

Envoy to the Terror

Melanie R. Miller

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CHAPTER THIRTEEN

The Recall

IN APRIL 1794, around the time of the decision to send John Jay to England, George Washington and Edmund Randolph finally determined to recall Morris. The question had been debated before, first in early 1793 at the instance of Ternant, and it was raised again by Genet, his successor. Genet and Ternant both acted at the direction of the Girondin ministry, but it was not until the members of that ministry and their associates had lain headless in their graves for many months that the American government, at the request of their successors, sent Morris his recall.

Randolph's letter to Morris gives an indication of how difficult it was for the new secretary of state to break bad news: not until near the end, after many other topics, did Randolph finally get to the point.¹ He first noted that he had heard that Morris hoped to be recalled and was therefore "happy to believe that your separation from France would be no great object of solicitude with you." He paused here to pay Morris a compliment. "This tribute of my own sensations is due to you," he wrote, "because, from my acquaintance with your correspondence, I am free to declare that they afford proofs of an enlightened and deserving Minister." He then told Morris a diplomatic falsehood, that "[n]othing has been ever said to any officer of our government by the Ministers of France, which required attention" until now. Morris had, however, been assailed from "another quarter"—Joseph Fauchet (the chief of the new French "commissioners" to America) and the Executive Provisory Council. Washington said much the same: "[N]ot until some considerable time after M. Fauchet had arrived in this country did I entertain an idea of" the recall, he told Morris, for "until then, I had supposed you stood well with the persons in power."²

Randolph and Washington also neglected to mention that there had been yet *another* request, one from a rather surprising source: Morris's business associate James Swan. Swan wrote his friend Henry Knox in

December 1793 that Morris was in a "disagreeable situation" and the government's assumptions about Morris's political opinions meant they had no confidence in him:

He is so convinc'd of it himself, that he has signified his wish that he might be chang'd to some other place in Europe, & the minister there brought here, or that he be recalled. It is a damage to us, that he is not more lik'd, as many things by a friendly and frequent intercourse with the administrators would be mended, or avoided, that tend to the injury of America, and not to the advantage of france. This I have a right to mention to you, as I have it from him myself, not to say, that I see that to be the case from my own observations.³

Swan suggested Barlow as Morris's successor, which would have greatly irked Morris. Swan had been working with Barlow and the French government on supply contracts, and it would naturally have been very useful to have Barlow as minister. Knox laid this letter before Washington and the cabinet on March 20, 1794.⁴

Anything James Swan had to say affecting his own commercial interests must be considered suspect. It is extremely unlikely that Morris would have made him the channel of an indirect request for a recall, no matter how weary he was of his situation. It was not the way he thought a recall should happen. At about the time Genet's replacements were preparing to depart for America, Morris had talked with Deforgues "who, I am pretty sure, had instructed M. Fauchet to apply for my removal," and told him that if the French wanted him replaced, "the best way would be to tell me so, and I would apply for my own recall. He answered by assurances of esteem, &c. &c."⁵ Nonetheless, Randolph's letter indicates that Swan convinced the cabinet that Morris would be happy to leave, easing their consciences when it came time to act.

The decisive communications, came, of course, from the French government. Fauchet presented his request for Morris's recall on April 9, six weeks after his arrival, giving Randolph excerpts of instructions drafted late in November 1793.⁶ The specifics were quite sparse:

His principles, his liaisons, all his conduct reveals the sentiments which undoubtedly influence the reports which he transmits to his constituents and we must fear that they serve to confirm the hostile insinuations of the English, Spanish, and Dutch ministers at Philadelphia.

The fear that Morris was misrepresenting events in France had been expressed previously, first by Lafayette, later by Lebrun. It was a logical concern for the revolutionary government: the French knew that the ship seizures violated the treaty, and assumed—wrongly—that Morris was busy damning them in his dispatches. The Jacobins also complained that Morris did not like the Revolution, and that this was sufficient; this justification was ironic, of course, for it too had been the complaint of their predecessors, including Lafayette and Lebrun, none of whom shared the same concept of just what constituted the French Revolution.

