

man within 100 yards of the fort, from whence he summoned them to surrender, upon which they readily desired to treat.

Lieut. gen. Knyphausen's column having more impediments to encounter in passing through the wood, could not join the right column until they had got up to the fort. The enemy, upon his appearance, surrendered prisoners of war, to the number of 2700, including officers, besides the prisoners made by the 4d regiment.

The enemy had three officers and fifty men killed, and six officers and 90 men wounded, in the different attacks.

Fort Lee being the next object for the entire command of North-River, and a ready road to penetrate into Jersey, an addition of boats, under the command of capt. Phipps, was sent by the admiral to King's-Bridge, in the night of the 17th, without being discovered by the enemy. The first division, for embarkation, landed next day at eight o'clock in the morning, about seven miles above the fort, while the second division marched up the east end of the river, by which movement the whole corps, as per margin, were landed with their cannon by ten o'clock, under the command of lieut. gen. Earl Cornwallis. The seamen distinguished themselves remarkably upon this occasion, by their readiness to drag the cannon up a rocky narrow road, for near half a mile, to the top of a precipice, which bounds the shore for some miles on the west side.

Lord Cornwallis immediately began his march, and had not the enemy, at Fort Lee, been apprized of his moving towards them, by a countryman, after he had proceeded some distance, he would have surrounded two thousand men at the fort, who escaped in the utmost confusion, leaving all their artillery, and a large quantity of stores and provisions; their tents standing, and kettles upon the fire.

His lordship encamped that night near the fort, making use of the enemy's tents.

The next day major general Vaughan, with the light infantry and British grenadiers, was detached to the New Bridge, upon Hackinsac river, and a detachment of the 16th dragoons, under the command of col. Harcourt was sent over to Fort Lee. This detachment with some companies of light infantry, scoured the country on the east, as far as Pissack river, and found the enemy had abandoned all the intermediate country, their advanced guard being at Aquakinunc.

On the 24th, the 3d and 4th brigades of British, and one battalion of the 71st regiment, joined his lordship, who, leaving the 2d brigade at Fort Lee, advanced with the main body on the 25th, to the New-Bridge. On the enemy retiring from Newark, as his lordship approached, he took possession of that place on the 24th, and is now following them, retreating towards Brunswick.

I cannot too highly acknowledge the active services of lieut. gen. Clinton on every occasion; the support I have at all times received from the other general officers, and the zealous ardor of all ranks whatsoever, during the course of this campaign.

The Hessian troops, under the command of lieut. generals Heister and Knyphausen, have also exhibited every good disposition to promote his majesty's interests, and justly merit my acknowledgments of their services.

I have the honour to be, &c. &c. W. HOWE.

PHILADELPHIA, April 12.

Copy of a letter from lord Cornwallis to general Washington, dated Brunswick, April 3, 1777.

S I R,

I INCLOSE to you a paper which lieutenant colonel Walcott delivered yesterday to lieutenant colonel Harrison, and which lieutenant colonel Harrison did not then think proper to receive. I am, Sir, with due respect, your most obedient humble servant,

CORNWALLIS.

General Washington, &c. &c. &c. Demand, &c. by lieut. col. Walcott, April 2, 1777, of return of prisoners. (Copy.)

WHEREAS general Washington did, in his letter to gen. Howe, bearing date the thirtieth day of July, 1776, declare that he was authorized to propose, and he did in the said letter accordingly propose, a general exchange of all prisoners of war, in the manner and upon the terms following, viz. "officers for officers of equal rank, soldier for soldier, and citizen for citizen." To which proposal his excellency gen. Sir William Howe did, in his answer of the first of August following, accede and agree. And whereas, in pursuance of this agreement, gen. Sir William Howe, relying upon the honour and good faith of gen. Washington, for the due and punctual performance thereof on his part, hath, at several times, sent and delivered over to gen. Washington, as will fully appear from the lists with them transmitted, a number of officers on their parole, and upwards of two thousand two hundred privates, of the enemy, his prisoners; and who, as well officers as privates, are still to be considered as such until they shall be regularly exchanged, officers for officers of equal rank, and the privates by a like number of those now in the possession of gen. Washington; some of whom, having been taken before, or about the time of concluding the agreement, have, in direct violation thereof, been detained as prisoners for full eight months, and others taken in the latter end of December and in the beginning of January last, have been in the like condition of prisoners for three months; none, or very few of whom, have hitherto been sent in, in return or exchange of the number of prisoners sent by general Howe to general Washington. I, lieut. col. William Walcott, vested with full powers for this among other purposes, do therefore, in the most positive and peremptory manner, require and demand of gen. Washington the full and due performance of the agreement above recited; and consequently, the speedy and immediate release of all prisoners of war, whether British, Hessians, Waldeckers, Provincials or Canadians, as well officers as soldiers, now in his possession, or so far as they shall or may go towards the exchange of those sent and delivered over to gen. Washington. And whereas there are still in the possession of gen. Sir William Howe a very considerable number of officers, and a number of

