

CHAPTER 1

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The American Revolution and the Post-Revolutionary Era: A Historical Legacy

Introduction

From 1774 to 1783, the British government and its upstart American colony became locked in an increasingly bitter struggle as the Americans moved from violent protest over British colonial policies to independence. As this scenario developed, intelligence and counterintelligence played important roles in America's fight for freedom and British efforts to save its empire.

It is apparent that British General Thomas Gage, commander of the British forces in North America since 1763, had good intelligence on the growing rebel movement in the Massachusetts colony prior to the Battles of Lexington and Concord. His highest paid spy, Dr. Benjamin Church, sat in the inner circle of the small group of men plotting against the British. Gage failed miserably, however, in the covert action and counterintelligence fields. Gage's successor, General Howe, shunned the use of intelligence assets, which impacted significantly on the British efforts. General Clinton, who replaced Howe, built an admirable espionage network but by then it was too late to prevent the American colonies from achieving their independence.

On the other hand, George Washington was a first class intelligence officer who placed great reliance on intelligence and kept a very personal hand on his intelligence operations. Washington also made excellent use of offensive counterintelligence operations but never created a unit or organization to conduct defensive counterintelligence or to coordinate its activity. This he left to his commanders and to committees established in the colonies.

When the Revolution was over and a new nation emerged, there continued to be ample opportunities to create a counterintelligence service. Spy scares, conspiracies and European meddling occurred repeatedly. But it isn't until the Civil War period that an effort is made to create a federal agency to conduct counterintelligence.

This chapter provides the legacy for America's use of counterintelligence in future years.

Counterintelligence

Probably the first patriot organization created for counterintelligence purposes was the Committee (later called a Commission) for Detecting and Defeating Conspiracies. It was made up of a series of groups established in New York between June of 1776 and January of 1778 to collect intelligence, apprehend British spies and couriers, and examine suspected British sympathizers. In effect, there was created a “special service” for New York which had the power to arrest, to convict, to grant bail or parole, and to jail or to deport. A company of militia was placed under its command to implement its broader charter. John Jay has been called the first chief of American counterintelligence because of his role in directing this Committee’s work.

Nathaniel Sackett and Colonel William Duer were particularly successful in ferreting out British agents, but found their greatest success in the missions of one of the dozen or so agents of their own, Enoch Crosby. Crosby, a veteran of the Continental Army, had been mistaken by a Westchester County Tory as being someone who shared his views. He confided to Crosby that a secret Tory military company was being formed and introduced him to the group. Crosby reported the plot to the committee and was “captured” with the group. He managed to “escape” and, at Committee direction, infiltrated another secret Tory unit. This unit, including Crosby, was also taken and he “escaped” once more. He repeated the operation at least two more times before Tory suspicions made it necessary for him to retire from counterintelligence work.

Another successful American agent was Captain David Gray of Massachusetts. Posing as a deserter, Gray entered the service of Colonel Beverly Robinson, a Tory intelligence officer, and became Robinson’s courier. As a result, the contents of each of Robinson’s dispatches were read by the Americans before their delivery. Gray eventually became the courier for Major Oliver DeLancey, Jr., the head of the British secret service in New York. For two years, Gray, as DeLancey’s courier to Canada, successfully penetrated the principal communications link of the British secret service. Upon completing his

assignment, Gray returned to the ranks of the Continental Army and his name was struck from the deserter list, where George Washington placed it at the beginning of the operation.

Colonel Benjamin Tallmadge, a senior intelligence officer under Washington, is credited with the capture of Major John Andre, who preceded DeLancey as chief of the British secret service in New York. Although Tallmadge declined to discuss the episode in his memoirs, it is said that one of his agents had reported to him that Major Andre was in contact with a “John Anderson” who was expecting the surrender of a major patriot installation. Learning that a “John Anderson” had passed through the lines “en route to” General Benedict Arnold, the commander at West Point, Tallmadge had Anderson apprehended and returned for interrogation. “Anderson” admitted to his true identity—he was Major Andre—and was tried, convicted and executed as a spy. Arnold, learning that Andre had been taken and that his own traitorous role no doubt was exposed, fled West Point before he could be captured, and joined the British forces.

General Washington demanded effective counterintelligence work from his subordinates. On March 24, 1776, for example, he wrote: “There is one evil I dread, and that is, their spies. I could wish, therefore, the most attentive watch be kept ... I wish a dozen or more of honest sensible and diligent men, were employed . . . in order to question, cross question etc., all such persons as are unknown, and cannot give an account of themselves in a straight and satisfactory manner ... I think it is a matter of importance to prevent them obtaining intelligence of our situation.”

Paul Revere and the Mechanics

The first patriot intelligence network on record was a secret group in Boston known as the “mechanics.” The group apparently grew out of the old “Sons of

Liberty” organization that had successfully opposed the hated Stamp Act. The “mechanics” organized resistance to British authority and gathered intelligence. In the words of one of its members, Paul Revere, “In the Fall of 1774 and winter of 1775, I was one of the upwards of thirty, chiefly mechanics, who formed ourselves into a Committee for the purpose of watching British soldiers and gaining every intelligence on the movements of the Tories.” According to Revere, “We frequently took turns, two and two, to watch the (British) soldiers by patrolling the streets at night.”

Through a number of their intelligence sources, the “mechanics” were able to see through the cover story the British had devised to mask their march on Lexington and Concord. Dr. Joseph Warren, chairman of the Committee of Safety, charged Revere with the task of warning John Adams and John Hancock at Lexington that they were the probably targets of the enemy operation. Revere arranged for the warning lanterns to be placed in the Old North Church to alert patriot forces at Charleston, and then set off on his famous ride. He completed his primary mission of notifying Adams and Hancock. Then Revere, along with Dr. Samuel Prescott and William Dawes, rode on to alert Concord, only to be apprehended by the British en route. Dawes got away, and Dr. Prescott managed to escape soon afterward and to alert the patriots at Concord. Revere was interrogated and subsequently released, after which he returned to Lexington to warn Hancock and Adams of the

proximity of British forces. Revere then turned to still another mission, retrieving from the local tavern a trunk belonging to Hancock and filled with incriminating papers. With John Lowell, Revere went to the tavern and, as he put, during a “continual roar of Musquetry . . . we made off with the Trunk.”

Fortunately, when interrogated by the British, Revere did not have his travel orders from Dr. Warren; the authorization was not issued to him until two weeks later. And when Paul Revere filed a travel voucher for his famous ride, it was not until August, some four months later, that it was approved—and when it was approved, his per diem payment was reduced from five shillings a day to four.

Paul Revere had served as a courier prior to his famous “midnight ride,” and continued to do so during the early years of the war. One of his earlier missions was perhaps as important as the Lexington ride. In December of 1774, Revere rode to the Oyster River with the intelligence report that the British, under General Gage, intended to seize Fort William and Mary. Armed with this intelligence, Major John Sullivan of the colonial militia led a force of four hundred men—all in civilian clothing rather than militia uniform—in an attack on the fort. The one hundred barrels of gunpowder taken in the raid were ultimately used by the patriots to cover their retreat from Bunker Hill.

Benjamin Church¹

In late 1768, British troops commanded by General Thomas Gage occupied Boston, Massachusetts to curb the widely separated incidents of mob disorder that troubled the city following the enactment of the Townsend Acts. The Acts, which levied custom duties on the import of glass, lead, paints, paper and tea, was the latest in a series of burdensome taxation measures the British Parliament tried to impose on the colonies. Skirmishes occurred between Gage’s troops and the civilian population in opposition to the tax. On 5 March, 1770, five men, “the first to defy and the first to die,” were felled by British gunfire in what is termed the “Boston Massacre.” From that moment, wrote Daniel Webster, “we date the severence of the British empire.”



Benjamin Church

Paul Revere's now famous engraving of the incident stirred emotion of protest in the hearts of the colonists, and Samuel Adams' well-orchestrated propaganda effort made the men martyrs and a symbol of the patriot cause. In response to the growing anger, General Gage strengthened the Boston garrison. When 1775 began, Gage had almost forty-five hundred soldiers in the city. The patriots were not idle during this time frame. They raised and drilled additional militia units throughout Massachusetts and continued to gather arms, ammunition and other military supplies which they cached at secret storehouses in the countryside.

Gage was aware that continued flare-ups between the British and the colonists could ignite into a war and he wanted to avoid precipitating such action. He also knew that to avoid a fight he needed military intelligence on the militia units within Massachusetts. Gage, who also served as colonial governor of Massachusetts, established a network of spies among the patriots. These spies provided information, sometimes in great detail, on the military preparations of the patriots. For example, in March 1774, one of his secret agents reported the patriots had stockpiled weapons and ammunition at Cambridge. On 1 September that year, the British successfully raided the Cambridge warehouse. The patriots, knowing that they needed information to avoid losing their munitions, created a small surveillance committee within the Sons of Liberty in Boston. The Sons of Liberty were secret organizations within the colonies, started in 1765, to organize opposition to the Stamp Act.

During the winter of 1774-75, the 30 members of the surveillance committee met regularly at the Green Dragon Tavern on Union Street in Boston. Members of the group regularly patrolled Boston's streets at night to detect British military preparations and other activity. They constituted an early warning system for the patriots by identifying possible British raids into the countryside which would allow their colleagues to move their military stores to new secret locations before British troops arrived. For example, in December 1774, the committee acquired intelligence that General Gage arranged to fortify a British arsenal at Portsmouth, New Hampshire with two regiments, intelligence that drove the Sons of

Liberty to raid the installation before the British arrived and haul off about a hundred barrels of gunpowder and several cannons.

The leadership of the Mechanics, as the Green Dragon group is now sometimes called, consisted of Dr. Joseph Warren, Samuel Adams, John Hancock, Paul Revere, Dr. Benjamin Church, and one or two others. It is believed that Warren, a prominent Boston physician and later a major general who was killed at Bunker Hill, was leader of the group. Church, another physician and political leader, was also a member of the Boston Committee of Correspondence and Safety, the latter body responsible for control of the militia. A minor poet as well as a medical man, Church was a prolific author of Patriot propaganda and was famous for the oration he delivered in commemoration of the Boston Massacre on the third anniversary of that event.

Dr. Church was also one of General Gage's informers, a British double agent and probably the most valuable spy the British had in America at the time. Church was a native of Newport, Rhode Island. He graduated from Harvard in 1754 and went to England to study medicine at the London Medical College. Possibly in 1768, he returned to America with an English wife and began practicing medicine in Raynham, Massachusetts. Still accustomed to living a life of indulgence, which he acquired in London, Church kept a mistress and built an elaborate summer home. His penchant for free spending did not match his income from his medical practice. To compensate and obtain additional money, Church added spying to his professional resume.

No one knows when Church began his double agent career. "Whether he was driven by his debt or by doubt that the patriots could win, Church had apparently begun spying in 1771, while Samuel Adams was struggling to keep the cause alive. The next year, Thomas Hutchinson² had passed along gratifying news to Francis Bernard³ in London that the man⁴ who had written insultingly against Bernard had come over to the government's side."⁵ Another writer states "It is not possible to pinpoint the exact date that Church began his spying for Gage, but a reasonable guess is 1774. In that year, Paul Revere was aware that the activities of his secret group, of

which Church was a part, were known to General Gage. According to Dr. Savage of Barnstable, Massachusetts, who was training with Church at the same time, the latter's finances suddenly improved. Previously, Church had been financially pressed, built a mansion in Raynham which appeared beyond his means and acquired a mistress; classic indicators for counterintelligence."⁶

Paul Revere, who had his own spies within General Gage's command, knew that the Mechanics had been penetrated. Revere received information in November 1774 from his source that the proceedings of at least one meeting at the Green Dragon were known to Gage within 24 hours after the meeting. The only problem was the source could not provide Revere with the identity of the traitor. "We did not then distrust Dr. Church," he later remembered, "but supposed it must be some one among us." The only security measure the Mechanics adopted was to have each member swear on a Bible at every meeting at the Green Dragon that he would not divulge the group's secrets; an admirable procedure but hardly counterintelligence.

On April 14, 1775, Lord Dartmouth, British secretary for the colonies, sent secret instructions to Gage pressing him to take some forceful action against the patriots, such as arresting their leaders, before the situation in Massachusetts reached "A riper state of Rebellion." Gage ignored Lord Dartmouth's direction. Instead, Gage decided to capture the patriot military stockpile that Dr. Church and several other agents reported were located in Concord. In fact, the General's intelligence was so comprehensive he knew the exact location of the military stockpile within the town. Gage issued secret orders to Lt. Col. Francis Smith to proceed with a 700-man force to destroy the patriot ammunition and supply stores.

The surveillance committee obtained information on the destiny of the troops and sent Paul Revere and William Dawes to alert the patriots. They were later joined by Dr. Samuel Prescott. On the way to Concord, they encountered a mounted British patrol. Dawes escaped but had to return to Boston, Revere was captured and taken to Lexington where he told the British everything and then was released. Prescott managed to evade the patrol and get the message to Concord.

When Col. Smith and his troops arrived at Concord, he found 70 Minute Men waiting for him on the Common. Ordered repeatedly to leave the Common area, the Minute Men began to leave but ignored a British order to leave their weapons behind. A shot was fired from within the British ranks, followed by a volley from the British platoons. The gunshots killed eight patriots and wounded 10 others. Only one British soldier was wounded in the return fire. Smith destroyed a few military supplies in Concord and then began his return to Boston.

On his way back, he encountered patriot militiamen who continually assaulted his troops. British reinforcements at Lexington saved Smith and his troops from a complete disaster but it wasn't until all the British troops arrived in Charlestown, where British men-of-war were in the harbor, that Smith could feel comfortable. The British lost 73 killed, 174 wounded and 26 were missing while the American militia suffered 93 dead, wounded or missing. Following the battles of Lexington and Concord, the American militia men surrounded Boston and began a siege, which lasted until March 1776.

On April 21, 1775, after the patriots had driven the British troops back into Boston, Church crossed the patriot lines at Cambridge and entered the besieged city to meet with Gage. It is probable that Church ignored the security risks to his espionage role for Gage because he was more concerned about maintaining contact and getting paid. Paul Revere recalled 23 years after this happened that Church told the Committee of Safety that he was going into Boston. Dr. Warren, the president of the committee, told Church that the British would hang him if he was caught but Church was adamant about going. Warren then told Church that he needed to have a cover story for being in Boston and both men devised the story that Church was there to obtain needed medicines.