Nonetheless, these objections were accepted by the American government. Randolph's first instructions to Monroe spoke pointedly of the "necessity of rendering yourself agreeable" to the French Government," adding that he should "maintain the self-respect due to our own."⁷ Morris would not have agreed with the first point. "I could be popular, but that would be wrong," he had once commented to Washington, noting how rapidly the persons in power kept changing. Later, when he had learned of Fauchet's request, he was more forceful. "If the Government here were fixed on any permanent basis," he wrote to Robert in March 1794, "it would be proper for America to have here a man agreeable to the Rulers of the Country provided always that he did not, to render himself agreeable, sacrifice the interests entrusted to his care.

But during the Changes which hourly (as it were) take place, it is impossible for any Man to do the Business he is call'd on to perform, unless he have the Consciousness of Support from Home, and unless those who are here be well convinced that he cannot be remov'd at the Will and Pleasure of any Faction or any Party in the Country where he resides.

Until recalled, he told Robert, he would continue to pursue "what I conceive to be the true Interests of America, in spite of Faction and Calumny in either Hemisphere, or in both; saving always my Obedience to the Instructions I received."⁸

It appears that these points were neither made nor considered in the cabinet. Yet Morris's opinion of the Revolution really had little to do with the Jacobin demands for his recall, any more than it had been the true basis of the Girondin requests. Nor was it that the Jacobins were following a diplomatic formula that the recall of Genet *required* a reciprocal request on their part, although this was the face-saving manner in which Randolph

and Washington put it to Morris, and accepted by Howard Swiggett and Jean-Jacques Fiechter. Rather, the Jacobins saw reciprocity as a convenient *excuse* for asking for his recall.⁹ It is true that Morris was *not* “popular”; he was associated with Lafayette and the constitutionalists, common enemies of the Girondins and Jacobins. Further, his importuning on behalf of Americans was a grating nuisance, since it forced the French government to confront its injustices, its inconsistencies, its treaty violations, and its impotence.

What was far more important, however, was an episode in which Morris, by objecting to the arrest of a guest in his house, appeared to challenge the government of the Terror in the exercise of its most effective instrument, arrest and confinement and the threat of execution, all without due process. Morris did not really challenge this instrument—he knew that to do so was inappropriate and hopeless—but he did attempt to insist on recognition of superseding rules of international law, in particular, diplomatic immunity. His effort to obtain observance of these important precepts went to the heart of the gap between the French government’s portrayal of itself and the reality, and it roused great resentment. It also caused great anxiety, for the Jacobins feared Morris would urge his government to pursue the matter as a national affront. This episode was therefore without a doubt the real reason for Fauchet’s instructions. The fact that the Jacobins omitted mention of it in those instructions indicates that they knew it made their government, not Morris, look bad.

This was not all. In January 1794, after Fauchet had sailed to America, the Committee of Public Safety sent a direct demand for Morris’s recall. The indignation that fueled *this* demand originated—as did so many of the attacks on Morris—from someone who had never met him, a man little known to the French government, an American named John Cusack.

GENET

The entertaining story of young Edmund Charles Genet’s diplomatic mission to America has been told many times over.¹⁰ “[W]hen the French Revolution actually visited the United States in 1793 in the person” of Genet, writes one historian, “Jefferson neither understood nor admired it.”¹¹ Although the new minister from France was received in May 1793 with fêtes and applause, and warm enthusiasm by both Jefferson and Washington, in less than three months they were writing to request his recall.

