

GEORGE WASHINGTON TO JOHN LAURENS

New Windsor, January 15, 1781

Dear Sir,

In compliance with your request I shall commit to writing the result of our conferences on the present state of American affairs— In which I have given you my ideas with that freedom and explicitness, which the objects of your commission, my entire confidence in you, and the exigency demands.

To me it appears evident—

1st. That, considering the diffused population of these States, the consequent difficulty of drawing together its resources, The composition and temper of a part of its Inhabitants, the want of a sufficient stock of national wealth as a foundation for revenue, and the almost total extinction of commerce—the efforts we have been compelled to make for carrying on the war, have exceeded the natural abilities of this Country and by degrees brought it to a crisis, which renders immediate and efficacious succours, from Abroad indispensable to its safety.

2^{ndly}. That, notwithstanding from the confusion always attendant on a revolution, from our having had governments to frame, and every species of Civil and military institution to create, from that inexperience in affairs necessarily incident to a Nation in its commencement, some errors may have been committed in the administration of our finances, to which a part of our embarrassments are to be attributed—yet they are principally to be ascribed to an essential defect of means, to the want of a sufficient stock of wealth as mentioned in the first article, which, continuing to operate, will make it impossible, by any merely interior exertions, to extricate ourselves from these embarrassments, restore public credit, and furnish the funds requisite for the support of the war.

3rdly. That experience has demonstrated the impracticability long to maintain a paper credit without funds for its redemption.—The depreciation of our currency was in the main, a necessary effect of the want of those funds; and its restoration is impossible for the same reason; to which the general diffidence that has taken place among the people is an additional, and in the present state of things, an insuperable obstacle.

4thly. That the mode, which for want of money has been substituted for supplying the Army, by assessing a proportion of the productions of the Earth, has hitherto been found ineffectual, has frequently exposed the army to the most calamitous distress, and from its novelty and incompatibility with ancient habits, is regarded by the people as burthensome and oppressive, has excited serious discontents, and in some places, alarming symptoms of opposition. This mode has besides many particular inconveniences which contribute to make it inadequate to our wants, and ineligible but as an auxiliary.

5thly. That from the best estimates of the annual expense of the war, and the annual revenues which these States are capable of affording, there is a Ballance to be supplied by public credit. The resource of domestic loans is inconsiderable, because there are properly speaking few monied men, and the few there are can employ their money more profitably otherwise, added to which the instability of the currency, and the deficiency of funds have impaired the public credit.

6thly. That the patience of the Army, from an almost uninterrupted series of complicated distress is now nearly exhausted, their discontents matured to an extremity, which has recently had very disagreeable consequences, and which demonstrates the absolute necessity of speedy relief, a relief not within the compass of our means. You are too well acquainted

with all their sufferings, for want of clothing for want of provisions, for want of pay.

7thly. That the people being dissatisfied with the mode of supporting the war, there is cause to apprehend, evils actually felt in the prosecution, may weaken those sentiments which began it, founded not on immediate sufferings but in a speculative apprehension of future sufferings from the loss of their liberties. There is danger that a commercial and free people, little accustomed to heavy burthens, pressed by impositions of a new and odious kind, may not make a proper allowance for the necessity of the conjunctures, and may imagine they have only exchanged one tyranny for another.

8thly. That from all the foregoing considerations result

1st. The absolute necessity of an immediate, ample, and efficacious succour of money, large enough to be a foundation for substantial arrangements of finance, to revive public credit and give vigor to future operations.

2^{ndly}. The vast importance of a decided effort of the allied arms, on this Continent, the ensuing campaign, to effectuate once for all the great objects of the Alliance, the liberty and Independence of those States.

Without the first we may make a feeble and expiring effort the next Campaign, in all probability the period to our opposition. With it, we should be in a condition to continue the war, as long as the obstinacy of the enemy might require. The first is essential. Both combined would bring the contest to a glorious issue, crown the obligations which America already feels to the magnanimity and generosity of her Ally, and perpetuate the Union by all the ties of gratitude and affection, as well as mutual advantage, which alone can render it solid and indissoluble.

