THE ROLE OF BEAUMARCHAIS IN THE AMERICAN REVOLUTION

APPROVED:

[Signatures]

Major Professor

Minor Professor

Director of the Department of History

Dean of the Graduate School
THE ROLE OF BEAUMARCHAIS IN THE
AMERICAN REVOLUTION

THESIS

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Antoinette C. Shewmake,
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PREFACE

The role of Caron de Beaumarchais in the American Revolution is as controversial a topic as can be found in the field of history. While the consensus of opinion holds that he played a significant role by shipping to America desperately needed arms and ammunition in time for the campaign of 1777, the old version that he fraudulently turned into a commercial operation what was supposed to be a gratuitous distribution of French aid still has currency, in spite of uncontrovertible evidence to the contrary. Moreover, it is alleged that documentary evidence is not sufficient to establish the facts. Lack of documentary evidence was alleged by Francis Wharton at the turn of the century, reiterated by Edward Channing, and is still alleged by the authority on revolutionary diplomacy, Samuel Flagg Bemis. The fact, however, is that essential primary sources have remained untapped.

In preparing this thesis, the author, faced with the inconsistencies and contradictions contained in the authorities, first sought an explanation of the enduring controversy in the conflicts of various interests, private and public, American and European, which were in action at the time of the Revolution and in which historians seem to take side even today. Finally, however, it became
evident that the long unavailability of the evidence and its subsequent, piecemeal publication sufficed to explain the authorities' confusion.

The author's discovery in the microfilm edition of the Papers of the Continental Congress of a significant and neglected piece of evidence led to an inquiry to the Bibliothèque Nationale in Paris, where the Beaumarchais papers are preserved. This inquiry prompted an investigation by the staff of that institution. They solicited from various public and private collections in the United States, France, Austria, Denmark and Switzerland, the loan of evidence relative to Beaumarchais' life. In October, 1966, under the direction of its administrator, Etienne Dennery, the Bibliothèque Nationale organized an exposition of all the Beaumarchais papers now in its possession, and published for this occasion a 160-page catalog of the documents now available. A perusal of this catalog indicates that some documents which are relevant to the diplomatic history of the American Revolution remain to be studied.
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CHAPTER I

INTRODUCTION: HISTORIOGRAPHY

The requirement of integrity is of course implacable in history . . . . The historian . . . should search diligently for all the evidence, and not be content until he has exhausted the available resources.¹

The main primary sources of the history of Caron de Beaumarchais' political role are located in the national archives of France and of the United States, and in the Beaumarchais papers which have long been scattered in public and private collections and are now in great part at the Bibliothèque Nationale in Paris. Since the French sources are ordinarily out of reach, American historians have generally relied upon two main secondary works, Louis de Loménie's biography, Beaumarchais et son temps,² and Henri Doniol's Histoire de la participation de la France à l'établissement des Etats-Unis d'Amérique.³

It was Louis de Loménie who in 1856 revealed to the world the historical role of the famous French playwright. Up to the middle of the nineteenth century this role had

been unknown. Having discovered among the playwright's papers a portfolio entitled "Original documents remitted to me by M. de Sartines - materials for the memoirs of my life," which contained the playwright's political correspondence as a secret agent of Louis XV and Louis XVI, Loménie realized that he had in hand essential evidence which brought to light many forgotten facts in the history of the last decades of the eighteenth century. 4

Loménie detected that the documents had been omitted from the publications of the playwright's works and correspondence in order to comply with the wishes of the Beaumarchais heirs. The main reason why these documents had been kept dormant was that until 1835 the playwright's daughter had a lawsuit pending against the United States government for the recovery of a claim of approximately $500,000.00, arising out of the shipments of military supplies her father had made to the Continental Congress during the American Revolution. In this interim of more than fifty years the Beaumarchais heirs opposed the publication of papers which they feared might further embroil their suit. 5

Loménie wrote a two-volume biography of Beaumarchais, based on these unpublished documents, subtitled "a study


5Ibid., pp. 255-256.
of French society in the eighteenth century." The work, published in 1856, earned its author a seat in France's highest scientific and literary society, l'Académie Française. Loménie's work, Beaumarchais and His Times, remains today the basic work on the subject. Nevertheless, it cannot be considered definitive because the author, writing under the Second Empire, unconsciously strove to portray Beaumarchais as irreproachable under the standards of his own age, and particularly played down the revolutionary activities of his subject.6

In 1887, Eugène Lintilhac published a new biography of the playwright, entitled Beaumarchais et ses œuvres,7 which is more in the nature of literary criticism than in the nature of an historical treatise. The book, however, contains in appendix several extracts of previously unpublished documents which had been neglected by Loménie, and which constitute important historical evidence of the role of Beaumarchais in the American Revolution.

At the turn of the century, Henri Doniol published his multi-volume work on the Franco-American alliance at the time of the American Revolution. He based his work mainly on the French national archives, but the selection

7Paris, 1837.
of documents used in preparing his monumental work is not unimpeachable. Doniol greatly admired the French foreign affairs minister, Count de Vergennes, and desired to set him up as an example for the French statesmen of the Third Republic. Doniol's general thesis is that the French policy of intervention in the American Revolution was conceived and planned by the Count de Vergennes from the very beginning of his tenure of office, and that Vergennes used Beaumarchais only to persuade the King. In spite of the fact that Samuel F. Bemis was aware of Doniol's particular bias, he adopted Doniol's interpretation of the relative roles of Vergennes and Beaumarchais. Bemis has also failed to utilize in Loménie's work the documents which had been neglected by Doniol.

The United States archives also contain neglected sources. Most of the letters written by Beaumarchais to the Continental Congress remain out of the student's reach. The most important letters have not been published. Furthermore, the English translations of the few letters which have been published in the compilations of revolutionary correspondence are unsatisfactory. They contain meaningless,

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8 Francis Wharton, ed., Revolutionary Diplomatic Correspondence of the United States, 6 vols. (Washington, 1839), I, 367.

garbled, or inaccurate passages which tend to discredit the whole document and its author. In the microfilm edition of the Papers of the Continental Congress, 1775-1789, only one of Beaumarchais' letters to Congress has been published.

That letter, dated July 14, 1783, was the first elaborate appeal made by the French playwright to the American government after the Revolutionary War. In that lengthy document the author summarizes his political and commercial undertakings. Yet, as far as can be determined from printed monographs, it has never been studied by historians, and it has never been published in its French version, either in France or in America. The existence of this letter was, in fact, until recently, unknown in France, where it is represented in the Beaumarchais papers only by what now appears to be a heavily corrected draft thereof.

An English translation of the document is published, however, in the Diplomatic Correspondence of the United States of America from the Treaty of Peace to the Adoption of the Present Constitution, edited by William A. Weaver in 1833. The translation there given is inaccurate and misleading.

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12 7 vols. (Washington, 1833), 1, 474-489.
and the letter is given without benefit of date. The author's
translation of this letter is attached hereto as Appendix A.

The letter of July 14, 1783, represents one of three
appeals made by Beaumarchais to Congress during the period
between the end of the war and his death. The second appeal
was made on July 2, 1787, and the third on April 10, 1795.
These letters are still unpublished but can be found in
the National Archives, "Record Group 76, Records of Boundary
and Claim Commissions and Arbitrations." It is probable
that when Jared Sparks published his edition of the Diplom-
atic Correspondence of the American Revolution he con-
sidered the above-mentioned letter of July 14, 1783, as be-
longing to the vast amount of material which he chose to
leave dormant. Jared Sparks' sense of propriety was such
that he saw nothing reprehensible in a partial treatment
of sources. In this case, however, it is more likely
that Sparks was merely heeding the suggestion of President
Adams, who had warned him, when he began his compilation,
of the "difficulty in selecting documents that dealt with
'the unhappy differences' among the first representatives

13Letter from Mark G. Eckhoff, Assistant Director,
Diplomatic, Legal and Fiscal Division, National Archives

1412 vols., Boston, 1829-1830.

15Wharton, Rev. Corr., I, iii, iv.
abroad." When Francis Wharton, at the turn of the century, attempted to correct Sparks' errors of citation and omission in a new edition of the *Revolutionary Diplomatic Correspondence of the United States*, he also left out the 1783 and 1787 letters and did not mention, in his enumeration of documents relative to Beaumarchais' claim, the 1783 appeal, of which he seems to have been totally unaware. 

It is regrettable that the letter of July 14, 1783, from Beaumarchais to Congress, has been kept dormant, for it possesses an undeniable historical interest. It is composed of two parts, one referring to the business then at hand, the claim accounting, and the other being a summary of the role he played in the American Revolution. It is in fact a confession, and as such, on a subject still considered as bespued with mystery, it should prove to be a valuable piece of evidence, and should not be a priori rejected. Although written several years after the events concerned, the letter was written by the protagonist himself, about deeds which were highly secret and which he was one of the few persons capable of revealing; moreover, the events concerned were the object of correspondence and


commercial papers which he had in his possession. Checked against other documents, the letter in question will be found useful in reconstructing the sequence of events.

Beaumarchais testifies throughout the letter that he acted alone, as an individual, in his transaction with the United States. He does not mention the subsidy he had received from the French and Spanish governments. He states that he obtained from the French government a bare tolerance of his activities, as long as they received no publicity, but no outright participation. Since Beaumarchais was pledged not to reveal the subsidies, which were a state secret and involved the security and the honor of his country, this omission was normal and necessary and does not affect his credibility as a witness. Beaumarchais testifies that he acted as a merchant in supplying the armies of the Revolution, but not an ordinary merchant; that he meant to trade, but that he wanted mostly to help the cause of American independence which he regarded as the cause of mankind. Thus he revealed as much of the duality of Roderigue Hortales and Company as he could.

This duality of purpose does not necessarily make the firm which supplied the American armies with military stores during the first two years of the American Revolution, a fictitious firm. It was customary in royalist France for the government to subsidize commercial firms whose activities were considered to be in the public interest.
The term "fictitious" implies that the firm had no other purpose than the distribution of the subsidy in the form of war stores. Between 1776 and 1783 Roderigue Hortales and Company handled 21,092,150 livres in receipts and 20,044,191 livres in disbursements. It was, therefore, a bona fide commercial firm.

The reasons why the status of a bona fide commercial firm was denied R. Hortales and Company by certain parties at the time and since, are related to various conflicts of interests. Recognition of the commercial status of the firm conflicted with the interests of America before 1778; thereafter it conflicted with the interests of the French government. The enterprise was caught in a vortex of conflicting interests from the beginning of its operations. As a result, Beaumarchais' claim, interesting only as a symbol of his integrity in his dealings with Congress, became doubtful and the Confederation Congress, in its embarrassed financial situation, found it possible and convenient to reject it.

A rapid sketch of the man's background is pertinent here in order to give an idea of his character. Pierre Augustin Caron was of Calvinist stock. His father, who as a Protestant had been deprived of civil rights by the

19Loménie, Beaumarchais, p. 338.
revocation of the Edict of Nantes, had found it a matter of practical necessity to adopt Catholicism in order to marry and own property, the modest property which his trade as a watchmaker would bring him. The only son in a family of twelve children, Pierre Augustin received little formal education and was expected to continue in his father's craft. Pierre was full of the love of life, music and pleasure, but under the strict guidance of his puritanical father, he soon excelled at the watchmaker's craft. Before he was twenty-one years of age he invented and obtained the patent for a system of watch escapement which permitted the manufacture of a watch so tiny as to fit in a ring. His first writing was a technical paper on watchmaking, which he presented to the Royal Academy of Science before he was twenty-two. He soon was called upon to supply the King and his family with miniature watches mounted in rings. As he had talent in playing the harp and other instruments, he was soon employed at court as music teacher for "Mesdames," daughters of Louis XV.20

At court he met Paris Duverney, a financier of great wealth and influence, who employed him and with whom he learned more of business, banking and finance than is generally recognized.21 At the age of twenty-eight he

20Ibid., pp. 25-29, 43.

was able to buy several offices in the King's household, among which was that of secretary to the king, for which he paid 56,000 livres in 1761. He was ennobled and adopted the name of "de Beaumarchais," from a small property which he owned. Paris Duverney sent him to Madrid on business in 1764. During two years he frequented the Spanish court circles and struck a lasting friendship with the British ambassador in Madrid, Lord Rochford, later to become Secretary of State.  

At the death of Paris Duverney in 1770, a small bequest made to him by the financier in his will involved Beaumarchais in an interminable law suit brought against him by the Duverney heir, a powerful aristocrat, Count de la Blache. Disaster ensued. While he was successfully defending himself in court, an affair with a pretty actress, in which Beaumarchais slighted a duke, and a succession of mishaps resulted in the reversal of the verdict; Beaumarchais was thrown into prison, and his property was seized. He defended himself by addressing public opinion. His pamphlets, with a mixture of logic and banter, attacked the system of justice (Maupeou Parliament). As a result the pamphleteer won a great popularity overnight, but no vindication. Some 6,000 copies of the pamphlets sold in three days, but following the uproar, in a decree typical

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22 Loménie, Beaumarchais, pp. 53-55, 61-63, 79.
of Ancien Régime justice, both defendant and judge were punished. Beaumarchais was deprived of his civil rights, while his popularity reached a new height.23

From then on his life was marred by a series of lawsuits in which he defended himself with the pen, public opinion being constantly on his side, and the king's favor being on his side only intermittently. In 1772 he had written a comedy, The Barber of Seville, which was banned for two years. The play, a hilarious spoofing of French contemporary society, confirmed Beaumarchais in his role of liberal leader of public opinion.24 Like his own creation, the democratic barber, Figaro, Beaumarchais was placed in an absurd situation, which he approached from a comic point of view. The situation can also be approached from a tragic point of view. The yearning for justice of a gifted man, in love with life, and subjected to tyranny, in favor one day, thrown into jail the next, made him look to America, then in the process of shaking the established order, and murmur: "My friends, the free men."25 For him the American Revolution was a

23Ibid., pp. 135-147, 202. When Beaumarchais won his case against the Maupeou Parliament in 1776, he was borne in triumph by the crowd.


25Beaumarchais to Théveneau de Francy, December 6, 1778, Loménie, Beaumarchais, p. 305.
cause in which to believe at last, a hope: Men daring to reason, men daring to fight, to shake off the yoke—and their yoke was easy, compared to the yoke under which the French people labored.

In life, Beaumarchais chose the light and humorous approach. He was constantly attacked in court and his life was a continuous fight. Yet his self-defense was always humorous. He stated the facts and appealed to the readers' common sense.26 His theatre is one of gaiety. In his comedies, as well as in his pamphlets, Beaumarchais made the people laugh at the absurdities of social conditions in France—the privileges of the nobles, the censure of the press, the corrupt machine which passed for justice. Because he was a man of wit, because he could laugh and make people laugh, he gained influence at court. The complexity of Beaumarchais' character needs to be understood in order to evaluate his political role.

The fact that Catholic and monarchical France, at such risk to herself, lent assistance to the Protestant people who professed the principles of the Declaration of Independence has puzzled many historians.27 The answer lies, at least in part, in the forceful personality of Caron de Beaumarchais and his ability to persuade an

26Ibid., p. 40.
adolescent king and his minister secretly to assist the rebellious colonies of Great Britain.
CHAPTER II

AMERICA'S TIME OF NEED

Will you recall, gentlemen, those unhappy times when crushed by war and British persecution you were sending secret emissaries to all the powers of Europe, the time when you were calling in vain on the big commercial houses of these different states without obtaining any aid? I alone then, gentlemen, a subject of a monarchic state, without any other spur than my love for the good of mankind and my admiration for the virtuous efforts which promised it to you, I had been laboring for two years to procure you friends in Europe by every means which persuasion and argument could furnish.  

In the eighteenth century America appeared to the Europeans as a land of freedom. The American resistance to the mother country shone with the romantic light with which it is depicted in traditional historiography. European contemporaries considered the American Revolution as a fight for the principles of natural rights. The ideas of John Locke had radiated beyond England and America, and had been discussed, developed, enlarged and systematized by the French philosophers. A powerful ideology impregnated

1Appendix A, infra, p. 124.

the Western world and would soon beget an era of revolu-
tions which would usher in the modern world.\(^3\)

Revisionists who ignore the power and pervasiveness
of the natural rights ideology in the eighteenth century
do a great injustice to the American revolutionists. Law-
rence Gipson attributes the American resistance to Parlia-
mentary regulations after 1763 to the "growing conviction
on their part that the disadvantages of continuing in a
subordinate position within the Empire as colonials out-
weighed the advantages of that status."\(^4\) The British his-
torian fails to explain, and morally condemns, the illicit
trade which the Americans carried on during the French
and Indian war. He finds it difficult to discover the
political philosophy of the American revolutionists. Yet
this political philosophy was the logical application to
politics of the natural rights philosophy to which the
revolutionists adhered. Because of their political creed
they could in good conscience refer to such regulations as
the writs of assistance in 1761 as "instruments of slavery."\(^5\)

Moreover, in France at that time public opinion held

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\(^3\)Alexis de Tocqueville, *France before the Revolution of

\(^4\)Lawrence Henry Gipson, *The Coming of the Revolution,

10 vols. (Boston, 1850), II, 523.
is good and that he is perverted by the constraints of unjust governments. They looked to America, where transplanted Europeans were supposed to live close to the "state of nature," in order to test their theories. Travelers' reports and the literature of the time seemed to corroborate the philosophers' belief: Americans were "peoples, set down in the solitudes of the New World, given to new and simple religions, devoted to liberty and free from corruption." Voltaire, as early as 1734, commented at length on the virtues of the Quakers and greatly admired the organization of William Penn's New World colony. In their periodicals, the Journal de l'Agriculture and Les Ephémérides du Citoyen, the French physiocrats expounded the virtues of the Americans who combined an agrarian civilization with the practice of the arts and "devoted themselves greatly to education from which general prosperity for this happy land was expected to spring." They regarded Benjamin Franklin, who, as they put it, had "subjugated lightning," and who had organized both the postal service of Philadelphia and the Philosophical Society of that city, as the perfect type of "the natural man." A contemporary

7 Ibid., pp. 13-14.
writer, dedicating his work to "the Virginians," exclaimed: "'You are as Nature would have us all!'"

An article published by the Gazette de France and the Mercure in April, 1774, read:

Our navigators, who have studied the Northern Continent well, assert that an innate taste for liberty is inseparable from the soil, the sky, the forest and the lakes which keep this vast and still new country from resembling the other parts of the globe. They are persuaded that any European transported to those climes would contract this peculiar characteristic.

