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June 9.

ANNUAL REPORT

OF THE

AMERICAN HISTORICAL ASSOCIATION

FOR

THE YEAR 1896.

IN TWO VOLUMES.

VOL. I.

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A.E.*

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1897.

ACT OF INCORPORATION.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Andrew D. White, of Ithaca, in the State of New York; George Bancroft, of Washington, in the District of Columbia; Justin Winsor, of Cambridge, in the State of Massachusetts; William F. Poole, of Chicago, in the State of Illinois; Herbert B. Adams, of Baltimore, in the State of Maryland; Clarence W. Bowen, of Brooklyn, in the State of New York; their associates and successors, are hereby created, in the District of Columbia, a body corporate and politic, by the name of the American Historical Association, for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America. Said Association is authorized to hold real and personal estate in the District of Columbia so far only as may be necessary to its lawful ends to an amount not exceeding five hundred thousand dollars, to adopt a constitution, and to make by laws not inconsistent with law. Said Association shall have its principal office at Washington, in the District of Columbia, and may hold its annual meetings in such places as the said incorporators shall determine. Said Association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historical study in America. Said Secretary shall communicate to Congress the whole of such reports, or such portions thereof as he shall see fit. The Regents of the Smithsonian Institution are authorized to permit said Association to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum at their discretion, upon such conditions and under such rules as they shall prescribe.

[Approved, January 4, 1889.]

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LETTER OF SUBMITTAL.

SMITHSONIAN INSTITUTION,
Washington, D. C., July 15, 1897.

To the Congress of the United States:

In accordance with the act of incorporation of the American Historical Association, approved January 4, 1889, I have the honor to submit to Congress the annual report of said Association for the year 1896.

I have the honor to be, very respectfully, your obedient servant,

S. P. LANGLEY,
Secretary.

HON. GARRET A. HOBART,
President of the Senate.

HON. THOMAS B. REED,
Speaker of the House.

LETTER OF TRANSMITTAL.

AMERICAN HISTORICAL ASSOCIATION,
Washington, D. C., March 4, 1897.

SIR: In compliance with the act of incorporation of the American Historical Association, approved January 4, 1889, which requires that "said association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historical study in America," I have the honor to transmit herewith my general report of the proceedings of the American Historical Association at their twelfth annual meeting, held in New York City, December 29-31, 1896. The report is prefaced by a list of officers for 1897, a table of contents, and a general summary of proceedings by the secretary. Then follows the inaugural address by the president of the Association, Dr. Richard S. Storrs, of Brooklyn, N. Y., with most of the papers that were read at the New York meeting, some that were omitted from the report of 1895, and some that were received too late for the New York programme.

The report of the Historical Manuscripts Commission of the Association, for which a special appropriation of \$500 was made by the Executive Council, is also transmitted. It contains many valuable and hitherto unpublished letters obtained from the English Foreign Office, from New England, Canada, and from the "Draper Collection," in Madison, Wis. These and other materials will prove of great service in illustrating the commercial, industrial, and territorial history of this country. Of special importance are the documents which show the relations between Gen. George Rogers Clark, the conqueror of the Northwest, and Genet, the minister of the French Republic. A full account of these unpublished papers is given by Prof. J. F. Jameson, chairman of the Historical Manuscripts Commission, in his report to the Executive Council of

the American Historical Association. This account is printed as a preface to the documents themselves. "The collection and preservation of historical manuscripts" is one of the declared objects of the original act of incorporation by Congress.

As a means of showing "the condition of historical study in America," the Association has encouraged the preparation of extensive bibliographies, representing in a comprehensive way the historical literature of various individual States in the American Union. Several such bibliographies are in preparation. There is transmitted herewith a valuable list, prepared by Gen. A. W. Greely, of the Congressional Documents of Washington's first Administration, of which no entire collection or adequate bibliography is known; also a list of books relating to America in the Register of the London Company of Stationers from 1562 to 1638, prepared by Mr. P. Lee Phillips, of the Library of Congress, and a bibliography of Leopold Von Ranke.

At its Washington meeting, December 26-27, 1895, the Executive Council voted to offer a prize of \$100 for the best monograph based upon original investigation in history, and submitted to the council in the course of the year 1896. The committee of award, Profs. A. C. McLaughlin, of the University of Michigan; Moses Coit Tyler, of Cornell University, and James Harvey Robinson, of Columbia University, gave the prize to Prof. Herman V. Ames, of Ohio State University, for his elaborate monograph on "The proposed amendments to the Constitution of the United States during the first century of its history." This work is transmitted herewith, and its publication recommended, for it will be a useful public document, of great practical value to Congressmen and other citizens of the United States.

Very respectfully,

HERBERT B. ADAMS,

Secretary.

Mr. S. P. LANGLEY,

Secretary of the Smithsonian Institution.

AMERICAN HISTORICAL ASSOCIATION.

Organized at Saratoga, N. Y., Sept. 10, 1884.

OFFICERS FOR 1897.

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Boston, Mass.

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Professor in Yale University.

JAMES F. RHODES, LL. D.,
Boston, Mass.

Secretary:

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Professor of History, Johns Hopkins University, Baltimore, Md.

Assistant Secretary and Curator:

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*Curator of the Historical Collections, Smithsonian Institution,
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President E. M. GALLAUDET, Ph. D., LL. D.,
Washington, D. C.

CONTENTS OF VOLUME I.

| | Page. |
|--|-------|
| I. Report of Proceedings of Twelfth Annual Meeting in New York, December 29-31, 1896, by Herbert B. Adams, Secretary | 11 |
| II. Report of the Treasurer. List of Committees. Necrology.. | 27 |
| III. Inaugural Address by Dr. Richard S. Storrs, President of the Association, on Contributions made to our National Development by Plain Men..... | 35 |
| IV. Leopold von Ranke, by E. G. Bourne..... | 65 |
| V. The Journal and Papers of the Continental Congress, by Herbert Friedenwald | 83 |
| VI. The Antirent Episode in the State of New York, by David Murray..... | 137 |
| VII. A Know-Nothing Legislature, by G. H. Haynes | 175 |
| VIII. Peale's Original Whole-length Portrait of Washington. A Plea for Exactness in Historical Writings, by Charles Henry Hart..... | 189 |
| IX. Political Science and History, by J. W. Burgess..... | 201 |
| X. The Use of History made by the Framers of the Constitution, by E. G. Bourne..... | 221 |
| XI. Schemes for Episcopal Control in the Colonies, by Arthur Lyon Cross | 231 |
| XII. The Teaching of History, by Herbert B. Adams..... | 243 |
| XIII. The Teaching of European History in the College, by James Harvey Robinson..... | 265 |
| XIV. The West as a Field for Historical Study, by Frederick J. Turner | 279 |
| XV. A Plea for the Study of Votes in Congress, by Orin Grant Libby | 321 |
| XVI. The Northern Lake Frontier during the Civil War, by J. M. Callahan | 335 |
| XVII. Langdon Cheves and the United States Bank, by Louisa P. Haskell | 361 |
| XVIII. The Influence of the American Revolution on England's Government of her Colonies, by George B. Adams | 373 |
| XIX. The Government of Federal Territories in Europe, by Edmund C. Burnett..... | 391 |
| XX. The Value of Maps in Boundary Disputes, by P. Lee Phillips. | 455 |

| | Page. |
|--|-------|
| XXI. Report of the Historical Manuscripts Commission of the American Historical Association..... | 463 |
| XXII. Public Documents of Early Congresses, by Gen. A. W. Greely..... | 1109 |
| XXIII. List of Books relating to America in the Register of the London Company of Stationers from 1562 to 1638, by P. Lee Phillips | 1249 |
| XXIV. An Essay toward a Bibliography of Leopold von Ranke, by William Price | 1263 |
| Index..... | 1275 |

CONTENTS OF VOLUME II.

Proposed Amendments to the Constitution of the United States during the First Century of its History, by Herman V. Ames.

4

I.—REPORT OF PROCEEDINGS OF TWELFTH ANNUAL MEETING
OF THE AMERICAN HISTORICAL ASSOCIATION.

NEW YORK, DECEMBER 29-31, 1896.

REPORT OF PROCEEDINGS OF TWELFTH ANNUAL MEETING OF
THE AMERICAN HISTORICAL ASSOCIATION.

By HERBERT B. ADAMS, Ph. D., LL. D., Secretary.

The twelfth annual meeting of this national society was held in New York, December 29-31, 1896, at Columbia University. It was generally agreed that this was one of the most successful conventions in the entire history of the Association. Not only was the attendance of actual members the largest recorded in recent years, but the sustained interest shown in the various sessions was most remarkable.

The inaugural address of Dr. Richard S. Storrs, president of the Association, was given Tuesday evening, December 29, in the New York Academy of Medicine, at 17 West Forty-third street. There, in a beautiful hall, adorned with historical portraits, early assembled a large and representative audience. After a grateful acknowledgment of the honor of an election to the presidency of the Association, Dr. Storrs announced as the subject of his address the contributions made by plain, uncelebrated men to the development of these United States. He chose three examples to illustrate his theme. The first was the story of Eleazar Wheelock, the founder of the Indian school which grew into Dartmouth College, the alma mater of some of the foremost men in the history of this country. Among the alumni were Daniel Webster, Rufus Choate, Salmon P. Chase, and George Ticknor. Dr. Storrs showed the influence of Dartmouth on the schools and churches of New England and upon the political and military life of the United States. Colonel Thayer, the father of the United States Military Academy at West Point, was a graduate of Dartmouth.

A second example of far-reaching pioneer work was that of an Ipswich Congregational minister, Dr. Manasseh Cutler, born in Connecticut in 1742. He was a chaplain during the

American Revolution, an accomplished man of science and letters, a good diplomatist and politician. When the Government was financially embarrassed after the War of Independence, when old soldiers were clamorous for back pay, Dr. Cutler was instrumental in negotiating for the sale of 5,000,000 acres of public land in the West to the Ohio Company, with 1,500,000 acres more to the Scioto Company, thus relieving the Government of \$3,500,000 debt. It was the social tact and good diplomacy of Dr. Cutler which persuaded the Southern Members of Congress to vote for the antislavery clause in the ordinance of 1787, with its fugitive slave clause for a quid pro quo. It was this famous ordinance which provided for free republican government, free soil, and popular education in the great Northwest, the territory now included in the great States of Ohio, Indiana, Illinois, Michigan, and Wisconsin. By this ordinance, which satisfied the demands of Eastern settlers represented by Dr. Cutler, the great West was anchored forever to the Eastern Seaboard States.

Dr. Storrs did not have time to describe in detail the services of Dr. Marcus Whitman in saving Oregon to the United States and in pushing our western boundary to the Pacific Ocean. He urged the Association to encourage biographical studies of those comparatively unknown men who did pioneer work for their country and made our national history possible. Some of the greatest Americans, like Franklin and Lincoln, sprang from the common people.

A paper which excited great interest and a good discussion was that of Prof. John W. Burgess, of Columbia University, whose subject was "The relation of political science and history." He began by defining and distinguishing between these two sciences. The phenomena of history must be conceived under the category of time; that is, in the order of antecedent and consequent. This, however, does not distinguish history from other sciences. The phenomena of history must also be conceived under the category of cause and effect. The form of thought that gives us the best test is the category of self-progression. Historical wisdom does not consist simply in knowing what has happened under given conditions, but also chiefly in correctly apprehending the variations, however slight, in the ever-changing conditions, and the increments the variations in the succeeding events have produced thereby. The historical basis is the true basis of progress, and it is com-

paratively worthless unless it produces the spirit of time progress. History is the progressive realization of the ideals of the human spirit. Political science, on the other hand, is the science of the nation, country, State, and is tending to become the science of the human world-state. Constitutional law is the realization of the doctrines of political science. Most men instinctively feel that the facts of political science are facts about government; but the science also comprehends the facts about sovereignty and liberty. Certain principles have now become recognized as parts of political science, and in their light we must look at the past. Professor Burgess concluded by saying that while there are parts of history which are not political science, and while there is an element in political science which is not strictly history, yet the two spheres so lap over one another and interpenetrate each other that they can not be distinctly separated. Political science must be studied historically and history must be studied politically in order to gain a correct comprehension of either separate theme.

This paper by Professor Burgess led to a lively discussion, which was begun by Prof. H. Morse Stephens, of Cornell University. He began by criticising political science as represented by the Oxford translation of a well-known German writer, Dr. J. C. Bluntschli. He said that Professor Burgess had given an answer to the question "What is Political Science?" but the answer was not altogether satisfactory. The political scientists claim too much for themselves. They cut up the imperial body of history, taking all the vital elements for themselves, and leave the rest as a so-called "residuum" for history. President Gates, of Amherst College, was inclined to take a somewhat practical and utilitarian view of the subject. Prof. Simeon Baldwin, of Yale University, said that the facts of history do not materially change, but the attitude of the human mind toward those facts undergoes marked changes with the progress of time.

The subject of the teaching of history occupied the attention of the New York meeting during an evening conference at Columbia University. The discussion was opened by Prof. H. B. Adams, of the Johns Hopkins University, who called attention to the popular methods of teaching history in England by means of reading circles under the direction of Oxford and Cambridge tutors and by means of summer meetings like those at Chester and Cambridge, which he visited last summer,

The object lessons in English history afforded by pilgrimages to cathedral towns, ruined castles, and monasteries are most instructive. The speaker undertook to defend the Freeman motto that "History is past politics and politics are present history." He frankly admitted that all history is not past politics, but some history is. Political history is one of the most vital currents of the world's life. Without government and civic society there can be no lasting civilization or culture. But this contention does not imply that history is exclusively politics. It includes the development of religion, art, education, culture, civilization—in fact, the whole life of man in society. Perhaps the highest conception of history is sociological. It is the duty of the historian to show how human society came to be what it is to-day. History is the evolution of mankind. The German Droysen defined history as the self-knowledge of humanity.

Prof. E. Emerton, of Harvard University, thought that mottoes and definitions are dangerous, but proceeded to give an approximate definition which excluded any political bias. His definition laid stress upon the recorded facts of the past in their relation to great masses of men. Professor Emerton criticised the American tendency to seminary methods of teaching history as somewhat top-heavy. He said there ought to be in historical teaching three stages of progress, which may be roughly characterized as (1) the acquisition of facts or historical information; (2) the interpretation of proper understanding of facts, and (3) research, or discovery of new historical truth. Prof. Charles M. Andrews, of Bryn Mawr College, made an able plea for the study of general history, particularly of European progress after the fall of the Roman Empire. Professor McMaster, of the University of Pennsylvania, showed what could be accomplished in the teaching of American history, and outlined the results which a teacher ought to obtain with his class. Prof. J. H. Robinson, of Columbia University, read a suggestive paper on the teaching of modern European history from original sources.

