

*Counterintelligence in 1814***A Historical Damage Assessment**

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Author's Note: This article grew out of research for a book on the Ghent negotiations of 1814, focusing on the personalities of the five men who made up the American side. This group was probably the most prestigious American negotiating team ever assembled in terms of their contributions to American history, and it included such colorful characters as Henry Clay and John Quincy Adams. The original diaries, letters, and memories of the five American and three British negotiators and of the American and British leaders of that era supplied the bulk of information used here. As this research progressed over the years, it became ever clearer to the eyes of an intelligence officer that there was an intriguing espionage story surrounding Ghent, which had never been explored.

The head of the American delegation believes those across the table from him have clandestinely acquired copies of his negotiating instructions. Several members of his own delegation are sharing secret information about the state of the negotiations with relatives and friends, sometimes through the public mail. The delegation is surrounded socially by individuals seeking information on progress at the negotiating table, ostensibly for “business” reasons, and some are known to be in the pay of “commercial firms” of the enemy country. To add to this security nightmare, it is likely that that country has broken the American encryption system.

While the foregoing may sound like a situation from the height of the Cold War and the opponent the Soviet Union, these are in fact the

circumstances faced by John Quincy Adams at Ghent, Belgium, in 1814 as head of the five-man American delegation sent there to negotiate an end to the war with Great Britain. “Mr. Madison’s war,” which neither side had really wanted, had been going badly for the Americans since the start in June 1812. For America, the war was about freedom of the seas and neutrals’ rights. The British, who were greatly occupied with Napoleon, saw America’s declaration of war as an attempt to kick the former mother country when she was down and to steal Canada at the same time. When the negotiations began in June 1814, the war in Europe was over and the British had to decide whether “to give Johnathan a good drubbing” or to come to a solution at the peace table.

What follows is a look at the intelligence and security aspects surrounding those negotiations from the perspective of a late-20th-century intelligence officer. While this is a historical damage assessment, the methodology of analysis is quite similar to how a modern counterintelligence (CI) officer might examine a current suspected security problem: looking at the security practices of the American side, while trying to learn as much as possible about the capabilities and modus operandi of the opposition intelligence service. In the contemporary setting, the latter is accomplished by recruiting penetrations of the hostile service and by running double-agent operations. If it is a suspect HUMINT problem, detailed records of who had what access and when are crucial. If the suspect list is short, studying their personalities, lifestyles, and financial

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conditions is useful. One should also look for patterns of effects that could result if there was a spy or a cryptographic compromise. Regarding Ghent, that meant looking at British negotiating positions and tactics. Today, that might mean seeing a pattern over time of a station's assets, or assets of a particular nationality around the world, being wrapped up.

Whether 1814 or 1995, foreign intelligence services do not run operations against America for intellectual amusement. If they have successful operations, there will be observable, negative results from them, no matter how subtle. In the world of CI, there is no such thing as coincidence. Occasionally, a CI problem dramatically appears such as when, in December 1986, US Marine Corporal Lonetree suddenly told US Embassy personnel in Vienna, Austria, about his KGB ties.

More often, however, an investigation begins slowly, based on mere suspicion—a feeling that something just is not right. So wrote Adams in his diary on 12 October, 1814. Did the British side appear to know too well the American negotiating position? Did one of them let something slip in conversation that raised Adams's suspicions? Or was he just being paranoid after spending five years as the American Minister in Russia?

Adams's instincts about such things had been correct 15 years earlier at another European post; unfortunately, he offered no explanation for his suspicion in his diary or in letters. The British Secret Service and the lesser known British Decyphering Branch were experienced practitioners of their craft long before 1814, and the Americans were

appallingly lax in safeguarding their documents and communications. This was a potentially dangerous combination, which Britain could have exploited—but did it?

American diplomats and their correspondence were of interest to the British Service in those decades. France was, no doubt, the focus of British attention during Napoleon's reign, but, as tensions rose with America and certainly after America declared war on Britain in 1812, American diplomatic missions in Europe would have risen on the list of priorities as targets for the Secret Service. An accounting, performed in 1818 by the British Commission for Auditing the Public Account, listed the following monies expended by Lord Bathurst "for Secret Service as His Majesty's Principal Secretary for the War and Colonial Departments":

	<i>(English pounds)</i>
1812	6,650.0.4
1813	13,672.15.0
1814	15,657.9.8
1815	13,234.19.6
1816	5,360.3.11

As noted, France was the main adversary, but, given the dramatic budget jump coinciding with the war against America, a fairly large intelligence effort was clearly directed against the Americans as of 1813. Presumably, the majority of the "American money" was for espionage efforts in the United States and Canada, but some certainly would have been spent working on American targets in Europe, particularly an attractive

one such as the group sent to negotiate a peace treaty.