9thly. That next to a loan of money, a constant naval superiority is the object most interesting. This would instantly reduce the enemy to a difficult defensive, and by removing all prospect of extending their acquisitions, would take away the motives for prosecuting the war. Indeed it is not to be conceived how they could subsist a large force in this country if we had the command of the seas, to interrupt the regular transmission of supplies from Europe. This superiority (with an aid of money) would enable us to convert the war into a vigorous offensive. I say nothing of the advantages to the trade of both Nations, nor how infinitely it would facilitate our supplies. With respect to us, it seems to be one of two deciding points, and it appears too, to be the interest of our Allies, abstracted from the immediate benefits to this country, to transfer the naval war to America. The number of Ports friendly to them, hostile to the British, the materials for repairing their disabled ships, the extensive supplies towards the subsistence of their fleet, are circumstances which would give them a palpable advantage in the contest of the seas.

10thly. That an additional succour of troops would be extremely desireable. Besides a reinforcement of numbers, the excellence of the French Troops, that perfect discipline and order in the Corps already sent, which have so happily tended to improve the respect and confidence of the people for our Allies, the conciliating disposition, and the zeal for the service which distinguish every rank, sure indications of lasting harmony. All these considerations evince the immense utility of an accession of force to the Corps now here. Correspondent with these motives, the enclosed minutes of a conference between their Excellencies the Count De Rochambeau, the Chev^r. De Ternay and myself will inform you that an augmentation to fifteen thousand men was judged expedient for the next campaign; and it has been signified to me that an application has been made to the Court of France to

this effect. But if the sending so large a succour of Troops should necessarily diminish the pecuniary aid, which our Allies may be disposed to grant, it were preferable to diminish the aid in men; for the same sum of money, which would transport from France, and maintain here a body of troops, with all the necessary apparatus, being put into our hands to be employed by us would serve to give activity to a larger force within ourselves, and its influence would pervade the whole Administration.

11thly. That no Nation will have it more in its power to repay what it borrows than this. Our Debts are hitherto small. The vast and valuable tracts of unlocated lands, the variety and fertility of climate and soils, the advantages of every kind which we possess for commerce, insure to this country a rapid advancement in population and prosperity, and a certainty, its Independence being established, of redeeming in a short term of years, the comparatively inconsiderable debts it may have occasion to contract.

That notwithstanding the difficulties under which we labour, and the inquietudes prevailing among the people, there is still a fund of inclination and resource in the Country equal to great and continued exertions, provided we have it in our power to stop the progress of disgust, by changing the present system, and adopting another more consonant with the spirit of the nation, and more capable of activity and energy in public measures; of which a powerful succour of money must be the basis. The people are discontented, but it is with the feeble and oppressive mode of conducting the war, not with the war itself. They are not unwilling to contribute to its support, but they are unwilling to do it in a way that renders private property precarious, a necessary consequence of the fluctuation of the national currency, and of the inability of Government to perform its engagements, oftentimes coercively made. A large majority are still firmly attached to the Independence of these

States, abhor a reunion with Great Britain, and are affectionate to the alliance with France, but this disposition cannot supply the means customary and essential in war, nor can we rely on its duration amidst the perfections, oppressions, and misfortunes, that attend the want of them.

If the foregoing observations are of any use to you I shall be happy. I wish you a safe, and pleasant voyage, the full accomplishment of your mission, and a speedy return, being with sentiments of perfect friendship, regard and affection.

D^r Sir,

Y^r. obed^t. Servant

(signed)

G. Washington

SOURCE: Copy by Alexander Hamilton, John Laurens Papers, South Carolina Historical Society.

