

2017

Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship/foundering Friendship: French Disillusionment after the Battle of Yorktown

Cody Nager

College of William and Mary, codyenager@gmail.com

Follow this and additional works at: <https://scholarworks.wm.edu/etd>



Part of the [United States History Commons](#)

Recommended Citation

Nager, Cody, "Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship/foundering Friendship: French Disillusionment after the Battle of Yorktown" (2017). *Dissertations, Theses, and Masters Projects*. Paper 1516639569.
<http://dx.doi.org/doi:10.21220/S2208Q>

This Thesis is brought to you for free and open access by the Theses, Dissertations, & Master Projects at W&M ScholarWorks. It has been accepted for inclusion in Dissertations, Theses, and Masters Projects by an authorized administrator of W&M ScholarWorks. For more information, please contact scholarworks@wm.edu.

Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American
Citizenship/Foundering Friendship: French Disillusionment after the Battle of
Yorktown

Cody Nager

North Salem, NY

Bachelor of Arts, Columbia University, 2016

A thesis presented to the Graduate Faculty of The College of William & Mary in
Candidacy for the Degree of
Master of Arts

Lyon G. Tyler Department of History

College of William & Mary
August, 2017

APPROVAL PAGE

This Thesis is submitted in partial fulfillment of
the requirements for the degree of

Master of Arts



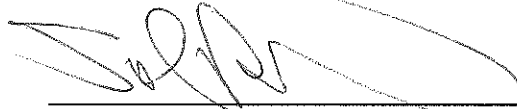
Cody E. Nager

Approved by the Committee, May, 2017



Committee Chair

Professor, Director of Graduate Studies, Hiroshi Kitamura, History
College of William & Mary



Professor, Editor, William and Mary Quarterly, Joshua Piker, History
College of William & Mary



Senior Lecturer Guillaume Aubert, History
College of William & Mary

Abstract

The Naturalization Act of 1790's requirements of residency and "good character," reveal that the First Congress set the limits on the access of immigrants to citizenship to mostly restrict European foreigners, rather than African Americans or Native Americans. These residency and "good character" clauses resulted from a combination of concerns regarding foreigners that came to prominence during the Confederation Period. Among these fears were the perceived abilities of immigrants to gain control over land in the trans-Appalachian West and control over political influence in the unstable political order after the American Revolution. These worries about national stability were inflamed by long standing concerns over integration of immigrants on the basis of language or tendencies towards "monarchism," which were seen as contrary to republican values. Using British legal understanding of subjecthood and naturalization, policymakers in the First Congress framed the Naturalization Act of 1790 as a narrower definition of citizenship derived from prejudice against foreign outsiders. The conception of the United States as an asylum for mankind came to ironic demise through the republican principles it sought to uphold.

On October 22, 1782, a Westchester County sheriff entered the Crompond, New York headquarters of the French Expeditionary Force to the Americas to arrest General Rochambeau. The shocking treatment of Rochambeau revealed the increasing tensions in the Franco-American relations that began after the Battle of Yorktown and developed through the winter residence of the French Army in Williamsburg, Virginia. Historians of the Franco-American relationship, such as Durand Echeverria and Peter P. Hill, commonly suggest the beginning of the Confederation Period as the start of French disillusionment, relying on French views of confederation politics as "chaos or fears of an "imperial reconciliation" as motivation for the decline. However, a comparison in the rhetoric by the French Expeditionary Force over the winter at Newport in 1780-1781 and the winter in Williamsburg in 1781-1782 revealed that discourteous observations in journals of French officers dramatically increased. Additionally, the claims letters sent by common Virginians to the governor's office suggest that the quartered French soldiers had worn out their welcome, even as the government officials attempted continuing displays of friendship. The process of Franco-American disillusionment occurred just after General Cornwallis's defeat at Yorktown and the loss of a common American and French objective.

TABLE OF CONTENTS

Acknowledgements	i
Chapter 1. Intellectual Biography	1
Chapter 2. Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship	5
Chapter 3. Foundering Friendship: French Disillusionment after the Battle of Yorktown	38
References	66

ACKNOWLEDGEMENTS

Many people have helped me along the way with this thesis. I would like to thank Professor Joshua Piker for shaping my thinking, sharpening my writing and fostering my ability to create well-reasoned arguments. His Colonial America seminar gave me great insights into conducting historical research. No matter how busy Professor Piker was, he always found time to help. I also appreciate the support of Professor Guillaume Aubert who offered valuable comments on my paper and guidance in all aspects of becoming a better historian. Finally, I would like to thank my peers for their assistance and advice over the course of the year.

Intellectual Biography

The perception and treatment of foreigners in the Early American Republic, particularly regarding discrimination and the creation of group identities, shaped the two papers that comprise my research portfolio. The first paper, “Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship” investigated early immigration policy and European foreigners while “Foundering Friendship: French Disillusionment after the Battle of Yorktown” concentrated on the French soldiers’ perceptions of America.

“Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship,” the more general treatment of European foreigners composed for Professor Aubert’s Empire and Law in the Atlantic World Research Seminar, focused on the formulation of the first federal naturalization act in 1790 and how legislators drew from interactions with European foreigners throughout America’s Confederation Period. The 1790 Naturalization Act is not commonly studied, appearing almost solely in work regarding the development of American Citizenship, particularly regarding its racialization. Most work on early American immigration focuses on either the period prior to the revolution, or after the election of Thomas Jefferson. In addition to contributing to this rather understudied decade, the paper served as an introduction to the processes of legal history, regarding both historical applications of law, such as Blackstone, and more controversial modern formulations, such as critical race theory. In order to differentiate the focus of the paper from others, it downplayed the racial aspect in favor of a more comprehensive treatment of concerns over foreigners

regardless of race, viewing race not as a central factor but as a contributing one. The paper concluded that the debates over the Naturalization Act of 1790 were heavily influenced by concerns regarding European foreigners during the Confederation Period. "Fear" served as a comprehensive introduction to the topic of my dissertation and has already been presented at the William and Mary Graduate Research Symposium. However, more specificity in theme and scope is required before publication could be considered.

"Foundering Friendship: French Disillusionment after the Battle of Yorktown," the narrower case study written for Professor Piker's Colonial America Research Seminar, focused on the French perceptions of America during their involvement in the revolution, focusing on the alteration in the relationship caused by Yorktown. Inspired by Swem's collection of Rochambeau documents, the paper focused on the winter of 1781-2 and the French in the environs of Williamsburg, Virginia. When reading the historiography of French engagement, most publications were concerned with the winter of 1780-1, the stay in Newport, Rhode Island, despite the presence of journals of French officers covering the entirety of the French expedition's residence in North America. By using these journals combined with the archives of the *Virginia Gazette*, the paper demonstrated how the mostly positive French impressions of New England declined when the common goal was completed at Yorktown, and the French were presented with Virginians pretensions at aristocracy. The narrower and more self-contained nature of this topic means that the "Foundering" paper is probably closer to publication than "Fear." However,

“Foundering” would need to be strengthened in two main areas, particular secondary reading on French perceptions of class and status and the inclusion of more anecdotes from the archives of claims. The reading on perceptions of class and status would help to contextualize the French disagreement with the Virginia way of life, the seeming cause of the rapid turn from the Newport winter. Tracing the claims to names in an attempt to find compelling anecdotes would serve to humanize the Franco-American interactions in a manner that discussions of legal documents and newspaper articles do not, strengthening the argument for a declining opinion.

Both of these papers were constructed by collecting quotes and concepts from sources into a single digital document, written in a similar manner to the traditional paper notebook or notecards. However, a digital document allows one to fluidly rearrange these pieces in the manner that a paper notebook does not, making it easier to sketch an outline of the argument and sourcing as research progresses. A detailed outline, with sourcing already included, makes the composition process flow smoothly, allowing time for revision. Ample time for revision is fundamental to my writing and I am sure to continue using this method in the future.

The perceptions of foreigners in the Early Republic investigated by “Fear” and the foreigners’ perceptions of the Early Republic investigated by “Foundering” relate to a broader set of questions about the development of “Americanness,” in both a legal and cultural sense, in the aftermath of revolution. As I begin to pursue my doctorate, in which I plan to tackle immigration and

discrimination in the Early American Republic, these interrelated phenomena of national and cultural identities will remain an important part of my work.

Fear, Foreigners and Federalism: The Naturalization Act of 1790 and American Citizenship

“I have scarcely met with six foreigners in the course of my life who really understood American affairs.”¹ These words written by John Jay in a May 1786 letter to Lafayette espoused little confidence in foreigners, and revealed a rapidly growing sense of national identity in the aftermath of the American Revolution. Jay’s dim view of foreign understandings of the United States was all the more poignant since he was Secretary for Foreign Affairs when he wrote the letter and was well traveled for the time period, having lived overseas on diplomatic assignments in Spain and France. Jay’s sentiment was widespread among the U.S. political elites as four years later the First Congress passed “An act to establish a uniform Rule of Naturalization,” the first federal definition of American citizenship, which set severe limits on immigration. According to the Naturalization Act of 1790, a citizen-candidate was defined as a free white person of good character who had resided in the United States for at least two years.²

The citizenship criteria of the Naturalization Act of 1790 was often used as an example of the limited extent of citizenship in the early Republic. The whiteness clause often comes under particular scrutiny from scholars in how it formed racist definitions of American citizenship.³ While race was a limiting factor

¹ Jay, John. *Letter to Lafayette*. 16 May 1786. Letter. *Papers of John Jay*, Columbia University.

² Childs, Francis and Swaine, John, printers. *Acts passed at the Second Session of the Congress of the United States of America...* (Philadelphia, 1791.)

³ Consider Delgado, Richard, and Jean Stefancic. *Critical Race Theory: An Introduction*. New York: New York University Press, 2001.

on citizenship in the early Republic, the vague understandings of what constituted white meant that the requirements of residency and good character were more enforceable limits on the access to citizenship than the whiteness clause. While classifying the Germans or Irish as non-white was a manner to limit their access to citizenship, it was easier to exclude European immigrants (in the period called foreigners or aliens) for failing a requirement of residency or good character, which were more clearly defined than whiteness. The political debates of the Confederation Period, combined with British legal heritage and the republican ideals of the revolution, formed the Naturalization Act of 1790 and revealed how the First Congress set the restrictions on citizenship explicitly considering European foreign outsiders while only implicitly considering African Americans or Native Americans.

The American citizenship that was created in the aftermath of the revolution was fraught with politicized issues which often had high stakes. During the revolution, the Declaration of Independence stated "obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither " as two of the objections against George III.⁴ In 1794, Albert Gallatin, a Geneva-born Swiss immigrant who later became Treasury Secretary, was removed from his elected seat as the United States Senator from Pennsylvania when his fellow senators protested over citizenship issues. He was forced out of office on a party line vote.⁵ The prejudice against immigrants that

⁴ *U.S. Declaration of Independence*, List of Grievances, (Philadelphia, 1776.)

⁵ Butler, Anne M., Wendy Wolff, and Sheila P. Burke. *United States Senate Election, Expulsion, and Censure Cases, 1793-1990*. Washington, D.C.: G.P.O., 1995. Esp. Chapter 1 "Albert Gallatin"

shaped the Naturalization Act of 1790 narrowed the definition of American citizenship and limited immigration into the United States beyond the early Republic. Naturalization prior to the Act of 1790 was conducted on a local or state level and often had differing requirements and promoted immigration to some states at the expense of others.⁶

Whiteness and Naturalization

Academic studies of naturalization and immigration have often used whiteness to discuss the formation of race in the early Republic rather than discuss the effects of the whiteness restriction on immigrants.⁷ Since the introduction of legal Critical Race Theory in the 1980s, academics have focused on whiteness as a trait that defined membership in the political community. Legal Critical Race Theory was defined as a belief in racist tendencies on the part of institutions, which construct concepts of whiteness by imposing standards on a population. David Roediger's *The Wages of Whiteness* and Matthew Frye Jacobson's *Whiteness of a Different Color* applied such a method to the construction of the working class and racial basis of immigration, respectively.⁸ By having viewed whiteness as a constructed phenomenon, these scholars approached depictions of institutions through a different lens of power. These institutions were thus responsible for drawing the arbitrary borders of white and non-white, excluding many Irish and German immigrants. In *Critical Race*

⁶ Baseler, Marylin. *Asylum for Mankind: America 1607-1800*. Ithaca: Cornell UP, 1998. p. 198

⁷ Saito, Natsu Taylor. "Alien and Non-Alien Alike: Citizenship, Foreignness, and Racial Hierarchy in American Law." 76.2 *Or. L. Rev.* 261, 346 (1997)

⁸ Roediger, David R. *The Wages of Whiteness: Race and the Making of the American Working Class*. London: Verso, 1991; Jacobson, Matthew Frye. *Whiteness of a Different Color: European Immigrants and the Alchemy of Race*. Cambridge, MA: Harvard University Press, 1998. Esp. Chap 1.

Theory: An Introduction, Richard Delgado and Jean Stefancic wrote “In 1790, Congress had limited naturalization to white men only [...] During the 150 years that the requirement remained in place, U.S. courts decided many cases determining who was white and who was not [...] Reading the history of these strained, often overtly racist, judicial opinions does much to dispel any notion that the American judiciary is fair constituent or just.”⁹ Delgado and Stefancic were not concerned with the Naturalization Act of 1790, so much as the consequential lawsuits. The mention in *Critical Race Theory* revealed that while the unclear boundaries of whiteness form a central part of many discussions over the act, the clauses of residency and good character actually permitted the enforcement on most European immigrants.