The espionage threat to the American mission at Ghent could have come in three forms:

- Interception of official dispatches or private letters to and from the commissioners, whether encoded or open text.
- Surreptitious access to the papers of the commissioners kept at their rented house in Ghent.
- Proverbial loose lips of mission members, or even recruitment of an American at Ghent.

No documentary evidence has ever surfaced to prove British espionage at Ghent, but there are few Secret Service papers available, or perhaps even in existence, from that period. The following presents the circumstantial evidence as to whether any or all of these potential security breaches might have occurred, thus giving His Majesty's Government insights into the American negotiating position.

The Cryptographic Threat

A quick look at the background and capabilities of the British in this field is useful in order to assess the possible threat. William Blencowe, while still an undergraduate at Magdalen College, became the first person to bear the official title of Decypher and to earn a regular salary for his cryptologic work in 1703. Edward Willes at the age of 22 became Decypher in 1716, and his descendants carried on the tradition for the next century. The cryptographic

threat in 1814 would thus have come from the Willes family.

By the early 1800s, the Decyphering Branch consisted of specialists in opening the seals on letters and diplomatic dispatches, as well as the actual cryptographers. Their foreign "material" came from the Secret Office, while domestic letters came from the Private Office. Both were subdivisions of the Post Office. The legal basis for the opening of mail dated back to the establishment of the postal service itself in 1657 and was reconfirmed by the Post Office Act of 1711.

Money for the work of the Decyphering Branch came from Parliament's surplus revenue and was issued to the Secretary of the Post Office as part of Secret Service funds. An individual's salary was sometimes provided for in imaginative ways. For example, Anthony Corbiere, who became a Decypher in 1719, had an appointment as a naval officer in Jamaica and drew an income as such although he never left England while doing his cryptographic work.

The Decyphering Branch, through the 18th century and into the first third of the next, was extremely proficient. According to the noted author on cryptology, David Kahn, the British were able to read secret dispatches of nearly every country in Europe during that era. France was the principal object of British activity, but both Britain and France took an interest in American correspondence from the beginning of the new republic. The British intercepted letters and were able to read the portions in secret writing going from Paris to London in 1777. The deciphered correspondence still exists that shows that the British

intercepted and read correspondence in the period 1798-1800 between American Ministers in London, The Hague, and Berlin. John Q. Adams was the Minister in Berlin at that time.

Adams wrote on 9 December 1799 to his counterpart in London, Rufus King, of his suspicions that his correspondence to the King was being read by the British. Despite his correct suspicion, the two continued to use the same cipher for several more months. Adams had noted in late 1798 that a letter to him from Murray, the American Minister in The Hague, had taken an extra 11 or 12 days to reach him via the public mail and the seal looked different from those on previous letters. Clearly, Adams was attuned in 1814 to the threat of espionage against his confidential communications.

The code used by the American commissioners at Ghent was officially designated as WE028, and also was known as Mr. Monroe's cypher. It was a 1,700-element nomenclator, that is, it had the numbers 1 to 1,700 for letters and commonly used words. It was a weak system because the words were placed in alphabetical sequence, that is, 1242=H, 1243=HA and 1244=HAD. It had first been used in 1803 by Monroe, when he was sent to France to help negotiate the purchase of the Louisiana territory. Monroe subsequently used this code in Spain in 1805 for dispatches to Washington about the purchase of West Florida.

WE028 was used for correspondence in 1805 and 1806 between Monroe in London and the Department of State. William Pinkney, who replaced Monroe at the Court of St. James's, used WE028 in 1808.

Adams took this code to St. Petersburg in 1809 and used it extensively; he sent 1,001 lines of encoded words in dispatches in 1811. The American Minister in Paris, William Crawford, used this code in 1813 for dispatches to Washington and in 1814 for corresponding with his colleagues at Ghent.