Genet, of course, was merely carrying out the Girondin government's instructions, written in the expectation that war between Great Britain and France was imminent. While France preferred America neutral, she nonetheless expected significant indirect support for her war effort. Genet sought a large advance on the debt payments to purchase provisions. This was the same proposal Morris had refused to accept without instructions from the American government, thereby enraging the French. It was also the same proposal William Smith had presented unsuccessfully to the American cabinet shortly before Genet's arrival. Genet also carried three hundred blank commissions for privateers that were to bring their prizes into American ports, and he worked on Brissot's plan to liberate Canada from Britain, and Louisiana from Spain with American help.¹²

As matters proved, the American definition of neutrality was considerably different from that of the Girondins. In response to Genet's actions, the American government ordered all French privateers to depart, rejected the request for the advance on the debt, and denied French consular jurisdiction over prizes brought into American ports. With the president and secretary of state increasingly unresponsive, Genet attempted to appeal directly to the American people, revealing the extent of Girondin ignorance about the American political system. The end result was, as the Jefferson editors describe it, a shift of the "Cabinet's focus of attention from the wisdom of requesting Genet's recall to the manner of bringing it about."¹³ Jefferson was thoroughly exasperated with Genet, but Madison and Monroe were sympathetic, observing that Genet may have been understandably outraged by America's refusal to favor French over British commerce and "the unfortunate appointment of G.M."¹⁴ Regardless, the request for Genet's recall was sent to Morris on August 22, 1793.¹⁵

Morris had been introduced to Genet by Thomas Paine, and had given him a letter of introduction to Robert, telling him he had heard Genet was a "young man of ardent temper, and who, feeling genius and talents, may perhaps have rated himself a little too high." He had also heard—remarkably—that Genet had chosen America as "*the best harbor during the storm, and if my informant be right, he will not put to sea again until it is fair weather, let what will happen.*"¹⁶ This prediction proved dead right. In fact, well before receiving Jefferson's request, the Committee of Public Safety had already written to reprove Genet for his conflicts with the American government, and had even given serious thought to his recall.¹⁷

Genet, for his part, was not Brissot's choice (and Paine's friend) for nothing, and he held little brief for Morris. Further, he was specifically

instructed by Lebrun to intimate to the American government upon arrival that Morris's recall would be welcome.¹⁸ According to Jefferson's later recollection, Genet, not long after arriving in America, in the middle of a conversation about something else, paused and said, "but I must tell you we all depend on you to send us a good minister there, with whom we may do business confidentially, in the place of Mr. Morris." Jefferson was taken by surprise and responded lamely, "and no more was said about Mr. Morris." As he told Washington nine months later,

From this I took it for granted that he meant now to come forward with complaints against Mr. Morris, as we had been given to expect [by William Smith], and therefore I mentioned nothing of this little expression to the President. Time slipped along, I expecting his complaints and he not making them. It was undoubtedly his office to bring forward his own business himself.¹⁹

Jefferson was uneasy that Genet might consider that "little expression" as sufficient to start the machinery of recall, but concluded otherwise, noting that he could think of no other time that Genet had criticized Morris.²⁰

Genet, busy with other matters, did not pursue the subject until September 1793, when he learned of the request for his *own* recall. He was outraged, and his anger was fueled by Lebrun's May letter again directing him to "insinuate" French displeasure with Morris. He fired off a furious letter to Jefferson denouncing Washington, then turned on Morris with a blistering litany of complaints for having favored the "counterrevolutionary projects of Louis XVI," and having supposedly recommended that the king not accept the constitution.²¹ Morris had, he said, connections with "suspected persons" and had "affected the greatest contempt for all those who served faithfully the cause of the People." He had "shown nothing but ill-humor in his relations with the ministers of the French Republic" and had used the phrase "in the name of my court," so "shocking to republican ears." Genet claimed that Morris asked for a passport on August 10 to go to England with the British ambassador and had predicted that any embassy from the new republic would not "be of long duration" in the United States, a prediction "which the present event justifies."²² Morris was later provided with a copy of Genet's letter, and wrote to Randolph that he considered it not "worth while" to respond, "and the more so, as the falsity of some, and the folly of others, are evident from facts in possession of your office, and from the style and nature of the complaints themselves."²³

By a twist of fate, Genet's letter did not reach Jefferson in Philadelphia until December 2, 1793, having been sent to Virginia first.²⁴ Jefferson must have passed it on to Washington, and on December 11 he wrote the president a memo recounting his conversation with Genet the previous spring. Once again, however, they took no action. By this time, they knew of the fall of the Girondins and that Genet's representations of the French government's wishes were stale. Jefferson resigned as secretary of state on December 31 and left the matter to his successor.