British Law and the Origins of Legal Debates

When considering the ideological influences that led to the creation of early American citizenship, it is impossible to underestimate the role of William Blackstone’s *Commentaries on the Laws of England*. Blackstone’s book, first published in 1769, was the most influential treatise on English Common Law of the eighteenth century and on the bookshelf of most educated individuals in the early Republic such as Thomas Jefferson.¹⁰ Chapter ten of *Blackstone’s Commentaries* entitled “The people, whether Aliens, denizens, or Natives,” provided a basis for understanding the legal patterns of thought in which the Naturalization Act of 1790 was framed. Under English law, the difference

⁹ Delgado, Richard, and Jean Stefancic. *Critical Race Theory: An Introduction*. New York: New York University Press, 2001. p. 63

¹⁰ Gilreath, James and Wilson, Douglas. *Thomas Jefferson's Library: A Catalog with the Entries in His Own Order*. Washington D.C.: Library of Congress. 1989.

between an alien and a native was simply a question of location of birth inside the boundaries of the British dominion. Every natural born subject was endowed at birth with a “natural allegiance” which was an immutable debt which “cannot be forfeited, canceled or altered.” “Natural” referring to those born in the British dominion or born to parents who maintained British subjecthood. James Kettner, in his book *The Development of American Citizenship*, defined “natural allegiance” as “a community of subjects whose status, obligations and rights were reflected in, but not created by, the territorial state [...] subjectship created political authority, not vice versa.”¹¹ Thus, the people of the British dominions were not granted membership in their political community by the sovereign but were naturally part of the hierarchy which supported the state.¹²

An alien was anyone born outside this “natural allegiance,” or the bounds of British dominions. Thus, aliens were limited in acquisition of personal property as they only possessed a “local allegiance” to the British monarch. The “naturalization” is the process by which one converted a “local allegiance” into one that approximated, but was not the same as a “natural allegiance.” As Kettner rightly points out, “The very terminology of admission- ‘naturalization’- led to the conclusion that the alien must be considered reborn as a natural subject.”¹³ While a naturalized subject placed an alien “in exactly the same state, as if he had been born in the king’s dominions,” they were prevented from holding office

¹¹Kettner, James. *The Development of American Citizenship, 1608-1870*. (Chapel Hill, NC: North Carolina, 1978.) p. 28

¹² Blackstone, William *Blackstone’s Commentaries on the Law* edited by Gavit, Bernard C. (Washington D.C.: Washington Law, 1941.) p. 154-5.

¹³ Kettner, James. *The Development of American Citizenship, 1608-1870*. (Chapel Hill, NC: North Carolina, 1978.) p. 42.

or becoming a member of parliament. The general requirements for naturalization were a term of residency of seven years, receiving the sacrament of the Lord's Supper, and taking an oath of allegiance before parliament. There were however small wrinkles that developed and complicated these guidelines, including the sacrament requirement being waived for "Israelites" and two years of naval service also substituting for residency.¹⁴

However, as Peter Thompson writes in his introduction to *State and Citizen: British America and the Early United States*, "the languages of subjecthood could not be transferred whole-cloth to American settings and that Revolutionary state-makers would stop well short of embracing the implications of the expansive, rights based language of citizenship."¹⁵ For one, while subjecthood was seen as an outgrowth of the "natural allegiance" of dominion, citizenship grew out of a belief in "volitional allegiance." Kettner defines "volitional allegiance" as a "right of election [...] every man has a right to take his part. He is excusable, if not bound in duty to take that which in his conscience he approves." The crucible and conflicting loyalties of the American Revolution led to "citizenship in the new republics was to begin with individual consent."¹⁶ The most obvious alternative to citizenship was subjecthood, in the British mode. However, the implications of subordination and an inferior feudal status were

¹⁴ Blackstone, William *Blackstone's Commentaries on the Law* edited by Gavit, Bernard C. (Washington D.C.: Washington Law, 1941.) p. 154-8.

¹⁵ Thompson, Peter and Onuf, Peter. *State and Citizen: British America and the Early United States* (Charlottesville, VA: Virginia, 2013.) p. vii-viii.

¹⁶ Kettner, James. *The Development of American Citizenship, 1608-1870*. (Chapel Hill, NC: North Carolina, 1978.) p. 193-4.

largely incomparable with the espoused republicanism of the United States.¹⁷

Thus, a citizen, or a “free, self- determinant member of a state endowed with natural liberties” made for a better application to the new American context.¹⁸

Confederation Concerns

The 1783 Treaty of Paris and the conclusion of the American Revolution marked the rise of two concerns about immigrants that commonly appeared in print and correspondence and influenced the 1790 Naturalization Act. The first fear was the perceived ability of foreigners to the gain control over land and political influence. The state of flux in the trans-Appalachian West, with ill-defined borders between British, Spanish, American and Native American dominions, presented problems with enterprising individuals. The second apprehension was the failure of immigrants to integrate into mainstream American society.

Concerns over foreign integration had a long-standing history in North America even among early residents. Benjamin Franklin condemned the German population of Philadelphia who he called “Those who come hither are generally of the most ignorant Stupid Sort of their own Nation, and as Ignorance is often attended with Credulity when Knavery would mislead it.”¹⁹ Franklin did not discriminate against the Germans based on perceived race, but rather deemed them as lacking the necessary character. After the revolution, the presence of

¹⁷ Barkalow, Jordon Bryce. "Securing the Blessings of Liberty: Citizenship and Naturalization in the American Political Tradition, 1610–1802." PhD diss., University of Houston, 2002. Proquest.

¹⁸ Gosewinkel, Dieter. *Citizenship, Subjecthood, Nationality: Concepts of Belonging in the Age of Modern Nation States* in Eder, Klaus & Giesen, Bernhard, eds., *European Citizenship between National Legacies and Postnational Projects* (Oxford: Oxford University Press, 2001) p. 24

¹⁹ Franklin, Benjamin. Letter to Peter Collinson. 9 May 1753. *The Papers of Benjamin Franklin*, vol. 4, July 1, 1750, through June 30, 1753, ed. Leonard W. Labaree. New Haven: Yale University Press, 1961, pp. 477–486

republican ideals exasperated the failure of integration. Those who seemed to lack reverence for republican ideals were seen as lacking support for republican government, which targeted both foreigners and loyalists. These immigrants who lacked support for republican government could rightfully be excluded from citizenship under the Naturalization Act of 1790 for lacking sufficient residency or “good character,” regardless of their whiteness.

Foreigners and the trans-Appalachian West

In light of the scholarship on early American history, any consideration of land, power and influence in the Confederation Period cannot pass over a treatment of the trans-Appalachian West, which formed much of the basis for concern over foreign settlement and influence that inspired the Naturalization Act of 1790. The Northwest Ordinance of 1787, the system for creating and admitting new states, has been profiled in much detail, as has the interactions with native peoples and the contested nature of borders.²⁰ Letters written to George Washington and James Madison in late 1789 focused on the concerns over foreigners are the most temporally relevant to the Naturalization Act of 1790 and therefore provide the best potential to understand the political attitudes on the eve of the passage. Concerns over western settlement put Congress in conflict with realities of managing territories far from the halls of power. Lawmakers were concerned that if a settler of the trans-Appalachian West felt so inclined, nothing would prevent the landowner from taking their property and defecting to the

²⁰ Consider Stagg, J. C. A. *Borderlines in Borderlands: James Madison and the Spanish-American Frontier, 1776-1821*. New Haven: Yale University Press, 2009.; Cayton, Andrew R. L., and Fredrika J. Teute. *Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830*. Chapel Hill: University of North Carolina Press, 1998.

Spanish. Hence, limiting foreign presence on the frontier became a central theme behind the Naturalization Act of 1790.

In mid-February 1789, prior to his inauguration as President of the United States, George Washington received a concerned letter from Thomas Marshall which claimed that the “political situation of this western country appears to me to be something critical.”²¹ Thomas Marshall, the father of Chief Justice John Marshall, was a large landowner in what would later become Kentucky who supported breaking off from Virginia. His letter described the trip to New Orleans by General Wilkinson, who laid before the Spanish governor “his sentiments freely in writing respecting the political interest of Spain and the Americans of the United States inhabiting the western waters.”²² Wilkinson’s proposal on riverine rights in the trans-Appalachian West was supposed to be presented to the King of Spain, and contained many sentiments which Marshall saw as problematic such as an examination of, “the facility with which their [The Spanish] province of Louisiana might be invaded by the united forces of the British and Americans by means of the river Illinois.”²³ This observation was sure to frighten the Spanish government and escalated the situation.

The concerns over a possible invasion were compounded by Marshall's transatlantic hearsay that the Spanish had “I think probably has produced instructions from that Court to the Spanish resident at Congress that if the

²¹ Marshall, Thomas. Letter to George Washington. 12 February 1789. *The Papers of George Washington, Presidential Series*, vol. 1, 24 September 1788–31 March 1789, ed. Dorothy Twohig. Charlottesville: University Press of Virginia, 1987, pp. 291–298

²² *Ibid.*

²³ *Ibid.*

western Country should declare itself separate from the Union, to avail himself of that event.”²⁴ The only answer to these Spanish designs, in Marshall’s understanding was, “I fear never be safe from the machinations of our Enemies as well internal as external until we have a separate state and are admitted into the union as a federal member.” Marshall, concerned with the foreign control and internal disloyalty on the part of settlers in the trans-Appalachian West, sought solidity in the express depiction of political control and citizenship through statehood.²⁵

Washington’s reply highlighted his concern with the potential for Spanish intervention: “I had previously received some verbal and written informations on the subject of a similar tenor; but none which placed the affair in such an alarming point of view.”²⁶ The Wilkinson affair encompassed much of the correspondence between Washington and Marshall for the rest of 1789, and kept the concerns in mind of the political elite as the Naturalization Act was being debated.

These mounting concerns over Spanish designs on Kentucky were not limited to President Washington. On November 2, 1789, James Madison from his seat in the House of Representatives received a letter from George Nicholas, a notable Kentucky landowner and close personal friend. Nicholas, who claimed to give a purely informational depiction of the situation in the trans-Appalachian

²⁴ Ibid.

²⁵ Ibid.

²⁶ Washington, George. Letter to Thomas Marshall. 27 March 1789. *The Papers of George Washington, Presidential Series*, vol. 1, 24 September 1788–31 March 1789, ed. Dorothy Twohig. Charlottesville: University Press of Virginia, 1987, pp. 451–452

West, wrote that, “I beleive no late attempts have been made by either Spain or England to detach the district from the union; but Spain is playing a game which if not counteracted will depopulate this country and carry most of the future emigrants to her territory.”²⁷ The Spanish had set up a government in close proximity to the contested territory and were taking an active approach to solving the problems of settlers. Nicholas wrote, “If it is not the desire of the new government to lose *all its’* freinds in this quarter a change must be made in this business,” instead the new government should “take such steps as will convince the Indians that the Americans are all one people, that they shall never attack any of them with impunity, and that in future their real wants will be supplied in time of peace.”²⁸ When arguing for this change in policy, the most revealing phrase was “Indians that the Americans are all one people.”²⁹ This statement seemed to argue that the United States had established a monolithic national identity which a later consideration of integration proved to be false.

Unfortunately, no copy of Madison’s February 27, 1790 response survived. From the May 3, 1790 reply of Nicholas, it was likely that the issues profiled in the 1789 letter continued “Spain takes great pains to seduce our

²⁷ Nicholas, George. Letter to James Madison. 2 November 1789. *The Papers of James Madison*, vol. 12, 2 March 1789–20 January 1790 and supplement 24 October 1775–24 January 1789, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1979, pp. 442–446

²⁸ *Ibid.*

²⁹ Nicholas, George. Letter to James Madison. 2 November 1789. *The Papers of James Madison*, vol. 12, 2 March 1789–20 January 1790 and supplement 24 October 1775–24 January 1789, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1979, pp. 442–446

people to remove to their country.”³⁰ The concerns over internal disloyalty, possibly inspired by the memory of the loyalists, weighed heavily on Nicholas’s mind. Concerns over allegiance were common among legal scholars, as Blackstone had worried to such an extent that he suggested limiting the access to political power of naturalized foreigners in his writings of British naturalization. Thus, Nicholas expressing a similar view was in line with longstanding tradition rather than an effect of the revolution. Nicholas also maintained an interest in the political debates of the First Congress that can be seen as reflective of their importance to the populace. Much of the middle of the May 1790 letter offered Nicholas’s opinions on assumption and financial policy, which established it as the leading debate of the year.

Influence Among Immigrants: Political Job Seeking and Spectral Concerns

While the 1789 foundation of the federal government created a need to fill new positions, appointment in the Confederation government presented an even more monumental task as the relative weakness of the central authority meant that opportunity seekers, both domestic and foreign, sought to carve out their own influential positions. Concerns over the potential influence of these opportunity seekers would eventually develop the Naturalization Act of 1790, particularly the residency clause. Blackstone’s “natural allegiance” and the limits on naturalized citizens holding political office placed by the British crown implied that the concern over foreign domination of politics was widely present in the

³⁰ Nicholas, George. Letter to James Madison. 3 May 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 186–187

early modern period. Many of these proposals were received by John Jay in his capacity as Secretary for Foreign Affairs for the Confederation government. The sheer volume of proposals and requests probably prompted Jay to send a letter suggesting the inclusion of the Natural Born Citizen clause to Washington in January 1787. Among the numerous proposals and requests sent to Jay was the April 27, 1786 letter of Christian Senf and Adrian de Nys.

Senf and de Nys proposed in 1786 the development of a military academy in the United States. Senf was a Swedish battlefield engineer who had served with Hessians until his capture at Saratoga. He had become close friends with Henry Laurens, a notable merchant from South Carolina and was accepted as a member of the engineering corps. De Nys was a merchant from Utrecht in the Dutch Republic. Their proposal offered the “raising of a regiment of regular troops in Europe for the service of the United States.”³¹ An enlistee in the regiment stayed for at least a period of ten years after which they could “chuse to enlist again and shall be granted the privilege of becoming Citizens of North America, with a Right to such Tracts of land and other Benefits.”³² Their proposal apparently received no reply, and their recruitment scheme never was implemented. However, it revealed the perceived fluidity of American citizenship and the weakness of the Confederation. While naturalized status received from military service was not rare among European governments of the period the fact that De Nys, a Dutchman, felt that he was in a position to offer American

³¹ Senf, Christian and de Nys, Adrian. *Letter to John Jay*. 27 April 1786. *Papers of John Jay*. Columbia University.