Thus, there would have been ample opportunity for the British to have intercepted dispatches encoded with WE028 between 1803 and 1814 and to have broken the code before the start of the negotiations. The British could have even stolen and copied code sheets in London, Paris, St. Petersburg, or Madrid. We know the British were eventually able to read WE028 messages, perhaps as a result of the work of the Decyphering Branch, but it is unclear when they first had this ability.

American Minister Vail in 1841 wrote from Spain to Washington in this same code. A letter was intercepted. A copy of his dispatch is in the British Museum with a notation on the top: "Recd from Mr. Backhouse April 15, 1841. Returned April 29, 1841—but the old Amrn key has not yet been found." (The British still managed to decipher the message.) Thus, the British had indeed broken or stolen WE028 years before, but, by 1841, so much time had passed they could not find it in their files. One can only speculate when the British first cracked, or stole, the code. The volume of encoded messages from American ministers in Europe dropped dramatically after 1814. British espionage efforts against America would have declined as well, once the war ended. Thus, it is most likely that the code had been obtained before December 1814, when it was most in use and

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of most interest to the British Government.

Postulating that the British had the capability by 1814 to decipher messages written in WE028, the Decyphering Branch would still have needed to obtain copies of American dispatches. "Access" is as important as the ability to decipher. America did not have a professional diplomatic courier service in those years, and diplomatic dispatches were usually carried by American officials already headed in the needed direction or even by private American citizens.

On a few occasions, messages were sent as far as Britain courtesy of the Russian Minister in Washington, or from his counterpart in London on to St. Petersburg. The most sensitive instance of this was a letter from Secretary of State Monroe to peace negotiators Albert Gallatin and James Bayard of 23 June 1814 that spelled out negotiating positions to be taken at Ghent. Monroe handed over this encoded letter in Washington to Russian Minister Daschkoff to be carried to Europe via one of his secretaries.

Finally, the public mails were sometimes used for communicating with colleagues, relatives, and personal friends, in which the state of the negotiations at Ghent was discussed. On 28 August and again on 6 December 1814, Bayard, for example, wrote to Levitt Harris, Adams's assistant in St. Petersburg, via the public mails, providing assessments on the progress of the negotiations.

By current standards, these were appalling security procedures. The mission did have assigned to it William Shaler as a courier, and he

served this function on several occasions, principally between the commissioners and Minister Crawford in Paris, but one man was not enough. In reconstructing a log of how messages concerning the negotiations were transmitted, the situation appears a little better than at first glance. Fortunately, most of the sensitive messages traveled in trusted and presumably secured hands. As noted below, there were a few egregious exceptions where something might have happened, but there is only one piece of documentary evidence available wherein an official American letter ended up in British hands during the negotiations. Minister Crawford had written to Count Hoogendorf of Holland, discussing the subject of neutral rights and how Britain violated those rights while the United States respected them. The British Minister to Holland, Lord Clancarty, acquired a copy of this letter in some manner and sent it to the British commissioners at Ghent.

The worst known lapse of security and thus the best opportunity for the British Secret Service to have obtained access to sensitive papers occurred in early March 1814. Nathaniel W. Strong, who was on his way to Gothenburg as the new consul, had been tasked by Secretary Monroe to deliver dispatches and to inform Bayard and Adams of their participation in the proposed direct negotiations with the British. According to Bayard's diary, Strong found him in Amsterdam on 5 March: "In the evening, read the dispatch by Mr. Strong of the Secretary of State of the 31 Jany."

The problem was that Strong had left a number of dispatches on board the ship he took from England to

Holland. These were graciously returned by British authorities 10 days later to Beasley, the American prisoner-of-war representative in London. The evidence suggests that among the dispatches Strong was carrying and then left on board the channel ship were letters from Secretary of State Monroe of 1 and 28 January, both of which discussed the desirability of annexing Canada. If the British did obtain access to either of these letters, they would have had ample reason to believe that Canada was the true object of war, an allegation they frequently made during the negotiations.

