Who Were the Foreign Mercenaries of the Declaration of Independence?

Among the misdeeds of George III that the Declaration of Independence so dramatically lists none is more familiar than: "He is, at this time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation and Tyranny, already begun with Circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation." The Declaration does not identify these "foreign mercenaries," but for almost all Americans there is no doubt who they were—the hated Hessians, as all the German mercenary troops were popularly called, even though many came from states other than Hesse. Yet in Jefferson's draft of the Declaration, approved by his fellow members of the drafting committee—John Adams, Benjamin Franklin, Roger Sherman and Robert Livingston—and submitted to the full Congress, the only mercenaries specifically mentioned were the Scotch.1 At the close of the draft is a long passage telling of the American appeals to "our British brethren," and saying that "at this very time they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch & foreign mercenaries to invade and deluge us in blood."

On July 2, 1776, the full Continental Congress took up the report of Jefferson's committee. One of the principal changes was the dropping of the long appeal to "our British brethren," with its reference to "Scotch & foreign mercenaries." But evidently Jefferson had felt that Scotch mercenaries deserved special mention, for in a list, in

1 The history of the changes in the passage relating to "foreign mercenaries" is given by Julian P. Boyd, *The Declaration of Independence. The Evolution of the Text as Shown in Facsimiles of Various Texts by its Author, Thomas Jefferson* (Princeton, 1945), 35-36. The facsimiles involving the passages on "foreign mercenaries" are shown in pp. 3 and 4 of Jefferson's rough draft, as given in facsimile by Boyd.
the early part of the Declaration, of the misdeeds of George III he made an insert so that a passage about mercenaries read “Scotch and other foreign mercenaries.” This specific mention of Scotch as among the foreign mercenaries who were “to compleat the Works of Death, Desolation and Tyranny” grated on some Scotch members, and so the reference to Scotch mercenaries was dropped. Jefferson explained the situation in a letter of December 4, 1818, to Robert Walsh:

When the Declaration of Independence was under the consideration of Congress, there were two or three unlucky expressions in it which gave offense to some members. The words ‘Scotch and other foreign auxiliaries’ [Jefferson’s use of the term “auxiliaries” is understandable, inasmuch as the British regularly referred to mercenary troops as auxiliaries] excited the ire of a gentleman or two of that country.\(^2\)

Two members of Congress—John Witherspoon and James Wilson—had been born in Scotland, and there is some evidence that it was Witherspoon,\(^3\) who had left Scotland only eight years before, who particularly objected to this reference to his native land, even though the Scotch mercenaries whom Jefferson had in mind undoubtedly were Highlanders, who at that time to many Lowland Scots were almost an alien race.

In view of the active role of so many colonists of Scotch ancestry or birth in the cause of independence, the American of today may be puzzled why Jefferson wanted to mention the Scotch as among the mercenaries who were coming to bring “Death, Desolation and Tyranny.” However, when we place ourselves in the setting in which Jefferson wrote, it is easy to understand why he did so. After the guns of Bunker Hill it became clear to the British government that, if the rebellious colonists were to be put down, more troops would be needed. In the late months of 1775 recruiting efforts were speeded up, but with very limited success in England, and not much better results in Ireland, where good harvests had eased Irish distress. Only in the poverty-stricken Highlands of Scotland were there many

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\(^2\) Ibid., 36.

\(^3\) R. H. Lee, in his Life, p. 176, of Richard Henry Lee (1839), a signer of the Declaration, suggests that it was Witherspoon who was responsible for deleting any identification of the foreign mercenaries as Scotch.
who could be persuaded to take the King's shilling. As the British historian Trevelyan describes the situation: "And so it came about that when, in the autumn and winter of 1775, troops were needed to suppress rebellion in the colonies, the best fighting men in Argyllshire and Invernessshire eagerly hailed the chance of winning by their swords a settlement in America more secure than that which their progenitors had held, by the tenure of the sword, in the valleys of their native Scotland."  

Several thousand Highlanders were recruited, but not enough to meet manpower needs if the rebels were to be defeated. An attempt to get from Holland a Scotch brigade that had for years been a mercenary force for that country met with refusal from the Dutch authorities. The British then approached Catherine the Great, in an effort to hire Russian veterans of the war against Turkey, but these efforts fell through. They then turned to the German states, whose petty princes for decades had been financing themselves by putting their troops up for hire. In January 1776 came a treaty with the Landgrave of Hesse for 12,000 soldiers. Similar treaties were signed with other German states, and in February the nature of the treaties for German mercenaries was made known to Parliament. 