Judge Stockdale is a recently retired English jurist, having served as a Circuit Judge in London for twenty-two years. He is a founding member and Past Chairman and President of The Society of English and America Lawyers; he is a member of the California Bar and received his Ph.D. in Legal History. Judge Stockdale has served as a visiting Professor at Queen Mary and Westfield College, University of London and is a frequent lecturer at law schools in America on a wide variety of legal topics.

THE MIDDLE TEMPLAR AT WASHINGTON'S SIDE

by Eric Stockdale

(A talk by Eric Stockdale delivered to the Middle Temple Historical Society on 5 Feb 2001, based on his article 'The Middle Temple and the American Revolution', published in *The Journal of the Society of English and American Lawyers*, vol 1 nr 2 and his unpublished follow-up article with the same title as above. The footnotes to those articles, indicating sources, have not been repeated here, but it must be added that the additional volumes of *The Papers of Henry Laurens*, ed. by David R. Chesnut and others, Univ. of S. Carolina Press, published in the interim, have helped to flesh out the earlier material, and should be consulted by any serious student of Henry and John Laurens. Both articles, together with this copy of the talk, have been deposited in the Middle Temple library.)

In January 1777 a 22-year old Middle Temple student from South Carolina gave up his studies in the Temple and set off for America to join in the fight for independence. In October 1781 the young man, by then a colonel, was sent by General George Washington to negotiate terms for the British surrender at Yorktown. A great deal had happened in between those two dates, but our story starts a little before the first of them.

John Laurens was born in Charleston, South Carolina, on 24 October 1754 and owed his name to his father's Huguenot forebears, his mother being of English stock. His father, Henry Laurens, was a leading figure in the colony and was to play an important part in public affairs, holding the office of President of Continental Congress in due course and later being one of the American Peace Commissioners. At about the time of his seventeenth birthday young Laurens was taken by his father to Europe, and placed in a school in Geneva. The French that he learned there was to stand him and his country in good stead. The idea of a legal career certainly appealed to the young man at that time, for he wrote on 13 April 1772 from Geneva to his uncle: 'For my own part I find it exceedingly difficult, even at this time, to determine in which of the learned professions I shall list myself.... When I hear of one who shines at the bar, and overpowers chicanery and oppression, who pleads the cause of helpless widows and injured orphans, who, at the same time that he gains lasting fame to himself, dispenses benefits to multitudes...ardor rises in my heart.'

John Laurens formally joined the Middle Temple on 16 September 1772, at a time when more entrants had an Irish or American address rather than an English one. One of his Irish contemporaries was Richard Brinsley Sheridan, the playwright; one of his fellow American students was Thomas Shubrick, also from Charleston. However Laurens continued with his studies in Geneva, where he not only learned the rudiments of the Civil Law but also had a copy of Blackstone to study. He was very concerned about the intransigence of King George and his ministers towards the Colonies and as early as February 1774 wrote to his uncle to say that if necessary the colonists would have to obtain their rights with their swords.

It was not until 15 September 1774, shortly before he was 20, that he wrote: 'My present prospect is either to be lodged in the Temple or in some reputable private family, under the eyes of an honest lawyer, if such a person can be found, and to study the laws of my country very diligently for three years'. Henry Laurens, who was on an extended business visit to England, had consulted Thomas Corbett, a friend of other American students, about John's legal education, and had hoped to get his son placed with 'Mr Greenland, an eminent attorney in Newman Street.' That plan did not succeed but young Laurens found lodgings in the Temple with a barrister of his Inn, Charles Bicknell, starting with him on 17 October. On 4 November he wrote to his father, who was by then at Falmouth to board a ship on the journey home to South Carolina, 'On Monday I shall be initiated in the mystery of mutton eating, by which alone I can gain the title of barrister.'