Possible Thefts of Documents

Possession of the cipher key or code sheet being used by an adversary reduced the cryptographic task to a simple matter of doing the substitutions. The existence of a "duplicate" code sheet could result from the analytic work of a cryptographer, or more directly from clandestinely stealing a copy. In those precamera or pre-Xerox days, that meant gaining access to the code sheets and copying them by hand. If a spy had access to where the sheets were stored, he could perhaps also read or copy documents that were not encrypted. Long before 1814, the British had an established pattern of clandestine acquisition of documents from American diplomats.

One of the most spectacular British spy successes of a slightly earlier era occurred during the American Revolution, when the British had an agent working with Benjamin Franklin in Paris. Paul Wentworth had recruited Dr. Edward Bancroft, who served as Franklin's secretary, to

spy for the British. (It was nearly a century later before Bancroft's duplicity was uncovered.) There is also some circumstantial evidence that Franklin himself provided information to the British.¹

Whatever the truth about Franklin, the fact is that the British, through Bancroft, had access to the American codes and most everything else written or received by the American Mission in Paris. Copies of the secret treaties of alliance and commerce signed with France in February 1778 were in British hands less than two days after they were signed.

The acquisition of documents in Paris was by means of a recruited agent; in Berlin, the British simply arranged to steal the papers of America's representative. Arthur Lee was residing at the Hotel Corzica of that city in June 1777. Hugh Elliot, the British Ambassador, bribed a servant of the hotel to obtain the keys to Lee's room and to his writing desk. The papers were rushed back to the Embassy for copying by four waiting conspirators. Unfortunately for Elliot, Lee returned and discovered the theft before the papers could be returned. Lee complained to the Prussian authorities, King Fredrick accused Elliot, and King George III rebuked his Ambassador's actions. At the same time, the British Government quietly rewarded Elliot with 500 pounds for his special effort at the hotel.

The most likely threat to American documents at Ghent was from surreptitious entry and theft. As for the possibility of there having been a British spy within the American Mission, all that can be said is that it was possible. However, in the subsequent 175-odd years since, no evidence has

surfaced to cast suspicion on any of the group.

No American documents provided by some unknown spy have turned up in the British Secret Service archives in these intervening years; at least none have been revealed to the public, but there are a number of opportunities for the British to have possibly stolen official American papers at Ghent. The hotel where the Americans first stayed in Ghent and, subsequently, their rented house would have been the most attractive "targets." There were also the lodgings of delegation members Jonathan Russell and Henry Clay after they moved out of the house, and of the secretaries as well. According to Adams's diary, the Mission secretary, Christopher Hughes, would keep at his lodging Mission papers while he was making copies of them.

At the rented house, items of interest would have been the WE028 code sheets kept by Adams, and even the diaries and personal correspondence of Adams, Bayard, and the others. Adams's diary gives no clue as to where he secured the code sheets, his diary, or the Mission documents. It is unlikely there was a safe, so presumably they were kept in a lockable writing desk or trunk, and the room probably had a lock as well.

The house was rented from Mr. Lanuier Quetelet. Little is known about him, other than the fact that he was enterprising enough to sell most of the house's furniture as souvenirs for a tidy profit after the treaty was signed. Ghent was an occupied city under the British military in 1814, so Quetelet could have been inclined to be accommodating, had the

British requested a "favor" from him, such as the use of duplicate keys.

There were numerous occasions when all the American commissioners were out for the evening, which would have afforded an excellent opportunity to enter the house, steal and copy documents, and return them undetected. Interestingly, the rented house of the British commissioners was guarded by sentries.

Loose Lips

None of the Americans at Ghent was ever accused of being a British spy, as was Edward Bancroft by Arthur Lee.² There were, however, cases of alleged indiscretions and several obvious efforts at "commercial espionage" at Ghent. A number of friends, relatives, and Americans just passing through often dined with the American commissioners, plus there were a number of local residents who became friends of the American delegation. Some of these people were looking for information about the state of the negotiations for reasons other than just natural curiosity. Adams's diary entry for 18 October noted that their messenger, Shaler, had told Henry Clay "of the young Americans who were here upon a stipend from English commercial houses to discover and report news from the negotiation." British banking and investment houses knew that inside and advance information meant major profits. Most of these people were no doubt interested only in information for business reasons, but some may have been in the pay of the British Secret Service. Claiming to want information for commercial reasons has long been a convenient ploy for

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political espionage attempts, because the information often is useful for other purposes.