Yet Jefferson apparently repeated Genet's complaint to Madison, who undoubtedly told Monroe, for in late January 1794 the Senate passed a resolution demanding the right to review Morris's dispatches.²⁵ There had already been numerous attacks on Morris in America, including one by Monroe, who defended Genet to the bitter end. On October 9, 1793, he published a letter in the *Richmond Gazette*. "There is not a Republican in the nation who did not feel himself wounded" by Morris's appointment, Monroe wrote, declaring Morris was "wedded to monarchy, and opposed to the great principles of the French revolution . . . his manners and morals are hateful, and his understanding and information contemptible."²⁶

These accusations found fertile ground in the Senate, and the party-line vote was 13–11 to demand the correspondence.²⁷ Washington, on advice of the cabinet, acquiesced. Randolph told Morris that he, Washington, and Hamilton, had excised anything that might compromise Morris's informants or that would

divulge anything pending, or be reverberated on you to your disadvantage. . . . if we have committed to the eye of the Senate a syllable which may not accord with your opinion, it has not been from the want of the best disposition towards you, and your character. . . . The result, I believe, was much to your reputation, in the opinion of the most dispassionate members . . . the disclosure of the bulk of your official agency has suppressed many little murmurs, which we were continually hearing, before the truth of your conduct was brought to light.²⁸

Ironically, Morris had always assumed that Jefferson was providing his dispatches to the other cabinet members and "so far as may suit the department of State," to the Senate as they were received.²⁹ After Randolph read the dispatches, he commented, "After the impression which I had received from others, whom I supposed to be conversant with it, I am really astonished to find so little of what is exceptionable, and so

much of what the most violent would call patriotic." Randolph added, "He speaks indeed of *his court*; a phrase, which he might as well have let alone."³⁰ The Senate must have agreed, for nothing came out of the matter. The Girondin effort to remove Morris had, in the end, fizzled.

DIPLOMATIC IMMUNITY AND MME DE DAMAS

"Foreign ministers are not bound to an acquaintance with the laws of the land," Jefferson wrote in 1790 in a letter concerning a lease dispute with his former landlord in Paris. "They are privileged by their ignorance of them. They are bound by the laws of natural justice only." Morris's approach was somewhat different: "[A]ltho' I am not subject to [French] Laws, I think it proper to respect them, so long as I continue in the Country," he told Mme de Lafayette.³¹ The French, however, would not—or could not—respect the law of nations in their dealings with him.

His letters were regularly opened, and occasionally confiscated, in flagrant violation of international law. Morris complained numerous times, though he knew it was futile and that the British were doing the same thing.³² A week after the Convention established municipal watch-committees to keep an eye on foreigners and suspects, Morris was arrested on the street in Paris, and taken to the headquarters of the section, "because I had not a *Carte de Citoyen*."

Fortunately a person who knew me, having heard what passed, came to my rescue, and brought me out of the affair, on his own responsibility. I have the honor to send you, herewith, the copy of the pass given me by the Section.