Charles Bicknell introduced his new pupil to his brother John, who had an eccentric English fellow Middle Templar as a close friend. That friend was Thomas Day who was to become better known as an author, especially of the first didactic book for children, *A History of Sandford and Merton*. Like John Bicknell, Day was a supporter of the colonists' cause and was opposed to slavery. In 1773 they had jointly written a published anti-slavery poem called 'The Dying Negro'. This must have appealed to young Laurens, for he later wrote to a friend: 'I think that we Americans, at least in the southern Colonies, cannot contend with a *good grace* for liberty, until we shall have enfranchised our slaves.' Bicknell, Day and Laurens doubtless spent many an hour discussing both the rights of the colonists and the rights of their slaves. The main question at the beginning of 1775 was whether the former could attain their rights without bloodshed. Laurens had only been in London a few months when the first shots rang out at Lexington and Concord in Massachusetts in April 1775.

In July John Dickinson, another Middle Templar, who was to be one of the signers of the Constitution of the United States in 1787, drafted a conciliatory document in which the colonies made one last attempt to assure the King of their basic loyalty, and to avert war. It was known as the Olive Branch Petition. Another American member of the Inn, the very influential Arthur Lee, together with Richard Penn, presented the petition to the Earl of Dartmouth, the Secretary of State for the Colonies. The offer of reconciliation was rebuffed and a peaceful solution looked increasingly unlikely. Laurens and some of his compatriots chafed at being in London, where nobody in power was prepared to listen to their good case, and longed to return home. However, Henry Laurens told his son to stay and stick to his studies.

John Laurens must have been a very sad young man in London. The political situation clearly worried him very much, and his family circumstances caused him disquiet as well. His mother had died when he was 15. On leaving England in November 1774 his father had asked him to keep an eye on his two younger brothers who were in school here, and in September 1775 his nine-year-old brother had a fatal fall. Worried about his father, on 13 November 1775 he wrote to his uncle: 'Can I think with composure of HIS being continually exposed to danger, while I am remote in security. Although he commands me absolutely to obey him, is not what may be my duty in one sense, baseness and want of true affection in another. O God! I know not what to do! - of what avail are wishes? When is the time for an active part, if not the present?' One of the most successful pamphlets of 1776 was Thomas Paine's *Common Sense*. Young Laurens was one of the many who had to agree with Paine's sad conclusion, 'Tis time to part.

The first year of hostilities was largely taken up with General Washington's siege of Boston, which ended when the British garrison withdrew to Halifax, Nova Scotia, in March 1776. The British returned in force on 2 July, landing near New York on the same day that the Continental Congress voted for independence in Philadelphia. The celebrated Declaration followed, need one say, on 4 July, signed by five American members of the Middle Temple - and fifty others. When a copy was publicly read in Charleston, Henry Laurens was moved to write to his 21-year-old son in London: 'I say even at this moment my heart is full of the lively sensations of a dutiful son, thrust by the hand of violence out of a father's house into the wide world.' Benjamin Franklin's son William (yet another member of the Inn) chose the loyalist route, much to his father's distress. Henry Laurens appreciated

that his own son, despite his youthful revolutionary utterances, might wish to follow a similar path, and continued his letter selflessly: 'Remember you are of full age, entitled to judge for yourself; pin not your faith upon my sleeve, but act the part which an honest heart after mature deliberation shall dictate, and your services on the side which you may take, because you think it the right side, will be the more valuable.'

The young man was very sure that he wished to follow the same path as his sage parent, asked for his permission to return home and received it in October. Shortly before leaving London John Laurens married the daughter of his father's English business associate, pointing out that he could not stay with her as he had to join the cause of liberty. Not long afterwards she gave birth to his daughter, but father and child were never to meet. In January 1777 he wrote to his uncle from Paris, stating that he had had three meetings with Benjamin Franklin there, and that he was off to Bordeaux to take ship. He reached South Carolina in April and joined the Army. His influential father enlisted the help of the President of the colony, John Rutledge, the Middle Templar who was later to chair the Constitutional Convention. The recommendations of Henry Laurens and Rutledge persuaded Washington to appoint the young man to be one of his aides in August, at a time when the British were beginning their attack on Philadelphia in earnest. Alexander Hamilton had been taken on as an aide by the General shortly before, and the two young men were to share many experiences.

