in the vicinity of Baskenridge, he had frequent opportunities of paying short visits to his family.

seven in the morning by way of Boyle's mills, to the mouth of Dead River, by Henry Alwood's. Guyzer's will join you at Quibbletown. You may provide yourself with a guide for this route in the neighbourhood of your quarters.

"At Quibbletown you will find Major Butler, whom you are to relieve, and take his advice how best to maintain your post, and annoy the enemy by guards, patroles, or scouts. If the enemy should press hard on you, you are to retire to the gap of the mountain in your rear, and defend that pass in the best manner you can, giving General Greene and myself the earliest notice of whatever passes of any importance. You are to remain at that post until you are relieved, which I expect will be in two or three days, by troops from General Maxwell, as orders are given for that purpose. In the mean time, you will give the enemy all the annoyance in your power, and endeavour as often as possible to alarm them at night, which will keep them out, and subject them to a great increase of the disorders of the season of the year. There are guides provided, who are perfectly well acquainted with that part of the country, and whom Major Butler will point out to you.

"The motions of the enemy should be constantly watched, and on any advance, notice as early as possible should be sent to the neighbouring post, as well as to this place, by the four light-horsemen who are attending you for that purpose.

"March 13th. Whenever you find it necessary to retreat from Quibbletown, you are to take up, or destroy, the bridges over the streams which you leave behind you.

"I am, &c."

Colonel Rumsey to M. G. the Earl of Stirling.

"Quibbletown, March 20th, 1777.

"My Lord,—Agreeably to your Lordship's order, although late in the day, the remaining part of my battalion marched for this place, the wagons and one of the companies not yet arrived, owing, I suppose, to the time they set off, and the badness of the road. I found Colonel Hollingsworth engaged in a foraging party to be executed this morning; and, by information, our men are much fatigued in scouting, guarding, &c. The extent we have to guard is large in proportion to the number of our men. Captain George Scott's men are said to be extremely active, and better acquainted with the grounds than our men, and part of them being on the foraging party to-day, would rather trust to your Lordship's indulgence than dispirit the party in sending Captain Scott's company from them to-day. Your Lordship's orders, by the light-horsemen I send up, respecting Captain Scott's company, shall be punctually obeyed.

"I am, &c."

Information was now received by Congress, that a formidable army from Canada, under General Burgoyne, was approaching Ticonderoga. Lord Stirling was thereupon detached with his division to the Hudson. This movement was to have been followed by the whole army, and the Commander-in-Chief had himself proceeded some distance on his march, when he received information that Sir William Howe had embarked nearly his whole force on board the fleet, which had put to sea. The American army was forthwith ordered to retrace its steps. Lord Stirling, who had already crossed

the Hudson at the foot of the Highlands, was recalled, and the whole army pursued different routes to the Delaware, where the Commander-in-Chief resolved to remain until he received further intelligence of the British fleet.

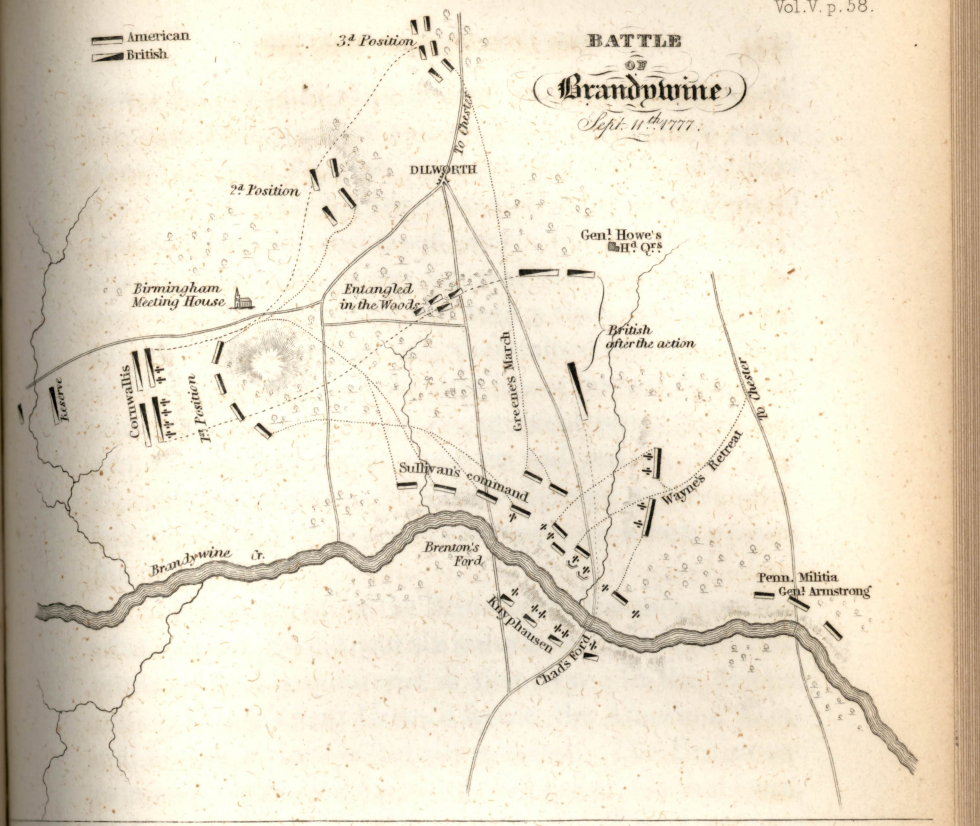
This armament was soon discovered off the Capes of Delaware, and its destination was, of course, presumed to be Philadelphia, where Congress was in session. The American army was therefore marched to Germantown, to be in readiness to defend the seat of the Continental Government. No more, however, was heard of the enemy's fleet for several days, when it was descried in the Chesapeake, which it had already ascended about two hundred miles. General Washington now called in his detachments, and the whole army advanced to Wilmington on the Delaware. The enemy was soon reported to have landed below the head of Elk. The American troops were posted at Redclay Creek, a few miles beyond Wilmington, with pickets advanced to Christiana bridge; but when Sir William Howe, after effecting his landing, indicated his intention of outflanking the American right, General Washington retired from his position, crossed the Brandywine, and took possession of some high grounds near Chad's ford. Sir William Howe then advanced to within seven miles of that point, and at daybreak the next morning,* put his army in motion in two divisions;—one, under the Hessian General Knyphausen, taking the direct road to Chad's ford; the other, led by Lord Cornwallis, moving along a road nearly parallel with the river.

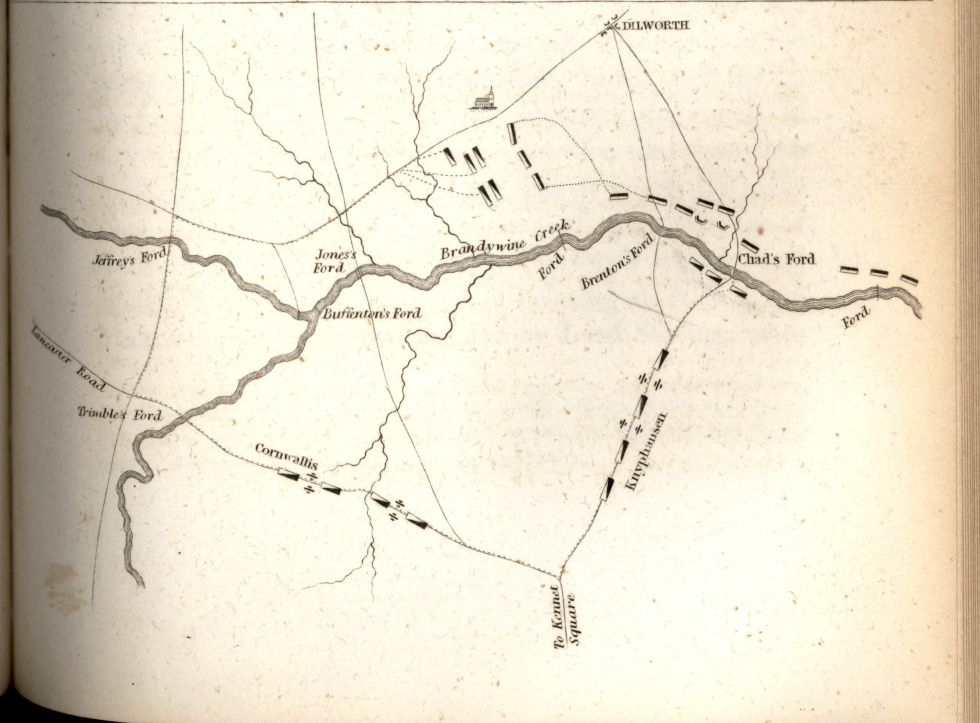
On perceiving this disposition of the enemy's force, General Washington formed the bold design of detach-

* On the 11th of September.

ing General Sullivan and Lord Stirling, to fall on the left column of the enemy conducted by Lord Cornwallis, while he should himself cross at Chad's ford, and attack Knyphausen with the centre and left wing of the army. But from contradictory intelligence as to the movements of the enemy, the latter part of the plan was not executed. The uncertainty produced by the conflicting accounts was at length removed, by which it was ascertained that the column led by Lord Cornwallis, accompanied by Sir William Howe in person, had, after a circuit of seventeen miles, crossed two branches of the Brandywine above the fork, and gained the heights within two miles of Sullivan's right flank; that General advanced to meet him, with the three divisions under his command, viz., his own, Lord Stirling's, and General Stephen's; but before he could form his troops for action, Cornwallis attacked him with so much impetuosity, that, after a short resistance, the right of the American line was broken, the residue thrown in confusion, and the whole compelled to a precipitate retreat.* A portion,

* The brigade of the French General Deborre was the first to break the line; and on an inquiry being ordered into his conduct by Congress, he resigned. A misunderstanding, it seems, existed between this officer and General Sullivan, on the right of whose division he was posted. While these sheets were passing through the press, an interesting "Sketch of the Battle of Brandywine," drawn up by Messrs. J. S. Bowen and J. Smith Futhey, of West Chester, Penn., and accompanied by a well executed and luminous "plan," has been published by the Historical Society of Pennsylvania; which, although modestly styled a "Sketch," contains a fuller and more particular and minute account of that affair, than is to be found elsewhere. It states that "the confusion created by the contest between Sullivan and Deborre spread through the ranks. In attempting to rally the troops, La Fayette was wounded in the leg. Sullivan, whose own brigade was retreating, threw himself with Stirling and La Fayette personally into the conflict, and a most heroic stand was made, these officers continuing to maintain their ground until the American forces were completely broken and the enemy within twenty yards of them, when they escaped into the woods. See "*Bulletin of Hist. Soc. of Penn.*, Vol. I. No. 7, p. 11.


American
British
3d Position
BATTLE
OF
Brandywine
Sept. 11th 1777.
To Chester
DILWORTH
2d Position
Gen.l Howe's
H.d Qrs
Birmingham
Meeting House
Entangled
in the Woods
British
after the action
Greene's March
To Chester
Reserve
Cornwallis
1st Position
Sullivan's command
Wayne's Retreat
Brandywine Cr.
Brenton's
Ford
Penn. Militia
Gen.l Armstrong
Knyphausen
Chad's Ford


DILWORTH
Jeffreys Ford
Jones's
Ford
Brandywine Creek
Brenton's Ford
Chad's Ford
Ford
Buffenton's Ford
Tuscarora Road
Trimble's Ford
Cornwallis
Knyphausen
To Kennet
Square

however, was rallied, and took another stand, where they maintained a short and spirited conflict, until again driven from their ground by a superior force. The next day General Washington retreated in the direction of Philadelphia, and encamped near Germantown. After allowing his troops a day for rest and refreshment, he recrossed the Schuylkill, and took a road leading to the left of the British army, fully determined again to offer it battle. The two armies met about twenty-five miles from Philadelphia, and an engagement was actually begun, when a heavy rain came on and put an end to it. Washington retired to the Yellow Springs, without being followed by the enemy, and eventually once more crossed the Schuylkill.*

The greater part of the British army was now encamped at Germantown, about six miles from Philadelphia; the remainder being quartered in that city. In this divided state of Sir William Howe's forces, the American General formed a plan for surprising them. The British encampment extended across the village of Germantown, at right angles with the main road. The Americans lay at Skippack, about fifteen miles off. At seven in the evening of the third of October, they began their march by four routes, that they might approach the enemy in the order of battle, under the expectation that the whole would arrive at their respective posts at nearly the same time. The right wing, composed of the divisions of Sullivan and Wayne, flanked by Conway's brigade, and sustained by a *corps de reserve* consisting of Nash's and Maxwell's brigades, commanded by Lord Stirling, were

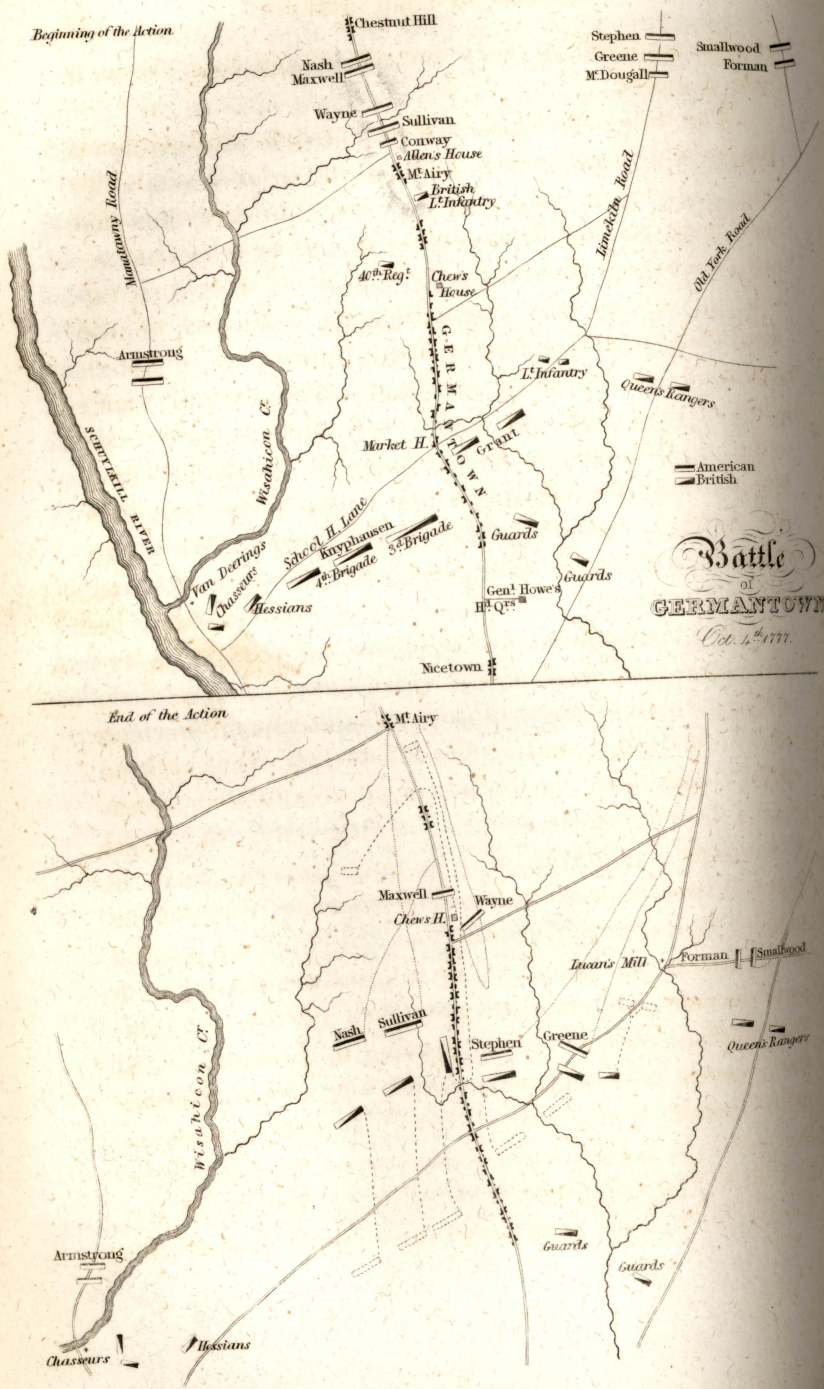
* It may once for all be mentioned, that the sources from which these and similar details of military operations are drawn, are the Works of Marshall and Sparks, and the authorities therein referred to.

to enter the town by a road leading to the enemy's centre, while General Armstrong,* with the Pennsylvania militia, was to take a road on the right near the Schuylkill, and gain the British left and rear.

The plan was well concerted, and the surprise complete; and every thing seemed to promise success, when the American army found itself obliged to retreat, and leave the enemy in possession of the field. General Washington ascribes this reverse to a thick fog, which at times rendered it so dark that the troops were not able to distinguish friend from foe at the distance of thirty yards. From General Sullivan's account, another circumstance appears to have contributed to the failure. The enemy had thrown a large body of troops into *Chew's house*, a strong stone building, which they defended with so much obstinacy as to retard for some time the advance of the second line of the Americans intended to support the centre;† and during this delay, Sullivan's division, which had been closely engaged in front, having nearly expended its ammunition, began to

* John Armstrong, father of the more celebrated General of that name, who served in the Revolutionary war as an aid to General Gates; and was afterwards more distinguished as the author of the famous *Newburgh Letters;* subsequently as Senator in Congress from New-York, Minister of the U. S. to France, a Brigadier General in the war of 1812, and Secretary at War under President Madison; which office he *resigned* upon the capture of Washington City. It was doubtless intended to make him the scape-goat on that occasion. But he subsequently published a "History of the War of 1812"—which contains his vindication—and in which he is not perhaps so successful in his own justification, as in his recriminations upon others. This younger General Armstrong after the peace of 1783, married and settled in the State of New-York, and died there some few years since, at a very advanced age.

† Lord Stirling was for proceeding; but General Knox, who commanded the artillery, protested against leaving so strong a fortress, in the rear, and his opinion, sanctioned as it was by the military authorities considered standards at that day, prevailed.