Considerable discussion was occasioned by Professor Turner's excellent paper on "The West as a Field for Historical study," which was read by his friend, Mr. R. G. Thwaites. The contention was that Western history should be viewed in a large way as national and institutional history, and not merely as antiquarian or border history. The discussion was

carried on by Professor McLaughlin, of the University of Michigan, and Prof. Woodrow Wilson, of Princeton, both of whom made strong appeals for the independent treatment of Western history, instead of regarding it as an appanage of the East. Indeed, Professor McLaughlin contended that our national history can be best understood from Western points of view. It was always the consciousness of a vast Western inheritance which made national unity and republican expansion historic possibilities. Professor Wilson added a plea for the proper treatment of Southern history by men who really understand it and sympathize with it. He thought the Scotch-Irishman would be the coming historian, and said there is nothing for the Southerner to apologize for in writing Southern history. A man might as well quarrel with his own nature and that of his ancestors as for the true historian to find fault with the people he attempts to describe.

It is impossible in this connection to give abstracts of the various papers. The following is a rapid enumeration of the subjects and authors: (1) The Melancthon Quartocentenary, by President E. D. Warfield, Lafayette College (a subject discussed by Prof. Henry M. Baird); (2) The Anti-Rent Episode in the State of New York, by Dr. David Murray; (3) A Know-Nothing Legislature, by Prof. G. H. Haynes (a curious anticipation of modern Populism); (4) Peale's Original Portrait of Washington (shown to be defaced, not destroyed), by Charles Henry Hart, who is editing for McClure's Magazine an interesting series of historical sketches and portraits; (5) The Use of History Made by the Framers of the Constitution, by Prof. E. G. Bourne; of Yale University, whose paper was discussed by Dr. Herbert Friedenwald, of Philadelphia, with special reference to the sources of our Congressional Government; (6) The Capture of Port Royal and Its First English Governor, by Gen. J. G. Wilson; (7) Schemes for Episcopal Control in the Colonies, by Arthur L. Cross, of Harvard University; (8) A Plea for the Study of Votes in Congress, by Dr. O. G. Libby, of the University of Wisconsin; (9) The Northern Lake Frontier During the Civil War, by J. M. Callahan, of Johns Hopkins University, a paper discussed by General Carrington; (10) Langdon Cheves and His Administration of the United States Bank, by Miss Louisa P. Haskell, of Radcliffe College, the only lady upon the programme, whose excellent paper and good reading inspired Dr. Storrs to tell a good story, "Why do we have

men?" (11) The Influence of the American Revolution on England's Government of her Colonies, by Prof. G. B. Adams, of Yale University; (12) The Government of Federal Territories in Europe and America, by E. C. Burnett, of Brown University; (13) Life of Medieval Students Illustrated by their Letters, by Prof. C. H. Haskins, of the University of Wisconsin. A paper by Gen. A. W. Greely was read by title. Two valuable manuscripts, by P. Lee Phillips, Library of Congress, came too late for insertion in the programme.

Prof. J. Franklin Jameson, of Brown University, chairman of the Historical Manuscripts Commission, established by the Executive Council one year ago, reported progress. The objects of the commission are the collecting of information regarding manuscript materials for American history in private hands, the preservation of these materials, and the making of them available to historical students. The commission reported a satisfactory year's work in the collection of information. Circulars have been sent out, largely to libraries and societies on one hand and to individual possessors on the other. The replies have been numerous and full, and the commission are in possession of a very large body of facts on their subject. They have also prepared a bibliography which will show, as nearly as possible, all the printed guides to archives, lists of their contents, or descriptions of other collections of manuscript historical material. This, it is hoped, will help all workers in American history.

The commission recommended the immediate beginning of the work of printing some of the most important and interesting of the materials which have been found. They hope to do for America what the Royal Commission on Historical Manuscripts, established in 1869, has done for England. The publication of their first report, they expect, will increase public interest in their work and elicit many further responses to their inquiries. The commission propose to print, as a specimen of the work they intend to do, a collection embracing series coming from various geographical sections and illustrating various portions of our national history. From the Public Record Office in London they have obtained a series of transcripts of the letters to the Foreign Office from Phineas Bond, British consul at Philadelphia from 1787 to 1812; from Canada, a correspondence showing a curious intrigue of an anonymous party or parties in Pennsylvania, in 1756, with the French

Government; for New England, an interesting collection, from widely scattered repositories, of the letters of Stephen Higginson, of the Essex Junto; from the Middle States, a selection from the correspondence of Mahlon and Philemon Dickerson; for the South, extracts from the journal of Edward Hooker, exhibiting South Carolina legislation and politics in the years 1805 to 1808; for the West, the papers giving the history of the expedition against Louisiana planned in 1793 and 1794 by Edward Charles Genet and George Rogers Clark.

The most conspicuous social feature of the convention was the Association breakfast, in the banqueting hall of the Windsor, just after the Wednesday morning session. Over one hundred subscribing members and their friends, including several ladies, enjoyed a delightful repast. Dr. R. S. Storrs, the president of the Association, sat at the high table with other speakers and one or two specially invited guests of the Association. Dr. Storrs said some good things for the encouragement of the society in its patriotic work. He thought there was great need of cultivating the historical spirit in a democratic people. We are too mercurial in our national temperament. We are subject to great exuberance of feeling in one direction or another. History tends to correct political faults by giving a certain ballast of temperament. The presiding officer called upon Mr. E. T. De Lancey, who represented the New York Historical Society; upon Mr. Winsor, vice-president of the Massachusetts Historical Society; upon Edward Eggleston, who is facile princeps in American culture history; President Gates, of Amherst College; Dr. William A. Dunning, of Columbia, and Prof. H. Morse Stephens, of Cornell. After the Association breakfast there was a meeting of the guarantors of the American Historical Review. Prof. W. M. Sloane was reelected one of the editorial board.

The following invitations to the American Historical Association were duly presented by the secretary:

NEW YORK HISTORICAL SOCIETY,
170 Second Avenue, New York, December 26, 1896.

On behalf and in the name of the New York Historical Society, I have the honor to invite the members of the American Historical Association during their sojourn in this city to visit the library and museum of the New York Historical Society at any time between the hours of 9 a. m. and 5 p. m.

Yours, truly,

JOHN A. KING, *President.*

THE AUTHORS' CLUB,
MUSIC HALL, SEVENTH AVENUE AND FIFTY-SIXTH STREET,
New York, December 29, 1896.

I am instructed by the executive council of the Authors' Club to invite the members of the American Historical Association, now in session in this city, to attend a meeting of the Authors' Club (Carnegie Hall, corner Fifty-sixth street and Seventh avenue), on December 31, 1896, at 9 o'clock p. m. Some very informal Watch-Night Ceremonies will take place at midnight. The club will feel honored by the presence of any member of the Historical Association who may remain in town, and the presentation of his card with notice upon it that he is a member of the Association will be sufficient for admission to the rooms.

I am, dear sir, very respectfully, yours,

DANIEL G. THOMPSON,
Secretary, 111 Broadway, New York City.

Invitations were also received from the New York Genealogical and Biographical Society, and from the Authors' Guild, 226 West Fifty-eighth street.

The following letter from the honorary secretary of the Royal Society of Canada was read to the American Historical Association by its secretary:

HOUSE OF COMMONS,
Ottawa, December 15, 1896.

SIR: I have the honor to inform you that at a meeting of the council of the Royal Society of Canada, recently held in the city of Montreal, it was resolved that the honorary secretary do communicate to the American Historical Association the following facts:

1. That the Royal Society will hold their next general meeting in the city of Halifax, Nova Scotia, from the 21st to the 26th of June, 1897.
2. That it is proposed during the meeting to commemorate the famous voyage of the Cabots to North America in 1497, by the erection of a monument or the placing of a tablet in the province building of the city of Halifax.
3. That the American Historical Association be respectfully requested to send one or more representatives to the meeting, who will be the guests of the society on an occasion so deeply interesting to Englishmen and their descendants in all parts of the globe.

I have the honor, accordingly, to call your special attention to the foregoing resolutions and ask you to take such measures as you may deem expedient to give a favorable response to the request of the Royal Society, and of the citizens of Halifax, who are equally interested in the meeting and will gladly welcome the delegates.

I inclose herewith the report of the Royal Society in May last on the subject of the Cabot celebration.

I remain, yours, sincerely,

JNO. GEO. BOURINOT,
Honorable Secretary.

This letter of invitation was referred, upon motion by the secretary, to the Executive Council with power to appoint delegates. At a subsequent meeting of the council, Prof. Justin

Winsor, of Harvard University, and Dr. H. B. Adams, of Baltimore, were appointed delegates to Halifax, with power to increase their number. Dr. Benjamin Rand, of Harvard University, has since been added to the delegation.

Dr. Justin Winsor, who presided at two of the morning sessions of the Association, introduced on behalf of the council of the Massachusetts Historical Society and of its president, Mr. Charles Francis Adams, a memorial addressed to Congress for the preservation of the frigate *Constitution* as a naval museum at Washington. It was desired that the American Historical Association should unite with the Massachusetts Historical Society in presenting a memorial to Congress. Professor Emerton moved that the communication be referred to the Executive Council of the Association. This motion was carried, with an amendment expressing the approval of the Association of the proposed appeal.

The American Society of Church History was organized in New York March 23, 1888, through the instrumentality of the late Dr. Philip Schaff, who died October 20, 1893. Since his death there has been some discussion of the expediency of uniting the Church History Society with the American Historical Association.

The following is the proposed plan of union with the American Historical Association, adopted by the council of the American Society of Church History in New York City, November 19, 1896, approved by the Executive Council of the American Historical Association, and ratified by the Association December 31, 1896:

To the Council of the American Historical Association.

GENTLEMEN: The council of our society would respectfully lay before your body the following propositions:

1. That we be allowed to incorporate ourselves with your membership as a body; our annual members to be your annual members; our life members to be life members in your Association.
2. That you will constitute a section to be called "The Church History Section," to be composed of such members of the Association as choose to be present on any occasion at its meeting, and to take part in the meeting.
3. This section shall meet on the same days with the general Association, and, if convenient, in the same place, and shall have its own chairman and secretary elected by the section during the previous annual meeting of the Association.
4. The officers of the section named above shall be ex-officio members of the council of the Association.
5. All papers upon Church History presented to the Association at its annual meeting shall be referred to the Church History Section in which,

if its officers so determine, they shall be read, unless in the judgment of the section officers they are of such general interest as properly to be read in the general session, in which case they are to recommend these papers to the programme committee.

6. The advisability of printing any of the papers read in the Church History Section shall be determined by the programme committee of the Association, of which the secretary of the section shall be ex-officio a member, and no such paper shall be published without his consent.

The American Society of Church History held its ninth annual meeting in room 28, Hamilton Hall, Columbia University, on Tuesday and Wednesday, December 29 and 30, 1896. The following papers were presented and fairly indicate the scope and character of the work of this society, which, in the future, is to be a section of the American Historical Association:

FIRST SESSION.—*Tuesday, December 29—3.30 p. m.*

- I. The Teachings of Antonio Rosmini and the Censures passed upon them by Ecclesiastical Authority. By Rev. Prof. Henry Clay Sheldon, D. D., Boston, Mass.
- II. The Revolution in the Church Constitution in the Ninth Century. By Guy Carleton Lee, Ph. D. (Johns Hopkins), Baltimore, Md.
- III. The Development of the Appellate Jurisdiction of the Roman See till the end of the Pontificate of Nicholas I (867). By Joseph Cullen Ayer, jr., Ph. D. (Leipzig), Nantucket, Mass.

SECOND SESSION.—*Tuesday, December 29—8 p. m.*

- I. The Attitude of the Society of Friends toward Slavery in the Eighteenth Century. By Prof. Allen Clapp Thomas, Haverford College, Pa.
- II. Some Aspects of Early Methodism. By Rev. John Alfred Faulkner, Binghamton, N. Y.
- III. The Ecclesiastical Situation in New England prior to the Revolution. By Rev. Joseph Henry Allen, D. D., Cambridge, Mass.

THIRD SESSION.—*Wednesday, December 30—10 a. m.*

- I. Erasmus, the Prince of the Humanists. By Rev. George Norcross, D. D., Carlisle, Pa.
- II. The Amsterdam Correspondence. By Rev. Edward Tanjore Corwin, D. D., Greendale, N. Y.
- III. The Relation of the Church of England to the Reformed Churches during the Tudor and Stuart Periods. By Rev. Principal Sheraton, D. D., LL. D., Toronto, Canada.

FOURTH SESSION.—*Wednesday, December 30—3.30 p. m.*

- I. The Attitude of the Church toward the Study of the Classics in the Early Middle Ages. By Prof. Dana Carleton Munro, Philadelphia, Pa.
- II. The Colony of the Labadists in Maryland. By Rev. Bartlett Burleigh James, Washington, D. C.

At the New York meeting was appointed a commission to prepare and recommend to a committee of the National Educational Association a plan of historical study in secondary schools. It was considered a singularly good opportunity for the Association to bring its national influence to bear upon the proper teaching of history throughout the whole country. An entire evening had been devoted to a discussion of this subject by college and university men in the Association, and it was hoped that the historical commission might be able to harmonize the various views and to suggest practical ways and means to the National Educational Association for promoting historical study in high schools and academies.

The following five members were appointed on this commission, with power to increase its number by two additional members: Profs. George B. Adams, C. H. Haskins, H. Morse Stephens, Lucy M. Salmon, and H. B. Adams. Upon subsequent resignation of Prof. George B. Adams, Prof. A. C. McLaughlin, of the University of Michigan, was chosen in his place. Prof. A. B. Hart, of Harvard University, and George L. Fox, principal of the Hopkins Grammar School, New Haven, have since been added to the commission. Prof. A. C. McLaughlin was elected chairman.

VOTES OF THE EXECUTIVE COUNCIL.

The Executive Council of the American Historical Association, at its New York meetings, December 29-31, 1896, passed the following resolutions:

1. The appropriation of \$500 for the continuation of the work of the Historical Manuscripts Commission.
2. The election of James Bain, jr., as a member of this commission in place of Douglas Brymner, resigned.
3. The acceptance of the invitation of the Royal Society of Canada to send delegates to Halifax June 21-26, 1897, to join in the commemoration of the discovery of North America by John Cabot.
4. The appointment of Justin Winsor and H. B. Adams as delegates to Halifax, with power to increase their number.
5. The appointment of a committee of three, consisting of Justin Winsor, and G. B. and H. B. Adams, to confer with a committee of three, consisting of Messrs. Jackson, Richardson, and McGifford, representing the American Society of Church History, upon the project of organic union.
6. The acceptance of the proposed plan of union as adopted by the council of the Society of Church History November 19, 1896, and addressed in printed form to the council of the American Historical Association.