According to Revere, Church returned in a few days to Cambridge. He told the committee he had been arrested, taken before Gage, and then held for several days for interrogation but set free. Revere said that after Church's arrest later by Washington, Revere met with Deacon Caleb Davis and the two of them began to discuss Church. Revere said that "He (Davis) received a Bilet for General Gage-(he then

did not know that Church was in Town)-when he got to the General's House, he was told the General could not be spoke with, that He was in private with a gentleman; that He waited near half an Hour, when General Gage & Dr. Church came out of a room, discoursing together, like persons who had been long acquainted." Davis further added that Church "went where he pleased, while in Boston, only a Major Caine, one of Gage's Aids, went with him." Revere also said that he "was told by another person, whom I could depend upon, that he saw Church go into General Gage's House, at the above time; that He gout out of the Chaise and went up the steps more like a man that was acquainted than a prisoner."⁷

On May 24, 1775, Dr. Church wrote to Gage advising him that the Massachusetts Provincial Congress was sending him to consult with the Continental Congress in Philadelphia. His mission was to appeal to the Congress to embody the various New England militias, currently laying siege to Boston, as its own army. Neither Gage nor Dr. Church saw the opportunities presented by having a British double agent handle such an important and sensitive assignment. Church was in a unique position to spread havoc within the patriot ranks by feeding false or misleading information to the Continental Congress and/or working to defeat the assignment. The only thing Church complained about to Gage was that he would be prevented from reporting to Gage for some time.

Church's handling of the Provincial Congress was so successful that soon after his return to Cambridge, the Massachusetts militias laying siege to Boston were converted into the Continental army under the command of George Washington. So impressive was Church that the Continental Congress appointed him director general of the army's hospital at Cambridge and chief physician of the Continental army at a salary of four dollars per day and granted him the authority to hire four surgeons and other medical staff.

In espionage and counterespionage, luck plays an important role. For Church his luck began to run out when he received a letter in cipher from his brother-in-law, John Fleming, a Boston printer and bookseller. In his letter, Fleming urged Church to repent his rebellion against the British government and return to Boston, where Fleming believed Church would

be pardoned for his crime. Fleming told Church to reply no matter what his decision and to write his response in cipher, addressing the letter in care of Major Cane (one of General Gage's aides) and send it via Captain Wallace⁸ of the H.M.S. Rose, a British warship then stationed near Newport, Rhode Island.

Church replied, but it is not clear whether he believed he was writing to his brother-in-law or to General Gage. Since all communications between Church and Gage ceased when Church departed for Philadelphia, it is possible Church saw Fleming's method of communication as a secure means of resuming his profitable espionage role with the British commander-in chief. In his response to Fleming, Church provided some exaggerated information on American military strength and some inaccurate reports of military plans, all framed within an impassioned plea to the British to adopt a more reasonable colonial policy.

Unable to take the letter directly to Newport, Church asked his mistress to take it there. Church told her to deliver the letter to Captain Wallace of the H.M.S. Rose, or to the Royal Collector, Charles Dudley. If neither of these men were available, she was instructed to give it to George Rome, a known Tory and a rich merchant and ship owner. Not familiar with the Newport environs, the mistress went to Godfrey Wainwood,⁹ a local baker, whom she had known in Boston and believed to be a Tory.

She asked Wainwood to take her to any of the three individuals but he made an excuse not to do so. Exasperated, she then asked Wainwood to deliver the letter for her. Wainwood agreed but deposited the letter on a shelf and forgot about it until late September 1775, when he received a pressing inquiry from the woman expressing her concerned that "you never Sent wot yo promest to send." Realizing that only the British could have known that the letter was not delivered, Wainwood became suspicious.

Some historians claimed that part of Wainwood's suspicions is based on the fact that the letter was in cipher, but cipher was used by many people, including Thomas Jefferson for personal letters during the colonial days. What caused Wainwood's suspicions is the British officer as the recipient of the letter. Instead of doing as the woman requested,

Wainwood took the letter to Henry Ward, Secretary of the Colony, who wrote a letter of introduction and sent Wainwood with Church's letter to General Nathaniel Green, commander of the Rhode Island contingent of the Continental army. Greene, accompanied by Wainwood, went to see General Washington.

When Washington examined the letter he saw that it was dated July 22, (1775) on the outside and when unfolded showed it addressed to Major Cane in Boston. The ciphered contents were unreadable. Wainwood explained that before the outbreak of hostilities between the British and the Americans, he had fraternized with the woman, who was of easy virtue. Upon Washington's orders, the woman was seized and brought to Washington's Headquarters.

"I immediately secured the Woman," Washington reported in a letter to the president of the Continental Congress, "but for a long time she was proof against every threat and persuasion to discover the Author, however at length she was brought to a confession and named Dr. Church."¹⁰ Washington told James Warren and Major Joseph Hawley the details of the woman's story and ordered them to go to Cambridge to arrest Church and get his papers.

In a few hours, Church appeared under guard and submitted to questioning. According to Washington's letter, he "readily acknowledged the Letter. Said it was designed for his Brother Fleming and when deciphered would be found to contain nothing Criminal." Church offered no justification why he tried to send the letter to Boston by way of a British warship off Rhode Island when he have easily sent it under a flag of truce into the city from Cambridge. He also could not explain why he wrote it in cipher and refused to provide the key to decipher the message.

Washington informed the Continental Congress that a search of Church's papers failed to find the cipher key or any other incriminating evidence, but added that he was told that a confidant of Church had been to Church's home and probably removed all the incriminating items before Washington's men arrived to conduct the search. Washington then turned his attention to finding the key to the cipher letter.

An amateur cryptanalyst stepped forward in the person of Reverend Samuel West, who happened to

have been a Harvard classmate of Church. A second person, Elbridge Gerry, a member of the Massachusetts Provincial Congress and the Committee of Safety, who would later be the fifth vice-president of the United States, teamed with Colonel Elisha Porter, a colonel in the Massachusetts militia, to conduct a separate cryptanalytic attack on the cipher.

Church had used a type of cipher known as a monoalphabetic substitution, one of the easiest ciphers to solve (Edgar Allen Poe explains the technique in his short story *The Gold Bug*). Both West and the Gerry-Porter team provided Washington with identical translations of the letter: (see insert entitled *West and Gerry-Porter Letter Translation*).

Washington confronted Church with the deciphered text. In response, Church said he only sought to impress the British with the strength and determination of the Patriots and wanted to discourage General Gage from carrying on further military action. He asserted the letter was not an intelligence report. General Washington was not persuaded by his explanation, particularly since the last line read "Make use of every precaution, or I perish."

Washington convened his officers to discuss what to do with Church. They all agreed that the issue should be presented to the Continental Congress. Washington noted in his letter that he wanted Congress to review the 28th article of war to determine if it applied to Church."¹¹ On orders of the Continental Congress, Church was confined at Norwich, Connecticut.¹² Within a year or two-there is some confusion over the date in the record-he was released and permitted to depart on a schooner for the West Indies. Neither the ship nor the doctor was heard from again. Presumably both were lost at sea.

The full extent of Church's espionage activities on behalf of the British remained a mystery to Washington and the other patriot leaders. The only evidence they had was the intercepted letter. From the letter they could surmise that Church had previously provided intelligence to Gage but they did not know how much or on what topics. It was only when historians found Church's earlier reports among General Gage's papers did Church's double agent role become clear.

WEST AND GERRY-PORTER LETTER TRANSLATION

TO MAJOR CRANE IN BOSTON, ON HIS MAGISTRY'S SERVICE

I HOPE THIS WILL REACH YOU; THREE ATTEMPTS HAVE I MADE WITHOUT SUCCESS. IN EFFECTING THE LAST, THE MAN WAS DISCOVERED IN ATTEMPTING HIS ESCAPE, BUT FORTUNATELY MY LETTER WAS SEWED IN THE WAISTBAND OF HIS BREECHES. HE WAS CONFINED A FEW DAYS DURING WHICH TIME YOU MAY HAVE GUESS MY FEELINGS. BUT A LITTLE ART AND A LITTLE CASH SETTLED THE MATTER.

TIS A MONTH SINCE MY RETURN FROM PHILADELPHIA. I WENT BY THE WAY OF PROVIDENCE TO VISIT MOTHER. THE COMMITTEE FOR WARLIKE STORES MADE ME A FORMAL TENDER OF 12 PIECES OF CANNON, 18 AND 24 POUNDERS, THEY HAVING TO A PREVIOUS RESOLUTION TO MAKE THE OFFER TO GENERAL WARD. TO MAKE A MERIT OF MY SERVICES, I SENT THEM DOWN AND WHEN THEY RECEIVED THEM THEY SENT THEM TO STOUGHTON TO BE OUT OF DANGER, EVEN THO' THEY HAD FORMED THE RESOLUTION AS I BEFORE HINTED OF FORTIFYING BUNKER'S HILL, WHICH TOGETHER WITH THE COWARDICE OF THE CLUSMY COL GERRISH AND COL SCAMMON, WERE THE LUCKY OCCASION OF THEIR DEFEAT. THIS AFFAIR HAPPENED BEFORE MY RETURN FROM PHILADELPHIA. WE LOST 165 KILLED THEN AND SINCE DEAD OF THEIR WOUNDS, 120 NOW LIE WOUNDED. THE CHIEF WILL RECOVER,. THEY BOAST YOU HAVE LOST 1500, I SUPPOSE, WITH EQUAL TRUTH.

THE PEOPLE OF CONNECTICUT ARE RAVING IN THE CAUSE OF LIBERTY. A NUMBER FROM THIS COLONY, FROM THE TOWN OF STANFORD, ROBBED THE KING'S STORES AT NEW YORK WITH SOME SMALL ASSISTANCE THE NEW YORKERS LENT THEM. THESE WERE GROWING TURBULENT. I COUNTED 280 PIECES OF CANNON FROM 24 TO 3 POUNDERS AT KING'S BRIDGE WHICH THE COMMITTEE HAD SECURED FOR THE USE OF THE COLONIES. THE JERSIES ARE NOT A WHIT BEHIND CONNECTICUT IN ZEAL. THE PHILADELPHIANS EXCEED THEM BOTH. I SAW 2200 MEN IN REVIEW THERE BY GENERAL LEE, CONSISTING OF QUAKERS AND OTHER INHABITANTS IN UNIFORM, WITH 1000 RIFLE MEN AND HORSE WHO TOGETHER MADE A MOST WARLIKE APPEARANCE. I MINGLED FREELY AND FREQUENTLY WITH THE MEMBERS OF THE CONTINENTAL CONGRESS. THEY WERE, UNITED, DETERMINED IN OPPOSITION, AND APPEARED ASSURED OF SUCCESS. NOW TO COME HOME; THE OPPOSITION IS BECOME FORMIDABLE; 18 THOUSAND MEN BRAVE AND DETERMINED WITH WASHINGTON AND LEE AT THEIR HEAD ARE NO CONTEMPTIBLE ENEMY. ADJUTANT GENERAL GATES IN INDEFATIGABLE IN ARRANGING THE ARMY. PROVISIONS ARE VERY PLENTY. CLOATHS (SIC) ARE MANUFACTURING IN ALMOST EVERY TOWN FOR THE SOLDIERS. TWENTY TONS OF POWDER LATELY ARRIVED AT PHILADELPHIA, CONNECTICUT AND PROVIDENCE. UPWARDS OF 20 TONS ARE NOW IN CAMP. SALT PETRE IS MADE IN EVERY COLONY. POWDER MILLS ARE ERECTED AND CONSTANTLY EMPLOYED IN PHILADELPHIA AND NEW YORK. VOLUNTEERS OF THE FIRST FORTUNES ARE DAILY FLOCKING TO CAMP. ONE THOUSAND RIFLE MEN IN 2 OR 3 DAYS RECRUITS ARE NOW LEVYING TO AUGMENT THE ARMY TO 22 THOUSAND MEN. TEN THOUSAND MILITIA ARE NOW APPOINTED IN THIS GOVERNMENT TO APPEAR ON THE FIRST SUMMONS.

THE BILLS OF ALL THE COLONIES CIRCULATE FREELY AND ARE READILY EXCHANGED FOR CASH. ADD TO THIS THAT, UNLESS SOME PLAN OF ACCOMMODATION TAKES PLACE IMMEDIATELY, THESE HARBOURS WILL SWARM WITH PRIVATEERS. AN ARMY WILL BE RAISED IN THE MIDDLE PROVINCES TO TAKE POSSESSION OF CANADA. FOR THE SAKE OF THE MISERABLE CONVULSED EMPIRE, SOLICIT PEACE, REPEAL THE ACTS OR BRITAIN IS UNDONE. THIS ADVICE IS THE RESULT OF WARM AFFECTION TO MY KING AND TO THE REALM. REMEMBER, I NEVER DECEIVED YOU. EVERY ARTICLE HERE SENT YOU IS SACREDLY TRUE.

THE PAPERS WILL ANNOUNCE TO YOU THAT I AM AGAIN A MEMBER FOR BOSTON. YOU WILL THERE SEE OUR MOTLEY COUNCIL. A GENERAL ARRANGEMENT OF OFFICES WILL TAKE PLACE, EXCEPT THE CHIEF WHICH WILL BE SUSPENDED BUY FOR A LITTLE WHILE TO SEE WHAT PART BRITAIN TAKES IN CONSEQUENCE OF THE LATE CONTINENTAL PETITION. A VIEW TO INDEPENDENCE GROWS MORE AND MORE GENERAL. SHOULD BRITAIN DECLARE WAR AGAINST THE COLONIES, THEY ARE LOST FOREVER. SHOULD SPAIN DECLARE AGAINST ENGLAND, THE COLONIES WILL DECLARE A NEUTRALITY WHICH WILL DOUBTLESS PRODUCE AN OFFENSIVE AND DEFENSIVE LEAGUE BETWEEN THEM. FOR GOD'S SAKE PREVENT IT BY A SPEEDY ACCOMMODATION.

WRITING THIS HAS EMPLOYED A DAY. I HAVE BEEN TO SALEM TO RECONNOITRE, BUT COULD NOT ESCAPE THE GEESE OF THE CAPITAL. TOMORROW, I SET OUT FOR NEWPORT ON PURPOSE TO SEND YOU THIS. I WRITE YOU FULLY, IT BEING SCARCELY POSSIBLE TO ESCAPE DISCOVERY. I AM OUT OF PLACE HERE BY CHOICE; AND THEREFORE, OUT OF PAY, AND DETERMINED TO BE SO UNLESS SOMETHING IS OFFERED MY WAY. I WISH YOU COULD CONTRIVE TO WRITE ME LARGELY IN CIPHER, BY THE WAY OF NEWPORT, ADDRESSED TO THOMAS RICHARDS, MERCHANT. INCLOSE IT IN A COVER TO ME, INTIMATING THAT I AM A PERFECT STRANGER TO YOU, BUT BEING RECOMMENDED TO YOU AS A GENTLEMEN OF HONOUR, YOU TOOK THE LIBERTY TO INCLOSE THAT LETTER, INTREATING ME TO DELIVER IT AS DIRECTED, THE PERSON, AS YOU ARE INFORMED, BEING AT CAMBRIDGE. SIGN SOME FICTIONAL NAME. THIS YOU MAY SEND TO SOME CONFIDENTIAL FRIEND IN NEWPORT, TO BE DELIVERED TO ME AT WATERTOWN. MAKE USE OF EVERY PRECAUTION OR I PERISH.