Beginning of the Action
Chestnut Hill
Nash
Maxwell
Wayne
Sullivan
Conway
Allen's House
Mt Airy
British
Lt Infantry
Stephen
Greene
Mc Dougall
Smallwood
Forman
Limekiln Road
Old York Road
Montgomery Road
40th Regt
Chews House
GERMANTOWN
Armstrong
Lt Infantry
Queens Rangers
Wissahicon Cr
Schuylkill River
Market H.
Grant
American
British
School H. Lane
Knyphausen
3d Brigade
4th Brigade
Guards
Van Deerings
Chasseurs
Hessians
Gen! Howe's
Hd Qrs
Guards
Battle
of
GERMANTOWN
Oct. 4th 1777.
Nicetown
End of the Action
Mt Airy
Maxwell
Wayne
Chews H.
Lucan's Mill
Forman
Smallwood
Nash
Sullivan
Stephen
Greene
Queens Rangers
Wissahicon Cr
Guards
Guards
Armstrong
Chasseurs
Hessians

retreat, and falling back on the second line, threw it into disorder.

The firing at Chew's house brought back General Wayne's division, which had advanced far beyond that point; and now retraced their steps from apprehension that Sullivan had been defeated. This movement totally uncovered Sullivan's division, which was then advancing against the enemy's left. The loss of the American army on this occasion amounted, in killed, wounded and missing, to about one thousand men; many of the latter, however, were supposed to have deserted. Brigadier General Nash, of North Carolina, was mortally wounded, and died within a few days after the battle; and Major General Stephen, who commanded on the right wing, was cashiered for misconduct on the retreat.

After the battle of Germantown, General Washington returned to his former station; and, in a few days, encamped in a strong position at Whitemarsh, fourteen miles from Philadelphia. On the 24th of November he called a council of war, to whom he submitted the question of an immediate attack upon that city. As Lord Cornwallis was absent with a large body of troops in New Jersey, it was supposed by some of the General officers, that a fit opportunity was presented for making an attack on that place. The subject was debated with some warmth, and, as there was much difference of opinion, they separated without coming to a decision. At the request of the Commander-in-Chief each member of the council sent in his written opinion the next morning; and during the night a messenger was despatched to General Greene, who was watching the motions of Cornwallis in New Jersey, with directions to him to com-

municate his views on the subject in writing. The result was, that eleven of the officers were opposed to the attack, and but four in favour of it.* The plan submitted by the minority for the attack, was drawn up by Lord Stirling, as follows :—

1. "That the enemy's lines on the north side of Philadelphia should be attacked at daylight by three columns, properly flanked and supported.

2. "That two thousand men should be drawn from General Greene, and embarked in boats at Dunk's ferry, proceed to Philadelphia, land at or near Spruce-street, pass through the common, and endeavour, with a part, to secure the bridge over the Schuylkill, and with the remainder attack the enemy in the rear of their lines.

3. "That five hundred continental troops, with the militia under General Potter, should possess such of the hills on the other side of the Schuylkill, as command and enfilade the enemy's lines; and while part of them carry on a brisk cannonade at that place, the rest should proceed to the bridge, and await an opportunity of attacking the works there in front, when the party from Spruce-street attack in the rear."

This plan, however, was not approved by the majority, as the enemy's lines on the north side of the city extended from river to river, and were sustained by a chain of redoubts and other fortifications. Each of his flanks, moreover, was protected by a river, and his rear, by the junction of the two rivers. To attack the enemy under such circumstances was thought to require a great superiority of force. These considerations, and others of

* Those against it were Greene, Sullivan, Knox, De Kalb, Smallwood, Maxwell, Poor, Patterson, Irvine, Du Portrail, and Armstrong; those in favour of it, Stirling, Wayne, Scott, and Woodford.

a similar tendency, induced General Washington to decide against the attack, though he had, in person, reconnoitred the enemy's position with the view of making it.

The General officers differed widely also in regard to disposing of the army for the approaching winter; and after a fruitless discussion in a council of war, the Commander-in-Chief decided, on his own judgment and responsibility, to establish a fortified camp at the Valley-Forge, upon the Schuylkill, about twenty miles from Philadelphia. After making the necessary preparations for a cantonment, surrounding it on the land side with entrenchments, and throwing a bridge across the river, the army took possession of its winter quarters, and remained in them until the following June.

CHAPTER VII.

1777–1778.

It was during this winter that the intrigue, known, from its principal contriver, as the *Conway Cabal*, was brought to light, principally through the instrumentality of Lord Stirling. Conway was an Irishman by birth, a Frenchman by education. He had served in the French army, and came to America, like many other foreign adventurers, to seek service in the Revolutionary army; and if his claims were not supported by as strong recommendations as those of several others, his pretensions were as high as those of the most extravagant among them. By the combined force of his certificates and his effrontery, he obtained from Congress the commissions, first, of a Brigadier, and afterwards of a Major General. Not being so fortunate as to distinguish himself by his military services or talents, he endeavoured to ingratiate himself with the Commander-in-Chief, by those arts of conciliation and flattery in which he was a greater adept, but which were not such sure passports to the favour of Washington. The disappointments he suffered, he dignified with the name of disgust; and attached himself to those whose position or character assured him of sympathy, perhaps of revenge.

After some fruitless experiments upon others, he found congenial spirits in Generals Gates and Mifflin; both of whom had manifested symptoms of dissatisfaction as early as when the army lay at Cambridge. The former was at that time Adjutant General to the *combined Provincial* forces, with the rank of Brigadier; the latter, who went there as an aid to the Commander-in-Chief, was subsequently appointed Quarter-Master-General with the rank of Colonel. Upon the organization of the *Continental* army, Gates applied to General Washington for the command of a brigade, and Mifflin for a regiment, in addition to their former appointments. Both were refused; on the ground, in the first place, that the duties of their staff appointments required the whole of their attention; and in the second, that such an indulgence would be invidious, and interfere with the just claims of other officers. The refusal, in both instances, evidently gave offence, and was never forgiven by either of the malcontents.

The subsequent success of General Gates against Burgoyne—which he owed more to the preparatory arrangements and dispositions of General Schuyler, than to any merit of his own—was the signal for the conspirators to assume a bolder attitude in the prosecution of their plot; to which, in the mean time, they had secured the adhesion of some parties of inferior note. Among these was Colonel James Wilkinson, an aid-de-camp of General Gates, through whose convivial indiscretion the affair was brought to light. Wilkinson had been sent to Congress with despatches from General Gates, announcing the success at Saratoga. On his way he stopped at Lord Stirling's head quarters at Reading in Penn-

sylvania,* and at table after dinner, voluntarily and openly repeated verbally to Major McWilliams, an aid of Lord Stirling's, a passage from a letter which Gates had received from his friend Conway, containing severe strictures on General Washington's conduct in the management of the war, with reflections disparaging to his military character and talents. Major McWilliams considered it his duty to disclose the matter to Lord Stirling, who, in his turn, felt bound, in regard to the public interest as well as impelled by private friendship, to communicate it to General Washington. This he accordingly did, in a note containing a *memorandum* of the words from Conway's letter, as repeated to McWilliams by Wilkinson, as follows: "The enclosed was communicated by Colonel Wilkinson to Major McWilliams; such wicked duplicity I shall always consider it my duty to detect." In consequence of this disclosure, and with no other view than to show Conway that he was apprised of his intrigues, General Washington wrote to him, as follows:

"SIR,—A letter which I received last night, contains the following paragraph: 'Heaven has determined to save your country, or a weak General and bad councillors would have ruined it.'"

A correspondence now ensued between Generals Washington, Gates and Conway.† The genuineness of the letter was denied by Conway; but the letter itself was not, at that time, produced. It was afterwards shown by General Gates, in confidence, to Mr. Henry

* Wilkinson loitered so long on the road, that when it was proposed in Congress to vote him a sword as the bearer of such auspicious intelligence, Dr. Witherspoon exclaimed, in his broad Scotch, "I think ye'll better gie the lad *a pair of spurs*."

† See the correspondence in Sparks' Writings of Washington, Vol. V. Appendix VI.

Laurens, the President of Congress, and some others; and although it appeared not to have been exactly quoted by Major McWilliams, yet, in substance, it proved the same. General Washington never communicated the letter of Lord Stirling, or the information it contained, to any officer of the army out of his own family, except the Marquis de La Fayette, and to him it was shown under an injunction of secrecy; but from the circumstances attending the affair, it could not long be concealed.* Rumours respecting it got abroad, and the public sentiment was expressed in a tone so indignant as to compel the conspirators to abandon their mischievous and ambitious projects.†

Although there is no reason to believe that any other officers of the army were directly engaged in this conspiracy, yet it is evident, from the proceedings of Congress, that it was favoured by a considerable party in that body.‡ A new Board of War with larger powers was

* Anonymous letters were about the same time addressed to the President of Congress, and to Patrick Henry, then Governor of Virginia, ascribing the misfortunes of the campaign to the incapacity, or ill-timed *Fabian* policy of the Commander-in-Chief.

† From the anxiety of each of the conspirators to exonerate himself at the expense of the others, they fell out among themselves.

‡ It is related by Mr. Dunlap in his History of New-York, upon the authority it is presumed of the late General Morgan Lewis, that a day had been appointed by the "*Cabal*," in Congress, for one of them to move for a Committee to proceed to the camp at Valley-Forge, to arrest General Washington; and that the motion would have succeeded had they not unexpectedly lost the majority which they possessed when the measure was determined on. At that time, there were but two delegates in attendance from New-York; Francis Lewis, the father of the late General Morgan Lewis, and William Duer, the son-in-law of Lord Stirling—barely sufficient to entitle the State to a vote, if both were present. But Mr. Duer was confined to his bed by a severe and dangerous illness. His colleague, Mr. Lewis, had sent an express for Mr. Gouverneur Morris, one of the absent members, who had not however arrived on the morning of the day on which the motion was to have been made. Finding this to be the case, Mr. D. inquired of his physician, Dr. John Jones, whether it were possible for him to be carried to the Court-House

soon afterwards instituted. General Gates was placed at its head, with Mifflin as a coadjutor, and Wilkinson, who had been brevetted a Brigadier, as Secretary. One of their first acts was to propose to Congress a new expedition to Canada, the plan of which was devised by Gates, and approved by Congress, without consulting the Commander-in-Chief. The office of Inspector General, with the rank of Major General, had been previously bestowed on Conway; but he had never entered upon its duties, and his promotion had given so much umbrage to the Brigadiers who were his seniors, that, in addition to the disgust excited by their knowledge of his machinations against General Washington, his situation was rendered so uncomfortable, that he withdrew from the army; and, after the abandonment of the proposed expedition to Canada, in which he was to have been employed, he resigned his commission as Inspector General from a conviction that the Commander-in-Chief would never call upon him to exercise its duties. A soldier of fortune, he became the victim of the irregular ambition and propensity to intrigue characteristic of such adventurers. Having been wounded by an American officer* in a duel to which his turbulence gave rise, and apprehending the near approach of death, he wrote to General Washington expressing sorrow for his conduct; but

where Congress sat. The Doctor told him it was possible, but it would be at the risk of his life. "Do you mean," said Mr. D., "that I should expire before reaching the place?" "No," replied the Doctor, "but I would not answer for your leaving it alive." "Very well, sir," said Mr. D, "you have done your duty, and I will do mine. Prepare a litter for me; if you will not, somebody else will—but I prefer your aid." The litter was prepared, and the sick man placed on it, when the arrival of Mr. Morris rendered the further use of it unnecessary, and baffled the intrigue that had induced its preparation. *See Hist. of N. Y. by Wm. Dunlap*, Vol. II. p. 133.

* General Cadwallader, of New Jersey.

he unexpectedly recovered and returned to France, where he was followed by the report of his misdeeds, and sunk into insignificance and neglect.*

The account given of the *Cabal* by Wilkinson, in his "Memoirs," is, to say the least of it, most grossly inaccurate, and so contradictory and inconsistent in its particulars, as to refute itself. He represents his conversation with Major McWilliams to have been held in the presence and hearing of Lord Stirling—if not addressed to him personally. Lord Stirling having subsequently ascertained from Conway that he had inquired of Wilkinson whether he had seen the letter addressed by him to Gates, and that Wilkinson had declared that he had, and that it contained no such words as those he had repeated, thereupon wrote to Wilkinson, stating the facts that Conway had communicated to him, and pointedly observed that he well knew that it was impossible that Wilkinson could have made such a declaration, but that it would give satisfaction to many of his friends to know whether Conway *had made the inquiry;* and *what had been his* (Wilkinson's) *answer;* and that they would also be glad to know, *what were the words of the letter*, of which he (Lord Stirling) "would be very much obliged to him for a copy."

This letter Wilkinson says he received at Albany, and subjoins a very impertinent answer, which if not

* His friend Wilkinson also gave up his brevet of Brigadier, when appointed Secretary to the Board of War, from a cause similar to that which produced Conway's resignation, though he says himself, "*from motives of patriotism,*" and because "after the acts of *treachery* and *falsehood* in which he had detected the President of the Board, he found it impossible to serve under him." (See his *Memoirs.*) He still retained his rank of Colonel in the army, and, in 1779, was appointed *Clothier General.* His subsequent course corresponded with this beginning. He intrigued with Burr as he did with Conway; and betrayed him as he did Gates.

fabricated for the purposes of his narrative, it is very clear, from the subsequent correspondence, that if ever sent it could never have been received by Lord Stirling. Of this, indeed, Wilkinson admits the possibility; and it is equally clear, from what follows, that he has suppressed a letter from Lord Stirling to himself. When he reached Lancaster, after leaving Reading on his way to York in Pennsylvania, where Congress was sitting, he learnt, he says, that General Gates had denounced him, in the grossest terms, as the betrayer of Conway's letter; and believing that the exposition of his correspondence with Lord Stirling would aid him in procuring an explanation from Gates, he sought one by letter. But instead of obtaining it, he received an answer from his former friend and patron, which he describes as "cruel and insulting." In this answer General Gates gives the substance of a letter he had received from General Washington, informing him of Wilkinson's disclosure of Conway's letter, of its communication by Major McWilliams to Lord Stirling, and by Lord Stirling to General Washington; which letter of Gates concluded with the following paragraph: "After reading the whole of the above extract, I am astonished—if you really gave Major McWilliams such information—how you could intimate to me that it was *possible* Colonel Troup* *had conversed* with Colonel Hamilton† on the subject of Conway's letter." Upon receiving this letter, Wilkinson says he challenged General Gates. If so, it

* Also an aid to General Gates.

† Then an aid to General Washington. Wilkinson's object in this insinuation was, of course, to transfer to his colleague the disgrace of the disclosure. But the atempt was desperate, as Gates knew Troup to be too much of a man of honour to make such a communication—and if he were not, that Hamilton was the last person to whom he would have ventured to make it.

must have been because he could confirm his veracity in no other way. But the whole story, as he relates it, appears incredible upon its very face. According to his statement, which partakes more of the ridiculous than of the pathetic, at which he evidently aimed, Gates accepted the challenge; and when Wilkinson was on his way to the place of meeting, with his second, he was stopped, he says, by a friend, who requested that he would follow him, which he did, to a place where he found General Gates alone. The General received him "with much tenderness, but manifest embarrassment," and requested him to walk with him in a back street. After proceeding together some distance in silence, Gates *burst into tears*, and asked him, "how he could think that" he (Gates) "wished to injure him?" Wilkinson says, he "was too deeply affected to speak," and Gates relieved him by exclaiming, "I injure you! It is impossible; I should as soon think of injuring my own child." "This language not only disarmed me," says Wilkinson, "but awakened all my confidence, and all my tenderness." He was, however, silent, while the General added—"besides there was *no cause for injuring you*, for Conway *acknowledged his letter*, and has since said much harsher things to Washington's face." This Wilkinson declares was "satisfactory" to him, "*beyond expectation*," and a long and friendly conversation took place between the parties to the intended duel, in the absence, by the bye, of their seconds, in which it was "settled" that Wilkinson "should attend at the War Office, in his capacity of Secretary, for a few days, and then have leave to visit the camp at Valley-Forge, *where Lord Stirling was quartered.*"

Upon Wilkinson's presenting himself at the War

Office, however, the "tenderness" of General Gates seems to have evaporated; for the Secretary complains that his reception "by the President of the Board did not correspond with his recent professions; and that although at a loss to account for his coldness," he "had no suspicion of his sincerity." After remaining a few days at his post he set off on his errand to Valley-Forge, where, after lingering a fortnight at Lancaster, under the influence of a passion more "tender" than the mutual affection between himself and his General, he arrived on the 16th or 17th of February. He applied to his "friend Colonel Moylan," (when, he does not say,) to deliver "a peremptory message" to Lord Stirling, "on the ground of his Lordship's having *misrepresented his conduct to the prejudice of his honour.*" But from this he was dissuaded by his friend, and consented instead to send the following note; dated, it will be perceived, a full month after his arrival at camp.

Colonel James Wilkinson to M. G. the Earl of Stirling.

"Moore-hall, March 28th, 1778.

"My Lord,—The propriety or impropriety of communicating any circumstance that passed at your Lordship's board at Reading, I leave to be determined by your own feelings, and the judgment of the public; but as the affair has eventually induced reflections on my integrity, the sacred duty I owe my honour obliges me to require from your Lordship's hand that the conversation you have published, *passed in private company, during a convivial hour.* Colonel Moylan, who delivers this, is my friend, and will receive your reply.

"I am, &c."

As it would have been difficult to discover in this note any *charge* against Lord Stirling, "on the ground of having misrepresented the conduct" of the author, his Lordship could have had no hesitation in giving him the following answer, which Wilkinson avers to have been "satisfactory, and sufficient to establish his innocence, though not consistent with the information given by Lord Stirling to General Washington." As the letter in question merely communicated the extract from that of Conway to Gates, as repeated by Wilkinson to McWilliams, with no other information from Lord Stirling than his having received it from McWilliams, it is not so easy to discover upon what ground Wilkinson rests his charge of inconsistency against the person selected for his adversary, as to detect it in himself. He made the disclosure, not to Lord Stirling, but to Major McWilliams, who communicated it to Lord Stirling. If, therefore, there were any breach of confidence in the case, he should have called upon McWilliams, and not upon Lord Stirling, for redress. He felt, however, no great resentment against either of them; but rather suffered himself to be used by Gates as an instrument of revenge against Lord Stirling, for the exposure of his "wicked duplicity" to General Washington. Wilkinson, indeed, seems to have considered the *gravamen* of Lord Stirling's offence as consisting not so much in any "misrepresentation of his conduct," in regard to the disclosure itself, as in communicating what had transpired "in a convivial hour." He evidently sought to avail himself of the excess of his *conviviality*, as an excuse for the treachery charged against him by Gates. But to enable the reader to form his own judgment upon

the point, the answer to Wilkinson's note is subjoined, from his own version.*

M. G. the Earl of Stirling to "James Wilkinson, Esq."

"March 18th, 1778.