³² *Ibid.*

citizenship as a reward, in place of the federal government, marks the entitlement of Confederation Period office seekers.

Even those foreigners close to the centers of political power participated in the dash for political positions. Lafayette wrote Washington in September 1784 with a letter of introduction to his friend, Gaspard Joseph-Armand Ducher who had come to the United States in search of a position as a commercial lawyer. Ducher visited Mount Vernon on April 11, 1785. The next morning on April 12, Washington composed a letter to Lafayette which opened, "However great that Gentleman's merits are, and however much I might be inclined to serve him, candor required me to tell him, as I now do you, that there is no opening (within my view) by which he could enter, & succeed in the line of his profession, in this Country."³³ The chief reason that Ducher would fail in the United States claimed Washington is "being a stranger, and unacquainted with the language of these States."³⁴ The host of qualifying exams and residency requirement in order to practice in courts in the United States was an attempt to "prevent an inundation of British Attorneys of which they were apprehensive."³⁵ The concern over British lawyers infiltrating the legal profession in the early Republic revealed an acknowledgment that American law was being based on British law, and therefore American lawyers required a protectionist policy to avoid their profession being overrun by foreigners. Rather than becoming a lawyer,

³³ Washington, George. Letter to Lafayette, Marie-Joseph-Paul-Yves-Roch-Gilbert du Motier, Marquis de. 12 April 1785. *The Papers of George Washington*, Confederation Series, vol. 2, 18 July 1784–18 May 1785, ed. W. W. Abbot. Charlottesville: University Press of Virginia, 1992, pp. 492–493

³⁴ Ibid.

³⁵ Ibid.

Washington suggested, Ducher's friends should try "obtaining for him some appointment in the Consular department; for the discharge of which, I presume he must be well qualified."³⁶

Washington's response to Lafayette highlighted two important aspects of political appointment in the Confederation Period. The first was the importance of an English national vernacular and political connections in receiving an appointment. The second was the concern among lawyers in the early Republic of British involvement in their profession to the point of creating qualifying exams and residency restrictions. These actions on the part of the legal community revealed deep-seated concern over foreign intervention, even among the east coast elite, analogous to that felt by the Kentucky landowners.

By 1787, John Jay was clearly tiring of these constant requests from foreigners for consulships or other political appointments. On July 25, Jay sent a letter to George Washington suggested "whether it would not be wise & seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government, and to declare expressly that the Command in chief of the american army shall not be given to, nor devolved on, any but a natural *born* Citizen."³⁷ Jay's suggestion was clearly modeled off of Blackstone's depiction of English common law, which defined a "natural" subject as one born in the dominion, or born to subject parents abroad.³⁸ Thus,

³⁶ Ibid.

³⁷ Jay, John. Letter to George Washington. 25 July 1787. *Papers of John Jay*. Columbia University.

³⁸ Blackstone, William *Blackstone's Commentaries on the Law* edited by Gavitt, Bernard C. (Washington D.C.: Washington Law, 1941.) p. 154-5.

naturalization, or the process of becoming equal to a “natural” citizen, is best depicted as an acquisition of a “nature.” While this nature could be partially learned, a once foreigner turned “natural” would never be entitled to the same privileges as one who had been born in the dominion or to citizen parents. The concerns of 18th century Britons over the integration of foreigners into the realm were eventually incorporated into the Constitution as Article one, Section two. Jay’s suggestion marked a radical response to the concerns over foreign designs on political appointments, which established a precedent used in the Naturalization Act of 1790.³⁹

While designs on the trans-Appalachian West and the push for political appointments were clear examples of foreigners’ involvement in the United States during the Confederation Period, many of the policy making elite remained concerned about spectral “influences,” actions or people which may not have been truly present but offered a possible and worrying threat. For example, John Jay’s May 16, 1786 letter lamented, “I have scarcely met with six foreigners in the course of my life who really understood American affairs,” established a clear line between insiders, those who understand American ideals, and the outsiders who do not.⁴⁰ In this case, Jay was writing about the depiction of American values overseas, rather pessimistically claimed that “the cause of truth will

³⁹ Art. 1, Sec. 2 of the Constitution outlines the requirements for the presidency: “No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.”

⁴⁰ Jay, John. Letter to Lafayette, Marie-Joseph-Paul-Yves-Roch-Gilbert du Motier, Marquis de. 16 May 1786. *Papers of John Jay*. Columbia University.

probably be little indebted to their memoirs and representations.”⁴¹ This feeling of uniqueness led to the increased drive toward citizenship limits such as residency requirements, and attempted to create a familiarity with America and support for republican government.

Jay was not the only member of the political elite to express concern over spectral foreign influence. Benjamin Rush, a Philadelphian notable for his support of the revolution and a leading American physician, sent two letters to Member of Congress James Madison around the time of the passage of the Naturalization Act of 1790. In these letters, Rush revealed the pervasive nature of concerns over foreigners. The first Rush letter to Madison, sent on 27 February 1790 complained about the debt owed to foreigners and unscrupulous American speculators. While denouncing Congress’s indifference towards a national debt that was “unjust,” Rush entered into a complaint regarding the location of the federal government, “The combined influence of British Agents—New York tories and anti-federalists—and New York aristocratical whigs upon the Councils of the United States, have long ago led me to wish that the Seat of Congress was on the Delaware—the Susquehannah or the Potowmac.”⁴² Rush highlights concerns over foreigners in seaboard cities, but also remained wary of those internal members whose allegiance may have been questionable. These internal concerns recall those regarding settlers and Spanish influence in the trans-Appalachian West.

⁴¹ Ibid.

⁴² Rush, Benjamin. Letter to James Madison. 27 February 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 67–70

Rush's attitude demonstrated a wariness of foreigners and cosmopolitanism, which was further solidified by his 17 July 1790 letter to Madison. Rush opens the letter with the question "Is it not disgraceful to our Country to suffer its natural productions to be explored & described only by foreigners? Are we safe in committing so important a part of our history to men who are imperfectly acquainted with our language [...]," lamenting the Italian Paolo Andreani's exploration trip to the Great Lakes region.⁴³ His criticism echoed that of Jay's, which claimed that foreigners have an outsize influence in shaping the development of American culture even though they lack understanding. The importance of fluency in language again became apparent, recalling Washington's rejection of Lafayette's friend Ducher. Concerns over differences in vernacular language were even more apparent in the discussion of integration in the early Republic.

Integrating Immigrants

Integration in the early Republic was divided into two major concerns, each related to prejudicial feelings towards immigrants that would later appear in the Naturalization Act of 1790. The first was the concerns of government over mass settlement of foreigners in a state as the state began to create development policies in the post-revolutionary nation, possibly destabilizing the state. The second was the fears of the citizens whose daily lives would be affected by the immigrants if mass settlement of foreigners in a state occurred.

⁴³ Rush, Benjamin. Letter to James Madison. 17 July 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 279–280

Among the many state-level acts passed regarding foreign immigration during the Confederation Period, the 1785 attempt in New York to pass an Act for Promoting German Immigration stood out, mostly for the explicit reasoning behind its rejection by the Council of Revision. The bill presented to the New York State Senate asked to “incorporate the German Society for encouraging emigration from Germany; revealing the distresses of emigrants; and promoting useful knowledge among their countrymen in this state.”⁴⁴ The prominent backers of the bill included Baron von Steuben and Colonel Fredrick Weisenseis, both notable New Yorkers of German descent.

However, the Council of Revision, the body that under New York’s 1777 Constitution held veto power, returned the bill to the state senate with objections. The first complaint was foreign settlement in New York would “be Productive of the most fatal evils” as the foreigners “differing from the old citizens in language and manners, ignorant of our Constitution, and totally unacquainted with the principles of civil liberty [...] will naturally tend to keep them a distinct people.”⁴⁵ This echoes Blackstone’s claim that an unshakeable “natural allegiance” would forever tie a subject to the sovereign, preventing them from comprehending the system of republican government that the United States professed. Language was depicted as the primary cause of the failure of integration because it prevented political identification with American values. The second objection that

⁴⁴ Journal of the Senate, of the state of New-York, at their second meeting of the eighth session, begun and held in the city of New-York, on Monday the twenty-fourth day of January, 1785. America’s Historical Imprints. Series 1, no. 19132 p. 21.

⁴⁵ Journal of the Senate, of the state of New-York, at their second meeting of the eighth session, begun and held in in the city of New-York, on Monday the twenty-fourth day of January, 1785. America’s Historical Imprints. Series 1, no. 19132 p. 73.

the Council of Revision presented was that by approving the Act for Promoting German Immigration, they would have established a precedent for similar acts, “under which the emigrants from every nation in Europe, Asia and Africa, who incline to seek asylum in this state, [...] to claim similar establishments.”⁴⁶ The naturalization of some foreigners was seen as creating a reaction which would cause greater immigration to the state, further diluting its Americanness. The concerns of the Council of Revision regarding Germans probably had their origins in the Hessians of the revolution, whose rejection of the act is an example of the situational inflection of the British legal system with the experiences of the revolution. However, the general sentiments against immigrants were echoed by popular pamphleteering.

In 1790, Cary and Stewart, Philadelphia based printers, published a sixteen-page pamphlet entitled “Information for those Europeans who are disposed to migrate to the United States.” Such pamphlets were remarkably common for the late Confederation and early Republic periods and often attempted to lay out the publisher’s vision of “American values.” The introduction to the Cary pamphlet refers to Franklin’s “Advice to those who would remove to America.” The Cary and Stewart pamphlet was extracted from an unsigned letter sent by a resident of Philadelphia to an unnamed British recipient and was compelling for its two-part structure. The first half, in a rather unusual fashion for period immigration pamphlets, outlines “people, who ought not to come to

⁴⁶ Journal of the Senate, of the state of New-York, at their second meeting of the eighth session, begun and held in in the city of New-York, on Monday the twenty-fourth day of January, 1785. America’s Historical Imprints. Series 1, no. 19132 p. 73.

America” while the second half was the more standard advice. Those who should not move include “men of independent fortunes who can exist only in company,” “literary men who have no professional pursuits,” and “professors of most of the fine arts.”⁴⁷ The list excluded wealthy people who would seek cultural aspects that the United States did not offer, and intellectuals.

These suggestions made Washington’s depiction of the concerns of the lawyers of the early Republic seem trivial. Indeed, the unnamed author of the letter suggested that successful immigrants should be “cultivators of the land,” “mechanics and manufacturers,” “labourers” and “schoolmasters.”⁴⁸ This list was focused on more practical professions and tools used to build an economy. The compelling difference between the Cary pamphlet and the previous discussion of concerns seemed to be the encouragement of farmers and the importance of land. This difference established the correspondence of perceptions of foreign immigration between government and portions of the populace. While potentially due to competing notions of what constituted a good citizen, it probably lies in differing priorities between the government and its citizenry. The government was concerned with loyalty and solidifying support for the republican cause. Meanwhile, the citizenry was concerned with maintaining a familiar culture and ensuring economic stability. Thus, both political elites and the common people seemed to agree that foreign intellectuals, lawyers or merchants had no business immigrating to the United States. However, the introduction of farmers and

⁴⁷ *Information for Europeans who are disposed to migrate to the United States*. (Cary and Stewart: Philadelphia, 1790.) America’s Historical Imprints. no. 22390.

⁴⁸ *Ibid.*

craftsman of foreign origin seemed more divisive. This is probably due to the more remote nature of border disputes and potential disloyalty in the trans-Appalachian West in lieu of direct economic impact at home on the eastern seaboard.

The concerns over craftsman of foreign origin also recalled the debates over the future of the republic as an agricultural one filled with citizen farmers, or an industrial one supported by commerce and seaboard trade, commonly referred to as the Jeffersonian and Hamiltonian depictions of America. When considered in the context of the ongoing debates over the first of Hamilton's financial plans in the summer 1790, the Cary pamphlet revealed the urban rural tension. Indeed, Rush, in his July 1790 letter wrote of a plan to pay three percent on the domestic debt which, "will prevent the Certificates from suddenly drawing off all the Cash of our Country from Agriculture—Commerce & manufactures. It will moreover prevent our Country from being depopulated by our Cities."⁴⁹ The urban rural tension was a significant part in the ongoing depictions of immigration into the United States.⁵⁰

Confederation Period concerns over land, power and influence of foreigners and their failure to integrate into American society were highlighted in the Congressional debates over the Naturalization Act of 1790. The argument's

⁴⁹ Rush, Benjamin. Letter to James Madison. 17 July 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 279–280

⁵⁰ Bradburn, Douglas M. "'True Americans' and 'Hordes of Foreigners': Nationalism, Ethnicity and the Problem of Citizenship in the United States, 1789-1800." *Historical Reflections / Réflexions Historiques* 29, no. 1 (2003): 19-41.

intellectual heritage suggested that the presence of the concerns developed American citizenship on an exclusionary basis.

The Act of 1790: Concerns in the Debates

By the time the federal government came into effect in April 1789, a national act that regulated naturalization was required. By virtue of Article one, Section eight, Clause four of the Constitution (“To establish a uniform rule of naturalization”), the Congress was enumerated with the power. This meant that a naturalization act should have been one of the first orders of business for the First Congress. However, it was not brought up until the second session. After being passed around among various committees, the Naturalization Act of 1790 reached its “Committee of the Whole” on February 3, 1790.

The act included three clauses that defined what made an “alien” an acceptable citizen-candidate: a “free white person,” who “resided within the limits and under the jurisdiction of the United States for the term of two years,” and was “a person of good character.” Upon the fulfillment of these three requirements, the citizen-candidate was to present themselves to a local “common law court of record” who would evaluate their case and accept their oath to “support the constitution of the United States.”⁵¹

The Debates over the Act

It was with the aforementioned understanding of British naturalization and subjecthood law that the debate over the Naturalization Act of 1790 opened in the House of Representatives. Among those who spoke were James Madison,

⁵¹ Childs, Francis and Swaine, John, printers. *Acts passed at the Second Session of the Congress of the United States of America...* (Philadelphia, 1791.)