"I beg, Sir," he told Lebrun, "that you will have the goodness to secure me against similar accidents, troublesome in themselves, and scandalous from their publicity."³³

The same day, armed men entered his house for the second time since the fall of the king. Morris persuaded them to leave. "I had every reason to be satisfied with their conduct," he wrote Lebrun, but "when general orders are given for these visits, such houses ought to be excepted as are under the Law of Nations." He was correct. Such house entries, as well as the arrest of a foreign minister, transgressed international law as it had long been understood and practiced.³⁴

The *sang-froid* with which Morris recounted these and other episodes

belies the considerable danger involved.³⁵ He could have been lynched on the street, or jailed indefinitely. If his diary had been seized (also a violation of international law), the repercussions might have been at worst fatal and at best a diplomatic nightmare for the United States.

Lebrun—who was in no position to control the sections—argued that the arrest was a precautionary measure applied to everyone in Paris, and disputed Morris's right to an exemption.³⁶ After all, he indicated, the *sectionnaires* had left after Morris talked to them. "The respect which they have shown you is proof of the belief of my fellow citizens, that the Minister of a free nation, an ally of France, is incapable of receiving into his house disaffected persons," Lebrun said with suspicious sincerity. "The exemption, which you claim, would have had the pernicious effect of affording the ill disposed a facility for calumniating your motives, in order to disturb the entire harmony, which subsists between the two nations."

Lebrun's response showed that he either did not know the requirements of international law and diplomatic immunity, or that he (probably correctly) knew that the concepts would mean nothing to the sections. He certainly knew it would not be wise for the Girondin government to try to curb the Paris Commune. He did, however, authenticate the "pass" given to Morris by the section that arrested him, and it may have served as some protection.

Lebrun's reference to "disaffected" persons being harbored by Morris *may* indicate that Morris was hiding people in his house, or simply that the authorities suspected he was doing so, since they probably knew he had helped shelter the first rush of refugees after the king's fall. However, there is no direct indication that he continued to hide anyone, until after the Girondins had fallen and the Terror began. On November 13, 1793, his house at Seine-Port was entered and, over his protests, a woman named Mme de Damas was arrested. She was a friend of Adèle, and the former wife of the comte de Damas, who had served in the American war under Rochambeau and was friendly with Washington.³⁷ The count, who was considered a traitor—among other things, he had assisted in the king's flight to Varennes—was in Italy, and she had divorced him in the hopes of avoiding the label of suspect and confiscation of her property. She thereafter went by her maiden name Langeron.³⁸

According to the November warrant, "Citizeness Langeron" had taken refuge with Morris in Seine-Port ten months earlier. This is possible; Morris specifically mentioned her presence there in May 1793. They were clearly good friends. She later wrote an acute verbal portrait of Morris

found in his papers, an excellent example of that special French art, admiring and affectionate, but also critical.³⁹

In any event, it was not until September 1793, long after she had joined Morris, that a new Law of Suspects was passed, authorizing arrest of anyone who by "their conduct, their contacts, their words or their writings" showed themselves as "enemies of liberty," including former nobles "who have not constantly manifested their attachment to the revolution."⁴⁰ Such a description could easily be applied to any *ci-devant* noble. Mme de Damas's sister and her sister's husband were among those arrested; the husband was guillotined.

Morris wrote to Deforgues immediately after Mme de Damas's arrest, informing him of Mme de Damas's divorced status and "consistently irreproachable conduct," and complaining of the officials' action.

They were armed with your warrant calling for her to be taken as a suspect and to place the seals at her residence, which indicated to me that you were unaware that she was staying with me. . . . I therefore take the liberty to ask if she could be permitted to stay with me, but if that is refused, I promise to bring her to Paris myself.⁴¹

Deforgues forwarded the letter to the Committee of General Security, which responded on November 18. They advised Morris that he had no authority to determine whether a person was a suspect and could not prevent enforcement of the laws against a French citizen.⁴² Morris answered through Deforgues. "It was never my intention in my mind to try to prove the innocence of a French citizen, nor to interfere with execution of French law," he told the committee simply. "My opposition was founded only on the act of an arrest *in my house*." He would have brought her to the officials if he had been asked," he noted. Well aware that he was on delicate ground, he continued:

I am also very far from pretending to judge whether a person is or is not a suspect . . . but as I have imposed on myself the rule of doing nothing against the government, I felt it necessary to determine whether a guest was considered a suspect before I gave her the rights of hospitality.