"SIR,—As to the propriety of my communicating to General Washington a circumstance that transpired in conversation at Reading, I have not the least doubt; nor can I conceive that your having mentioned that extraordinary paragraph will ever injure your honour.

"However that may be, I shall ever be ready to aver the truth, and equally ready to give you the satisfaction of having it under my hand that the words that I did communicate to his Excellency, "passed in a private conversation in a convivial hour;" but under no injunction of secrecy. As to my having published it, I do not know that I have ever mentioned it since, until lately, when a certain gentleman asserted in company, that *you had denied that you had ever had any such conversation.* This put me under the necessity of asserting the contrary; and of this I immediately wrote you, being sure you would never deny it. By your silence on that head, I must conclude you never received my letter.

"I am, &c."

* The correspondence between the parties is, from necessity, taken from Wilkinson's Memoirs, as no trace of it appears among Lord Stirling's papers. A letter of Wilkinson's addressed to General Washington, under date of 28th March, 1778, referring to this passage of Conway's, concludes as follows;—"However, I so well remember its tenor that, although General Gates has pledged his word it is a wicked and malicious forgery, I will stake my reputation, if the genuine letter is produced, that words to the same effect will appear; else how could Conway acknowledge to Colonel Stewart, that he had written such a letter; or how could Dr. Hutchinson have heard this identical passage mentioned in Philadelphia, before he left that city?"

After giving this letter, Wilkinson quotes the following extract of one from General Washington to Lord Stirling, as "manifesting the interest *taken by the former in his* (Wilkinson's) *behalf.*"

General Washington to M. G. the Earl of Stirling.

"Valley-Forge, March 21st, 1778.

"My Lord,—In answer to your favour of this date, give me leave to say that I am well pleased with the termination of your correspondence with Colonel Wilkinson. I sent for that gentleman after the conversation I had with your Lordship, and showed him the letters Mr. Harrison* furnished you with a sight of. He seemed a good deal surprised at G——'s letters, and not at all sparing of abuse of him and Conway."†

Such is the representation of the affair by Wilkinson himself, and these are the documents he adduces to support it. How far the one is sustained by the others, the reader will determine. How far the correspondence may be relied on as genuine, is not so easy to decide, especially as it appears probable, from some observations of Lord Stirling's, that parts if not whole letters have been suppressed, and several passages in those given altered. The former supposition derives some confirmation from the time that elapsed between Wilkinson's arrival at the camp, and the date of his first letter. Admitting, however, the whole correspondence to be fairly and correctly given, it not only fails to sustain the reproach sought to be cast upon Lord Stirling, but leaves it doubtful whether Gates, Conway, or Wilkinson him-

* The private Secretary of General Washington.

† See *Wilkinson's Memoirs*, Vol. I. pp. 382–393.

self deserves the greater condemnation. The latter struggles to exculpate himself at the expense both of his accomplice and of his benefactor; failing in this, he turns upon the person through whom his treachery was exposed, and is met by a rebuff, of which the effect is manifest from his impotent efforts to repress the consciousness of the despicable figure he had exhibited. The following extract of a letter from a delegate in Congress from New Jersey, relates to the transaction in which Wilkinson bore so conspicuous a part, and refers to the disgust created by both his and Conway's promotion.

Abraham Clark to M. G. the Earl of Stirling.

"Yorktown, January 15th, 1778.

"My Lord,— * * * * Your Lordship mentions the want of military merit in a gentleman lately promoted. I had always before heard him mentioned as having great military abilities; and this is all I had ever heard concerning him. The kind of correspondence he carried on with General G——, was not however known at the time of his promotion. Had his letter to General Washington been before them, Congress would have probably acted otherwise. Dissensions among the officers of the army must be very injurious to the public interest. I cannot say what Congress will do. By the letters sent to them, an appeal seems to be made, which, I trust, will be carefully attended to. The authority and credit of the Commander-in-Chief must be supported.

"Upon such a disagreeable subject as is contained in General Gates's letter to General Washington, I received some consolation in finding the offence so highly

complained of fall somewhere,—upon a person for whom General Gates's unbounded friendship and earnest solicitations had procured a promotion very injurious and disgustful to the army. I was not in Congress at that time, but I think the measure injudicious. To remedy this hasty step, Congress lately took Mr. W. from the military line, by appointing him Secretary to the Board of War, of which Mr. Gates is President. What will be done with him next, I cannot say. If he betrayed the confidence of his patron, he may do the same by his country; and from the opinion Mr. Gates seems to have of such a character, I think he will not hereafter choose to have him near his person."

The subsequent part of this letter relates to another important subject which then engaged the attention of Congress, and is characteristic both of the writer and times.

"As the reduction of the battalions is become necessary, a Committee of Congress and three of the Board of War are going to the army for that purpose. It is said many good officers are weary of the service, and wish to resign, unless they are put on a permanent establishment. That they are weary and wish for ease, I do not wonder; but who that are either in the civil or military department are not weary, and do not wish for retirement? The service in every part is severe. Congress sit night and day, taking little rest. Must we all therefore resign? This is no time to talk of ease and retirement; let us first establish our liberties—our desires of ease will then be obtained. I do not mention this as applicable to your Lordship. I never heard of

your desire to turn your back upon a service the most noble and glorious. Some, however, do it. We all engaged, I hope, on patriotic principles; may the same, separate from every lucrative and ambitious view, carry us through this contest!

"I am, &c."

The number of troops agreed on by the Committees of Congress and of the Board of War, upon their visit to the Valley-Forge, was forty thousand, besides artillery and horse; but when, on the 8th of May, a Council of War was called to determine upon future operations, it was found that the army, including the detachments on the North River and elsewhere, did not exceed fifteen thousand; nor was it believed that it could be raised higher than twenty thousand; while the British force in New-York and Philadelphia amounted to near thirty thousand, besides a detachment of three thousand four hundred at Rhode Island. These numbers were much larger than was supposed by the Council of War, when considering the question submitted to them by the Commander-in-Chief,—whether it was expedient to take the field, and act on the defensive, or wait until the plans of the enemy were more fully developed, and then be guided by circumstances. On that occasion the enemy's force at Philadelphia was estimated at ten thousand, in New-York at four thousand, and at Rhode Island at two thousand: upon this basis the question was discussed; and upon that estimate, it was decided, with great unanimity, against any scheme of offensive operations.

It was not long, however, before affairs assumed a new, and more favourable aspect. Sir William Howe,

was recalled in accordance with his own request, and was succeeded by Sir Henry Clinton. The treaty of alliance between France and the United States raised the hopes of America, and, being regarded by Great Britain as a declaration of war against her on the part of France, produced a change in the plans of the English Ministers for carrying on hostilities. A sudden descent on the French possessions in the West Indies was resolved on; and to aid in its execution, Sir Henry Clinton was ordered to detach five thousand men from his army,—to send three thousand more to Florida, and to withdraw with the remainder to New-York.*

Having shipped his cavalry, and some other troops, with his provision train and heavy baggage, he prepared to march through New Jersey, with the main body of his forces. As soon as his evacuation of Philadelphia, which took place on the 18th of June, was known at the Valley-Forge, Generals Lee† and Wayne, each at the head of a division, were ordered to pass the Delaware at Coryell's ferry, and to halt on the first strong ground on the Jersey side. General Washington himself soon followed, and within six days the whole army had crossed the river, and arrived at Hopewell in the neighbourhood of Princeton. The British General, after crossing at Gloucester point, had moved slowly on through Haddonfield and Mount Holly, until he reached Crosswicks and Allentown; and it was not until after he had actually arrived at the latter place that he determined upon the direc-

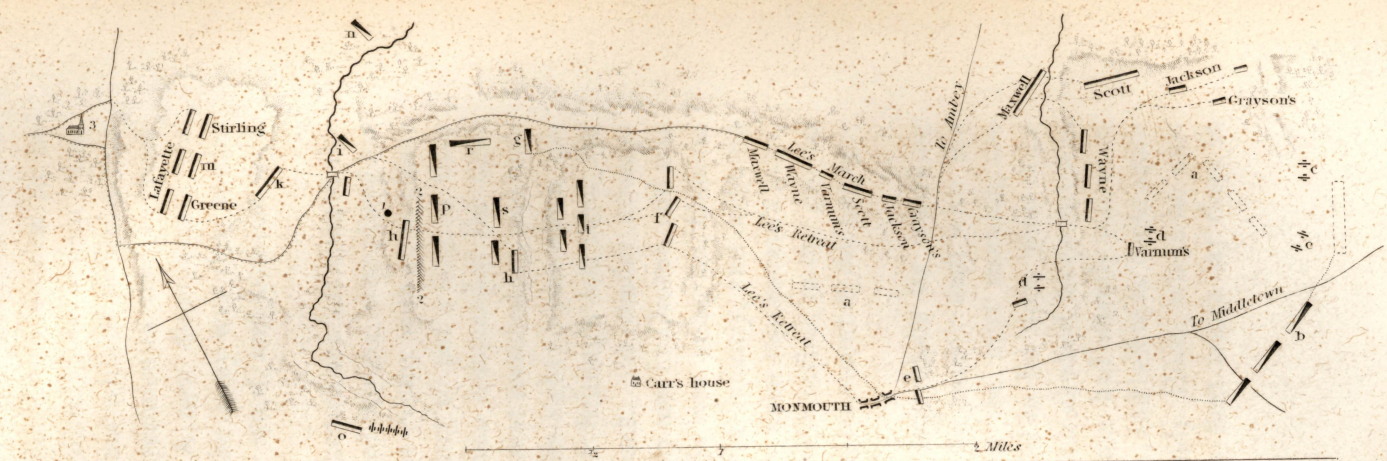
* This last movement probably arose from the supposition that a French fleet would soon appear in the Delaware.

† He had lately been exchanged, having been made prisoner at Basken-ridge, to which he had repaired for the night in advance of the army on its former march through Jersey. It was spoken of by Lord Stirling as "one of Lee's eccentric movements, and only remarkable from its direction."

tion he should take when he left it. It was at first his intention to proceed to the Raritan, and embark his troops at New Brunswick, or South Amboy; but finding General Washington, who, in the mean time had advanced to Kingston, almost in his front, he turned to his right, and took the road leading to Sandy Hook.

On the morning of the 28th, he was encamped in a strong position near Monmouth Court-House, and General Washington was approaching him. When the latter had advanced to within six or seven miles of the British encampment, he was informed that Sir Henry Clinton had abandoned it and was then on his march to the ocean. The American army was instantly put in motion, and General Lee, who commanded the advanced detachments, amounting to five thousand men, was ordered to commence the attack, "unless there should be very powerful reasons to the contrary;" and he was at the same time informed by General Washington that he would come up as soon as possible to his support.

After he had marched about five miles, Washington learnt, to his surprise and mortification, that Lee was retreating without having made any opposition to the enemy, except one fire from a party which had been charged by the British cavalry. This movement was the more alarming, as General Lee, without giving any notice of his retreat, was marching his troops directly upon the rear division, to the imminent hazard of throwing the whole army into confusion, at the very moment too when the enemy was pressing upon it with unimpeded force. General Washington rode immediately to the rear of the retreating division, where he found General Lee, whom he accosted with a warmth of language which he rarely used, and in a manner indicative of the



Battle of Monmouth

June 28th 1778.

a ..... Position occupied by the British the night before the Battle
b ..... British detachment moving towards Monmouth
c ..... British Batteries. — d. Captain Oswald's American batteries
e ..... American troops formed near the Court house
f ..... First position taken by Genl Lee in his retreat
g ..... Attack by a party of British in the woods
h ..... Positions taken by Genl Lee. — i. British detachment
k ..... Last position of the retreating troops
m ..... Army formed by Genl Washington after he met Genl Lee retreating
n ..... British detachment. — o. American battery. — p. Principal action
r ..... First position of the British after the action. — s. Second position
t ..... British passed the night after the battle
l ..... Where Washington met Lee retreating. — 2. Hedge row. — 3. Meeting house

highest displeasure. He ordered the division to be re-formed and brought immediately into action. Lee promptly obeyed; but it was not without difficulty that the order of battle could be restored in time to check the advance of the enemy. A new disposition of the left wing and second line of the army was then made, on an eminence, partly in a wood, and covered by a morass in front.

The rear division, which formed the left wing of the army, was commanded by Lord Stirling, who placed his batteries so as to play upon the enemy with great effect, and with the aid of his infantry to put a stop to their advance. General Greene, who commanded the right wing, on hearing of Lee's retreat marched up, and took an advantageous position on the right; upon which the enemy attempted to turn Lord Stirling's left flank, but were repulsed and driven back. A similar attempt on the right wing was as bravely met by Greene, and was equally successful. While this was going on, General Wayne advanced with a body of infantry, and kept up so hot and well directed a fire upon the enemy's front, that they retired behind a marshy ravine, to the ground they had occupied at the commencement of the engagement.

It was night before the dispositions for attacking them in that position could be made; and, with the view of renewing the contest the next morning, the American troops were directed to lie upon their arms on the field. When the morning dawned no enemy was to be seen. Sir Henry Clinton had silently retired in the night towards Middletown, and before he could again be attacked, had reached Sandy Hook, where he embarked his troops on board the fleet which lay there in

readiness to receive them, and thus were they conveyed again to New-York. The American army was then marched round to the Hudson, which it crossed at King's ferry, whence it marched on, and encamped at the White Plains.

Stung by the language Washington had used to him on the field of battle, General Lee, after a disrespectful and offensive correspondence with the Commander-in-Chief, demanded a Court Martial. He was accordingly placed under arrest, and a Court Martial was summoned, of which Lord Stirling was President. It sat for three weeks while the army was on its march to the Hudson, and finally declared General Lee guilty on all the charges preferred against him, which were, 1st, Disobedience of orders, in not attacking the enemy according to repeated instruction; 2d, Misbehaviour before the enemy, in making an unnecessary and disorderly retreat; and 3d, Disrespect towards the Commander-in-Chief, in two letters written after the action. The sentence of the Court, suspending him from his command for a twelvemonth, was approved by Congress; and General Lee left the army for Philadelphia, where he resided until his death, four years afterwards, without having been again called into service.

CHAPTER VIII.

1778–1781.

Before the army crossed the Hudson, General Washington had heard of the arrival of the French fleet under the Count D'Estaing. No time was lost in offering his congratulations to the admiral, and proposing to him to co-operate against the common enemy. An attack upon New-York was first contemplated, but the pilots refused to take the responsibility of conducting the heavy ships of the French over the bar at Sandy Hook. The fleet then proceeded to Newport, and upon the failure of the land expedition against that place, in consequence of the dissensions between the American and French officers, the French Admiral proceeded to Boston, to repair the damages his ships had sustained from a tremendous storm, and a partial engagement with the enemy, upon his outward passage.

While in camp at White Plains, Lord Stirling obtained permission for his lady to visit her eldest daughter, whose husband, Mr. Robert Watts, had taken no active part on either side in the Revolution, and remained quietly in the city of New-York. The letters of Lady Stirling and her youngest daughter, who accompanied her, describing this visit, may not be devoid of general interest, as they exhibit the situation and temper of those

Americans who had continued in the city during its occupation by the enemy.

The Countess of Stirling to M. G. the Earl of Stirling.

"Elizabethtown, August 24th, 1778.

"My Dear Lord,—I returned last night from New-York. We were received with great politeness by General Maxwell and Mr. Caldwell at the point, and conducted to Mr. Smith, who received us very politely. The Governor [Livingston, her brother] has promised to provide us a carriage to get home in to-day. We left Mr. Watts, Mary, and her little girl, very well. She longs to see you, and wishes to be with me, but duty to her husband must keep her where she is.

"The commanding officer at Staten Island sent a sergeant over with us to New-York, with orders that we should go to G. Jones to ask his permission to go to Mr. Watts. I desired Mr. Rutherfurd* to go for us, and we were permitted. The next day Mr. W. carried your letter to head-quarters, and about ten days afterwards General Clinton sent a card to Mr. Watts, desiring him to let him know when we arrived in town, for he intended to show us all the civility in his power. We never heard from him again until I applied for a pass to leave town; then Mr. Elliot† came with Sir Henry's compliments that he was sorry he had not had it in his power to call on us before, but that he would endeavour to do it before we left town, for old acquaintance sake;—but we heard no more of him. So much for that.

* Walter Rutherfurd, a brother-in-law of Lord Stirling's.

† Andrew Elliot, Collector of the port under the Crown, and highly esteemed and respected both by Whigs and Tories, for his integrity of character, and the urbanity of his manners.

"Mr. Elliot called on us the day after we got to town and offered me liberty to take any thing out of town I pleased, for which I thanked him, and told him, I was only come to see my daughter; which I thought most prudent, for I was afraid there would be a handle made of it, if I accepted the offer. All his family came to see us, and he sent me the same offer by several people: the last time I saw him he told me I must take *a box of tea*, but I stuck to my text. Lord Drummond,* Chief Justice Smith,† and Mr. N. Bayard,‡ were our constant visitors, and desired to be remembered to you.

"I was happy to hear from General M. that you was well last week. I sent my love to you by Colonel Bunner. I am obliged to conclude, as it is time to set off. Write to me as soon as possible. Kate joins in love to you. She will write to you when we get home.

"I am, &c."

Lady Catharine Alexander§ to M. G. the Earl of Stirling.

"Parsippany,‖ August, 1778.

"I have made several attempts to obey an injunction laid upon me by my dear Papa, in a letter to General Maxwell, but have always been interrupted, or entirely prevented by trivial accidents, which, though important enough to prevent my writing, are scarce worth men-

* Eldest son of the Earl of Perth, who visited America to look after his father's interests as a Proprietor of East Jersey.

† William Smith, the historian of New-York,—afterwards Chief Justice of Canada, an early and intimate friend of Lord Stirling's.

‡ The late Alderman Bayard—owner of *Bayard's farm*, now in the heart of the city of New-York.

§ Afterwards married to Colonel William Duer.

‖ Where Gov. Livingston's family had taken refuge from Elizabethtown on its invasion by the British.

tioning to you. Colonel Livingston going to camp, at last furnishes me with an opportunity of acquainting you with every thing that my memory retains of our jaunt to New-York.