Thomas Hartley and Aedanus Burke who were influenced by concerns over land, power and influence, while John Page and Theodore Sedgwick were worried about integration. Sometime historical influences on citizenship were directly acknowledged in the speeches of James Jackson. However, the most revealing fact of the debates was the pervasive spectral concerns over foreigners from the Confederation Period, and the influence it had on policy making.

Of the three speeches that considered land, power and influence, James Madison was the first to rise. Madison worried about the potential power that a naturalized citizen could gain as he claimed that an, “alien might acquire the right of citizenship, and return to the country from whence they came, and evade the laws intended to encourage the commerce and industry of the real citizens and inhabitants of America.”⁵² Madison’s concern over foreign evasion of America systems recalled the concerns of Rush and Jay over foreign influence on American commerce and intellectual life. This sentiment expanded on Madison’s discussion of naturalization in Federalist forty-two where he wrote of the different residency requirements between the states that “An alien, therefore, legally incapacitated for certain rights in the latter, may, by previous residence only in the former, elude his incapacity; and thus the law of one State be preposterously rendered paramount to the law of another, within the jurisdiction of the other.”⁵³ The action of the alien in moving from one state to another had caused a usurpation of federalist values in regard to equality of state law. In order to

⁵² “Speech of Madison.” Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1150.

⁵³ “The Powers Conferred by the Constitution Further Considered.” 22 January 1788. New York Packet. America’s Historical Newspapers.

prevent this transient class of foreign commercial and intellectual elites from developing, Madison suggested that the naturalization act “ought to require residency as an essential.”⁵⁴

Thomas Hartley raised concerns over the possibility of foreigners developing an undue influence on American political positions, the same concerns as Jay and Washington put forward in their respective letters. Hartley claimed “If, at any time, a number of people emigrate into a seaport towns, for example from a neighboring colony into the state of New York, will they not by taking the oath of allegiance, be able to decide the fate of an election contrary to the wishes and inclinations of the real citizens?”⁵⁵ In posing this question, Hartley was referring to a history of concerns over election fraud. On November 24, 1784, the *Columbian Herald* of Charleston, South Carolina reported that foreigners had voted in an election in Lancaster, Pennsylvania claiming that “non-jurors, boys, servants and foreigners are said to have been permitted to partake in the privileges of the election equally with the free citizen.”⁵⁶ In order to prevent such election fraud from occurring, Hartley supported a significant residency requirement.

Aedanus Burke’s speech reflected in great part the 1790 Cary and Stewart pamphlet. Burke argued that the United States needed “useful men, such as farmers, mechanics and manufacturers” to grow her economy and that

⁵⁴ “Speech of Madison.” *Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress.* p. 1150.

⁵⁵ “Speech of Hartley.” *Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress.* p. 1151.

⁵⁶ “Lancaster.” *Columbian Herald*. 26 November 1784. Charleston, South Carolina. *America’s Historical Newspapers*.

“European merchants, and factors of merchants” were naught more than “leeches.”⁵⁷ Burke’s characterization of foreign merchants as “leeches” was not unique, having been drawn from commonplace European sentiment.⁵⁸ The clear bias against intellectuals and cosmopolitanism as European-influenced ran throughout much of the concerns of the Confederation Period and seemed to prompt arguments for increased residency restrictions. However, the residency restrictions that were argued for were still less than those depicted by Blackstone.

The discussion of integration was balanced between positive inclusive understandings of American values and concerns over foreign meddling on the frontier. John Page presented the most inclusive and optimistic depiction of the United States, when he claimed that “It is nothing to us, whether Jews or Roman Catholics settle among us; whether subjects of Kings, or citizens of free States wish to reside in the united states, they will find it their interest to be good citizens, and neither their religious or political opinions can injure us.”⁵⁹ Page’s point seemed in stark contrast to what was probably the more common view expressed about integration in the Confederation Period. The New York’s Council of Revision’s rejection of the German Immigration Act and Washington’s harsh words for Lafayette’s friend who spoke non-fluent English were just two

⁵⁷ “Speech of Burke.” Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1156.

⁵⁸ Girod-Chantrons, Justin. *Voyage d'un Suisse dans différentes colonies d'Amérique pendant la dernière guerre, : avec une table d'observations météorologiques faites à Saint-Domingue*, (Neuchatel, France: Typographical Society of Neuchatel, 1785.) p. 227 ; Zahedieh, Nuala. "The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692." *The William and Mary Quarterly* 43, no. 4 (1986): 570-93.

⁵⁹ “Speech of Page.” Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1147.

examples that suggest Page's was an unusual perspective. However, Page's perspective was not unknown in the early Republic. In June 1784, the Norwich Packet, a Connecticut paper detailed an "Act for promoting the Commerce of this State." The most intriguing provision of the act was "all foreigners or citizens of the United American States, removing to either of said cities [New London and New Haven, CT]" providing they achieved the approval of the fellow inhabitants who could attest to their character before a court. Thus the foreigners "shall have the right to continue in said towns; and shall have be intitled to, and receive the same protection of law."⁶⁰ This rather accepting attitude echoed Page's assertions, but interestingly maintained a whiff of the "good character" clause in its requirement for the approval of inhabitants.

Theodore Sedgwick, who spoke after Page, took a more typical approach, as he announced himself to be against the indiscriminate admission of foreigners to citizenship. He was desirous of the population of the United States be not "overrun with the outcasts of Europe" and warned that "the policy of settling the vacant territory by emigration is of a doubtful nature."⁶¹ By making sure that those accepted for citizenship were "reputable and worthy characters" the government could ensure that the citizens would espouse American values. Those immigrants who came directly from Europe were "impregnated with the prejudices of education, acquired under monarchical and aristocratical

⁶⁰ "Copy of a Bill." Norwich Packet. 17 June 1784. Norwich, Connecticut. Americas Historical Newspapers.

⁶¹ "Speech of Sedgwick." Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1147.

governments” which may deprive them of “that zest for pure republicanism.”⁶²

Sedgwick’s implication was that settling citizens who felt disconnected from American values in the trans-Appalachian West would only lead to crisis of frontier loyalty, such as those described in the letters of Marshall and Nicolas. In order to ensure some fidelity to republican values, Segdwick advocated for the residency period which would teach them to “exercise a right which we have gloriously struggled to attain.”⁶³ This educational period would inform the naturalized citizen’s choice of “volitional allegiance.”

While Segdwick made a passing reference to history at the end of his speech, James Jackson directly referred to legal influences in his attempts to construct citizenship. These same legal influences shaped perceptions of frontier loyalty, integration and immigration throughout the Confederation Period. Jackson’s first reference to the terms of citizenship was in the Roman context, where he suggested that it was held as a title of veneration and responsibility presented to a select few. He then claimed that he desired the title of citizen in the United States to hold the same status, and thus “rather than have a common class of vagrants, paupers and other outcasts of Europe, that we had better be as we are, and trust to the natural increase of our population for inhabitants.”⁶⁴ The narrowness of the “*concilium coetusque hominum jure sociati*” or the social body of citizens united by law suggested by Cicero and the Confederation

⁶² Ibid.

⁶³ “Speech of Segdwick.” Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1147.

⁶⁴ “Speech of Jackson.” Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1152,

concern over integration of foreigners flowed together to create Jackson's closed borders interpretation of citizenship.⁶⁵ Jackson's second speech also made a direct reference to legal scholarship, the influential work of British jurist Blackstone, in an attempt to create an argument against naturalization. According to Jackson, Blackstone wrote of naturalization "cannot be performed but by act of parliament; for by this an alien is put in exactly the same state as if he had been born in the King's legiance, except only that he is incapable, as well as a denizen, of being a member of the Privy Council, or Parliament, holding offices, grants etc." Jackson argued that Blackstone's understanding underlies much of the early American naturalization. Indeed, he is correct as "cannot be performed but by act of parliament" corresponds to Article one, Section eight, Clause four of the Constitution and the limits on officeholding for the presidency in Article one, Section two. However, Jackson claimed that Britain had deviated from this standard, which allowed foreigners into positions of political power in Parliament and holding land grants from the Crown. Such action in the United States, greatly concerned Jackson and he advocated for a stricter standard of rendering "the American name as honorable as its merits."⁶⁶

The speeches compiled in the Annals of Congress reveal that the concerns over land, power, influence and integration informed many of the debates surrounding the particulars of the Naturalization Act of 1790.

⁶⁵ Translated as "the social body of citizens united by law" from Ciceronis, M. Tulli. *Somnium Scipionis*, III, 5. Edited by Meissner, Carl. (Leipzig, 1897.)

⁶⁶ "Speech of Jackson." Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress. p. 1158. See also Blackstone, William *Blackstone's Commentaries on the Law* edited by Gavit, Bernard C. (Washington D.C.: Washington Law, 1941.) p. 154-8.

Interestingly, the greatest concern was regarding the residency clause, as lawmakers fought over the correct length which provided enough familiarity with republican values. At one extreme of was the idealistic view of the strength of American values and tolerance, which in its confidence of their superiority advocated for opening the door to all interested comers. At the other extreme, were those who remained wary of the potential for European engagement with American citizenship, which created restrictions meant to limit the number of undesirable classes. The ongoing concerns of the Confederation Period informed the more conservative understanding of naturalization, and led to the Naturalization Act of 1790's narrow definition of citizenship derived from prejudice. The residency clause limited access to citizenship to only those who had been in the nation for a duration, becoming familiar with the republican values that a "natural" citizen was born into. The good character clause allowed for the rejection of someone who had achieved the other requirements but was still unfit for citizenship, such as a German immigrant who failed to integrate and thus was an outsider to the political community.

Conclusion

The text of the Congressional debates over the presence of the residency requirement of the Naturalization Act of the 1790 and the two-year length of it duration, limited the nature of citizenship in the early Republic, to an even greater extent than the more commonly investigated whiteness clause. Concerns over foreign meddling on the frontier, interference in elections and appointments and influence on commerce and values, whether grounded in

reality or spectral, coincided with concerns about the integration of immigrant populations into republican society. English was determined to be necessary for understanding the ideals of the republican society, which was in opposition to European tendencies towards cosmopolitanism and “monarchism.” These influences on policymaking elites during the Confederation Period were codified by the Naturalization Act of 1790 in the whiteness, residency and good character clauses.

After the Naturalization Act of 1790, American citizenship became increasingly limited by these same concerns, at least until the collapse of the Federalist Party in the aftermath of the War of 1812. When the Naturalization Act of 1795 replaced the Naturalization Act of 1790, Congress maintained the “free white person” clause and established a two-step naturalization process. The first step was a declaration of intent to become a citizen, which was allowed only after three years’ residency. The second step was to wait another two years, upon which the candidate could appear before a federal court to swear their oath. Thus, the overall term of residency to be accepted to full citizenship was increased to five years.⁶⁷ This two-step process and increase in residency only further limited access to citizenship, which represented the ongoing influence of republican values and Confederation concerns.

By 1798, the limits on naturalization in the early Republic peaked with the “Act to Establish a Uniform Rule of Naturalization,” one of the four constituent

⁶⁷ United States Congress. *United States Statutes at Large, Volume 1*. Public Acts of the Third Congress, Second Session, Chapter 20- “An Act to establish an uniform rule of Naturalization; and to repeal the act heretofore passed on that subject.” (29 January 1795.)

laws commonly known as the Alien and Sedition Acts. The 1798 Naturalization Act raised the declaration period to five years prior to the application and the total term of residency to fourteen years (with at least five years in the state from which one applied). National origins were also considered for the first time as “alien enemies,” persons from states with which the United States was at war, were not eligible for citizenship.⁶⁸

While repealed with the Jefferson Administration’s Naturalization Act of 1802, the 1798 Act represented the pinnacle of the foreign concerns dating back to the Confederation Period. The arguments in favor of increasing residency and limiting citizenship that appeared in the debates over the Naturalization Act of 1790 and derived from Confederation concerns regarding land, power, influence and integration were taken to their extreme. This resulted in one of the most controversial laws ever passed by Congress and thus, much academic study.

However, by focusing so much on the controversial and compelling Naturalization Act of 1798, scholarship has failed to account how these restrictions were defined in the crucible of national identity during the Confederation Period. The Naturalization Act of 1790’s requirements of residency and “good character” were great limits on the access of European immigrants to citizenship. These clauses were derived from a combination of concerns regarding immigrants during the Confederation Period, British legal heritage and the republican ideals of the revolution. The confluence of these factors formed

⁶⁸ United States Congress. *United States Statutes at Large, Volume 1*. Public Acts of the Fifth Congress, Second Session, Chapter 54- “An Act supplementary to and to amend the act, intituled “An act to establish an uniform rule of naturalization; and to repeal the act heretofore passed on that subject.” (18 June 1798.)

the Naturalization Act of 1790 which based definitions of citizenship on prejudice against foreign outsiders. The conception of United States as an asylum for mankind came to ironic demise through the republican principles it sought to uphold.