It appears Church may have been a volunteer walk-in or a defector-in-place, not a well-planned recruitment operation by Gage. Fortunately for the patriot's cause, Gage was mainly interested in the military intelligence Church provided. Gage failed to see the political importance Church offered to the British. For in Church, Gage had a penetration of the Patriot's inner circle in Massachusetts, a spy who sat at the secret meetings of the Committee of Correspondence and Safety, who was a trusted member of the Mechanics, and who even served briefly as liaison with the Continental Congress, but was never exploited for his political reporting or used to conduct political sabotage. It was a major shortsightedness of Gage. Church's espionage did have one positive benefit for counterintelligence, it led to the enactment of the first espionage law in the colonies.

Intercepting Communications

The Continental Congress regularly received quantities of intercepted British and Tory mail. On November 20, 1775, it received some intercepted letters from Cork, Ireland, and appointed a committee made up of John Adams, Benjamin Franklin, Thomas Johnson, Robert Livingston, Edward Rutledge, James Wilson and George Wythe "to select such parts of them as may be proper to publish." The Congress later ordered a thousand copies of the portions selected by the Committee to be printed and distributed. A month later, when another batch of intercepted mail was received, a second committee was appointed to examine it. On the basis of its report, the Congress resolved that "the contents of the intercepted letters this day read, and the steps which Congress may taken in consequence of said intelligence thereby given, be kept secret until further orders..." By early 1776, abuses were noted in the practice, and Congress resolved that only the councils or committees of safety of each colony, and their designees, could henceforth open the mail or detain any letters from the post.

James Lovell is credited with breaking British ciphers, but perhaps the first to do so was the team of Elbridge Gerry, Elisha Porter and the Rev. Samuel West who successfully decoded the intercepted intelligence reports written to the British by Dr.

Benjamin Church, the Director General of Hospitals for the Continental army.

When Moses Harris reported that the British had recruited him as a courier to carry messages for their Secret Service, General Washington proposed that General Schuyler "contrive a means of opening them without breaking the seals, take copies of the contents, and then let them go on. By these means we should become masters of the whole plot..." From that point on, Washington was privy to British intelligence pouches between New York and Canada.

Deception Operations

To offset British superiority in firepower and troops, General Washington made frequent use of deception operations. He allowed fabricated documents to fall in the hands of enemy agents or to be discussed in their presence. He allowed his couriers—carrying bogus information—to be captured by the British, and inserted forged documents in intercepted British pouches that were then permitted to go on to their destination. Washington even had fake military facilities built. He managed to make the British believe that his three thousand man army was outside Philadelphia was 40,000 strong! With elaborate deception, Washington masked his movement toward Chesapeake Bay—and victory at Yorktown—by convincing the British that he was moving on New York.

At Yorktown, James Armistead, a slave who joined Lafayette's service with his master's permission, crossed into Cornwallis' lines in the guise of an escaped slave, and was recruited by Cornwallis to return to American lines as a spy. Lafayette gave him a fabricated order that supposedly was destined for a large number of patriot replacements—a force that did not exist. Armistead delivered the bogus order in crumpled dirty condition to Cornwallis, claiming to have found it along the road during his spy mission. Cornwallis believed him and did not want to believe he had been tricked until after the battle of Yorktown. Armistead was granted his freedom by the Virginia legislature as a result of this and other intelligence services.

Another deception operation at Yorktown found Charles Morgan entering Cornwallis' camp as a deserter. When debriefed by the British, he convinced them that Lafayette had sufficient boats to move his troops against the British in one landing operation. Cornwallis was duped by the operation and dug in rather than march out of Yorktown. Morgan in turn escaped in a British uniform and returned to American lines with five British deserters and a prisoner!

The Hickey Plot¹³

On 21 June 1776, General George Washington authorized and requested the Committee to Detect Conspiracies to arrest David Matthews, the Tory mayor of New York City, and confiscate his papers. Matthews, accused of distributing money to enlist men and purchase arms for the British cause and corrupting American soldiers, was residing at Flatbush, on Long Island, near General Greene's encampment. Washington transmitted the warrant drawn by the Committee to General Greene on the 21st with directions that it should be executed with precision exactly at one o'clock of the ensuing morning by a careful officer. Greene dispatched a detachment of men who took Matthews into custody but found no incriminating papers.

Matthews' arrest was the result of hearings conducted from 19 to 21 June 1776 by the Committee to Detect Conspiracies under the able leadership of John Jay. Until Jay was appointed to head the Committee, it had put off real efforts to uncover any information concerning activities or persons still loyal to the king.

During the hearings, conducted at Scott's Tavern on Wall Street, the Committee first heard testimony from Isaac Ketchum, a counterfeiter who had been arrested and was incarcerated in the City Hall jail. Ketchum wanted to work a deal with the Committee; in exchange for his information he wanted to be set free. The Committee agreed.

According to Ketchum, two prisoners by the name of Thomas Hickey and Michael Lynch, who were in jail on suspicion of counterfeiting, attempted to recruit him for the British. Hickey and Lynch both said they

abandoned the American cause and secretly joined the British side. They indicated that others had also secretly agreed to serve the British. Ketchum further told the Committee that Hickey and Lynch were recruited to the British cause by an individual name "Horbush." The Committee at first was unable to identify Horbush but soon realized that Ketchum probably meant "Forbush," which is a variant of the name Forbes. The Committee then quickly identified Forbes as Gilbert Forbes, a well-known gunsmith who owned "The Sign of the Sportsman" shop on Broadway. The Committee also determined that Hickey was a sergeant in Washington's personal guards.

Two days after Ketchum's testimony, the Committee heard from William Leary, a prominent local businessman. Leary told the American authorities that he was in the city hunting for a runaway indentured worker of his who had disappeared. Leary successfully found the worker but later lost him. As he was walking around the city, he accidentally met another former employee James Mason. Mason, believing that Leary had left the company, asked Leary if he was in New York to join the other men. Leary, not knowing what Mason was discussing, feigned agreement. Mason, joined by several others, began to recruit Mason into a conspiracy but suddenly stopped when they became suspicious of him.

The Committee interviewed Mason who provided additional details about the Loyalist plot. He informed the Committee that men were being recruited to join a special Tory corps and had received pay from Governor Tryon. A Sergeant Graham, an old soldier, formerly of the royal artillery, had been recruited by Tryon to prowl around and survey the grounds and works about the city and Long Island. Based on his information, a plan of action was conceived. Upon arrival of the fleet, a man-of-war would cannonade the battery at Red Hook. While doing so, a detachment of the army would land below the cannonade and by a circuitous route surprise and storm the works on Long Island. The ships would then divide with some sailing up the Hudson River and the others up the East River. Troops were to land above New York, secure the pass at King's Bridge and cut off all communications between the city and the country. Upon a signal, artillerymen who were conspirators were to turn their cannon on the

American troops, the ammo stores were to be blown up and King's Bridge was to be cut to prevent the Americans from escaping.

Under pressure of interrogation, Mason revealed the names of several of Washington's guards: Hickey, William Green (drummer), James Johnson (fifer), and a soldier named Barnes. Gilbert Forbes was the paymaster, giving the men ten shillings a week. Mason also said New York mayor Matthews contributed 100 British pounds to the plot. Mason also identified three taverns as favorite hangouts of the conspirators; The Sign of the Highlander, Lowrie's Tavern, and Corbie's Tavern. Corbie's Tavern, near Washington's quarters, was a rendezvous site for the conspirators. Thomas Hickey was supposedly recruited here. Hickey recruited Green the drummer and Johnson the fifer. According to a conversation overheard at Corbie's Tavern, Washington was to be assassinated when the British army landed, as part of a plan for a surprise attack on the core of the Continental Army.

The Committee halted further depositions and went to notify Washington. The information was sufficient for Washington to issue the warrant for Matthews' arrest. Since Hickey and Lynch had already been returned to Washington's Headquarters, they were arrested by Washington's troops. A Court-martial was convened on 24 June 1776 and Hickey was charged with "exciting and joining in a mutiny and sedition, and of treacherously corresponding with, enlisting among, and receiving pay from the enemies of the United Colonies." Hickey pleaded not guilty.

The army produced four witnesses to testify against Hickey. Greene confirmed that Hickey had accepted funds to enlist in the Loyalist plot. Gilbert Forbes also said that he gave Hickey money. Ketchum repeated the hearsay evidence he presented to the Committee and a fourth person, William Welch said that Hickey had tried to recruit him. The only defense Hickey offered was that he was trying to cheat the Tories out of their money. As to having his name placed on board the British warship, he said he agreed to it as a precaution should the British defeat the Americans and he was taken prisoner, then he would be safe.

After a short deliberation, the officers found Hickey guilty as charged and sentenced him to death. On 27

June, Washington and his Council of Officers met. They reviewed the transcript of the trial and agreed with the sentence. On 28 June 1776 Hickey was hanged. He was the only conspirator to be executed; 13 others were imprisoned. Matthews was held as a prisoner but escaped to London. After the war he testified he had formed a plan for taking Washington and his guard but it was never realized.

Minutes Of The Committee For Detecting Conspiracies

(Fishkill), December 23rd, 1776

*Present: Leonard Gansevoort Esqr. Chairman;
John Jay, Zephaniah Platt, Nathaniel
Sacket, Esqrs.*

Resolved that Enoch Crosby assuming the name of _____ do forthwith repair to Mount Ephraim and use his utmost art to discover the designs, places of resort, and route, of certain disaffected persons of that quarter, who have formed a design of joining the enemy, and that for that purpose the said Enoch be made acquainted with all the Information received by this Committee concerning this plan, and that he be furnished with such passes as will enable him to pass there without interruption, and with such others as will enable him to pass as an emissary of the enemy amongst persons disaffected to the American Cause.

Resolved that Enoch Crosby be furnished with a horse and the sum of 30 dollars in order to enable him to execute the above resolution.

Resolved that Mr. Nathaniel Sackett be requested to give such instructions to Enoch Crosby as he shall think best calculated to defeat the designs of the persons above mentioned.

Ordered that the Treasurer pay Enoch Crosby 30 dollars for secret services. . .

Resolved that Nathaniel Sacket Esqr. be requested to furnish Mr. Enoch Crosby with such clothing as he may stand in need of.

Enoch Crosby Describes His Career As A Spy

*Southeast, Putnam County,
15 October 1832*

In the latter part of the month of August in the year 1776, he enlisted into the regiment commanded by Col. Swortwaut¹⁴ in Fredericksburgh now Carmel in the County of Putnam and started to join in the army at KingsBridge. The company had left Fredericksburgh before the declarant started, and he started along after his said enlistment and on his way at a place in Westchester County about two miles from Pines bridge he fell in company with a stranger, who accosted the deponent and asked him if he was going down.

The stranger then asked if declarant was not afraid to venture alone, and said there were many rebels below and he would meet with difficulty in getting down.

The declarant perceived from the observations of the stranger that he supposed the declarant intended to go to the British, and, willing to encourage that misapprehension and turn it to the best advantage, he asked if there was any mode which he the stranger could point out by which the declarant could get through safely. The stranger after being satisfied that declarant was wishing to join the British army, told him that there was a company raising in that vicinity to join the British army, and that it was nearly complete and in a few days would be ready to go down and that declarant had better join that company and go down with them.

The stranger finally gave to the declarant his name, it was Bunker, and told the declarant where and showed the house in which he lived and told him that Fowler¹⁵ was to be the captain of the company then raising and Kipp¹⁶ Lieutenant. After having learned this much from Bunker, the declarant told him that he was unwilling to wait until the company could be ready to march and would try to get through alone and parted from him on his way down and continued until night when he stopped at the house of a man who was called Esquire Young, and put up there for the night.

In the course of conversation with Esquire Young in the evening, the declarant learned that he was a member of the committee for safety for the county of Westchester and then communicated to him the information he had obtained from Mr. Bunker, Esqr. Young requested the declarant to accompany him the next morning to the White plains in Westchester County as the committee of safety for the County were on that day to meet at the Court house in that place.

The next morning the declarant in company with Esqr. Young went to the White plains and found the Committee there sitting. After Esqr. Young had an interview with the committee, the declarant was sent for, and went before the committee, then sitting in the Court room, and there communicated the information he had obtained from Bunker.

The Committee after learning the situation of declarant, that he was a soldier enlisted in Col. Swortwaut's regiment and on his way to join it if he would consent to aid in the apprehension of the company then raising. It was by all thought best, that he should not join the regiment, but should act in a different character as he could thus be more useful to his country.

He was accordingly announced to Capt. Townsend who then was at the White plains commanding a company of rangers as a prisoner, and the Captain was directed to keep him until further orders. In the evening after was placed as a prisoner under Capt. Townsend, he made an excuse to go out and was accompanied by a soldier. His excuse led him over a fence into a field of corn then nearly or quite full grown. As soon as he was out of sight of the soldier he made the best of his way from the soldier and when the soldier hailed him to return he was almost beyond hearing. An alarm gun was fired but declarant was far from danger.

In the course of the night the declarant reached the house of said Bunker, who got up and let him in. The declarant then related to Bunker the circumstances of his having been taken prisoner, and his going before the Committee at the Court house, of being put under the charge of Capt. Townsend and of his escape, that he had concluded to avail himself of the

protection of the company raising in his neighborhood to get down. The next morning Bunker went with declarant and introduced him as a good loyalist to several of the company. The declarant remained some days with different individuals of the company and until it was about to do down, when declarant went one night to the house of Esqr. Young to give information of the state and progress of the company. The distance was four or five miles from Bunkers.

At the house of Esqr. Young, the declarant found Capt. Townsend with a great part of his company and after giving the information he returned to the neighborhood of the Bunkers. That night the declarant and a great part of the company which was preparing to go down were made prisoners. The next day all of them, about 30, were marched to the White plains, and remained there several days, a part of the time locked up in jail with other prisoners, the residue of the time he was with the Committee. The prisoners were finally ordered to Fishkill in the County of Dutchess where the State Convention was then sitting. The declarant went as a prisoner to Fishkill. Capt. Townsend with his company of rangers took charge of the company.

At Fishkill a Committee for Detecting Conspiracies was sitting composed of John Jay, afterwards Governor of N York, Zerpeniah Platt afterwards first judge of Dutchess County, Colonel Duer of the County of Albany, & a Mr. Sackett. The declarant was called before that committee, who understood the character of declarant and the nature of his services, this the committee must have learned either from Capt. Townsend or from the Committee at White plains. The declarant was examined under oath and his examination reduced to writing. The prisoners with the declarant were kept whilst declarant remained at Fishkill in a building which had been occupied as a Hatters shop and they were guarded by a company of rangers commanded by Capt. Clark. The declarant remained about a week at Fishkill when he was bailed out by Jonathan Hopkins. This was done to cover the character in which declarant acted.

Before the declarant was bailed, the Fishkill Committee had requested him to continue in this service, and on declarant mentioning the fact of his having enlisted in Col. Swortwaut's company and the

necessity there was of his joining it, he was informed that he should be indemnified from that enlistment, that they would write to the Colonel and inform him that declarant was in their service. The Committee then wished declarant to undertake a secret service over the river. He was furnished with a secret pass, which was a writing signed by the Committee which is now lost and directed to go to the house of Nicholas Brawer near the mouth of the Wappingers creek who would take him across the river, and then to proceed to the house of John Russell about 10 miles from the river, and make such inquiries & discoveries as he could.