He asked them to do him "the justice of observing that I have asked you as a favor and not as a right if she could be permitted to stay with me." She

had wanted to give herself up, he told them, but he had opposed it simply on the basis of a principle "of importance to all nations," that

the house of an ambassador or other minister is inviolable as the territory of his country. I am persuaded that you will find it appropriate, particularly in the current circumstances, to observe this principle. If I am wrong, at least it is an honest mistake, and I hope I have demonstrated to you my sincere attachment to France in asking you to observe this very important principle.⁴³

This letter had some effect. Deforgues told the committee that the American minister should be given no justification to complain about a "violation which among all peoples is considered very grave." A few days later, he informed Morris that the seals would be lifted on Mme de Damas's property.⁴⁴ He reported, however, that he had not been able to convince the committee that diplomatic immunity extended to protect people of Morris's household, particularly a French citizen.

In fact, as Morris had explained, he was *not* claiming that inviolability of his house meant *immunity* for his "family" (the contemporary term for a household). He knew the law of nations obliged him to yield her at their request, but they had not made the request, they had forcibly entered the house to seize her, and *that* violated the rule of extraterritoriality that is part of the law of nations.⁴⁵ He therefore suggested that the committee could make amends by allowing her to stay with him. This was not an unreasonable idea: the principal purpose of the Law of Suspects was to detain suspects, and some were simply put under house arrest.⁴⁶

The committee was unwilling. Deforgues told him the arrangement would be too problematic in the "middle of the current troubles," and that giving the principle of inviolability too much latitude would impair the government's ability to apprehend many "suspicious and dangerous individuals." Since Morris was the only minister in France at the time, this must have seemed a lame argument.⁴⁷

Morris continued to petition periodically on her behalf. In late February the *chargé* of Malta was arrested and appealed to Morris, who protested to Deforgues. Two days later, the *chargé* was released.⁴⁸ The incident, indisputably another violation of international law, "rendered it proper to make a more pointed animadversion on their conduct," and Morris wrote again about Mme de Damas. As of early May, she remained in prison, and Morris feared she would die under the "rigorous confinement."

Some of Morris's acquaintances in Paris who were aware of the incident disapproved of his actions, among them Crèvecoeur, whose friendship with Morris in the United States had soured in France.⁴⁹ He was a friend of Mme de Damas, and his daughter was married to Otto, which was probably how he learned of the arrest. He wrote to a friend that Mme de Damas was "severely confined, all the worse for having placed herself under the protection of GM, who has not conducted himself in this affair like a man of common sense. It has made him even more unpopular and given rise to a hundred rumors."⁵⁰ Mme de Damas must have felt otherwise; upon her release, sometime in May or June of 1794, she promptly returned to Seine-Port.⁵¹

For his part, it is evident that Morris felt no compunction for his actions, for he described the situation frankly to Short, Washington, and Jefferson. Morris deliberately did not push "the matter to a serious Issue," he told Jefferson.⁵² He had refrained doing so for "particular reasons," which he described to Washington after he left France. He had been "grossly insulted" by the improper entry into his residence, and felt he should have left France as a result. He could not, however, "because a great number of our fellow Citizens were then detain'd in France with much of their property, and I knew the Violence which those who administered the Government were capable of. Moreover I saw with Regret that the Temper of America was not such as her best Citizens could have wished; and the Conduct of Britain rendered a temporizing Conduct with France indispensable."⁵³