For any of the people present in Ghent with such ulterior motives to have been successful, there would have had to have been someone willing to divulge information for profit, or who was just indiscreet. Shaler ran afoul of the latter accusation by several of the commissioners. Russell told his colleagues at a meeting on 18 October that Shaler had a habit of speaking of Mission business in front of non-Mission members, citing in particular several incidents with Elias M. Stillwell, the shipping agent for the ship *Chauncey*. By the 23rd, it had been decided to send Shaler with a message for Minister Crawford, as a tactful way to remove his loose lips from Ghent.

Despite the commissioner's efforts at keeping secret the contents of the British note of 27 November which indicated that a peace treaty was close at hand, there were obviously leaks, for the next day two of the "regulars" around the commissioners made a departure for Le Havre and London. One of these, a Mr. Howland, of whom little is known, had been around Ghent since early September and on a least three occasions had dined with the Americans at their house. Adams noted in his diary on 2 December about his hasty departure for Le Havre that "We know that he was here with views of speculation."

Adrian Bentzon, John Jacob Astor's son-in-law, was the other individual. Bentzon had likewise been a fixture around the American house since early September, attending numerous dinners and parties there, as well

as being in Clay's all-night card games. He returned to Ghent on 21 December, and he had the good fortune to be invited by Bayard to dine with the commissioners the night of the 24th—the day the treaty was signed. At the signing, both sides had agreed that the event should be kept secret until noon of the next day.

Adams described Bentzon at dinner that night as "all eye and ear—watching to catch some certainty of what he suspected we had been doing." He said he was considering leaving the next day for London, but following afterdinner visits to Clay's room and then to Secretary Carroll's, Bentzon suddenly departed for Ostend just before midnight. Baker, the British Mission's secretary, had set out earlier in the evening with the official news of the signing for His Majesty's Government. Unfortunately, his carriage broke down on the road to Ostend, delaying him for many hours, which allowed Bentzon to reach London first. Thus, Bentzon's efforts of toadying up to the American delegation for several months finally paid off. As Adams noted, "The news was certainly there three or four hours before him [Baker] and consequently much business on the stock exchange."

George Milligan, Beard's secretary, also fell under suspicion for indiscretion or perhaps even speculative activities. Milligan had left Ghent to visit Britain on 22 August, just after the opening rounds of the negotiations were completed. In a letter on 10 September to his mother, Adams stated that there had been a great deal of speculation on cotton and tobacco in London just after Milligan's arrival and accusations in the

press that the American plenipotentiaries were engaging in speculation. Milligan traveled extensively, including six weeks in Ireland, and only returned to Ghent on 23 November. He remained just 13 days.

As noted above, the British note of 27 November gave the Americans the belief that the major obstacles had been overcome and a treaty would soon be signed. A peace treaty seemed probable after the 1 December meeting of the delegations, and Milligan left on 6 December with but an hour's advance warning to anyone and against the advice of Gallatin. He told Gallatin only that he was going to meet some of his Scottish relatives. The wife of Adam's secretary told Adams the following day that "Milligan had fallen desperately in love with one of his cousins and was to be married." Whether Milligan's sudden urge to travel to London in early December was prompted by love or money, or both, is unknown.

It is clear that commercial espionage occurred at Ghent and that members of the American delegation may have engaged in speculative activities. Aside from Milligan's case, several commissioners provided "inside" information via letters to friends and relatives back home, which could have given them financial advantage. Beasley, the prisoner-of-war representative in London, engaged in commodities speculation and at one point blatantly sought news from his colleagues at Ghent on the prospects for peace for the purpose of making the right investment moves.

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Weighing the Evidence

Given the breadth of British espionage efforts of that era and the large Secret Service budget for 1814, it is almost certain there were efforts made at Ghent against the Americans and their official correspondence. Whether there were any successes is the important question. If there is little or no documentary evidence to prove directly the existence of espionage operations, an alternative “test” is to look at the potential results would have occurred from any hypothetically successful British operations. Specifically, to look for any pattern to the negotiating maneuvers by the British that would suggest they knew in advance what the American would do next, or what points they might yield on in the bargaining.