He proceeded according to the directions to said Brawers, and then to John Russells, and there hired himself to said Russell to work for him but for no definite time. There was a neighborhood of Loyalists and it was expected that a company was there raising for the British army. The declarant remained about 10 days in Russells employment and during that time ascertained that a company was then raising but was not completed. Before the declarant left Fishkill on this service, a time was fixed for him to recross the river and given information to some one of the committee who was to meet him.

This time having arrived and the company not being completed, the declarant recrossed the river and met Zepeniah Platt, one of the Committee, and gave him all the information he had then obtained. The declarant was directed to recross the river to the neighborhood of Russells and on a time then fixed, again to meet the Committee on the east side of the river.

The declarant returned to Russells neighborhood, soon became intimate with the Loyalists, and was introduced to Capt. Robinson, said to be an English officer and who was to command the company then raising. Capt. Robinson occupied a cave in the mountains, and deponents—having agreed to go with the company—were invited and accepted of the invitation to lodge with Robinson in the cave. They slept together nearly a week in the cave and the time for the company to start having been fixed and the rout designated to pass Severns, to Bush Carricks where they were to stop the first night.

The time for starting having arrived before the appointed time to meet the Committee on the east side of the river, the declarant—in order to get an opportunity to convey information to Fishkill—recommended that each man should the night before they started sleep where he chose and that each should be by himself for if they should be discovered that night together all would be taken which would avoided if they were separated.

This proposition was acceded to, and when they separated declarant not having time to go to Fishkill, and as the only and as it appeared to him the best means of giving the information, as to go to a Mr. Purdy who was a stranger to declarant and all he knew of him was that the Tories called him a wicked rebel and said that he ought to die, declarant went and found Purdy, informed him of the situation of affairs, of the time the company was to start and the place at which they were to stop the first night, and requested him to go to Fishkill and give the information to the Committee. Purdy assured the declarant that the information should be given. Declarant returned to Russells and lodged in his house.

The following evening the company assembled consisting of about thirty men and started from Russell's house which was in the Town of Marlborough and County of Ulster for New York and in the course of the night arrived at Bush Carricks and went into the barn to lodge after taking refreshments.

Before morning the barn was surrounded by American troops and the whole company including Capt. Robinson were made prisoners. The troops who took the company prisoners were commanded by Capt. Melancton Smith, who commanded a company of rangers at Fishkill. His company crossed the river to perform this service.

Col. Duer was with Capt. Smith's Company on this expedition. The prisoners including the declarant were marched to Fishkill and confined in the stone church in which there was near two hundred prisoners, after remaining one night in the church the Committee sent for declarant and told him that it was unsafe for him to remain with the prisoners, as the least suspicion of the course he had pursued would prove fatal to him, and

advised him to leave the village of Fishkill but to remain where they could call upon him if his services should be wanted.

Declarant went to the house of a Dutchman a farmer whose name is forgotten about five miles from the Village of Fishkill and there went to work at making shoes. After declarant had made arrangements for working at shoes he informed Mr. Sacket one of the Committee where he could be found if he should be wanted.

In about a week declarant received a letter from the Committee requesting him to meet some one of the Committee at the house of Doct. Osborn about one mile from Fishkill. Declarant according to the request went to the house of Doct. Osborn and soon after John Jay came there, inquired for the Doctor—who was absent, inquired for medicine but found none that he wanted, he came out of the house and went to his horse near which declarant stood and as he passed he said in a low voice it won't do, there are too many around, return to your work. Declarant went back and went to work at shoes but within a day or two was again notified and a horse sent to him, requiring him to go to Bennington in Vermont and from thence westerly to a place called Maloonsack, and there call on one Hazard Wilcox, a Tory of much notoriety and ascertain if anything was going on there injurious to the American cause.

Declarant followed this instructions, found Wilcox but could not learn that any secret measure was then projected against the interest of the county at the place, but learned from Wilcox a list of persons friendly to the British cause who could be safely trusted, from that place quite down to the south part of Dutchess County, declarant followed the directions of said Wilcox and called on the different individuals by him mentioned but could discover nothing of importance until he reached the town of Pawling in Duchess County where he called upon a Doctor, whose name he thinks was Prosser, and informed him that he wished to go below, but was fearful of some trouble.

The Doctor informed him that there was a company raising in that vicinity to go to New York to join the British Army, that the Captains name was Shelden that he had been down and got a commission, that

the Prosser was doctoring the Lieutenant, whose name was Chase, that if declarant would wait a few days he could safely go down with that company, that he could stay about the neighborhood, and should be informed when the company was ready. That declarant remained in that vicinity, became acquainted with several of the persons who were going with that company, was acquainted with the Lieutenant Chase, but never saw the Captain to form any acquaintance with him.

The season had got so far advanced that the company were about to start to join the enemy to be ready for an early commencement of the campaign in 1777. It was about the last of February of that year, when a place was fixed and also a time for meeting. It was at a house situated half a mile from the road and about three miles from a house then occupied by Col. Morehause a militia Colonel. After the time was fixed for the marching of Capt. Sheldens company the deponent went in the night to Col. Morehause and informed him of the situation of the company of the time appointed for meeting of the place and Morehause informed declarant that they should be attended to.

The declarant remained about one month in the neighborhood, and once in the time met Mr. Sackett one of the Committee at Col. Ludingtons, and apprised him of what was then going on, and was to have given the Committee intelligence when the company was to march but the shortness of the time between the final arrangement and the time of starting was that declarant was obliged to give the information to Col. Morehause.

The company consisting of about thirty met at the time and place appointed and after they had been there an hour or two; two young men of the company came in and said there was a gathering under arms at old Morehause, the inquiry became general, what could it mean, was there any traitors in the company. The captain soon called one or two of the company out the door for the purpose of private conversation about the situation, and very soon declarant heard the cry of stand, stand.

Those out the door ran but were soon met by a company coming from a different direction, they were

taken in the house surrounded and the company all made prisoners. The Col. then ordered them to be tied together, two and two, they came to declarant and he begged to be excused from going as he was lame and could not travel, the Col. replied, you shall go dead or alive and if in no other way you shall be carried on the horse with me, the rest were marched off and declarant put onto the horse with Col. Morehause, all went to the house of Col. Morehause and when the prisoners were marched into the house declarant with the permission of Morehause left them and made the best of his way to Col. Ludingtons and there informed him of the operations of the night, he reached Col. Ludingtons about day light in the morning, from thence he went to Fishkill to the house of Doct. Van Wyck where John Jay boarded and there informed him of all the occurrences on that northern expedition.

Said Jay requested the declarant to come before the Committee the next night when they would be ready to receive him he accordingly went before the Committee where he declared under his oath all that had occurred since he had seen them. The Committee then directed him to go to the house of Col. Van Ness in Albany County and there take directions from him. He went to Van Ness house and was directed by him to go to the north but declarant cannot tell the place the duty was performed, but nothing material discovered, further that the confiscation of the personal property of the Tories and leasing of their lands had a great tendency to discourage them from joining the British Army, declarant then returned to Pokeepsie, where Egbert Benson and Melancton Smith acted in the room of the Fishkill Committee.

There was no more business at that time in which they wished to employ declarant, and he being somewhat apprehensive that a longer continuance in that employment would be dangerous, and the time for which he enlisted in Col. Swortwauts regiment having expired he came home with the approbation of the Committee. This was about the last of May 1777, and in the course of the fall after, the declarant saw Col. Swortwaut at his house in Fishkill and there talked over the subject of the employment of the declarant by the Committee and the Col. told declarant that he had drawn his pay the same as if he had been with the regiment, that the Paymaster of the Regiment lived in the town of Hurley in Ulster

County. Declarant went to the paymaster and received his pay for nine months service or for the term for which the regiment was raised. The declarant was employed in the secret service for a period of full nine months.

This declarant further says that in the year 1779 in the month of May he enlisted into a company commanded by Capt. Johah Hallett for six months declarant enlisted as a sergent in said Halletts company. The term of enlistment was performed on the lines in the County of Westchester, moving from place to place to guard the country and detect Tories, that the company continued in this service until after Stony Point was taken by Gen. Wayne and abandoned and also reoccupied and abandoned by the English troops.

When this company was ordered over the river and joined the regiment at Stony Point and continued there in making preparations for building a block house until the time of the expiration of the service when the company was ordered to march to Pokeepsie to be discharged by the Governor. When they arrived, the Governor was absent the company was billeted out and the declarant was billeted upon the family of Doct. Tappen.

After remaining a day or two and the Governor not arriving, they were discharged. During this service in Westchester County the following occurrence took place a British vessel of war lay at anchor near Tellers



Enoch Crosby

Point and a party of sailors or marines came on shore and wandered a short distance from the water when a party of our men got between them and the river and made them prisoners. They were marched to the place when the company then lay, a little east of Tellers point, the number of prisoners declarant thinks was twelve and the captors six. The prisoners were afterwards sent to Pokeepsie.

This declarant further says that in the month of May in the year 1780 he again enlisted for six months in a company commanded by Capt. Livingston in Col. Benschautens Regiment. He enlisted as a sergent in the Town of Fredericksburgh now the town of Kent in Putnam County. The Regiment assembled at Fishkill and marched to Westpoint and remained there a few days some ten or fifteen, a call was made for troops to fill up the Brigade or Brigades under the command of Gen. De La Fayette, and they were to be raised by drafts or volunteers, a call first was made for volunteers and the declarant with others volunteered and made a company which was put under the care and charge of Capt. Daniel Delavan.

The declarant continued to be a sergent in Delavans company. Col. Phillip Van Cortland commanded the regiment to which Captain Delavans company was attached, soon after the company was formed they crossed the river from West Point and marched to Peekskill where they remained one night. The next day marched to Verplanks point and crossed over to Stony Point and from thence made the best of their way to New Jersey where they remained until late in the fall when the time of enlistment having expired they were discharged, after having fully and faithfully performed the service of six months for which he enlisted.

During this campaign in New Jersey. Major Andre was arrested, condemned and executed several of the soldiers of Capt. Delavan's company went to see him executed. This declarant was sergent of the guard that day and could not go to see the execution.

The declarant further says that he has no documentary evidence of his service, and that he knows of no person who can testify to his services other than those whose depositions are hereto annexed.

The declarant hereby relinquishes every claim whatever to a pension or annuity except the present and declares that his name is not on the pension roll agency of any state.

The declarant has a record of his age.

The declarant was living in the town of Danbury in the state of Connecticut when he enlisted into the service, that since the revolutionary war the declarant has resided in the State of New York, in what is now the County of Putnam formerly the County of Dutchess, and now lives in the same county and on the same farm where he has lived for the last fifty years. The declarant always volunteered in every enlistment and to perform all the services which he performed as detailed in this declaration.

That the declarant was acquainted with the following officers who were with the troops where he served. General Schuyler, Gen. Montgomery, General Wooster, Col. Waterbury, Col. Holmes, Gen. DeLa Fayette, Gen. Poor, Col Van Coretlandt, Col. Benschauten, Col. Ludington.

The declarant never received any written discharge, and if he ever received a sergeants warrant it is through time and accident lost or destroyed.

This declarant is known to Samuel Washburn a Judge of the Court of Common Pleas of the County of Putman, Benaiah Y. Morse a clergyman in his neighborhood and who he believes can testify to his character for veracity and good behaviour and thus belief of his services as a soldier of the revolution.

/S/ Enoch Crosby

Benedict Arnold¹⁷

“bold, crafty, unscrupulous, unrepentant: the Iago of traitors”¹⁸

The US public prefers to dismiss Benedict Arnold as simply “a despicable traitor.” To today’s US counterintelligence (CI) specialists, however, he offers a valuable case study—the classic example of a “high performer” and “trusted insider” who (for complex and

unpredictable reasons) decided to become an espionage “volunteer.” What were Arnold’s motivations, and what were the enabling and precipitating causes of his decision to go over to the enemy? More importantly, what changes in Arnold’s behavior and activities should have raised “CI flags” in the minds of his friends and fellow officers?

The “Enabling” Causes:

Several personal and historical factors combined to make it possible for Benedict Arnold to eventually make the decision to become a traitor. These factors included:

1). Arnold was a “self-made man” in the truest sense of these words. Born into a poor but respectable New England family (his great-grandfather had been a colonial Governor of Rhode Island) he received the 18th Century equivalent of a high school education and was apprenticed to a pharmacist. Arnold learned the “military arts” by serving with (and—in a premonition of things to come—deserting from) several New York militia units in the late 1750s. During the next two decades he became a successful merchant, sea trader/smuggler (he sailed his own ships between Canada and the West Indies), and family man in Connecticut and Massachusetts.

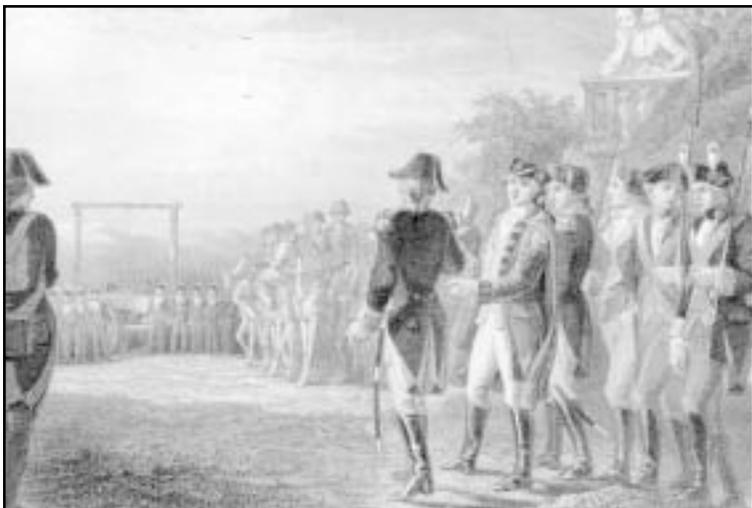
From the outset, however, Arnold’s personality demonstrated certain excesses which made him ill-suited for public service or other cooperative enterprises. These included: extreme personal ambition, ruthlessness in business dealings, opportunism, and a willingness to take risks and manipulate situations to his own advantage. By the time he joined the Continental Army in 1775, Arnold had established a reputation as a cranky and litigious “sharp trader” used to making his own rules and getting his own way. These personality characteristics were to remain constant throughout Arnold’s life, and were often noted by those who dealt with him during his cooperation with the British authorities in 1779-1782 and throughout his subsequent career as a businessman in Canada and England.

2). Arnold’s military career during the Revolutionary War was meteoric. Physically strong and apparently quite fearless in battle, he took part in a series of spectacular, high risk operations against the British (the capture of Fort Ticonderoga, the St. John’s raid, the ill-fated invasion of Canada in the



Arnold tells Andre to hide West Point plans in his boots.

Andre is captured.



Andre on his way to the gallows.