The affair thus raises the question of Morris's judgment. The context, of course, was the Terror, and a similar predicament could have easily happened to any other minister in France—but there were none. Mme de Damas was not a criminal when she went to Seine-Port but, like hundreds of others, went to jail under the Law of Suspects. Once in prison, these victims rarely got out; some of them were "tried" before the Revolutionary Tribunal and were quickly on their way to the scaffold, having committed nothing in the way of a discernible crime. No charges were ever brought against Mme de Damas, but her family connections sufficed. "Pray tell your french friends not to name any one in their Letters for they will bring their friends to the Guillotine," Morris wrote to Robert in late October 1793.⁵⁴ A few lucky ones bribed their way out at enormous expense, including Morris's business associate, Le Couteulx, who was under a death sentence.⁵⁵

Under these circumstances, Mme de Damas's life was at stake. As the wife of a former revolutionary officer she was entitled to American efforts,

within the limits of international law, just as Lafayette and Mme de Lafayette were. Morris had no legal right to prevent her arrest, but he believed the arrest was invalidated by the circumstances of its execution, which violated America's extraterritorial rights and provided him with the only leverage available. He did not hesitate to use it, and it is very likely that, Crèvecoeur's censure notwithstanding, Morris's protests *saved* Mme de Damas from the guillotine (she was released during the Great Terror).

Nor did Morris exaggerate the significance of the French violation. In 1726 and 1747, British ambassadors in Spain and Sweden had provided asylum to fugitives from the government, but the fugitives were taken by force by the Spanish and Swedish authorities. It is an indication of how seriously Britain viewed the matter that it protested in both cases and even broke off dealings with Sweden for some time.⁵⁶

Jefferson himself had dealt with the issue of diplomatic immunity in 1792, when officers entered the Dutch minister's home in Philadelphia and arrested one of his servants for debt. Both Randolph and Jefferson agreed that unauthorized entry into the residence was forbidden *even if* the servant were properly subject to arrest.⁵⁷

On their side, the French were also agitated. Major Jackson's account of the anger expressed by the Committee of Public Safety about the episode was probably accurate. The "woman condemned by the law, an emigrant," was indeed a bone of contention, and produced the instructions to Fauchet to demand Morris's recall. There are two relevant documents in the French archives: the instructions themselves, dated November 21, quoted above, and an earlier document, dated November 18, the same date the committee responded to Morris's complaint about her arrest. This document may have been a draft, and does not appear to be in Deforgues' hand.⁵⁸ It speaks of Morris covering "suspected persons and suspicious aristocrats" under the mantle of immunity, and contains a list of points Fauchet should keep in mind: "1. He is a friend of Washington and other Ministers. 2. He does not like our revolution at all. 3. We are convinced he is still intriguing."⁵⁹

As he later told Washington, Morris's protests "obtained a half Apology and Promise of Satisfaction, but occasioned the Order to solicit my Recall; of which I was apprised within four and twenty Hours after it was given." He assumed, rightly, that the French would not tell the American government the true reason for their request—his protest against the violation of extraterritoriality—because, Morris apparently believed, the Americans would not have honored a request on that basis. "[B]ut to tell you the

Truth," he admitted to the president, "I was inclin'd to wish that I might be removed *on their Application*. I really believe it was necessary to my Reputation."⁶⁰

Whether the American government would have refused to recall Morris had they known of the incident is open to doubt. In any event, Fauchet's request was complied with, although Morris would hear nothing official until the end of the following July, nearly eight months later. In the meantime, a second demand was sent.

JOHN CUSACK

On January 27, 1794, around the time that British spies were accusing Morris of trying to extort money from the French, Robespierre received a vitriolic denunciation of Morris. A note at the top of the letter indicates that it was found in Robespierre's effects when the seals were lifted after his execution.⁶¹ The author was an American named John Cusack, a fiery supporter of the Revolution who had been admitted by the National Convention to French citizenship. There seems to be little more information about him, other than a letter to the French ministry in August 1793 reporting Cusack's desire to enlist in the French cavalry.⁶²