"In the first place we had the satisfaction of being treated civilly by the British officers. One indignity, indeed, we received from *General Grant*,* who ordered a sergeant to conduct the Flag to town, instead of an officer; but we were so happy at getting permission to go on, that we readily excused this want of politeness. Our acquaintances in town were very polite to us: many, indeed, were remarkably attentive; but whether it proceeded from regard to themselves, or us, is hard to determine. The truth is, they are a good deal alarmed at their situation, and wish to make as much interest as possible on our side. The sentiments, I really believe, of a great number, have undergone a thorough change, since they have been with the British army; as they have many opportunities of seeing flagrant acts of injustice and cruelty which they could not have believed their friends capable of, if they had not been eye-witnesses of their conduct. This convinces them, that if they conquer, we must live in abject slavery.

"Mamma has, I suppose, mentioned to you the distressed situation in which we found poor Mary. The alarms of the fire, and of the explosion, added to her recent misfortune, kept her for several days in a very weak state; but we had the satisfaction to leave her perfectly recovered. The child she now has is one of the most charming little creatures I ever saw, and by all accounts is more likely to live than either of the others.

* The same who had been opposed to Lord S., at the battle of L. I.

Mr. Watts, I am happy to find, is among the number of those who are heartily sick of British tyranny; and as to Mary, her political principles are perfectly *rebellious*. Several gentlemen of your former acquaintance in the British army made particular inquiries after you. Colonel Cosmo Gordon, brother to the Duchess, was very desirous of making acquaintance with us on your account, but we happened, unfortunately, to be abroad whenever he called upon us. The Chief Justice, Lord Drummond, Mr. Barrow, and several others, begged to be remembered to you. Lord Drummond is very anxious to have his character cleared with respect to his parole: he says you know the circumstances, and wishes you would persuade the General to take the matter into consideration.* I believe his Lordship would be very happy to

* Lord Drummond, as has been mentioned, came to America to look after the affairs of his father as a Proprietary of East Jersey. At an earlier period he had made an unsuccessful attempt to produce a reconciliation between the mother country and the Colonies; but afterwards seems to have lost the confidence of the whigs of New York, from his intimacy with Governor Tryon, and some of the leading tories in that city. The Committee of Safety, therefore, exacted from him his *parole* of honour, that he would hold no correspondence directly or indirectly with those who were in arms against the Colonies, nor go into any port or harbour occupied by the enemy, nor on board their ships. He subsequently obtained permission from the Committee, to visit Bermuda for the benefit of his health; but was not, by this indulgence, to be further released from his *parole*. In his zeal, however, to effect a pacification, he imprudently went on board the Asia man-of-war, on his way to sea; and on his return, three or four months afterwards, when the British fleet lay in the harbour, he visited Lord Howe with the same view. He drew up a set of Articles, which he submitted to Lord Howe, who approved them, whereupon they were transmitted by Lord Drummond in a letter, to General Washington—who, considering that Lord Drummond's conduct in going on board the enemy's ships of war, a breach of his *parole*, objected to the mode of negociation he had proposed. He however submitted all the papers to Congress, but the decision of that body was, to take no notice of Lord Drummond or his negociation, and to approve of the course adopted towards him by General Washington. See Sparks' *Writings of Washington*, Vol. III. pp. 288 and 525, and Vol. IV. p. 51.

become an American subject if the British Parliament would condescend to accede to our Independence, and he is therefore very solicitous to secure our good graces.

"Upon the whole, I think we may call our jaunt a very agreeable one, though it was chequered with some unlucky circumstances. For my own part, I liked it so well, that I could wish to repeat it in a few months, if my sister does not get permission to pay us a visit. I left Mamma very well two days ago, to pay a visit to the Governor's [Livingston's] family, who sent the Colonel with an absolute command to fetch me. They all beg to be remembered to you.

"I am, &c."

On the 15th of October, Lord Stirling repaired to Elizabethtown, whither he was ordered to take command of the troops stationed in New Jersey to watch the motions of the British fleet and army at New-York; and on this service he was employed until the army went into winter quarters. At the opening of the campaign of 1779, he was ordered to march with the Virginia division under his command, to Pompton Plains, and to cover the country between that station and the lines below, extending to the Hudson. Major Henry Lee, who with his corps of light-horse was attached to Lord Stirling's command, was directed by him, in pursuance of orders from the Commander-in-Chief, to watch the motions of the main body of the British army. In his incursions, which extended as low down as the Hackensack, he obtained intelligence that the enemy's troops at Powles' Hook, were extremely remiss in watchfulness, from the security they felt in the difficult access to their post, and its distance from the nearest body of Conti-

nental troops. These circumstances suggested to Major Lee the project of surprising and carrying off the garrison. A detachment from Lord Stirling's division, including three hundred men specially designed for the enterprise, was ordered down the country as a foraging party; which, being usual, excited no suspicion. Lord Stirling himself followed with five hundred men, and took post at the Hackensack bridge, in readiness to afford the assistance that might be necessary.

About three o'clock the next morning, Major Lee, with his detachment, succeeded in carrying the main work at Powles' Hook, with a trifling loss, and made upwards of one hundred and fifty prisoners. But the British commandant threw himself, with forty or fifty Hessians, into a strong redoubt, which it was thought unadvisable to attack, as it might endanger the retreat of the party. The alarm had already reached New-York; upon perceiving which, Major Lee determined not to hazard the loss of his detachment, and immediately brought off his troops and prisoners. The original plan contemplated his retreat across the Hackensack, at a point below the bridge, and nearer to Powles' Hook, as being more secure than the route by which he had advanced; but finding that the boats which had been ordered to that spot had been withdrawn, through the stupidity of the officer in charge of them, he despatched a horseman with the information to Lord Stirling. Fortunately his Lordship had previously been apprised of the probability of the disappointment, and had taken the precaution to detach Colonel Bull, with two hundred fresh troops, to meet Lee and cover his retreat. On making his report of the affair to the Commander-in-Chief, Lord Stirling received from him a letter, express-

ing his thanks, and requesting them to be given to the officers and troops concerned in the expedition. He received also the thanks of Congress.*

After the army had gone into winter quarters at Morristown, in January, 1780, Lord Stirling was detached, at the head of about two thousand five hundred men, to attack the British force on Staten Island. He crossed with his party from Dehart's Point, on the Jersey shore, on the morning of the 15th, and marched towards the enemy's works in the interior of the Island. But his movements being discovered, the enemy were prepared to receive him, and their works were so well situated, and appeared so strong, that an assault was thought unadvisable. Contrary to expectation a free passage was found to be open by water to New-York, and during the day the British were reinforced from the city; whereupon Lord Stirling made good his retreat to Elizabethtown. There was some skirmishing however by the way, two or three men were killed on each side, and a few prisoners made by the Americans.

While the detachment continued on the Island, a number of persons passed over from the main, and plundered the inhabitants; but Lord Stirling ordered a strict search to be made for the plundered articles, and took measures for restoring them to their owners.

During a visit to his residence at Baskenridge, he

* The following are the Resolutions passed on the occasion, viz.: "In Congress, September 24th, 1779. *Resolved*, that the thanks of Congress be given to his Excellency General Washington for ordering, with so much wisdom, the late attack upon the enemy's fort and works at Paulus Hook."

"*Resolved*, that the thanks of Congress be given to Major General Lord Stirling, for the judicious measures taken by him, to forward the enterprise, and secure the retreat of the party."

addressed the following letter to the Commander-in-Chief:—

M. G. the Earl of Stirling to General Washington.

"Baskenridge, March 24th, 1780.

"DEAR SIR,—I duly received your letter of the 22d, accompanied by an extract of a letter from Governor Livingston, with twelve copies of the "Act for recruiting the number of men therein mentioned," within this State. I immediately requested all the field officers in camp, belonging to the three Jersey regiments, to meet General Maxwell at his quarters, in order to fix upon twelve of the most proper officers to carry the law into execution in the different counties in this State; which they were to finish yesterday evening. In the mean time I drew up the inclosed instructions,—twelve copies of which were made,—and sent them with the laws to Colonel Barber, who has promised me to fill up the blanks, and to see the recruiting officers sent off in the best manner, and as soon as possible: I expect they will be off to-morrow if the weather permits.

"I hope your Excellency will find the instructions as explicit as you intended. As soon as I get from Colonel Barber the return of the officers' names and ranks, and the different counties they are sent to, I will forward it to your Excellency.

"I am, &c."

On the 23d of June, a British army of five thousand men, under General Knyphausen, marched by two different routes from New-York, and advanced with great rapidity towards Springfield. Colonel Dayton was des-

patched against one of the columns, and Major Lee against the other; and they both made all possible opposition to the progress of the enemy, while General Greene concentrated at Springfield the different corps under his command, which had been distributed through the country for the purpose of guarding the roads leading through the passes in the mountains behind that place. Upon receiving information of the enemy's approach, Lord Stirling issued orders to Colonel Ludlow to collect the militia from his neighbourhood, and march with them to reinforce General Greene. Upon their return, he received the following account of the enemy's proceedings, with a request to recall his orders to the militia.

Major General Greene to M. G. the Earl of Stirling.

"Connecticut Farms, June 23d, 1780.
"5 o'clock P. M.

"My Lord,—Your letter was handed me by Colonel Ludlow. The enemy advanced this morning and forced their way into Springfield. They were warmly opposed by several corps of the army, and after burning almost every house in the town they retreated. We are now pressing their rear, but the principal part of their army has reached Elizabethtown.

"I wish you to countermand your orders to the militia. Their services will not be wanted at this time.

"I am, &c."

On the next day Lord Stirling accordingly issued an order to the militia to return to their homes—except such of them as were to go on a *retour* of duty under General Dickinson.

No similar inroad was again made by the enemy, in consequence, probably, of intelligence received by Sir Henry Clinton that a formidable fleet and army from France was expected on the coast. Their arrival was not long afterwards announced; and, in the absence of Sir Henry, with the flower of his army, on an expedition against Rhode Island, an attack on New-York was arranged between General Washington and the French General, the Compte de Rochambeau. The execution of it was, however, prevented by the return of the British force from Rhode Island. In the following September this plan seems to have been revived. A Council of War was held on the subject, and the written opinions of its members requested by the Commander-in-Chief to be delivered to him the next day. The following was presented by Lord Stirling:—

"In obedience to your Excellency's request in Council the 6th instant, I now give you my opinion on the several questions stated, viz.:

"That since there is still a very high probability of the second division's arriving from France, and of our soon having a superiority of naval force in these seas, we ought to adhere to our original plan for this campaign of co-operating with our allies, and with our whole force, for the reduction of New-York; and then pursuing such other objects as the season of the year and the climates of the seats of operation will best admit. By departing from this plan, we risk every thing; we can then have no other objects in view but what lie at a great distance; and we shall lose the opportunity of striking the enemy at the fountain-head, with the highest probability of success.

"From the strength of the two armies, as stated by your Excellency, and the particular circumstance of ours having in it a number of levies whose times will expire on the 1st of January next, I am clearly of opinion that no part of this army can be detached to the Southern States, without putting the remainder of it in the power of the enemy, and committing the Middle and Eastern States to his mercy; that any thing less than the whole of this army would be an inadequate relief to the Southern States; and that the marching of it there would be by no means an advisable measure, at present. The only probable way of giving effectual relief to the Southern States, is to adhere to the plan of co-operating with our allies in the reduction of New-York, and then proceeding with such a fleet and army to Carolina as would insure success in that quarter.

"Camp Kanahkumac, September 9th, 1780."

The question was still undecided, when the Alliance frigate arrived with intelligence that the second division of the French fleet was blockaded at Brest, by a British squadron. General Washington, nevertheless, adhered steadily to the plan of attacking New-York, and made the most vigorous exertions to provide means for its execution. It continued to form the subject of correspondence between him and the Compte de Rochambeau, and the Chevalier de Ternay, the French Admiral; and a personal interview was eventually agreed upon between them, which took place at Hartford, on the 21st of September. At this interview an explicit and detailed arrangement for acting against New-York, as well as ulterior measures for the campaign, were the subjects of discussion. Several plans were concerted,

but none of them carried into execution; in consequence of the departure of the French fleet under the Compte de Guichen, from the West Indies, directly to Europe, instead of coming, as had been expected, to the United States. This untoward circumstance not only defeated every hope of such a reinforcement as would give the Chevalier de Ternay the command at sea, but enabled the British to increase their naval superiority. Admiral Rodney, who commanded an English fleet in the West Indies, was so well persuaded that the Compte de Guichen, after conveying his fleet of merchantmen beyond the reach of the cruisers among the Islands, and on the coast, would return for the purpose of co-operating against New-York, that he forthwith set sail for the American Continent, where he arrived late in September, with eleven ships of the line and four frigates. Thus was the plan in question frustrated; and no other objects of importance subsequently presenting themselves, the American army went into winter quarters early in December.

About the 1st of the ensuing May, another interview took place between General Washington and the Compte de Rochambeau, for digesting plans of future operations. A vigorous attack on New-York was again determined on, and the two Generals separated to direct the necessary preparations. General Washington drew the several divisions of his army from their quarters, advanced towards New-York, and encamped on the 4th of July at Dobbs's ferry, on the east bank of the Hudson, and about twelve miles above Kingsbridge, which unites the island of New-York with the main. On the 6th, he was joined by the Compte de Rochambeau with the French army. A detachment of eight hundred men,

under General Lincoln, descended the Hudson in boats, landed near Harlaem, and took possession of the neighbouring heights; while the Duc de Lauzun was to advance with his legion from East Chester on Long Island Sound, and fall upon De Lancey's corps of refugees at Morrisania, on the eastern bank of Harlaem river. But the Duke did not arrive soon enough to effect the part of the enterprise assigned to him. After some skirmishing between Lincoln and the enemy, the outposts of the latter were withdrawn, and Washington advanced with the main army as far as Valentine's hill, four miles from Kingsbridge, in order to support Lincoln in case it should be necessary. The troops lay upon their arms during the night, and, in consequence of the failure of the French part of the expedition, returned the next day to Dobbs's ferry.

While the army lay at that place Lord Stirling received the following letter from his son-in-law Mr. Duer.

Colonel William Duer to M. G. the Earl of Stirling.

"Rhynbeck, July 22nd, 1781.

"My Dear Lord,—We learn with much regret that Mr. Couenhoven, our neighbour, is taken prisoner on board a boat laden with bread for the French army. His wife is extremely afflicted at the circumstance, and wishes to know whether he was certainly made a prisoner, whether he was wounded by the enemy, and how he was treated. It will be an act of humanity, to desire the Deputy Commissary of prisoners to inquire minutely into the circumstances; and I am sensible that when I request you to interest yourself in this inquiry, I

propose what is most agreeable to your own wishes and character.

"I am, &c."

Both Lord Stirling and his correspondent, as well as the person at whose instance the letter was written, had the satisfaction of learning that the prisoner was not only in safety, but, in consequence of their interference, would be speedily released.

A plan for a general attack upon the enemy in New-York was once more formed; but while the preliminary operations were in progress, a French frigate arrived at Newport, with a letter from the Compte de Grasse to General Washington, dated at St. Domingo, stating that he should shortly sail with his whole fleet and an army of three thousand two hundred men, for the Chesapeake. It was therefore resolved at once to abandon the project of besieging New-York, and proceed to Virginia with the whole of the French army, and such of the American troops as could be spared from the defence of the posts on Hudson's River.

CHAPTER IX.

1781.

Lord Stirling was now ordered to repair to Albany to take command of the troops in the Northern department, where apprehensions were entertained of another invasion from Canada. On reaching the ferry at Greenbush, opposite to Albany, he received the following interesting and somewhat characteristic letter from General John Stark, who had distinguished himself for his bravery and good conduct upon the advance of Burgoyne, and was now in command of the post at Saratoga.

Brigadier General Stark to M. G. the Earl of Stirling.

"Saratoga, October 21st, 1781.

"My Lord,—I was last night informed that your Lordship was on the way to take command of the Northern department, and am very happy that an officer of your influence and military experience has been appointed to this critical and important command. I have no doubt that in case the enemy should make a descent, that with the assistance of your good dispositions, the valour of the troops, and the militia that can be called into the field at the shortest notice, will enable you to render a satisfactory account of any party that can be sent from Canada. But at present, I rather hope than really expect that they will come this campaign.

"The militia from Berkshire I have dismissed, reserving only three hundred of their best men, properly officered, for a few days, until I have further intelligence from the enemy. But the generous contest among those brave men for the privilege of tarrying, was not less worthy of remark, than their readiness in turning out to repel the enemy. In the room of being drafted to tarry, as was expected, the officers were under the necessity of drafting those who went home,—a conduct so singular and remarkable among militia, that it ought to be handed down to the latest posterity, as a mark of their magnanimous zeal for the service and defence of their country.

"I am, &c."

Upon reading this letter, Lord Stirling immediately issued orders to Colonel Tupper, who commanded the Continental troops in and about Albany, to put his troops under orders to march at a moment's warning, with as little baggage as possible, that they might be prepared to act as circumstances might require, but to delay their march until he should see him in the morning.

On his arrival at Albany the next day, he received, by express, further and more particular intelligence of the enemy, and gave orders to Brigadier Generals Van Rensselaer and Gansevoort, to call out the militia of the neighbourhood, under their respective commands.

The next day he answered the letter of General Stark, by express, and informed him of the measures he had taken in consequence of the information he had received from him.

M. G. the Earl of Stirling to Brigadier General Stark.

"Head-quarters, Albany, October 24th, 1781.

"DEAR SIR,—Your letter of the 21st instant was received yesterday. Your friendly observations upon my abilities rather paint me the person I wish to be, than the one I sincerely think I am. Be that as it may, mankind are led, however unjustly, to judge of the conduct of officers, not so much by their abilities, as by their success. The events of this campaign are as yet beyond the reach of human foresight; yet, when I consider the known valour of the troops, and the ready assistance which the militia will afford, together with the proved courage and firmness of the General who is second in command, I can venture to say with pleasure, and with some degree of certainty, that should the enemy advance, the success of the American arms will equal our most sanguine wishes.