Fall of 1775—during which he was severely wounded—and the Battle of Valcour Island) which boosted his reputation and self-confidence. Arnold's energy and valor ingratiated him to George Washington, who urged his promotion and supported him during a series of politically-motivated misconduct investigations. Although he was promoted to Brigadier in January, 1776, and Major General in May, 1777, Arnold resented the fact that some younger, less able men had been promoted ahead of him.

Carl Van Doren has described Arnold's "military persona" as follows:

"As a soldier he was original and audacious, quick in forming plans, quick in putting them into vigorous execution. He led his soldiers, not drove them, and won and held the devotion of the rank and file. He had a gift for command when the objective was clear and his imperious will could be fully bent upon it...But in the conflict of instructions and of other officers of rank equal or nearly equal to his, Arnold was restive and arrogant. He could not turn philosopher and patiently endure small irritations day by day."

"He was passionate and personal in almost all his judgments...At the same time, Arnold was a whirlwind hero who could not be bothered with keeping track of small expenses. Spend what had to be spent, and figure the amount up later." (It was these attitudes that got him into trouble with the Continental Congress.)

3). It is also important to remember the historical context within which Arnold acted. After four years of inconclusive combat operations, in the Spring of 1779 the final outcome of the "American War of Independence" remained uncertain. In purely military terms, the war had evolved into a stand-off, with the British unable to trap and destroy the Colonial armed forces, and the Continental Army incapable of driving the British from major ports and garrison cities. In addition, the Treaty of Alliance signed with France the previous year had yet to produce any successful joint military French-American operations (Admiral d'Estaing's fleet operations had failed repeatedly, and General Rochambeau's expeditionary force would not arrive until July, 1780).

Politically, things did not look much better. The British Government was still hanging tough on suppression of the colonial "rebellion," and hundreds

of thousands of pro-British "Tories" or "loyalists" remained active in North America. Less than a third of the population of the thirteen colonies had actively supported the American revolutionary cause in the first place, and this base of support had eroded as the war progressed. By 1779, quite a few "Patriots of 1776" had begun to consider changing sides. Arnold was not alone in his growing cynicism and pessimism.

The "Precipitating" Causes

Seriously wounded in the same leg for a second time at the Battle of Saratoga, the partially disabled Arnold was placed in command of the Colonial forces in Philadelphia following the British evacuation of that city in June, 1778. Meanwhile, Congress had approved an adjustment in his date of rank, so that he now technically outranked his younger competitors. So, what was Arnold's motivation for committing treason a year later? What factors made it certain that he would finally choose to betray his country's cause? The following reasons come to mind:

1). He still nursed a long series of accumulated grievances against the Continental Congress, which he believed to be hopelessly incompetent and corrupt.

2). Arnold was a restless man of action—"driven and tremendously energetic," according to one biographer. Now less mobile because of a shortened leg, he saw his chances for a future field command slowly slipping away, and life as a garrison commander did not agree with him.

3). At the age of 38, the rough-cut war hero had just married beautiful and sophisticated 19-year-old Peggy Shippen (his first wife had died in 1775), the daughter of an old and wealthy Philadelphia family. Pro-British and socially ambitious, Peggy was a willing coconspirator in Arnold's espionage activities. He desperately wanted to live up to her expectations.

4). Arnold was essentially an arrogant, narcissistic opportunist who felt that his contributions to the Revolutionary cause had not been fully appreciated. His duty assignment in Philadelphia had given him a year to reflect upon his future prospects. By coincidence, in May, 1779 he found himself faced with an opportunity which was simply too good to pass up—the chance to make a fortune and (perhaps) end up on the winning side of what increasingly appeared to be a "war of attrition."

The “fortune” Arnold stood to make was not inconsequential. He first demanded 10,000 pounds for his services, but General Clinton demurred. The British became more cooperative after Arnold was put in charge of West Point, however, offering to pay 20,000 pounds, nearly \$750,000 in today’s money—if Arnold delivered West Point to them with its garrison and artillery intact. 20,000 pounds was a huge sum in the late 18th century, clearly sufficient to maintain Arnold and his family at a high standard of living anywhere in the world.

Implications for US Counterintelligence Today

What “CI indicators” or changes in Arnold’s personality or behavior should his colleagues have noticed? Did any “CI anomalies” occur which should have been noted during the time that Arnold worked for the British? What steps could have been taken to anticipate, pre-empt, or prevent Arnold’s treason?

Arnold’s defection came as a complete surprise, both to his subordinates and George Washington’s intelligence staff. This is remarkable, considering that Arnold remained “an agent in place” for sixteen months (from May, 1779 to September, 1780) after offering his services to the British. Under such circumstances, effective CI awareness and countermeasures should have detected Arnold’s protracted negotiations and data sharing with the British Commander-in-Chief, General Henry Clinton. These exchanges made use of both verbal and written messages (some of which were in code). The communications were transmitted via loyalist intermediaries, Peggy Arnold, and Major John Andre, Clinton’s aide-de-camp and intelligence coordinator. Much of this correspondence involved protracted bargaining over the terms of his “espionage contract”—a process which revealed Arnold’s haggling skills and exaggerated self-esteem.

Arnold also was a valuable “reporting asset” during this period, warning Clinton of the impending arrival of French troops under Rochambeau and passing vital update information about the defenses of West Point and other Colonial strong points along the Hudson River. In addition, Arnold transmitted “bits and pieces of information” (via letters to Peggy Arnold which she passed to Andre) concerning the planning of what was to become the May-October, 1781 Yorktown

campaign. Arnold had been asked to command part of the allied forces being prepared for that operation, and he remained “in the loop” until September, 1780—just eight months before US and French forces moved on Yorktown.

Most of the personal characteristics which made Arnold a dangerous spy also made him an effective military leader and a credible “Patriot.” Arnold was certainly not the only arrogant and cantankerous field commander in the Continental Army, and probably no one but his new wife knew exactly what was going on in his mind when he decided to turn his coat. However, the fact that he had been embroiled in such a long series of courts-martial and Congressional investigations, should have raised some official eyebrows when Arnold began to lobby aggressively for command of the strategic Colonial garrison at West Point in May, 1780. Another “ignored” CI indicator was the fact that he also refused the offer of an attractive field command (the ring wing of Washington’s army), claiming that he was disabled.

Arnold was an extremely resourceful and clever spy. After taking command of West Point, he used “profiteering” as a cover for his expanding contacts with local Tories whose homes provided opportunities for meetings with Major Andre. Even Arnold’s closest aides—probably influenced by the General’s past reputation as a smuggler—were taken in by this ploy. Arnold and the British used classic espionage tradecraft to cloak their conspiracy. These measures included the use of coded communications, clandestine signals, passwords, pseudonyms, safehouses, clandestine meetings, intermediaries, and—in an effort to distract Arnold’s pursuers immediately following his defection—a diversion (a feigned “nervous breakdown”) staged by his wife.

Arnold’s activities apparently produced no “CI anomalies” that suggested the existence of a spy in the highest ranks of the Continental Army. This fact may be partly explained by the slow pace of communications in the late 1700’s, as well as Clinton’s understandable reluctance to jeopardize the security of his best-placed agent by acting precipitously on information that could only have been provided by someone at Arnold’s level. In addition, the British military intelligence apparatus in North America was aggressive and resourceful,

and was known to have intercepted and copied sensitive Continental Army documents in the past. For this reason, the British probably felt they did not have to mount a CI deception operation to “screen” Arnold’s activities.

Epilogue for a Spy

Although he had failed to fulfill his “contract” by delivering the plans of West Point’s defenses (these were captured with Major Andre), Arnold was awarded 6,315 pounds in compensation for his lost property. He and his entire family were granted pensions by the British Government. Arnold was made a Brigadier General in the British Army and given command of a “Tory legion” which he had offered to help raise. In January, 1781 he led a 1600-man force in a raid against Hampton Roads, Virginia. Continuing up the James River, Arnold’s troops attacked Rebel artillery positions near Jamestown and briefly looted and occupied Richmond.

Despised and ultimately rejected by the British, in the long run Arnold paid a heavy price for his ill-gotten “fortune.” Ever optimistic and entrepreneurial, for a decade (1782 to 1792) he moved his second family back and forth between Canada and England, seeking social acceptance and commercial opportunities. Arnold’s many post-war business ventures achieved limited success, however, and when he died in 1801 he was deeply in debt. Both Arnold and his wife were permanently estranged from their relatives in the newly-independent United States. The three sons from Arnold’s first marriage remained in America. Four of his sons by Peggy Shippen (she died in 1804) served in the British Army, one of them becoming a Lieutenant General.

Dr. Edward Bancroft¹⁹

Among the many spies the British recruited and placed inside the American Commission in Paris under Benjamin Franklin, was one who had access to every secret move, conversation and agreement negotiated between the American delegation and the intermediaries representing the French government. French support and aid was critical to the American revolutionary cause, without it the dream of American

independence would have expired. Yet, despite the British intelligence success, the government of Lord North was ineffective in stopping American-French activities. The spy, Dr. Edward Bancroft, was never discovered until seventy years after his death when the British government provided access to its diplomatic archives.

Bancroft was born on 9 January 1744 in Westfield, Massachusetts. When he was two years old his father died of an epileptic seizure leaving his mother to care for the family. Five years later, his mother, Mary, remarried and the family moved with her new husband, David Bull, to Hartford, Connecticut. Bull owned “The Bunch of Grapes” tavern which, on 23 May 1781, hosted a meeting between George Washington and General Jean-Baptiste de Vimeur, Comte de Rochambeau, to plan their siege against British General Lord Charles Cornwallis at Yorktown.

While growing up in Hartford, Bancroft studied under Silas Deane, after the latter’s graduation from Yale. Two years later, at age 16, Bancroft was apprenticed to a physician in Killingsworth, Connecticut. Then, on 14 July 1763, Bancroft left the colonies for Surinam where he found employment as a medical chief on one of the plantations. Bancroft expanded his medical practice to several additional plantations and also found time to write a study of Surinam’s environment. Bancroft soon grew weary of Surinam and in 1766 began one year of travel between North and South America before sailing for England.

After his arrival in London, Bancroft became a physician’s student at St. Bartholomew’s Hospital. He also published, in 1769, a book titled, “Natural History of Guiana,” which brought him to the attention of Paul Wentworth, the colonial agent for New Hampshire in London. Wentworth hired Bancroft to survey his plantation in Surinam with the hope that Bancroft could uncover ways for Wentworth to increase his profits from the land. Bancroft returned to Surinam for several months and then returned to London.

Also in London at the time was Benjamin Franklin, who was the colonial agent for several colonies. Franklin met Bancroft and they became friends. Franklin used Bancroft as a spy to support several of

Franklin's colonial activities.²⁰ When Franklin returned to America, it is unknown if Bancroft continued his spying for Franklin but evidence exists that this may have been the case. For example, when the Committee for Secret Correspondence sent Silas Deane to Paris to examine the political climate of France, Franklin provided Deane instructions to contact Bancroft. Deane was told that to arrange the meeting:

*"...by writing a letter to him, under cover to Mr. Griffiths, at Turnham Green, near London, and desiring him to come over to you in France or Holland, on the score of old acquaintance. From him you may obtain a good deal of information of what is now going forward in England, and settle a mode of continuing correspondence. It may be well to remit a small bill to defray his expenses in coming to see you, and avoid all political matters in your letter to him."*²¹

If Bancroft was not an agent, why is it suggested that the letter be sent to a cover address rather than to Bancroft directly. Deane had been Bancroft's teacher, so it would be natural for a teacher to try to contact a former successful student. Also, Deane's instructions to devise a contact plan to meet with Bancroft adds further proof of some clandestine relationship.

A day after Deane arrived in France, 7 June 1776, he mailed a letter requesting Bancroft come to Paris to discuss some assistance to Deane in procuring



Pierre Augustin Caron de Beaumarchais

goods for Indian trade and enclosing 30 pounds to defray travel expenses. Bancroft agreed and on 8 July both men met in Paris. Deane and Bancroft quickly established a close rapport, so much so that Deane informed Bancroft of his true mission in Paris.

He told Bancroft that he was attempting to devise a clandestine relationship with the French to obtain military aid for the colonies. Bancroft declined an invitation to attend the negotiations between Deane and the French but agreed to serve as Deane's assistant and interpreter during meetings with French agents, Pierre Augustin Caron de Beaumarchais and Monsieur Donatien le Rey de Chaumont. It was at these meetings the details of transferring to the Americans some forty thousand strands of arms, including two hundred cannon with French markings removed, as well as four million livres credit for miscellaneous military supplies.²²

Deane informed Bancroft that the American objective was to motivate a Bourbon-Prussian coalition against England on the continent to force the British to redirect their power to a continental conflict and leave the colonies alone. The Americans expected the French to agree to the alliance. In fact, French Foreign Minister, Charles Gravier, the Comte de Vergennes was leaning towards war with England when he learned that General Sir William Howe evacuated Boston but wanted to enlist Spain's assistance and agreement to go to war with Portugal, England's ally. The situation changed when the French learned that Britain defeated Washington's forces on Long Island on 27 August 1776.²³

Bancroft, saying business matters obliged him to return to London, left France on 26 July 1776. Before departing, he agreed to provide Deane with intelligence gleaned from his contacts in England. Despite his agreement to cooperate, Bancroft was troubled by his new role. He had always supported the British Empire's interest but also adhered to the belief that the colonies and the crown had to reconcile their positions through some compromise. He now realized that this was impossible and that French entry into the conflict would destroy the British empire. Bancroft considered informing the British government about Deane's efforts because he was convinced "that the government of France would endeavor to promote an absolute

separation of the then United Colonies from Great Britain; unless a speedy termination of the revolt by reconciliation, or conquest, should frustrate this project.”²⁴

Before Bancroft had an opportunity to contact the British, he was met by Paul Wentworth. Wentworth was recently recruited by William Eden, chief of the British Secret Service,²⁵ who assigned Wentworth the task of meeting with his old friend to obtain full details of Bancroft’s visit to Paris. Wentworth informed Bancroft that the British knew he met and spent several days with Deane. Wentworth asked Bancroft to meet with Eden. Bancroft agreed and shortly thereafter a meeting was held between Bancroft, Eden, and Lords Suffolk and Weymouth to discuss the colonial rebellion. At this meeting, Bancroft was recruited as a double agent for the British. He later wrote of his decision:

“I had then resided near ten years, and expected to reside the rest of my life in England; and all my views, interests and inclinations were adverse to the independency of the colonies, though I had advocated some of their claims, from a persuasion of their being founded in justice. I therefore wished, that the government of this country, might be informed, of the danger of French interference, though I could not resolve to become the informant. But Mr. Paul Wentworth, having gained some general knowledge of my journey to France, and of my intercourse with Mr. Deane, and having induced me to believe that the British Ministry were likewise informed on this subject, I at length consented to meet the then Secretaries of State, Lords Weymouth and Suffolk, and give them all the information in my power, which I did with the most disinterested views.”²⁶

When Benjamin Franklin arrived in Paris to take over the negotiations with the French, Lord Suffolk told Bancroft to move to Paris and inject himself in Franklin’s circle. In return for his service, Bancroft was offered a life pension of 200 pounds per year, increasing to 500 pounds per year. Bancroft left England on 26 March 1777. After his arrival in Paris, it was not difficult for him to find a position with Franklin, his former friend and mentor. Bancroft was made secretary to the American commission. Also arriving in Paris was Paul Wentworth, who was sent to be Bancroft’s handler.