There was, no doubt, some basis for the European admiration of the conditions of life in America. Today's historians, who compare the standards of American revolutionary society to modern standards, are sometimes prone to find a definite class consciousness, a fixed hierarchical structure, little religious liberty and in fact little democracy in the revolutionary society. But the fact is that in proper perspective, that is, compared to contemporary Europe, America was extremely democratic and could very well appear as an exemplar of freedom to many Europeans.

Historians who misinterpret the ideological climate of the eighteenth century also fail to understand the motives of Beaumarchais in assisting the American revolutionists.


11 Fay, Revolutionary Spirit, p. 22.

It may be, as Tocequeville remarked a century ago, that having ceased to share such idealism we are today incapable of understanding it.\textsuperscript{13} An acquaintance with the literary work of Beaumarchais will convince the reader that he was a typical eighteenth-century intellectual who believed in the perfectibility of man. He was at the time the greatest man on the stage in France. Some literary critics, moreover, believe that his plays were popular mainly because of the social and political satire they contained, because they "flattered some pruriency of the time . . . spoke what all were feeling and longing to speak."\textsuperscript{14} Beaumarchais was in fact "one of the foremost leaders of public opinion,"\textsuperscript{15} and through both his plays and his pamphlets he was able to reach classes of society which were otherwise untouched by the philosophers' doctrines. He was also, by temperament, eager to play a political role. Of politics, he wrote:

I have loved it to madness. Reading, work, travels, observation, I have done everything to develop it. The respective rights of powers, the pretension of princes by which the mass of mankind is forever being disturbed, the action and reaction of governments upon one another: all these are interests made for my soul . . . Sometimes I have gone so far as to murmur in my unjust humor that fate did

\textsuperscript{13}Tocequeville, \textit{France before the Revolution}, p. 345.

\textsuperscript{14}Thomas Carlyle, \textit{The French Revolution}, 2 vols. (Boston, 1893), I, 48.

not place me more advantageously with regard to those things for which I believed myself suited. 16

He wrote this to a friend in 1765, and his wish to participate in a great political cause was soon to be fulfilled.

In 1774 Beaumarchais was often in London, where he had been sent by Louis XV on a secret mission, for the purpose of suppressing a libellous publication which offended the French king. A French political refugee and journalist, Théveneau de Morande, was the publisher of such reprehensible literature as *The Secret Memoirs of a Prostitute*, which purported to be the diary of Madame du Barry, Louis XV's official favorite and a formidable power in the royal government. In a mission where others had failed Beaumarchais showed himself completely successful. Within a short time the pamphlets were burnt and the secret agent wrote the king that out of a poacher he had made a gamekeeper. 17 In fact, the task had been possible because he had struck a secret friendship with Morande. Both shared liberal ideals and they got along well. Soon thereafter Beaumarchais wrote anonymous articles in favor of the American rebels, which appeared in Morande's publication, a paper written in French and printed in London, *the Courrier de l'Europe.* 18 Furthermore, according to the

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18 René Dalséme, *Beaumarchais*, translated by Henneford Bennett (New York, 1929), p. 251. Loménie failed to mention these editorial activities. *Cf.* *supra*, p. 3.
letter attached hereto as Appendix A, Beaumarchais used his influence at court to have the paper admitted in France, in spite of the strict censorship of the old regime.  

In the years 1775-1776, Beaumarchais was in London on the Chevalier d'Eon affair. The Chevalier, a career diplomat, had been for a time Louis XV's ambassador in London. He had then acquired possession of diplomatic secrets contained in Louis XV's correspondence, the publication of which could easily lead to a new war between England and France. Recently, the Chevalier had been the intended victim of an assassination plot engineered by the French ambassador, Count de Guerchy. D'Eon had obtained a true bill against de Guerchy from a British court of justice. Roused by the attempt against his life, the Chevalier had become aggressive and in 1775 the French government was ready to come to terms with him. He was offered a pension on the condition that he would surrender all papers in his possession, retire from public life, return to France and, for reasons still mysterious, wear female clothing. Beaumarchais brought the affair to a satisfactory conclusion in 1776.  

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19 See Appendix A, infra, p. 124.

The fact is that, like Morande and like Beaumarchais, d'Eon was a friend of John Wilkes. Wilkes' home appears to have been the hub of secret activities in London, and it certainly was at that time the main center of Beaumarchais' activities. It was there that he dealt with Chevalier d'Eon. It was there that he kept abreast of the deep currents of English politics. It was there that he was to learn of the most secret activities of the Friends of America. There were mysterious ties between Morande, d'Eon, Beaumarchais, Wilkes and others who met at the Lord Mayor's house. Beaumarchais and Wilkes were intimate enough to exchange racy epistles in verse. They had much in common. Both had "fine manners and an inexhaustible fund of wit and humour."21

The same influence that Wilkes wielded with the people of London, Beaumarchais enjoyed in Paris. Political writers of the time referred to the author of the Barber of Seville as the French Wilkes.22

In London, Beaumarchais also hobnobbed with Lord Rochford, Secretary of State for the Southern Department until the fall of 1775. They had been friends since 1763 when they had spent happy hours singing duets together in Madrid.


Even after his resignation as Secretary of State, Lord Rochford had access to the inner circles of the British court and was for the French secret agent a vital source of information. 23

This was the time when, after the passage of the Intolerable Acts, the colonies took united action and the First Continental Congress finally met in the fall of 1774. One of its first acts was to declare an embargo on all exports and imports. 24 This method had been tried before with success as an "engine of coercion" 25 against Great Britain, but this time the presence of British troops in Boston created an explosive situation. The troops were considered a direct threat by the colonists, who tried to secure for themselves the available supplies of powder. In Massachusetts and in Virginia, the governors attempted to confiscate powder stores before the colonists could reach them. Governor Gage's attempt to confiscate powder stores located at Concord brought about the first skirmish of the war at Lexington, on April 19, 1775. 26 The following month Ethan Allen and Benedict Arnold captured the British

26 Morgan, Birth of the Republic, p. 69.
military supplies located at Fort Ticonderoga and Crown Point.\(^2\) Three months later, in August, George III declared the colonies in a state of rebellion, and a few months thereafter, on November 20, the Prohibitory Bill was passed, enacting a blockade of America—merchant seamen captured would be impressed, cargoes would be seized.\(^3\)

The colonists were then faced with a momentous dilemma. They found themselves in a state of war without prospect of procuring enough arms and ammunition to withstand the power of England. They had no alternative but to submit to England or to trade with Europe. They were besides well aware of the importance of their trade in international diplomacy. As early as 1772, a clear-sighted pamphleteer, writing in the *Boston Gazette* under the signature "An American," had declared: "'The Americans well know their weight and importance in the political scale: that their alliance and the privilege of a free trade with them will be courted by all the powers of Europe.'"\(^4\) But the Continental Congress hesitated to lift the embargo in favor of European powers, an action which would have been tantamount to declaring independence. The majority of the


American people were against foreign aid at the time. The conservatives were opposed to it because they were against independence, the radicals because they wanted to encourage local manufactures. Samuel Adams, the arch-rebel, and his friends believed, moreover, that Americans were a match for the British Regulars without foreign aid, and they feared foreign entanglements.\(^\text{30}\)

The merchants, however, saw things differently, and as they were numerous in the Continental Congress, their influence was soon successful. One of the first steps of the Second Continental Congress in September of 1775 was to organize a Secret Committee of Commerce, whose members were empowered to import merchandise from Europe in exchange for American products. Soon thereafter the Committee of Secret Correspondence was formed for the purpose of facilitating foreign trade and corresponding with American agents abroad. Unfortunately, the financial records of the Secret Committee of Commerce are not available; they were destroyed under circumstances which do not seem to be known.\(^\text{31}\)

The disappearance of those financial records and the resulting lack of documentary evidence explain the widely

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different conjectures made by historians as to the sources of early supplies. In his article, "Gunpowder in 1776," Orlando W. Stephenson eliminated land and sea captures as a source of supply on the ground that they were probably offset by losses, and concluded, after an impressive amount of research and computations, that "well over ninety per cent of all the powder available for carrying on the Revolution during the first two and a half years of the struggle for independence was obtained from outside the country." This conclusion appears unimpeachable. He further stated, however, that eighty per cent of the powder was imported from France, before the arrival of the first American envoy to France, and therefore before the shipments mentioned by Beaumarchais in his correspondence with Congress. Jumping from one conclusion to another, Stephenson further states that there is no doubt that these supplies came from the house of Beaumarchais and that probably credit should be given to him and to his American correspondent, Arthur Lee, for procuring these early shipments. However, the authorities cited by Stephenson in support of this conclusion completely fail to substantiate it. It is a mere conjecture, which is refuted by the fact that neither Beaumarchais nor Arthur Lee ever took credit for such shipments, and there is no reason why both should have

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33 Ibid., p. 277.
34 Ibid., p. 280.
remained silent about such laudable deeds.  

Stephenson's article has nevertheless served as authority for C. H. Van Tyne's conclusion that attributes to early secret aid coming from the French government "almost ninety per cent of the munitions of war which made the very continuance of military resistance possible during 1776."  

The probability is that early aid came not from France but from England herself. There was a ring in operation for the collection of money and the shipment of powder from the Netherlands ports to America. The center of operation was probably the house of John Wilkes, for the source of the aid was the opposition party.

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35 The authorities cited by Stephenson are Wharton, Rev. Corr., II, 74, 87, 92, 95, 106, 122, 154, 174, 190, 200, 201, 207, 209, 211, 222, 223, 248, 276. The first page number refers to Arthur Lee to Lt. Gov. Golden, February 12, 1776, which contains merely the following thought: "I am rather sure that the French government will wink at the exportation of arms and ammunition." The next four references, Dumas to Franklin, April 30, 1776, Dumas to Committee of Secret Correspondence, June 3, 1776, and Arthur Lee to same committee, same date, contain similar allusions to the possibility of trade with Hortales. The sixth reference, Beaumarchais to Arthur Lee, June 6, 1776, concerns Beaumarchais' vain attempts to arrange trade with Arthur Lee (See pp. 52-55, infra). The remaining authorities refer to correspondence between Beaumarchais and Silas Deane, and do not mention any previous shipments.

When George III declared the colonies in a state of rebellion, in August of 1775, a wild wind of indignation blew over England and the opposition party determined to oust the king's ministry. In September of 1775, according to a letter written by Beaumarchais to Louis XVI, two of the richest merchants of London opened a secret subscription for "gold to be forwarded to the Americans, or to pay for the assistance which is supplied to them by the Dutch." There is no information as to the extent or the duration of these clandestine operations. There is evidence in the records of the Admiralty, however, of the existence of such a traffic in several French ports. The British Ambassador complained of several neutral ships which were loaded with powder and sailed from Amsterdam to Nantes and ultimately to America. These complaints, made in January and in May of 1776, probably referred to powder paid for by British money.

Henri Doniol also has given Beaumarchais credit for collecting money in England to purchase arms and "set up a gunrunning base in the Low Countries," and this, under

37 Beaumarchais to the King, September 21, 1775, Loménie, Beaumarchais, p. 262.

38 P. A. Caron de Beaumarchais, Observations on the Justificative Memorial of the Court of London (Philadelphia, 1781), pp. 38-39. Incorrectly attributed to Beaumarchais, this is the work of Vergniaud, Cleric, Ruggereal.

the sponsorship of the French foreign affairs minister, Count de Vergennes. This is also a mere conjecture based on a letter of Beaumarchais to Vergennes, dated July 14, 1775, in which he alludes to his intention to make a quick trip to Flanders. But the letter adds that the trip was being made "with Milord Ferrers and in his vessel," indicating thereby that the operation was sponsored by a British secret organization rather than by the French government. It is probable that Beaumarchais belonged to the Wilkes association of Friends of America and participated in the work of the secret ring, a ring which was promoted in England by Englishmen of greater means than Beaumarchais possessed at the time.

At the beginning of the war private trade was also a source of powder for America. It was then believed in Europe that the Americans had plenty of exportable products which they would be willing to export in exchange for munitions of war. European merchants who traded with the colonies during 1775 and 1776 included Commelius of Amsterdam, Montaudouin of Nantes, and Diego Cardoqui, of

40Cf. Bemis, Diplomacy, p. 21, n. 12.
41Cited in Cox, The Real Figaro, p. 105.
42Sumner, The Financier and the Finances of the American Revolution, I, 161.
Were the records of the Secret Committee of Commerce still in existence, or were the merchants' papers available, it is likely that they would show transactions in which munitions of war, smuggled by American and foreign privateers, were sold to the Secret Committee of Commerce at exorbitant prices.  

Allen French, on the other hand, states that the French merchants Penet and Pliarne approached General Washington in December of 1775, and that thereafter, with the connivance of the French government, they extended credit to the colonies and furnished them with powder.  

It is true that these merchants obtained a contract from the Secret Committee of Commerce in the winter of 1775-1776, but they did not extend credit. Having no capital and no political connections, they demanded securities and remittances; and while they kept commercial relations with the firm of Willing and Morris, they did no business on credit with the Continental Congress.  

In the same month of December, 1775, the Committee of Secret Correspondence engaged the services of Arthur Lee.
as foreign correspondent. Arthur Lee had been in London since 1768. He was one of the four sons of a prominent Virginia family and a friend of Samuel Adams, with whom he corresponded in his capacity of substitute agent for the State of Massachusetts.\textsuperscript{47} He was interested in British politics and wrote in the London press under the pseudonym of "Junius Americanus."\textsuperscript{48} The committee sent Lee 200 pounds and gave him the authority to hire an express boat any time he had an urgent message for Congress. They wanted to know "the disposition of foreign powers towards us."\textsuperscript{49}

The record is confused on the question of when Lee met Beaumarchais. Lee himself stated in a letter to the Secret Committee of Correspondence, dated August, 1777, that he met the Frenchman in May of 1776, at which time Beaumarchais was introduced to him "as an agent of the French government who wished to communicate something to Congress."\textsuperscript{50} This date may be inaccurate, for Lee had not kept any copies of his London correspondence and was relying on his memory. As he stated in a letter to

\begin{itemize}
\item \textsuperscript{47}John C. Miller, \textit{Sam Adams} (Stanford, 1936), p. 258.
\item \textsuperscript{48}Schlesinger, \textit{Prelude to Independence}, p. 139.
\item \textsuperscript{49}Committee of Secret Correspondence to Arthur Lee, December 12, 1775, Edmund Cody Burnett, ed., \textit{Letters of Members of the Continental Congress}, 8 vols. (Washington, 1936), I, 274.
\end{itemize}
the Secret Committee, he was afraid such writings might be "evidence against my life." Loménie, on the contrary, states that Beaumarchais and Lee met in late 1775, and that it was then that Arthur Lee informed Congress of a forthcoming shipment of munitions from the French government, to the extent of five million livres. In the letter mentioned above, however, Lee stated that this information was given to him by Beaumarchais in their first interview, in May of 1776:

In our first interview he informed me that the court of France wished to send an aid to America in the amount of 200,000 louis d'or in specie, arms and ammunition and that all they wanted to know was to what island it was best to make the remittance and that Congress should be apprised of it.

Lee sent Congress a message to this effect presumably immediately after the interview. The news, however, did not reach the Secret Committee of Correspondence until October 1, 1776, the delay being due probably to the vicissitudes of the blockade. On the other hand, the name and influence of Arthur Lee appear in Beaumarchais' correspondence in February of 1776. The two men, therefore, probably met

51A. Lee to Secret Committee, January 5, 1779, ibid., p. 54.
52Loménie, Beaumarchais, p. 277.
54Wharton, Rev. Corr., II, 151-152. Bemis, Diplomacy, p. 36, erroneously gives the date of December 1, 1776.
in early February or late January of 1776.

Lee's correspondence with Congress before the above-mentioned message is not extant. He probably did not write much. In March of the same year, however, there arrived in Philadelphia a messenger by the name of Temple whom Lee had sent by express boat. For diplomatic pouch Temple carried one of his coat buttons, in which there was "a Scrawl from Arthur Lee informing Congress that troops were to sail from Ireland, and for other particulars referring to Temple, who could give information as he, Lee, had acquainted him with the State of Affairs and the Design of Administration." Temple, however, did not reappear in Congress and the delegates thought him ill, or rather "mad, from his conduct in taking this Journey to deliver such a trifling letter."

The message sent by Lee after his interview with Beaumarchais was not trifling, however, and was to have serious consequences. There is no disagreement between Lee and Beaumarchais as to which of the two men initiated the interview. Beaumarchais' statement is confirmed by Lee's testimony: "Mr. Beaumarchais sought me out in London; he found me by means of Mr. Wilkes and communicated to me what I was to

55 First name is not available.

56 Maryland Delegates to Maryland Council of Safety, March, 1776, Burnett, Letters of Members, I, 399.

57 Ibid.
convey to Congress."58 But there was a misunderstanding on the part of Arthur Lee as to the official capacity of the French agent. Beaumarchais, who was in London on rather inconsequential police missions, had no official capacity as a diplomat. His early correspondence with the French government proves that in May of 1776 he was only hoping to obtain assistance from the French government in favor of the American rebels. This essential evidence reveals how the playwright, who was still deprived of his civil rights, influenced the diplomacy of the French government and initiated the policy of secret aid from France to America, which was cautiously decided upon by the French government in the Spring of 1776.