"Colonel Tupper marches this morning with the New Hampshire brigade, by the directest road to Saratoga, to receive your orders. A quantity of provisions will also move on this morning—about fifty wagon loads—which I hope will be such a supply as to put you beyond the fear of want for the present. I have written to Generals Rensselaer and Gansevoort to put their brigades of militia in perfect readiness to march at the shortest notice; which, considering their situation, will answer the same purpose as their marching, unless the enemy should make a more sudden and rapid movement than they probably will. If the party be small, your troops, with those at Castletown, will be sufficient. If large, their movements must be slower in proportion, and will give time to call out the militia.

"Nothing is of more importance in military affairs than good intelligence. So much will depend upon it in defending these frontiers, and checking the progress of the enemy, that I must desire you will constantly keep out small parties of the most trusty commissioned officers and men, in such parts of the country, and in such directions, as will give the earliest intelligence of the force of the enemy, with their least movement; and I need only suggest to you the importance of communicating it to me as soon as possible.

"I must request you to make a return of the troops at Saratoga, Castletown, and elsewhere under your command, designating the terms of service of each regiment exclusive of the regular troops; and, that proper arrangements may be made, it is necessary that this should be done as soon as it can be effected with any degree of precision.

"I am, &c."

The return of the express brought the following:

Brigadier General Stark to M. G. the Earl of Stirling.

"Saratoga, October 25th, 1781.

"My Lord,—Your letter of yesterday came this day to hand by express. Colonel Tupper's detachment I expect will join me this evening; some of his officers have already arrived, and the year is now so far advanced that the enemy must make their stroke soon; otherwise the inclement season now advancing will infallibly prevent their putting any thing of consequence into execution this campaign.

"Unless Generals Rensselaer's and Gansevoort's men are now on their march, I shall have little hope of

receiving any considerable advantage from their assistance; and the detachment at Castletown affords less hope, from the remoteness of their situation. And further, they are by no means to be considered under my command, except two hundred from the State of New Hampshire; the remainder (which make eight hundred) are raised, paid, and subsisted by the State of Vermont, and are subject to the orders of their Governor, independent of any other authority.*

"I shall direct my deputy Adjutant General to make out a return of the troops on this ground, which shall be sent immediately, and will write to Castletown for a return of the troops there, but I cannot assure your Lordship that they will be complaisant enough to send it.

"My last intelligence from the north was from General Enos, the Vermont commander on the frontiers, of which the following is an extract:—'By a scout from Ti,† I am informed that several tents were standing at old Ti. He also heard the beating of the long roll to the south of the Mount (Independence), supposed to be at the old Scotchman's; but in the situation in which he was, it might be heard from the mills; and since we make no further discovery, it is my opinion the enemy have proceeded to Lake George.'

"This is all the intelligence I have received since their arrival at Ticonderoga. My scouts are continually traversing the roads that lead to this post, so that it will be very difficult for any enemy to arrive without my knowledge.

"I am, &c."

* Vermont, it will be recollected, had not as yet been recognised as an independent state; nor was it until some years after the adoption of the present Federal Constitution, that she was admitted into the Union.

† Ticonderoga.

The same day Lord Stirling received information that a body of the enemy were within eight miles of Schenectady. He therefore ordered Colonel Tupper to march with his brigade—then on its route to Saratoga—as rapidly as possible to that city. Upon which he received the following.

Brigadier General Stark to M. G. the Earl of Stirling.

"9 o'clock, 25th October.

"My Lord,—I am just favoured with a sight of your letter of this date to Colonel Tupper, directing his march to Schenectady, to oppose the enemy, supposed to be committing depredations in that neighbourhood. Considering the circumstances of the extreme long march they have made this day, and the great improbability that this party is either so large as represented, or designed for any other purpose than drawing our attention that way, while the party which I suppose to be at Lake George can make their capital stroke in this quarter.—These are my apprehensions, and I believe them grounded on the greatest probability.

"In my present situation, I have not more than one thousand men fit for action, including those that arrived here this day. Three hundred of the Berkshire militia went off to-day, notwithstanding my most earnest entreaties to the contrary; and after this, when I am in hourly expectation of the enemy's making his appearance to the amount of fifteen hundred at least, to divide this force would be imprudent to the last degree. The party that I imagine to be creating this disturbance is one of about thirty or forty men who crossed the Sacondaga four or five days ago; and they are very probably joined by some of the tories of the country where they are

doing the mischief. Their tracks were discovered by one of my scouts, between Monroe's and Sir John's [Johnson's] roads, and supposed to be a party designed to gain intelligence. However, my Lord, if these arguments do not seem just and reasonable, let me know your orders, and they shall be implicitly obeyed.

"I am, &c."

Before receiving this letter, Lord Stirling had countermanded his former orders, having in the interval ascertained that, after burning the settlement at Warren's bush, the party in question had retired by the way of Schoharie on the south side of the Mohawk. He thereupon apprised General Stark by express that he had ordered Colonel Tupper to rejoin him as soon as possible.

In consequence however of information received the next morning, the following was despatched to Saratoga.

M. G. the Earl of Stirling to Brigadier General Stark.

"Albany, October 26th, 1781, 9 o'clock A. M.

"DEAR SIR,—Since writing to you by express last evening, I have received such intelligence as induces me to think it probable the enemy will attempt to retreat by the way of Sacondaga. I wish you to look critically to that quarter, and intercept them if possible. Colonel Willet's* force I fear is not equal to that of the enemy, neither of which have I yet been able to ascertain, which obliges me to request you to send him a reinforcement, if you think it can be done without weakening your

* Lieut. Colonel Marinus Willet, of the New-York troops in the Continental service, who had been detached to the Westward.

strength at Saratoga too much. By the last accounts he is at or near Johnstown.

"I am, &c."

Two days after the date of the above, General Stark transmitted to Lord Stirling, the following letter from the officer commanding the Vermont militia on the Northern frontier.

Brigadier General Enos to Brigadier General Stark.

"Head-quarters, October 26th, 1781.

"DEAR SIR,—This instant yours of yesterday came to hand. Since my last intelligence to you, I have had the return of three scouts who left the Mount on Monday, Tuesday and Wednesday. There were three armed vessels, also a number of batteaux lying on Ticonderoga side. The enemy were encamped on old Ti. Lieutenant Johnson, who watched their motions for a whole day, supposed their number must consist of one thousand men.

"I am, &c."

"N. B. Whilst I am writing as above, Major Armstrong, commandant at Pittsford, informs me that a scout of his returned from Crown Point on Wednesday. Seven of the enemy's ships were then lying at or near the point."

Brigadier General Stark to M. G. the Earl of Stirling.

"Saratoga, October 27th, 1781.

"MY LORD,—Your letter of the 26th came to hand last night; but, as it was left to my discretion to send the reinforcement to Johnstown, or to watch the motions of the enemy in that quarter, I prefer the latter, as in-

finitely the most likely to succeed. For should I send a reinforcement to Johnstown, it would be at least three days before they would arrive there, and before that time the enemy will be gone. If I watch Monroe's and Sir John's roads, there is some probability I may intercept them at Jessup's patent; although I must own to your Lordship, that the probability is not very great, by reason of the great distance they are from this place.

"I have nothing from the enemy since my last; but expect an express from Skenesborough every moment. Last night a boat was stolen from this side of the river and taken across by one or two men. They were fired upon, but would not return. I am apprehensive they were spies that had been in our camp, and took that method to make their escape.

"I am, &c."

The express mentioned above brought the following important information, from

Colonel Walbridge to Brigadier General Stark.

"Head-quarters, Skenesborough, October 27th, 1781.

"SIR,—This instant a deserter from the enemy arrived at this post who left Mount Independence last evening, at eleven o'clock. By him I am informed that General St. Leger arrived at Ti on Monday last, with four gun-boats, two ammunition-boats, and thirty batteaux, with a number of shipping, and two thousand men. Ten batteaux and one whale-boat have been taken over to Lake George. The number of men with them, and their destination, is unknown to him, he being a sailor on board the gun-boats, which lay in the bay this side the Mount.

"The above is the substance of the intelligence he gives. He appears to be very intelligent, and his intentions good.

"I am, &c."

M. G. the Earl of Stirling to Brigadier General Stark.

"Head-quarters, Albany, October 28th, 1781.

"DEAR SIR,—Yours of the 27th came to hand last evening. I am very unhappy that your parties have not, any of them, as yet been able to know the force and situation of the enemy. Want of such intelligence renders it exceedingly difficult to give the necessary orders to the militia. However, upon your assurances that the enemy are in force upon Lake George, and advancing, I have written to the several officers commanding brigades of militia, to march with what men they can call out, to your assistance. Very soon, I presume, it will be ascertained whether they come on or not, at this season; after which, the militia can come home with safety. General Rensselaer will join you this day, or to-morrow; he is on his way with part of his brigade.

"The party to the westward, you perceive, was larger than you imagined. The latest intelligence from that quarter, you have enclosed. We have accounts—which, by the way, are not official—that Lord Cornwallis surrendered with his whole army, on the 17th.

"I am, &c."

Brigadier General Stark to M. G. the Earl of Stirling.

"Head-quarters, Saratoga, October 28th, 1781.

"MY LORD,—Captain Crary returned from Lake George this instant, and informs me that one of the

enemy's gun-boats came so nigh the shore that she threw several shot over his head; and that he perceived a very large smoke at the Narrows, supposed to be an encampment.

"I enclose two copies of letters from General Enos, whereby you will perceive the enemy's motions at Ti. What their design is, I am unable to determine; perhaps against this place; if so, I shall endeavour to give them a reception they will not like.

"I am, &c."

On receiving this intelligence Lord Stirling repaired in person to Saratoga; and on his arrival despatched orders to General Gansevoort, to put in immediate motion such of his brigade as had not yet marched, and bring them up to that post as soon as possible, furnished with five or six days' provisions. But these orders were afterwards countermanded at the request of the Corporation of Albany, in consequence of the alarm prevailing among the inhabitants of that city, from the approach of the British army. General Gansevoort was nevertheless directed to hold himself in readiness to act as occasion might require, either as a detachment for the immediate defence of Albany, or in conjunction with the main body of Lord Stirling's force.

The incursion of the enemy mentioned in the preceding correspondence, was the renewal of a similar plan of invasion to that which resulted in the surrender of Burgoyne; and had the attempt been persevered in, it would probably have terminated in the same manner: for although the army of Lord Stirling was inferior in numbers, and in its proportion of regular troops, to that of General Gates, yet the militia had turned out with

greater alacrity and confidence, in consequence of their former success. They had besides a predilection in favour of Lord Stirling, which did not exist with regard either to General Schuyler or General Gates;—not that they had greater confidence in his abilities as a commander, but his soldierly frankness, and even the dignity of his manners, combined as they were with a disposition and habits calculated at once to conciliate and inspire confidence, without encouraging familiarity, or impairing his authority,—qualities which, together with the firmness and consistency of his conduct, his constant attention to the wants and comforts of his troops, and the ready ear he lent to their reasonable complaints, gained their affections; whilst his foresight, vigilance, and energy, the promptness and efficacy of his measures, commanded their respect. The support too which he gave to Stark and Willet, the discrimination he had shown in their selection, and in the choice of other inferior officers for special service, not only attached those individuals to him personally, but secured to him the approbation and esteem of the whole army. It was, therefore, with equal confidence in their General and themselves, and with hopes and resolutions strengthened by the omen of the place, that the troops at Saratoga prepared to meet the enemy on the same field, where the American arms had already achieved so signal a triumph.

It was the intention of Lord Stirling to concentrate his forces, and make his stand on the west bank of the Hudson, near the present bridge at Fort Miller, there to await the attack of the enemy, and dispute the passage of the river. He issued, accordingly, the following

Order of Battle, accompanied by the annexed explanatory programme.

"*Order of battle for the army at Saratoga, under the command of Major General Lord Stirling;—November 1st*, 1781.

"The New Hampshire brigade, consisting of Scammel's, Read's, and Tupper's regiments, to form on the left, in the order they are named, under the command of Colonel Tupper. Weissenfeldt's, Sears's, and McKinstry's regiments to form a brigade, under the command of Colonel Weissenfeldt, on the right of Colonel Tupper. The whole of this first line to be under the command of Brigadier General Stark.

"On the left of this line, at about one hundred yards distant, one hundred and twenty-five picked marksmen, from General Rensselaer's brigade, in five bodies, each commanded by a Captain, to spread at the distance of sixty yards from each other. These are to commence firing on the enemy's right flank as soon as they can get within a good distance to make their fire effectual; and are to observe a deliberate and well aimed fire, and are never to give it but when they are sure of their mark. They are to be under the command of Colonel Henry J. Van Rensselaer. In like manner the right wing is to be covered by two similar parties from General Gansevoort's brigade.

"The second line is to be composed of the remainder of General Rensselaer's brigade in two bodies, under the command of Colonel Van Alstine, and Colonel Waterman, for the left wing; and the remainder of General Gansevoort's brigade will compose the right wing of the second line.

ORDER OF BATTLE
SARATOGA.
NOV. 1. 1781.

"General Rensselaer will command on the left, and will superintend the flank of the first line. In like manner, General Gansevoort will command on the right.

"On all movements to the northward, the army is to march by the left; and southward by the right.

"Our friends on the east side of Hudson's river will watch the enemy, and embarrass them as much as possible on the flanks and rear."

The next day Lord Stirling had the pleasure of announcing to his troops the glorious termination of the campaign in the Southern States, in the surrender of the British army to the combined American and French forces under General Washington. This decisive event, in addition to the severity of the season, deterred the enemy from prosecuting their designs in the North, and determined Lord Stirling to prepare to act on the offensive. Being, however, subsequently convinced that General St. Leger would attempt nothing farther during the remainder of the year, he dismissed the militia, and returned himself to Albany, whence he immediately renewed his correspondence with General Stark, whom he left with the regular troops at Saratoga.

M. G. the Earl of Stirling to Brigadier General Stark.

"Head-quarters, Albany, November 6th, 1781.

"Sir,—Since my leaving Saratoga, I have received a letter from Colonel Willet giving a particular account of the action near Johnstown, and of his pursuit afterwards. They were very precipitate in their retreat, leaving behind them their packs, blankets, &c., which were found strewed through the woods. He pursued them

eight miles beyond Canada creek. Before his arrival at that place, he fell in with about forty, who were left in the rear to procure provisions. He instantly dispersed them. At the creek, he came up with the rear, when an action commenced, in which Major Walter Butler fell, with a number of others. Finding his own provisions very short, and the probability of coming up with the main body not very great, he wisely gave over the pursuit, leaving them in a situation promising little short of certain death from cold and hunger,—an end more befitting such a band of murderers and plunderers, than the bayonet and ball. As they must have been, at his quitting them, more than eight days' march from any place where they could procure provisions, the purpose of an entire defeat must be very well answered.

"I am &c."

Brigadier General Stark to M. G. the Earl of Stirling.

"Saratoga, November 7th, 1781.

"My Lord,—I am just honoured with your letter of yesterday, and am very happy to hear of the success of Colonel Willet. The death of Major Butler will doubtless be pleasing news to the frontiers—especially to those who have felt the sad effects of his murders and ravages.

"Captain Senter, who was out on a scout to the northward, has just returned. He has been within about twelve miles of Ticonderoga. He discovered nothing on Lake George; but saw four boats, on the 5th instant, opposite to Putnam's Point on Lake Champlain, moving to the northward. He discovered no smoke, or signs of men at Ti, or Mount Defiance. Captain Emerson, who went to the northward, returned

without making any discovery; and after summing up their two accounts, I think we may pursue our block-houses without interruption, or without any great apprehension of a visit until they are finished. I engaged with Colonel Sears's regiment, that upon their bringing timber for one of them, they should have a discharge. They finished their work this afternoon, and to-morrow are to go off. I have heard nothing from Captain Carr since he went away.

"I would ask, my Lord, that some German steel, suitable for axes, might be sent, as many of our axes fail; and if we had steel, our own smiths might repair them. I would beg leave to suggest whether it would not be very proper to have a piece of iron cannon, in each of our block-houses. Two suitable pieces are now at Schenectada. If you agree with me in opinion, I wish they may be sent to me.

"I am, &c."

M. G. the Earl of Stirling to Brigadier General Stark.

"Albany, November 9th, 1781.

"Dear Sir,—Your letter of the 7th, came to hand yesterday evening. I think, by the accounts of Captains Senter and Emerson, it is reduced to a certainty that the enemy to the northward are retired into Canada. Yet I would wish to hear from Captain Carr soon; for if the enemy do not accept my proposal, I would send the prisoners of war now here, down the river before the winter sets in, and let them take New-York in their way to Canada. Their number is increased to fifty odd.

"I have ordered some very good German steel to be sent to you, and will inquire into the state of the

iron cannon, and send you two of the best of them; I send you enclosed an account of Colonel Willet's loss in his late encounters with the enemy. I do not doubt theirs will be the destruction of their whole party.

"I am, &c."

M. G. the Earl of Stirling to Lieutenant Colonel Marinus Willet.

"Albany, November 9th, 1781.

"Dear Sir,—I have received yours of the 4th, enclosing the return of loss you sustained in your encounters with the enemy, and a copy of the orders you issued on the 2nd. I have expressed my sentiments to you on that subject in a letter of the 5th, and am very sorry that any part of the troops under your command deserve the implied censure you give the right wing; yet I cannot but approve the discrimination you make in your thanks to those who behaved more worthily.

"Since writing the above, I am favoured with yours of the 7th, enclosing the paper therein mentioned, of which proper notice will be taken. Pray let Lieutenant Ryckman be well secured, and sent to me as soon as the Indians can spare him.

"I am, &c."

The following letter to the officer in command at West Point, is another proof of the enterprising spirit of the writer, ever on the alert for opportunities of activity and usefulness.

M. G. the Earl of Stirling to Major General Heath.

(SECRET.)

"Albany, November 10th, 1781.

"DEAR SIR,—The circumstances of Major Ross's situation, who commanded a party of the enemy, amounting to six hundred and seven, rank and file,* the loss of one-half of the recruits that went from New-York to Quebec in August last, together with St. Leger's probable situation at present, will greatly reduce the enemy's force in Canada, and, I think, present a fair opportunity of carrying on a winter's expedition into that country—at least so far as to reduce St. Johns, Chambly, and Montreal, and be ready to proceed to Quebec, early in the spring.