1st and 2d battalions of light infantry, 2 companies of grenadiers, 2 battalions of British, and 2 dills of Hessian grenadiers; 2 battalions of guards; 33d and 42d regiments.

privates of the enemy, prisoners, unexchanged; I do farther require and demand of gen. Washington, that so soon as he shall have completed the exchange of those already delivered over to him, agreeable to my requisition and demand for that purpose, he shall proceed to the exchange of these last mentioned officers and privates, in conformity to the agreement of the 30th of July and 1st of August, 1776; to the execution of which the groundless and unprecedented objections offered on the part of gen. Washington by lieut. col. Harrison, cannot with any degree of reason, or consistently with common sense, be allowed or admitted as obstacles. The one, that "the whole of the prisoners contained in the commissary's lists, and delivered over to gen. Washington, should not be accounted for, because many of them died on their return to the place of their destination, and many immediately after their arrival." Posterior therefore confessedly, from the objection itself as stated, to their being delivered over to gen. Washington. All of whom therefore must be, and all of whom, this objection notwithstanding, I do again require and demand to be exchanged, according to the express terms of the agreement, "soldier for soldier," for every man delivered over to the person who received them for and on the behalf of gen. Washington, the other, "the case of lieut. col. Lee," whose release gen. Washington might with great propriety demand, whenever, within the terms of the said agreement, "officers for officers of equal rank," he shall have in his possession an officer of rank equal to the reputed rank of the gentleman in question; but until that happens, the demand and objection upon this subject are at least premature. I do moreover expect and demand, that an immediate and categorical answer shall be given to these just and reasonable requisitions and demands. Given at the house of the rev. Mr. Beech, in the township of Hillsborough, the second day of April, one thousand seven hundred seventy and seven.

W. WALCOTT, lieut. col.

To general Washington, &c. &c. (Copy.)

S I R,

Morrisown, 9th April 1777.

I TAKE the liberty of transmitting you a copy of a paper addressed to me by lieut. col. Walcott of your army, which came inclosed in a letter from lieut. gen. lord Cornwallis. It is with peculiar regret, I am constrained to observe, that this illiberal performance of col. Walcott is obviously calculated to answer a less generous purpose than that of merely effecting an exchange—contains a gross misrepresentation of facts, and is a palpable deviation from that delicate line, which I expected would mark his conduct as a man of candor and ingenuity.

That gentleman has censured two articles insisted on by me through lieut. col. Harrison, at their meeting on the 10th ult. as groundless, unprecedented, and inconsistent with any degree of reason, or common sense, though founded, as I conceive, in the clearest principles of equity and justice. Nor contenting himself with this, which would have given me no concern, he has assumed the privilege of mutilating and mistating those articles, in such a manner as to change their meaning, and to adapt them to the unfair conclusions he wished to establish.

Having premised these things, and being charged in direct and positive terms by col. Walcott, who acted under your authority, with a violation of the agreement made between us for the exchange of prisoners, and called upon for a performance of the same; I think it necessary to explain the motives of my conduct, and the grounds on which those articles or objections stand.

In respect to the first, I freely repeat, that I do not hold myself bound either by the spirit of the agreement, or by the principles of justice, to account for those prisoners, who, from the rigour and severity of their treatment, were in so emaciated and languishing a state at the time they came out, as to render their death almost certain and inevitable; and which, in many instances, happened while they were returning to their homes, and in many others after their arrival. You must be sensible, that our engagement, as well as all others of the kind, though in letter it expresses only an equality of rank and number, as the rule of exchange, yet it necessarily implies a regard to the general principles of mutual compensation and advantage. This is inherent in its nature—is the voice of reason; and no stipulation, as to the condition in which prisoners should be returned, was requisite. Humanity dictated, that their treatment should be such as their health and comfort demanded, and where her laws have been duly respected, their condition has been generally good. Nor is this the language of humanity alone—justice declares the same. The object of every cartel, or similar agreement, is the benefit of the prisoners themselves, and that of the contending powers—on this footing it equally exacts, that they should be well treated, as that they should be exchanged; the reverse is therefore an evident infraction, and ought to subject the party, on whom it is chargeable, to all the damage and ill consequences resulting from it. Nor can it be expected, that those unfitted for future service, by acts of severity in direct violation of a compact, are proper subjects for an exchange. In such case, to return others not in the same predicament, would be to give without receiving an equivalent, and would afford the greatest encouragement to cruelty and inhumanity. The argument drawn from the mere circumstance of the prisoners having been received, is of no validity. Though from their wretched situation, they could not at that time be deemed proper for an exchange, our humanity required that they should be fairly doubted, whether an apprehension of their death, or that of a great part of them, did not contribute somewhat to their being sent out when they were. Such an event, whilst they remained with you, would have been truly interesting, because it would have destroyed every shadow of claim for the return of the prisoners in our hands, and therefore policy, concurring with humanity, dictated that the measure should be adopted. Happy had it been, if the expedient had been thought of before these ill fated men were reduced to such extremity. It is confessed however on all sides, that after their delivery they still continued your prisoners, and would be so, till regularly exchanged. I acknowledge withstanding this concession, to account for every man who was in a proper condition, and fit to be exchanged at the time they came out, so far as the proportion of prisoners with us would extend. With what propriety,

or upon what foundation of justice, can more be demanded? This has been proposed, or what is the demand made by lieut. col. Harrison, and is it not manifestly, as inconsistent with any degree of reason or common sense. Painful as it is, I am compelled to consider it, as a fact not to be questioned, that the wages of our prisoners whilst in your possession, the privates at least, was such as could not be justified. This was proclaimed by the concurrent testimony of all who came out—their appearance sanctified the assertion—and melancholy stamped it with infallible certainty.