From this perspective, it does not appear that the British had an “agent” within the American commission who could report to them on a daily basis. The best evidence for this conclusion concerns the controversy over the proposed article dealing with the fisheries question and the British right to navigation on the Mississippi River. At the meeting of the American commissioners on 14 December, all but Adams were willing to yield to the British position, if necessary. They decided to try one last time in the note sent to the British that afternoon but agreed they would accept the British position, if the British still insisted. After receiving this note, the British Government decided that it would be best to drop the troublesome article. If the British had had an inside source, they would have known that they needed to insist only once more and they could have gotten the article they desired.

Showing that the British did not have an “agent” within the inner circle of the official Americans does not mean they might not have had “access agents” in contact with the Americans, picking up tidbits on their opinions about the negotiations. Nor does the above logic of the dropped article show that the British might not have been intercepting some personal or official correspondence and thus had knowledge of strategic-level thinking. In fact, on this point there are indications to suggest that the British Government did have access to confidential instructions to the American commissioners. The argument for this conclusion revolves around the strong British belief that the annexation of Canada was the real reason America declared war and the incompetence of Nathaniel Strong while carrying the dispatches from Washington.

The accusation that annexation of Canada was the true purpose of the war appeared in the British notes of 4 and 19 September, 8 October, and in several private letters between British correspondents. British negotiator Henry Goulburn wrote Lord Bathurst on 24 August and again on 23 September expressing this opinion. His second letter stated that

“The maritime questions were only the pretended causes of the war, and that the government of the United States were [sic] willing and did instruct their ministers to give them up as soon as they found the real object of the war, viz. the conquest of Canada, unattainable.”

In their official notes, the British cited as proof for this accusation the proclamations by General Hull in July 1812 and by General Smyth in November 1812 calling for annexation, upon the occasions of their respective invasions of Canada, and the fact that the American Government never repudiated their statements. There was this publicly available “evidence” for the British charge that Canada was the true goal of the war, but, given the strength of this belief, the question arises whether they had access to nonpublic information which strengthened this opinion.

The best possibility for the British to have acquired such information would have been when the two letters from Secretary Monroe dated 1 and 28 January giving his commissioners further instructions, including confidential paragraphs on the desirability of annexing Canada, were in the possession of the British for 10 days as a result of Strong’s carelessness. It seems unlikely they would not have taken advantage of this opportunity to have a look at them.

Aside from the golden opportunity when left on the ship, Gallatin or Bayard presumably had these two dispatches in their possession when they visited Britain in April 1814, and they were stored somewhere in the Americans’ rented house in Ghent from July onward. There is no direct

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proof available that this occurred, but the British had a record of such activity, had the technical expertise to open letters, and probably had broken WE028 by then. It would explain why they believed so strongly that annexation of Canada was the real purpose of the war.

Given British expertise in such affairs, the size of the Secret Service budget in 1812-14, and what circumstantial evidence is available, combined with the lax American security procedures, a reasonable conclusion is that there were British espionage attempts against the American commissioners and their communications. And, while it can not be proved, it is likely there were some limited successes. Unless some dusty files one day emerge from the British Secret Service archives, the full truth probably will never be known. Thus, this damage assessment ends as do many modern ones—with a number of suspicions and possibilities.

What is interesting is how little espionage has changed in the past two centuries: recruitment of assets in place providing documents, access agents, surreptitious entry, mail intercepts, and the never-ending contest between codemakers and breakers. The complaints of a hypothetical American Mission security officer at Ghent would have sounded rather familiar as well: insecure storage of sensitive documents, people taking documents home to work on, indiscreet talk, and unethical sharing of information with friends and relatives.

As noted at the beginning, the CI tools of analysis also are still the same today—look at the hostile threat, look at the defensive security practices, and look at potential results had there been an intelligence success by the other side. Regarding the last point, as for Ghent, it must be noted that any “intelligence” gained by the British did not seem to have given them any noticeable advantage at the negotiating table. This fact is not, however, a firm proof that there was no useful intelligence obtained, for there are numerous instances in history of where policymakers have failed to believe or act upon valid information.

NOTES

1. Cecil Curry's book, *Ben Franklin: Patriot or Spy?*, makes this argument, although G. J. A. O'Toole effectively refutes much of the evidence in his 1989 article “Ben Franklin: American Spymaster or British Mole?”
2. Lee, for his efforts, was sent home by Ben Franklin, thus adding to historical suspicion that Franklin himself was cooperating with the British.