"The necessary preparations for such an expedition would be but few, and those not expensive. The chief article would be about five or six hundred strong three-barred wood sleds, the cost of which cannot amount to above thirty shillings each. These might be built partly at Fishkill, and partly at this place, and might be used either for this expedition, or for one to New-York, or both. Indeed, I believe it is the only way to take New-York, without shipping, as the latter are generally rendered useless by the 1st of January,—about which time there is generally favourable weather to go in with sledges over the ice, and out of the reach of the enemy's cannon. It will still be time enough to prosecute the other, as the ice in some parts of Lake Champlain is seldom strong till the first of February. If any part of this plan should be adopted, there will be no time to lose in the preparations.

* The party pursued by Willet.

"The propriety of the latter expedition cannot, I think, be doubted. The peace and happiness of almost all of the United States, are deeply concerned in it. While the British are in possession of Canada, with free access to the Lakes, they can enter the rear of any of the States, from New Hampshire to Carolina, whenever they please. We shall be always at their mercy. Treaties of peace will never secure us. Their command of the trade with the Indians will enable them to distress our frontiers, break up our back settlements whenever they think proper, and lay the blame on the Indians. It will be a constant check to the growth of the States. If we cannot get possession of all Canada, we ought to strive for Montreal with the river St. Lawrence, at least as low as the mouth of the river Sorel. This, and nothing less, will effectually exclude them from Lake Champlain, as well as the great western lakes, which are the avenues to the rear of all the future western States.

"This boundary to the possessions of the British, would divide the Indian trade pretty equally among all the States. That of New England, New-York, and New Jersey, through Lakes Champlain and Ontario; that of Pennsylvania and the more southern and western States, through Lake Erie and the rivers Ohio and Mississippi. It will, in short, divide the fur trade with all the maritime powers of Europe, which would otherwise be engrossed by Great Britain.

"If a general peace should be treated of this winter, it will not be concluded until the spring; and most probably, it will be on terms of possession at the date of the treaty. This is a sufficient inducement to push as far as we can this winter.

"I am, &c."

No answer to this letter appears from General Heath, nor any other evidence of his disposition or ability to co-operate in the proposed plan. The wisdom and foresight by which it was suggested were, however, soon apparent; and so long as the British retained possession of the chain of posts on our northern and western frontiers, —which they continued to hold until their surrender under the treaty of 1794,—so long were our settlements on those frontiers literally "at their mercy." Until then, they were enabled to engross the whole Indian trade, as, by the possession of Canada, they still monopolize the most valuable portions of it even within our own territory.

M. G. the Earl of Stirling to Lieut. Colonel Willet.

"Head-quarters, Albany, November 12th, 1781.

"SIR,—It is with pleasure I forward you the enclosed copy of General Orders. I am happy that my opinion of your conduct is supported by that of my superior officer. The representation given him of your proceedings was as full and explicit as possible, which the General informs me he has transmitted to Congress.

"I am, &c."

M. G. the Earl of Stirling to Brigadier General Stark.

"Head-quarters, Albany, November 12th, 1781.

"SIR,—I have within this hour received a pacquet from Colonel St. Leger, in answer to the letter I wrote to him by Captain Carr. It must have come through you. It surprises me not a little that it was not accompanied by a line from you enclosing Captain Carr's report as to where he received the letter from Colonel St. Leger, with other circumstances which I think he must have

thought it his duty to inform me of. I desire, sir, you will direct Captain Carr to come to me immediately. I must also desire you, sir, to transmit to me copies of all intelligence you have received since I left you.

"I am &c."

Brigadier General Stark to M. G. the Earl of Stirling.

"Head-quarters, Saratoga, November 13th, 1781.

"My Lord,—Your letter of yesterday, is just now delivered to me. I shall order Captain Carr to attend you as soon as possible. He found the enemy encamped at Chimney Point. On coming in sight of them, he was met by Lieutenant Hamilton of the 34th, aid to St. Leger, and ordered into a creek this side of Crown Point. A subaltern and twenty men were placed as a guard over him; and at day-break the next morning after his arrival, he was dismissed. He saw no officer, except Lieutenant Hamilton, and the officer of the guard, nor could he make any satisfactory discovery of their numbers; but by some indirect hints of the officer, he suggests that a south wind would be very agreeable. They informed him that the cause of their coming was to draw the force of the country this way, and by that means save Cornwallis. You may place as much confidence in this report as it deserves; for my part, I think it a slender veil to cover their real design. Captain Carr can possibly give you a more satisfactory account of the matter than my paper will admit me to do.

"I am, &c."

The following letter to the Commander-in-Chief, contains a summary of the operations detailed in the preceding correspondence, and fills up the chasms which occur in it.

M. G. the Earl of Stirling to General Washington.

"Rhynbeck,* November 26th, 1781.

"Dear Sir,—I most heartily congratulate your Excellency on the glorious victory you have obtained over the British arms on the 19th of October, at York and Gloucester in Virginia, an event, important in the affairs of Europe, as well as of America. It will weigh heavy in the scale of negotiation, and I hope, secure peace to the latter, on the principles of independency and honour, with permanent advantages to our generous and illustrious allies. I should have had the honour of expressing to your Excellency the joy I feel on this occasion, much sooner, had I not been engaged on the northern frontier,—whence I am just returned.

"After repeated intelligence had been received that the enemy were on their way from Canada, in order to invade the frontiers of this State, I had the honour, on the 15th of October, to take command of the forces in this quarter. On my arrival at Albany, I found the intelligence of the enemy's having landed on the south side of Lake George—on which the militia had been called out—was premature. I therefore dismissed the militia, with thanks for their alertness in turning out so universally. The enemy, however, was on Lake Champlain, on Bull's Bay, beyond Crown Point. From this position, I was suspicious that they meant to send a light party by Jessup's patent down the north branch of the Hudson to Sacondaga, and then to fall on the Mohawk river by Johnstown, or to surprise Schenectada. The passes on this route were immediately guarded, and

* The residence of his son-in-law, Mr. Duer, in Duchess County, N. Y.

Colonel Willet desired to look well to the westward, as I had intelligence that six hundred of the enemy had proceeded from Montreal, by the St. Lawrence, towards Lake Ontario.

"The 22nd, at night, I received information that the enemy had advanced to Crown Point. The next day, the New Hampshire brigade moved towards Saratoga. On the 24th, I was informed that the enemy had arrived at Ticonderoga, and were moving their boats over the carrying place, into Lake George. The militia were directed to hold themselves in readiness to march on the shortest notice. On the 25th, at noon, I received intelligence that a large body of the enemy were within eight miles of Schenectada, burning and destroying the country. I immediately ordered the militia nearest at hand to move that way under General Gansevoort, and sent off sixty volunteers mounted on horseback, and about thirty continentals of different corps, and despatched an aid to Colonel Tupper, then on the road to Saratoga, with orders to move towards Schenectada, by the north bank of the Mohawk. On the morning of the 26th, intelligence was brought that Colonel Willet had met with the enemy, engaged them, and was defeated and surrounded at Johnstown. I ordered more militia to the westward, and directed Colonel Tupper to move towards Johnstown, intending myself to proceed to the vicinity of that place. I received various accounts of Willet, during the day, and learnt from General Stark that the enemy were certainly advancing by Lake George, and that he expected to be attacked in twenty-four hours. He called for the militia to fly to his assistance; the whole of them not employed to the westward were then ordered to move towards Saratoga as briskly as possible.

"On the 27th, in the morning, I received advice that Colonel Willet had indeed fought the enemy, but with advantage,—had taken forty prisoners, and had gone on in pursuit. This appears to have been a party of six hundred and seven rank and file, partly from Niagara, and partly from Buck's Island, that rendezvoused at Oswego, about the 8th of October, under the command of Major Ross, and thence proceeded to the S. E. point of Lake Oneida, where they left their boats, and went on by the head branches of the Susquehanna, through Cherry Valley; crossed the Schoharie, fell upon Warren's bush, burnt about twenty houses and barns, then crossed the Mohawk, near Fort Hunter, and proceeded to Johnstown, where, about half an hour after their arrival they were attacked by Willet with about five hundred men, who, after a variety of fortune, beat the enemy off the ground. They retired in the dark some miles. Willet followed them in the morning, and kept up the pursuit several days, during which he had several skirmishes with them with some advantage. He left them about twenty miles north of the Oneida Lake, in a miserable situation without provisions, and an eight days' march before them. It became prudent for Willet to proceed no further. He has done, I believe, every thing a man could do in his situation; and has great merit. Upon the whole, Mr. Ross has made a bad expedition of it,—his loss being at least one hundred and fifty, in prisoners, killed, and deserters, besides the wounded, whom they contrived to carry off. Among their killed was their partisan Walter Butler, and a British Captain of the 28th.

"The intelligence from the northward convinced me that the enemy was not so near at hand as was ap-

prehended; yet I kept moving the militia upwards, ordering part to halt at Stillwater, and determined to go up to Saratoga, to reduce the position and strength of the enemy to some certainty. Accordingly, on the 30th I rode up to Saratoga, in company with General Schuyler; and soon after our arrival there, ordered out four scouting parties to different parts of Lake George. A Captain Gray had that day reported to General Stark that the enemy's gunboats had approached so near the south shore of the Lake as to throw shot over his head. Other intelligence had been received from General Enos at Castletown, and Colonel Walbridge at Skenesborough, that about five hundred of the enemy were employed in covering some of the old works at Ticonderoga, and drawing up heavy cannon to the works,—the rest proceeding by Lake George.

"On the 31st I reconnoitred the grounds, in order to erect some works to cover the troops that may be posted here for the winter. At noon intelligence came from General Enos that the enemy were all on Lake George, advancing under the command of General St. Leger—their strength three thousand. I thereupon ordered General Enos to move to Fort Anne, and the militia on the east side of the Hudson, with those of the lower part of Vermont, to assemble at Battenkill. I also wrote to General Gansevoort to bring up the militia not yet come forward. I then formed the orders of battle and march, intending to meet the enemy in the act of crossing the Hudson, should they attempt it.

"On the 1st of November, we received the glorious news of the surrender of the army under the command of Earl Cornwallis to your Excellency, which was announced at noon by thirteen cannon, adding one in

compliment to our friends in Vermont, who were co-operating with us against the common enemy. On the 2nd, I ordered two commissioned officers, with small scouting parties, to reconnoitre Lake George, and go as far as they could with safety, and until they could discover the situation of the enemy. I thought it necessary at this time to send Captain Carr with a flag to Colonel St. Leger. My letter to him with his answer are enclosed. In the evening, Captain Wright, another of my scouts, reported that he had been down the Lake below the Narrows, and could discover no signs of the enemy. This was confirmed by another scout, which arrived soon after. I therefore ordered the Generals and officers commanding brigades, to meet me at eleven o'clock the next day, when, finding the Council unanimously of opinion with me, that the enemy had retired, and considering that, from the severity of the season, and the height of the waters from the late heavy rains, it would be impossible for them suddenly to return, I ordered the militia to be dismissed with my thanks.

"On the 4th I returned to Albany; and during my stay there I received full and satisfactory evidence that the enemy had retired in good earnest. The last account placed them at Chimney Point, opposite to Crown Point, on the 8th instant, where they had been several days waiting for a favourable wind, and where, I think it not improbable, they are still; for the winds have been adverse, and the weather severely cold; the tops of the mountains now in view are white with snow, and the air piercingly cold. They must feel it more severely where they are.

"The letters I have written from time to time, to General Heath, I doubt not have been communicated to

your Excellency, but I think it my duty to give you this detail, that you may have a more distinct idea of affairs in the quarter where I had the honour to command. I shall proceed to-morrow in order to join General Heath.

"I am, &c."*

* The Tories in Wittemberg, a German settlement near Rhynbeck, were apprised of this visit of Lord Stirling's, by their friends on the Mohawk, and a plan was concerted between them for his capture, which was defeated by the fidelity of a female servant in the family of Colonel Duer, whose parents lived in Wittemberg. She had spent the day at home, and on her return in the evening, communicated to her mistress a conversation she had overheard in relation to the plot; whereupon such measures were taken as prevented its execution. The dragoons, who had accompanied Lord S. from Albany, as a guard, were brought into the house, and loop-holes were made in the walls; the windows and doors were barricadoed, the male inmates were armed and stationed, and when at night the *enemy* made their appearance, they were received with a volley, which dispersed them.

CHAPTER X.

1781–1783.

The remainder of the autumn, and the earlier part of the ensuing winter, were spent by Lord Stirling in New Jersey; where he held the military command, although residing at his place at Baskenridge. During this interval, he received a letter, of which the following is the translation, from a member of that branch of his family, which, at the expulsion of James the Second from the British throne, had followed the royal exile into France, and become naturalized in that country.

The Count Alexandre d'Hanache to the Earl of Stirling.

"Chateau de Pauleen, November 30th, 1781.

"My Lord,—I embrace with great pleasure the opportunity afforded by the departure of my brother-in-law, Count De la Croix, Captain of the Cleopatra frigate, to inquire after you, and to congratulate you on the taking of York and Gloucester, with the garrison of six thousand men under Lord Cornwallis. This great advantage, my Lord, together with that gained by Count De Grasse over Admiral Graves, is the harbinger of peace;—the more certainly so, as England has been equally unfortunate both in Europe and the East Indies.

I think that nation must at length be forced to sue for peace, on such conditions as the belligerent powers opposed to her may dictate. The independence of America will doubtless be the first clause of the treaty, and the wisdom of your government will soon restore that abundance and prosperity which must necessarily have disappeared under the calamities of war.

"It is with great pleasure, my Lord, that I learn any thing which contributes to your happiness, and I shall be extremely anxious to keep up a correspondence which has been interrupted by the events of war. I am ignorant, my Lord, whether you received the letter in which I announced to you the death of my father, Commandant at Gonaives, in St. Domingo. I delivered myself, to Dr. Franklin, some years since, a letter for you, which he promised me to forward with his despatches, —probably it never reached you.

"I married, about two years since, a young widow of this province (Mauzè), whom I hope to present to you in a few years, as I intend to take New England in my way to my plantation in St. Domingo. The strong desire I have, my Lord, to make your acquaintance, will induce me to take this route, though somewhat the longest.

"The Chevalier L'Etanduerre, my brother-in-law, Lieutenant of the armed vessel the Hercules, of Count De Grasse's squadron, writes me from the Chesapeake, under the date of the 22nd of October, informing me of the success of the French troops, joined to those of America. He would assuredly have been the bearer of a letter to you, my Lord, had I known his destination when he left France. But as his profession will undoubtedly bring him again to New England, I have

written to desire him to present himself to you, and shall be much obliged by any good offices to him in your power.

"I live on an estate of my wife's, near the ports of Rochefort and Rochelle. If I can be of any service to you here, or in any other of the Provinces of the Kingdom, I beg you to command me with freedom; and be assured that I shall be happy in having an opportunity of proving the sentiments of esteem and most perfect attachment with which

"I am, &c."

In January, 1782, Lord Stirling repaired to Philadelphia, which was within his military department, and where he established his head-quarters for the winter. Shortly after his arrival he received the following:

Colonel David Brearly to M. G. the Earl of Stirling.

"Trenton, January 11th, 1782.

"My Lord,—I despatched the Sheriff of Burlington down to Egg-harbour, who returned yesterday, and informs me that the enemy have not made any fortifications on Osborne's Island, as was supposed; but that there are a considerable body of armed boats which ply constantly between Egg-harbour and New-York,—some of which are always at Egg-harbour, in order to carry on a trade with the disaffected inhabitants, (for they are chiefly so there,) and also to carry off deserters and others who choose to go to New-York. Colonel Lawrence of Monmouth was down at the same time, with a party of Militia; and on his approach the enemy, who were in the village, at the Meeting-house, fled over the

beach, where, by means of their boats, they were in a state of perfect security.

"Unless these fellows are routed, all the sea-coast for many miles must be given up to the enemy; yet I know of no possible means of accomplishing it, but by sending a superior force by water, so as to cut off their retreat to New-York. If this could be effected, they might then very easily be demolished.

"I am, &c."

Governor Livingston to M. G. the Earl of Stirling.

"Trenton, January 11th, 1782.

"My Lord,—Before the receipt of your Lordship's letter of the 6th instant, I had sent an express with letters to three gentlemen of note in a certain part of the country, for the information we want. The messenger has not returned; nor do I expect so precise an answer to my queries when he does return, as Colonel Lawrence, who takes the trouble of this, is able to give you. He is not only well acquainted with the state of things in that quarter, from general information, but has very recently been on the spot with the command of a party of militia to dislodge the enemy. He is a member of our Council; and, as the greatest confidence may be reposed in him, I have taken the liberty of communicating to him the intended operations; and now recommend him to your Lordship's notice, not only for the information I think him capable of giving, but as a gentleman whom, from his amiable character, you will be naturally disposed to treat with that attention to which his merit and station entitle him.

"I am obliged to your lordship for your kind offer of

forwarding any of my despatches to France or Spain.* I have a few days since confided my letters to my correspondents in the latter kingdom to Kitty ;† and suppose they will be conveyed by the same opportunity which your Lordship has in your eye.

"The enemy, with about three hundred men—a motley of British and refugees—have made an irruption into the city of Brunswick by water; have captured Heyler's gun-boat—one of the first-rates of New Jersey—and three whale-boats ;—plundered two houses—carried off about five or six prisoners—some of them, probably, volunteers—and wounded five or six men. By the extreme darkness of the night, the impossibility of collecting an adequate force to oppose them, and the shortness of the notice of their coming, they could not be repelled, nor prevented from executing the object of their enterprise; but the few men that could be collected, behaved with great bravery, or in the language of General Burgoyne, 'to a charm.'

"I am, &c."

In the spring following, Lord Stirling, Brigadier General Hand, Adjutant General of the American army, and Colonel Nichola of the corps of Invalids, were appointed by the Commander-in-Chief a Board to settle the rank of the subalterns of the Connecticut line, and for that purpose he repaired to Fishkill, in the State of New-York, where those troops were encamped. Whilst engaged in this duty, Lord Stirling received the follow-

* His daughter, Mrs. Jay, had accompanied her husband on his missions to those countries; and his son, the late Brockholst Livingston, an Associate Justice of the Supreme Court of the U. S. was attached to the legation.

† Lady Catharine Duer, the daughter of Lord S. and niece of Governor L.

ing letter, giving an account of the first indications of the abandonment of the contest by the British.

Major General Heath to M. G. the Earl of Stirling.

"Highlands, June 28th, 1782.

"My Lord,—I am this moment honoured with yours of the 27th. My barge shall attend you at head quarters on Sunday morning, in hopes of the honour of a visit from your Lordship.