At a meeting of the Executive Council of the American Historical Association, in Washington, December 27, 1895, it was

voted "to offer a prize of \$100 for the best monograph based upon original investigation in history submitted to the council during the coming year, university dissertations excluded, and to print the best five of the monographs thus submitted if of an approved degree of excellence." The committee appointed to make this award was as follows: Prof. A. C. McLaughlin, chairman; Prof. Moses Coit Tyler, and Prof. James H. Robinson. Four monographs were submitted in competition. At the New York meeting the committee reported progress, but requested another month for deliberation, and finally awarded the prize to Prof. Herman V. Ames, of Ohio State University, for his elaborate monograph on "The Proposed Amendments to the Constitution of the United States during the First Century of its History." When printed, this monograph will form a useful public document.

It was announced to the Executive Council that the annual report of the Association for the year 1895 is now in type, and comprises, with the index, over 1200 octavo pages. The first half of the report contains the papers read at the last meeting, in Washington, December 26, 27, 1895; the second half is devoted to an elaborate bibliography of all the published work of American Historical Societies, whether in the United States or in Canada. This extensive and useful bibliographical work was done by Mr. A. P. C. Griffin, formerly of the Boston Public Library and Athenæum libraries, and now of the Lenox Library, New York. His previous work for the Association in this field is at last consolidated, revised, enlarged, and brought up to date. It is the policy of the Association to continue bibliographical work in other fields of State and national history.

The annual report for 1896 will probably consist of four distinct parts: (1) Report of the Proceedings of the Twelfth Annual Meeting; (2) Report of the Historical Manuscripts Commission; (3) Historical Bibliographies; (4) Prize Essay on the Proposed Amendments to the Constitution of the United States during the First Century of its History.

RESOLUTIONS.

The committee on resolutions reported the following at the closing session of the Twelfth Annual Meeting:

Resolved, That the sincere thanks of the Association be, and they are hereby, tendered to the members of the local committee of arrangements for the admirable manner in which they have performed their important

task, much of the marked social and literary excellence of this highly successful meeting being attributable to their endeavors; to the corporation of Columbia University, for its hospitable treatment of the Association, in the loan of lecture rooms for meetings, and in the tender of numerous other courtesies; to president and Mrs. Seth Low, and to Mr. and Mrs. Clarence W. Bowen, for delightful receptions at their respective homes to the members of the Association and its guests; and to the New York Historical Society, New York Genealogical and Biographical Society, and the Authors' Club, for their tender of the hospitalities of their rooms to the members of the Association.

REUBEN G. THWAITES, *Chairman.*

EDWIN A. GROSVENOR.

II.—REPORT OF TREASURER—LIST OF COMMITTEES—
NECROLOGY.

REPORT OF TREASURER.

REPORT OF THE TREASURER.

The American Historical Association in account with Clarence W. Bowen, treasurer.

| 1886. | | 1885. | | 1886. | |
|---------|-----------------------------------|-----------------|---------|---|-----------------|
| Jan. 4 | To paid | \$150.00 | Dec. 27 | By balance cash on hand | \$966.55 |
| 9 | H. S. Chandler, voucher 1 | 15.13 | 1886. | | |
| 17 | Jno. Murphy & Co, voucher 2 | 4.50 | Dec. 29 | 466 annual dues, at \$3 | 1,398.00 |
| 28 | The Independent Press, voucher 3 | 75.00 | Dec. 29 | refunded by Trunk Line Association | 17.00 |
| Feb. 13 | A. H. Clark, voucher 4 | 100.00 | 29 | for publications | 44.03 |
| Apr. 1 | H. B. Adams, voucher 5 | 1,178.75 | 29 | interest on bond and mortgage | 250.00 |
| 27 | J. B. Manning, voucher 6 | 8.78 | 29 | dividend National Bank of Commerce | 80.00 |
| June 8 | The Public Printer, voucher 7 | 1.00 | 29 | dividend Bank of New York, National Banking Association | 25.00 |
| 11 | W. H. Moore, voucher 8 | 10.85 | 29 | National Bank of Commerce taxes | 27.61 |
| July 1 | J. F. Jameson, voucher 9 | 60.84 | | | |
| 7 | F. J. Turner, voucher 10 | 63.00 | | | |
| | W. P. Trent, voucher 11 | 54.75 | | | |
| | Standard Printing Co., voucher 12 | 13.90 | | | |
| 21 | The Independent Press, voucher 13 | 7.50 | | | |
| Sept. 9 | William Talcott, voucher 14 | 155.34 | | | |
| 10 | Friedenwald & Co., voucher 15 | 15.40 | | | |
| 14 | The Independent Press, voucher 16 | 100.00 | | | |
| Oct. 15 | A. H. Clark, voucher 17 | 28.25 | | | |
| 23 | J. F. Jameson, voucher 18 | 50.00 | | | |
| Nov. 28 | H. B. Adams, voucher 19 | 50.00 | | | |
| | A. P. C. Griffin, voucher 20 | 130.00 | | | |
| Dec. 11 | E. C. Burnett, voucher 21 | 4.50 | | | |
| 16 | Judd & Detweiler, voucher 22 | 40.35 | | | |
| 24 | J. F. Jameson, voucher 23 | 26.49 | | | |
| 28 | The Independent Press, voucher 24 | 489.86 | | | |
| | Balance cash on hand | 2,841.19 | | By balance cash on hand | 2,841.19 |
| | | | | | 489.86 |

The assets of the Association have been increased during the past year by the purchase of five shares Bank of New York, National Banking Association, at a cost of \$1,178.75. The assets of the Association are: Bond and mortgage, \$5,000, drawing 5 per cent; ten shares National Bank of Commerce, \$1,910; five shares Bank of New York, National Banking Association, \$1,178.75; cash, \$489.86; total assets, \$8,578.61; an increase during the year of \$669.06. Respectfully submitted.

We have examined the vouchers of the account and the securities which represent the assets and find them correct.

DECEMBER 30, 1886.

CLARENCE W. BOWEN, Treasurer.
 WM. B. WERDEN,
 A. MCF. DAVIS,

LIST OF COMMITTEES, 1896-97.

1. *Auditing committee:* William B. Weeden and A. McFarland Davis.
2. *Finance:* John A. King and E. W. Blatchford.
3. *Nominations:* Prof. Justin Winsor, Judge Charles P. Daly, and President E. D. Warfield.
4. *Time and place of next meeting:* Prof. A. C. McLaughlin, Prof. J. F. Jameson, and Prof. H. B. Adams.
5. *Programme:* Prof. Henry E. Bourne, Prof. F. J. Turner, Prof. George W. Knight, Prof. A. B. Hart, and Prof. H. B. Adams.
6. *Resolutions:* Reuben G. Thwaites and Prof. Edwin A. Grosvenor.

OFFICERS FOR 1896-97.

President: James Schouler, LL. D., Boston, Mass.

Vice-Presidents: George P. Fisher, D. D., LL. D., Yale University; James F. Rhodes, LL. D., Boston, Mass.

Secretary: Herbert B. Adams, Ph. D., LL. D., Johns Hopkins University.

Assistant Secretary and Curator: A. Howard Clark, Smithsonian Institution, Washington, D. C.

Treasurer: Clarence W. Bowen, Ph. D., 130 Fulton street, New York City.

Secretary of Church History Section: Rev. Samuel Macauley Jackson, D. D., New York City.

Executive Council (in addition to the above-named officers): Hon. Andrew D. White, LL. D., Ithaca, N. Y.; Justin Winsor, LL. D., Harvard University; Charles Kendall Adams, LL. D., president University of Wisconsin; Hon. William Wirt Henry, Richmond, Va.; James B. Angell, LL. D., president University of Michigan; Henry Adams, Washington, D. C.; Hon. George F. Hoar, LL. D., Worcester, Mass.; Richard S. Storrs, D. D., LL. D., Brooklyn, N. Y.; Prof. George B. Adams, Yale University; Prof. H. Morse Stephens, Cornell University; Prof. F. J. Turner, University of Wisconsin; President E. M. Gallaudet, Ph. D., LL. D., Washington, D. C.

4

NECROLOGY FOR 1896.

By JAMES GRANT WILSON.

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Since the last meeting of this Association was held at Washington in December, 1895, we have to mourn the loss of seven valued members. These are Col. Alexander Bliss, a graduate of Harvard, who was well known in military and diplomatic life, having served in the United States Army during the civil war, and later, as secretary of legation at Berlin under his stepfather, George Bancroft, a former president of this Association; David H. Gerome, for two years governor of Michigan, and James Shearer, a prominent and public-spirited citizen of that State; William Henry Smith, for many years the efficient manager of the Western Associated Press, and, more recently, of the Consolidated Press, consisting of the Eastern and Western Associations; and Gen. John Meredith Read, who died in Paris, December 27. General Read was born in Philadelphia in 1837, was graduated at Brown University, acted during the civil war as adjutant-general of New York, and was for several years minister resident in Greece. His best-known contribution to literature is his "Historical inquiry concerning Henry Hudson." The other two prominent members of our Society, who now rest from their active and useful labors, are the subject of the brief tributes to which your attention is respectfully invited.

Joseph Meredith Toner, a well-known historian and physician of Washington, died in that city July 30, in his seventy-second year. He was a native of Pennsylvania, having been born in Pittsburg April 30, 1825; was graduated at Mount St. Mary's College, and in 1853, at the Jefferson Medical College. Two years later he removed to Washington, where he resided for more than two-score years, becoming widely and favorably known as a physician, philanthropist, and historian. In 1871, he founded the Toner Medical Lectures, which are included in the regular list of the publications of the Smithsonian Institution, being the first attempt that has been made

to endow a course of lectures in the United States, on similar conditions. In 1882, he gave his entire library, including manuscripts, to the Library of Congress. The gift consisted of 26,000 bound volumes and 18,000 pamphlets. Sad to say, the only place that could be found for this valuable collection was a large room in the crypt of the Capitol into which daylight never penetrates. Happily, our associate, Mr. A. R. Spofford, the accomplished Librarian, will be able, speedily, to remedy this unfortunate state of things, when the 800,000 books are removed to the new Library building, the finest ever erected for such a purpose. For many years Dr. Toner was engaged in collecting copies of every original letter and newspaper connected with George Washington. This interesting collection, also given to the Government, forms the largest assemblage of Washingtoniana in the world, and is deposited in the Congressional Library. No person living was as well acquainted with the history of the city of Washington and the career of the Father of his Country as my friend, Dr. Toner. But a few weeks before his death, being unable to find in any of the numerous biographies of Washington certain information concerning his war horses, I wrote to the venerable doctor, and the desired data was promptly furnished. Lately, in glancing over an attractive volume, for which I am indebted to Vice-President Stevenson, containing an account of the proceedings on the occasion of the one hundredth anniversary of the laying of the corner stone of the Capitol of the United States, I discovered that it included a most valuable map of Washington in embryo, previous to the survey made by Major L'Enfant in 1792, which was compiled from the valuable historical researches of Dr. Toner, and which, alas! he did not live to see. He was the author of about fourscore biographical, historical, and medical brochures, besides several volumes relating to Washington, all published or printed during a period of thirty years.

Our society, and more particularly the scientific world, suffered a severe loss in the unexpected and sudden death in Washington on Sunday evening, September 6, 1896, of George Browne Goode, a valued ex-member of the council of the Association and Assistant Secretary of the Smithsonian Institution. He was born in New Albany, Ind., February 13, 1851. His ancestry on both sides was colonial, and he traced with pride his paternal line to John Goode, of Virginia, who was a soldier under Nathaniel Bacon, "the Virginia rebel," in the

first armed resistance in 1676 of America against the oppressions of British royal authority. Later in life the professor issued a valuable history of his family, entitled "Our Virginia Cousins." He was graduated at Wesleyan University, at Middletown, Conn., in 1870, exhibiting during his collegiate course a strong preference for scientific studies, and especially for natural history. He was then for a season a pupil under Prof. Louis Agassiz at Harvard. Two years later the young student was appointed on the staff of the Smithsonian Institution, and from 1874 to 1887 he held the office of chief of the division of fisheries, publishing during that period and the succeeding eight years several valuable volumes and more than one hundred monographs on ichthyology and kindred subjects. It was not alone on the purely scientific side that Professor Goode was so thoroughly at home, but he was also active in the study of the ways and habits of fish, always having in view the practical benefits to be derived from fish as food. Some of the skill displayed in the arrangement of the collection in Wesleyan University was gradually developed as he grew older, until at length he was generally recognized as without a superior—either at home or abroad—as a museum administrator. No man could have more successfully grasped the ends and aims of a national museum. The professor was much interested in matters relating to American history, and the natural bent of his mind was to the historical investigation of a subject. Perhaps some present may recall an extremely valuable contribution by him to this Association's meeting of 1890, entitled "The origin of the national scientific and educational institutions of the United States." Much of our deceased friend's leisure during the past two summers was devoted to the preparation of material that is to be utilized in the "Half Century Book of the Smithsonian Institution," which was his conception and which, when issued, will be an enduring monument to his wide knowledge of science. Of Professor Goode, who was connected with many historical, patriotic, and scientific societies, Dr. Langley, Secretary of the Smithsonian Institution, in a high tribute to his memory, says:

I have never known a more perfectly true, sincere, and loyal character than Dr. Goode's; or a man who with a better judgment of other men, or greater ability in molding their purposes to his own, used those powers to such uniformly disinterested ends, so that he could maintain the discipline

of a great establishment like the National Museum, while retaining the personal affection of every subordinate. He was not only possessed of the exact scientific training which found expression in the many ways which have been mentioned, and as a specialist in museum administration, but was an adept in other branches of learning. His historical powers in grouping incidents and events were akin to genius. His genealogical writings showed wide and accurate research, while his literary faculty displayed itself with singular charm in some of his minor productions. But how futile these words seem to be in describing a man, of whom perhaps the best, after all, to be said is that he was not only trusted, but beloved by all, with an affection that men rarely win from one another.

24

III.—INAUGURAL ADDRESS.

By the President, Dr. RICHARD S. STORRS,
OF BROOKLYN, N. Y.

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CONTRIBUTIONS MADE TO OUR NATIONAL DEVELOPMENT BY PLAIN MEN.

By the President, Dr. RICHARD S. STORRS.