On 11 September 1777 Laurens took part in the battle fought at Brandywine Creek - a stretch of water that was not much use as a defensive line for the Americans as there were many fords for the attackers to use. Laurens acquitted himself well, but his General's conduct of the battle was not particularly distinguished, and failed to halt the British advance. Philadelphia fell on 26 September. Congress hastily moved to Lancaster, and then to York, also in Pennsylvania.

On 4 October Washington attacked Germantown, just outside Philadelphia. The attack went reasonably well until held up by determined British resistance in a large stone house belonging to Chief Justice Chew. John Laurens took part in the unsuccessful assault on this strongpoint and was wounded. Fog and confusion, to both of which the British were accustomed, contributed to the foiling of the American attack. It was unfortunate for Washington personally that his two defeats, in the space of just over three weeks, should have been followed on 17 October by the great success of his colleague, General Gates, one of the many former British army officers serving with the colonists.

At Saratoga Gates had forced the surrender of the army of General Burgoyne, which had invaded New York Colony from Canada. Thereafter some of Washington's opponents suggested that he should be replaced as Commander-in-Chief by Gates, or by General Conway or General Charles Lee.

The news of Saratoga was speedily brought by Lt. Col. Wilkinson, aide to General Gates. He was excessively rewarded for his celebrated ride, prompting young Laurens to write to his father: 'The promotion of Col. Wilkinson to the rank of Brigadier-General has given universal disgust in the corps of continental officers.....Let Congress reward him with a good horse for his speed, but consecrate rank to the merit of another kind.'

On 1 November Henry Laurens succeeded John Hancock as President of the Continental Congress, a post he was to hold until December 1778, when John Jay succeeded him. His son's letters from the army's headquarters were extremely useful to Laurens, and were helpful to Washington's cause, never more so than during the crisis brought about by the Conway Cabal, as the anti-Washington lobby was to be known. General Conway considered that either Gates or he should command all the troops, rather than the 'weak' Virginian who had recently failed to save Philadelphia, and he said as much in a letter to Gates, which came to the notice of Washington and his bright aide. Laurens wrote to his father on 3 January 1778 from the army's freezing winter quarters at Valley Forge: 'By this day's courier you will be informed of a base insult offered to the Commander-in-Chief which will raise your indignation.' Five days later Henry Laurens replied that Washington's ruin would involve the ruin of the cause, adding, 'On the other hand his magnanimity, his patience will save his country and confound his enemies.'

The Conway crisis passed, but Washington had plenty of other problems, notably the shrinkage of his manpower. On 14 January 1778 John Laurens, who knew that his father shared his distaste for slavery and intended to free his own slaves in due course, wrote to ask him to cede to him 'a number of your able-bodied slaves, instead of leaving me a fortune'. He continued: 'I would bring about a two-fold good; first, I would advance those who are unjustly deprived of the rights of mankind, to a state which would be a proper gradation between abject slavery and perfect liberty, and besides I would reinforce the defenders of liberty with a number of gallant soldiers.' Henry Laurens declined the suggestion, but his son was to press on with the idea of enlisting slaves, encouraged by Washington. Thanks largely to his efforts, Congress in March 1779 authorised the enlistment of

3000 black troops.

While at Valley Forge in the first half of 1778 Washington's little army suffered dreadfully: a quarter of the 10,000 men there died. The survivors were drilled into an efficient cadre by Washington and by Baron von Steuben, a German officer who had arrived in February with a letter of introduction from Henry Laurens. John Laurens acted as an interpreter for the Baron at times, their common language being French. However, staff work and interpreting were not taxing enough for the young man, who yearned for the command of men, stating, 'I would cherish those dear, ragged Continentals, whose patience will be the admiration of future ages, and glory in bleeding with them.'