"At two o'clock this morning I received a letter from Colonel Greaton, commanding at Dobbs's Ferry, covering one from Major Goetshius of the militia, containing intelligence that a Captain of militia left Newark the day before yesterday, and brought an account that the enemy had evacuated Staten Island, and destroyed all their works. Colonel Greaton adds that he had heard a firing of cannon the most part of yesterday, and that he had heard that a number of the inhabitants had come off Staten Island, and begged that they might not be plundered. If this account be true, an evacuation of New-York will follow.

"I am, &c."

To two young officers of distinguished merit about to visit Europe, Lord Stirling gave the following letter of introduction:—

*M. G. the Earl of Stirling to Lieut. Gen. the Marquis de Bouille.**

"Head-Quarters, Fishkill, N. Y., June 25th, 1782.

"My Dear Marquis,—I need not apologize for introducing to your Lordship two brave and virtuous men,

* A French General of celebrity, commanding the land forces at the siege of Gibraltar. He was the brother-in-law of La Fayette, but opposed the Revolution, emigrated to England, and died in London in 1800.

who feel an ardent desire to serve their country and its friends in a righteous cause: your established character makes you the friend of such men. Lieutenant Colonel Smith* and Major Clarkson†—two gentlemen very dear to me—who have served in the armies of America every campaign since the present contest with Great Britain begun, are apprehensive that the present campaign on this continent will be rather inactive—at least, until late in the season—they therefore seek for a more active scene in the combined armies of France and Spain under your command. Give me leave to recommend them to your countenance and friendship.

"I am, &c."

After performing the duties assigned to the Board of Officers at which he presided, Lord Stirling was once more ordered to his former command of the Northern department, and again established his head quarters at Albany. Among his correspondence at this period, is a letter from a late President of the United States, who had formerly been attached to his military family as an aid-de-camp.

* William Stephens Smith, the son-in-law of the elder President Adams, and afterwards a Colonel in the provisional army of 1798.

† Matthew Clarkson, who after the war commanded the first Division of the New-York militia—was a member of the State Senate, and as much distinguished for his private worth as for his public services. Perhaps no two persons could have afforded a stronger contrast of character and manners than these two gentlemen. The one was as remarkable for his imposing military appearance and pompous bearing, as the other for his modest, unassuming and amiable deportment. In the French camp, the one probably passed for much more than he was worth, while the other was not estimated at half his value.

Lieutenant Colonel James Monroe to M. G. the Earl of Stirling.

"Richmond, Sept. 10th, 1782.

"My Lord,—I have such confidence in your Lordship's friendship and candour, as to be convinced that, although I have merited in some degree your displeasure by not writing to you and informing myself sooner of your health and welfare, that an acknowledgment of my fault, and a promise to be guilty of the like no more, will make a sufficient atonement. Had I not been able to hear of your Lordship by almost every passenger, and to be informed of every even the minutest circumstance respecting you, which my attachment to your interest and welfare would prompt me to make inquiry, I should not so readily expect your forgiveness. Believe me, I have always been happy to hear from you, and have never failed to seize an opportunity that would give me that pleasure.

"For my part, till very lately, I have been a recluse; chagrined with my disappointment with the State in not attaining the rank and command I sought,—chagrined with some disappointments in a private line, I retired from society with almost a resolution never to enter it again. Being fond of study, I submitted the direction of my time and plan to my friend Mr. Jefferson—one of our wisest and most virtuous republicans—and aided by his advice, I have hitherto of late *lived.* Lately I have taken a part in the civil line of the State, and have been elected to the Legislature—and afterwards by the Legislature into the Executive Council of the State, which last office I at present fill.

"I am happy to make my acknowledgments to your

Lordship, and his Excellency General Washington, for your and his friendly letters to this State in favour of my conduct while an aid in your family, without which I could not have expected, among so many competitors, at my age, to have attained, in this degree, the confidence of my countrymen. I cannot forget your Lordship's kindness to me on this and many other occasions, and, believe me, it is one of those circumstances of my life which I frequently recur to with the greatest pleasure.

"I am to require of your Lordship to make my respects to your Lady and family, and to assure them that they have my sincerest wishes for their health and welfare. Nothing would give me more pleasure than to hear severally of their happiness. I shall, in future, take the liberty of writing to your Lordship, as opportunity may present, so soon as I have your permission, with a forgiveness of my former neglect. I shall be happy to hear from you as soon as possible, and

"Am, &c."

Upon resuming his command at Albany, Lord Stirling's official correspondence commenced with the following letter from the officer who had succeeded General Stark in the command at Saratoga.

Lieutenant Colonel Henry Dearborn to M. G. the Earl of Stirling.*

"Garrison, Saratoga, Sept. 20th, 1782.

"My Lord,—I find in your Lordship's orders of the 14th instant I am severely reprimanded for deviating

* Secretary at war under Mr. Jefferson, and Major General and Commander-in-Chief of the army in 1812.

from the general orders of the 7th of August last. I conceive your Lordship must have been misinformed respecting the matter. The stars on the breasts of the non-commissioned officers and privates of the 1st New Hampshire regiment were put on previous to the publication of the general orders of the 7th of August respecting badges. I complied with them, but did not take off those I had put on. In that, perhaps, I was wrong. I wish, and, I believe I do, pay as strict attention to orders as any officer whatever, and am exceeding sorry that any part of my conduct has been such as to give your Lordship reason to censure me.

"I see in your Lordship's orders of the 17th instant, all men who are deserters from the British army are forbid to suttle or remain with the troops at any of the posts in this department. I had heretofore supposed that the commanding officer of a regiment, when detached with his regiment, and commanding a post or garrison, had a right to license a suttler for the post, if he found one necessary or convenient, and, on that principle, have licensed one for this post. He has acted in that character for some time past by General Stark's license, and other commanding officers. This man, I suppose, is a deserter from the British army; but he has a family in Albany, and is a very sober, steady, inoffensive man. His having been here for a considerable time, and having furnished the officers with articles to a considerable amount more than they can pay for at present, and having contracted to furnish the officers of the garrison with liquors and other conveniences, for the present month, to the amount of what may be due to them, his going from this post immediately will be very disagreeable to the officers, and detrimental to him. If your Lordship

will please to consent to his remaining here until the officers can have time to settle with him, it will very much oblige them.

"I am, &c."

Lieutenant Colonel Dearborn to M. G. the Earl of Stirling.

"Garrison, Saratoga, September 30th, 1782.

"My Lord,—Agreeable to directions received from your Lordship, through Captain Sill, I have taken various measures for procuring intelligence from Canada, but I have not been able to obtain any of consequence. I have had repeated scouts to Crown Point, with directions to take every measure in their power to take a prisoner, or more if possible. But the enemy have kept their men so close on board their vessels, that we have not been able to take any. My scouts have been very frequently at different parts of Lake George,—at Ticonderoga, and all the other different communications from Crown Point to this garrison, but have made no discoveries of any party, or signs of any, since the one that crossed Lake George about the 10th of August, whose boat a scout of mine secured.

"A man by the name of Carpenter, who was taken by the enemy near Fort Schuyler, in the fall of 1780, arrived here this day from Canada. He says he made his escape from an Island above Montreal, in company with eight others, on the 13th instant,—four of them arrived in the neighbourhood of this garrison with him. He appears to know very little of the circumstances of matters in that quarter. About two months ago, he saw a body of troops moving up the river; and he was told an expedition was intended against some part of the Mohawk River; but he has heard nothing of the matter

since. He was told Great Britain and America were reconciled, and had agreed to unite their forces against France. He heard nothing respecting the Indians lately; nor of any movements this way. He left about one hundred and fifty prisoners at the place he escaped from, and in a very distressed situation,—being almost entirely destitute of every article of clothing, and no prospect of relief, except they engaged in the enemy's service. It seems a pity those poor fellows should be neglected, when it must be in the power of the Commissary of prisoners to exchange them.

"I should be greatly obliged to your Lordship for giving me as early information as the good of the service will admit of, respecting the destination of my regiment this winter. If we are to remain at this place, a considerable quantity of boards and other materials, for repairing the barracks, will be absolutely necessary, for which I shall make application the moment I know my regiment, or any other, is to winter here.

"I am, &c."

John Sullivan, Esq. to M. G. the Earl of Stirling*

"Keene, N. H., October 4th, 1782.

"My Lord,—I take the liberty of informing your Lordship that last evening arrived in this town, one Captain Snyder, who was taken near Esopus, about three years since, and escaped from his confinement near Montreal on the 10th of last month. He informed me that the British army were encamped at *Isle-aux-Noix*, on their way to Albany; that their numbers consisted of

* The former Major General in the Continental service, now a member of the civil government of New Hampshire.

four thousand, principally German troops; that the Indians under Johnson were to move down the Mohawk River, and fall back upon Schenectada, at the same time that the main army was to attack Albany. He adds that it was currently reported by their officers that the inhabitants of Vermont were to join them on their arrival at Crown Point,—of which, from other accounts, there seems to be some reason to be apprehensive.

"General Bailey also writes by express, that he has similar accounts through other channels. I have conversed with an intelligent officer commanding on our frontiers, who confirms this account, and assures me that some of his party have reconnoitred the enemy at *Isle-aux-Noix*, and find their numbers about four thousand; and through a secret channel I have discovered that the army is commanded by Major General Clark; that their object is Albany; and that they are in full expectation of being joined by Vermont,—of which, from evidence I have this moment received, I have little reason to doubt.

"As your Lordship commands the Western department, it was thought proper by the Judges of the Superior Court, now sitting here, and all the officers in this quarter, to despatch an express to your Lordship with the foregoing intelligence, that you may take the proper measures to frustrate the enemy's designs. It is difficult to conjecture what may be their intentions. Possibly the plan for forming a junction of the two armies on Hudson's River, may be again in contemplation; but making a diversion in that quarter to weaken General Washington, and then bringing him to action, is still more probable. There is, indeed, a possibility that their intention is to establish themselves on this side the Lake, secure, and bring over to their measures those in-

habitants of Vermont who are ignorant of the designs of their leaders, and may probably attempt to make opposition when the plot is discovered. Your Lordship will, I am convinced, use every effort to discover and frustrate their designs, whatever they may eventually appear to be.

"I am, &c."

The measures adopted by Lord Stirling in consequence of General Sullivan's information appear from the following letters.

Lieutenant Colonel Dearborn to M.G. the Earl of Stirling.

"Garrison, Saratoga, October 8th, 1782.

"My Lord,—I this morning had the honour of receiving your Lordship's letter of yesterday; in consequence of which I sent a Captain with a small party to Skenesborough, with directions to take every measure in his power for gaining intelligence respecting the movements your Lordship mentioned; and in such manner as to give the Vermonters no reason to suspect his business.

"I am, &c."

The Same to the Same.

"Garrison, Saratoga, October 14th, 1782.

"My Lord,—By the bearer I send a prisoner to your Lordship, who was taken near Hubbartstown in Vermont, by a small party sent out from Skenesborough, by an officer sent there to procure intelligence. The Corporal who took him held a conversation with him for an hour or two, where he first met him, intimating that he and the two men with him were deserters, and wished to get to Canada. The prisoner very soon in-

formed him that he was from Canada, and was a recruiting officer from Rogers's corps, and said many things to induce them to enlist with him, and promised to conceal them till he could send them safe to St. John's. The prisoner's name is Fifield; he is from that part of New-Hampshire where I belong: I am acquainted with his family, and suspect he has been sent to Canada, by some man or men, for some particular purpose. He has said that Captain Pritchard from Rogers's corps was to hunt not far from Ticonderoga, until the express returned from New-York. I suppose Pritchard is in Lake George, with his boat. A small scout of mine returned from thence last evening, which informs that a sail-boat was in the Lake. I have sent a scout off this morning to hunt him up.

"I am, &c."

It does not appear that any thing more was done in this affair, for upwards of a month; when the following instructions were sent by Lord Stirling to the officer detached by Colonel Dearborn, whose object was not so much the apprehension of deserters, as to watch the movements of persons in Vermont suspected to be in correspondence with the enemy.

*M. G. the Earl of Stirling to Captain E. Macomber.**

"Albany, December 20th, 1782.

"SIR,—When you arrive at Arlington, you are to call on Governor Chittenden with my compliments, and ask his advice with regard to the best method of apprehending the deserters you are in pursuit of, and his assistance in procuring sleighs and horses; and his

* He had, probably, *verbal* instructions as to the real object of his mission.

recommendation to all officers, civil and military, in each township you are to go through, to do the like; for which services you are to give your orders on the A. D. Q. M. at this post, and they shall be punctually paid. You will pass through the towns of Arlington, Sunderland, Stratton, New Fane, and Brattleborough, at the two last of which I am told there are a number of deserters; and you will detach to the right and left, as you find necessary.

"I am, &c."

Here the correspondence of Lord Stirling was brought to a sudden close by the illness which within a month from the date of the last letter, terminated his life. The fatigue of body and mind to which he had been subjected during his command on an important and exposed frontier, superadded to the hard service and constant exposure he had undergone from the commencement of the war, brought on a violent attack of the gout, which soon proved fatal. He died at Albany on the 15th of January, 1783, in the 57th year of his age, and was buried in the vault of his wife's ancestors within the walls of the ancient Dutch Church in that city, and when that venerable edifice was demolished, his bones were removed to the cemetery belonging to the Protestant Episcopal Church of which he was a member. His funeral was solemnized with the military observances appropriate to his rank, and the religious rites of his communion; and the ceremonies of the occasion are still remembered, by the elder inhabitants of that city, as a spectacle of extraordinary interest and solemnity. He left a widow, and two daughters, who have been spoken of more than once in the course of

this narrative; Mary the elder married, as has been mentioned, to Robert Watts, Esquire, and Catharine the younger to Colonel William Duer,—all now deceased.

The death of Lord Stirling was lamented by his brother officers, and the troops he had commanded,* as well as by his personal friends. He was regretted, indeed, by all, both in military or civil life, who knew him either in his public capacity or private relations,—by many also, who, without knowing him personally, were aware of the loss the public cause had sustained in being deprived, at a critical moment, of the influence of his character, and the benefit of his services. No stronger evidence could have been given of the estimation in which both were held, than is afforded by the manner in which his death was communicated to Congress by the Commander-in-Chief,—by the Resolution † passed by that body on receiving the intelligence—and, above all, by the following touching letter of condolence addressed to his widow.

General Washington to the Countess of Stirling.

"Newburg, 20th January, 1783.

"My Lady,—Having been informed by a letter

* It was his singular good fortune, in the course of the war, at different periods, to have had under his command, every brigade in the American army, except those of South Carolina and Georgia.

† "In Congress, January 28th, 1783. The Commander-in-Chief having, in a letter of the 20th, informed Congress of the death of Major General Lord Stirling—on motion of Mr. Peters, seconded by Mr. Dickinson, *Resolved*, that the President signify to the Commander-in Chief, in a manner most respectful to the memory of the late Major General the Earl of Stirling, the sense Congress entertain of the early and meritorious exertions of that General in the common cause, and of the bravery, perseverance and military talents he possessed; which having fixed their esteem for his character while living, induce a proportionate regret for the loss of an officer who has rendered such constant and important services to his country."

from Captain Sill, of the unspeakable loss which your Ladyship has experienced, I feel the sincerest disposition to alleviate by sympathy those sorrows which I am sensible cannot be removed or effaced. For this purpose I would also have suggested every rational topic of consolation, were I not fully persuaded that the principles of Philosophy and Religion of which you are possessed, had anticipated every thing I could say on the subject.

"It only remains then, as a small, but just tribute to the memory of Lord Stirling, to express how deeply I share the common affliction, on being deprived of the public and professional assistance, as well as the private friendship, of an officer of so high rank, with whom I had lived in the strictest habits of amity, and how much those military merits of his Lordship, which rendered him respected in his lifetime, are now regretted by the whole army. It will doubtless be a soothing consideration in the poignancy of your grief, to find that the General officers are going into mourning for him.

"Mrs. Washington joins me in requesting that your Ladyship and Lady Kitty will be assured that we feel the tenderest sensibility on this melancholy occasion. With sentiments of perfect esteem and respect,

"I am, &c."

The man thus spoken of by Washington needs no other epitaph or monument. But it would perhaps be deemed a failure of customary duty on the part of his biographer, to close this narrative without some attempt to sketch the character of the deceased. Fortunately, in this instance, it is illustrated by his acts, and their results. These bear witness that to strong native powers of mind, he added industry and perseverance, with early

acquired habits of method and attention. His natural abilities were more solid than brilliant—his acquirements more useful than uncommon. His education was such only as the state of the country afforded, but he received from his father instruction in his favourite studies of Mathematics and Astronomy, which rendered him no ordinary proficient in those sciences. He was bred, as we have seen, a merchant, and was successfully pursuing his business, when he was induced to join the army under General Shirley,—first as a Commissary, afterwards as Aid-de-Camp and Private Secretary to the Commander-in-Chief. In these stations he served several campaigns in the war, which commenced on this continent in 1747 ; and the result of his military experience was especially evinced in the battles of Long Island, Brandywine, Germantown, and Monmouth, in all of which he sustained, as we have seen, a conspicuous and efficient part. In an evil hour, he accompanied General Shirley to England,—from motives more consistent with the generosity of his temper, than with prudence or forethought ; and when there, he was persuaded by Shirley and others of his friends, to prefer a claim to what proved to be a barren title. The prosecution of this claim was attended with heavy pecuniary expenses, which, together with those incident to his prolonged residence in England, of which it was the cause, laid the foundation of subsequent embarrassments. Remarkable for the cheerfulness and hilarity of his disposition, he was there confirmed in those convivial habits that increased upon him in after life, though never to such a degree as to interfere with the performance of his public duties, or deprive him of the esteem and confidence of his official superiors, or private friends. They con-

tributed, nevertheless, to deepen the shade cast over his latter years by the perplexity of his affairs, and rendered more striking the contrast between the opening and close of his career. Almost from his first entrance upon the active duties of life, he was engaged in the service of his country. Although possessed of an easy fortune, he devoted a large portion of his time, with his peculiar talents and acquirements, to the public, in that department of the Colonial government, in which they were calculated to be most useful. Early imbued with sound principles of constitutional liberty, we find him, when the rights of the Colonists were assailed, among the first to take up arms in their defence; and notwithstanding his social and personal relations with Great Britain, cultivated, as they had recently been, during his residence in the metropolis of the Empire, and brightened by the attentions he had received from the most powerful and distinguished of her sons, he did not for a moment hesitate to protest against her usurpations, and declare in favour of his native land. From that moment, he literally devoted his life and fortune to her cause—and literally lost them both.