CHAPTER III

BEAUMARCHAIS, VERGENNES AND LOUIS XVI

I sought your friends and secret agents in London at the peril of my life, promised them to do my best with our ministers, returned in fact to plead your cause in France and remind powerful men, who knew it better than I did, but whom your situation, the politics and the youth of the king rendered then uncertain and circumspect, that the separation of America from England was the greatest concern which should occupy the French government. I was the first to solicit the assistance required by your situation in a memorial where I strongly established neutral rights, their extent, made application of my principles to present circumstances, and explained the possibility of using them to assist you . . . ¹

The above quotation answers the basic and controversial question whether Vergennes or Beaumarchais instigated the French policy of secret aid to America. Beaumarchais states that (1) the royal government was aware that the separation of England and America was in the national interest, but (2) that the royal government was hesitant and undecided for reasons related to (a) the colonies' situation, and (b) the king's politics and his immaturity;

¹See Appendix A, infra, pp. 124-125.
and that (3) Beaumarchais overcame the government's hesitation by his interpretation of neutral rights.

Among French historians, Henri Martin, François Guizot, and Louis de Loménie agree that Beaumarchais was the real instigator of the policy of secret aid; he was responsible for bringing about the evolution of Vergennes' policy from absolute neutrality to secret assistance and, finally, to overt alliance and war.² This is an anomaly, for it does not stand to reason that a minister of foreign affairs should be influenced by an amateur diplomat; it does not stand to reason that an absolute monarchy should be influenced by public opinion. This anomaly is, however, typical of France at the eve of the Revolution of 1789; it is, as Loménie wrote, "a sign of the discordance of all things"³ which existed during this period of French history.

Henri Doniol has rejected this apparent anomaly and has held, on the contrary, that the French foreign minister, Count Charles Gravier de Vergennes, initiated the policy of intervention, and that he used Beaumarchais to persuade the young king.⁴ The American historian, Samuel

³Loménie, Beaumarchais, p. 279.
Flagg Bemis, has followed Doniol's interpretation and states that Vergennes already saw "France's opportunity for reversing the balance of British power . . . in the summer of 1775." Bemis adopted, specifically, Doniol's chronology of the most important sources in the matter, namely: Vergennes' memorial to the King's Council, entitled "Réflexions," which Doniol dated "end of 1775"; Beaumarchais' "Peace or War" memorial of February 29, 1776; and finally, Vergennes' "Considerations" of March 13, 1776. Bemis stated in the first edition of his book on The Diplomacy of the American Revolution:

> Until we know the date of the "Réflexions" more precisely—and probably we shall never know—we cannot tell whether the idea of assisting the Americans with secret military supplies came from Beaumarchais or Vergennes originally, or whether Beaumarchais' activities and his famous "Peace or War" memoir of February 29, 1776, were merely the logical development of Vergennes' own decision.

John J. Meng, after a thorough search of the French National Archives, refuted this chronology. He found definite proof that "Réflexions" came after "Considerations," and should be dated April, 1776. Bemis acknowledged Meng's contribution in the preface to the 1956 edition of

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5Bemis, Diplomacy, p. 20.


The Diplomacy, and "rearranged pages 20 to 28,"\(^8\) He failed, however, to alter in any way his conclusion concerning the respective roles of Beaumarchais and Vergennes, in spite of the fact that the reasoning on which it was founded was shown to be erroneous. Instead, Bemis resorted to the old argument of the lack of evidence: "We do not know what the text of /Beaumarchais/ earlier reports was, and because of this we cannot trace precisely the initiative behind them or the exact measure of their influence on French policy."\(^9\) This is a misstatement of fact. These papers are available, although their publication has been fragmentary.\(^10\)

In the above citation, Beaumarchais emphasizes his interpretation of neutral rights in his early reports to the king, whereas the traditional emphasis has been put on the inevitability of war contained in the Peace or War memorial. Thus, the letter printed in Appendix A seems to present the early reports of the playwright in a new focus, which needs to be examined.

The foreign policy of France, under Louis XV's minister, the Duke of Choiseul, had been actively interventionist. While in office, Choiseul followed closely the gathering clouds of the American Revolution.

\(^8\) Bemis, Diplomacy, 1956 edition, p. xi.
\(^9\) Ibid., p. 21.
\(^10\) Cf. supra, pp. 1-4.
Immediately after the Peace of Paris, in 1763, Choiseul sent spies and agents to America to watch the progress of "'a revolution . . . which will put England in a state of weakness where she will no longer be a terror in Europe.'"11 But Choiseul had been dismissed in 1770.12

When Louis XVI succeeded his grandfather, Louis XV, in 1774, those who looked forward to an aggressive foreign policy hoped to see Choiseul return to power. Instead, Louis XVI appointed the Count Charles Gravier de Vergennes as minister of foreign affairs. Vergennes was known for his moderation, and Choiseul remained the head of the war party in France. Louis XVI was only twenty years old in 1774. He found a country impoverished by the wars of his two predecessors, with a deficit of more than twenty million livres in the royal treasury. The young king sincerely desired peace and social reform, and chose his ministers accordingly. As minister of finance, Louis XVI appointed Jacques Turgot, a man of proven worth on whom the French intelligentsia founded their hopes of internal reform.13 On the question of intervention in America, the minister of finance was most emphatic. "'An English war,'"

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12 James Breck Perkins, France in the American Revolution (Boston, 1911), p. 32.

he warned, "should be shunned as the greatest of all misfortunes, since it would render impossible, perhaps forever, the reform absolutely necessary to the prosperity of the state and the solace of the people."¹⁴

Like Turgot, Vergennes dreaded the possibility of a war with England. A staunch royalist, he feared the spirit of independence exhibited in the American colonies.¹⁵ Vergennes might well be "circumspect," for he knew that the leading classes in the American colonies were Englishmen who had a sentimental attachment to the mother country. He wondered if the Americans really had the will to become independent. He doubted that they had a chance to win a war with England. A reconciliation was always possible. The British colonial policy was a political issue in England and if the opposition party regained power it would lead England, in union with her colonies, to wage a war against France and seize the remainder of her American Empire, the West Indies, her Sugar Islands.¹⁶ Vergennes desired peace above all, and Lord Stormont, the keen British ambassador, had reasons to believe in October of 1775 Vergennes' assurances that France would never


give any assistance to the insurgents, directly or otherwise.17

Vergennes, moreover, was not the head of the King's Council. This position was filled by the Count of Maurepas, man of wit and patron of the arts, and Beaumarchais' faithful friend.18 The author of the Barber of Seville seems also to have exerted a great personal influence over Antoine de Sartines, then navy minister. His relations with the ministers were remarkably free, perhaps because as a secret agent he was directly under the king, whose orders he carried in a gold locket around his neck at all times.19

According to the evidence which has so far been published, Beaumarchais brought the question of England's troubles in America under the king's notice for the first time in a memorial dated April 27, 1775. In a memorial in which he reported to the king on the Chevalier d'Eon affair, the secret agent digressed from the subject and imparted to his royal master that he had in London attended to "nobler affairs, researches more satisfying."20 He

17Perkins, France in the American Revolution, p. 50.
18Loménie, Beaumarchais, p. 256.
19Ibid., p. 214.
20Beaumarchais to Louis XVI, April 27, 1775, Lintilhac, Beaumarchais et ses oeuvres, p. 391. (Author's translation.)
could, he wrote, brief His Majesty on the political situation in England, could give him an accurate picture of the "effect of the unrest of England on her colonies and the effect of the unrest of the colonies on England... and the extreme importance that all these events have for the interests of France; what we can hope for or fear for our Sugar Islands; the prospects of peace and war." The King failed to answer, at least in writing, the secret agent's political digressions.

The summer of 1775 passed and the political crisis in London and in America reached a climax. Beaumarchais became convinced that the Americans had the will and the means to fight for independence, and he set out on a trip to Paris for the sole purpose of bringing the matter personally to the attention of the King and his ministers. In a memorandum delivered sealed to the King on September 21, Beaumarchais used the power of his pen to picture an England seething with internal strife, while her American colonies, aflame with the spirit of independence, rose in arms against the mother country, "determined to suffer anything rather than give way." He went on to say that he had it on good authority, from an American just arrived

21Ibid., p. 393.
22Beaumarchais to the King, September 21, 1775, Loménie, Beaumarchais, p. 262.
from Philadelphia, that the colonists had 38,000 men in Boston alone and 40,000 more in the rest of the country, all well armed and resolute; that these 80,000 men fighting for their country would not make a dent in the economic well-being of the colonies, since these troops were mainly fishermen, sailors and workers who had lost their jobs because of British oppression; that these troops were "animated by a spirit of vengeance and hatred." The Americans, he wrote, were invincible. He concluded his memorandum with a warning that, if the opposition party came to power in England, this crisis would lead to a war against France. "Our ministry," he added, "which is badly informed, appears stagnant and passive over all these events . . . . It is indispensable to have a superior and vigilant man in London at present." 

The letter written by the secret agent to the Count de Vergennes the next day, September 22, indicates without doubt that Beaumarchais was acting on his own initiative and was trying, rather unceremoniously, to prod the minister to action. The tone of the letter is startling:

M. le Comte, When Zeal is indiscreet, it ought to be repressed; when it is welcome, it should be encouraged; but all the sagacity in the world would be unable to make a person, to whom no reply is given, imagine what conduct he is to pursue.

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I yesterday communicated to the King, through M. de Sarthines, a short paper, which is only the résumé of what I stated to you at the long conference you granted me the evening before: it gives the exact state of men and things in England; it concludes with the proposition I had made to you of putting a gag, during the time necessary for our warlike preparations, on every thing which, either by shouts or silence, could hasten or retard the proper moment. All this ought to have been discussed at the council, and this morning I hear nothing from you about it. The most fatal things to all affairs are uncertainty and loss of time.

Must I wait for your answer, or am I to start without having one? Did I do well or ill in sounding minds whose dispositions are becoming so important to us? Shall I for the future take no advantage of confidential communications, and shall I repel instead of welcoming the overtures which must have an influence on the final determination? Finally, am I a useful agent to my country, or only a deaf and dumb traveler? I shall wait for your answer to this letter, to start.

There is no doubt that the playwright was a powerful man and that he exerted a strong influence over the minister. He obtained an immediate, oral answer, which can be surmised from his letter to the minister, the next day:

M. le Comte, I start, well informed of the King's intentions and your own; let your excellency be at ease: it would be an unpardonable stupidity on my part, in such an affair, to

25 Ibid., pp. 265-266.

26 Cf. Vergennes to Beaumarchais, June 21, 1775, ibid., p. 234: "I am very sensible, sir, of the praise you have kindly awarded to me in your letter to M. de Sartines. I aspire to deserve it, and receive it as a pledge of your esteem, which will be always flattering to me."
compromise in any way the dignity of the sovereign and his minister . . . .

Bemis quotes only the opening words of this letter to support the contention that Vergennes had already approved a policy of intervention. The letter as a whole, however, shows that Vergennes was, on the contrary, fearful and reluctant.28

In December, 1775, Beaumarchais sent another memorandum to the king, whereby, he wrote, he was bringing up a matter already turned down by His Majesty, a liberty which only the extreme importance of the matter could excuse. This memorandum is still unpublished. By the fragments printed in Lintilhac's work, it appears that Beaumarchais was trying to give a lesson in history and practical politics to the young king. "M. de Vergennes writes me," Beaumarchais started, "that your Majesty believes it is a matter of justice and fairness for you not to consider this proposal. . . But, Sire, international politics is not founded on the same principles as individual conduct."29

And after a long dissertation on England's attitude in relation to the law of neutrality in the past and present, he concludes: "I beg of you, Sire, not to be deceived by

27Ibid., p. 256.

28Bemis, Diplomacy, pp. 21-22.

29Beaumarchais to Louis XVI, December 7, 1775, Lintilhac, Beaumarchais, p. 396.
the brilliant appearance of moral scruples . . . sumnum jus, summa injuria."30

This memorandum is the paper referred to in the citation at the head of the chapter, and it probably is the most important of all of Beaumarchais' political memoranda. The most famous paper, however, is the "Peace or War" memorandum, dated February 29, 1776, in which Beaumarchais expounds the paradoxical argument that France can stay at peace only by assisting the Americans. This argument seems to have been contributed, or at least reinforced in Beaumarchais' mind, by Arthur Lee. Beaumarchais in fact purported to quote verbatim Lee's argument:

For the last time, is France absolutely decided to refuse to us all assistance, and to become the victim of England and the fable of Europe through this incredible apathy? Obliged to give a positive answer, I wait for reply in order to give my own. We offer France, in return for her assistance, a secret treaty of commerce, which will transfer to her, for a certain number of years after the peace, all the advantages by which we have, for more than a century, enriched England.31

If France refused assistance to the Americans in the form of powder and munitions of war, Lee declared that Congress was ready to offer American trade to the rest of Europe, and he threatened that the Americans, in order to take

30Ibid., p. 396.
31Beaumarchais to Louis XVI, February 29, 1776, Loménie, Beaumarchais, p. 268.
revenge on France,

will send into your ports the first prizes they take from the English; then, on whatever side you may turn, this war, which you avoid and fear so much, becomes inevitable, for either you will receive our prizes in your ports, or you will send them back: if you receive them, the rupture with England is certain; if you send them back, instantly the Congress accepts peace on the terms proposed by the mother country; the Americans, in indignation, unite their forces to those of England to fall on your islands, and prove to you that the fine precautions you had taken for preserving your possessions were just those which were to deprive you of them forever.32

Obviously, the militia diplomat had been quite successful in persuading the playwright. The remainder of this lengthy memorandum is a painstaking and forceful argumentation that war is inevitable unless assistance is given to the Americans in secret. Basically, Beaumarchais asserts that England will conquer the West Indies at the termination of her troubles with America, whether she is victorious or not. In the event the opposition party comes to power in England and effects a reconciliation with the colonies, the results will be the same, since the warlike intentions of Lord Chatham and other opposition leaders against France are a matter of common knowledge. The only way to maintain peace, Beaumarchais concludes, is to prevent a cessation of the American war by assisting immediately the Americans. If this assistance is secret, England will not retaliate and peace will be preserved.

32Ibid.
This danger will not be incurred if the plan I have so many times proposed be followed, that of secretly assisting the Americans without compromising ourselves; imposing upon them, as a first condition, that they shall never send any prizes into our ports, and never commit any act which shall tend to divulge the secret of the assistance, which the first indiscretion on the part of Congress would cause it instantly to lose. And if your Majesty has not at hand a more clever man to employ in the matter, I undertake and answer for the execution of the treaty, without any one being compromised, persuaded that my zeal will supply my want of talent better than the talent of another could replace my zeal. 33

Francis Wharton remarked about this memorandum:

"No one can read it without regarding it as, for its purpose, one of the most powerful political papers ever prepared." 34 Yet, there was much in Beaumarchais' argument which was naive; for example, depending upon the Americans to keep French assistance a secret, while it was in their interest to reveal it. According to Loménie, Vergennes was unconvinced by these specious arguments and did not feel that war was inevitable. 35

At approximately the same time as he submitted the "Peace or War" memorandum, the secret agent put forth in another paper the scheme of Roderigue Hortalès and Company, the commercial house which Beaumarchais eventually organized to provide secret aid to America. There was an essential

33Ibid., pp. 270-271.
35Loménie, Beaumarchais, p. 272.
difference between the plan presented in February of 1776 and the make-up of Roderigue Hortalès and Company, as it was to operate. It was suggested in the February plan that the company would belong to the King and that Hortalès, that is, Beaumarchais, would act as a general manager of the firm, without engaging his own responsibility. The main advantage of the scheme would be to remedy the depleted condition of the French treasury, "since," as Beaumarchais remarked, "the present state of the finances does not at once permit of as great an expenditure as events seem to require." The King would furnish to Congress, through the medium of Hortalès, not only powder and munitions but also the gold which Congress needed to back up its paper money. Gold and powder would be shipped to the French West Indies, where an agent of Congress would receive the goods and have a shipment of tobacco ready to be loaded for the return trip. A note could be given for any portion of the debt remaining outstanding. The main point of the operation was that, by getting returns in tobacco, a commodity which the war had made unavailable in France at any price, and on which the government depended for revenue, the King would be able to realize a considerable profit and the original investment in American trade would increase in geometrical

36 Beaumarchais to Louis XVI, February, 1776, Papers of Silas Deane, I, 108.
proportion. Moreover, it would be possible for the French government to regulate at will the flow of munitions to America so as to prolong a war which was weakening Great Britain. 37

The scheme was not immediately accepted. The arguments which were finally to overcome the reluctance of the French government were those contained in the *sumnum ius, summa injuria* memorandum. England became more and more arbitrary in her demands on neutral states. Lawlessness reigned at sea. "The minister of foreign affairs [Vergennes]," stated the French historian Henri Martin, "hesitated long. The king and Maurepas hesitated longer. The annoyances and acts of violence of the English navy towards our shipping caused Beaumarchais, who wrote letter after letter to the king and minister, to gain ground." 38

In March of 1776 Vergennes suggested to the King's Council the advisability of prolonging the American war, thereby weakening England and strengthening France. The "Considerations," of March 12, were followed in April by a paper entitled "Réflexions." Since, in order to have peace, one must prepare for war, the French navy and army should be rebuilt. Private firms would be permitted

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and encouraged to trade with America. The French minister sought, and promptly obtained, Spain's agreement to such policy. The king of France also agreed, in spite of the objections of the finance minister, Jacques Turgot, prophet without honor, who submitted his resignation on May 12, 1776.39

It is probably on that date that Beaumarchais was given the green light to organize a firm which would be secretly subsidized by the government. On June 11 he received one million livres in gold, for which he acknowledged himself accountable to the Count de Vergennes. Two months later, on August 11, he acknowledged receipt of another million livres, which had originally been paid into the French Treasury by the Spanish ambassador. Roderigue Hortales and Company, a promising export-import firm with highly political connotations, was apparently on its own.40

39Bemis, Diplomacy, pp. 24-27.
40Loménie, Beaumarchais, p. 275.
CHAPTER IV

RODERIGUE HORTALES AND COMPANY

...could then obtain only a certain tolerance for the energetic zeal of a company of merchants which I formed, in whose activities one not only refused to take part but whose efforts would be punished at the first sign of publicity. ¹

In May of 1776, Beaumarchais' political-commercial project received the green light from the French government. Under the trade name of Roderigue Hortales and Company he would supply America with war stores as an ordinary merchant, depending on trade both to expand his business and to recover his costs above and beyond the governmental subsidies. He stood to profit or lose according to the vagaries of international diplomacy and the outcome of the American rebellion.² The commercial character of Hortales and Company completely hid its official connections. The fact that the firm was subsidized to the extent of two million livres by the French and Spanish governments was intended to remain undisclosed forever.³

¹ Appendix A, infra, p. 125.
² Loménie, Beaumarchais, p. 289.
³ Ibid., p. 273. The disclosure was made by the French Revolutionary government in 1794. See infra, p. 112.
The plan of Roderigue Hortales and Company which was approved by Vergennes fell far short of the direct assistance which, under the prodding of Arthur Lee, Beaumarchais had proposed to the French government. In his early correspondence Beaumarchais had suggested that a grant of three million livres be made directly to the Americans, on the condition that Congress should not in any way reveal its origin. This suggestion was naive since it let into a state secret a party whose interest was best served by the propagation of that state secret. In this instance, it was the Americans' interest to divulge French secret aid. The opposition party in London was then only waiting for proof that France was willing to interfere in the American Revolution. With proof of French intervention in hand, the opposition could have forced the British government to negotiate with the American rebels. In the new plan of Roderigue Hortales and Company, therefore, the participation of the French government was to be completely hidden, concealed from Congress itself, and kept secret even from Arthur Lee. But since Beaumarchais already had informed Lee of his first plan, since Lee had already sent a message to Congress to announce French aid, and since Beaumarchais could not reveal to Lee the modified plan, he was necessarily to meet with difficulty in his attempt to negotiate a trade agreement with Lee.  