In respect to the second article insisted on, your discriminating major general Lee from other European officers belonging to the American army, demanded my particular attention. I was authorized to conclude from your laying him under particular restraints, and from your letter of the 23d of January last, that you considered him in a singular point of view, and meant to exclude him from the common right of exchange stipulated for all officers in general terms. This distinction, the more injurious and unwarrantable, the more never excepted him, though you knew him to be an officer in our army at the time, and long before the agreement was entered into, made it my duty to set his right in an explicit manner, and to endeavor to put the matter in so unequivocal a footing as to infer his enlargement, whenever an officer of equal rank, belonging to your army, should be in our power. This was attempted by the article, and nothing more—not is any other inference to be drawn from it. It was a proposition was made since his captivity, to give a certain number of officers of inferior rank in exchange for him; but it was not claimed as a matter of right. What name then does that proceeding merit, by which it is suggested that the immediate release of gen. Lee had been demanded, without having an officer of equal rank to give for him? The suggestion cannot be supported by the most tortured exposition, nor will it have credit where candor is deemed a virtue, and words preserve their form and meaning.

As to the charge of delay in not returning the prisoners in our hands—the dispersed situation of these taken at a more early period of the war, through the different states, arising from the circumstances of their captivity, and a regard to their better accommodation, made their detention for a considerable time unavoidable. When the agreement subsisting between us took place, the speediest directions were given to have them collected, that an exchange might be effected. This was done in part, and at a juncture when motives of policy opposed the measure, but were made to yield to rigid maxims of good faith. We were pursuing the exchange, and continued our exertions to accomplish it, till the miserable appearance, indicating an approaching catastrophe, of those sent out by you, made it improper. For seeing that a difficulty might arise, and that it might be expected I should account for the whole of them, which I by no means thought equitable, it became necessary that the matter should be adjusted, and the due proportion settled, for which I ought to be responsible, before any thing farther could be done on my part. Upon this ground stands also the detention of those who have been since captured.

Added to these considerations—the discrimination set up in the instance of gen. Lee, is to be regarded as utterly irreconcilable to the tenor of our agreement, and an insurmountable obstacle to a compliance with your demands.

Thus, Sir, have I explained the motives of my conduct, and I trust, vindicated myself, in the eye of impartiality, from the improper and groundless charge which you, and the gentlemen acting by your authority, have been pleased to allege against me. If in doing this, I have departed in the smallest degree from that delicacy, which I always wished should form a part of my character, you will remember I have been forced into recrimination, and that it has become an act of necessary justice.

I shall now declare it to be my ardent wish, that a general exchange may take place on generous and liberal principles, as far as it can be effected, and that the agreement subsisting between us for that purpose should be inviolably observed; and I call upon you, by every obligation of good faith, to remove all impediments on your part to the accomplishment of it. If however you do not, I console myself with a hope, that those unfortunate men, whose lot it is to be your prisoners, will bear their sufferings with becoming fortitude and magnanimity. I am, Sir, with due respect, your most obedient humble servant,

G. WASHINGTON.

His excellency gen. Sir William Howe. (Copy.)

Published by order of Congress,

CHARLES THOMSON, Secretary.

In COUNCIL, Philadelphia, April 9, 1777.

To the PEOPLE of PENNSYLVANIA.

BY the intelligence which the council have this day received from gen. Putnam, the enemy are in motion toward South-Amboy, and it is probable they will, once more, attempt to pass through New-Jersey, and endeavour to gain possession of the city of Philadelphia.

The council think it a duty which they owe to the public, to give them the earliest intelligence of the movements of the enemy, that every possible effort may be made effectually to oppose them, and prevent the many great inconveniences and disagreeable consequences which must arise from the loss of the city—Philadelphia and the state of Pennsylvania, but also the whole continent of America. This city has once been saved by the vigorous, manly efforts of a few brave associators, who generously stepped forward in the defence of their country—and it has been repeatedly and justly observed, and ought to be acknowledged as a signal evidence of the favour of divine providence, that the lives of the militia in every battle, during this war, has been remarkably spared—considering therefore in the continuance of his blessing who is indeed the God of armies, let every man among us hold himself ready to march into the field whenever he shall be called upon so to do. If the enemy really intend to make an attack on this state, no time should be lost, every moment should be employed in putting ourselves in perfect readiness to repel them.

The inconveniences which naturally and unavoidably