To communicate with the British, Bancroft was instructed in the use of a timed deaddrop. He was told to compose a series of cover letters about gallantry which he was to address to a “Mr. Richards,” and sign each with “Edward Edward.” Between the lines of his letters, he was to write in secret ink the information he acquired on the French-American partnership. When the letter was complete, he was to place it in a bottle with a piece of string around the bottle’s neck. Each Tuesday evening after 9:30, Bancroft was instructed to proceed to the south terrace of the Jardin de Tuilleries where he was to place the bottle in a hole in the roots of a certain box tree. The bottle was retrieved by Thomas Jeans, secretary to British diplomat Lord Stormont, who removed the contents and usually replaced it with taskings for Bancroft. Bancroft later that same evening returned to the drop site to recover the bottle. It is reported that Bancroft provided copies of hundreds of documents to his handlers. For example, it is said that the French-American treaty was in King George’s hand 48 hours after its signing, courtesy of Bancroft.

Compliments of Franklin and Deane, who sent Bancroft on frequent secret intelligence missions to London, Bancroft had the luxury of sitting down in a relaxed atmosphere to be debriefed by Lord Suffolk and others. There is some suggestion by historians that Franklin was aware of Bancroft’s betrayal, citing Franklin’s comment in response to a friend’s warning about British spies:

“I have long observ’d one Rule which prevents any Inconvenience from such Practices. It is simply this, to be concern’d in no Affairs that I should blush to have made publick, and to do nothing but what Spies may see & welcome. When a Man’s actions are just and honourable, the more they are known, the more his Reputation is increas’d and establish’d. If I was sure, therefore that my Valet de Place was a Spy, as probably he is, I think I should not discharge him for that, if in other Respects I lik’d him.”²⁷

Whether Franklin knew and used Bancroft to pass false information to the British or never knew Bancroft’s true status is subject to interpretations of

the facts because Franklin did not write about it and Bancroft's personal papers were later destroyed by a family member. No matter what the truth is, the fact remains that the British had placed an excellent double agent within the American Commission in Paris who provided a wealth of information on the French-American alliance. Even with Bancroft and the other British agents inside the Commission, the British were unable to take more effective action to destroy or diminish the negotiations and support which lead to the American-French Alliance and the final defeat of the British at Yorktown.

Secret Writing

While serving in Paris as an agent of the Committee of Secret Correspondence, Silas Deane is known to have used a heat-developing invisible ink, compounded of cobalt chloride, glycerin and water, for some of his intelligence reports back to America. Even more useful to him later was a "sympathetic stain" created for secret communications by James Jay, a physician and the brother of John Jay. Dr. Jay, who had been knighted by George III, used the "stain" for reporting military information from London to America. Later he supplied quantities of the stain to George Washington at home and to Silas Deane in Paris.

The stain required one chemical for writing the message and a second to develop it, affording greater security than the ink used by Deane earlier. Once, in a letter of John Jay, Robert Morris spoke of an innocuous letter from "Timothy Jones" (Deane) and the "concealed beauties therein," noting "the cursory examinations of a sea captain would never discover them, but transferred from his hand to the penetrating eye of a Jay, the diamonds stand confessed at once."

Washington instructed his agents in the use of the "sympathetic stain," noting in connection with "Culper Junior" that the ink "will not only render his communications less exposed to detection, but relieve the fears of such persons as may be entrusted in its conveyance . . ." Washington suggested that reports could be written in the invisible ink "on the blank leaves of a pamphlet . . . a common pocket book, or on the blank leaves at each end of registers, almanacs,

or any publication or book of small value." Washington especially recommended that agents conceal their reports by using the ink in correspondence: "A much better way is to write a letter in the Tory stile with some mixture of family matters and between the lines and on the remaining part of the sheet communicate with the stain the intended intelligence."

Other Spies

To Joseph Reed or Colonel Cornelius Cox

*Head Quarters, Morris Town,
April 7, 1777.*

Dear Sir:

I am informed, there is a certain Mr. Smith, who has been lately taken up by Genl. Lincoln as a Spy and sent to Philadelphia under that Character; I believe, for several reasons that he is the man who was employed by you to act for us, in that capacity, and that the apprehending him is a mistake, which may be attended with ill consequences. Lest he should be precipitately tried and punished, I must beg you will interpose in the affair without delay, and if you find him to be the person I suspect he is, take measures to have him released. I should be glad indeed, that some management might be used in the matter, in order to turn the Circumstance of his being apprehended to a good account. It would be well to make him a handsome present in money to secure his fidelity to us; and contrive his releasement, in such a manner, as to give it the appearance of an accidental escape from confinement. After concerting a plan with him, by which he will be enabled to be serviceable to us, in communicating intelligence from time to time, let him make the best of his way to the Enemy. Great care must be taken, so to conduct the scheme, as to make the escape appear natural and real; there must be neither too much facility, nor too much refinement, for doing too little, or over acting the part, would alike beget a suspicion of the true state of the case. I am etc.

To Governor William Livingston

Head Quarters, Valley Forge,

January 20, 1778

Sir:

I last night received a Letter from Colo. Dayton, informing me, that John and Baker Hendricks, and John Meeker had been apprehended upon a supposition of carrying on an illegal Correspondence with the Enemy, as they had been several times upon Staten Island and that they were to be tried for their lives in consequence.

In justice to these Men I am bound to take this earliest opportunity of informing you that they were employed by Colo. Dayton last Summer to procure intelligence of the movements of the Enemy while upon Staten Island, for which purpose I granted them passports, allowing them to carry small quantities of Provision, and to bring back a few Goods the better to cover their real designs. Colo Dayton acquaints me that they executed their trust faithfully; this I very well remember, that what intelligence he communicated to me and which he says, came principally thro' them, was generally confirmed by the Event. Upon these Considerations I hope you will put a stop to the prosecution, unless other matters appear against them. You must be well convinced, that is indispensibly necessary to make use of these men to procure intelligence. The persons employed must bear the suspicion of being thought inimical, and it is not in their powers to asset their innocence, because that would get abroad and destroy the confidence which the Enemy puts in them. I have the honour, etc.

To Governor William Livingston

*Head Quarters, Valley Forge,
March 25, 1778.*

Dear Sir:

I have strong reasons to suspect a Mr. Banskon,²⁸ late a Captain of Marines in our service, of being in the employ of the enemy as a Spy. His family lives at Princeton. We have nothing against him that amounts to proof, and to seize him at present would answer no end; but to put it out of our power to detect and punish him. It were to be wished, your Excellency, without discovering our suspicions could fall upon some method to have him well watched, and, if possible, find out something to ascertain the fact. He is lately from Philadelphia and has offered

me his services in that way, as he proposes to return in a few days, taking this Camp in his way. If in the mean time any circumstances should arise within your knowledge you will be pleased to transmit it to me. I am etc.

To Colonel Stephen Moylan

*Head Quarters,
April 3, 1778.*

Sir:

By command of his Excellency, I am to desire, you will send a corporal and six Dragoons, with a Trumpeter to Head Quarters, without loss of time. They are wanted to escort the Commissioners on our part who are to meet on the subject of a General Cartel. You need not be told they must be picked Men and horses, must make the best possible appearance, must be very trusty and very intelligent. They should also be of the same regiment.

The General reminds you again of the necessity of keeping your Officers close to their quarters and duty; and of letting no attention be wanting to put the cavalry under your command, on the best footing you can, both with respect to condition and discipline.

There is a certain Mr. Bankson late of the Continental marines, who has a family at Princeton. We suspect him to be a spy to Mr. Howe, though he offers himself as one to us. We wish to find out his true history. He left this camp the 24th of March, on pretense of making a visit to his family, and is now returned with renewed offers of service. It is doubted whether he has not, in the mean time, been at Philadelphia. The General wrote some days since to Governor Livingston, requesting he would take measures to explore Mr. Bankson's conduct and views. He directs you immediately to see the Governor and learn from him, if he has been able to make any discovery, and to take cautious methods to ascertain whether Bankson has been at home, since he left camp, how long, and when he left home, in short any thing that may throw light upon his designs. Let him hear from you as soon as possible about the he subject. Manage the business with caution and address. Yours Affectionately.

To Governor William Livingston

*Head Quarters, Valley Forge,
June 1, 1778.*

Dear Sir:

I am honoured with yours of the 23rd and 29th Ultimo. The person who delivered me your letter of the 17th was one of our hired Expresses. He now out upon duty, but when he returns I will inquire how he came by the letter. The Christian name of Bankson, who I begged the favor of you to keep an eye upon, is Jacob²⁸, but as I am now satisfied concerning him, you need not trouble yourself further in the matter...

**To Brigadier General
William Swallow**

*Head Quarters, Valley Forge,
June 1, 1778.*

Dear Sir:

I received yours of the 30th May: A person, who I sent down to Chester to observe the movements of the Fleet, left that place on Sunday at dusk, he informs me that upwards of one hundred Sail had come down from Philadelphia and that they had not stopped near Wilmington, but proceeded towards the Capes. If this is so, it is a plain proof that they have no design to land any body of Men to molest our Stores. Captn. McLane who commands a scouting Party upon the Enemy's lines has been this Morning as near Philadelphia as Kensington, from whence he has a full view of the Harbour, he says very few ships remained and those chief armed Vessels. If therefore, upon sending an Office to Chester and another to Wilmington, you find that the Vessels have gone down and are below New Castle, you are immediately to join me, with your whole continental force. I am &ca.

P.S. Bring up your Tents with you and your lightest Baggage, as you will probably march immediately Northward.

To The Board Of General Officers

*Head Quarters, Valley Forge,
June 2, 1778.*

Gentlemen:

The Adjutant General has directions to send you one Shanks²⁹ formerly an Officer in the 10th Pennsylvania Regiment, charged with being a spy for the Enemy. There is a British deserter a serjeant of Grenadiers, who will attend as a Witness against him. His own confession is pretty ample. But to make the evidence as full as possible, I have directed Col. Morgan to send up the persons, who took the criminal, in order to ascertain the circumstances of his apprehension. To avoid the formality of a regular trial, which I think in such a case ought to be dispensed with, I am to request you will examine him and report the result; and if his guilt is clear, his punishment will be very summary.³⁰ If the Witnesses expected from Colonel Morgan, should not arrive speedily, so that it would detain the Board too much to wait for them; they may proceed to the examination, without them, but if it shod appear that their presence may materially affect the merits of the inquiry, I would wish it not to be brought to a conclusion. If it should be thought unessential, I should be glad the examination may be definitive. I am, etc.

P.S. I wish your report to be as full as possible, clear as to the criminality of the person, expressive of your opinion whether he is a proper subject for an example, and what kind of punishment may be most proper.

General Orders

*Head Quarters, W. Plains,
Monday, September 14, 1778.*

Parole St. Augustine. Countersigns Salem, Sandown.

After Orders

At a General Court Martial held in the Highlands January the 13th, 1778, by order of Major Genl. Putnam whereof Colo. Henry Sherburne, was

President, Matthias Colbhart of Rye, in the State of New-York, was tried for holding a Correspondence with the Enemy of the United States, living as a Spy among the Continental Troops and enlisting and persuading them to desert to the British Army, found guilty of the whole Charge alledg'd against him and in particular of a breach of the 19th Article of the 13th Section of the Articles of War and therefore sentenced to be punished with Death, by hanging him by the Neck until he is dead.³⁰ Which Sentence was approved of by Major General Putnam. His Excellency the Commander in Chief orders him to be executed tomorrow morning nine o'Clock on Gallows Hill.

**To Major General
Alexander McDougall**

*Head Quarters, Middle Brook,
March 25, 1779.*

Dear Sir:

I duly received your favour of the 20th instant. Mr. H.—³¹ has just delivered me that of the 22nd. (The Letter and inclosures referred to in it are not yet come to hand.) I have had a good deal of conversation with Mr. H——. He appears to be a sensible man capable of rendering important service, if he is sincerely disposed to do it. From what you say, I am led to hope he is; but nevertheless, if he is really in the confidence of the enemy, as he himself believes to be the case, it will be prudent to trust him with caution and to watch his conduct with a jealous eye.

I always think it necessary to be very circumspect with double spies. Their situation in a manner obliges them to trim a good deal in order to keep well with both sides; and the less they have it in their power to do us mischief, the better; especially if we consider that the enemy can purchase their fidelity at a higher price than we can. It is best to keep them in a way of knowing as little of our true circumstances as possible; and in order that they may really deceive the enemy in their reports, to endeavor in the first place to deceive them. I would recommend, that the same rule should be observed in making use of Mr. H——, who notwithstanding the most plausible appearances may possibly be more in earnest with the enemy than with us. By doing this we run the less risk and may derive essential benefit. He is gone on to Philadelphia.

Which so far as it affected the troops under your command you will be pleased to assist me in executing as speedily as possible. I am, etc.

**To Major General
Alexander McDougall**

*Head Quarters, Middle Brook,
March 28, 1779.*

Dear Sir:

I yesterday Evening was favd. with yours of the 21st instant with the several inclosures to which it refers.

——³² is gone to Philada. and will call upon me in his way back. In my last I took the liberty to drop you a hint upon the subject of the danger of our putting too much confidence in persons undertaking the office of double Spies. The person alluded to in the present instance appears very sensible, and we should, on that account, be more than commonly guarded until he has given full proofs of his attachment. The letter directed to Genl. Haldimand³³ was evidently intended to fall into our Hands. The manner of contriving that, and some other circumstances, makes me suspicious that he is as much in the interest of the enemy as in ours. I am etc.

Joseph Hyson³⁴

Joseph Hyson was a Marylander, living in London where he was an unemployed seaman. While carousing among the bars, he met William Carmichael, a fellow Marylander and personal secretary to Silas Deane in Paris, who was visiting England and also liked to frequent the shadier sites of London. The two men became very close friends. When Carmichael was sent to England to recruit seamen to command privateers and munitions ships clandestinely fitted in France, he approached Hyson, who readily agreed because he was broke and wanted, he said, to see America again.

After Hyson was recruited by Carmichael, he was approached by Reverend John Vardill, a British agent of William Eden, an under-secretary of state, who directed British intelligence during the early years

of the American Revolution. The meeting took place on 12 February 1777 and Hyson agreed to work for British intelligence. A plan, briefed to the British Admiralty which gave its approval, was devised whereby Hyson would slip out of England for France. After Hyson's arrival in France, he was to collect coastal and other maritime information on the country while waiting to take possession of one of the ships. Once he commanded a ship, he was to use elaborate signals, worked out with the British navy to make it appear that the ship was captured rather than Hyson having sailed it into British hands.