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On June 6, 1776, Beaumarchais wrote to Lee that he was ready to ship a considerable amount of war stores to San Domingo, and asked his American correspondent to arrange for a return shipment of tobacco, "which," he wrote, "I can no more do without than your friend [Congress] can do without what I send to him."^ Lee promptly acquiesced, stating, however, that a tobacco return would be "difficult, and for that reason we ought to do all in our power, without insisting on a certain and immediate return."^ And, naturally, on the basis of his previous discussions with Beaumarchais, he added: "Consider above all things that we are not transacting a mere mercantile business, but that politics is greatly concerned in this affair."^ Thereupon, feeling that explanations were needed, Beaumarchais tried explaining to Lee that there had been a change of plan. He replied on June 26 that he had met with difficulties in his negotiations with the French ministers and that he was obliged to resort to the organization of a commercial firm, which would supply Congress on a trade basis.  

^Beaumarchais to A. Lee, June 6, 1776, Wharton, Rev. Corr., II, 97.

^A. Lee to Beaumarchais, June 14, 1776, ibid.

^Ibid.

^Ibid.

^Beaumarchais to A. Lee, June 26, 1776, ibid., p. 99.
Lee did not answer, and there is little room for doubt as to the reasons for his silence. First, in order to enter into a commercial agreement with Beaumarchais, he would have had to get the authorization of Congress, for his authority as a political agent was very limited. He never took any step in that direction, however, because he was not interested in the shipment of war supplies to America through trade. He had already announced to Congress the secret assistance of the court of France. He counted on it as a diplomatic asset in the current political fight between the English government and the opposition party, and he did not want to settle for less.  

While Lee thus procrastinated, Silas Deane had arrived in France, as Commissioner of the United Colonies, in a capacity which would soon allow him to contract with Beaumarchais and supplant Lee. Silas Deane was a Connecticut patriot who had served in a great number of revolutionary organizations; he had been secretary of the Connecticut Committee of Correspondence in 1773; in 1774 he had been elected to represent his state in the First Continental Congress, and thereafter he had served on many important congressional committees.

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9Lee's message was lost at sea and was delivered orally to Congress on October 1, 1776. Wharton, Rev. Corr., II, 151.

10Deane Papers, I, ix-x.
On March 2, 1776, the Committee of Secret Correspondence, composed of Benjamin Franklin, Benjamin Harrison, John Dickinson, John Jay, and Robert Morris, had commissioned the former Connecticut delegate "to go into France, there to transact such Business, commercial and political, as we have committed to his Care, in Behalf and by Authority of the Congress of the thirteen united Colonies." He was instructed to apply first to the French government in order to secure certain military supplies, and, if he met with a refusal, to purchase these supplies from private sources. The military supplies ordered by Congress were "cloathing and arms for twenty five thousand men with a suitable quantity of ammunition, and one hundred field pieces," and he was authorized to pledge the faith of Congress, who promised to pay for these supplies "by remittances to France or through Spain, Portugal, or the French Islands, as soon as our navigation can be protected by ourselves or friends."

Deane arrived in France on May 4, 1776. He had been instructed to meet several friends of Benjamin Franklin's in Paris and in London, and particularly a certain Dr. Dubourg, who was very friendly to the American cause. With the assistance of Dr. Dubourg, Deane obtained an

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11 Deane Papers, I, 119.

12 Secret Committee to Deane, March 3, 1776, ibid., 124-125.
interview with the Count de Vergennes on July 10, 1776. Vergennes advised Deane that the first step the colonies should take was to declare independence; until then, although the colonies had "the unanimous good wishes of the government and the people of France," they could expect no official help from the French government. The minister also recommended to Deane the firm of Beaumarchais, who would "with great secrecy and on the best terms supply the Congress with such commodities as they might want."  

On July 14 Beaumarchais opened his correspondence with Deane by a short letter, which is given here in full because of its considerable interest. It sets the tone of mutual trust which was to subsist between the two men, and at the same time sheds additional light on Beaumarchais' relations with Arthur Lee.

I don't know, Sir, if you have any one in whom you can trust to translate letters written in French, which deal with critical matters. As for me, I will not be able to get your letters translated in all confidence until someone whom I expect shortly and who will serve us as an interpreter, arrives from England. I can already tell you, however, that for some time I have been desirous of helping the brave Americans shake off the British yoke. I have


14This was Jean-Baptiste Théveneau de Francy, brother to the journalist Théveneau de Morande, and Beaumarchais' future representative in America.
already attempted in various ways to organize a secret trade between the General Congress and a firm which I am forming for this purpose. Either through the French islands or directly, I will contrive to convey to the American continent the goods which the Americans need and can no longer obtain from England. I have revealed my plans to a person in England, who purports to be very much attached to American interests, but our correspondence since my return has been difficult and in ciphers and I have received no answer to my last, in which I was trying to come to an agreement on this important affair. Since you have, Sir, a standing which warrants my confidence, I ask nothing better than to resume with you in a more reliable and more coherent manner the negotiations which I cannot consider as having really begun with anyone else.

My means are not as yet very important but they will increase in the future if we can agree together upon the terms of a contract, properly drawn and precise as to execution. I cannot trust either Mr. Dubourg or anyone else except you, Sir, in discussing openly this affair. But when you have compared the offers which will come to you from other quarters with my own disinterested zeal for the cause of America, you will feel how different it is to deal with ordinary merchants under the hardest conditions, and to have the good fortune of meeting a true friend, who will be happy to prove to your country and to yourself, its secret envoy, how sincerely I am, Sir,

Your most humble and obedient servant.

Caron de Beaumarchais.¹⁵

A few days later, on the 19th, Silas Deane and Beaumarchais had their first interview in Paris. The Frenchman

¹⁵Beaumarchais to Silas Deane, July 14, 1776, author's translation. See Deane Papers, I, 144, for French version.
asked the American envoy for a copy of his commission and an extract of his instructions, which Deane sent to him the next day. The contract which Beaumarchais wanted was agreed upon by the two men in a few formal letters which they exchanged quickly in the next few days. The agreement was fair and above-board. The supplies ordered by Congress would be furnished by Beaumarchais as soon as possible, to the best of his ability. Congress was to pay for these goods in natural products of America. These American remittances would be valued at their sale price in Europe after deduction of all expenses incurred in the sale. In the same manner, Congress would take the goods at their current price on arrival in America, or, if they preferred, at cost, "including expenses arising from delays, insurance and a commission in proportion of the trouble, which commission cannot now be fixed . . . ."  

Congress would enjoy one year's credit and thereafter the sums owing to Beaumarchais were to bear interest. Deane could very well write to the Committee of Secret Correspondence that he had "been successful beyond [his] expectations."  

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16 Beaumarchais to Deane, July 22, 1776, Deane Papers, I, 156.  
17 Deane to Beaumarchais, July 24, 1776, Ibid., I, 160.  
18 Deane to Committee of Secret Correspondence, August 18, 1776, Ibid., I, 208.
Of all these transactions the French minister was kept informed by both Deane and Beaumarchais. Deane was in contact with the minister through the intermediary of Vergennes' secretary, Conrad Alexandre Gérard, who spoke English well and who could see the American envoy without compromising the ministry. Deane conferred constantly with Gérard about his transactions with Beaumarchais. The fact that Vergennes knew about these transactions is based on incontrovertible evidence contained in the correspondence of Silas Deane and the papers of Beaumarchais. It is an essential fact because it refutes the charge, initiated by Arthur Lee and still to be found in the work of some historians, that Beaumarchais sold what he had been commissioned by the French government to give the Americans.

The participation of the French government, although never to be revealed either by the government or by Beaumarchais himself, was nevertheless basic to the dual nature of Roderigue Hortale's and Company. The company, however, behaved as an ordinary commercial firm. With the prospects of operations on a grand scale now in sight, considering

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19Deane Papers, I, 198, 201.
20Ibid., I, 146, 159, 221, 361, 391.
21Bemis, Diplomacy, p. 39, states: "Arthur Lee made Congress see that Beaumarchais was being given these goods secretly by the French Court for the United States, and hence he had no right to charge anything for them."
his contract with Deane, Beaumarchais organized his company accordingly. The headquarters of the firm occupied in Paris a stately building where the Dutch ambassadors had once resided, the Hotel de Hollande. The company employed numerous clerks, agents and correspondents in every port of France. With high hopes, Beaumarchais interested in his business many friends and speculators. There is no doubt that he spent in labor, services, merchandise, and capital investment many times the two million livres which he had received as a governmental subsidy.

The expenditures of the company included the purchase, operation and maintenance of a fifty-two gun warship, which was intended to escort merchant ships, and to which Beaumarchais gave the significant name of Le Fier Rodrigue. The company used many merchant vessels, the number of which is difficult to determine, because, as a measure of security, the ships were often disguised and renamed. Beaumarchais himself noted in a private paper that he had "forty ships at sea at one time." These ships belonged to a certain shipowner by the name of Monthieu, who was


23 Bemis, Diplomacy, p. 37. In footnote 21, Bemis states that as of October 10, 1776, Beaumarchais had spent 5,600,000 livres, 2,500,000 for uniforms, 2,500,000 for "war munitions and vessels to carry" and 600,000 for "advances in money for officers and for the ships' crews." This did not include the other expenditures of the firm.

one of the partners of Roderigue Hortales and Company. In September of 1776 Silas Deane signed with Monthieu and Beaumarchais an agreement for the chartering of ships to carry the supplies to America.\textsuperscript{25}

Spurred by the awareness of the American troops' desperate need, Deane and Beaumarchais dedicated themselves to the task at hand, and by November of 1776 supplies were gathered at Marseilles, Nantes, LeHavre and Bordeaux and eight ships were loaded and ready to sail.\textsuperscript{26} They were \textit{Amphitrite}, \textit{Seine}, \textit{Mercure}, \textit{Amélie}, \textit{Thérèse}, \textit{Mère Bobie}, \textit{Marie Catherine}, and \textit{Flamand}, and the cost value of their cargoes amounted, according to Deane's accounts, to 3,736,957 livres, 13 deniers and 8 sols.\textsuperscript{27} The cargoes included various materials and supplies of all sorts to manufacture uniforms for an army of twenty five thousand men: thousands of yards of broadcloth, serge, coarse cloth, linen, cambric and tapes; needles and buttons; handkerchiefs, men's caps, stockings and shoes. They also comprised 164 cannon, 153 carriages, some 41,359 cannon balls and other artillery supplies. There were also 31,372 guns, musket

\textsuperscript{25}Deane Papers, I, 248-249.
\textsuperscript{26}Deane Papers, III, 159.
\textsuperscript{27}Accounts of Silas Deane, P. C. C., Item 54, p. 69.
balls, 19,788 pounds of lead, 160,000 pounds of powder, mortars, carriages, bombs, grenades and grape shot, as well as thousands of spades, shovels, picks, axes and other entrenching supplies. There were also 52,037 pounds of sulphur and 4,164 tents.28

The boats had to be loaded not in the harbor but far in the road, where they lay at anchor, and where the goods were carried on barges in the middle of the night. The operation required a hundred men and two nights' work, and it was carried on in the wildest confusion. As a result, the ships were not loaded according to plan and invoices. And, after all these exertions, only one of the ships managed to set sail in December. An embargo had been ordered by the ministry and was strictly enforced. The other ships were under arrest and had to be unloaded. Beaumarchais had to disguise the ships and change their names, before resuming their clandestine reloading. Every obstacle had to be overcome by the spending of louis d'or, money down the drain, for which no accounting could be made.29

The embargo order came from the French government, which could not ignore the forceful protests of the British ambassador. There was in the affairs of the company an


29Deane Papers, I, 423-426. Appendix A, infra, p. 120.
unexpected and ludicrous complication: the British government had a spy in the person of Silas Deane's bosom friend and secretary, Edward Bancroft. Bancroft was a native of America, living in England, a protégé of Benjamin Franklin and a former pupil of Silas Deane, dating back to the days when Deane was teaching school in Connecticut. The Secret Committee of Correspondence had instructed Deane to contact Bancroft on his arrival in France and to solicit his assistance. Deane therefore had hired Bancroft as a secretary as soon as he had met him in Paris, on July 3, 1776. From that date on Bancroft was to know as much about Deane's activities as the commissioner himself. Through the narrative of the spy, submitted in August of 1776, the British government was informed of the activities of the Continental Congress secret committees, as well as of the plans of Roderigue Hortales and Company.30

Edward Bancroft can easily be called the most successful spy in history, for he never awakened the least suspicion on the part of those whom he was betraying. He used for his mail the diplomatic pouch of the French chargé d'affaires in London.31

30 L. Ford, ed., Edward Bancroft's Narrative, August 14, 1776, pp. 6, 7, 11-12, 18, 20-21, 25-26, 35.

Under the circumstances, the unfortunate Beaumarchais must have cut a comical figure trying to carry on his most secret mission. He who had always been so reliable as a secret agent suddenly found his talents direly insufficient. He had given the king and the minister his most solemn word that "no one would be compromised" and he had not lived up to his promise. He knew there were leaks, but where? The British spies, at least so it seemed to the harassed playwright, were checking on "every vessel which was equipped . . . in all the ports of the kingdom, in all the magazines, and in all the counting houses." 32

At the same time, in those years of 1776 and early 1777, the military situation in America was in favor of the British and Vergennes was more and more inclined to consider the American rebellion as a lost cause. He suspected Beaumarchais of indiscretion and foolhardiness and publicly criticized his conduct. 33 The ships of Roderigue Hortales and Company were in constant difficulties with the authorities, so that the stores intended for America were delayed, to the great disappointment of Silas Deane. The liabilities of Hortales kept mounting. The ships were lying in harbor; the captains complained; the crews needed to be kept out of mischief and to be paid; creditors and

33 Deane Papers, III, 160.
associates grew more and more pressing; Beaumarchais became ill from vexation and fatigue.\textsuperscript{34}

The ships did sail, however, one by one. The first ones to leave, in the winter of 1776-1777, did not go to the West Indies, but sped directly toward the shores of New England.\textsuperscript{35} The \textit{Amphitrite}, which had left on December 13, returned to Le Havre and was delayed a few days, through the untoward conduct of one of the French artillery officers she carried on board.\textsuperscript{36} The \textit{Mercure} left on February 5, and arrived at Portsmouth, New Hampshire, on March 17, where the inhabitants turned out to meet it with great joy and clapping of hands.\textsuperscript{37} The \textit{Seine} and the \textit{Amélie} left in February, the \textit{Thérèse} and the \textit{Mère Bobie} in May, the \textit{Marie Catherine} in June and the \textit{Flamand}, the last one to leave, on September 25, 1776.\textsuperscript{38} The \textit{Seine} was the only ship captured by the British, and that on the return trip. The seizure was protested by the French governor of Martinique, who requested her release and threatened reprisal, all to the great satisfaction of General Washington, who wrote to one of his subordinates: "some interesting

\textsuperscript{34}Ibid., p. 161.
\textsuperscript{35}Deane Papers, I, 494.
\textsuperscript{36}See Chapter V, infra.
\textsuperscript{37}Cox, The Real Figaro, p. 114.
\textsuperscript{38}Wharton, Rev. Corr., V, 469-472.
political event will soon take place."

News of the ships' arrivals can be spotted in the correspondence of George Washington, who was kept informed of the landings of munitions and never failed to congratulate Congress for the friendly attitude of the Court of France. In April of 1777, the Amphitrite unloaded fifty-two pieces of artillery at Portsmouth, New Hampshire. Thirty-one pieces, of light construction, were immediately sent by General Washington to the army at Litchfield, while twenty-one four-pounders were recast in the foundries which were established for that purpose at Springfield, each of the heavy pieces yielding three six-pounders. Two other ships, loaded with artillery and military stores, arrived at Boston and at Portsmouth, New Hampshire, respectively, in the same month of April. The ship which put in at Boston was accompanied by a sloop from Martinique and two "provisions ships" which they had captured. At Portsmouth, Virginia, there arrived a considerable cargo of cloth, which General Washington ordered to be made into uniforms by the army tailors, and "delivered to the soldiers


40 Ibid., VIII, 318.

41 Ibid., VIII, 2, 5.
who remained in the field and not . . . to those who under various pretences will find mean to winter at home."42

According to the consensus of opinion among authorities, the supplies described above were used by the American soldiers who defeated the armies of General Burgoyne and won the crucial victory at Saratoga on October 17, 1777.43 "The army, at whose feet the British Regulars laid down their arms, was clothed, armed and furnished with artillery sent over by Silas Deane"44 and Beaumarchais.