I gratefully acknowledge your unexpected and undeserved kindness in choosing me as your president for the current year; and if it had been at all in my power, I should gladly have responded to this kindness by presenting on this occasion some theme requiring remoter research than does that which I have chosen, or connected more intimately with that large and fascinating philosophy of history which has always attraction for studious minds. But the circumstances of my life in recent weeks have altogether forbidden the leisure necessary for the accomplishment of either of these purposes; and I can therefore only ask your indulgence while I rapidly present, under one or two illustrations, a subject which can certainly never be inopportune in a country like ours or in an assembly like this, yet which has no charm of novelty upon it and no dignity of remoteness; the subject, namely, of The Vast Silent Contributions heretofore made to our National Development by plain, uncelebrated Men, who sought no praise, achieved no present fame, but who did faithfully what came to them to be done, and the consequences of whose work are around us to-day. To recognize this seems equally our duty and our privilege, and the present meeting a not inapt occasion for it.

We are accustomed, of course, to think and speak with admiring honor of the brilliant and famous persons who, as statesmen, soldiers, inventors, great leaders of public thought, have given distinction to our annals in the century and a quarter of our public experience, and by whom the institutions of society among us have been conspicuously established and embellished. The time never will come when such honor to such men will not be appropriate. The impulse to render it

belongs to our impelling and governing moral nature; and whenever it shall fail, a loss will be shown in us of that which is essential to noble personal or national welfare.

But it can not be doubted, I am sure, that while we honor such men, we ought also to gladly recognize, and on occasion to commemorate, that wide, quiet, unadorned work which has been done for the nation by those in less conspicuous positions—commonly, no doubt, of less signal powers—yet who also have wrought with patience, faithfulness, and consecration of spirit, and sometimes with extraordinary effect, to assure and advance public progress. The consequences of their work have often immensely surpassed expectation; while it is impressive to observe how the work of any one of them has not infrequently interlocked itself with that of another or of others following, till the final effect has been of prodigious extent and value. We see how rich in stalwart life our nation has been, and how manifold and profound have been the sources from which have come its ultimate power. Our gratitude for the past as well as our hope for the future may thus be reinforced.

I hope, therefore, that it will not seem inappropriate to the hour if I present two or three examples illustrating the nature and greatness of such work—examples familiar, no doubt, to you who are present, yet not widely recognized, and the full significance of which may not be always immediately apparent, even to those who have noticed them before. We do not any of us need to be taught, but it will not harm us to be freshly reminded, of that which it fell to those men to do, and our spirits may take a certain fresh impulse from recalling their work. For myself, I always find suggestions of duty and incentives to any form of honorable service in such examples, and this not the less because it so happens that those of whom I am chiefly to speak were both Congregational ministers in New England, while a third, to whom in closing I may allude, was a missionary-physician in the Northwestern wilderness. Not much, perhaps, would naturally be expected, in the way of affecting national progress, from men so placed, but the results of their patient and faithful efforts have been certainly remarkable.

One of these examples, which often recurs to the student of American history, is that of Eleazar Wheelock, the son of a respectable farmer in Windham, Conn., who was born there in

April, 1711, was graduated at Yale College in 1733, and was ordained pastor of the Second Congregational Society in Lebanon, Conn., in June, 1735.

This town of Lebanon, in the county of Windham—a fairly typical New England town, with its principal village on a ridge from which farms descend either way, its wide streets shaded by noble elms and maples—was chiefly known in the latter part of the last century, and perhaps is generally known to-day, as the home of the Trumbulls, especially of Jonathan Trumbull, governor of Connecticut from 1769 to 1784, the only governor loyal to the people during the Revolution, on whom Washington greatly relied for counsel and aid, and whose Christian name has been sometimes supposed to have furnished the slang name for New Englanders, from the habit which the great commander had of saying, in regard to critical questions, "We must consult Brother Jonathan." A price was set on his head by the British Government, but he lived to the ripe age of 75, and died amid the affectionate honor of all who knew him. His son, Jonathan, jr., became a trusted aid of Washington, and, after Hamilton, his private secretary. He, too, was governor of Connecticut for eleven years, from 1798 to 1809, and chief judge of the supreme court, as his father had been; he was Speaker also of the House of Representatives, and a Senator of the United States. Another son of the elder governor was John, to whom a reference was made in the meeting of this morning, who had been in active military service in the early part of the Revolution, and had then been recognized as showing brilliant ability and courage, but whose special taste and talent for painting so controlled him that in 1780 he left the army to prosecute his art, and whose pictures are exhibited in the Capitol at Washington, in the Trumbull Gallery at New Haven, in the Wadsworth Gallery at Hartford, in the Historical Society and the city hall in this city, and elsewhere. He was the first vice-president and the second president of the American Academy of Fine Arts, and died in this city as lately as 1843.

Jeremiah Mason, the eminent lawyer, and United States Senator from New Hampshire from 1813 to 1817, was also from Lebanon; as was, later, Clark Bissell, judge and governor; or, afterwards, William A. Buckingham, the noble war governor from 1858 to 1866, and Senator at Washington from 1869 to 1875.

The town has thus given birth to eminent men, some of whom might fitly be celebrated in addresses like the present. But certainly as important a work as any other the fame of which is connected with it, was that commenced by Eleazar Wheelock, not a native of it, as I have said, but coming to it as the minister of a church in 1735 from a neighboring village. He was a good scholar for the time, an earnest, persuasive, and forcible preacher, and a man of notable activity of mind, as well as of profound and zealous philanthropy. According to a practice then not uncommon in New England, he received young men into his family to fit them for college or to train them for success in commercial pursuits. At the end of 1743 there came to this school a young Indian of the Mohican tribe, whose unpronounceable Indian name was Anglicized or Americanized into Samson Occom. He had been converted to Christianity while a youth, and now, at the age of 20 or thereabouts, he eagerly desired to fit himself to preach the Gospel to his people, and to all the Indian tribes to which access might be had. Mr. Wheelock gladly received him as a pupil, and he remained in the school for three or four years, preparing for college—from which, however, the failure of his health at last detained him—then leaving to take up the missionary work.

The wish to train Indian youth, properly qualified in power and character to do such work, has been active among New England divines from and before the time of John Eliot. The English "Company for the Propagation of the Gospel among the Heathen Natives of New England and the Parts Adjacent in America" had been incorporated about the middle of the seventeenth century, with Robert Boyle as its first governor. Bishop Berkeley, then Dean of Derry, had come to this country, you remember, in 1728, to further his plan "for the converting of the savage Americans to Christianity by a college to be erected in the Summer Islands, otherwise called the Isles of Bermudas." He lived at Newport for two or three years, but being disappointed at the failure of the British Government to supply the aid which it had promised, and becoming persuaded that the Bermudas did not offer the best location for such a college, he returned to England, and his plan came to no practical result. The interest in the work which he had contemplated continued, however, to be here felt, as was shown, for example, by the establishment of a school for Indians at Stock-

bridge, Mass., in 1737, under John Sargent. and by his translation into the Indian language of parts of the Old Testament and of all the New Testament except the Book of Revelation, which he may have thought too resonant with descriptions of battle and of victory to be the best reading for fighting savages lately converted.

It was only in the line, therefore, of such animating Christian thought and impulse that Wheelock opened his school to Indian youth, and sought earnestly to bring them into it and to make provision for their support. The school became, indeed, after 1754, distinctively an Indian school, for these missionary purposes; and in 1762 he had present more than twenty Indian students. At times during the eight years he had had twenty-five, and in all more than fifty. Of these Samson Oocom remained the most distinguished as a teacher and preacher. He had labored in his difficult work, not only in his own tribe, but among the Montauk and Shinnecock tribes of Long Island, and in 1759 had been ordained by the Suffolk Presbytery. It was decided in 1765 that he should go to England, to represent there what the school was doing, and to secure for it larger assistance; if possible even a permanent endowment. The expedition was signally successful. Oocom was himself an object lesson to which none could be blind, whose inspiring influence few could withstand. He was then perhaps 43 years of age, speaking English with easy fluency, having the characteristic color and features of his people, while a courteous gentleman in social intercourse, a thorough believer in the Gospel, and, as a preacher, with all the gifts for eloquent discourse which his race has often shown. Wide and effective interest in England was excited by his mission, which continued for nearly eighteen months. Whitfield and the Wesleys were heartily enlisted for his work. A fund of more than £12,000 was collected, to which His Gracious Majesty George III gave £200; the Earl of Dartmouth, £50; and to which the Earl of Shaftesbury, the Marchioness of Rockingham, the Duke of Bolton, the Bishop of Derry, with a multitude of others, emulously contributed. William Wilberforce, of the family probably of the great philanthropist, was one of the subscribers. Mayors of towns, with civic corporations, added to the fund.

The aid thus secured was larger, even, than had been expected, the impassioned eloquence of Oocom having moved hearts not easily stirred, and the establishment of the Indian

Charity School on a broader plan and a firmer basis was the work which immediately faced Mr. Wheelock. After much consultation it was determined to place it in New Hampshire—whose governor had already gladly assisted it—in the town of Hanover, on the western edge of the State, on the banks of the Connecticut. Families were already there who had gone from Lebanon and from neighboring towns. The offers of aid, in the way especially of donations of land, were prompt and liberal, and, above all, it seemed an accessible intermediate point for the Mohicans or Housatonics on the south, the Six Nations on the west, the Canada tribes on the north. So a royal charter was secured for the institution at the end of 1769, and the name of a noble patron in England was given to it. In August, 1770, Wheelock himself was on the ground, building or superintending the building for himself of a log hut 18 feet square, of a frame house for his family 32 feet by 40, with another house for his students 80 feet by 32. His sons and the students slept in booths and on beds of hemlock until the end of October, when he was able to place his family in the house, and Dartmouth College was started on its distinguished career. It had grown from the small charity school for the instruction chiefly of Indian youth, established by the minister in his own house in the Connecticut village, and already it had become an endowed institution of enduring fame and power in the land, the influence of which has reached and is to reach all lands of the earth.

Of the work since accomplished by the college, and of the great names on the roll of its alumni, I hardly need speak, since many of them you readily recall. Daniel Webster and Rufus Choate are those whom probably all would first name as giving to the college preeminent renown—the great statesman, lawyer, orator, of the period preceding the civil war, whose speech against Hayne shotted the guns of a million soldiers in the last generation; the equally great lawyer and orator who was also a devoted student and an elegant scholar. They differed in many things, as the massive oak differs from the graceful yet muscular elm with the far sweep of its leaf-crowned branches; as the granite of New England from the variegated marble or the rose-colored stone which are also at home there; but they were always admiring friends, and their names will shine together in the annals of Massachusetts and in those of the nation while those annals continue to be read.

But the luster of their names must not hide from us the noble fame which belongs to others who also found training at Dartmouth. Salmon P. Chase was there graduated—governor, Senator, Secretary of the Treasury, Chief Justice of the United States—whose great powers, great positions, and great work for the country will be always remembered. Levi Woodbury, Amos Kendall, Samuel Bell, judge, governor, and Senator; Judges Samuel S. Wilde and Joel Parker; Richard Fletcher, Ichabod Bartlett, Peleg Sprague, judge and Senator; George P. Marsh, equally eminent in literature and in national diplomacy, were all graduates of Dartmouth. When Mr. Webster entered the Senate, five of the twelve members of it from New England were Dartmouth alumni; at least eighteen of these have been Senators at different times, and probably no one of them has been more influential in the country than was Thaddeus Stevens, in the House of Representatives, often referred to as “the Great Commoner,” whose eloquent speech and intense convictions, with his personal daring and tremendous determination, lifted him to most prominent rank among the public men of the last generation. On the roll of eminent educators stand many graduates of the same college: Joseph McKeen and Jesse Appleton, both presidents of Bowdoin College; James Marsh, John Wheeler, Joseph Torrey, presidents of the University of Vermont; Gilman Brown, of Hamilton; Benjamin Hale, of Hobart College, Geneva; Ebenezer Porter, of the Andover Theological Seminary; Philander Chase, bishop of Ohio and afterwards of Illinois, founder of Kenyon and Jubilee colleges; with many others who have held important professorships—as Nathan W. Fiske, Calvin E. Stowe, Charles B. Haddock, Alpheus Crosby, Thomas C. Upham, William Chamberlain, Reuben Mussey, and others whom my limits forbid me to name. If those still living were to be included, the evening would be too short for the recital.

Distinguished literary men have also been trained there, as George Ticknor, the historian of Spanish literature; Caleb S. Henry, Nathaniel S. Folsom, in addition to those previously named; and of course a great multitude have gone into churches and schools, into journalism and the law, into medicine and the arts, and into great missionary work in other lands—as Daniel Poor, Levi Spalding, Daniel Temple, William Goodell.

One graduate, in the class with Ticknor, in 1807, has done

more, it may safely be said, to put his powerful impress on the history of this country than any other of the more than five thousand graduates of the college; and yet, outside of military circles, his name is now hardly remembered. I refer to Sylvanus Thayer, a native of Braintree, Mass., a parishioner there of my father; a man whom I personally knew, and whom in the later years of his life I often met. After being graduated at Dartmouth, following the aspiration which had there been awakened for public service in some other profession than that of medicine or of law, he relinquished the valedictory which had been assigned to him, studied for less than a year at the then recently established Military School at West Point, left it in February, 1808, as second lieutenant in the Corps of Engineers, was engaged in active service in the war of 1812, was sent to Europe on professional duty to study military schools and the movement of armies, and in 1817 was appointed Superintendent of the Military Academy, which, when he had left it, nine years before, had been an inefficient, badly managed rudimentary school. He came to it then, at the age of 32, a refined, accomplished, commanding gentleman, an officer of experience and of wide observation, an enthusiastic student of science, thoroughly familiar with both ancient and modern languages, of a vigilant and resolute spirit, determined to place the West Point Academy in an honorable position among the great military schools of the world. In the sixteen years of his superintendency, until 1833, he accomplished this work, through unsparing labor, with unflinching resolution, and an extraordinary practical wisdom; and when, half a century after his retirement from the post, his body having been reinterred at West Point, a statue was there erected in his honor, fitly representing his erect and chivalric figure, it bore on its pedestal the simple but impressive inscription, "Colonel Thayer, Father of the Military Academy." During the term of his superintendency 570 students were graduated under his instruction, and the influence exerted by him went on into after years, and has not ceased, and will not cease, to be a power in the Academy to the end of its history.