In June 1778 the British withdrew from Philadelphia and on the 28th battle was joined at Monmouth Court House. It was the longest battle of the war and the last important one to be fought outside the Southern colonies. If Washington had been able to destroy Clinton's army as Gates had destroyed that of Burgoyne, he would have won the war there and then. As ill-luck would have it, his subordinate, General Charles Lee (another former British army officer) almost managed to snatch defeat from the jaws of victory. Lee retreated when there was no need to do so. Much of Lee's failure to stand his ground was witnessed by Laurens and the Marquis de Lafayette, both of whom successfully urged Washington to take control of the situation personally. On 30 June Laurens reported the matter in some detail to his father, stating that when Washington had expressed astonishment at Lee's unjustified retreat, he had insolently replied that the attack was contrary to his advice and opinion in council. Laurens added, 'At this time my horse was killed under me.....General Lee, I think, must be tried for misconduct.'

Lee certainly got a speedy trial: on 13 July Laurens gave evidence at his court-martial. In cross-examination General Lee asked Laurens if he had ever been in action. He got the acid reply: 'I have been in several actions; I did not call *that* an action, as there was no action previous to the retreat.' Lee was convicted on three charges, including one of making an unnecessary, disorderly and shameful retreat. That was the end of Lee's career, but not of his folly. He continued to make offensive remarks about Washington, which gave grave offence to his aide. Laurens challenged Lee to a duel and duly wounded his opponent. Alexander Hamilton acted as his second, but the experience did not teach him to avoid duels, for he was years later to be killed in one by the Vice-President, Aaron Burr.

In February 1778, the French entered into a formal alliance with the America, and then sent a fleet

and troops across the Atlantic. Immediately after Lee's court-martial (and before their duel) Laurens was sent by Washington to welcome the French fleet off Rhode Island, and to help coordinate the first Franco-American amphibious assault, that on Newport. The failure of the attack led to recriminations between the new allies, and Laurens did his best to minimise the friction. On 4 September Washington took the trouble to write to Henry Laurens, praising his 'worthy son' and passing on further praise from General Greene, who had been his commander in the action at Newport.

In the years 1779 to 1781 Laurens was in action in several of the major encounters in the South. In 1779 he served under General Moultrie in the area between Savannah and Charleston, his birthplace. In May Laurens acted very recklessly in one engagement: he may have been seeking to prove his bravery. He was wounded once again and once more had his horse killed under him. More importantly, his actions gravely weakened the whole American position. General Moultrie reported that Laurens, instead of bringing in the rearguard from Coosowhatchie as ordered, had crossed a river to attack the enemy. He added: 'After remaining some time he got a number of men killed and wounded; and was wounded himself. He desired Captain Shubrick, after he left the field, to stay a little longer and then to bring off the men. Had not Captain Shubrick moved off at the very instant he did, his party would have been cut off from their retreat and every man of them would have either been killed or taken prisoner.' The captain who pulled Laurens's chestnuts from the fire was probably Thomas Shubrick, also from Charleston, who had been a student at the Middle Temple with him.

General Moultrie concluded his dispatch with words that might well have spelled the end of the career of a less well connected and less well thought of young officer: 'Had not Col. Laurens discouraged the men by exposing them so much and unnecessarily, I would have engaged General Prevost at Tullifiny, and perhaps have stopped his march on Charleston: we were all at our posts on a very commanding ground and expected every moment to be engaged. Col. Laurens was a young man of great merit, and a brave soldier, but an imprudent officer; he was too rash and impetuous.'

Laurens survived the criticism and was besieged in Charleston with the rest of Moultrie's troops. Some leading citizens wanted to discuss with the besieging British the possibility of South Carolina becoming a neutral state. Laurens's disgust with the colonial President who was a party to this ignoble suggestion was no doubt increased by the fact that he was the Middle Templar who had recommended him to Washington, John Rutledge. When Moultrie asked Laurens to carry the proposal to Prevost,

the British commander, he asked to be excused from undertaking such a disgraceful task. Moultrie acceded to the request and sent two other officers. Prevost replied that he would be happy to accept the surrender of the military, but would not negotiate with the civilians. Moultrie told the Governor and council, 'We will fight!' He recorded in his memoirs, 'Upon my saying this, Col. Laurens, who was in the tent, jumped up and said, "Thank God! We are upon our legs again."' Moultrie's firmness paid off: the British withdrew from Charleston to Savannah.