When the Declaration of Independence was drafted and debated in the closing days of June and early July, Americans were familiar with the German treaties, and the Hessians were already on the high seas headed for New York, where the British after their evacuation of Boston were preparing an attack. However, no Hessian had set foot on American soil, and no shots had been exchanged between them and the colonials. But with Scotch Highlanders Americans had already come face to face as enemies, and blood had been shed. Early in 1776 some 3,000 Highland troops had set sail from Greenock, most of them headed for Boston. When they arrived, General Howe had already evacuated that hotbed of rebellion. So, early in June four of the transports, with nearly 500 Highlanders, were taken prisoner by the Americans, but only after Major Menzies and seven Highland soldiers had been killed and several Americans wounded. Word of conflict with the Highlanders, and their capture, spread

throughout the colonies. The Highlanders were buried to the dirge of bagpipes, and the captured officers were marched up the streets of Boston. The prisoners were widely dispersed. A captured Highland officer wrote to a friend in England:

As it was thought improper for us to remain at a seaport, we were ordered sixty miles up the country... on our journey no slaves were ever served as we were; through every village, town, and hamlet that we passed, the women and children, and indeed some men among them, came out and loaded us with the most rascally epithets, calling us "rascally cut-throat dogs, murtherers, blood hounds &c. &c." But what vexed me most was their continual slandering of our country (Scotland), on which they threw the most infamous invectives; to this abuse they added showers of dirt and filth, with now and then a stone.5

The reception of the captured Highlanders was not everywhere as hostile as reported by this unhappy officer, but in various ways their presence helped to bring home, even far from Boston, that George III was hiring Scotch Highlanders to suppress the rebellious colonists. John Adams, in Philadelphia with the Continental Congress, received several letters, including one from faithful Abigail—she spoke of "Hiland Soldiers"—about the fate of the transports bearing Scotch regiments.6 Richard Henry Lee, Adams' fellow signer of the Declaration, when word of the capture of the Highlanders reached him, on June 29 wrote from Williamsburg to General Charles Lee:

We have already taken three transports with Highlanders—The 217 that have fallen to our share are distributed thro' this Colony, a few to each County, and permitted to hire themselves to labour, thus to become the Citizens of America instead of its enemies.7

General Washington, who after the British evacuated Boston had moved his forces to New York to meet the expected British attack,

7 James Curtin Ballagh, ed., The Letters of Richard Henry Lee (New York, 1911), I, 204.
heard of the misfortunes of the Highland troops. Between June 16 and July 1 he wrote three letters about them to the President of the Continental Congress, and three to General Artemas Ward, commander of the American troops still in Boston, and in the last of his letters to Ward he spoke of the shortage of arms, and said: "I shall be glad if you will send all of those taken from the Highlanders, which you conceive can be possibly spared."8

The situation in the colonies in early 1776 also provided a background against which Highlanders could easily be thought of as a threat to the cause of independence. Lowland Scotch and Scotch Irish were in the forefront of the move for independence, but Highlanders probably were more loyal to the Royal cause, and more ready to take up arms against rebellious colonists, than were any other ethnic group. A gentleman of Philadelphia wrote on May 18, 1776, to a friend in England:

Believe me, Sir, these [demands for independence] are the sentiments of all degrees of men in British America, a few tattered Scotch Highlanders excepted, who have lately emigrated, and whose ignorance, feudal notions and attachment to names, keeps them servile and wholly at the beck of their Chiefs. . . . In this Province, English, Scotch, and Irish, are equally engaged in the great cause of liberty. Indeed many of the Scotch have particularly signalized themselves in the cause of freedom.9

The British authorities made the most of this local situation. In early 1776 Highlanders were active with the forces of Sir John Johnson in the Mohawk Valley, and some 300 were forced to throw down their arms by General Philip Schuyler.10 In North Carolina Highlanders made up a large part of a Tory force raised by Governor Martin that was defeated by colonial militia at Moore's Creek on February 27, 1776. News of the Highlanders' defeat reached General Washington at Cambridge, and in a letter of April 1, 1776, to Joseph Reed he spoke of "those universal instruments of tyranny, the Scotch."11

9 Printed in Willard, 314.
11 The Writings of George Washington, IV (1931), 454.
It was doubtless political wisdom to have heeded the protests of Witherspoon and to have left unidentified the mercenaries who were coming “to compleat the Works of Death, Desolation and Tyranny,” but it is clear why Jefferson and his committee should have felt that the Scotch were entitled to special mention in the denunciation of foreign mercenaries.

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