Among those personally instructed by him in military science were many of those most distinguished, on either side, in the fateful strife of the late civil war. On the side of the rebellion, Jefferson Davis, Albert Sidney Johnston, Joseph E. Johnston, Robert E. Lee, John B. Magruder, and several others;

on the side of the nation, too many to be named. Among them, Richard Delafield, twice afterward Superintendent of the Academy; Daniel Tyler, Harvey Brown, David Hunter, Joseph K. F. Mansfield, Samuel P. Heintzelman, Silas Casey, Charles F. Smith, to whom Grant testified that the victory at Donelson was largely due, and who would perhaps have been advanced to the head of our armies but for his death through an accident before Shiloh; Ormsby M. Mitchell, Samuel R. Curtis, George W. Cullom, Robert Anderson, the hero of Fort Sumter; George G. Meade, victor at Gettysburg. Sedgwick, Hooker, McDowell, Halleck, left West Point before 1840, while the influence of Colonel Thayer was still as potent there as if he had been present; and the same influence continued, in hardly less vivid distinctness, when Longstreet, Buckner, and others, on the part of the rebellion, Thomas, Sherman, Grant, Hancock, McPherson, Howard, and Slocum, who so successfully led the forces of the Union, were there a few years later. The very life of Colonel Thayer had gone into the Academy, and had charged its veins with his personal force. After his retirement from the Army, with the rank of brigadier-general, in 1863, I saw him often, and was intensely interested in his judgment of those who had been his pupils, in his criticism of their military movements and combinations, and in his predictions of coming results. He could not help having a certain pride in the ability and the fame of Lee and the Johnstons, who had been among his favorite pupils, but his heart sank within him as he thought of their turning their genius and skill against the nation, which at his hands had cherished and trained them. My own younger blood was not more stirred than was his by the tidings of Union victories; and when one of his pupils had gained successes for the nation he was lifted to exultation. He left rich endowments for a school and a library in his native town, and for a school of science at Dartmouth; but his most enduring memorial in history will be that so tersely set forth on the monument at West Point—"Father of the Military Academy."

Certainly in important measure it is due to his training that the war was fought to its august consummation, and was not suffered to "laughish," as English critics had predicted, "in the bloody trail of gigantic skirmishes."

I have said enough, I think, to justify our placing the name of Eleazar Wheelock among those of the men who, doing

faithfully the work which came to them, have laid the nation under vast obligation. He surely "buiided better than he knew." That small and obscure charity school for Indian boys, opened in his rural Connecticut home, has unfolded to proportions which he himself could not possibly have foreseen, in the college of which he was founder and president until his death in 1779; of which his son, John Wheelock, was second president for thirty-six years, and whose fame and power are to-day in all the earth. The "*Vox Clamantis in Deserto*" inscribed on its seal has become a great chorus of triumphing voices in homes and cities. The small effort, as it seemed at the time, to help a feeble remnant of a vanishing people became an incalculable conquering power to lift the imperiled nation, in the fullness of its strength, up and over ensanguined steeps to plains of peace. Almost a new application seems suggested of the ancient words concerning Israel: "I will be as the dew unto Israel; he shall grow as the lily, and cast forth his roots as Lebanon. His branches shall spread, and his beauty shall be as the olive tree; they that dwell in his shadow shall return; they shall revive as the corn, and grow as the vine; the scent thereof shall be as the wine of Lebanon."

A second example of the fundamental and far-reaching work done for the nation by men who failed at the time to attract wide public attention, and whose names, while familiar to a few, are not eminent and brilliant on the pages of history, is that presented by Manasseh Cutler, of Massachusetts, with whose general career we are perhaps all of us acquainted, but the fact even of whose life is not generally remembered, and the greatness of whose achievement for the welfare of the country is hardly more recognized, except among students, than if it had belonged to other lands or distant ages. Here, again, I am not, of course, to present information, which in this presence would be superfluous, but simply to remind you and myself of what we owe to the silent men who wrought for us and for our future, before our life on earth began, that it may be freshly evident to us how wide and deep are the foundations on which union and liberty here are established.

Cutler was born, as most of you may remember, in Killingly, Conn., a few miles distant from the birthplace of Wheelock, in May, 1742, his father being a highly respectable farmer there, and his mother a woman of unusual grace of mind and person and force of character. As a boy he of course worked on the

farm, and thus laid the foundation of the vigor of body and the physical health which he afterwards enjoyed. In addition to his training in the common school, he studied with the pastor of the church in the preparation for college, entered Yale College, and was graduated there in 1755. For a time afterwards he was a merchant in Edgarton, Marthas Vineyard, owning shares in whale ships, for which Marthas Vineyard and Nantucket were then famous. Not satisfied with a life in commerce, he commenced the study of law, and was admitted to the bar with flattering prospects of success. Being, however, a man of earnest religious conviction, he turned from the law, entered the ministry, and in September, 1771, was ordained pastor of the Congregational Church in the southern part of Ipswich, Mass., a precinct subsequently incorporated as the separate town of Hamilton, where, according to the old and honored New England plan, he continued in the pastorate for fifty-two years, preaching in his black gown and cassock until his death in 1823 at the age of 81. But he was by no means simply a minister of religion in the Congregational Church or in any other, and the nation owes to him a debt of admiring honor of which it should never become unmindful.

He was a man evidently of remarkable general faculty, and of thoroughly rounded and well-disciplined character; interested in life on many sides; intensely interested in public affairs; with wide-ranging and versatile powers, which enabled him to succeed in diverse departments of study and work. He was an enthusiastic observer of physical phenomena, studying, as far as he could with his few and poor instruments, eclipses of the sun, transits and occultations of the planets, the movements of comets, and coruscations of the aurora, and being profoundly impressed by the astronomical discoveries of Herschel. He was an expert botanist also, and all his life a close and devoted student of the processes of nature, one of the first, if not the first, to attempt scientifically to analyze and arrange the flora of New England according to the Linnæan system. He corresponded with eminent botanists in this country and England and on the Continent of Europe; and it is amusing to see, in his diary, how the items of daily occupation and interest are intermingled with notes of the blossoming dates of elms, maples, dogwood, lilacs, pine buds, and a certain vegetable product whose popular name is "skunk cabbage." With these come particulars which show the constancy and variety of his public

and parochial cares. For example, "Attended the meeting of the Academy," i. e., the American Academy of Arts and Sciences, of which he was a member; "Dined with his excellency the governor;" "Attending a meeting of the committee of agriculture, and choosing officers;" preparing letters and pamphlets for a botanical paper to be sent to Europe; going to Salem, to observe the manner of hanging the church bell, and the next day getting timber for hanging the bell; a day or two after, "Attending the meeting of the Academy, and settling the matter of the volume." Such glimpses at his diary show what a many-sided man he was, how widely related to various interests, while his ministerial work was always principal in his thoughts. Thoreau, in the Concord woods, was not a more ardent lover of nature, and hardly a more watchful observer of it, than this Congregational pastor, though Thoreau, so far as I remember, neither baptized, preached, nor examined men in theology. In order to assist the poor who were sick, Dr. Cutler studied medicine also, was admitted to practice, gained high repute as a successful physician, was elected honorary fellow of the Massachusetts Medical Society, and is said to have had at one time under his care forty patients in a neighboring town suffering from smallpox, for which he had been inoculated. He was also a successful teacher, having pupils in his house from the Lowell, Cabot, and Silsbee families, with others of equal social importance, and from the West Indies. Francis Lowell, who gave the first great impulse to the cotton manufacture in this country, for whom the city of Lowell was named, and whose son, by a will written among the ruins of Thebes, established the Lowell Institute in Boston, was one of his pupils. Nathaniel Silsbee, United States Senator from Massachusetts from 1826 to 1835, was another pupil. Many others of more local celebrity were fitted by him for Harvard College, or were prepared for commercial life, or were taught navigation as masters of vessels. When summoned to the field by public peril, he became a chaplain in the army in active service, and bore himself gallantly on the field, in token of which he received from his commander a noble horse; and for four years, almost without his own consent, he was Representative in Congress, from 1801 to 1805, during the first term of Jefferson's Administration, declining to be further reelected, on account of the injurious effect on his health of the Washington cares and climate. He was of course a staunch Federalist—he could hardly at that time have been

anything else and been at the same time an orthodox minister in New England—but his character and reputation, his wide information, his power in interlocutory discussion, and his conciliatory manners gave him great weight, even in a House overwhelmingly Democratic; and Jefferson himself seems to have treated him with distinguishing regard. He did not aspire to reputation for eloquent speech, but was wise in counsel, assiduous in work, steadfast in his political faith, and sincerely respected and honored by all.

I have said enough to show that Dr. Cutler was in the truest sense a strong man and a broad one, standing on his own feet, if anyone ever did, and having remarkable power for influencing others. It is only to be added that he was sympathetic as well as commanding in spirit, and was perfectly at home in all circles of society—in the humblest cottage, the most sumptuous drawing-room, the most famous pulpits, in committee rooms for framing largest plans, on seaport piers, in rustic inns, or in halls of legislation. He was as suave as he was strong; with most positive convictions, but with manners as winning and deferential as those of any expert diplomatist trained in courts; an acute and accurate judge of men, as ready and capable in the management of affairs, whether larger or smaller, as have been any of that peculiar New England race from which he sprang, in which he trusted, whose characteristics he embodied, and of which he was filially proud.

And so we come to a memorable journey made by him to this city of New York in the early summer of 1787. To understand this, however, in its purpose and effect, there are some things needing to be freshly recalled in the political condition of the country at that time.

The Continental Congress was still in existence, you remember, as it had been since September, 1774; and with all the weakness of its constitution, which had sometimes involved it in general discredit, it retained its prominence in the country, with an important measure of public power. In the preceding years it had done illustrious things: it had issued the Declaration of Independence; had appointed Washington commander in chief; had adopted the Stars and Stripes as the national flag; had raised armies, made treaties, negotiated foreign loans, issued prodigious bills of credit, and had finally been able to proclaim the acknowledgment by Great Britain

of our national independence—a proclamation read to the army at Newburg on the 19th of April, 1783, just eight years after the battle of Lexington, followed by the shots at Concord, “heard round the world.” It was a body to which the nation, to the end of its history, will be under immense obligations; though the subsequent establishment of the Constitution, with larger powers, more wisely distributed and firmly knit, and with the great history which it has made possible, has thrown into shadow the earlier body. But except for the Continental Congress the Constitution itself could not have existed, save perhaps as a dream in the air.

This Congress was in session in this city in the early summer of 1787, only eight of the colonies being represented, however, while the convention for framing the Constitution was at the same time sitting in Philadelphia. The labors of that convention were not concluded, as we know, until the middle of September, 1787, and the immortal instrument set forth by it for the more perfect government of the nation was not ratified by the States until the following year—by the State of New York on the 26th of July, 1788. Afterwards came the first meeting of the new Congress under the Constitution in New York, appointed for March, 1789, at which time, however, no quorum was present, so that the inauguration of Washington as President was not consummated till the 30th of April, with the previous organization of the House and the Senate and the full establishment of the new Government. Up to that time the Continental Congress, in name at least, had continued to represent the nation, and in the summer of 1787 it did a work, as we know, second in importance to no other achieved by it after the Declaration of Independence and the final treaty with Great Britain. Certain facts must be distinctly in mind for a true understanding of the greatness and value of this work.

The nation, if in any proper sense it could be called such before the Constitution had been ratified by the States, was almost immeasurably poor, and was burdened with an indebtedness small indeed as compared with the inestimable gain of national independence, but immensely larger in proportion to the then existing property of the country than ours was at the end of the civil war. The two millions of dollars of paper money authorized by Congress in June, 1775, having risen before the end of 1779 to two hundred millions and depreciated to the

rate of thirty in paper to one in specie, the press had then been transiently stopped, but other issues had to follow of what was known as the "new tenor" money, bearing interest at 5 per cent and declared to be redeemable in six years. When this was issued, in 1780, the paper currency which had preceded went down to the ratio of seventy-five to one, and, later, of one hundred to one, while the "new tenor" money itself soon sank to four in paper for one in specie, and the issue of it ceased the following year. The local currency issued by the colonies—as by Pennsylvania, Virginia, North Carolina—went yet more utterly out of sight, the final quotation of Virginia money appearing to have been one thousand in paper to one in specie. The colonies had meantime been heavily taxed; vast amounts of property, public and private, had been destroyed; great stretches of territory in all the wide colonial areas were without cultivation, and the public debt in 1784 was not less than seventy millions of dollars, payable in specie—ten millions being due to France, six millions to the army for arrears of pay, five millions to the officers in commutation of half pay for life, twelve millions to unliquidated accounts, while each colony had its own debt, amounting in the aggregate to about twenty-six millions of dollars. More than a quarter of a million of enlistments for service in the Continental Army had been made during the war, the largest number from any colony being 67,907 from Massachusetts; the next largest, 31,939, from Connecticut, and the next, 26,678, from Virginia. When the army was disbanded, these soldiers returned to their homes for the most part impoverished, hunger-bitten, with the strength of their manhood exhausted by sickness, cold, and privations, to find their lands untilled, their places of employment filled by others, their children in rags, their families penniless. Whoever else had prospered at the expense of their peril and blood, they had lost all; almost worthless paper being their only palpable reward for what they had suffered, dared, and done.

It was not unnatural that an insurrectionary spirit under these circumstances should widely appear. Such a spirit had been manifested in Tennessee in 1784, in Kentucky in 1785, in Wyoming, Pa., in 1786, in Maine in the same year, and in New Hampshire; and, most signally, it was manifested in Massachusetts in what is known as Shays' Rebellion, at the end of that year and the beginning of the next. Shays, you remember, had been a captain in the army, had suffered as had others

from the embarrassment of the time, and at last became leader in a formidable popular movement by which Worcester and Springfield were successively occupied, sessions of the supreme court were forcibly interrupted, the arsenal was attacked. This rebellion was suppressed by energetic military action of the governor of the State; but it was estimated that a full third of the people sympathized with it, and Governor Bowdoin at the following election was in consequence displaced. The country seemed almost as frightfully imperiled as at any period during the war, and the genetic trouble was always the same—the worthlessness of the currency, the weight of taxes, the multitude of suits, the general grinding poverty of the people. In some way relief must be gained, or the Revolution itself might prove to have been an apple of Sodom.