In October Laurens took part in the second Franco-American combined operation, the attack on Savannah, but that also failed. Disillusioned with the French efforts, Laurens rejoined Washington's headquarters to try and obtain reinforcements for the South. He returned to Charleston in January 1780, shortly before the city was invested again by Clinton's forces. The siege lasted until 12 May when the American garrison surrendered. One of Laurens's companions at this time was Col. Charles Cotesworth Pinckney, later a Middle Temple signer of the Constitution, who was married to the daughter of Arthur Middleton, one of the Inn's signers of the Declaration of Independence. Pinckney's military career was similar to that of Laurens: he was also one of Washington's aides and had fought with Laurens at Brandywine and Germantown and then under Moultrie.

Fortunately for Laurens he was soon paroled and exchanged, so was free in August to see his father off on a mission to the Netherlands to raise financial and other help for the American cause. Henry Laurens was taken prisoner by the British navy off Newfoundland and lodged in the Tower of London, where he remained until the end of 1781. John Adams was sent to take his place in the Netherlands, and on 11 ~~December~~ ^{February, 1781,} the 26-year-old John Laurens was despatched as a special minister to France on a similar mission. He landed in France in March, four packed years after his departure from that country, and once again went to see Benjamin Franklin, armed this time with a letter from Washington. On 9 April Washington wrote to his young envoy: 'It is equally certain that our troops are approaching fast to nakedness and that we have nothing to cloath them with. That our hospitals are without medicines, and our sick without nutriment, except such as well men eat. That all our public works are at a stand, and the artificers disbanding; but why need I run into detail, when it may be declared in a word, that we are at the end of our tether, and that now or never our deliverance must come.'

Laurens was very blunt with the French, pointing out that if they did not provide money and

supplies, he might soon be compelled to fight against France as a British subject. Franklin thought that Laurens had 'brusqued the ministers too much', but his forceful advocacy worked. John Adams later gave credit to Laurens for obtaining the crucial assistance of a large French fleet carrying thousands of troops, as well as substantial financial aid.

His return to America coincided with Lord Cornwallis's army being bottled up on the coast of Virginia at Yorktown and Gloucester, thanks in large measure to the arrival of the promised French fleet. At the outset of the final assault by American and French troops Laurens was back at Washington's side, but the General let him and Hamilton go to command a battalion each in Lafayette's light infantry division. On 14 October Laurens and Hamilton's troops jointly attacked the pivotal Redoubt No.10, next to the mouth of the York River, and carried it.

On 17 October Cornwallis opened surrender negotiations and Washington sent Laurens to be his representative. On 20 October the British and German troops marched out to surrender and Laurens was placed in charge of all the prisoners. His most distinguished prisoner was Cornwallis, who in addition to being the British commander, was Constable of the Tower of London, in which Henry Laurens was still a prisoner.

A further two years were to pass before the Peace Commissioners, of whom the elder Laurens was one, could complete their task. Sadly, in the interim Col. John Laurens was killed on 27 August 1782 by a shot fired by a member of a British foraging party near Charleston. His father learned of his death in Paris and asked Thomas Day, the English author who had befriended John Laurens at the Middle Temple, to write the inscriptions for the gravestone. Washington, Adams and many others expressed their grief at the loss of the young man who would doubtless have had a brilliant career had he survived and joined Hamilton on the political trail. His contribution to the cause of independence had been as great as that of any other single man.

Note on further reading

In the first of the two articles mentioned above, 'The Middle Temple and the American Revolution', the writer dealt briefly with the two Piccadilly bookseller/publishers who had produced most of the pro-colonist pamphlets: John Almon (to 1780) and John Stockdale, his former shopman (from 1780).