Foundering Friendship: French Disillusionment after the Battle of Yorktown

On October 22, 1782, a Westchester County sheriff entered the Crompond, New York headquarters of Jean-Baptiste-Donatien de Vimeur, Comte de Rochambeau, the leader of the French Expeditionary Force to the Americas. Shockingly, the sheriff's visit was not one of friendship, but instead he presented Rochambeau with a warrant for his arrest on charges the French had chopped up local miller Samuel Delavan's fences for firewood. The accounts of the incident vary in the amount of force used by the Sheriff. Rochambeau in his memoirs said that the sheriff placed a light hand on his shoulder. However, Captain Louis Francois Bertrand Dupont d'Aubevoye, comte de Lauberdière, one of Rochambeau's aide-de-camps, claimed that the sheriff grabbed Rochambeau's neck, an unprecedented affront to a member of the French aristocracy. While the embarrassment caused by this attempted arrest would eventually be resolved, it revealed that the conclusion of Yorktown increased French disillusionment with Americans and the Revolutionary cause.⁶⁹

The attempted arrest of Rochambeau was the culminating event of a tense relationship that developed in the aftermath of the victory at the battle of Yorktown from October 1781. While the French and the Americans had worked

⁶⁹ Cortlandt Pell Auser, "Le Comte [de Rochambeau] at Crompond: October, 1781," *The Westchester Historian*, Westchester County Historical Society, XXXVI, No.2 (April-June, 1960), 39-40, and No.3 (July-Sept., 1960), 64-67; *Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971), 93-94; Louis-François-Bertrand du Pont d'Aubevoye, comte de Lauberdière, *Journal de l'Armée aux ordres de Monsieur le comte de Rochambeau pendant les campagnes de 1780, 1781, 1782, 1783 dans l'Amérique septentrionale*. Archives Nationales, Paris (NAF 17691), Cahier 3, fol. 196-197; Jean Baptiste Antoine de Verger, "Journal of Jean Baptiste Antoine de Verger," in *The American Campaigns of Rochambeau's Army*, translated and edited by Howard C. Rice and Anne S.K. Brown (Princeton, NJ: Princeton University Press, 1972), 1:167-168

in concert to entrap and defeat Cornwallis's army at Yorktown, the loss of a common goal produced discord among the victorious allies. The leadership of the French Expeditionary Force and the government of Virginia maintained a cordial relationship of mutual respect as evidenced by letters published in *The Virginia Gazette, or Weekly Advertiser* throughout the winter of 1781-2. However, private correspondence with the Virginia Governor's office and discourteous observations in the private diaries of French Officers suggest that common Virginians and the quartered French soldiers failed to understand each other, especially in regards to slaves, women and procurement officials. The discord between the public views of the leadership and the private opinions of the citizenry and lower ranking soldiers suggest an explanation for the October 1782 actions of the Westchester County sheriff.⁷⁰

While one possible explanation for the disillusionment was the French and Virginian unfamiliarity with the nature of civilian military relationships, there was experience with billeting in North America and thus cultural difference was a more likely explanation behind the decline in Franco-American relations. The period in Europe after the Thirty Years War saw the development of military civilian relationships as a "tax of violence" through which soldiers imposed

⁷⁰ The *Virginia Gazette* was originally published in Williamsburg, Virginia from 1736 until 1780. In April 1780, the owners of the newspaper, John Dixon and John Nicolson, decided to move the operation to Richmond, following the change in state capital. They published in Richmond from May 1780 until April 1781, when the original *Virginia Gazette* halted publication. In December 1781, John Nicolson founded *The Virginia Gazette, or Weekly Advertiser* which changed name in February 1782 to *The Virginia Gazette, and the Weekly Advertiser*. Following references to *Virginia Gazette* in this paper refer to the paper that began publication in December 1781. The history of the *Virginia Gazette* is drawn from "A History of the Virginia Gazette." *Virginia Gazette*. http://www.vagazette.com/services/va-services_gazhistory-story.html (accessed March 27, 2017.)

themselves on civilian life through the *ustensile*, or living requisitions, despite soldiers “employment by the state, regular pay, uniforms and discipline.” Many of the same military-civilian frictions reoccurred in the American context as attested to by a study of the contentious attitudes that developed between billeted captured British soldiers and Pennsylvanians in Lancaster. The Declaration of Independence and later the Constitution also explicitly discuss quartering, which suggested a familiarity in the American context. Thus, both the French and the American would have been intimately familiar with military civilian relationships which left most of the tension to cultural difference.⁷¹

The cultural difference that underpinned disillusionment of the French was caused by the attempt to reconcile their idealized version of North America, created from published texts, with the experiential knowledge that the French received while physically present in North America. French *Philosophes* had painted North America as a playground for enlightenment ideals, which was further bolstered by the rhetoric of the revolution and the enduring presence of

⁷¹ For more on European Warfare after the Thirty Years War consult Black, Jeremy. *European Warfare, 1660-1815*. New Haven: Yale University Press, 1994; Childs, John. *Armies and Warfare in Europe, 1648-1789*. New York: Holmes and Meier, 1982, quote 27. On French military-civilian relationships see Corvisier, André. trans. *Abigail T. Siddall. Armies and Societies in Europe, 1494-1789*. Bloomington: Indiana University Press, 1979. esp. 80-2; Showalter, Denis. *Matrices: Soldiers and Civilians in Early Modern Europe 1648-1789* in Frey, Linda., and Frey, Marsha, eds. *Daily Lives of Civilians in Wartime Europe, 1618-1900*. Westport, Conn.: Greenwood Press, 2007, 59-92; John Lynn’s “tax of violence” formulation from Lynn, John A. “Recalculating French Army Growth during the Grand Siecle, 1610-1715.” *French Historical Studies* 18, no. 4 (1994): 881-906. For Quartering in the Americas see Rogers, J. Alan. “Colonial Opposition to the Quartering of Troops During the French and Indian War.” *Military Affairs* 34, no. 1 (1970): 7-11; Gerlach, Don R. “A Note on the Quartering Act of 1774.” *The New England Quarterly* 39, no. 1 (1966): 80-88; Miller, Ken. *Dangerous Guests: Enemy Captives and Revolutionary Communities During the War for Independence*. Ithaca: Cornell University Press, 2014. esp. 77-8; Declaration of Independence, “For quartering large bodies of armed troops among us”; U.S. Constitution, Amendment Three, “No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.”

Benjamin Franklin as the archetypal American. However, the mirage of the press dissipated once the French interacted with Americans and became aware of the limited application of their valued enlightenment ideals of nobility and religious, economic and political liberty. While historians typically assigned this disillusionment to have started after 1783, the increased tensions in the aftermath of Yorktown were largely passed over. These post-Yorktown tensions suggested that the process of disillusionment may have begun even earlier than the Treaty of Paris.⁷²

French Expeditionary Force Before Yorktown

Inspired by the idealism of the *Philosophes*, as well as a chance to shame Britain, the French Expeditionary Force, codenamed the *Expédition Particulière*, left Brest on May 2, 1780. The forty-six-ship convoy took ten weeks to cross the Atlantic and arrived at Newport, Rhode Island on July 11. The opposition of elite American officers to the presence of a French Army on American soil was quite low, perhaps due to the realization of the desperate situation of the Continental Army. Charles Lee, one of the few who disapproved, wrote in a letter to James Monroe “what do you think of the policy of our congress in inviting and if not

⁷² Echeverria, Durand. *Mirage in the West; a History of the French Image of American Society to 1815*. New York: Octagon Books, 1966. esp 14-5, 23, 40, 46, 70, 129; Hill, Peter P. *French Perceptions of the Early American Republic, 1783-1793*. Memoirs of the American Philosophical Society; v. 180. Philadelphia: American Philosophical Society, 1988. esp. xiii, 22, 79; Mathy, Jean-Philippe. *Extrême-Occident: French Intellectuals and America*. Chicago: University of Chicago Press, 1993. Esp. chap 1. For an earlier example of French disillusionment consult Crouch, Christian Ayne. *Nobility Lost: French and Canadian Martial Cultures, Indians, and the End of New France*. Ithaca: Cornell University Press, 2014. esp. 71. For an example that sees Franco-American friendship collapsing at a much later date see Ziesche, Philipp. *Cosmopolitan Patriots: Americans in Paris in the Age of Revolution*. Jeffersonian America. Charlottesville: University of Virginia Press, 2010. esp. chap 5.

invited in admitting a large Body of French Troops into our bosom [...] I suppose we shall have an Army of Russians likewise and then American will be a blessed scene indeed [...] upon the whole to every man of reflection it is a most damnable measure and opens to his view a most damnable prospect." Lee's negative attitude, however, was shared by the residents of Newport.⁷³

The Newport population met the landing French fleet with trepidation. Historian Lee Kennett attributed this to ill preparation and wrote that the "silent and forbidding" welcome was due to the French arrival being "something of a surprise." Another scholar, Cole Jones, suggested that the cold welcome was due to the French fleet being mistaken for a British one, as Newport had just recently been freed from occupation. Crevecoeur recorded that "They [English] had evacuated nearly 10 months ago, at the time the Comte d'Estaing appeared in the neighborhood," as he referred to the failed joint French-British attempt to dislodge 6000 British soldiers stationed in Newport in August 1778. Regardless of the reasons, both concurred with historian Stephen Bonsal's conclusion that "the arrival of the French expedition at Newport was a complete fiasco."⁷⁴

⁷³ Kennett, Lee B. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 17, 33; Lee, Charles, and Henry Edward. Bunbury. *The Lee Papers 1754-1811*. John Watts De Peyster Publication Fund Series; v. 4-7. New York: Printed for the New York Historical Society, 1872. vol. 3, p 432;

⁷⁴ Kennett, Lee B. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 48; Jones, T. Cole. "Displaying the Ensigns of Harmony": The French Army in Newport, Rhode Island, 1780-1781." *The New England Quarterly* 85, no. 3 (2012): p. 433; Clermont-Crevecoeur, Journal, October 1780, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:18; Bonsal, Stephen. *When the French Were Here; a Narrative of the Sojourn of the French Forces in America, and Their Contribution to the Yorktown Campaign, Drawn from Unpublished Reports and Letters of Participants in the National Archives of France and the Ms. Division of the Library of Congress*. Garden City, N.Y.: Doubleday, Doran And Company, 1945. p. 22

This cold reception happily thawed as the French made preparations to live alongside the residents of Newport, ostensibly prepared for an attack on British occupied New York City. The arrival of Lafayette on July 24 to plan for the operation did not result in a tactical agreement. Kennett blamed Lafayette for the failure, calling him “a poor intermediary.” Rochambeau seemed to concur and recorded in his memoir that “The latter really believed at that period, and perhaps he was not altogether mistaken, that [...] this campaign was the last struggle of expiring patriotism, under these circumstances, he was anxious to strike a decisive blow,” a pleasant example of successful underhanded praise. A personal meeting with Washington was set for September. Thus, these delays made the prospect of a winter encampment in Newport almost a surety. The housing stock of the area, much of which had been destroyed by the British in the aftermath of their occupation, was repaired at French expense and converted into barracks for the common French soldiers. French officers resided in Newport homes, but were obligated to pay the residents for billeting them. Crevecoeur was favorably impressed and wrote “The houses are charming, of simple architecture, and quite well planned for the convenience of each owner [...] everything is so simple and clean that you could see your face in it.”⁷⁵

⁷⁵ Kennett, Lee. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 55 (first quote), 58 (second quote); *Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971), 14; Clermont-Crevecoeur, Journal, October 1780, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:20; Bonsal, Stephen. *When the French Were Here; a Narrative of the Sojourn of the French Forces in America, and Their Contribution to the Yorktown Campaign, Drawn from Unpublished Reports and Letters of Participants in the National Archives of France and the Ms. Division of the Library of Congress*. Garden City, N.Y.: Doubleday, Doran And Company, 1945. p. 55

However, Cole Jones contradicted Kennett's statement and relied on the diary of Georg Daniel Flohr, discovered after the publication of Kennett's book, which is the only known record of a non-officer in the French Expeditionary Force. Flohr wrote that "he 'got along very well with them,'" as he referred to the residents of Newport, and was "full of praise for their hospitality." He mentioned his interaction with "beautiful American maidens" named as "Hanne" and "Malle" who lived nearby the encampment. Flohr's diary revealed that the interaction between common French soldiers and Americans did occur and was largely cordial.⁷⁶

In contrast to the common soldiers, the officers had much more freedom for interaction with the residents of Newport, and produced more surviving records of their relationship to Newporters. Clermont-Crevecoeur wrote "little by little the houses and shops were opened to use, and some merchandise was offered, though at outrageous prices." The elite of Newport, long involved in foreign trade, had some knowledge of the French language, much to the pleasure of the officers. For those who were not fluent, advertisements for French-English lessons and French-English dictionaries appeared in the *Newport Mercury*. Amusingly, spoken Latin also became prominent as a *lingua franca*. Rochambeau apparently spoke it "tolerably." The common language led to a close relationship between the people of Newport and the French officers which remained largely positive. Clermont-Crevecoeur wrote that "We were received as

⁷⁶ Jones, T. Cole. "'Displaying the Ensigns of Harmony': The French Army in Newport, Rhode Island, 1780-1781." *The New England Quarterly* 85, no. 3 (2012): p. 451; Selig, Robert A. "A German Soldier in America, 1780-1783: The Journal of Georg Daniel Flohr." *The William and Mary Quarterly* 50, no. 3 (1993): 580.

brothers rather than foreigners, we took up quarters in town to the great delight of the residents, who lodged us very well.”⁷⁷

In his memoir, Rochambeau recorded an anecdote that he claimed “is strikingly characteristic of the manners of the good republicans of Connecticut,” While he traveled to meet with Washington to discuss the plans for the military campaign, the “conveyance” broke down. Rochambeau dispatched Fersen, an aide-de-camp to the house of a nearby wheelwright, who lived a mile from the broken carriage. Despite a strict code of not working overnight, the wheelwright, having heard of Washington and Rochambeau’s meeting in Hartford from the papers, promised to have it fixed by six in the morning, and did it successfully. According to Rochambeau, another wheel broke on the way back from Hartford, and the same wheelwright again worked overnight to fix the carriage. The conclusion that Rochambeau draws, “I do not mean to compare all American to this good man; but almost all the inland cultivators and all the land owners of Connecticut are animated with that patriotic sprit, which many other people would do well to imitate,” suggests that many of the French officers felt quite welcome in Connecticut and were suitably impressed by its citizens.⁷⁸

One of incidents with the most potential to create tension was the murder of a Connecticut citizen by a French soldier. The *New York Gazette* reported it as

⁷⁷ Clermont-Crevecœur, Journal, October 1780, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:18, 20-22; Jones, T. Cole. ""Displaying the Ensigns of Harmony": The French Army in Newport, Rhode Island, 1780-1781." *The New England Quarterly* 85, no. 3 (2012): p. 452-3

⁷⁸ *Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971), 18-20.