The only resource open to the Congress for canceling or reducing the public debt was found in the sale of Western lands. Direct taxation was impossible; duties on imports were violently resisted. As representative of the nation, Congress controlled the Western lands as far as the Mississippi. The treaty of peace had yielded this, and one by one the several colonies, afterwards States, had conceded whatever claim they had to parts of the territory—Connecticut offering this in 1780, excepting only the belt of land south of Lake Erie, known afterwards as “the Western Reserve,” and the transaction being completed in 1786; New York yielding her share in March, 1781, Virginia in 1784, Massachusetts in the following year, and other claimant States to territories south of the Ohio succeeding these in the series. Settlers were already entering the vast region and seeking to establish individual claims by what was known as “tomahawk right” before the lands had been surveyed, such indiscriminate settlement bringing in consequence disputes, collisions, irritating suits, and a general uncertainty of titles; as Mr. Webster afterwards said, “shingling over the country with conflicting titles and claims.” The Indian tribes were at the same time breaking into passionate hostilities and threatening or destroying on the frontier, while there was a formidable additional peril in the growing inclination of the people who were stubbornly fighting their way into Tennessee and Kentucky and along the Ohio to secure the free navigation of the Mississippi to its mouth by connecting themselves with the Spanish government of Louisiana. Washington had described the situation, you remember, in a letter to Gov-

ernor Harrison, of Virginia, October 10, 1784, by saying that "the Western States stand, as it were, upon a pivot;" * * * "the touch of a feather would turn them either way." He had lands of his own in the Western territory, and knew beyond most, the opportunities and the perils which were there simultaneously presented.

Here was, then, the most urgent and the most difficult question presented to the Continental Congress as to the most practicable mode of disposing of that territory which, by war and by cession, had come under its control. No problem presented to the convention which framed the Constitution was of a practical importance more immediate or immense. The congress had already adopted, in May, 1785, an ordinance for the survey and the sale of the lands northwest of the Ohio, but purchasers were slow to appear. The New England States, as well as New York, had lands in their own limits which they offered at half the price of the Federal lands, which were, of course, nearer the home settlements, and with greater security against savage assault; and they discouraged any large emigration which would further diminish their depleted populations. The Continental Congress could therefore do nothing, at the time, but wait and watch.

But now appeared a new force on the stage, which at last controlled the situation and gave solution to the problem. A letter had been sent to the Congress on June 16, 1783, by nearly three hundred officers of the army, more than half of them from Massachusetts, asking for allotments of lands in the West according to promises previously given. This letter was forwarded by Gen. Rufus Putnam, through General Washington, who gave it his earnest commendation, as "the most rational and practicable scheme" thus far proposed, both for the officers and for the State, and who, as he said, "exerted every power" for securing a favorable decision upon it. But practical results did not at once follow, and the plan remained a scheme in the air.

In March, 1786, however, what was known as the Ohio Company of Associates was formed in Boston, at the "Bunch of Grapes Tavern," by delegates from counties in Massachusetts, which proposed to raise a million dollars in Continental specie certificates, for the purchase of lands west and north of the Ohio. Dr. Cutler interested himself actively in the project, and in the following year was appointed one of three directors

of the company, Gens. Rufus Putnam and Samuel H. Parsons being the others; and in June, 1787, he was sent to New York to negotiate with Congress for the purchase. That the pastor of a church in an inconspicuous village of Essex County should have been commissioned for this most important and difficult errand, shows as clearly as anything could the impression which his associates had, not only of his integrity, but of his vast common sense, his knowledge of men, his power of persuasion, his extraordinary civil and political ability. He went to New York, keeping the most minute account, after the old New England fashion, of all the shillings, sixpences, and pence expended by him on the way, and reached this city on July 5, meeting the Congress a day or two after. At once he put forth his utmost power, with all the influence which he could command, to secure, first, a just and permanent form of government for the territory in which the then unparalleled purchase was proposed to be made. He met the most distinguished people in the city, dined at General Knox's, Sir John Temple's, Colonel Duer's—where he mentions, by the way, that fifteen kinds of wine were on the table, showing that abstinence from all which can intoxicate was not then accepted as a precept of obligation in the fashionable circles of New York—and was unwearied in his efforts, public and private, to get such an ordinance of government for the Northwest that on behalf of his associates he could propose the vast contract which they and he had in view. He applied himself especially to men from the Southern States, not doubting that those from New England and New York would be in full sympathy with him. To Richard Henry Lee, William Grayson, Col. Edward Carrington, Dr. Arthur Lee, then in the Treasury—all of them from Virginia—he presented the great matters before him, deeply concerning the welfare of the nation; also to Few, then of Georgia; and of course to General St. Clair, then the President of Congress and afterwards governor of the Northwest. They were profoundly impressed by his courtly manners, his admirable judgment, his enthusiasm in his cause, the scope and hardihood of his plans, his utter self-poise, which nothing could disturb.

The contemplated form of government for the territory was submitted to him, and to it he proposed several amendments, all of which were substantially accepted, so that the ordinance was practically remodeled. After his amendments had been

proposed, and before final action upon them by Congress, he went to Philadelphia to see Dr. Franklin and Dr. Rush, and to visit the Constitutional Convention, there in session; returning to New York on the 17th of July, to find his work so far completed, and the ordinance of government framed and adopted as he had approved it. He then immediately entered on negotiations with the Congress for the purchase of a prodigious tract in the territory the government of which had been thus prescribed; and he prosecuted this with skill, patience, wisdom, and resolution until July 27, when the ordinance of sale was finally passed. In the meantime, by the way, on the 20th of July, he had gone, with some friends, to Brooklyn—spelled by him “Brookline”—to see the view from the heights, with the existing remains of the old forts. He speaks of it as a small village opposite New York. They dined there at the “Stone House Tavern,” wherever that may have been, where he says they had an elegant dinner of oysters, cooked in every form, “the fried being the most delicious.”

By the ordinance of sale, as finally passed, he obtained the grant of nearly five millions of acres in the Ohio region, amounting in cost to three and a half millions of dollars. A million and a half of acres were assigned to the Ohio Company, and the remainder to another company, afterwards known as the Scioto Company, of which Colonel Duer was a chief promoter and for which Dr. Cutler acted as agent. He started at once on his return to Ipswich, driving, as before, in his own chaise; and while he was carrying an empire in his pocket, the first item in his journal, after leaving New York, is of the bill which he paid for entertainment at the King’s Bridge Tavern, of one shilling and fourpence. What he had done on behalf of the Ohio Company was, on the 29th of August, approved, ratified, and confirmed by the company at Boston, and he was sent again to New York to complete the contracts and to sign them, one for the Ohio Company, one for the Scioto. This was done on October 27—“the greatest private contract,” as he truly says, until that time “ever made in America;” and on the Monday morning after that Saturday he was again on his way to Ipswich. On the 3d of December the first pioneer force started for Ohio, taking an early breakfast at Dr. Cutler’s house. In April, 1788, they had reached the new lands and established their settlement at Marietta, 48 persons planting themselves there on the 7th of April on the sites of recent

wigwams and under the shadow of ancient mounds; and what has followed, the world knows.

What specially concerns us this evening is the relation of this able, accomplished, and thoroughly well-balanced New England minister to that great ordinance for the government of the Northwest Territory, of which Webster said, in his measured and magisterial words, that he doubted "whether one single law of any lawgiver, ancient or modern, has produced effects of more distinct, marked, and lasting character."

This celebrated ordinance was drafted, as is known, by Nathan Dane, a delegate to Congress from Massachusetts, of the town of Beverly, neighboring to Ipswich, himself a friend and correspondent of Dr. Cutler. It has given deserved honor to his name. That it was drafted on lines of legal provision familiar in New England is obvious at once; that it was submitted to Dr. Cutler after his arrival in New York, and was modified by him, we also know, with the other facts, that he would do nothing for the purchase of land until it had been adopted by Congress, and that when it had been so adopted, he proceeded at once to propose and complete his magnificent contract. But the question still recurs: How came such an ordinance, with its careful provisions for the maintenance and advancement of education and religion, and especially with its definite and final prohibition of slavery in the Northwest, to be adopted unanimously by the eight colonies represented in the Congress, five of them Southern, and unanimously, with a single exception from New York, by the individual delegates? Of course the extreme sensitiveness about slavery, which later became an almost frantic passion at the South, had not yet arisen. This came after the Yankee cotton gin had multiplied pounds of the fiber into bales and had made a productive silver mine of every plantation. Slavery existed in 1787 in Connecticut, New York, New Jersey, Pennsylvania, though steadily retreating toward its end. It had only lately disappeared from Massachusetts, under the judicial interpretation of the Bill of Rights, and the feeling which favored it in the country at large was not inactive and could not be securely challenged. A clause prohibiting slavery in the Western States, after the year 1800, had been proposed by Jefferson in 1784, but it had been stricken out, his Virginia colleagues voting against it. In 1785 Rufus King, delegate from Massachusetts, had proposed the immediate prohibition of slavery

in the Northwest, but this proposal had been buried in committee, and was not even acted on by the Congress. In regard to the equivalent article in the ordinance of 1787, Dane himself, you remember, was hesitant and uncertain, not doubting the importance or the rightfulness of it, but fearing that Congress would not adopt it, as he wrote to Mr. King, three days after the vote had been taken, "When I drew the ordinance, I had no idea the States would agree to the sixth article, prohibiting slavery, as only Massachusetts, of the Eastern States, was present, and therefore omitted it in the draft; but finding the House favorably disposed on this subject, after we had completed the other parts, I moved the article, which was agreed to without opposition." It was not impossible to this hesitation on the part of Mr. Dane that Dr. Cutler referred when he wrote in his diary, three days later, that Dane "must be carefully watched." He certainly did not suspect his fidelity to his convictions. It may be that there appeared unexpected reason for doubting the steadfast hopefulness of his courage.

How came it to pass, then, that the ordinance, with this essential article, was adopted by the Congress in which Southern colonies were so predominant? The only possible answer is that the scheme proposed by Dr. Cutler was so vast in itself, and so vitally related to the welfare of the country, and was presented by him with such exemplary tact and commanding power, especially to the delegates from the South, that their possible objections vanished before it; that they even became enthusiastic for it, so that Richard H. Lee declared himself ready to make an hour's speech on its behalf.

What Cutler contemplated was a compact and systematic settlement of the territory by a body of robust and hardy men, inured to toil, accustomed to war, wholly devoted to the Federal Union, going thither with their families, aspiring to form a State when the population should be sufficient, to be followed by other States as the proper conditions successively appeared, till the whole vast area should be thus occupied and be anchored by hooks stronger than of steel to the seaboard States. Thus the national debt would be at once reduced by an important amount, a new security would be given to the exposed frontiers of Virginia and Pennsylvania, while the tendency to secession, already appearing south of the Ohio, would be effectively counteracted. It was a scheme which commended itself to the judgment of everyone wishing well

to the country, so that Osgood, then on the Treasury board, only spoke temperately when he told Dr. Cutler that Congress would do an essential service to the United States if they should give the land rather than suffer the plan to be defeated. When, then, it was found that the man in whose hands was this vast and prophetic project, while genial, courteous, deferential, and persuasive, was as fixed in his convictions as the granite in its bed, absolutely immovable on the provisions to be embodied in the ordinance, opposition disappeared, and the frame of government was adopted, as Richard H. Lee wrote to Washington, two days after, "as a measure preparatory to the sale of lands." What politicians could not have carried, and had repeatedly failed to carry, the modest but absolute firmness of this man achieved, in the magnificent opportunity which had come to his hands; and the great Northwest, the country at large, owes to his memory a debt of gratitude which words can not sufficiently express.

By this ordinance, as of course you know, complete freedom of religious belief was guaranteed to all peaceable persons; trial by jury, the right of habeas corpus, the privilege of the common law, and the right of proportional legislative representation were secured. Faith was to be kept with the Indians; and schools were to be forever encouraged, inasmuch as religion, morality, and knowledge are declared to be necessary to good government. The new States were forever to form a part of the United States, and, like the others, to be subject to the laws. Five new States might be thus formed, whenever the population of each should reach sixty thousand, the government of each being republican, and its footing in the Union equal to that of every other State; and slavery, or involuntary servitude, was never to be allowed, otherwise than for the punishment of convicted criminals, though fugitive slaves from the older States might be reclaimed. These articles were made a solemn compact between the already confederated States or colonies and the people and the States of the new territory; to be forever unalterable save by consent of both parties. So it was literally true, as Webster said of this great ordinance, that "it fixed forever the character of the populations in the vast regions northwest of the Ohio, by excluding from these involuntary servitude. It impressed on the soil itself, while it was yet a wilderness, an incapacity to sustain any other than freemen. It laid an interdict against

personal servitude in original compact, not only deeper than all local law, but deeper also than all local institutions;" and the beneficent effects of it, from that day to this, he who runs may read.

Upon the territory thus secured for education and freedom have been planted the five imperial States of Ohio, Illinois, Indiana, Wisconsin, Michigan, with their aggregates, by the last census, of thirteen to fourteen millions of population, of thirty-seven thousand miles of railway, of twenty three hundred millions of dollars in products of manufacture, of many great universities and colleges, of nearly one hundred thousand schools public and private, of congregations for worship almost without number, and with all the boundless future open before them, which no man can measure. They repaid their debt to the nation when they saved that nation in the late civil war, contributing nearly a million of soldiers to the army of the Union, with Grant and Sherman as generals and other great associated officers. Ohio alone has furnished four Presidents to the Union, and is speedily to furnish another; with two Chief Justices of the Supreme Court; with Senators, Cabinet Ministers, judges, foreign ministers, as eminent as any. In the same region Edwin M. Stanton, the great War Minister, was born and trained; and from the same, having lived there since he was seven years old, came the most illustrious of our Presidents since Washington—Abraham Lincoln. Side by side with the Declaration of Independence and the adoption of the Constitution stands this great ordinance of 1787; and after it came, in hardly more than natural sequence, the Emancipation Proclamation of 1863. It is one of the greatest legislative acts of recent centuries in the civilized world.

After these visits to New York, and these memorable successes, Dr. Cutler returned to his parish in Ipswich, to preach, baptize, visit the sick, marry the living, bury the dead, as if he knew nothing of public affairs. He made a journey to Marietta in 1788, driving in a sulky until the roads were impassable, then pushing fearlessly forward on horseback; but in three months he was again at his home. Yale College conferred on him the degree of doctor of laws. He was offered a commission as judge of the supreme court in Ohio, but instantly declined it. He was in the legislature of Massachusetts for several years, and, as I have said, was a Representative in Congress

for four years; but his heart was in his home, where his studies and parish labors engrossed him, with his scientific correspondence and his interest in religious societies, until, on July 28, 1823, he peacefully passed from earthly scenes, and was laid to rest among the people whom so long he had loved and served.

No glamour of romance invests his name; it does not loom through mists of a legendary past; but Dr. A. P. Peabody, of Cambridge, is reported to have said of him, what I gladly repeat: "For diversity of great gifts, for their efficient use, and for the variety of modes of honorable service to his country and to mankind, I doubt whether Manasseh Cutler has had his equal in American history."