When the Flamand arrived in early December of 1777 at Portsmouth, New Hampshire, General Washington announced to the troops:

The General congratulates the army on the arrival of a French ship at Portsmouth with forty-eight brass cannons, four-pounders, with carriage complete; nine nine-inch mortars, twenty-five hundred nine-inch bombs, two thousand four-pound balls, entrenching tools, four thousand one hundred stands of arms, a quantity of powder and 61,051 pounds of sulphur/sic/.45

For General Washington each new arrival had been "a fresh proof of the friendly disposition of that Court /the Court


43Bemis, Diplomacy, p. 40.


of France towards us," and he had used the news to boost the morale of his troops. In this manner, the ambiguity as to the origin of the shipments served the diplomatic, political and military interests of America.

The ambiguity was natural as far as General Washington was concerned. It was logical to believe that such shipments could not have been sent without the connivance of the Court of France. Matters were different as far as the Committee of Commerce was concerned. On October 1, 1776, the Committee of Secret Correspondence had noted in its secret journal the contents of a message sent by Arthur Lee to the effect that the supplies sent by Hortales were the supplies promised to him, Arthur Lee, by the French government. For reason of security the committee, then composed of Benjamin Franklin, Robert Morris, Richard Henry Lee, and William Hooper, had decided to keep this momentous news to themselves. As the committee noted in a memorandum of the same date, moreover, the only person who needed to be informed about the origin of the goods was Robert Morris, since he belonged "to all the committees that can properly be employed in receiving and importing the expected supplies." As a

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46 Washington to Major General Heath, December 20, 1777, ibid., X, 166.
47 See supra, pp. 32, 33, 53.
result, when the ships arrived, Robert Morris and his agents did not bother to give receipts for the goods nor to provide Hortales and Company with remittances on the part of Congress. 49

At the same time, the Committee encouraged Deane to buy on credit, excused the lack of previous shipments on the ground that they had been "intercepted by one means or another," assured him that remittances were forthcoming, and urged him to send military supplies. "You cannot render your injured country more essential service at this time," they wrote Deane, "than by procuring these supplies immediately." 50 Thereafter, in the winter of 1776-1777, Congress fled to Baltimore and "nearly all the activities of the federal government at that juncture were carried on by Robert Morris in Philadelphia." 51 Morris neglected to answer Deane's numerous and pressing letters. During his first year in France, Deane received only three missives

49 The facts concerning the reception of the Hortales ships are not clear, and Morris' motives remain a subject of speculation. In April, 1777, Morris wrote John Jay that clothing, arms and ammunition had arrived at Portsmouth, New Hampshire, Philadelphia and Maryland, without invoices and without receipts being given. Sumner, The Financier and the Finances of the American Revolution, I, 171. There were probably invoices, but they were not always accurate. See, supra, p. 63. However, in 1783, Morris wrote to Arthur Lee that remittances were not sent Deane because the risks were too great. P.C.C., Roll 67, Item 54, p. 13.

50 Committee of Secret Correspondence to Deane, October 2, 1776, Wharton, Rev. Corr., II, 159-160.

from the Committee of Secret Correspondence. As to Beau-
marchais, none of his letters to Congress was ever
answered. 52

Meanwhile, Beaumarchais was constantly on the verge
of bankruptcy, a dreadful prospect at a time when debtors
were imprisoned for failure to pay their debts on time.
Vergennes came to his relief with a series of loans:
400,000 livres on May 31, 200,000 livres on June 16, and
474,496 livres on July 3, 1777. 53 There is no evidence
that these loans were repaid. It is possible that they
were made with the understanding that Beaumarchais would
repay them only if he could collect from Congress. By the
end of 1777, therefore, Hortales and Company had received
some 3,074,496 livres from the government. The eight
shiploads of goods sent to America were purchased at a
price of 3,736,957 livres. 54 The question has been raised
as to whether these subsidies were sufficient to cover
Beaumarchais' costs, so that "at worst, he probably lost
nothing but profits on the enterprise." 55 The expenses

52 Deane Papers, II, 18. Sumner, The Financier and the
Finances of the American Revolution, I, 170, states that
"the fact that no letters were written to the commissioners
in France during that winter manifests extraordinary neglect
on the part of the Committee of Correspondence." Shrewdness
may be a better word than neglect. Cf. supra, p. 69.

53 Loménie, Beaumarchais, p. 298.

54 Deane Papers, I, 248-249.

55 Bemis, Diplomacy, p. 40.
involved in shipping the supplies to America, however, have been estimated at nine million livres. They were, of course, multiplied by the necessity of observing secrecy and by the delays incurred. The question raised as to the extent of Beaumarchais' loss, however, is highly speculative and involves a value judgment as to what he should have expected from his work. Moreover, it does not take into consideration the fact that the establishment of commercial relations between France and America was an important objective in Beaumarchais' mind, as well as in Vergennes'. The acquisition of a fair share of American commerce was France's main interest in the independence of the British colonies, the only tangible benefit Vergennes expected from his policy of intervention in the American Revolution.

The shipment of supplies to America, however, was only a part of the work done by Beaumarchais in his efforts to promote the success of the American Revolution. The French playwright also cooperated with Deane in assisting the American privateers and in recruiting trained soldiers for the American army.


CHAPTER V

NEUTRALITY, THEORY AND PRACTICE

Read my answer to the British manifesto of Gibbon in which I was called the instrument of the perfidy of our ministers, but above all read my correspondence with Mr. Deane . . . .

The extraordinary author of The Marriage of Figaro was at the same time the Machiavellian expert on neutral rights for the French monarchy, its self-appointed historian on the question of the American Revolution, and one of the main protagonists in the events involved. Between 1775 and 1778, he had been instrumental in convincing the king and his minister that the question of neutrality involved complex problems of national policy which should be studied in a realistic manner. The main principle relied upon by Beaumarchais was the traditional and still valid distinction between the rights and duties of neutral states and the rights and duties of their subjects. As a subject, Beaumarchais could do what the French government could not do. The activities of Roderigue Hortales

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1 Appendix A, infra, p. 126.
2 See supra, pp. 45-46. This chapter is vitiated by the case of mistaken authorship explained in note 8, infra. (A. Sheinkof)
included more than the smuggling of arms and ammunition described in the preceding chapter; they also comprised the recruiting and smuggling of trained officers and men, assistance to American privateers, and practically every possible infraction of the laws of neutrality.

These activities, undertaken by Deane and Beaumarchais in their effort to bring succor to embattled America, were successful but their history has been neglected. In the citation above, Beaumarchais indicates possible sources for a history of these secret activities: his correspondence with Silas Deane and his Observations on the Justificative Memorial of the Court of London or Apology for the Conduct of France relative to the Insurrection of the British Colonies. This 129-page pamphlet was written by Beaumarchais in answer to Edward Gibbon's memorial, which was composed by the British historian at the request of George III in early 1778, after the signing of the Franco-American alliance. According to the British Court, the king of France had

forgotten the faith of treaties, the duty of an ally, and the rights of Sovereigns, to apply himself only to take advantage of circumstances, which were favourable to his ambitious projects, he HAS DEGRADED HIS DIGNITY in framing secret conventions with the Americans, and after having exhausted all the INFAMOUS resources of PERFIDY.

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3First printing, London, 1779; see p. 28, supra. Banned in France; see pp. 87-90, infra. This work has erroneously been attributed to Beaumarchais. It is in fact the work referred to in note 42 infra, p. 90. For a critical edition of Beaumarchais' authentic pamphlet.
and DISSIMULATION, he has dared to avow the solemn treaty, which his ministers have signed with the obscure agents of the British colonies.  

Beaumarchais took it upon himself to defend his king. His answer is a study of neutral rights and duties as they were understood in Britain and in France at that time, and a methodical compilation of the various complaints made by the British government to the Court of France concerning the help which the Americans received from France during the first two years of the American Revolutionary War. The precision with which the claims and counterclaims of the two governments are recorded indicates that Beaumarchais had access to the official records of the courts of admiralty. It is an invaluable historical document. As was true of many of the works published in the eighteenth century, it was composed and was meant to be read on two levels. On the one hand, it was a straightforward discussion of maritime customs and neutrality regulations, and on the other, it was to be interpreted by the enlightened reader as transcending these limits to conform to the higher laws of the natural rights of man. The pamphlet is in fact a history of the privateers' exploits, told by Beaumarchais tongue in cheek, while he purports to study French and British compliance with neutrality regulations. 

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4 Beaumarchais, Observations, p. 5.
5 Cf. ibid., pp. 34, 40-43.
There was a fundamental difference between the French and British attitudes toward neutral rights and duties at that time. Neutrality laws apply in case of international war, not in case of riot or internal rebellion. A rebellion becomes a war only when certain conditions are met: independence must be declared and the declaration must be supported by actual fighting. When these conditions are met, insurgents acquire the status of belligerents. It was Beaumarchais' purpose in his early memorials to convince the French government that the Americans had the will to independence and the means to achieve it. As a result of his success in persuading the king and his ministers, he was permitted privately to assist the Americans and he was encouraged by a governmental subsidy. After the Declaration of Independence France took the position that the American rebellion was an international war and that the insurgents were belligerents. England, on the contrary, never departed from its original attitude that the rebellion was a civil disturbance.  

The first defense brought up by Beaumarchais is that the American Revolution was, in fact, a war and that the king of England was actually asking the king of France to help him subdue the Americans. In defining neutral rights.

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and duties, Beaumarchais held that a distinction ought to be made between the obligations of the state and the rights and duties of its trading subjects, a distinction which is still valid.\(^7\) The primary duty of a neutral state is impartiality towards both belligerents. In accordance with this principle the French government, after the Declaration of Independence, opened French ports equally to British and American commerce.\(^8\)

On the other hand, neutral governments must not allow any act of war to be committed within their territorial waters. Acts of war include not only the capture of enemy ships but also the exercise of the right of visit and search. Such activities were prohibited by the French government to British as well as Americans. The neutral government must not allow a prize court to be established on its territory. Beaumarchais held that the French government complied with this obligation and illustrated this compliance with several examples. Vergennes issued several orders prohibiting the sale of prizes and ordering the sequestration of American privateers who were in contravention of this ordinance, such as the *Reprisal* and the *Dolphin*.\(^9\) When the famous

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\(^8\)Bemis, *Diplomacy*, p. 54.

\(^9\)Beaumarchais, *Observations*, p. 32.
American privateer, Captain Cunningham, brought into the port of Dunkirk, as a prize, the British packet boat Prince of Orange, the prize was returned by the French authorities to the British government and two of Captain Cunningham's men were imprisoned in the Bastille.\textsuperscript{10}

The neutral government must not allow the fitting or arming of privateers within its jurisdiction. It was one of Gibbon's charges, however, that the French ministers had encouraged the Americans in forming and executing "the audacious project of establishing a place of arms in the kingdom," from which the American privateers, with a crew partially composed of Frenchmen, cruised along and ravaged the British coast. On July 8, 1777, Lord Stormont summoned the French king to explain "his conduct and his intentions without delay and without subterfuge," and proposed to him "in the name of his master the alternative of peace or war."\textsuperscript{11}

This and other complaints are listed by Beaumarchais in his Observations, ostensibly to show that the government of France took measures to prevent the illegal activities involved, in fact to record some events of the secret war in which he had taken part with Silas Deane. In

\textsuperscript{10}\textit{Ibid.}, p. 16.

\textsuperscript{11}\textit{Ibid.}, pp. 28-29.
August of 1777, Lord Stormont lodged several complaints with the Admiralty of Bordeaux concerning the American ships, Liberty, Seafower, Betsy, and Peggy, which were loaded with powder and manned, it was alleged, with as many Frenchmen as Americans. Gibbon directly attacked "the sieur Beaumarchais" for fitting out vessels destined to America and showing false destinations on the ships' papers. Tongue in cheek, Beaumarchais alleged that these complaints were unproven and concluded that they were "tedious and troublesome complaints."

Beaumarchais based his reasoning on the principle that the subjects of a neutral state are entitled to carry on their normal trade with either belligerent; that the only restrictions imposed upon them are those concerning contraband of war; and that restraints on neutral trade must be inforced by the belligerents and not by the neutral state. The neutral state must acquiesce in those restraints and must cooperate in enforcing them only insofar as infractions are not unwarrantable. England, however, held that European nations should close their ports to Americans and seize and deliver to her any American ships which appeared in their ports. Portugal complied with the British policy,

12 Ibid., pp. 17-21.
13 Ibid., p. 35.
14 Ibid., p. 43.
but France and Spain denied that they were obliged to do so as neutrals. France also objected to British requests that the French merchants who had been caught smuggling be imprisoned, on the ground that these infractions were not criminal but only involved the perpetrators in the seizure of their property. These were arguments used by Beaumarchais to convince Vergennes in early 1776 that the British government's exactions were not warranted.

In his Observations Beaumarchais related the many complaints lodged by the French government with the Court of London, concerning the "annoyances and acts of violence" which French shipping suffered at the hands of the British navy and British privateers. "The British," wrote Beaumarchais, "accustomed to an arbitrary conduct and above all to impunity," violated all the procedures prescribed in Articles 15, 19, 20 and 21 of the Treaty of Utrecht. One of these articles concerned the procedure to be followed in exercising the right of search. When a man-of-war met a suspicious merchant ship on the high sea, the man-of-war was to send two or three officers to the merchant ship in order to inspect the ship's papers. On many occasions

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15 Bemis, Diplomacy, pp. 130-139; Wharton, Rev. Corr., I, 454.
16 Loménie, Beaumarchais, pp. 272-273.
18 Beaumarchais, Observations, p. 17.
British officers boarded the French merchant ship in great numbers and pillaged it. The British navy stopped at nothing. In one case a British man-of-war took over a French vessel, the Marie of Dieppe, and forced it to give chase to another French schooner, which was in this manner run down to another British frigate and searched.¹⁹ In fact, the British would stop any French ship, persuaded as they were that all French ships going to the French West Indies contained merchandise destined for America, and force the French captains to confess under duress. They seized French ships indiscriminately and the British courts apprized of these cases always decided in favor of the captors, even though the merchandise was not contraband of war but such as "might suit the Americans."²⁰

Thus, the Observations described the secret war in which Deane and Beaumarchais took part. An account of this participation will always remain vague, for the activities involved were unlawful, could not be recorded but, on the contrary, had to be disguised. An idealistic devotion to the cause of American independence inspired the two men, who very well knew they might never get recognition for their efforts and that they ran the risk of ruining themselves. Assistance to the American privateers was one of Beaumarchais' accomplishments in his fight for America.

¹⁹Ibid., p. 19.  ²⁰Ibid., p. 23.
In his first letter to the Committee of Secret Correspondence, Beaumarchais offered to supply Congress with everything which can be useful for the honorable war in which you are engaged. Your deputies, Gentlemen, will find in me a sure friend, an asylum in my house, money in my coffers, and every means of facilitating their operations, whether of a public or secret nature. I will, if possible, remove all obstacles that may oppose your wishes from the politics of Europe. . . . Notwithstanding the open opposition which the King of France, his ministers and the agents of administration show and ought to show to everything that carries the least appearance of violating foreign treaties and the internal ordinances of the Kingdom, I dare promise to you, Gentlemen, that my indefatigable zeal shall never be wanting to clear up difficulties, soften prohibitions, and in short facilitate all operations . . . .

To this offer of services the Committee of Correspondence did not reply, but Silas Deane did find "money in Beaumarchais' coffers" at a time when he could not obtain it from any other merchants or from the French government. The money lent by Beaumarchais to Deane was used in helping the privateers sell their prizes clandestinely, repairing their ships, and in other emergencies. Many an American sailor escaped from British prison found with the American Commissioner the small but crucial amount of gold upon which he could subsist until he sailed again. The cash

21 Beaumarchais to Committee of Secret Correspondence, August 18, 1776, Wharton, Rev. Corr., II, 129.

22 Deane Papers, I, 214.
advances made by Beaumarchais to Deane on this account amounted to 144,525 livres.\textsuperscript{23}

The American commissioner was authorized by Congress to carry on such activities. In March of 1776, before Deane left for America, Congress, as well as the State of Massachusetts, had already authorized privateering and had begun issuing letters of marque. Congress sent Deane blank commissions for his use in fitting out privateers in France. These privateers attacked British commerce in European waters and even cruised on the coast of Great Britain, to the great indignation of the British government, as recorded in Lord Stormont's complaint to the Court of France, mentioned above. Even after the arrival of Benjamin Franklin and Arthur Lee as Joint Commissioners, in December of 1776, Silas Deane continued handling the assistance to privateers.\textsuperscript{24}

Beside the aid to American privateers, the secret work of Deane and Beaumarchais included the recruiting and transfer to America of officers and men from the French armed forces. In his memorial Gibbon alleged that the French government was responsible for these activities. Beaumarchais replied that the officers who went to America

\textsuperscript{23}J.C.C., June 1779, XIV, 690.

were unemployed soldiers who, weary of inactivity, individually offered their services to the American commissioner. As he wrote with more than a grain of truth, the proof that the French government was not responsible for these officers' transfer was the cold reception given to them in America. Had these men been sent by the king of France, they would have been more than welcome.  

The recruiting was done before Benjamin Franklin's arrival in France. In July of 1776, Beaumarchais discussed with Deane the necessity of sending a certain number of technicians to America to accompany the train of artillery which Deane had ordered for Congress, since the Americans were inexperienced in military tactics. The Frenchman assured Deane that the transfer of technicians had been suggested previously by Arthur Lee and that therefore Deane should not hesitate to follow suit. Deane agreed to the proposition, although in so doing he was going beyond his instructions. "I have no uneasiness of mind on this subject," he wrote, however, to the Committee of Secret Correspondence, "for should I be sacrificed, it will be in that cause to which I have devoted my life."  

Beaumarchais proposed to induce the best subjects in the French forces to leave for America; he recommended

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25 Beaumarchais, Observations, pp. 48-49.

