

Stephen Payne Adye correspondence, 1769-1783
1769-1783
Mss.B.Ad95

American Philosophical Society
105 South Fifth Street
Philadelphia, PA, 19106
215-440-3400
manuscripts@amphilsoc.org

Table of Contents

Summary Information	3
Background note	4
Administrative Information	5
Indexing Terms	5
Other Descriptive Information	5

Summary Information

Repository	American Philosophical Society
Creator	Adye, Stephen Payne, d. 1794
Title	Stephen Payne Adye correspondence, 1769-1783
Date [inclusive]	1769-1783
Call number	Mss.B.Ad95
Extent	0.25 Linear feet 38 items
Extent	38 items, approximately .25 linear feet.
Location	LH-MV-C-1
Language	English
Container	1
Abstract	Stephen Payne Adye, the Deputy Judge Advocate for the British Army in North America, wrote primarily to Sir Charles Gould, the Judge Advocate General in England, concerning British court martial proceedings in the Colonies, including references to the armed conflict in America. Also included are letters to John André, William Franklin and the Board of General Officers of the Army of Great Britain.

Background note

Stephen Adye was a British Army officer who, while serving as the Deputy Judge Advocate General of North America, wrote an important tract on courts martial in 1769. Originally published in New York and then London, *Treatise on Courts-Martial, to which is Added an Essay on Military Punishments and Rewards* would serve as the standard for military judicial practices in the eighteenth and nineteenth centuries. During the American War for Independence, Adye served as an officer under General James Pattison during the occupation of New York City.

Administrative Information

Publication Information

American Philosophical Society

Provenance

Acquisition Information

Presented by Frederick Bernays Weiner, Washington, DC, and accessioned, 12/19/1967 (1967 2676pr).

Original Location

Originals in: Public Records Office, London.

Indexing Terms

Geographic Name(s)

- Great Britain -- Colonies -- America.
- United States - History - Colonial period, ca. 1600-1775

Subject(s)

- African American
- American Revolution
- Armies, Colonial.
- Law
- Military History
- Trials (Military offenses) -- New York (State).

Other Descriptive Information

The collection consists of Stephen Payne Adye's correspondence during some of his time in North America (1769-1783), where he served as a Deputy Judge Advocate General of the British Army during the Revolutionary War. The correspondence is primarily related to wartime events and trials, although there are four letters that predate Independence and make vague references to events happening during the imperial crisis, especially military courts in Boston during 1774 and 1775 when the colony was put under martial law.

The majority of the correspondence is either to or from his superior Sir Charles Gould, the Judge Advocate General stationed in London. The letters are often very businesslike, and many are short cover letters that accompanied copies of court proceedings that are not part of the collection.

The longer letters usually relate to two complicated trials Adye oversaw during the war. The first dealt with an ongoing dispute between two British officers that resulted in a courts martial trial. The disagreement was ultimately settled after the war when the two fought a deadly duel in London. The second dealt with the trial of Captain Richard Lippincott, a Captain in the Associated Loyalists in New York, for murder. A few other letters discuss various legal issues raised by a civil war with the colonies and other military trials. Two mention Lord Cornwallis' defeat at Yorktown, an event in which Adye's son, also a British officer, was involved. One early letter briefly describes his writing of the Treatise on Courts-Martial.

Other correspondence of note includes wartime letters to William Franklin, son of Benjamin Franklin and a loyalist during the war, and a letter to Major John Andre, a British major executed by the Americans for his involvement in Benedict Arnold's treason. The Franklin correspondence involves the case of Captain Richard Lippincott. While serving in the Associated Loyalists, Lippincott hung a captured patriot under uncertain authority in 1782. Franklin opposed Lippincott's trial for murder, while Adye supported it. Lippincott was eventually tried and acquitted. In the meantime, George Washington demanded Lippincott be handed over to American authorities and threatened to execute a British Prisoner of War of equal rank when the British refused his request for Lippincott, a complication that Adye discusses. The affair eventually involved the French king and queen, whose intercession successfully saved the life of the British POW. The letter to Major Andre was written about a week before Andre's capture by the Continental Army. It deals with how to mediate an ongoing dispute between British officers and is not related to Andre's work in subterfuge.