Hyson safely arrived in France and, while his ship was being fitted, he spent a great deal of time with Carmichael and the American Commissioners, Benjamin Franklin and Silas Deane. Hyson also began to collect data on French ports and shipping which he passed to Lt. Col. Edward Smith, a British intelligence officer. Carmichael detected Hyson's spy activities for Smith but did not reveal them to any of the American Commissioners. In fact, Carmichael offered to help Hyson obtain American dispatches, an offer Smith believed could help the British recruit Carmichael.³⁵ The British did try to recruit Carmichael but he rejected these overtures.

Benjamin Franklin and Silas Deane decided to send the Commissioners' important dispatches to the Continental Congress earlier than expected and selected a Captain Folger to take them aboard his ship. To get the dispatches to Captain Folger, Captain Hyson was selected as the courier. Hyson traveled to Havre, France where he turned over the dispatch pouch to Folger. Folger, after his arrival in America, gave the pouch to the Committee of Correspondence of the Continental Congress. When the Committee opened the pouch, they discovered a wad of blank paper. While the substituted pouch was on its way to America, Hyson delivered the real pouch to Lt. Col. Smith in London, who immediately turned it over to William Eden. Eden, in turn, displayed the entire pouch contents to King George III, who was often a harsh critic of the spies, alluding to his mistrust of them.

Hyson was paid for his services. Lord North gave him 200 pounds and a promise of 200 pounds a year. "He was an honest rascal, and no fool though

apparently stupid."³⁶ An apt remark considering that Hyson returned to France to renew his contact with the American Commissioners. He could not understand why the Commissioners rejected any contact with him. The only one who came to visit him was Carmichael. He failed to realize that Carmichael was directed to make contact with him in order to get Lt. Col. Smith to come to Paris to meet with the Commissioners.

The Commissioners wanted to use Smith as a broker to determine if the British government was agreeable to negotiating a peace. When word was received on 30 November 1777 that General John Burgoyne surrendered, this plan was shelved. Hyson's value to the Commissioners was ended although he was offered the job of taking some dispatches to America. He refused. The French told him to leave their country or be arrested as a spy.

Hyson requested funds from Smith, who sent the request to Eden. Eden responded that he would support giving Hyson 40 pounds if Hyson would set sail and try to overtake either Silas Deane or Carmichael who had departed France in separate ships carrying dispatches. Hyson left for England, where he signed on a man-of-war, the *Centaur*, in which he was a key player in betraying an American munitions ship to the British. This is the last anyone heard of Hyson.

Lydia Darragh

Though it has been disputed as to accuracy and, indeed, truth, the story of Lydia Darragh deserves mention. Darragh, listening through a paper-thin wall of her home where British officers met, learned of British plans for the 4 December march on Philadelphia. Smuggling her notes in a "dirty, old needlebook" she was able to report the British would march out on 4 December and surprise General Washington at Whitemarsh with their superior forces against Washington's unprepared Continentals.

She reported that there would be 5,000 men under General William Howe, 13 pieces of cannon, baggage wagons and 11 boats on wheels, or pontoon equipment. The British did pull out of Philadelphia with more than 5,000 men on the night of 4 December, rolled through the city going in the wrong direction toward the Schuylkill River. Washington's intelligence and

estimates were correct. He had strengthened the front, not the rear, and the British surprise failed.

After a day of confrontation, Howe withdrew to Philadelphia “like a parcel of damned fools.” It was to his report of the Whitemarsh fiasco that General Charles Cornwallis first appended his view that the conquest of America was impossible. On other occasions, Lydia concealed reports in shorthand only her older brother, Lt. Charles Darragh could read, and covered them as buttons which her 14 year-old son wore on his clothing when traveling on regular visits to her brother. Charles would then decode the shorthand and deliver the report to Washington.

James Armistead

James Armistead was a slave who, with his master’s permission, joined Marquis de Lafayette’s service when the young French General arrived in Williamsburg in March 1781. Armistead had repeated success in penetrating the British lines and bringing out intelligence on Cornwallis’ forces. Lafayette later commended the agent’s “essential services,” noting “His intelligences from the enemy camp were industriously collected and more faithfully reported.”

As a courier between Lafayette and American agents in the Norfolk area, Armistead won this accolade from Lafayette: “He properly acquitted some important communications I gave him.” But, the most valued role of this agent involved deception. Posing as a refugee, he crossed Cornwallis’s lines, where he was recruited as a British spy and dispatched back against Lafayette.

Lafayette prepared a false order from himself to General Daniel Morgan, in which Morgan was instructed to move non-existent troop replacements into certain positions. With the properly crumpled and abused letter in hand, Armistead returned to the British, reporting that he had found no changes in the American position, but displaying the torn paper that he claimed to have found along the roadside, but could not read.

Cornwallis accepted the bait and did not learn he had been tricked until Lafayette completed the military operation. Cornwallis, during a courtesy visit to Lafayette after the British defeat at Yorktown,

recognized Armistead on Lafayette’s staff, and realized for the first time that his trusted agent, had, in actuality, been an American agent.

Following the war, the Virginia Assembly voted James Armistead his freedom and in later years approved both a bonus and a lifetime pension for his intelligence work, conducted “at the peril of his life.” James reciprocated the honor, adopting the new surname, Lafayette.

John Honeyman

John Honeyman was denounced by George Washington as a traitor as part of a plan to get the American spy a warm welcome when he fled to the British lines. The “traitor” label worked so well that once Honeyman, who used the cover of butcher and horse trader, had his house raided by patriots. In order to expedite Honeyman’s return, Washington issued order that Honeyman, upon returning to American lines, was to be “captured alive” and taken to Washington directly so that Washington could interrogate the “dangerous rascal” personally.

Honeyman, would of course, subsequently manage to escape back to British lines and provide deception information, as he did in telling the Hessians that Washington was not prepared to attack Trenton on Christmas.

Daniel Bissell

On 8 June 1783, Sargeant Daniel Bissell of the 2nd Connecticut Regiment was awarded the Honorary Badge of Military Merit, one of three men in the American Revolution to be cited with the award now known as the Military Order of the Purple Heart. Bissell was bestowed the award for his work as a military spy.

In August 1781, Lt. Col. Robert Harrison, Washington’s aide-de-camp, dispatched Bissell into New York to gather intelligence. Finding he could not exfiltrate the city, he masqueraded as a Loyalist and joined Benedict Arnold’s provincial regiment. For over a year, Bissell gathered intelligence, committing it to memory.

In September 1782, he was able to escape through British lines and report to Washington. Not only was

Bissell able to report first-hand on British fortifications, and intelligence gathered from others, he was able to present a twelve-month analysis of the British method of operation, which Washington commended him on.

Bissell's ideological motivation became clear when he refused both an honorable discharge and a pension for his work as an intelligence agent for Washington; he felt the nation could ill-afford the loss of his services, and he believed the nation should not be tasked with the pension payments.

David Gray

David Gray, a captain in the 1st Massachusetts, was highly effective in obtaining intelligence about the Loyalists and their plotting, which earned him the attention of Washington, who employed him as a spy. Gray made a number of trips to Connecticut and Long Island, New York and finally managed an introduction to Col. Beverly Robinson at British intelligence headquarters. He was recruited by Robinson as a courier to carry letters to Tories in New York, Connecticut, Vermont, and New Hampshire, which he did; after first delivering them to Washington for examination. After about a year with the British, he was sent to Canada with dispatches from Sir Henry Clinton.

The XYZ Affair

In 1798 a political scheme by three emissaries from French Foreign Minister, Charles Maurice de Talleyrand, outraged the American public, when it surfaced in the United States. The three emissaries, known by the initials, X, Y, and Z, attempted to bribe three American commissioners, who were seeking a treaty of commerce and amity with France. The uproar caused by the attempted bribe led to a complete break in relations with France and an undeclared naval war for two years.

The French, upset by the Jay Treaty of 1794 between the United States and Great Britain, giving Great Britain favored-nation status, felt the Americans were becoming too pro-British. The French were at war with Great Britain and began to

seize American ships on the high seas looking for contraband believed headed for British ports. Suffering staggering financial losses, American ship owners demanded reprisals against the French.

In December 1796, the American minister to France, Charles C. Pinckney, tried unsuccessfully to present his credentials to the French Directory. This diplomatic slap in the face resulted in a heated outcry in America against the French. John Adams, the newly elected President, desired better relations with France and to avoid war. On 31 May 1797 he named a three-member commission, Pinckney, John Marshall and Elbridge Gerry, to negotiate with the French government. However, when they arrived in Paris in October 1797 to begin negotiations on a new commercial and friendship treaty, the French Directory refused to meet them. Instead, Talleyrand sent three emissaries to meet with them.

The emissaries advised the American commissioners that a "gift" of \$25,000 to the Foreign Minister and a loan of \$10 million to France was a prerequisite to any negotiations. Two other conditions demanded by the emissaries was an apology by the President for his past critical remarks about France and a reaffirmation by the United States of the old Franco-American Alliance of 1778. Although diplomatic bribes were customary, Pinckney, furious from twiddling his thumbs waiting for an appointment with Talleyrand, said, "Not a sixpence." His diplomatic note to President Adams was more articulate, "Millions for defense but not one cent for tribute."

The American commissioners decided to appeal to Talleyrand directly in a diplomatic note. Talleyrand did not respond for two months and when he did, his reply was terse. He blamed the Americans for the problems, said the President should have sent only Republicans (Pinckney and Marshall were Federalists) to negotiate and stated he would deal only with Gerry. Talleyrand also said that if Gerry left France, war between the two countries was likely. Although the commissioners made no concessions to the French, Pinckney and Marshall returned to the United States, leaving Gerry in France. Gerry's presence in France did not sit well with the Americans and President Adams recalled him.

President Adams informed Congress about the failed mission and provided Congress with the XYZ correspondence. The Federalists were overjoyed by the news. Alexander Hamilton suggested raising an army of 10,000 men. George Washington said he would come out of retirement to lead the new army, but in title only. Washington wanted Hamilton as his second-in-command. President Adams, fearful of promoting Hamilton over several Revolutionary War officers, who then might lead a coup against him, decided to authorize the building of 40 frigates and lesser warships. An undeclared naval war ensued for two years (1798-1800) in which American naval forces captured 84 armed French ships while only losing one. The Convention of 1800 ended the fighting. The diplomatic dispute ended six months later when Napoleon Bonaparte officially received the American commissioners to France.

The Burr Conspiracy

When Vice President Aaron Burr killed Alexander Hamilton in a duel in 1804, he also killed his chance to be president. Wanted for murder in New York, he fled the state and went to Philadelphia. Realizing that he had no future on the east coast, Burr, in a frantic effort to salvage his destroyed political power and heavily in debt, conceived a plan to seek political fortunes beyond the Alleghenies. He first contacted the British Minister, Anthony Merry, living in Philadelphia. He offered Merry his services in any efforts by Great Britain to take control over the western part of the United States. Merry, who hated the United States, wrote his Foreign Ministry that while Burr was notoriously profligate, nevertheless, his ambition and spirit of revenge would be useful to the British government. Merry became a strong supporter of Burr's schemes.

One of Burr's schemes was to organize a revolution in the West, take the Ohio and Mississippi Valleys and form them into a separate republic. His other scheme was to establish a republic bordering the United States by seizing Spanish possessions. To gain further support for his plans, Burr approached an old friend, General James Wilkinson; both had served as aides to then Colonel Benedict Arnold during the Quebec expedition. Wilkerson played a crucial role

in the conspiracy for he not only conspired with Burr but conspired against him.

Wilkinson, after being commissioned a captain in the Continental Army in 1776, rose rapidly in rank and position. Assigned as aide-de-camp to General Horatio Gates, Wilkinson became involved in a plot, called the Conway Cabal, to replace George Washington as commander-in-chief with Gates. Wilkinson, himself, leaked aspects of the plot, probably believing in doing so he could gain some advantage for himself, but his scheme and the original plot failed. Wilkinson lost his job and military honors but kept his rank.

Despite this reversal, Wilkinson proceeded with several conspiracies. Replacing George Rogers Clark as leader in Kentucky, Wilkinson embarked on an attempt to separate Kentucky from Virginia. At the same time, he reasoned that an opportunity existed to make money from national resentment toward Spain. He traveled to New Orleans, where he convinced the Spanish authorities he was secretly working for the partition of the United States. He offered his services to the Spaniards, who identified him as "agent 13" in Spanish messages. Washington and Hamilton both thought that Wilkinson was a spy for the Spanish but felt that his loyalty could be purchased with a promotion.

Not satisfied with his intrigues involving Kentucky statehood and working an agent for the Spanish, Wilkinson accepted in 1792 a commission as brigadier general of a volunteer army fighting Indians north of the Ohio River. He then contrived to replace his commander, General "Mad Anthony" Wayne. Wilkinson succeeded only because Wayne died in 1796. He then seized Detroit from the British and became its military governor. His administration was short-lived as the citizens protested his greed and he returned to the South.

After arriving in the South, Wilkinson wheeled and dealt in land speculation and lucrative Army contracts and contrived to become governor or surveyor-general of the Mississippi Territory. President George Washington became uneasy about Wilkinson's activities and ordered his surveillance. Wilkinson discovered the surveillance and was able

to have the surveillant withdrawn. Presidents John Adams and Thomas Jefferson did not share Washington's distrust of Wilkinson. In fact, in 1803 Jefferson fully trusted Wilkinson that he commissioned him to be one of two individuals to take formal possession of the Louisiana Purchase from the French.

In New Orleans, Wilkinson returned to his old ways and acted on Spanish fears concerning Florida, which was Spanish territory until 1819. For his ruse he received a \$12,000 bribe. He purchased a boatload of sugar, took it to New York to sell and while there began secret negotiations with Burr, Jefferson's vice-president.

Burr, aware that war between the United States and Spain over boundary disputes was a possibility because of various Spanish conspiracies to achieve control of the lower Mississippi Valley, made covert plans with Wilkinson to invade and colonize Spanish territory in the West. They also schemed to establish an independent "Empire of the West" on a Napoleonic model. The conspirators even considered invading and annexing Mexico to add to their empire with New Orleans as capital.

Burr was dropped from the presidential ticket by Jefferson and in April 1805 commenced to put his plans into motion. He again approached the British via Minister Merry. He informed Merry that Louisiana was ready to break with the United States and once it did all the western country would follow suit. To be successful, Burr requested that Britain assure his protection, provide him with a half of million dollar loan, and dispatch a British naval squadron to the mouth of the Mississippi River. The British might have entertained Burr's requests but Prime Minister Pitt died and was succeeded by Charles James Fox, a life-long friend of the United States. Fox considered the Merry-Burr discussions indiscreet, dangerous and damnable and recalled Merry to England on June 1, 1806. Having failed to secure British aid in an attempt to separate western states from the United States, Burr then headed west across Pennsylvania. In Pittsburgh, he procured a riverboat and embarked down the Ohio River. He stopped to visit Harman Blennerhassett, a wealthy, gentleman-scholar and Irish emigrant, who lived with his wife Margaret on an island in the middle of the river. Burr explained his plan to Blennerhassett, who

enthusiastically expressed his support by giving Burr money. Burr used the funds to later purchase the Batrop lands on the Ouachita River, in present-day northern Louisiana, to serve as his base of operations into the Southwest.