The memorandum began with protests of Cusack's devotion to the French "sacred cause" and willingness to die a thousand deaths should it be required. He attacked Lafayette and the American Society of the Cincinnati, and then moved on to Morris, whom he had never met; this was apparently no obstacle, nor was the fact that Morris did not belong to the Cincinnati. According to Cusack, Washington had named Morris, a man "*gangrené*" by the aristocracy, to achieve the Cincinnati goal of destroying French-American *fraternité*. "The public outcry was such that there was talk of retiring Washington once his first term was ended," he told Robespierre, and the aristocratic party had been forced to "pacify the public by giving out the rumor of Morris's recall." He claimed Morris tried to stop grain imports by denying passports, and trying to "make aristocrats" out of the Americans in Paris, "particularly the young men, whom he flatters with seductive promises."

He displays a pretended humanity for those who have been the subject of French vengeance for their crimes; he frightened others by proclaiming the power of England and predicting that if the Americans imperilled their neutrality by purveying provisions to France, the

combined powers after replacing Louis XVI on the throne would take vengeance on America, putting them once more under England.

However, in spite of Morris's treachery, Cusack assured Robespierre, the American public "continues to celebrate the revolution and the news of each new French triumph against slavery." Cusack then turned to a project he was presenting for Robespierre's approval, to destroy English influence in America and raise a two-thousand-man rifle corps of Americans to fight for the French.

It is very likely that Robespierre showed this letter to his confederates, and its accusations would have been an intolerable goad to the inflamed suspiciousness of the Committee of Public Safety and of Robespierre in particular, at that time preoccupied by (and utterly convinced of) the "Foreign Plot" allegations. Although undated, the critical document directly requesting Morris's recall appears right next to the Cusack letter in the chronological archives. It was addressed to Washington, and was signed by committee members Barère (the author?), Billaud-Varenne, Couthon, Collot d'Herbois, and possibly Saint-Just. "The intimate friendship of free peoples can not be affected by an unfaithful agent," it states.

An ambassador who betrays his duty will find himself contradicted by the direct correspondence between the two peoples. Republicans, you have been as badly served as we have; we tell you frankly, we have the strongest reasons to be displeased with your envoy. Maurice has conducted himself reprehensibly. He has [illegible] with conspirators, and has given all his despatches a tone inconsistent with a proper respect for the people.

In an inserted paragraph noticeably reminiscent of Cusack's letter, Morris was called the "slave" of his accomplices," as well as "corrupt" and "perfidious." The committee was still hoping that the United States would deport Genet to France (Genet and Morris, despite their diametrically opposed views, were both considered counterrevolutionaries) and suggested that the American government might like them to deport Morris, adding, "[e]ven if you do not regard as an enemy one who undermines you in this way, at the very least you must demand justice and recall him."⁶³

This request arrived after Fauchet had talked to Randolph; Fauchet had, as he wrote the Committee irritably in June, already "dealt with that matter."⁶⁴ In any event, John Cusack pounded the last nail in the coffin of

Morris's ministry. His motives are unknown. Two months after Cusack wrote to Robespierre, he was in jail in Paris, and asking Morris to help him get out.⁶⁵

THE RECALL

This time, the American government hurried to comply with the French demand. Some of the eagerness may have stemmed from knowledge that the Jay mission to England would raise French concerns. Randolph's letter to Fauchet of April 21, 1794, was markedly deferential: "we have been anxiously seeking a successor who may be as acceptable to the French Republic, as the successor of M. Genet is to our own."⁶⁶ He sent a copy to Morris, telling him it had been framed "under the direction of the President, as I am sure your good sense will think inevitable, that what the act of reciprocity demanded should be performed." Randolph assured Morris that "it is not from a dissatisfaction which the President has conceived at your conduct, but from reasons of a different sort, irresistible in themselves, that the step is taken." By June 9, Fauchet was able to write to Deforgues that James Monroe, "known as an honest man who desires the good of our country," had been chosen as Morris's successor.⁶⁷