Certainly among those who have contributed to settle our Government on the best and surest foundations, he is to be reckoned. Others have fashioned cornice and frieze, have lifted to their height majestic pillars, or with dexterous hands have carved the exquisite lily work of their capitals, while others still have hung on the walls memorial shields. But here was a workman who gave his strength, at a critical time, to setting in the base the vast and durable squared stones, upon which afterwards were to arise the stately façade, the superb colonnades; and while the Republic shall endure in unity and glory, his name should continue in indelible characters chiseled upon its mighty front.

If the time and your patience were not equally exhausted, I should delight to refer, before closing, to the work of another man to whom also the nation is vastly indebted, the memory of whom should be kept by it in vivid distinctness. The impulse to this, however, is less urgent, since a popular memoir of the man, Dr. Marcus Whitman, has recently been published, which I have not seen, but in which, no doubt, his remarkable character and his picturesque and tragical career have been properly set forth, and in which, I trust, the extraordinary national aggrandizement to which he contributed has been adequately presented. Aside from such recent publication, it has long seemed to me that due honor had never been rendered to this discerning and dauntless missionary pioneer, through whose heroic exertion, in large measure, the area of this country was rounded to its Western ocean marge, to become, as Mr. Gladstone has said, "the natural base for the greatest continuous empire ever established by man."

Others there are, too, whose names might be fitly associated with these which I have mentioned; but for the present these are enough, and the lesson which they teach would not be emphasized if others were added. May it not be an honorable office of this Association to set the others, one by one, before public attention as the years go on, and from under the later superficial inscription of titles to honor on the palimpsest of our annals to bring to light these earlier names, only worthily to be written in purple and gold!

Certainly, ladies and gentlemen, we ought to be grateful for such men to Him by whose wisdom they were given when they were needed; as grateful as for those more conspicuously placed, whose names are more resplendent in history, and some of whose names were blazoned in their time, and are blazoned in ours, on uplifted party banners.

We ought to be grateful for the invisible molding influences which had been behind these men; in the humble but reverent and God-fearing homes from which they came; in the churches, of simple rites but of strong faith; in the schools and colleges, or the rustic communities, in which and by which they had been trained. Out of many springs among the hills emerged at last the irresistible current of their strength. Out of many unnoticed scattered seed fields arose the harvest of their character and power and commanding success.

We ought to be animated to do our work, in any department of public labor, with a more intense and patient fidelity as we recall the examples of such men. Their work, of course, was peculiar to themselves, since it was wrought in those periods of our history which Whittier pictured in lines written, I think, in the forties:

“The rudiments of empire here
Are plastic yet, and warm;
The chaos of a mighty world
Is rounding into form;”

while our subordinate ancillary work is to be accomplished amid established conditions, with feebler powers, and in narrower limits. But opportunities for important service are still open to men. They do not come in crowds, but, commonly, one by one. They rarely meet us with avowed challenge; more usually in what seems a trivial occasion—as pulling up the shrub shows the mine underneath, as watching the twitch of a frog's muscle evolves the force which eliminates oceans

and binds hemispheres together. What we need is that the temper which was in these men be equally in ourselves—the temper of vigilance, courage, patriotic devotion, unflinching resolve; that our work also may reach fair issues; that we may share, in our measure, not their enduring and brightening fame, not what was signal in their achievement, not their mighty impress upon history, but the profound moral power which is as possible for us as for them, and which shall be ready for any emergency.

Most distinctly should we recognize the reserved, silent, unheralded force which is always in the nation, biding its time, but ready to appear when the crisis shall command. It was by plain men, in England, Holland, France—not counted heroes by others or by themselves, not eminent at all in riches or in rank, that this country was colonized. It was by plain men, farmers, mechanics, traders, house fathers, that the wasting French and Indian wars were fought to the end, and the frontier was maintained, though scathed with fire, shrouded in battle-smoke, miry with blood. It was by plain men, inconspicuous before, that the Revolution itself was achieved; as by Franklin, of Philadelphia, the printer and editor; by Greene, the Quaker blacksmith of Rhode Island; by Roger Sherman, shoemaker and surveyor; by Washington himself, the careful, frugal, unambitious Virginia planter, on the diamond pivot of whose infrangible strength destiny turned, and whose fame is now in all the world. It has been largely by plain men that the nation has since been guided and saved—as by those in Congress of whom Silas Wright, of this State, the Canton farmer, was one example, and John Davis, whose first name was “Honest,” was another; as by John Andrew and Oliver Morton, pleaders in courts and great war governors; as by Grant, going from a clerkship in Galena to force the surrender at Appomattox; as by the country lawyer from Illinois, who became the most illustrious of our Presidents since the first, of whom Lowell nobly wrote:

“Great captains, with their guns and drums,
Disturb our judgment for the hour:
But at last silence comes; then all are gone,
And standing like a tower;
Our children shall behold his fame—
The kindly, earnest, brave, foreseeing man,
Sagacious, patient, dreading praise, not blame,
New birth of our new soil,—the first American.”

The unsuspected reserves of power in the national intelligence, temper, will, are like the reserves of coal and iron, of silver and gold, beneath the hills. They are in modest, unnoticed men, not conscious even of their own greatness, but ready for any service which may come; whose full energy is brought out by hazard, and more distinctly as the hazard is greater; and to whom, under God, the nation, through whatever dim and perilous paths it may hereafter be called to pass, is to owe, to the end, its safety, its honor, and its might.

IV.—LEOPOLD VON RANKE.

—
By PROFESSOR E. G. BOURNE,
OF YALE UNIVERSITY.

H. Doc. 353—5

65

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LEOPOLD VON RANKE.¹

By EDWARD GAYLORD BOURNE.

A little more than sixty years ago the expectation had become general that historical research would be as characteristic a note of the nineteenth century as philosophical speculation had been of the eighteenth.² It is hardly possible so soon to decide what has been the dominant intellectual characteristic of our century,³ but certainly, in the increase of positive historical knowledge, the elaboration of sound historical method, the enlargement of the range of historical evidence, and especially in the development of the historical way of looking at things, the nineteenth century stands out conspicuous above any century since the Renaissance. To these immense changes no one contributed so much as Leopold von Ranke, the centenary of whose birth was celebrated last week.⁴

That the American Historical Association should observe in some way this anniversary is fitting for general reasons, and, in particular, because Ranke was an honorary member of our organization. It is not my purpose to-night to present a general account of Ranke's life. That was done in a highly successful way by our secretary at the Boston meeting in 1887.⁵ I have in mind rather a brief consideration of the formative influences of Ranke's career as revealed in his autobiography.

¹ An address before the American Historical Association, December 26, 1895, in commemoration of the one hundredth anniversary of his birth, December 21, 1795.

² " — cette opinion, déjà (i. e., 1824-1830) très répandue, que l'histoire serait le cachet du dix-neuvième siècle, et qu'elle lui donnerait son nom, comme la philosophie avait donné le sien au dix-huitième." Augustin Thierry. Preface to his *Dix Ans d'Études Historiques*, 1834.

³ Comte, forty years ago, wrote: "Le siècle actuel sera principalement caractérisé par l'irrévocable prépondérance de l'histoire en philosophie, en politique, et même en poésie." *Politique Positive*, III, 1, cited from Lord Acton's "The Study of History," p. 131.

⁴ Ranke was born December 21, 1795.

⁵ *Papers of the American Historical Association*, Vol. III, pp. 101-120; also in *Am. Acad. of Arts and Sciences*, Vol. XXII, part 2, pp. 542-558.

ical sketches¹ and letters, the distinctive elements in his aim and method, and the influence of his work.

If any man was a born historian it was Leopold Ranke, yet he was comparatively late in realizing his vocation. When at the age of 68 he looked back over his school days, he recalled no unusual interest in history. Like many another boy of 12, he was taken with his teacher's historical talks and reveled in the tales of chivalry, especially those whose scenes were laid in his native Thuringia. The boys played at Greeks and Trojans, read Schiller's *Lager* and Napoleon's *Bulletins*,² but of all the impressions of the time those of the ancient world were the strongest. Later at the gymnasium, *Schulforte*, these interests are still uppermost. While there he read the *Iliad* and the *Odyssey* through three times and fairly lived in the Homeric world.³ At evening prayers, instead of listening to the dry lectures, he read the Old Testament histories. All this preparation was spontaneous and unconscious. When he went to Leipsic, at the age of 18, he still had no conception of history. The lectures of Wieland,⁴ the professor of history, failed to impress him, and from historical works he was repelled by the mass of undigested facts.⁵ The lectures on church history of Tzschirner were more satisfactory, and he went home from them "with the incitement to study the great persons, the mighty leaders of literature in mediæval and modern times."⁶ During the earlier years at Leipsic his studies were mainly Old and New Testament Introduction and New Testament Interpretation. Doctrinal studies did not attract him, and the prevalent rationalism awakened no sympathy. It is interesting to note that he made a thorough historical study of the Psalms,⁷ trying to connect one and another with specific events in the history of the kings. To the stimulating instruction of Hermann and Beck in philology he always looked back with gratitude. Hermann taught him to understand Pindar, who with

¹ As found in "Zur Eigenen Lebensgeschichte, von Leopold von Ranke." Herausgegeben von Alfred Dove, Leipzig, 1890. All citations, unless otherwise indicated, are from this volume.

² Dictation of October, 1863, page 15. Their knowledge of the Trojan War was derived from Becker's *Erzählungen*.

³ Page 21.

⁴ Ranke tells us that Wieland sputtered so that it moistened the paper of those who sat on the front seat. On one occasion these victims raised a red umbrella, so as to take notes in shelter. The kindly professor took it in good part. Page 28.

⁵ Pages 28, 59.

⁶ Pages 29, 60.

⁷ Pages 31, 41, 59.

the tragedians remained his favorite among the poets. Thucydides he studied with especial thoroughness, making many extracts of his political teachings. The first German historical work that impressed him was Niebuhr's Roman History, and it exercised the greatest influence on his historical studies. At first, however, he did not fully appreciate its scientific significance, and it served mainly as a stimulus to his classical studies. It breathed the classical atmosphere, calling to mind the great writers of antiquity and convincing him that there might be modern historians. Among the other literary influences of this period were Fichte's Addresses to the German Nation,¹ and like all his fellow-students he greatly admired Goethe. Of more importance, however, was his resorting to Luther's works to learn modern German at the fountain head. In so doing he became so absorbed in their contents and so impressed with Luther's greatness that, in 1817, when public interest in Luther was revived by the ter-centenary of the Reformation, he essayed a life of the reformer. To the young student fresh from the study of the sources the current popular accounts seemed feeble. The project, however, proved beyond his resources.¹

In 1818 Ranke went to Frankfort-on-the-Oder to take a position not unlike that of a professor of ancient languages in a New England college fifty years ago. He had to teach Latin and Greek and the history of classical literature, conducting sometimes as many as thirty-three exercises weekly. The transition, he tells us,² from philological studies which comprise the historical to the actually historical was very easy, and it was helped by the task of teaching the history of ancient literature. To do this from the customary handbooks he found contrary to his nature and feeling. The authors of some of them apparently had not even read the prefaces of the works they discussed, to say nothing of the works themselves. He based his lectures on his own personal study of the authors. In the course of his preparation he read the ancient historians systematically. In the universal outlook of Herodotus he found something especially congenial to his mind. His teaching of the classical authors became more and more imbued with the historical spirit. He taught them as monuments of antiquity.

That, with his heavy burden of teaching, Ranke founded his

¹ Pages 31, 59.

² Page 39.

lectures on personal study of the sources shows the extraordinary stuff of which he was made. The classical historians were followed by the postclassical, and those by the mediæval so far as they were accessible. Thus early he started on the straight and narrow path of historical science—critical study of the genuine sources—from which he never departed. This is one of the great characteristics of Ranke, and one of the secrets of his success. He expended very little time at any period of his career on secondary sources. The method was laborious, but every day's work told, and little had to be done over, or unlearned. Even while at Leipsic he had been led to the sources of mediæval history by his friend Stenzel, at whose rooms he saw for the first time a collection of the *Scriptores*,¹ and began to read them—much as Luther saw and read his first Bible at Erfurt. At Frankfort, it was almost with rapture that he read in Grotius's edition of Jordanes and Paulus Diaconus, the story of the German Migration.² In an old library he found other collections of the mediæval historians, and came to know the mediæval empire.³ Thence he passed on with the old French chroniclers till the fifteenth century, when his greatest interest was aroused. In this field, at the age of 26, he must tarry and begin to write.

What parallel to that course can be mentioned? That ardent penetrating spirit, saturating itself with all the richness of ancient life and thought and then following the ages down, gaining everywhere first-hand impressions, and then pausing in the age when the seeds planted by antiquity were beginning to sprout, to enter upon the most astonishing career in the whole range of historical literature!

These six years at Frankfort are the critical period of his life. Here he began his systematic studies, laying a broad and solid foundation for his work at Berlin. Here he realized his calling, and the pages of his letters glow at times with a fairly religious enthusiasm for history.⁴ Here he did the critical work which opened a new epoch in historical study.

Ranke's experience with the popular histories of the Reformation and with the compendiums of ancient literature had brought home to him the necessity of studying the sources. That such study must be rigorously critical was impressed

¹ Page 649.

² Page 61.

³ Page 32.

⁴ See the letter to his brother Henry, February 18, 1824, p. 121.

upon him with great force when he discovered irreconcilable differences between Jovius and Guicciardini. A thorough critical and comparative study of these and the other contemporary authors became simply indispensable. In his old age Ranke affirmed that his method of criticism was not derived from Niebuhr, whose object was to get the kernel of truth out of tradition, or from Hermann, who dealt with details, but arose from the necessities of the problem before him. Yet its principles were substantially those of Niebuhr.¹ The truly novel and original feature of it was the application to works written since the invention of printing, of the principles of the higher criticism developed by Wolf, Niebuhr, and De Wette, and hitherto confined to classical and Biblical literature.²

The principles then were the common property of the learned world. The perception of the necessity of applying them in this new field and the brilliant success in so doing were Ranke's great contribution to the science.