After his release from the Tower of London at the end of 1781, Henry Laurens spent some time staying with Stockdale above his shop. It is most probable that Day, who had befriended John Laurens and who became one of Stockdale's regular authors, introduced the two men to each other. Laurens in 1787 wrote to Stockdale, calling him his 'good old landlord' and concluded his letter, 'With affection and respect to yourself, Mrs Stockdale and the children'. The oldest child was John Joseph Stockdale, who was to become a notorious publisher, well-known to law students.

On 3 September 1783 the efforts of the four American peace commissioners, Franklin, Adams, Jay and Laurens, were rewarded by the Treaty of Paris. At the end of October John Adams came to visit England for the first time, bringing his 16-year-old son, John Quincy Adams with him. John Adams later wrote: 'I was not long at the Adelphi, but soon removed to private lodgings, which by the way were ten times more public, and took apartments at Mr Stockdale's, in Piccadilly, where Mr Laurens had lately lodged before me.' Adams stayed there for some two months. When he was appointed Ambassador to the Court of St James he was replaced in Paris by Thomas Jefferson. Jefferson then became a mail order customer of Stockdale's shop. In 1787 Stockdale published the first public edition of Jefferson's only book, *Notes on the State of Virginia*, and then put out several works of John Adams and John Quincy Adams (who later got married in London at All Hallows by the Tower). There cannot have been many booksellers who were so well acquainted with the second, third and sixth Presidents of the United States. But for John Laurens being a student in the Temple, probably none of these contacts would have taken place.

For the student of constitutional law all three linked publishers are of interest. John Almon had several encounters with the government and gave his name to one of the first contempt cases, *R. v. Almon* (1765) 97 E.R.94, and see also *R. v. Almon* (1770) 98 E.R.411. In 1789 John Stockdale was prosecuted by the Attorney-General, on the instruction of the House of Commons, for publishing a pamphlet that was critical of the House for its handling of the impeachment of Warren Hastings. He had the good sense to instruct Thomas Erskine to defend him and was duly acquitted after Erskine had made a closing speech for the defence that Lord Brougham later described as the finest ever made by an advocate. The case contributed to the passing of Fox's Libel Act in 1792.

John Joseph Stockdale left his father's shop after some years and set up on his own. He became known for publishing *Harriette Wilson's Memoirs* in 1825. Lord Brougham paid to have his name

left out of the courtesan's memoirs about her clients, but when the Duke of Wellington was requested to make a similar payment he made the celebrated reply - not yet traced to any reliable document - *Publish and be Damned!* 1837 saw the result of the first of the actions that Stockdale brought against Hansard, the publisher of House of Commons papers and which ended only when an exasperated legislature passed the Parliamentary Papers Act 1840, see *inter alia*, 3 St.Tr.(N.S.) 723.

In 1979 the present writer gave a lecture about John Stockdale's American links to the Institute of Early American History and Culture at William and Mary College, Williamsburg, Virginia (Jefferson's old school). This later appeared in print as 'John Stockdale of Piccadilly: Publisher to John Adams and Thomas Jefferson' in R.Myers and M.Harris (eds), *Author/Publisher Relations During the Eighteenth and Nineteenth Centuries*, (1983) pp.63-87. His account of John Joseph Stockdale's struggle with Parliament appeared as 'The Unnecessary Crisis: The Background to the Parliamentary Papers Act 1840', [1990] *Public Law*, pp.30-49. His fascination with the above three publishers and the American links led to his writing a draft 400-page book with the working title *The Damned Publishers: John Almon and the Stockdales 1760-1840*. This work remains unpublished but the typescript has been lodged (by invitation) at the British Library and may be found there by any interested scholar under the reference Add MSS 71220.

For Tom Lockhart, with
best wishes.

J. Stockdale

London 26.1.01