Burr continued down the river to New Orleans, recruiting frontiersmen, filibusters, adventurers, and others along the way. When he arrived in New Orleans in 1806, he was fervently welcomed because his game plan to colonize or conquer the Spanish possessions touched an appealing cord in many of the people. As rumors of his plan reached Washington, the political establishment suspected that Burr was talking treason. Wilkinson, who was stationed on the Sabine River on the Spanish border with the United States, learned of Washington's reaction and decided to inform on Burr to avoid being charged with treason himself. On November 25, 1806 a courier arrived in Washington carrying a dispatch for President Jefferson. In the dispatch, Wilkinson warned President Jefferson about Burr's threatening plan. Jefferson ordered Burr arrested and he was apprehended in late 1806 near Nachez, Mississippi, while attempting to flee into Spanish territory.

In May 1807, Burr was tried for treason in front of U.S. Chief Justice John Marshall in the circuit court at Richmond, Virginia. Jefferson prepared an account of Burr's criminal activity for Congress and wanted to present it to the court but Marshall requested President Jefferson appearance instead. The President refused, consequently establishing a precedent for future presidents. Marshall, who was not on amicable terms with Jefferson found Burr not guilty, explaining that Burr committed no overt act of treason. Although innocent of the charges against him, Burr was never able to overcome the accusations. He died in New York City in 1836.

In 1805, Jefferson appointed Wilkinson governor of the Louisiana Territory. To distance himself from Burr, Wilkinson made an effort to cozy up to Jefferson. His effort was successful as he averted indictment by the Richmond, Virginia grand jury investigating Burr. These efforts, however, caused him to neglect his duty as governor. The situation became so serious that troops were deployed to calm an angry populace, upset by his mismanagement.

After his wife died in 1807, Wilkinson appeared to lose the shrewdness that saved him in the past. He was reappointed by Jefferson to govern Louisiana but his administration was so openly corrupt that President Monroe ordered a court-martial in 1811. The court found him not guilty. Even his military acumen failed him. During the war of 1812, he made a complete mess of the campaign against Montreal that he lost his commission in the Army.

Wilkinson refused to give up and in 1812, at the age of 64, he once more attempted to defraud the Spanish. Using the cover as agent for the American Bible Society, he traveled to Mexico City to seek a Texas land grant. He secured the grant, but died in 1825 before fulfilling all of its provisions.

The Alien and Sedition Acts 1798

Following publication of the XYZ correspondence, Congress passed the Alien and Sedition Acts. Prompted by a spirit of nationalism by the Federalists, the real targets of the acts were the anti-Federalist editors and pamphleteers of English and French extraction. The Alien Acts were never enforced but did cause a number of French refugees to flee the country or go into hiding. The Sedition Act extended the jurisdiction of the federal courts but there was serious questions as to its constitutionality. The law was never challenged in court. In 1812 the Supreme Court ruled that the federal courts do not have common law jurisdiction in criminal cases. Of the twenty-five persons arrested under the Sedition Act only ten were convicted.

The Naturalization Act—June 18, 1798

An Act supplementary to and to amend the act, entitled "An act to establish an uniform rule of naturalization," and to repeal the act heretofore passed on that subject.

Section 1. *Be it enacted...*, That no alien shall be admitted to become a citizen of the United States, or of any state, unless ...he shall have declared his intention to become a citizen of the United States, five years, at least, before his admission, and shall, at the time of his application to be admitted, declare and prove, to the satisfaction of the court having jurisdiction in the case,

that he has resided within the United States fourteen years, at least, and within the state or territory where, or for which such court is at the time held, five years, at least, besides conforming to the other declarations, renunciations and proofs, by the said act required, any thing therein to the contrary hereof notwithstanding: Provided that any Alien, who was residing within the limits, and under the jurisdiction of the United States, before...(January 29, 1795,)...may, within one year after the passing of this act-and any alien who shall have made the declaration of his intention to become a citizen of the United States, in conformity to the provisions of the act (of Jan. 29, 1795), may, within four years after having made the declaration aforesaid, be admitted to become a citizen, in the manner prescribed by the said act, ... *And provided also*, that no alien, who shall be a native, citizen, denizen or subject of any nation or state with whom the United States shall be at war, at the time of his application, shall be then admitted to become a citizen of the United States....

Section 4. *And be it further enacted*, That all white persons, aliens,...who, after the passing of this act, shall continue to reside in any port or place within the territory of the United States, shall be reported,...to the clerk of the district court of the district, if living within ten miles of the port or place, in which their residence or arrival shall be, and otherwise, to the collector of such port or place, or some officer or other person there, or nearest thereto, who shall be authorized by the President of the United States, to register aliens: and report, as aforesaid, shall be made in all cases of residence, within forty-eight hours after the first arrival or coming into the territory of the United States, and shall ascertain the sex, place of birth, age, nation, place of allegiance or citizenship, condition or occupation, and place of actual or intended residence within the United States, of the alien or aliens reported, and by whom the report is made....

Section 5. *And be it further enacted*, That every alien who shall continue to reside, or who shall arrive, as aforesaid, of whom a report is required as aforesaid, who shall refuse or neglect to make such a report, and to receive a certificate thereof, shall forfeit and pay the sum of two dollars; and any justice of the peace, or other civil magistrate, who has authority to require

surety of the peace, shall and may, on complaint to him made thereof, cause such alien to be brought before him, and there to give surety of the peace and good behavior during his residence within the United States, or for such term as the justice or other magistrate shall deem reasonable, and until a report and registry of such alien shall be made, and a certificate of such surety, such alien shall and may be committed to the common goal, and shall be three held, until the order which the justice or magistrate shall and may reasonable make, in the premises, shall be performed....

2. The Alien Act–June 25, 1798

An Act concerning Aliens

Section 1. Be it enacted..., That it shall be lawful for the President of the United States at any time during the continuance of this act, to *order* all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order, which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the Office of the Secretary of State by the marshal or other person to whom the same shall be directed. And in the case any alien, so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a *license* from the President to reside therein, or having obtained such a *license* shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted*, that if any alien so ordered to depart shall prove to the satisfaction of the President, by evidence to be taken before such person or persons as the President shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the President may grant a *license* to such alien to remain within the United States for such time as he shall judge proper, and at such place as he may designate. And the President may also require of such alien to enter into a bond to

the United States, in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorized by the President to take the same, conditioned for the good behavior of such alien during his residence in the United States, and not violating his license, which license the President may revoke, whenever he shall think proper.

Section 2. And be it further enacted, That it shall be lawful for the President of the United States, whenever he may deem it necessary for the public safety, to order to be removed out of the territory thereof, any alien who may or shall be in prison in pursuance of this act; and to cause to be arrested and sent out of the United States such of those aliens as shall have been ordered to depart therefrom and shall not have obtained a license as aforesaid, in all cases where, in the opinion of the President, the public safety requires a speedy removal. And if any alien so removed or sent out of the United States by the President shall voluntarily return thereto, unless by permission of the President of the United States, such alien on conviction thereof, shall be imprisoned so long as, in the opinion of the President, the public safety may require....

Section 6. And be it further enacted, That this act shall continue and be in force for and during the term of two years from the passing thereof.

The Alien Enemies Act–July 6, 1798

An Act respecting Alien Enemies

Section 1. Be it enacted..., That whenever there shall be a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion shall be perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government,... all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upward, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured and removed, as alien enemies. And the President of the United States shall be, and he is hereby authorized,... to direct the conduct to be observed, on the part of the United States, towards the aliens who shall become liable, as aforesaid; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence

shall be permitted, and to provide for the removal of those, who, not being permitted to reside within the United States, shall refuse or neglect to depart therefrom; and to establish any other regulations which shall be found necessary in the premises and for the public safety....

The Sedition Act—July 14, 1798

An Act in addition to the act, entitled “An act for the punishment of certain crimes against the United States.”

Section 1. *Be it enacted...*, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place of office in or under the government of the United States, from undertaking, performing or executing his trust or duty; and if any person or persons, with intent as aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor, and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five

thousands dollars, and by imprisonment during a term not less than six months nor exceeding five years; and further, at the discretion of the court may be holden to find sureties for his good behavior in such sum, and for such time, as the said court may direct.

Section 2. That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and mallovs writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either of any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combination therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States, or to resist, oppose, or defeat any such law or act, or to aid, encourage or abet any hostile designs of any foreign nations against the United States, their people or government, then such person thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

Section 3. That if any person shall be prosecuted under this act, for the writing or publishing any libel aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence in his defense, the truth of the matter contained in the publication charged as libel. And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

Section 4. That this act shall continue to be in force until March 3, 1801, and no longer....



Revolutionary Soldier

American Revolution Bibliography

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IMPORTANT DATES AND COUNTERINTELLIGENCE EVENTS

THE AMERICAN REVOLUTION AND POST ERA,
1770-1859

1770	5 March	Five colonists killed by British troops during a demonstration. Becomes known as the Boston Massacre.
1774	13 May	General Gage, the commander of British forces in the colonies, is named Royal Governor of Massachusetts.
	5 September	First Continental Congress opens in Philadelphia, Pennsylvania.
1775	19 April	British troops clash with colonials at Lexington and Concord.
	15 June	George Washington named chief of the continental forces.
	17 June	Battle of Bunker Hill.
	30 September	Benjamin Church is arrested and later convicted of being a British spy.
	10 October	General Howe succeeds General Gage as British commander.
	20 November	Continental Congress establishes a Committee to review intercepted mail to determine who is authorized to conduct such operations.
	29 November	Second Continental Congress creates Committee of Secret Correspondence. Members are Benjamin Franklin, John Dickinson, Benjamin Harrison, John Jay, and Thomas Johnson.
1776	2 May	France decides to aid America and sets up a cover company to supply munitions to the colonies.
	June	Committee (later Commission) for Detecting and Defeating Conspiracies established in New York.
	12 June	Continental Congress adopts first secrecy agreement for government employees.
	28 June	Sgt. Thomas Hickey, a member of Washington's guards, is hanged for his role in a plot to kill the General. First American soldier executed by military court.
	4 July	Declaration of American Independence signed in Philadelphia.

THE AMERICAN REVOLUTION AND POST ERA,
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1776	16 July	The Provincial Congress passes a motion by John Jay prescribing the death penalty for treason.
	August	Enoch Crosby contacts Committee for Detecting and Defeating Conspiracies and agrees to become a double agent.
	21 August	The first Espionage Act adopted by the Continental Congress.
	23 December	Enoch Crosby dispatched on his second double agent mission by the Committee.
	26 December	George Washington crosses the Delaware River and attacks and captures the Hessians.
	21 September	The New York Convention reestablished the committee to detect, and defeat all conspiracies which may be formed in the State against the liberties of America.
	22 September	Nathan Hale is captured and hanged as a spy by the British.
1777	4 January	Daniel Strang, British spy, tried at Peekskill, New York and sentenced to hang.
	12 February	Joseph Hyson recruited as a British spy to penetrate the American Commission in Paris, France.
	17 April	Committee of Secret Correspondence reconstituted as the Committee for Foreign Affairs.
	14 June	Washington notes execution of Abraham Patten as a spy and says that Patten conducted himself with great fidelity to the American cause.
	24 June	Treason defined by resolution of the Continental Congress.
	17 October	Americans defeat General Burgoyne at Saratoga which is considered the turning point in the war.
	17 December	France recognized the independence of the United States.

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THE AMERICAN REVOLUTION AND POST ERA,
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1778	13 January	Matthias Colbhart is tried as a British spy, found guilty and subsequently hanged.
	8 May	General Clinton succeeded General Howe as British commander in the colonies.
1779	12 January	Thomas Paine fired from his post with Foreign Affairs Committee for violation of government secrecy agreement.
1780	20 September	Major John Andre, head of British intelligence in the colonies, is captured by American militiamen after meeting with General Benedict Arnold. Arnold escapes to the British lines.
	2 October	British spy John Andre is hanged in Tappan, New York.
1781	March	James Armistead volunteers to be an American spy against the British at Yorktown, Virginia.
	August	Daniel Bissell is dispatched as an American spy against the British in New York.
	19 October	Washington accepts formal surrender of Cornwallis' army at Yorktown.
1782	4 April	Sir Guy Carleton succeeds General Clinton as British commander.
1783	19 April	Continental Army receives official announcement of "cessation of hostilities" with Great Britain.
	8 June	Daniel Bissell is awarded the Purple Heart for his work as an American spy.
	3 September	Peace Treaty signed between England and the United States.
	4 December	Last of the British troops leave the United States.
1787	May	Constitutional Convention established the President as the manager of intelligence.
1789	27 July	Department of Foreign Affairs established; officially redesignated Department of State on 15 September 1789.

IMPORTANT DATES AND COUNTERINTELLIGENCE EVENTS

THE AMERICAN REVOLUTION AND POST ERA,
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1789	7 August	Department of War created.
	2 September	Department of Treasury established.
1790	1 July	Congress authorizes Contingent Fund of Foreign Intercourse, the so-called secret fund.
1798	18 October	XYZ Affair; representatives of French Minister Talleyrand suggests US pay a bribe to France to recognize the American Commission.
	3 May	Department of Navy established.
	18 June	The Naturalization Act passed, establishing a uniform rule of naturalization in the US. This act was never enforced.
	25 June	Alien Act passed which gave the President the power to expel any alien from the country. The act was never enforced.
	6 July	The Alien Enemies Act passed. This act made any aliens subject to arrest during a time of war. The act was never enforced.
	14 July	The Sedition Act passed (expired/repealed in 1800-1802).
1803	18 January	President Jefferson requests covert funding from Congress for the Lewis and Clark expedition, an intelligence gathering operation.
1805	9 August	Zebulon Pike leads expedition as part of an intelligence operation targeting the Spanish lands in the west. His arrest as a spy created a controversy with Spain.
1807	19 February	Aaron Burr arrested and indicted for treason. Found not guilty.
1811	15 January	President Madison obtained secret Congressional approval for covert action to acquire the Florida's.
1812	20 February	Madison purchased letters from British spy, John Henry, proving British operations in the US.
1818	7 April	Andrew Jackson invaded Florida.

IMPORTANT DATES AND COUNTERINTELLIGENCE EVENTS

THE AMERICAN REVOLUTION AND POST ERA,
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1818	22 March	Congress declassifies the first SECRET journals, except for those the President determines to require continued protection.
1819	22 February	Spain ceded East Florida to the US.
1831	October	Senator John Forsyth gives first public description of the Contingent Fund of Foreign Intercourse.
1841	13 June	President Tyler defends sources and methods in responses to Congressional inquiry in Duff Green matter.
1846	11 June	After leaving office, Tyler defends his decision authorizing Daniel Webster expenditures of Contingent Funds in domestic propaganda operations.
1849	18 June	President Taylor publicly defends secret American Observers (spies) abroad.