“an inhabitant of Connecticut and one of their new allies, that the latter killed the former on the spot.” The murderer, a corporal from a Bresse Regiment, supposedly killed a Connecticut, presumed to be a physician. Admiral Ternay convened a quick court martial, and upon finding the corporal guilty condemned him to execution. The French naval records briefly state “Corporal Pierre-Antoine Bonichon- shot.” Neither Rochambeau, nor Clermont-Crevecœur, nor Verger mentioned anything regarding the incident in their diaries. The lack of interest in the court martial and the swift dispensation of justice did much to retain the largely cordial relationship of mutual benefit that developed in between the French and Newporters.⁷⁹

Upon the departure of the French Expeditionary Force for the Chesapeake campaign which concluded with Yorktown, Berthier wrote “the whole army had spent a delightful winter in Newport, and as each man got the word and prepared to leave the pleasures ceased and gave way to regrets in which the whole town joined.” The positive view of the French officers of America, established by the *Philosophes* and solidified by the Newport Winter of 1780-1, was about to be tested by comprehensive military success.⁸⁰

The Surrender at Yorktown

⁷⁹ Kennett, Lee. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 57 quoting the New York Gazette, 18 September 1780 available on America’s Historical Newspapers; Kennett, Lee. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 57 quoting Archives de la Guerre, Service historique de l’armée de Terre, Vincennes, Carton X 1, 193

⁸⁰ Berthier, Louis-Alexandre, Journal, June 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau’s Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:245.

On October 19, 1781, after a siege of slightly over three weeks, the British Army under the command of Lord Charles Cornwallis surrendered to the combined Franco-American forces of George Washington and General Rochambeau. While Kennett asserted that the roots of this “miracle” laid in the naval supremacy provided by the French fleet of the Comte de Grasse, the actual military battle did little to alter the shape of the Franco-American relationship established at Newport. The French and Americans worked reasonably harmoniously towards the common goal of defeating the entrapped British. The martial atmosphere limited any complaints against the allied armies as military actions took precedence over any social or cultural observations, as reflected by an alteration in emphasis of journal topics towards military affairs. Complaints over the destruction of property and the commandeering of resources for the siege only appeared in the aftermath of victory. More immediately, the surrender of Cornwallis’s army on October 19 provided the first challenge to the Franco-American relationship in Virginia by presenting the different attitudes of French and Americans towards the treatment of Cornwallis’s army, and demonstrated the first cracks in the coalition.⁸¹

According to the articles of surrender, the British garrison at Yorktown was supposed to exit their fortifications at two in the afternoon, with shouldered arms, furled colors and playing a “British or German march.” Clermont-Crevecoeur recorded that the process of filing out of the fortifications went smoothly writing

⁸¹ Kennett, Lee. *The French Forces in America, 1780-1783*. Contributions in American History; No. 65. Westport, Conn.: Greenwood Press, 1977. p. 151

that “at two o’clock the English garrison marched out and laid down its arms at the end of our line [...] the British army marched between the allied armies; the Americans were on the right and were on the left.” However, Cornwallis was not in attendance “having excused himself for reasons of health,” and left General Charles O’Hara in command of the surrendering British garrison.⁸²

On reaching the end of the line, where the French and American officers were positioned, O’Hara was meant to turn over his sword. However, French General Mathieu Dumas recalled that when O’Hara reached the officers “he presented his sword to me.” Dumas wrote “I pointed to general Washington, who was opposite me at the head of the American army, and told him that the French army being auxiliaries on the continent, it was the American general who was to signify his orders to him.” Rochambeau remembered O’Hara’s misstep differently, and claimed that it was he who was presented the sword and stated the line about the French army being auxiliaries. Regardless of which officer was presented first, the fact remains that a French officer was presented before Washington, which suggested a measure of British disrespect for the Americans, or an assumption of French centrality. While such an oversight alone probably did not cause much tension among the Americans and French Officers, the benevolent attitudes of the French towards the British definitely provoked ire.⁸³

⁸² Verger, Journal, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau’s Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:114; Clermont-Crevecoeur, Journal, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau’s Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:61

⁸³Dumas, Mathieu. *Memoirs of His Own Time: Including the Revolution, the Empire, and the Restoration*. Lea & Blanchard, 1839. p 52-3; Rochambeau, Jean-Baptiste-Donatien De Vimeur.

Bonsal noted that “from Cornwallis down [...] all the British officers speak in the highest terms of the friendly aid and many courtesies extended to them by the French officers.” Defeated Hessian soldier Johann Conrad Döhla, expressed a similar sentiment on the part of the common French soldiers, and wrote that the “Americans, as victors, made sport of us” while “mostly the French behaved well towards us.” This fraternization with the defeated enemy did much to anger the American officers whose “homes had had been destroyed and whose field had been laid waste.” Verger wrote in his diary that “the tokens of sympathy shown by the French Army towards the English and Hessian officers aroused much jealousy in the American officers.” The American officers “instead of seeking their friendship, or ours, seemed to confine themselves to bringing up unpleasant subjects with us.” Verger failed to understand the possible anger that the Americans felt towards the British, but Bonsal highlighted the irritation when the French “competed as to who should first have the vanquished to dinner, or who would have the honor of making them a loan.” Clermont-Crevecoeur wrote in his journal that “The English and French got on famously with one another. When the Americans expressed their displeasure on this subject, we replied that good upbringing and courtesy bind men together.” He continued “actually you never saw a French officer with an American. Although we were on good enough terms, we did not live together.”⁸⁴ Crevecoeur’s observations regarding the

Translator M.W.E Wright. *Memoirs of the Marshall Count De Rochambeau*. Eyewitness Accounts of the American Revolution. Series III. New York: New York times, 1971. p. 73

⁸⁴ Bonsal, Stephen. *When the French Were Here; a Narrative of the Sojourn of the French Forces in America, and Their Contribution to the Yorktown Campaign, Drawn from Unpublished Reports and Letters of Participants in the National Archives of France and the Ms. Division of the Library of Congress*. Garden City, N.Y.: Doubleday, Doran And Company, 1945. p. 166; Döhla, Johann Conrad trans. Burgoyne, Bruce E *A Hessian Diary of the American Revolution*. Norman:

necessity of good upbringing and courtesy showed he still felt out of place among non-Europeans, even if the Europeans were defeated enemy aristocrats.

The French presentation of “tokens of sympathy” to the vanquished British felt like a betrayal of the relationship that had been built since Newport. The British had disrespected the Americans at the Yorktown surrender, and the French had done little to assuage those feelings. Although the general staff of the American army maintained a silence on these sympathetic actions, the lower ranks of the officer corps expressed jealousy and foreshadowed a similar division between official attitudes and popular sentiment that developed in the Virginia Peninsula over the coming winter.

Winter Quarters at Williamsburg

When the campaigning season drew to a close after the conclusion of Yorktown, winter quarters had to be procured for the French Expeditionary Force. The French encamped around Williamsburg, Virginia, a town that was much different from Newport and caused French officers to draw mostly unfavorable comparisons. Baron Ludwig von Closen, an aide-de-camp to Rochambeau recorded in his November 19 journal entry his impressions of Williamsburg, “This city consists of two large, parallel streets, and of three or four lesser ones that bisect them perpendicularly [...] There are three, large very well constructed

University of Oklahoma Press, 1990. p. 178; Verger, Journal, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:151; Clermont- Crevecoeur, Journal, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:64

buildings: The *College*, the *Capitol*, and the *Governor's Palace* [...] The population of the city is very large at this time, but the war has caused much suffering." Von Closen's depiction of Williamsburg compared favorably to Crevecoeur's depiction of Newport and suggested that the built environment of the city was more impressive, even if the natural environment of Williamsburg compared unfavorably. As for the population Von Closen concluded that Virginians were "hospitable" but also "less gay and much less active than those in the north." The women of Williamsburg, by Von Closen's standards, were "not the prettiest I have seen" but "form a very agreeable and, in general, well-bred society."⁸⁵

Clermont-Crevecoeur concurred with many of Von Closen's impressions, and wrote of hospitality that "these people are very hospitable and receive you in a most cordial manner, but they are exceptionally lazy." Clermont-Crevecoeur seemed fonder of the women of Williamsburg and wrote that they were "much gayer by nature than the northern women, though not so pretty," and suggested that a woman of twenty in Williamsburg looked the same as a woman of thirty-five in France. Both Von Closen and Clermont-Crevecoeur's were critical of many aspects of life in Virginia, and represented them unfavorably to the winter in Newport. The people of Virginia made pretensions at aristocracy, while simultaneously they displayed behavior unfitting of aristocrats. The most compelling pretension was the constant air of vigilance. Crevecoeur noted

⁸⁵ Acomb, Evelyn M. "The Journal of Baron von Closen." *The William and Mary Quarterly* 10, no. 2 (1953): 211-2

“wherever else you travel in this country you find nothing locked; Americans sleep peacefully with their doors unlocked whether in Pennsylvania, the Jerseys or Connecticut.” While Crèvecoeur partially blamed the culture of wariness on “the negros, who are great thieves,” he implied that such an attitude did little but mock Virginians aristocratic pretensions. When considered from the perspective of a genuine French aristocrats, the presence of an America so unfamiliar probably hastened the path to disillusionment.⁸⁶

The most notable difference between Newport and Williamsburg was the presence of plantation slavery, which, while ravaged by the war, shaped much of the relationship between the French and Virginians. Clermont-Crèvecoeur wrote of the central role of slavery in the agricultural economy of the Virginia Peninsula and stated “no white man works in the fields unless driven by poverty to this extremity. An individual’s wealth is gauged by the number of negros he owns.” However, “the English took many away from the proprietors, thus ruining most of them in spite of their vast domains.” Von Closen noted that when Rochambeau and his retinue visited the estate of Governor Thomas Nelson, Offley Hoo in Hanover County, that “Nelson was one of the richest Personages in Virginia; he had 700 negros *before the war*. He has now only 80 or 100.” Thus, Von Closen unwittingly confirmed the assertions of Crèvecoeur about the centrality of plantation slavery to claims of aristocracy. However, neither Von Closen or Crèvecoeur seemed taken aback by the practice of Virginian slavery, instead

⁸⁶ Clermont- Crèvecoeur, Journal, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:66

they demeaned the culture of pretension that it created. Crèvecoeur bluntly wrote “the Virginians are quite cruel to their slaves and do not spare them,” as well as characterizing slaves “as great thieves” and discussed how in the aftermath of Yorktown “negros without masters found new ones among the French and we garnered a veritable harvest of domestics.” Von Clozen mentioned “my negro, honest Peter, faithful as gold” just a few lines prior to his observation regarding Nelson’s slaves. Thus, the practice of holding enslaved peoples was shared by the French and the Virginians. However, only the Virginians attempted to use slaves as a basis for aristocratic claims in contrast to the beliefs of the French.⁸⁷

At the official level, the French Expeditionary Force interacted with the plantation system, and accepted its centrality to the Virginia lifestyle, even as singular French officers viewed the associated customs much more begrudgingly. On April 6 and April 13, 1782, the *Virginia Gazette* published an announcement with the heading “Richmond, March 28, 1782” regarding the return of enslaved persons. According to the announcement, French brigadier general Claude Gabriel, marquis de Choisey (spelled “Choisy” by the *Gazette*) had “by order of his excellency the governor” delivered “negros” to a “Colonel Thomas Reade of Charlotte.” The owners of these escaped slaves were asked to send for them while also providing compensation for their care and protection as wards of the state. This announcement in the *Gazette* presaged a law passed in

⁸⁷ Clermont- Crèvecoeur, *Journal*, October 1781, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:67, 66, 64; Acomb, Evelyn M. "The Journal of Baron Von Clozen." *The William and Mary Quarterly* 10, no. 2 (1953): 217

early May 1782 entitled “An act for the recovery of slaves, horses, and other property, lost during the war” which argued that “Whereas great numbers of slaves, horses, and other property belonging to the citizens of this commonwealth [...] it is reasonable that the owners should be enabled to recover their property in an easy and expeditious manner.” The “easy and expeditious manner” was an admonition to return the stolen property by October 1, 1783, if the owner was known. If the owner was unknown, an announcement had to be published in the *Gazette* on three occasions. Barring any responses, a fifty-pound fee would be imposed on the announcer and the property considered theirs.⁸⁸

While not covered by the May property return law, the April announcement in the *Gazette* demonstrated the French involvement in plantation slavery, and more generally the system of property return, the most contentious forum of French and Virginian interaction and the source of much disillusionment. In May 1782, William Dandridge Jr. sent a letter to the Governor Nelson of Virginia and asked for assistance to recover his slaves from French officers who had commandeered them. While the exact purpose for which Dandridge’s slaves were commandeered was not mentioned in the letter, the most likely case would have been physical labor rather than domestic work. Dandridge was concerned about retrieving his property as he had heard rumors that the French Army was

⁸⁸ “Richmond, March 28, 1782.” *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 6 Apr. 1782: Microform; “Richmond, March 28, 1782.” *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 13 Apr. 1782: Microform; “An act for the recovery of slaves, horses, and other property, lost during the war,” May 1782, from Hening, William Waller ed., *The Statutes at Large; Being a Collection of All the Laws of Virginia [...]*, vol. 11, p. 23-25

planning “to move from this state,” (which occurred roughly a month after the letter was sent) and asked for immediate action by the governor’s office. While the governor’s reply did not survive, Dandridge’s case suggested that some French officers had little problem taking goods for personal or military use, which ran contrary to the attitudes towards payment, even at high prices, expressed by Crevecoeur in Newport. While Dandridge was concerned with recovering his enslaved persons as property, other Virginians sought recompense for other property damages.⁸⁹

The Official Relationship

The *Virginia Gazette* was also the theatre of choice for the public demonstrations of official interaction between the Virginians and the French Expeditionary Force. Open letters were the most common form, and appeared in the January 19 and March 30, 1782 issues of the *Virginia Gazette*. On January 19, the town council of Williamsburg published an open letter to Rochambeau which congratulated the French monarch for the birth of the royal heir. This news had just recently reached the Virginia peninsula having arrived with a ship that docked in Hampton Roads from Brest on January 12. In addition to the congratulations, the Williamsburg Town Council wrote that “the present occasion enables us also gratefully to acknowledge [...] that discipline and good order, which has been so strictly observed by the troops quartered in this city.”