26 Deane to Committee of Secret Correspondence, August 18, 1776, Deane Papers, I, 218. Ibid., II, 431; III, 153-154.
especially the soldiers of fortune, who were promoted on their merits alone and not because of their birth, and therefore were usually the most capable. In his first letter to the Committee of Secret Correspondence Beaumarchais announced the arrival in Philadelphia of "an officer of the greatest merit for artillery and genius in military engineering, accompanied by lieutenants, officers, artillerists, cannoniers, etc., whom we think necessary for the service." The artilleryman referred to was a French aristocrat by the name of Philipe Charles Jean Baptiste Tronson du Coudray, who was Adjutant of Artillery in France, the highest-ranking artillery officer in the kingdom. In a contract dated September 11, 1776, du Coudray agreed with Deane that he would head a corps of engineers to accompany the train of artillery to America. Deane promised him the command of artillery in the American army with the title of General. Du Coudray asked for salaries for himself and his men, which Deane deemed excessive. But, as Beaumarchais wrote the commissioner, "one can hardly expect excellent men to expatriate them-

27 Deane Papers, I, 163, 211.
28 Beaumarchais to Committee of Secret Correspondence, August 18, 1776, Wharton, Rev. Corr., II, 129. The word "genius" is an inaccurate translation of the French "génie," which here signifies "military engineering."
29 Deane Papers, I, 211, 217, 229, 232.
selves unless somewhat better conditions are offered them than they might obtain by staying at home."\textsuperscript{30}

Both men soon had cause to deplore their choice. Du Coudray was to be for Beaumarchais "the devil in my affairs," on both sides of the Atlantic.\textsuperscript{31} On the Amphitrite's sailing date, the artillery general delayed the ship for several hours while he was attending to his private correspondence. The Amphitrite barely escaped the ministerial embargo and was hopefully heading toward the coast of New England, when du Coudray ordered the ship back to the French port of L'Orient. The excuse given was that the food supply on board was not adequate; the main reason probably was that the general was anxious about his contract with Deane, as he had heard about the arrival of Benjamin Franklin as Joint Commissioner. Thereafter, some of du Coudray's men took different passage to America, in violation of the agreement between Deane and du Coudray that the men were to accompany the cannon. It would, of course, have been very dangerous to be caught by the British on a ship loaded with cannon.\textsuperscript{32}

Du Coudray's accomplishments on the other side of the Atlantic were no less spectacular. In May of 1777,

\textsuperscript{30}Beaumarchais to Deane, September 18, 1776, \textit{Deane Papers}, I, 249.

\textsuperscript{31}Beaumarchais to Deane, December 17, 1776, \textit{ibid.}, I, 426.

\textsuperscript{32}\textit{Ibid.}, I, 460.
General Washington objected to the clause contained in Deane's contract, in accordance with which he would have been obliged to replace the competent General Knox by a Frenchman as General of Artillery. Thereupon, du Coudray, conciliatory for the first and last time, drowned in the Schuykill River and thereby "relieved the American Army of a difficult problem of rank adjustment." 33

Under General Thomas Conway, Deane sent to America a corps of infantrymen. Unlike most other recruits, Conway and his men spoke English. Conway was, in fact, an Irishman who wanted to settle in America with his family. He had the reputation of being one of the best disciplinarians in the French army and a skillful general. After several months in America, however, he got involved in a cabal against General Washington, and so, like many others among Deane's recruits, tarnished his record. 34

While Deane was blamed for the presence in America of many undesirable recruits, he failed to receive recognition for sending over many a valuable officer. Deane must be given credit for sending over Baron von Steuben, 35 who was to become Inspector General and drill master of the Continental army. In recommending Von Steuben,

33 Washington's Writings, VIII, 148-149.
34 Deane Papers, I, 380, 454, 460, 468; V, 429.
35 Ibid., II, 120.
the French playwright had written:

> The art of making war with success being the fruit of courage combined with prudence, intelligence and experience, a companion in arms of the great Frederick, who was with him during twenty-two years, seemed to us a man most fit to assist Monsieur Washington. 36

Deane and Beaumarchais also hired Baron de Kalb and his corps of infantry officers, as well as the officers who left under the Marquis de la Fayette, a general at the age of nineteen. 37 The young marquis refused to receive any pay from the American army and reserved the right to return to France when he felt that his king needed him. 38

Among the officers sent by Deane with the help of Beaumarchais, many others gave satisfactory service; for instance, General Pulaski, who, like Baron de Kalb, died on the field of battle, 39 and Charles Armand Tufin, Marquis de la Rouerie, known as "Colonel Armand," who was a friend of General Washington's. 40

Recruiting activities are not mentioned in Beaumarchais' letter of July 14, 1783 (Appendix A). The playwright


37 *Deane Papers*, II, 120.

38 In America LaFayette had to borrow money and was rescued from the loan sharks of Philadelphia by Beaumarchais' agent, Théveneau de Francy, who lent him money at low interest rate. Loménie, *Beaumarchais*, p. 314.

39 *Deane Papers*, V, 429.

knew that French officers had been generally unpopular in the New World and that Deane had been severely criticized for sending them. The criticism suffered by the Connecticut patriot for these activities was undoubtedly, at least partially, a result of factionalism. Whether or not he had been reckless and unwise in his choice of men, his intentions had been irreproachable and the transfer of trained officers to America certainly contributed to the final success of the American War of Independence.

Although he had been authorized by Vergennes to write his answer to the Justificative Memorial of the Court of London, Beaumarchais' finished work failed to please the minister. The Observations was banned by ministerial decree on the ground that a clause of the Treaty of Paris of 1763 had been misrepresented. The pamphleteer offered to send corrections to the newspapers and to have the book reprinted, but his efforts were of no avail. "I shall die of grief," wrote Beaumarchais to Vergennes, "if you have the cruelty to deliver my person and my work to the degradation of a public stigma." He begged the minister to consider that the punishment was excessive relative to the error committed and that the ban would tend to discredit the book and would give greater force to the charge of perfidy hurled by Britain.

41 Beaumarchais to the Minister's Council, December 19, 1779, Lomenie, Beaumarchais, p. 316. The playwright's protests were probably pro forma, for the book was published abroad and he probably understood Vergennes' reasons for banning the book.
at France. His appeal was rejected and Vergennes asked his secretary, J. M. Gérard de Rayneval, to write another Observations on the Justificative Memorial of the Court of London. Vergennes' reasons for banning Beaumarchais' work were, of course, of a diplomatic nature. France was now at war with England and the ally of the United States. The tergiversations of the neutrality period were better forgotten. The ban of the Observations was the final omen that the secret agent's political role had come to an end. Thenceforth he would be, as far as the French and American governments were concerned, only a persistent and hapless claimant.

42J. M. Gérard de Rayneval, Observations sur le Mémoire Justificatif de la Cour de Londres (Paris, 1780), mentioned in Griffin & Bemis, Guide to the Diplomacy of the United States, p. 14, was unavailable to the writer. A comparison between Gérard's and Beaumarchais' works should provide new insight in Vergennes' diplomacy.

43Sumner, The Financier and the Finances of the American Revolution, I, 177.
CHAPTER VI

BEAUMARCHAIS' CASE BEFORE CONGRESS

By what inconceivable subversion of all principles, gentlemen, have I then experienced from the time of my shipments to this day nothing but ingratitude, injustice and hardships in everything which relates to your service?¹

In December of 1777, on the last of the Hortales and Company ships which delivered military supplies to the Continental Congress, the Flamand, Jean Baptiste Lazarus Théveneau de Francy arrived in America. Francy had served as interpreter to Deane and Beaumarchais, and he was fully conversant with their transactions. As representative of Roderigue Hortales and Company in America, he enjoyed full powers of attorney,² and he was supposed to obtain payment from Congress for the eight shiploads of supplies previously sent. His employer, who found himself in "horrible straits"³

¹Appendix A, infra, p. 129.
²J.C.C., X, 320. Beaumarchais to Francy, December 20, 1777, Loménie, Beaumarchais, p. 299. Exhilarated by the news of the American victory at Saratoga, the playwright wrote to his agent: "To be pedantic enough to lay down your plan of conduct... would, my dear, be to imitate the folly of the English minister who wished to make war and draw up the plan of the campaign in his own closet."
³Ibid., p. 301.
financially, hoped that Francy would immediately secure a cargo of tobacco from Congress and ship it by the returning Flamand.

Francy did not get the return cargo for the Flamand but his negotiations with Congress showed remarkable results in a relatively short time. On April 7, 1778, four months after his arrival in Philadelphia, Francy obtained from Congress a contract in which the United States recognized itself indebted to Roderigue Hortales and Company for the various shipments of military supplies it had received in the past. Moreover, the contract provided for future shipments to be made on credit by Hortales to Congress, in an amount not to exceed 24,000,000 livres per year. On such future shipments, Congress agreed to pay the company a commission of two and a half per cent.

The contract read, in part, as follows:

Whereas Roderigue Hortales and Company of Paris have shipped, or caused to be shipped or laden on board sundry ships or vessels considerable quantities of cannon, arms, ammunition, clothing and other stores, most of which have been safely landed in America, and delivered to the agents of the United States for the use and service thereof; and

Whereas Roderigue Hortales and Company are willing and desirous to continue supplying these states with cannon, mortars, bombs, arms, ammunition, clothing and every sort of stores, that may be wanted or required, and also with specie, provided satisfactory assumption be made and assurance given for the payment in France of the first cost, charges and freight of the cargoes already shipped, as well as those to be hereafter shipped, and of specie to be advanced. . . .

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4 J.C.C., X, 316-319.
The contract was duly executed and fully valid. Pursuant thereto, Congress passed several resolutions for the sale of tobacco to Hortales and Company. These resolutions, however, were never implemented. This failure was due to political and economic reasons. First, inflation was running wild and tobacco merchants were reluctant to sell. In fact, most of the tobacco in the country was being hoarded in the warehouses of Robert Morris. Secondly, Congress was divided into two warring factions. Robert Morris and his friends were being attacked by the Lee-Adams group on charges of profiteering. In this dispute Beaumarchais and Deane were associated with the Morris group and the Lee-Adams faction proffered against them virulent charges of fraud and embezzlement in the press and in Congress. But the economic factor was probably more important in obstructing the payment of Beaumarchais' claim than the antagonism of the Lee-Adams faction, which had not been able to prevent the signing of the contract and was obviously at that time losing ground. This retreat was probably due to the news of the signing of the French alliance.

5 Augur, Secret War, pp. 201-202.

6 Ibid., pp. 310-316. Miller, Triumph of Freedom, pp. 357-368. Edmund C. Burnett, The Continental Congress (New York, 1941), pp. 360-374. Miller's analysis of factionalism in the Continental Congress is the most satisfying. It is especially perceptive, well-balanced and complete, as well as keenly humorous.
In the same month of April, 1773, on the flagship of Comte d'Estaing's fleet, Deane was sailing back to America with Conrad Alexandre Gérard, first French ambassador to the United States. Deane had been recalled by Congress at the end of 1777, in a period of predominance of the Lee-Adams faction, but the news of his recall had not reached him until March, 1778. The Franco-American treaties, which had been signed in February, fell somewhat short of the American commissioners' expectations. The commissioners had hoped that France would enter the war and open a second front. As it was, the alliance was mainly commercial and provided for an "eventual and defensive" military alliance, that is, conditioned upon a declaration of war by Great Britain toward France. The alliance had not yet been ratified by Congress, and in this critical period British and French diplomacy vied for the Americans' favor. The Americans could play off France against England and England against France. In a long letter to the king's ministers, dated March 13, 1773, Beaumarchais suggested that Deane's recall was caused not only by Lee's jealousy and vindictiveness, but also by criticism concerning Deane's recruiting and the French alliance itself. 

The memorialist suggested that Deane go home endowed with every possible mark of favor from the king of France, and all of his suggestions were followed. Deane arrived triumphantly in Philadelphia in July with the French ambassador. 8

The ambassador, Gérard, had served as intermediary between Deane and Vergennes and was familiar with all the Roderigue Hortalez transactions. Before his departure from Paris, however, he had been briefed by Vergennes on the attitude he should adopt regarding the Beaumarchais affair. He was instructed to state that the French government knew nothing about Beaumarchais' trade, on the one hand, and on the other that war munitions had been furnished him from French arsenals, on the condition that he replace or pay for them. 9 This twofold statement, the second part of which was in contradiction with the first, was dictated by a desire on the part of the French government to obtain credit for secret aid furnished America in an effort to win the Americans' gratitude. The second part of the statement contained another ambiguity relative to Beaumarchais' connection with the French government. The words "replace or pay for them" were

8 Perkίps, France in the American Revolution, pp. 260, 262.

calculated to throw a mist on the nature of Beaumarchais' obligation to pay the French arsenals for the munitions he was to sell to Congress. The ultimate purpose of Vergennes' duplicity was, of course, to promote the French national interest, as he saw it. Contrary to the interpretation adopted by Edmund C. Burnett, among other historians, after the conclusion of the Franco-American alliance Vergennes was quite willing to admit a breach of neutrality laws on the part of the French government, and the minister did not hesitate sacrificing the interests of the secret agent. A secret agent, like a spy, should expect to be abandoned by his government, and it would have been naive on Beaumarchais' part not to have expected it.

Under the circumstances, Congress could not fail to question the validity of the Hortales claim. Soon the American commissioners in Paris were instructed to ask for Vergennes' opinion on the new contract between Congress and Hortales, and whether or not Congress really owed Beaumarchais for all of the supplies sent, since it was believed that at least a part of them came from the French government. On September 10, 1778, Franklin, Lee and John Adams presented to Vergennes a note to this effect.  


The minister declined to advise the commissioners on the new Hortales contract, but as to the Hortales past shipments to Congress, his answer was even more equivocal than his earlier instructions to Gérard. He wrote to the ambassador:

I have replied to them that the king did not furnish them with anything; that he simply allowed M. de Beaumarchais to supply himself from his arsenals, under an engagement to replace what he took; and, moreover, that I would with pleasure interest myself to prevent their being too much pressed for the repayment of the military articles.¹²

This time, the minister's statement was threefold, and just as devoid of coherent meaning as his first utterance. First, the king had not furnished arms; second, he had furnished arms to Beaumarchais, on the condition that he replace them—payment was no longer mentioned, and the improbability of a replacement was obvious; third, the minister would cause Congress to obtain further credit. Vergennes' attitude permanently clouded Beaumarchais' claim. It was not a member of the Lee-Adams faction, but the conservative John Dickinson, who expressed the general opinion of Congress in these terms:

A line ought to be drawn between the stores which this gentleman has been permitted to take out of the royal magazine, for which he has constituted himself debtor to the Department of War, and between those articles which the same gentleman,

¹²Vergennes to Gérard, September 16, 1778, Meng, Despatches, p. 294. Loménie, Beaumarchais, p. 322.
has bought in the way of common trade for the use of the United States. 13

The fact that Vergennes himself contributed to the fall of Beaumarchais' claim and the obscuration of his role is generally overlooked, while historians exaggerate Arthur Lee's responsibility in causing Deane's and Beaumarchais' ruin.

This may be due in part to the development of the Deane-Lee controversy in Congress and in the press and to Gérard's intervention on the side of the Deane-Morris group. In fact, in the Fall of 1779, many Americans were disappointed by the French alliance, for it had not been followed by any military progress. 14 A doctrine developed in Congress and among the public that, as long as Great Britain had not declared war upon France, Congress was free to negotiate with Great Britain separately. 15 At the same time, the controversy between the Lee and the Deane parties reached a climax, and the anti-French Lee faction accused Deane of turning the French king's gift into a commercial operation for his personal profit. Gérard, who had so far tried to steer carefully in the storm, decided to

13 J.C.C. (July, 1779), XIV, 829.
14 Perkins, France in the American Revolution, p. 280.
15 Meng, Despatches, pp. 470-471.
interfere in favor of the French party and to restore some order. In a letter to the President of Congress dated January 5, 1779, Gérard declared that the king of France had not "prefaced his alliance with any supplies whatsoever,"16 and at the same time obtained from Congress an explicit disavowal of the doctrine that the United States had kept the right to conclude a separate peace.17

Deane's friends gained ground for a while and on January 15, 1779, the President of Congress, John Jay, wrote Beaumarchais a letter, the first and only letter he ever received from Congress, in which he not only was promised payment, but also received the recognition he craved.

The liberal sentiments and extensive views which could alone dictate a conduct like yours are conspicuous in your actions and adorn your character. While with great talent you served your Prince, you have gained the esteem of this infant Republic and will receive the united applause of the New World.18

Applause was gratifying to the playwright, but as a merchant he needed to recover his funds and pursue his trade. He sent a fleet of twelve armed ships to America, loaded with various merchandise, and by the same means he

16C. A. Gérard to President of Congress, January 5, 1779, Deane Papers, III, 256-257.
17J.C.C., XIII, 54.
18Ibid., XIII, 70-71.
forwarded to Francy invoices for the eight shipments made to Congress in 1776-1777. On June 5, 1779, Francy presented these invoices to Congress:

<table>
<thead>
<tr>
<th>Ship</th>
<th>Amount (livres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amphitrite</td>
<td>782,827</td>
</tr>
<tr>
<td>Seine</td>
<td>637,515</td>
</tr>
<tr>
<td>Mercure</td>
<td>700,594</td>
</tr>
<tr>
<td>Amélie</td>
<td>230,174</td>
</tr>
<tr>
<td>Thérese</td>
<td>985,317</td>
</tr>
<tr>
<td>Mère Bobie</td>
<td>66,750</td>
</tr>
<tr>
<td>Marie Catherine</td>
<td>149,075</td>
</tr>
<tr>
<td>Flamand</td>
<td>545,416</td>
</tr>
</tbody>
</table>

Expense of transportation of cargoes of Amélie and Thérese from the West Indies to America 115,000

Demurrage on Thérese, Flamand and Amphitrite 141,400

Advances to Silas Deane 144,575

Total: 4,547,593 livres

The figures quoted included interest to March 31, 1779. The account excluded commission and insurance charges, items which were to be assessed by the commissioners in France. The account was not final and did not contain sums to be credited to the United States, to the amount of 300,000 livres for remittances which Beaumarchais had received. Francy was therefore asking for partial payment.