At the commencement of the Revolution, he was possessed of large landed estates in New-York and New Jersey, which, though charged with heavy debts, were estimated at the time to be worth upwards of one hundred thousand pounds of the colonial currency, over and above all incumbrances. Before joining the army, he obtained from the Legislature of New Jersey, an Act vesting the greater part of his real property in that State in Commissioners, to sell what portion of it might be necessary for the payment of his debts, and to manage the residue for his benefit. The whole of the property

thus conveyed was sold, and payment made in *continental money*, then a lawful tender; but before the Commissioners had proceeded to pay his debts, the Legislature repealed the tender law in force when his property was sold. Thus were the proceeds of the sale rendered of no value, from the rapid depreciation of the currency of which they consisted, and thus both the estate and the purchase money were lost, while the debts remained in force. The remnant of his property in New Jersey, and the whole of his estate in New-York, were sacrificed at forced sales by creditors, who had remained within the British lines and adhered to the enemy, under whose local authority the judicial proceedings were conducted; and when he died, he left nothing but the certificates issued by the State of New Jersey for the depreciation of his pay, which, on his death-bed, he delivered to his wife for her future support.* Had Lord Stirling taken part with the mother-country at the Revolution, how different, in all probability, would have been his fortunes! The services he could have rendered, and the sacrifices which must have followed, would have entitled him to at least as liberal a compensation as was made by the British Government to any of the Americans, who suffered the confiscation of their estates by their adherence to the Royal cause, and would, doubtless, have included a remuneration for the territory in the State of Maine, which was lost to him by the treaty of peace,†—but that

* Even the bounty land promised by Congress to those officers who served *during the war*, was denied to his widow—although he died between the preliminary and definitive treaties of peace—on the technical ground that the war continued until peace was actually *proclaimed*.

† By the adoption, in the treaty of peace, of the River St. Croix as part of the N. E. boundary of the United States, Lord Stirling lost the lands between the Penobscot and Kennebec rivers, granted to his ancestors by James I.

he preferred the public cause to his private interest, was but in consistency with the principles which he inherited from his father, and transmitted to his descendants, and is, to them, a subject not of regret, but of pride.

APPENDIX.

AUTOGRAPH WILL OF LORD STIRLING.

THIS is the last Will and Testament of me, William Alexander Earl of Stirling, Major General in the armies of the free United States in North America.

I give, devise, and bequeath all my real and personal estate whatsoever unto my dear wife, Sarah, to hold the same to her, her executors, administrators and assigns. But in case of her death, without giving, devising, and bequeathing by will, or otherwise selling or assigning the said estate or any part thereof, then I do give, devise, and bequeath all such estate, or all such parts thereof as shall so remain unsold, undevised or unbequeathed, unto my daughter, Lady Catharine Duer, the wife of the Honourable William Duer, Esq., of the State of New-York; To hold the same to her, her executors, administrators and assigns. And I do appoint my said dear wife, together with my said daughter, Catharine, and my said son-in-law, William Duer, Esq., or either of them, executors of this my last will.

In witness whereof, I have hereunto set my hand and seal, this twenty-ninth day of January, in the year of our Lord one thousand seven hundred and eighty, and in the fourth year of the Independency of the United States in North America.

STIRLING. [L. S.]

(ENDORSED.)

The within paper writing was signed, sealed, published and declared, as and for the last Will and Testament of the within named testator, by him, in presence of us, who, in his presence, and in the presence of each other, subscribe our names as witnesses.

P. V. B. LIVINGSTON.
W. BARBER.
WM. ALEX'R LIVINGSTON.

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THE

HISTORICAL MAGAZINE.

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General Department.

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Your ob't serv., etc.,

W. GILMORE SIMMS.

"ELIZABETH TOWN, October 25th, 1778.

"SIR: I had the Honor yesterday of receiving your letter of 23d, accompanied by a paper of 22d, containing a very good '*crisis*,' for which I thank you. I shall take an opportunity of sending it to New York this day, and afford their Excellencies, to whom it is addressed, an opportunity of seeing it. I wish I had a dozen or more of them.

"By the Intelligence I have collected within these two days, I think it is reduced to a certainty that the fleet which sailed last monday and tuesday morning, is bound chiefly to Europe; that they had few troops on board besides invalids, and officers, commissioned and non-commissioned, of several Regiments whose men are drafted into others; several families, and other passengers besides those mentioned in Rivington's paper; among the rest, Mr. Joseph Galloway. Ten or twelve Regiments of British, six of new Levies, the Waldeckers and some Hessians, are actually on Board the Transport. It is generally believed at New York that they are bound to the West Indies, in order to secure their own islands. They have at New York and at Sandyhook, seven or eight sail of two-deckers, but they are of the smaller sail—from 54 to 44 Guns, and at least 12 frigates. Admiral Byron did certainly sail with 15 or 16 ships of the line, in company with the above-mentioned fleet, in order, I suppose, to see them safe out of Count de Estainge's way. The Egg-harbor fleet is returned to New York with the loss of a twenty Gun ship, the Zebra.

"I send you the latest papers I have been able to obtain; that of the 14th is remarkable for a counterfeit proclamation of Governor Livingston.

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"Your most obedient & most

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"ELIZABETH TOWN, Nov. 3d, 1778.

"SIR: The fleet at Sandyhook was yesterday increased to 108 sails, men of war and transports, and [at] seven this morning they weighed Anchor and stood out to sea; by eight they

between the Hook and the watering Place, was at length gone to sea. Capt. Burrows from the Highlands of Neversink, since informs me, that, at sunset yesterday, they were twenty miles from Sandyhook, standing south, a little easterly; which was the only course they could steer, as the wind hung, unless they were going to the Eastward. He says they consist of 33 ships (including one of 40, and one of 60 guns, and two Frigates), one Snow, nine Brigs, and ten Schooners and Sloops. They are gone clear of the land; for, this day, at noon, not one of them could be seen. At eleven this morning, two ships past the Light House and went to sea; these I take to be the Roebuck and a Frigate, as I have Intelligence from New York that the Commissioners and many officers embarked on Board two such ships and dropped down part of the way yesterday. This last Fleet, I do not believe are designed for any offensive opperations on our Settlements; their Convoy is not equal to it, and not suited for Charles Town Bar, where [which] it has been talked of, was their Destination. I am your most obedient Serv't, "STIRLING."

"[P. S.] Observe Gen. Brown's advertisement in Rivington's paper of the 25th."

"ELIZABETH TOWN, Nov. 29th, 1778.

"DEAR SIR: Since my letter of yesterday, I have had an opportunity of gaining some articles of Intelligence; viz.: that more Transport ships are preparing and fitting for sea; that a good deal of Hessian Baggage was embarked. A Frigate of 36 guns came in yesterday, every mast gone by the board. They are forming a line across New York Island, from Bloomingdale to Turtle Bay, to be guarded by five Hessian and three British Regiments. Wm. Byard, [Qu? Bayard] and Andrew Allen, embarked and sailed, on Friday last, for England. John Terril Esqr., is appointed Governor of St. Augustine, and gone with the last Fleet. This last circumstance is one that would lead us to conjecture the course of their Destination. I have only to add that, with the greatest Regard and Esteem,

"I am your Excellency's most obedient
"Humble Serv.
"STIRLING."

"Private.

"ELIZABETH TOWN, Dec. 1st, 1778.

"DEAR SIR: I have to acknowledge the honor of having received your two letters of the 28th and 29th. If the event of the Battle you mention in the former should turn out to be as it has been reported to you, it will be such a check to the late lords of the ocean, as will not only lower their cressts, but put that Haughty Nation in the utmost terror and confusion. Hitherto the balance between the two powers has been kept up by the one being superior at land, the other at sea. If this action should give France but a small balance in her favour, they will have both points in their hand, and poor old England must soon sing *piano*.

"Such an event, together with the disasters Admiral Byron's Fleet has met with, the dismasting and absence of most of their Frigates and Convoys, etc., will give a fine opportunity for our trade to pass in safety, and will undoubtedly have an Influence on our stocks, and tend to bring the whole economy of our affairs into their natural channels. Our Stocks are our paper, Bills, or Certifycates; the Stocks of all nations who borrow, under any denomination, will rise or fall according to the events of war. In our situation it will be more particularly so. Such favorable events as lately appear will command a General belief, with Tories as well as Whigs, that the Contention with Great Britain will soon terminate in our favour, to our utmost wishes. This makes me rise in hope that the spirit of avarice will be glutted, and with all my soul I wish it may be smothered.

"I offer this as some consolation to your apprehensions in yours of the 24th. I wish I could offer more. In the public letter, which accompanies this, you will find that I sent Capt. Combs this morning with a flag to carry your letter to Admiral Gambier, and the event of it. I sent the Captain in hopes that the Admiral would have detained him, in which case I should have complained to Sir Henry Clinton of the Infraction, and should have informed him there was an [end] of all Intercourse, or Truce, on any busyness whatever, 'till the Captain was restored, and I believe the Knight of the Red Ribbon would have complied rather than lose his favourite Treaty on the 7th at Amboy.

"I have, this day, wrote to Mr. Elliot, Superintendent General, for three Copies of Vattell's Law of Nations, and if they are to be had at New York I am sure he will send them. He lately applyed to me for a printed Copy of General Lee's Tryal. If one can be procured, and you think it proper to be sent, I should be glad you would enable me to oblige him. It will enable me to get anything from them in the literary way. You may be assured no other use than what you wish, will be made of the several enclosures you have been so obliging as to send me for my private information.

"With sincere Esteem and Regard,
"I am your Excellency's most Ob't and
"most Humble Serv.
"STIRLING."

were all out of sight, from Amboy. I shall now make it my particular busyness to know what remains at New York, their intentions and motions, and shall give you early intelligence of them. I am

"Your most ob. Humble Serv.

"STIRLING."

"ELIZABETH TOWN, Nov. 11th, 1778.

"SIR: I have to acknowledge the receipt of your letters of the 5th and 7th Instant. Mr. Jackson will receive all the attention you wish. I have wrote for his admission into N. York, as it is a ceremony lately established, that no person is received there without haveing the previous permission of the Commander-in-Chief. The compliment, you may be assured, is returned.

"You will think it somewhat extraordinary when I assure you that Sir Henry Clinton is absent from New York. I have for two or three days past had some suspicions of it, and have it now reduced to a certainty: and I believe he is on board the fleet which sailed from Sandyhook on the 3d Instant. If he is gone to the Eastward, we must soon hear from him, as the winds were for several days favorable for that passage. If his destination is to the Westward his passage must be a long one; he cannot be gone to the West Indies, or to Europe, for they still call him the Commander-in-Chief. On monday and yesterday ships have been dropping down from New York to Staten Isle; they amounted, yesterday afternoon, to near one hundred sail, a considerable number of Hessians, besides other troops, are on board; but very few ships remain in the harbour of New York.

"It is sometimes proper to mention reports, as when they are compared with other circumstances, they may, at least, lead to the discovery of the truth, yet it is not always proper that these should be published. With this caution, I take the liberty of mentioning the story of a British soldier's wife whom we took near Powel's Hook, on the 9th, to wit, that the Hessians embarked three days ago, that the troops had all marched from Kingsbridge, leaving their huts standing, and that there remain no troops above three or four miles above New York. If these things are true, a total Evacuation must soon take place; the truth shall be ascertained in a day or two, and communicated as early as possible. The two last New York papers will accompany this. With very great respect and regard, I have the Honor to be

"Your most ob't Serv.

"STIRLING."

"[P. S.] I should be glad to have two sets of Dunlap's papers, as often and as early as possible; they will enable me to get intelligence from N. York in Exchange."

"ELIZABETH TOWN, Nov. 13th, 1778.

"DEAR SIR: I have to acknowledge the receipt of your favour of the 10th, with the Philadelphia papers of that date. Poor Sir Henry has it on both sides the water; *the Whig* from the London Evening Post is a sting he will feel deeper than '*Americanus*,' every look at his *Star* will make him blush, if he has any of that kind of blood left in him. The last newspapers I have been able to get from New York, I sent you the day before yesterday; they will let nothing come out. I have not yet been able to unravel the mystery of the Commander-in-Chief being absent from thence. Their third fleet is now in motion, thirty-eight sail of ships dropped down from Staten Island to Sandyhook yesterday afternoon; and I doubt not the rest, making in the whole about one hundred sail, will follow with this morning's tide. With the most sincere Regard & Esteem, I am

"Your most Obedient & most Humble Servant,

"STIRLING."

"ELIZABETH TOWN, Nov. 28th, 1778.

"DEAR SIR: I have to acknowledge the receipt of your two favours of the 24th & 26th, and to thank you for the copy of the Treaties between his most Christian Majesty and the United States of America. I am in hopes the publication of these papers will forward & compleat the general confederation. The fleet, with the Second Embarkation of Troops from New York, is at length put to sea; they fell down to the Hook yesterday morning, and went to sea in the afternoon. They consist of 45 sails of different sizes. The Troops they have on Board, are, according to the best accounts I have been able to obtain, about 3,500 men; and consist of the corps mentioned in the third column of the enclosed paper which I send, that you may have the satisfaction of knowing nearly the state of their army in America. I will not pretend it is quite accurate, but I believe it is nearly the truth. The troops in this fleet are commanded by Brigadier Campbell; it is possible they are going to Charles Town; but I am rather inclined to believe they are going to secure their own posts in the Floridas. I am with great regard and esteem, Your most Humble Serv.,

"STIRLING."

"[P. S.] I have the Rheumatism to that degree, I can scarce hold the pen."

"ELIZABETH TOWN, Nov. 28th, 1778.
9 o'clock, P.M.

"DEAR SIR: I wrote your Excellency this morning, that the Fleet, which had been so long

"[P. S.] Past 12 o'clock.

"I dare not longer detain the Express or would myself Copy over the public letter."

[The Copy of Vattel was probably wanted for the use of Congress. That resort was required to be had to New York for such a volume, while that city was in the hands of the enemy, argues for the general literary deficiencies of the professions in that day. Here closes our collection of the letters of Lord Stirling.]

MEMOIR OF EBENEZER WEBSTER,
FATHER OF DANIEL WEBSTER.

BY G. W. NESMITH.

Ebenezer Webster was born in Kingston, in 1739. He resided many years with Major Ebenezer Stevens, an influential citizen of that town, and one of the first proprietors of Salisbury. Salisbury was granted in 1749, and first named Stevenstown in honor of Major Stevens. It was incorporated as Salisbury in 1767. Judge Webster settled in Stevenstown as early as 1761. Previous to this time he had served as a soldier in the French war, and once afterward. He was married to Mehetable Smith, his first wife, January 8, 1761. His first two children, Olle, a daughter, and Ebenezer, his son, died while young. His third child, was Susanna, born Oct. 1766; married John Colby, who recently died in Franklin. He had, also, by his first wife, two sons, David, who died some years since at Stanstead; also Joseph, who died in Salisbury. His first wife died March 28, 1774. Judge Webster again married, Abigail Eastman, Oct. 13, 1774. By her he had five children, viz., Mehetable, Abigail (who married William Hadduck), Ezekiel, born March 11, 1780; Daniel, born January 18, 1782; and Sarah, born May 13, 1784. Judge Webster died in April, 1806, in the house now occupied by R. L. Tay, Esq., and, with his last wife and many of his children, now lies buried in the grave-yard originally taken from the Elmn's farm. For the first seven years of his life, after he settled on the farm now occupied by John Taylor, in Franklin, he lived in a log cabin, located in the orchard, west of the highway, and near Punch Brook. Then he was able to erect a house of one story, of about the same figure and size as that now occupied by William Cross, near said premises. It was in this house that Daniel Webster was born. In 1784 Judge Webster removed to the tavern-house, near his interval farm, and occupied that until 1800, when he exchanged his tavern-house with Wm. Hadduck for that where he died.

In 1761, Captain John Webster, Eliphalet Gale, and Judge Webster erected the first saw-mill in Stevenstown, on Punch Brook, on his homestead, near his cabin.

In June, 1764, Matthew Pettengill, Stephen Call, and Ebenezer Webster were the highway surveyors of Stevenstown. In 1765, the proprietors voted to give Ebenezer Webster and Benjamin Sanborn 200 acres of common land, in consideration that they furnish a privilege for a grist-mill, erect a mill and keep it in repair for fifteen years, for the purpose of grinding the town's corn.

In 1768, Judge Webster was first chosen moderator of a town meeting in Salisbury, and he was elected forty-three times afterwards, at different town meetings, in Salisbury, serving in March, 1803, for the last time.

In 1769, he was elected selectman, and held that office for the years 1770, '72, '74, '76, '80, '85, 86,' and 1788; resigning it, however, in Sept., 1776, and performing a six months' service in the army.

1771, '72, and '73, he was elected and served in the office of town-clerk. In 1778 and '80 he was elected Representative of the classed towns of Salisbury and Boscawen; also, for Salisbury, 1790 and '91. He was elected Senator for the years 1785, '86, '88, and 1790; Hillsborough County electing two Senators at this time, and Matthew Thornton, and Robert Wallace, of Henniker, serving as colleagues each for two of said years. He was in the Senate in 1786, at Exeter, when the Insurgents surrounded the House. His proclamation to them was, "I command you to disperse."

In March, 1778, the town chose Capt. Ebenezer Webster and Capt. Matthew Pettengill as Delegates to a Convention to be holden at Concord, Wednesday, June 10, "For the sole purpose of forming a permanent plan of government for the future well-being of the good people of this State."

In 1778, January 16, Col. Webster was elected Delegate to the Convention at Exeter, for the purpose of considering the proposed United States Constitution. A Committee was also chosen by the town to examine said Constitution, and advise with said Delegate. This committee was composed of Joseph Bean, Esq Jona. Fifield, Esq., Jona. Cram, Capt. Wilder, Deacon John Collins, Edward Eastman, John C. Gale, Capt. Robert Smith, Leonard Judkins, Deacon Jacob True, Lieut. Bean, Lieut. Severance and John Smith. At the first meeting of the Convention, in February, Col. Webster opposed the Constitution, under instructions from his town.

A majority of the Convention was found to be opposed to the adoption of the Constitution.

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