Rochambeau’s response to the open letter, printed directly below that of the

⁸⁹ William Dandridge J[unio]r [to] governor. May 1782. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000510024.

Williamsburg Town Council gave his thanks for the wishes regarding the new heir and stated that “The discipline observed by the troops, and with which you are pleased to be satisfied” came from the “ardent desire which all the subjects of a just sovereign” found most agreeable.⁹⁰ Both the letter of the Williamsburg Town Council and the response of Rochambeau demonstrated little of the disillusionment that was found in the private journals of French officers like Crevecoeur.

A March 30 *Virginia Gazette* letter, from “A Customer” to “Mess. Nicolson and Prentis” of Williamsburg, discussed the character of the Anne-César, Chevalier de la Luzerne, ambassador from “his most Christian majesty” to the United States. The “customer” depicted Luzerne as of “good character.” Luzerne’s reply, printed below the first letter, flattered Virginians and claimed that they demonstrated “firm resolution” and provided “wise and vigorous” council. Both these open letters demonstrated the official public relationship between French and Virginians that was characterized by cordial, diplomatic interaction and an atmosphere largely devoid of ill-observations that appeared in more personal works. However, records of unofficial interactions, even at the levels of state government, painted a different picture than what was represented in the *Virginia Gazette*.⁹¹

⁹⁰ Letter from Williamsburg Town Council to Rochambeau and his Response. *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 19 Jan. 1782: Microform

⁹¹ Letter from “A Customer” to “Mess. Nicolson and Prentis” and the response of Anne-César, Chevalier de la Luzerne. *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 30 Mar. 1782: Microform

The January 12 arrival of the French frigate into Hampton Roads which brought the news of the French heir and prompted the Williamsburg Town Council's open letter to Rochambeau, was also reported by the *Virginia Gazette* to have brought "specie for the payment of French troops in this state." Later in the spring, on April 13, the *Virginia Gazette* reported that the French ship *Emeraude* had arrived at Newport on March 28, and brought "dispatches to his excellency count Rochambeau and a sum in specie equal to 200,000 guineas, for the use of the army under his command." These public notes of the arrival of French pay ships suggested that they maintained a measure of importance to the regional economies. A proclamation by Connecticut Governor John Trumbull espoused the importance of fair pricing, given on the return of the French Army to New England in Spring 1782, suggested that issues of economic exploitation of foreigners was common and enduring. Just as in the context of Europe, the presence of military encampments increased demand for necessities of life, such as food or clothing, as well as goods, such as alcohol.⁹²

However, since nearly all the records of common French foot soldiers failed to survive, it was difficult to discern the exact spending habits of the French Expeditionary Force. The officer's records were fewer in number and did not discuss matters of expenditure, possibly due to their often being entertained at the expense of Virginians. Indeed, the most notable record of the arrival of the ships was Rochambeau's memoir which stated "two frigates arrived with

⁹² "Richmond, January 12." *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 12 Jan. 1782: Microform; "Richmond, April 13." *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 13 Apr. 1782: Microform; Perkins, James Breck. *France in the American Revolutions*. Boston: Houghton Mifflin Company, 1911. p. 407

dispatches and specie in the course of this year [...] this fresh supply of money reduced the Exchange to about par,” which suggested that the arrival of the ships moderated to an extent the prices charged to the French.⁹³

Property Claims and Private Observations

However, private negotiations over the return of property revealed tensions that did not appear in the *Virginia Gazette*. While the involvement of the French in the return of enslaved persons constituted a large portion of the complaints over taken, stolen or ruined property, it was not the only area of disagreement. Dudley Digges, a former member of the House of Burgesses whose home in Yorktown was rendered uninhabitable by the siege, was appointed by the governor as the liaison between the French and the state government and was in charge of receiving, judging and disbursing claims. Digges collected three documents, two of claims and one of receipts. The first, entitled “General Return of Damages Inflicted by the French Army during the siege of York” was a five-page long list of claims for provisions commandeered by the French. A standard entry such as “Edmund Wynne (Warwick) 50 feet of ropes, 1500 bundles of fodder, 8 bushels of corn ...” included a person’s name, their county of residence, the items taken and the value. In the case of Wynne, it was reported as £5.04. These claims such as Wynne’s, while undated in the ledger, all occurred prior to the conclusion of the campaign in late October, but were only being processed in April 1782. This delay injected a measure of

⁹³*Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971), 80

uncertainty into the veracity of many of these claims, as well as the problems of valuation with imperfect currency exchange.⁹⁴

Another twenty-five-page collection of claims collected by Digges, entitled “List of claims against French Army and Continental Army where no receipts were given for the articles mentioned therein” was constructed in a much more informal format, as paragraphs rather than account book style. The information was much the same as the previous book, a standard entry reads “John Wood, Warwick, 40 feet of ropes, 400 bundles of fodder, allowed for the above £2.00” The less definitive nature of these claims was indicated by the use of “allowed for the above” rather than a direct statement of value. How many of these unsure claims were paid out was unclear.⁹⁵

The final, thirty-eight page long, book collected by Digges “Receipts for sundry claims, against the French army” was the written acknowledgments of persons who had been reimbursed. All of these paid claims followed a standard format such as that of William Williams which read “Received of Dudley Digges, May 1st 1782 the sum of three pounds for my claims against the French Army.” The content of Williams’s claim was not recorded.⁹⁶

⁹⁴ “General Return of Damages Inflicted by the French Army during the siege of York.” 19 April 1782. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509841;

⁹⁵ “List of claims against French Army and Continental Army where no receipts . . . were given for the articles mentioned therein.” 16 April 1782. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509835

⁹⁶ “Receipts for sundry claims, against the French army, paid by Dudley Digges.” 29 April – 4 May 1782. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509896

In Rochambeau's memoir, he recorded an anecdote which related to these claims as an example of "republican principles in regards to property." General Nelson, who had "encamped the allied army in the midst of crops" and "seen the artillery discharge their missiles on the houses of York," was "called to account by the Assembly General." In the positive fashion that characterized all of the anecdotes in Rochambeau's diary, Nelson appeared before the assembly general and convinced his "fellow citizens" that they had "contributed more largely to the success of this important and memorable campaign" and thus was freed from the consequences of his actions. Disregarding the exaggerated ending, Rochambeau's memoir revealed the idealized version of American patriotism, which contrasted with the actual records collected by Digges. The difference in volume between the number of claims, which was large, and the relative dearth of "receipts" may suggest that many Virginians attempted to obtain access to the French finances, which were publicly reported on in the *Gazette*.⁹⁷

Digges, while the appointed official, was not the sole processor of the claims against the French. In fact, the governor directly involved himself in the cases of some claimants, particular at the behest of French officers. Cary Wilkinson, a plantation manager for an owner in absentia, was one such claimant whose case reached the governor's desk. Trees had been cut down for fuel "in the vicinity of this place on the estate belonging to John Paradise Esq. for the

⁹⁷ *Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971), 81-2

use of the French Army” and Wilkinson, as the estate manager, was seeking recompense. However, Wilkinson’s case, was flagged by French Army officer De Tarlé, because of the secondhand nature of the claim and the identity of the person whose property had been commandeered. As Wilkinson was making the claim on the behalf of John Paradise, the estate owner, De Tarlé demanded a letter from Paradise authorizing his employee Wilkinson’s actions. Additionally, De Tarlé asked for proof that Paradise “is neither a British subject nor a refugee, nor that his estate is in noways forfeited.” John Paradise has been characterized as “a scholar who never wrote a book, a fellow of the royal society who never recorded an experiment” in the dilettante fashion of a British aristocrat. He was the son of the British Consul at Thessalonica and had married a Virginia woman, Lucy Ludwell in 1768 in London. Paradise had never lived in Virginia and had inherited the plantation through marriage. Thus, Paradise’s claim on the plantations he owned were in jeopardy. Wilkinson eventually produced the documentation that De Tarlé required and his case moved to the governor for the approval of disbursement. The delays caused by the need for transatlantic verification in order to receive payment for firewood probably caused hard feelings between Wilkinson and De Tarlé.⁹⁸

In addition to claims contested by French officers, the governor also received letters from French officers who wanted to complain or contest rumors

⁹⁸ Ja[me]s Le Pellier, Williamsburg, [to] governor. 17 Feb. 1782. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509653; Shepperson, Archibald Bolling, and Colonial Williamsburg, Inc. *John Paradise and Lucy Ludwell of London and Williamsburg*. Richmond, Va.: Dietz Press, Incorporated, 1942.

that had may have reached his desk. In December 1781, the Count de Viomenil, stationed with the French army in the vicinity of Yorktown wrote to the governor and attempted to defend himself from claims that he had taken over most of the houses in Yorktown to quarter soldiers. Viomenil wrote “I am ignorant who are the inhabitants of York Town that have brought complaints that the Greatest part of their homes had been taken from them for the establishment of the French troops.” This rumor misrepresented his actions, Viomenil claimed, as he had “ordered almost all of them to be repair’d” and he “took care to preserve to the owners of the said house, the lodging that were necessary to themselves and their family.” The decimated nature of Yorktown appeared in many diaries such as Crevecoeur and Rochambeau’s, thus the content of the letter seems believable. However, more so than the content, the existence of the letter demonstrated that unfavorable rumors regarding the French circulated in Virginia at the time, much like the unsavory observations of the French officer’s journals. The Count de Viomenil’s indigent response suggested that the rumors were pervasive and powerful enough to merit a letter to the Virginia government and suggested his concern over the reputation of the French.⁹⁹

Tensions Escalate: Understanding Rochambeau’s Arrest

When considered in the context of the declining Franco-American relationship in the aftermath of Yorktown, the motivations behind the Westchester County sheriff’s arrest of Rochambeau became clearer. The claim that Miller

⁹⁹ Count de Viomenil, York Town, [to] governor. Dec. 1781. *Governor’s Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509457

Samuel Delavan put forward, that the French encamped at Crompond had chopped up his fence for firewood, recalled Cary Wilkinson's charge that the French had cut down trees for fuel on the estate he managed. Since Delavan lacked an official like Dudley Digges to appeal to, the local sheriff seemed the next best option. In his memoirs, Rochambeau recorded his treatment of Delavan "I sent the commissary Villemanzy to the house of the American, whom he found surrounded by his fellow-citizens who were all upbraiding him loudly for such conduct towards a French officer." Delavan agreed to arbitration and was awarded two thousand francs in damages. Even if Rochambeau's account was not the result of embellishment in a memoir written nearly thirty years after the incident, Samuel Delavan seems contrary to the "cordial" reception of foreigners and the "crowds of natives from the vicinity who came running up to watch us pass" described in Crevecoeur's journal as the French passed through the vicinity of Crompond just a year prior.¹⁰⁰

Lauberdère's much more violent rendering of the arrest in his memoir, also published well after the event, was understandable when taken in the context of the rest of his observations on America. From the arrival in Williamsburg which Lauberdère compared in an unfavorable fashion to the stolid Newport welcome. His lingering disappointments toward America and Americans informed his memory when he began to write. Thus, the difference between

¹⁰⁰ Rochambeau, Jean-Baptiste-Donatien De Vimeur. Translator M.W.E Wright. *Memoirs of the Marshall Count De Rochambeau*. Eyewitness Accounts of the American Revolution. Series III. New York: New York times, 1971. p. 94; Clermont-Crevecoeur, Journal, October 1780, in Rice, Howard C. and Brown, Anne S, eds. *The American Campaigns of Rochambeau's Army, 1780, 1781, 1782, 1783*. Princeton, N.J.: Princeton University Press, 1972., 1:29

Lauberdrière's and Rochambeau's recollection of events may have been their personal states of disillusionment with the American cause, with Lauberdrière's more negative opinion influenced by his depiction of violence and disrespect for authority.¹⁰¹

Conclusion

The attempted arrest of Rochambeau demonstrated just how far the mutual impressions of the French and Americans had fallen from their pre-Yorktown peak to the disillusionment in the aftermath of Yorktown. While prior to Yorktown, the French and Americans had shared a common enemy in the British, the completion of the objective revealed the cracks regarding American values and lifestyles. While historians have often suggested that French disillusionment began with the "chaos" of the Confederation Period, an earlier decline is revealed in the impressions of French officer's journals which showed that privately they felt more akin to the defeated British than their American allies. While the public demonstrations of the relationship maintained the illusion of harmony, private interactions with Virginians over plantation slavery and property recovery caused individual French officers to become disenchanted. Samuel Delavan, miller of Crompond, revealed these private tensions to public officials and portended the collapse of the official Franco-American relationship over

¹⁰¹ Louis-François-Bertrand du Pont d'Aubevoye, comte de Lauberdrière, *Journal de l'Armée aux ordres de Monsieur le comte de Rochambeau pendant les campagnes de 1780, 1781, 1782, 1783 dans l'Amérique septentrionale*. Archives Nationales, Paris (NAF 17691), Cahier 3, fol. 196-197; Also refer to work by Robert A. Selig on behalf of the National Parks Service.

commercial developments in the Atlantic, fears of imperial reconciliation, and eventually, France's own revolution.