Congress ordered the sale of tobacco to Francy, but

19 Loménie, Beaumarchais, p. 303.
20 J.C.C., XIV, 690-691.
these orders were of no avail, as merchants refused to sell tobacco for Continental money. Gérard explained the situation to Vergennes and suggested a sort of clearing-house operation, by which the French government would settle with Beaumarchais' and credit the United States for this payment in the accounts of the United States government with France. Gérard communicated to Vergennes repeatedly his hope that the king would annul the United States' debt to Beaumarchais and pay it himself. Vergennes ignored these suggestions. On June 15, 1779, however, Congress issued to Beaumarchais 2,400,000 livres in bills of exchange, due three years from date, and bearing interest at the rate of six per cent per annum.

Meanwhile, Deane had been subjected to a protracted and inconclusive inquisition on the part of Congress. Since the Summer of 1778 he had been held in attendance without being informed what charges stood against him. In desperation Deane decided to bring his case before the people, and on December 6, 1778, he published his "Address to the Free and Virtuous Citizens of America," which caused an uproar in the press and the spectacular resignation of the President of Congress. The Deane-Lee affair came to a head. The main question in dispute involved Beaumarchais,

21Ibid., XIV, 692-693.
22Ibid., XIV, 746.
23Deane Papers, III, 66-76.
for the Lee party alleged that the supplies sent through Hortales had been a gift of the French king, and the Deane faction maintained that these supplies had been obtained by way of trade. Deane appeared in Congress on December 22 and 28, 1778, and on January 6, 1779. He was made to wait just to hear the postponement of his investigation, and it is likely that the Lee-Adams faction was expecting to cite some proof of misconduct against him but they never found any. Gérard's intervention at that point failed to end the controversy. Gérard was probably following Vergennes' guidelines in the matter. He wrote his superior that Deane had published his public address without consulting the ambassador.²⁴ Obviously, Gérard had already too much trouble in attempting to safeguard the Franco-American alliance to give much thought to Deane's welfare. Deane only made Gérard's job more difficult. Deane appeared in Congress again on March 24, and again in August of 1779, when he was finally excused from further attendance, nothing having been proved against him, and allowed to return to France to close his accounts.²⁵

Deane left America for France for the second time in 1780, a broken man. His wife had died during his first stay abroad, and he was taking along his small son to Europe. There was, however, nothing ahead of him but

²⁴Meng, Despatches, p. 404.
²⁵J.C.C., XIV, 712. At the same time, Lee was recalled by Congress.
some vague prospects of selling vacant western land to Europeans. He was embittered and disillusioned as much by the politics of Congress as that of France. Soon, he would turn against the Revolution and decry the cause of independence in his conversation and correspondence without any regard for his personal safety or that of his family. Before he was branded as a traitor, however, he returned to Paris to finish the Beaumarchais account and closed it as of April 30, 1781.

In April and May of 1782, Robert Morris, Superintendent of Finance, corresponded with Benjamin Franklin, now sole American commissioner in France, in the hope of finding some arrangement concerning the 2,400,000 livre notes which were due shortly, in June. Unfortunately, the Morris letters have disappeared and nothing remains of his proposal but Franklin's answer, and indications of a defensive attitude on Beaumarchais' part. On August 12, Franklin wrote Morris, in answer to the missing letters:

I had accepted the bills of exchange and he /Beaumarchais/ had discounted them or paid them away, or divided them among his creditors. They were therefore in different hands with whom I could not manage the transactions proposed.

26Deane Papers, IV, 117.
27Deane Papers, IV, 531.
By this time, Beaumarchais was wary about both the American government and the French government, for he knew that both of them asked nothing better than to wipe out the record of his participation in the American Revolution. When confronted by Franklin's request that he hand over the notes, he said that he no longer had them in his possession. Thereafter, he had to keep on saying that he had negotiated the bills, or that he had "been obliged to undergo the heaviest losses to make them serviceable." In fact, these documents never left his hands; they remained in the possession of the Beaumarchais heirs, and they are now preserved among the Beaumarchais papers at the Bibliothèque Nationale. The notes were worthless, or nearly so, and he cared more for them as evidence of the American recognition of his claim than for whatever financial value they might have had.

Immediately after talking with Franklin, however, Beaumarchais sent an extract of his account to Robert Morris, invoking his "very embarassed situation," and begging for a payment on account in the form of bills of exchange.

30 Appendix A, infra, p. 120.

31 Beaumarchais to Morris, June 3, 1782, Wharton, Rev. Corr., V, 469.

32 Dennery, Beaumarchais, p. 85.

33 Perkins, France in the American Revolution, p. 107.

34 Beaumarchais to Morris, June 3, 1782, Wharton, Rev. Corr., V, 469.
exchange similar to those he had received in 1779. The balance allegedly due him in 1782 amounted to 3,322,390 livres.\textsuperscript{35}

Morris disregarded the Beaumarchais appeal, probably because Congress had recently appointed a commissioner to settle the accounts of the United States in Europe, and particularly those of Deane and Beaumarchais. The appointee, Thomas Barclay, was a former loyalist, who had volunteered and served under General Burgoyne against the revolutionary troops.\textsuperscript{36} As such, Barclay could be counted upon to be impervious to the native charm of the man who had been a provider to the American armies. Barclay was besides, like his assistant, Matthew Ridley, a business competitor of the Beaumarchais firm and a partner in certain of Robert Morris' ventures. Matthew Ridley was commercial agent for the state of Maryland, and Barclay was appointed American Consul in Paris in September, 1782.\textsuperscript{37}

Morris instructed Barclay to use the strictest and most workmanlike accounting procedures in auditing Deane's and Beaumarchais' accounts. "The business which has

\textsuperscript{35}Ibid., V, 470-471.


\textsuperscript{37}Wharton, Rev. Corr., V, 796. Diplomatic Correspondence, 1783-1789, I, 462. Ridley was Morris' sons' guardian, while they were in school in Europe. Eleanor Young, Forgotten Patriot, Robert Morris (New York, 1950), pp. 160-161.
passed through their hands," wrote Morris to Barclay, "has not been well done." Beaumarchais must prove delivery of the goods; he must also furnish samples of the merchandise, the quality of which, according to Morris, had sometimes been "not only base but despicable." Every charge must be supported by a voucher, which in most cases would be the supplier's invoice, showing the purchase price.

Under those circumstances, it was to be expected that Beaumarchais would appeal to Congress. Although busy, prosperous and popular, he had many liabilities and was very vulnerable. He therefore felt that he needed to recover his claim against the United States government. He was besides keenly aware of injustice in Congress' attitude toward him and Deane. The secret and urgent nature of the services rendered by the two men in supplying the insurgent colonies in their time of need did not allow, nor deserve, the kind of accounting proposed by Barclay.

38 Morris to Barclay, December 5, 1782, Diplomatic Correspondence, 1783-1789, I, 462.

39 Ibid.

40 Beaumarchais had been for several years busy with the publication of Voltaire's works. Since these works were banned in France, he had purchased a printing plant in Germany, at Kehl, and in view of the difficulties in procuring paper for such a risky project, he had even bought a paper mill. The first volume came out in 1783. There were to be two editions, of seventy and ninety-two volumes, respectively. The books were advertised in the foreign papers, but the Church, in France, immediately began its attacks against the publication. He risked losing a considerable investment. Lomenie, Beaumarchais, pp. 344-349.
Beaumarchais had never been a man to quaff the bitter cup of injustice in resignation. He took his well-sharpened pen and wrote to Congress, under date of July 14, 1783, the letter attached hereto as Appendix A.

After drafting his appeal, the busy playwright copied it once without making a copy for his file. He counted on sending Francy back to America to present his letter to Congress. Francy, however, who was to die of tuberculosis that very year, was too ill to travel. Finally, Beaumarchais entrusted his letter and all accompanying documents to the captain of the ship Comte d'Estaing, a man by the name of LeVaigneur. The captain was to prove a poor replacement for Théveneau de Francy. After his arrival in America, he tarried a while before presenting his employer's appeal to Congress. He was probably taking care of his own business, selling whatever goods he had brought on his own account. According to his undated letter to Congress, LeVaigneur had waited for the Congressional press of business to slacken, as Congress had just moved to Annapolis.41

The delay occasioned by LeVaigneur did not matter, however, for on May 26, 1784, the claim was referred to a committee of Congress composed of Arthur Lee, Francis Dana

and Thomas Stone.\textsuperscript{42} It took but a few days for that committee to find that in 1781 Deane had not been authorized to settle Beaumarchais' accounts. On June 4, 1784, Congress passed a resolution sending the claim back to Barclay in France.\textsuperscript{43}

When adversity hits, it hits more than once. In March of 1785 the playwright was thrown into the St. Lazare prison in Paris by order of the king, as a result of an incident of the literary battle which followed the long-awaited performance of \textit{The Marriage of Figaro}.\textsuperscript{44} To be sent to the Bastille was a signal honor compared to what had befallen the fifty-two year old playwright. St. Lazarre was a prison reserved for juvenile delinquents, and the prisoners there were whipped twice a day.\textsuperscript{45} At first, the public laughed; then there were grumblings. Thomas Jefferson, who was then American Ambassador in France, notes in his correspondence that the emprisonment of Beaumarchais comes

\begin{footnotes}
\item[42]\textit{Ibid.}, p. 246.
\item[43]\textit{J.C.C.}, XXVII, 566.
\item[44]Beaumarchais had written the following careless statement in answer to some petty critic of his comedy: "'When I have had to conquer lions and tigers in order to get a comedy acted, do you think that after its success you will reduce me to a Dutch housemaid, to hunt every morning the vile insect of the night?" It appeared that he had compared Louis XVI to a wild animal. Lomenie, \textit{Beaumarchais}, p. 386.
\item[45]Dennery, \textit{Beaumarchais}, pp. 102, 103.
\end{footnotes}
under the same heading as the recent suppression of newspapers. 46

As Beaumarchais suffered persecution at the hands of the reactionary elements in France, he looked to the new republic, "conceived in liberty," which he had helped in its fight for independence. In December of 1785 he proposed a settlement of his claim to Barclay. 47 There is no trace of the proposal, and the year 1786 passed without any Congressional action on the claim. Thomas Jefferson well understood the pathos of Beaumarchais' situation, and after describing the critical political situation in France in a letter to James Madison, he stated: "A final decision of some sort should be made in Beaumarchais' affairs." 48 In the summer of 1787 Beaumarchais wrote a new appeal to Congress and asked for Jefferson's support. "A recommendation," Jefferson told him, "would be as displaced as unnecessary," 49 but to John Jay he wrote: "He [Beaumarchais]


47 Thomas Jefferson Papers, IX, 91.

48 Jefferson to Madison, August 2, 1787, ibid., XI, 664.

49 Jefferson to John Jay, August 6, 1787, ibid., XI, 699.
means to make himself heard if a Memorial which he sends
by an Agent in the present packet is not attended to as
he thinks it ought to be."\textsuperscript{50} The memorial in question,
has remained unpublished, except for the following
passage:

What do you suppose is the general opinion here
of the vicious circle in which you have involved
me? We will not reimburse M. de Beaumarchais until
his accounts are adjusted by us, and we will not
adjust his accounts, so as not to pay them! With
a nation that has become a powerful sovereign,
gratitude may be a simple virtue unworthy of its
policy; but no government can be relieved from
doing justice and from discharging its debts.
I venture to hope, sir, that, impressed by the
importance of this matter and the soundness of
my reasoning, you will oblige me with an official
reply stating what decision the honorable Congress
will come to, either promptly to adjust my accounts
and settle them, like any equitable sovereign, or
to submit the points in dispute to arbiters in
Europe with regard to insurances and commissions,
as Mr. Barclay had the honor of proposing to you
in 1785, or, finally, to let me know without
further shift that American sovereigns, unmindful
of past services, deny me justice. I shall then
adopt such measures as seem best for my despised
interests and my wounded honor, without lacking
in the profound respect with which I am, sir,
the very humble servant of the General Congress
and yourself.\textsuperscript{51}

Upon receipt of this appeal, Congress referred the
matter again to a committee of three, chaired once more
by Arthur Lee, and Lee promptly found that, far from owing

\textsuperscript{50} Ibid.

\textsuperscript{51} Beaumarchais to President of Congress, July 2, 1787,
James Breck Perkins' translation, Perkins, \textit{France in the
American Revolution}, p. 112.
anything to Beaumarchais, Congress had overpaid him by 742,000 livres. The old Virginian arrived at this conclusion after disallowing insurance, freight and commission and alleging that two of the shiploads charged for had not been delivered.\(^\text{52}\)

In spite of appearances, however, the main obstruction to the claim was not of Lee's doing. In the summer of the preceding year, 1786, Congress discovered that, in a state paper between Vergennes and Franklin dated February 25, 1783, the amount of the aid gratuitously extended by France to the United States before 1778 was quoted as three million livres, whereas only two millions had been accounted for by Franklin. The "lost million" became a mystery which Congress set about to solve. Franklin suggested to Charles Thompson, Secretary of Congress, that the said million might be the million furnished by the French Farmers General on their tobacco contract. Thereupon, the U.S. banker in Paris, Ferdinand Grand, was instructed to ask Vergennes for clarification. Vergennes replied, in effect, that it was none of their business—that the million in question had been expended by the Royal Treasury on June 10, 1776, prior to the time Grand started acting as banker to the United States. Franklin then wrote Thompson that

the "lost million" had probably been received by Beaumarchais, but that in that case, it was "'a cabinet secret—which perhaps should not be further inquired into,'"53 Franklin's forbearance in this matter, however, inspired no imitators. The U. S. government resolved to pay Beaumarchais nothing until the mystery was cleared up.54

The question of the "lost million," a result of Vergennes' desire to keep a strict accounting of France's claim to American gratitude, was the most permanent obstacle to the settlement of Beaumarchais' claim. It remained an obstacle even when the United States Constitution was adopted, bringing an end to the financial impotence of the confederation, and when Lee's influence had died. In May of 1793, Alexander Hamilton reversed Lee's decision and found the United States indebted to Beaumarchais in the amount of 2,280,000 francs (or livres).55 Hamilton, however, left open the matter of the "lost million" and the claim lay in abeyance while the government of the new French Republic gleefully searched the old monarchy's secret archives. The receipt signed by Beaumarchais was unearthed and obligingly transmitted to the United States.

54 Loménie, Beaumarchais, pp. 324-327.
55 Perkins, France in the American Revolution, p. 144.
government in June of 1794. From then on, the United States government took the position that Beaumarchais had received one million livres in behalf of the United States and as its agent.

The same year of 1789 which brought to the United States its Constitution, brought to France a revolution which uprooted the old monarchy. Although Beaumarchais participated loyally in the French Revolution, he became suspect under the Terror and barely escaped the guillotine in 1792. Advised of the United States government's decision on his claim, Beaumarchais answered:

I demand that due notice be taken of the most explicit declaration which I now make, that I have never received from King Louis XVI, from his ministers, or from any person in the world, either a million, or a single shilling, to be presented as a gift. . . .

As to the contract of 1783, the existence of which you inform me of, and of which I had always been in ignorance, I declare that this contract, in which I was not invited to take part is absolutely foreign to me . . .

He was at the time exiled in Hamburg, where he lived in utter misery, waiting for permission to return to France.

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56 *Annals of Congress, 9th Congress, 2nd Session*, Column 964. Loménie, *Beaumarchais*, pp. 330-333. The American Ambassador in Paris was then Gouverneur Morris; the French Commissioner of Foreign Affairs was M. Buchot. Buchot made a point of the cooperation which can be expected between sister republics.


"From his garret at Hamburg," writes Loménie, "he addressed volumes to the Congress, to the ministers of the United States, and even to the whole American Nation," but to no avail. He died, unpaid, on May 18, 1799.

In 1805 a Committee of Claims of Congress, after deducting one million livres and interest thereon, found a balance due the Beaumarchais heir in the amount of 222,046 francs, or approximately $41,000.00. According to government documents, this sum was paid to Eugénie Beaumarchais Delarue in 1806, although this payment is not mentioned by any historian.

Litigation continued, however, as the Beaumarchais heir sued for the million francs deducted in 1805. An interminable exchange of notes took place between the French and the United States governments. In 1817, President Madison summarized the controversy, in a special message to Congress, as follows:

Considering that the sum of which the million livres in question was made a part was a gratuitous grant from the French government to the United States and the declaration of that government that a part of the grant was put into the hands of Mr. de Beaumarchais as its agent, not as the agent of the United States, and was truly accounted for by him to the French government, considering also the concurring opinions of two Attorneys General of the United States that the said debt was not legally sustainable in behalf of the United States,

59 Loménie, Beaumarchais, p. 331.
60 Ibid., p. 452.
I recommend the case to the favorable attention of the legislature, whose authority alone can finally decide on it. The contested statement is to maintain that the French government gave us a million livres, which was expended in the purchase of supplies, which million the French government insists was not appropriated for that purpose. Unless, therefore, we question the good faith of that government, Beaumarchais never received payment from France for that part of the supplies and he certainly never received it from this country, and it now remains due to his heirs.62

This opinion finally prevailed in 1828. The United States and France were then negotiating the settlement of reciprocal claims, arising on one side from Napoleonic spoliations, and on the other from revolutionary claims. The French government accepted a settlement of one and a half million francs for all revolutionary claims. A prorata sum of 800,000 francs was paid to the Beaumarchais heirs on July 4, 1831.63

62 Ibid., pp. 1-2.

63 Ibid., p. 8. Doubt remains whether this was the only payment received by the Beaumarchais heirs. Lomenie, Beaumarchais, p. 335, implies that this was the only payment. This is now the consensus of opinion. Cf. Wharton, Rev. Corr., I, 386, Perkins, France in the American Revolution, pp. 116-117, and Bemis, Diplomacy, p. 39. However, House Report No. 220, p. 8, declares that in 1806 the sum of $41,119.75 "with interest from the 1st of January, 1791, was paid to the claimant." It is probable that the Committee of Claims which, in 1828, produced House Report No. 220 had evidence to back this statement. The Beaumarchais claim in 1806 concerned only the deduction of 1,000,000 livres with interest from June 10, 1776, which had been made in 1805.
To the Honorable President and Members of the Congress of the Thirteen United States of America

Gentlemen:

Mr. Barclay, your Consul General in France, and Mr. Ridley, his distinguished associate, have done me the honor of transmitting to me the order and the powers which Mr. Barclay holds from you for settling here all of the accounts which concern the United States of America. Consequently, they have invited me very politely to submit to them all of my accounts, in order to expedite my returns, they said, which thenceforth could take place only after the settlement by Mr. Barclay of all my credits and debits relative to Congress. I replied to Messrs. Barclay and Ridley that the credit part of my account had been examined, settled and closed in 1781 by Mr. Silas Deane, the only one of your agents, gentlemen, with whom I dealt in Europe, who pledged your faith to me, and who negotiated with me
any and all of the advances which I made to Congress. I showed Messrs. Barclay and Ridley the settlement made by Mr. Silas Deane and all supporting documents. I informed them that the remittances I have received from Congress in money and in merchandise, on account, were the only items which were not accounted for, because these items had come to my hands subsequently, and the greatest part of them after the settlement of my credits by Mr. Deane. I offered to submit these debit items to these gentlemen and I begged of them for this part of my account the speedy settlement which they were kind enough to offer me for the whole of it. Mr. Barclay, gentlemen, kindly explained to me that according to the letter and the spirit of his commission, he could not thus separate matters and that he had to settle again all of my account as if no settlement had already been made, that he had to take the whole of it into consideration, that he was not instructed to acknowledge any settlement made by Mr. Deane, unknown apparently in America, and that notwithstanding this settlement he was asking me to submit to him again the whole mass of my accounts with the Republic, so that he might discuss, settle and liquidate them.