REFERENCES

Fear, Foreigners and Federalism

- Annals of Congress. House of Representatives. 1st Congress, 2nd Session. American Memory. Library of Congress.
- Barkalow, Jordon Bryce. *"Securing the Blessings of Liberty: Citizenship and Naturalization in the American Political Tradition, 1610–1802."* PhD diss., University of Houston, 2002. Proquest.
- Baseler, Marylin. "Asylum for Mankind": America 1607-1800. Ithaca: Cornell UP, 1998.
- Blackstone, William *Blackstone's Commentaries on the Law* edited by Gavit, Bernard C. (Washington D.C.: Washington Law, 1941.)
- Bradburn, Douglas M. "'True Americans' and 'Hordes of Foreigners': Nationalism, Ethnicity and the Problem of Citizenship in the United States, 1789-1800." *Historical Reflections / Réflexions Historiques* 29, no. 1 (2003): 19-41.
- Butler, Anne M., Wendy Wolff, and Sheila P. Burke. *United States Senate Election, Expulsion, and Censure Cases, 1793-1990*. Washington, D.C.: G.P.O., 1995.
- Cayton, Andrew R. L., and Fredrika J. Teute. *Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830*. Chapel Hill: University of North Carolina Press, 1998.
- Childs, Francis and Swaine, John, printers. *Acts passed at the Second Session of the Congress of the United States of America...* (Philadelphia, 1791.)

Ciceronis, M. Tulli. *Somnium Scipionis*, III, 5. Edited by Meissner, Carl. (Leipzig, 1897.)

“Copy of a Bill.” *Norwich Packet*. 17 June 1784. Norwich, Connecticut. *Americas Historical Newspapers*.

Delgado, Richard, and Jean Stefancic. *Critical Race Theory: An Introduction*. New York: New York University Press, 2001.

Franklin, Benjamin. Letter to Peter Collinson. 9 May 1753. *The Papers of Benjamin Franklin*, vol. 4, July 1, 1750, through June 30, 1753, ed. Leonard W. Labaree. New Haven: Yale University Press, 1961, pp. 477–486

Gershman, Jacob. "Pennsylvania Judge Rules That Ted Cruz Is Eligible to Run for President." *Wall Street Journal*. March 11, 2016.

Gilreath, James and Wilson, Douglas. *Thomas Jefferson's Library: A Catalog with the Entries in His Own Order*. Washington D.C.: Library of Congress. 1989.

Girod-Chantrons, Justin. *Voyage d'un Suisse dans différentes colonies d'Amérique pendant la dernière guerre, : avec une table d'observations météorologiques faites à Saint-Domingue*, (Neuchatel, France: Typographical Society of Neuchatel, 1785.)

Gosewinkel, Dieter. *Citizenship, Subjecthood, Nationality: Concepts of Belonging in the Age of Modern Nation States* in Eder, Klaus & Giesen, Bernhard, eds., *European Citizenship between National Legacies and Postnational Projects* (Oxford: Oxford University Press, 2001)

Information for Europeans who are disposed to migrate to the United States. (Cary and Stewart: Philadelphia, 1790.) America's Historical Imprints. no. 22390.

Jacobson, Matthew Frye. *Whiteness of a Different Color: European Immigrants and the Alchemy of Race.* Cambridge, MA: Harvard University Press, 1998.

Jay, John. *Letter to Lafayette.* 16 May 1786. Letter. *Papers of John Jay.* Columbia University.

Jay, John. Letter to George Washington. 25 July 1787. *Papers of John Jay.* Columbia University.

Journal of the Senate, of the state of New-York, at their second meeting of the eighth session, begun and held in the city of New-York, on Monday the twenty-fourth day of January, 1785. America's Historical Imprints. Series 1, no. 19132

Kettner, James. *The Development of American Citizenship, 1608-1870.* (Chapel Hill, NC: North Carolina, 1978.)

"Lancaster." *Columbian Herald.* 26 November 1784. Charleston, South Carolina. America's Historical Newspapers.

Marshall, Thomas. Letter to George Washington. 12 February 1789. *The Papers of George Washington, Presidential Series,* vol. 1, 24 September 1788–31 March 1789, ed. Dorothy Twohig. Charlottesville: University Press of Virginia, 1987, pp. 291–298

Nicholas, George. Letter to James Madison. 2 November 1789. *The Papers of James Madison,* vol. 12, 2 March 1789–20 January 1790 and supplement 24 October

1775–24 January 1789, ed. Charles F. Hobson and Robert A. Rutland.

Charlottesville: University Press of Virginia, 1979, pp. 442–446

Nicholas, George. Letter to James Madison. 3 May 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 186–187

Roediger, David R. *The Wages of Whiteness: Race and the Making of the American Working Class*. London: Verso, 1991.

Rush, Benjamin. Letter to James Madison. 27 February 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 67–70

Rush, Benjamin. Letter to James Madison. 17 July 1790. *The Papers of James Madison*, vol. 13, 20 January 1790–31 March 1791, ed. Charles F. Hobson and Robert A. Rutland. Charlottesville: University Press of Virginia, 1981, pp. 279–280

Saito, Natsu Taylor. "Alien and Non-Alien Alike: Citizenship, Foreignness, and Racial Hierarchy in American Law." 76.2 *Or. L. Rev.* 261, 346 (1997)

Senf, Christian and de Nys, Adrian. *Letter to John Jay*. 27 April 1786. *Papers of John Jay*. Columbia University.

Stagg, J. C. A. *Borderlines in Borderlands: James Madison and the Spanish-American Frontier, 1776-1821*. New Haven: Yale University Press, 2009.

“The Powers Conferred by the Constitution Further Considered.” 22 January 1788. New York Packet.

Thompson, Peter and Onuf, Peter. *State and Citizen: British America and the Early United States* (Charlottesville, VA: Virginia, 2013.)

United States Congress. *United States Statues at Large, Volume 1*. Public Acts of the Third Congress, Second Session, Chapter 20- “An Act to establish an uniform rule of Naturalization; and to repeal the act heretofore passed on that subject.” (29 January 1795.)

United States Congress. *United States Statues at Large, Volume 1*. Public Acts of the Fifth Congress, Second Session, Chapter 54- “An Act supplementary to and to amend the act, intituled “An act to establish an uniform rule of naturalization; and to repeal the act heretofore passed on that subject.” (18 June 1798.)

US. Const. Art. I, Sec. II

U.S. Declaration of Independence, List of Grievances, (Philadelphia, 1776.)

Washington, George. Letter to Lafayette, Marie-Joseph-Paul-Yves-Roch-Gilbert du Motier, Marquis de. 12 April 1785. *The Papers of George Washington*, Confederation Series, vol. 2, 18 July 1784–18 May 1785, ed. W. W. Abbot. Charlottesville: University Press of Virginia, 1992, pp. 492–493

Washington, George. Letter to Thomas Marshall. 27 March 1789. *The Papers of George Washington*, Presidential Series, vol. 1, 24 September 1788–31 March

1789, ed. Dorothy Twohig. Charlottesville: University Press of Virginia, 1987, pp. 451–452

Zahedieh, Nuala. "The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692." *The William and Mary Quarterly* 43, no. 4 (1986): 570-93.

Foundering Friendship

Acomb, Evelyn M. "The Journal of Baron von Closen." *The William and Mary Quarterly* 10, no. 2 (1953)

The American Campaigns of Rochambeau's Army, translated and edited by Howard C. Rice and Anne S.K. Brown (Princeton, NJ: Princeton University Press, 1972), V. 1

Auser, Cortlandt Pell. "Le Comte [de Rochambeau] at Crompond: October, 1781," *The Westchester Historian*, Westchester County Historical Society, XXXVI, No.2 (April-June, 1960), 39-40

Auser, Cortlandt Pell. "Le Comte [de Rochambeau] at Crompond: October, 1781," *The Westchester Historian*, Westchester County Historical Society, XXXVI, No.3 (July-Sept., 1960), 64-67

Black, Jeremy. *European Warfare, 1660-1815*. New Haven: Yale University Press, 1994

Bonsal, Stephen. *When the French Were Here; a Narrative of the Sojourn of the French Forces in America, and Their Contribution to the Yorktown Campaign, Drawn from Unpublished Reports and Letters of Participants in the National Archives of*

- France and the Ms. Division of the Library of Congress.* Garden City, N.Y.: Doubleday, Doran And Company, 1945.
- Childs, John. *Armies and Warfare in Europe, 1648-1789.* New York: Holmes and Meier, 1982
- Corvisier, André. trans. Abigail T. Siddall. *Armies and Societies in Europe, 1494-1789.* Bloomington: Indiana University Press, 1979.
- Count de Viomenil, York Town, [to] governor. Dec. 1781. *Governor's Letters Received, July 1776 to November 1784.* Library of Virginia. Sys# 000509457
- Crouch, Christian Ayne. *Nobility Lost: French and Canadian Martial Cultures, Indians, and the End of New France.* Ithaca: Cornell University Press, 2014.
- "A Customer" to "Mess. Nicolson and Prentis" and the response of Anne-César, Chevalier de la Luzerne. *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 30 Mar. 1782: Microform
- Dandridg J[unio]r, William [to] governor. May 1782. *Governor's Letters Received, July 1776 to November 1784.* Library of Virginia. Sys# 000510024.
- Döhla, Johann Conrad trans. Burgoyne, Bruce E. *A Hessian Diary of the American Revolution.* Norman: University of Oklahoma Press, 1990.
- Dumas, Mathieu. *Memoirs of His Own Time: Including the Revolution, the Empire, and the Restoration.* Lea & Blanchard, 1839.
- Echeverria, Durand. *Mirage in the West; a History of the French Image of American Society to 1815.* New York: Octagon Books, 1966.

- "General Return of Damages Inflicted by the French Army during the siege of York." 19 April 1782. *Governor's Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509841
- Gerlach, Don R. "A Note on the Quartering Act of 1774." *The New England Quarterly* 39, no. 1 (1966): 80-88
- Hening, William Waller ed., *The Statutes at Large; Being a Collection of All the Laws of Virginia [...]*, vol. 11
- Hill, Peter P. *French Perceptions of the Early American Republic, 1783-1793*. *Memoirs of the American Philosophical Society*; v. 180. Philadelphia: American Philosophical Society, 1988.
- "A History of the Virginia Gazette." *Virginia Gazette*.
http://www.vagazette.com/services/va-services_gazhistory-story.html (accessed March 27, 2017.)
- Jean-Baptiste-Donatien de Vimeur, Comte de Rochambeau. *Memoirs of the Marshall Count de Rochambeau*, extracted and translated by M. W. E. Wright. (New York: The New York Times and Arno Press, 1971)
- Jones, T. Cole. "'Displaying the Ensigns of Harmony": The French Army in Newport, Rhode Island, 1780-1781." *The New England Quarterly* 85, no. 3 (2012)
- Kennett, Lee B. *The French Forces in America, 1780-1783*. *Contributions in American History*; No. 65. Westport, Conn.: Greenwood Press, 1977.

Lee, Charles, and Henry Edward. Bunbury. *The Lee Papers 1754-1811*. John Watts De Peyster Publication Fund Series; v. 4-7. New York: Printed for the New York Historical Society, 1872.

Le Pellier, Ja[me]s, Williamsburg, [to] governor. 17 Feb. 1782. *Governor's Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509653

"List of claims against French Army and Continental Army where no receipts . . . were given for the articles mentioned therein." 16 April 1782. *Governor's Letters Received, July 1776 to November 1784*. Library of Virginia. Sys# 000509835

Louis-François-Bertrand du Pont d'Aubevoye, comte de Lauberdière, Journal de l'Armée aux orders de Monsieur le comte de Rochambeau pendant les campagnes de 1780, 1781, 1782, 1783 dans l'Amérique septentrionale. Archives Nationales, Paris (NAF 17691), Cahier 3, fol. 196-197

Lynn, John A. "Recalculating French Army Growth during the Grand Siecle, 1610-1715." *French Historical Studies* 18, no. 4 (1994): 881-906

Mathy, Jean-Philippe. *Extrême-Occident: French Intellectuals and America*. Chicago: University of Chicago Press, 1993.

Miller, Ken. *Dangerous Guests: Enemy Captives and Revolutionary Communities During the War for Independence*. Ithaca: Cornell University Press, 2014.

Perkins, James Breck. *France in the American Revolution*. Boston: Houghton Mifflin Company, 1911.

"Receipts for sundry claims, against the French army, paid by Dudley Digges." 29 April
– 4 May 1782. *Governor's Letters Received, July 1776 to November 1784.*

Library of Virginia. Sys# 000509896

"Richmond, January 12." *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 12
Jan. 1782: Microform

"Richmond, March 28, 1782." *The Virginia Gazette, or Weekly Advertiser* [Richmond,
VA] 6 & 13 Apr. 1782: Microform

"Richmond, April 13." *The Virginia Gazette, or Weekly Advertiser* [Richmond, VA] 13
Apr. 1782: Microform

Rogers, J. Alan. "Colonial Opposition to the Quartering of Troops During the French and
Indian War." *Military Affairs* 34, no. 1 (1970): 7-11

Selig, Robert A. "A German Soldier in America, 1780-1783: The Journal of Georg
Daniel Flohr." *The William and Mary Quarterly* 50, no. 3 (1993)

Shepperson, Archibald Bolling, and Colonial Williamsburg, Inc. *John Paradise and Lucy
Ludwell of London and Williamsburg*. Richmond, Va.: Dietz Press, Incorporated,
1942.

Showalter, Denis. *Matrices: Soldiers and Civilians in Early Modern Europe 1648-1789* in
Frey, Linda., and Frey, Marsha, eds. *Daily Lives of Civilians in Wartime Europe,
1618-1900*. Westport, Conn.: Greenwood Press, 2007, 59-92

Williamsburg Town Council to Rochambeau and his Response. *The Virginia Gazette, or
Weekly Advertiser* [Richmond, VA] 19 Jan. 1782: Microform

Ziesche, Philipp. *Cosmopolitan Patriots: Americans in Paris in the Age of Revolution*.

Jeffersonian America. Charlottesville: University of Virginia Press, 2010.