I will be happy to submit to you, Sir, I said to him, the settlement made by Mr. Deane, not so that you may impair the validity which my claim has enjoyed for more than two
years, but only so that you may verify it and make to the honorable Congress your observations on the settlement of this account. I will furnish you all the documents you need for that purpose. We ask nothing better than to show you the accuracy and the justice of Mr. Deane's statement. Then, giving in trust the original of my account to Mr. Barclay, who kept it in his office as long as he deemed it necessary, I added: My correspondence with Mr. Deane, which I am submitting to you along with my general account, will prove to you, gentlemen, that Mr. Deane was the only one who could settle my account because, having planned, undertaken, and practically accomplished with me all of my work, he alone could know the troubles and the difficulties involved, form a just idea of the problems I had to solve and of the obstacles of every kind I had to overcome. A perusal of this correspondence will convince you that the man who saw me constantly filling with handfuls of gold the trenches deliberately dug across my path to make it impracticable, was the only competent person to examine and finally to settle the accounts of the assistance which was given to his country, not by an ordinary merchant, with whom orders are placed while payment is either made in advance or secured, but by the tireless friend of a virtuous and oppressed people for whose sake he sacrificed his time, his health, his fortune and his friends' fortune, without any assurance of return but
the bare word and the authority of that agent of Congress.

Without laying aside the courtesy and regard which Messrs. Barclay and Ridley have never ceased to show me, Mr. Barclay observed, gentlemen, that he did not believe that in April, 1781, Mr. Silas Deane was still invested with the authority to settle an account such as mine. My reply, which was quite plain, and which I now submit to you, gentlemen, was that before Mr. Deane's departure in 1778, all of my account was already settled by him and only the final formalities remained to be attended to, that is, to make triplicate copies of the statement and for Mr. Deane to sign it, when he left secretly to sail from Toulon with Mlle Comte d'Estaing. When he returned to France, he came to finish what he had left unfinished and assured me that he had been sent back to Europe for the sole purpose of settling all accounts relative to the supplies he had been commissioned to purchase for America, and especially my accounts, although he no longer held any other public function. Such was my answer to Mr. Barclay, I also added that no act, letter or explanation on the part of Congress having then come to inform me whether Mr. Deane had or had not ceased to possess the authority to settle the accounts of affairs which he alone had undertaken, I had no reason to doubt the continuance of his commission and to refuse to submit to him all my accounts, especially since he still signed, as can be seen, Silas
Deane, Agent of Congress for the said Purchases and Supplies in Europe. I told Mr. Barclay that after the settlement was signed, I had circulated among all my partners in my affairs with America conformed copies of the said settlement, certified by me, that all subsequent payments and loss distributions between us have been made on the basis and on the faith of that settlement, and, in short, that I am neither free nor able to submit it today, except for verification upon vouchers, and not to alter it, destroy it, or in any way impair the legality which it has acquired by all the formalities which would be required before the tribunals of Europe.

Besides, I said, have you the power, sir, of allowing me those sums for which I neither could have, nor should have procured a receipt, while paying them right and left for the service of the United States? Have you the power of allowing me all the losses which I was forced to take on the bills of exchange, drawn absolutely without credit in Europe, which I was obliged to negotiate at great loss, being unable to await their maturity three years from date, for the payment of supplies sold on credit more than six years before? Mr. Deane could pass on insurance premiums at the rate at which they were then, because he had witnessed the dreadful anxiety which seized my associated when the returns he had so many times announced failed to appear in our ports. He was able, he was even obliged, to give
advice to Congress on the commission payable to me, because he had seen the strenuous labors, the efforts and the disinterested exertions of the man who, having made no previous stipulations for his generous shipments, consented to become then the factor of the United States, only because it was agreeable to them. Moreover, must we not at last refer the differences which arise between us to the judgment and decision of Congress, and would whatever is said here exempt me from sending my agent to America to reach with the legislative power an agreement as to the terms and conditions of the payments to be made to me? Let us then come to a point. Either verify my account as settled upon vouchers, without adulterating it, or allow me to send immediately my agent to Philadelphia to present respectfully to the legislative body my just demands, this account, and all its supporting documents.

Mr. Barclay, gentlemen, as well as Mr. Ridley, struck with the force of my reasons, concurred that I should appeal to Congress and send to the continent by M. de Francy this account and supporting documents, since in fact the main question on which we disagreed, that is, whether the settlement made by Mr. Silas Deane in 1781 was valid or not, could only be decided by Congress, once my agent, Mr. de Francy, would have laid before them the rightful grounds for my company's objection to the destruction of the only authentic title which we possess for our claim on America.
This decision being taken, I begged these gentlemen to certify that the copies of the supporting documents attached to Mr. Deane's settlement of my account were conformed to the originals which I was showing them, and wished to retain in France as I feared to expose them to the dangers of the sea. Messrs. Barclay and Ridley have preferred and even requested that these copies be certified by a Paris notary and be authenticated by the city magistrates. But we did not foresee, gentlemen, that because of local fiscal regulations such certification cannot be done by a notary without being subject to a special tax, proportionate to the sums involved, and that this tax would have cost me more than twenty thousand francs. I thought it best, therefore, to obtain from as many of my suppliers as I could find in Paris duplicates of their general accounts and accounts current with me. They certified the truth of these accounts and gave their signature before a notary. An original duplicate of each account, with the certificate which authenticates it, will be delivered to you by Mr. de Francy. Similar duplicates from suppliers who were away from Paris, certified in the same manner by a notary or notable person in the places where they reside, will also be submitted to you by my agent, M. de Francy.
Now, gentlemen, allow me to delve seriously into the principles of this great affair in the presence of the venerable Congress, which indeed always does subsist but often is composed of new members to whom the nature of my demands and the justice of my complaints are not sufficiently known, if I may judge by the terms of the November 20, 1782, resolutions communicated to me by Mr. Barclay, your Consul General. This complaint, gentlemen, does not deviate from the profound respect which I profess for the venerable Congress before which I have the honor of pleading. It is, on the contrary, the strongest proof of the value I attach to the esteem and the opinion of the brave people to whose cause I have devoted my whole life. And the greater disparity there is between a private individual in Europe and the noble nation which you represent, the more the exertions and the many toils of that man who served you ardently deserve your esteem and, I dare say, your gratitude.

Will you not deign, gentlemen, to do justice to the first European who came to your help and provided you with generous assistance? Every citizen of the thirteen states owed his energy, his fortune, his person and his life to the common cause and to the country, but I, gentlemen, a stranger to your pretensions and your debates, born a French citizen, living quietly in my own country, and who worked so diligently for yours, was I to expect the
humiliation to which I am reduced today of being obliged to keep on claiming rights too long overlooked and of tiring you with my sad complaints?

Will you recall, gentlemen, those unhappy times when crushed by war and British persecution you were sending secret emissaries to all the powers of Europe, the time when you were calling in vain on the big commercial houses of these different nations without obtaining from them any assistance? I alone, then, gentlemen, a subject of a monarchic state, without any other spur than my love for the good of mankind and my admiration for the virtuous efforts which promised it to you, I had been laboring for two years to procure you friends in Europe by every means which persuasion and argument could furnish.

Only one newspaper was apt to give freely to our Frenchmen just notions of your rights and of the wrongs committed against you by old England, that was Le Courrier de l'Europe. It was I, gentlemen, who solicited and obtained its admission into France, in spite of considerable difficulties. I composed the first articles which were published there in favor of your cause, and which established its justice upon principles which have since then been adopted by all sensible people in Europe.

I sought your friends and secret agents in England at the peril of my life, promised them to do my best with our ministers, returned in fact to plead your cause in France
and remind powerful men who knew it better than I did, but whom your situation, the politics and the youth of the King rendered then uncertain and circumspect, that the separation of America from England was the greatest concern which should occupy the French government. I was the first to solicit the assistance required by your situation in a memorial where I strongly established the extent of neutral rights, made application of my principles to present circumstances, and explained the possibility of using them to assist you, but who could then obtain but a certain tolerance for the energetic zeal of a company of merchants which I formed, in whose activities one not only refused to enter, but whose efforts would be punished at the first sign of publicity. See upon this subject, gentlemen, my correspondence in ciphers with one of your secret agents, M. Arthur Lee, residing then in England, which will be laid before you.

At that very time your official agent arrived in France, but alone, without money, without credit, not knowing anyone and unable even to speak French. I made his acquaintance at Bordeaux. My love for your great cause soon attached him to me. He implored my zeal and my assistance and later on, when he came to Paris, disclosed to me his powers and his difficulties. He applied in vain to the government, returned to me, knew my courage and my candor and finally began in my office the work of soliciting,
planning and carrying on the shipments which I made you consecutively and which since then have brought me nothing but sorrow.

But what bargain, gentlemen, do you believe that this agent made with me? Ardent prayers were his applications which we shall call orders. His promises were my only assurance of payment. The reward he offered me, in truth, was to be counted forever among the first friends of America, and I surrendered. No one, then, gentlemen, came to me in your name, who did not praise me, even excessively. All that can swell a man's pride or flatter his vanity was offered to me. Above all, I was told I would forever be cherished by a virtuous people as one of the first champions of freedom. My admiration for the cause they pleaded and for which you were fighting so nobly with your arms warming my heart and mind much more than their discourses, I gave myself entirely to your service and giving up all business, I became the agent, the apostle and the martyr of your cause in Europe. Read my answer to the British manifesto of Gibbon in which I was called the instrument of the perfidy of our ministers, but above all, read my correspondence with Mr. Deane, and read it carefully, gentlemen. It will give you an idea of my labors, my efforts, my disappointments and tireless exertions; it will show you what a single man could do for you, a man who now blushes to have to justify before your assembly
his conduct and his generous methods.

Surely, gentlemen, had I been but an ordinary merchant, eager to take advantage of your plight, is there a single advantage I could not have exacted from you? I would have fixed the profits which my greed would have prompted me to extort from you, and I would have obtained them. Far from me these vile motives and mercenary concerns. From the Frenchman that I was, I became an American - political merchant, shipowner, writer. I imparted my warmth to able but timid souls and formed a corporation under a name unknown. I gathered merchandise and warlike stores in all our ports, always under fictitious names. Your agent was supposed to procure vessels to transport these stores to America, but he could not find a single one and it was I again, who, doubling my zeal and efforts, succeeded in procuring them for him at Marseilles, Nantes and Le Havre, paying out of my own pocket two-thirds of the charter in advance and finding surety for the remainder.

If the most severe orders from all sides threatened to thwart my operations, what I could not accomplish in daytime was executed for me at night. If the authority had my ships unloaded in one port, I sent them on to reload silently at a distance in the road. Were they stopped under their proper names, I immediately changed those proscribed names, or pretended to sell the ships, and reloaded them anew under fictitious commissions. Were
written pledges exacted from the captains that they would go nowhere but to our islands in the Gulf, a powerful gratification made them yield again to my wishes. Were they sent to prison on their return for disobedience, I immediately doubled their gratification to keep their zeal from cooling, and with gold consoled them for the rigors of our politics. Voyages, messengers, agents, presents, rewards, no expense was spared. Once, by reason of a sudden injunction which cut out one of our departures, I dispatched by land to Le Havre twenty-one pieces of cannon, which, had they come from Paris by water, would have delayed us ten days.

Thus, I scattered gold everywhere to remove the obstacles which constantly came in my way, and, feeling it injurious to the nation which I served to doubt even that she would have in her gratitude the same generous sentiment I had in serving her, I regarded as straw the gold I spent for her, happy to be able at such price to procure her prompt succors. And when your agent, gentlemen, admired and encouraged my sacrifices, extolling the gratitude his country would forever have for me, I was far from imagining that that nation, once free, instead of honoring the engagements entered into on her behalf, would send new agents to sift minutely every item of my account, and presume to settle again an account already settled, would oblige me after seven years of waiting and suffering to submit to the
insulting discussion, to the minute calculation of every item of my advances, and forgetting my character and my services, would at last treat me as a petty retailer who should be too happy to receive commission and money to purchase rags in Europe.

By what inconceivable subversion of all principles, gentlemen, have I then experienced from the time of my shipments to this day nothing but ingratitude, injustice and hardships in everything which relates to your service? Not only the returns so solemnly promised, which should have arrived in Europe within one year at the most, never appeared in our ports, but when my own vessels, for millions expended, have brought me from the continent trifling quantities of merchandise, I was obliged in order to obtain them to dispute them to your commissioners, who claimed them under the pretext that they needed them. To wrangle them from me, they went so far as to sue, and I was forced in turn to threaten to complain to our ministers, to France, to America and to all of Europe. If the startling character of this narrative leads you to believe that I am exaggerating, see on the returns of the Amphitrite, Aurélie, and Thérèse my letter to your agent in France, the letter I wrote to M. de Vergennes, the answer I received from this wise minister, and his reproaches for the sharpness of my expressions, although he acknowledged in his kindness the justice of my resentment and
of my complaints. The most rightful indignation, gentlemen, alone could thus have altered my character and my style with your agents and might possibly excuse its bitterness. But compare this severe letter, gentlemen, with those I had the honor of writing you in 1776, full of the ardent zeal which made me espouse your cause. In reading them you may appreciate how vexed and bewildered I was when I failed to receive any answer from you and I sought in vain for three years a solution to this incredible problem.

In truth, gentlemen, I was not aware that some, trying to get recognition themselves for what I was doing alone, deceived you basely on my account. To believe these honorable intriguers I was but an obscure ghost who served as a cloak to cover the generous gifts which each of them boasted to have obtained gratuitously from the king of France, and while I was overburdening myself with loans, payments, interests, and ruinous transactions in order to survive while waiting for returns which would never come, on the continent they were content to use my shipments without even taking the trouble of acknowledging receipt.

So many outrages, gentlemen, your obstinate silence, the lack of returns which Deane excused as he could by the difficulties of the times, have finally forced me to send to you a representative of my business, to whom I
have promised on all sums recovered a two-and-a-half per cent commission which I have charged to you in my account. This is the same M. de Francy who has again the honor of laying my claim before you. Through him, I learned the base and vile attempts which have been made to ruin me in your esteem. To his efforts I owe the tardy recognition which you made of my rights and the bills of exchange you sent me in 1779, payable three years from date for merchandise advanced more than six years before and which was supposed to be paid in six months. Finally, it is with his assistance that in 1781 my accounts were settled by Mr. Silas Deane, for whom he served as my interpreter at the time when we did not yet speak the same language, in 1776.

I am sending him today, gentlemen, to hand you this letter and to ask justice of you, to submit to you the credit and debit accounts of my business with you, request liquidation and receive payment. I expect of you, gentlemen, an honorable treatment and such as my zeal and conduct toward you have given me the right to expect, and as the repayment of a debt of honor is not an adequate reward for services such as mine, when you have done me justice, I ask of you, gentlemen, public marks of your esteem. Let these be the noble reward for my exertions in your behalf in Europe, where I have not ceased for eight years to solicit our ministers by repeated memorials on the
political and commercial interests of your new republic. These wise ministers exist, they will testify in my favor. They have many a time wondered at my constant and active zeal, for they knew the serious grievances I had against those whom I served so wholeheartedly.

Give me, therefore, gentlemen, what is due me by setting apart the zealous friend who has supplied your needs from those whom your misfortunes have enriched. Do not lengthen my ordeal by delegating to other judges a settlement which I want to receive from you alone. If I should have the misfortune not to obtain that honorable justice in return for so many proofs of attachment, stung with vexation and mortally wounded, what then remains for me to do? Must I, gentlemen, shaking the dust of my feet on all my American connections, demand justice at the bar of Europe, by publishing what I have advanced, suffered and kept secret to this moment for the support of your cause and the maintenance of your honor? You will not force me, gentlemen, to this last resort. My heart, my conduct and your sense of justice assure me of it.

People noble and free today, rival of the proudest sovereigns, friend and ally of my king! You will feel that it is more honorable for you and without danger for your reputation to remember today that a private individual in Europe had the courage to espouse your interests when they were despised by all, and that he dared send
you, at the peril of his health, of his fortune and of his life, the first generous aid that you received from our continent.

I am with the deepest respect, gentlemen,

your very humble and obedient servant,

/s/ Caron de Beaumarchais

known heretofore in America under the trade name of

Roderigue Hortales & Company

Paris, July 14, 1783
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