During the twenties, Ranke tells us, Scott's novels were contributing powerfully toward awakening historic feeling and sympathy with the past. On himself the effect was striking; he was interested in them, but his historic sense was offended by Scott's romantic liberties with the facts in *Quentin Durward*. He believed that the historical narrative as handed down by Comines was finer and more interesting than the fiction. He turned away from it and resolved in his works to avoid all imaginary and fictitious elements and to stick strictly to the facts.³ The words of the preface of his first book record this purpose with classic simplicity: "To history has been attributed the function to judge the past, to instruct ourselves for the advantage of the future. Such a lofty function the present work does not attempt. It aims merely to show how it actually took place." "Rigorous presentation of the facts, however conditional and lacking in beauty they may be, is without question the supreme law."⁴

¹ The essence of Niebuhr's method, as stated by Von Sybel, was: "To keep in mind that historical testimony reports not the event directly, but the impression it made on the witness, and from this impression to discover the form of the matter, so as, at least, no longer to see it with the eyes of the ancient authority, but with an imagination at once creative and controlled to see the bygone event itself, like an eyewitness, like a contemporary." Von Sybel, *Drei Bonner Historiker*, in *Vorträge und Aufsätze*, pp. 25, 26. Cf. Loebell's *Analysis of Niebuhr's method in the Life and Letters of Niebuhr*, New York, 1854, p. 540.

² Ranke had already tried his hand on the historical criticism of the Psalms and on Homeric analysis. Ranke, pp. 29 and 39.

³ Page 61.

⁴ *Gesch. der röm. und germ. Völker*, p. vii.

His thoroughgoing investigation for this work convinced him of the necessity of examining unprinted sources, to be able properly to continue.¹ Toward the end of 1824 we find him trying to secure the loan of manuscripts from Berlin, Vienna, Munich, Zurich, Bern, Paris, and Rome.² "I am now studying," he writes his brother in February, 1825, "later modern history. Would I might be a Moses in this desert to strike and bring forth the water which is certainly in its depths."³ His book in a few months brought him an assistant professorship at Berlin, where his work was light⁴ and he could devote all his time to research. In the royal library at Berlin he discovered a collection of forty-eight folios of manuscripts consisting mainly of Venetian Relations. Nobody had ever utilized them. Johannes von Muller twenty years before thought of publishing extracts from them, but he had not done so. Three more folios were unearthed at Gotha and Ranke bought still another.⁵ Drawn on by the irresistible attractions of this mine of unworked ore, he gave up the project of continuing systematically his first book, which had stopped at the year 1514, and plunged into this bewildering mass of material, consisting of perhaps a thousand essays, covering most of the years in very unequal detail from 1550 to 1650. The spoil appeared in his "Fürsten und Völker von Süd-Europa im 16. u. 17. Jahrhundert."⁶ In the preface of twenty-five pages he gave an account of the Venetian diplomatic system and of the value of the relations and their diffusion. His first book procured him the call to Berlin, his second a commission from the Prussian Government to go to Vienna and to Italy to explore the Archives.⁷ "I am headed for the Venetian Archives," he writes; "here rests a still unknown history of Europe."⁸ The next three years and a half were devoted to research in Vienna, Florence, Rome, Naples,

¹ Page 63.

² Page 139.

³ Page 140.

⁴ Page 147.

⁵ Page 147 and the preface to *Fürsten und Völker von Süd-Europa*. Later editions are entitled *Die Osmanen und die spanische Monarchie*. In the eighth volume of Von Mueller's collected works, published in 1810, after his death, some extracts are printed, entitled "Notiz und Auszug des ersten Theils der Informationen politische eines Ms. auf der Königl. Bibliothek zu Berlin." Cf. Eugen Guglia, *Leopold von Ranke's Leben und Werke*, p. 83.

⁶ Translated as "The Ottoman and Spanish Empires." How many could have been satisfied to put forth a single volume of less than 500 pages as the result of so much study of new sources? Ranke, although a voluminous writer, was never diffuse.

⁷ Page 167.

⁸ Page 169. August, 1827.

and other cities. The wealth of material which he discovered and utilized later in his works went far to draw the veil from this unknown history of Europe.¹ Ranke's peculiar service at this time consisted in opening up to scholars a vast mass of a kind of material to which they had previously resorted only occasionally, but from that time diplomatic relations have occupied a leading place among the sources. "The ultimate aim of historical writing is," Ranke said, "the bringing before us the whole truth." This new evidence he prized as enabling us to look upon the past with the eyes of contemporaries. Since Ranke's demonstration of their singular value, many collections have been printed in full and many others carefully calendared.

The use of this material exercised an important influence over Ranke's style and method of treatment. These relations were clear, impartial, and objective. The Venetian envoys aimed to present to the home government practical information of the most varied kind. They had every reason to adhere to a colorless truthfulness "to show how things actually happened." Their character sketching is simple, with bold outlines. In short, their work made easier for the historian that objective presentation upon which he placed so much stress. It is, I think, safe to say that the most important literary influence of Ranke's second period was that of the Venetian Relations.² His most popular, and from a literary point of view certainly his best work—The History of the Popes—was more completely based on the Relations than any of his other works save the "Ottoman and Spanish Monarchies." He himself realized the influence upon his work of his materials. "Der stoff brachte die Form mit sich," he writes in his autobiography.³

¹ It is a striking and interesting coincidence that during these years Jared Sparks was doing exactly the same work for American history that Ranke was doing for European history. See, in Prof. H. B. Adams's Life of Sparks, Chapters XIV-XVI, the account of Sparks's travels in the United States and Europe in search of historical manuscripts and diplomatic relations.

Dove writes: "Viele von der speciellen Kunst der Beobachtung und Zeichnung, die er hier den klugen Diplomaten des heiligen Marcus ab sah, hat er bis in seine spätesten Tage beibehalten; sumal seine lebensvollen Characterbildnisse verrathen stets mehr oder weniger die Venetianische Schule." Art. Ranke in *Allg. d. Biog.*, 252. Nothing can be clearer, I think, than this stylistic influence to anyone who compares the styles of Ranke's first two books with each other and with that of the Venetian Relations.

² Page 70. Compare the remark in the preface of the *Gesch. der röm. und germ. Völker.*, p. vii. "Aus Absicht und Stoff entteht die Form." His explanation of the fact that his German History during the Reformation was less attractive in style than the History of the Popes was that the German History was based to a considerable degree on crabbled reports of the proceedings of Diets and other material much cruder in form than Venetian Relations.

But Ranke's work was epoch-making, not only in the development of criticism and in the revelation of sources, but also in teaching. He was the greatest of historical teachers, although never a very popular lecturer.¹ He possessed, however, in a rare degree the faculty of stimulating and drawing out the native powers of his pupils. Through the influence of his teaching and writing, and the influence of his pupils and their pupils unto the third and fourth generation, the study and teaching of history have been transformed and vivified to an extraordinary degree. What historical teacher has ever been able like him, at 88 years of age, to say of his early work so truthfully that one feels no sense of boasting: "What we then began (i. e., in his early seminar), the seed which we planted, is now grown to be a great tree, so that the birds of the heaven lodge in its branches."² The most characteristic contribution of Ranke to advanced historical teaching was the development of the seminary or practice work. Ranke founded the seminary method in the teaching of history in much the same sense that he discovered Diplomatic Relations. Although not in either case wholly a pioneer, he was practically such.³ While a student at Leipsic, Ranke had been a member of the philological seminaries of Hermann and Beck.⁴ In these courses he became familiar with the methods of these eminent teachers in training students in independent work. Soon after he began his teaching at Berlin, in the summer of 1825, in accordance with a suggestion from his friend Karl von Raumer, the brother of the historian, Ranke announced that in the fall semester he would conduct a practice course (*historische Uebungen*).⁵ Karl von Raumer was then professor of natural science at Erlangen and was a man ever active in elaborating successful methods of teaching. Ranke writes him July 12, 1825, "I have profited by your advice and announced '*historische Uebungen* for next term.'⁶ That he carried out the project is confirmed by his own statement in 1837: "It has been a delight to me since

¹ As a lecturer he preferred subjects in general history and to cover a long period. The largest attendance he ever had was in the winter of 1841-42, when he lectured on recent history; the maximum attendance then was 153.—Dove *Art. Ranke*, in *Allgemeine deutsche Biog.*, p. 258.

² Page 649.

³ Wilken, for example, the historian of the Crusades, had a seminary in Berlin, but it exerted no such influence as Ranke's. Wilken is not mentioned in Ranke's letters.

⁴ Page 34 and Koechly: *Gottfried Hermann*, p. 257.

⁵ In the official Latin, "*Exercitationes historicae*."

⁶ Page 148.

the beginning of my university activity to carry on *historische Uebungen*."¹ Owing to Ranke's tour in Italy, the continuous life of the seminary did not begin until 1831.² The years next following were the most fruitful. Ranke set his students at work on the Middle Ages, the period on which he had prepared himself at Fraukfort.³ Only those who expected to make history their profession were admitted to the course, and the members were taught method by his guidance without much theorizing. He allowed them free choice of subjects, but was always ready to suggest problems. His three injunctions were criticism, precision, penetration.⁴

It is unnecessary in this place to enlarge upon the results of this work. A large proportion of the German historians for the next two generations were thus trained by Ranke or his pupils. Waitz, in particular, at Göttingen conducted a seminary with brilliant results, and "proved himself, next to Ranke, the most successful founder and leader of a historical school."⁵

As a writer of history Ranke faithfully exemplified the principles which he laid down at the beginning. One of the best statements of them is that in the *English History*—

All hangs together—critical study of genuine sources, impartial view, objective description; the end to be arrived at is the representation of the whole truth. I am here setting up an ideal, respecting which I shall be told that it can never be realized. Well, the conditions of the case are these: The idea is immeasurable, the realization of it is from its nature limited. Happy is he who has entered upon the right path and attained the results which can stand further investigation and criticism.⁶

To realize, even approximately, this ideal requires the constant exercise of the criticism, precision, and penetration, which he enjoined upon his pupils. Among the many examples

¹ Ranke, *Werke*, vol. 52, p. 479.

² Dove in his sketch of Ranke in the *Allgemeine deutsche Biographie* gives 1833 as the date of the starting of Ranke's seminar after his return, but the evidence of Ranke's own words seems in favor of the date in the text, and Giesebrecht gives 1831. *Gedächtnissrede auf Leopold von Ranke*, p. 11.

³ Page 649.

⁴ The most interesting accounts of Ranke's seminary work are those given by himself in the preface to the *Jahrbuecher des Deutschen Reiches unter dem Sächsischen Hause*, 1837, reprinted in the *Werke*, vol. 52, p. 479-41; in the entry in his diary for April 8, 1834, p. 649; in *Von Sybel's Gedächtnissrede*, *Hist. Zeits.*, vol. 56, p. 474; and in *Waitz's Die Historischen Uebungen zu Göttingen*, 1887, pp. 4, 5. The date of these accounts will be found in an article on the subject by the present writer in the *Educational Review* for November, 1896.

⁵ *Von Sybel, Georg Waitz. Hist. Zeits.*, 56, p. 485. Cf. also *Waitz, Die historische Uebungen zu Göttingen*. Dr. Stuckenberg in his article on Ranke in the *Andover Review*, February, 1887, asserts that over one hundred of Ranke's students gained distinction.

⁶ *History of England*, v. 428.

of his penetration that could be given, the following is perhaps the most remarkable. One of the most striking results of modern historical criticism is the demonstration that the Levitical Law as we have it in the Pentateuch is a late and largely ideal product of Jewish priestly thought, which assumed its present shape during or after the exile, or perhaps a thousand years later than its apparent date. This was first put forward conjecturally by Reuss in lectures, but not published, in 1833-34; first systematically argued by Graf, at one time a pupil of Reuss, in 1866, and substantially demonstrated by Wellhausen in 1878. In April, 1828, Ranke wrote his brother Henry: "The discovery of the unknown history of the world would be my greatest good fortune; I believe also that you can and will contribute your share to it. In regard to the most ancient phases of the world's history—the unique evidence for which I believe the Bible is—the most incredible confusion of ideas prevails. When were the Mosaic books written? Did the constitution which they depict ever exist; if so, when? Numberless other questions are not yet answered satisfactorily."¹

Ranke here put his finger on the crucial point of the whole matter and set the exact problem which was to be solved fifty years later.² It is hardly too much to say that, in all probability, if Ranke had devoted himself to Hebrew history, taking up the questions he suggested, the work of Graf and Wellhausen would have been done forty or fifty years earlier, and that the Biblical discussions of our own day would have taken place in the time of our fathers and grandfathers.

As a writer Ranke possessed a rare power of discerning in his material the typical. He draws in broad outline and then fills in with apt details. The truth of the picture vitally depends upon the discrimination and honesty with which the choice of details is made. Leo attacked his method in 1828, and Ranke justified it in the following words, which set forth his principles of composition: "I have made the attempt to represent the general through the particular, directly and without tedious multiplicity of detail. In this I have not imi-

¹ Pages 195, 196.

² Yet, with characteristic singleness of aim and devotion to his main purpose, Ranke gave the problem no further attention, as it lay outside his field. Apparently he never even familiarized himself with its solution. The section on the History of Israel in the *Weltgeschichte* might just as well have been written in 1825 for all the influence it shows of modern Biblical criticism.

tated Johann von Müller or any of the ancients, but have tried to approximate the phenomenon itself as something which is, on the outside, merely a particular thing, but in its essence is something general with a meaning and a spirit."¹

Four great works of Ranke's stand out above the others—the Histories of the Popes, of Germany during the Reformation, of France in the Sixteenth and Seventeenth Centuries, and of England chiefly in the Seventeenth Century. It is by these works mainly that he is and will be familiar to English and American readers. In each case those events are selected for treatment which are of importance in the development of European civilization. In each case the historian keeps the rest of Europe under his comprehensive gaze, and at every step illustrates the current of events from the history of the neighbor nations with unrivaled knowledge. It is the history of the world he is writing, of that European world the very bone and marrow of whose life came from Rome. The introduction to his English History is one of the finest examples of this characteristic. It is a comparison with Macaulay's introductory chapter that brings out its peculiar quality. Macaulay's first chapter like his whole work is, as he said himself, insular; Ranke's is universal. Both are masterpieces, but they are utterly unlike.² This intellectual attitude may be traced, in part perhaps, to the influence of Herodotus, whose unconfined survey of the whole world fascinated Ranke at Frankfort.³ "Herodotus did not hate the barbarians," he wrote in his *Weltgeschichte*; "otherwise how could he depict

¹ Page 664. "Erwiderung auf Heinrich Leo's Angriff" (1828). One of the most penetrating and illuminating criticisms of Ranke's attitude toward his material that I have read is that of Strauss. Briefly summarized it is this: Herodotus is a prose epic, in Sallust's work are the characteristics of the epigram, in that of Tacitus those of the dramatist. In Ranke's work similarly there are the characteristics of the lyric poet. "His attitude toward historical material is not like Homer's, but, like Pindar's, toward the mythical. It is not his purpose first to make us acquainted with the subject, as is usually the intention of historical writers, but he assumes such an acquaintance; he does not himself outline the historical picture, but adds to it, as he presupposes it in the memory of his reader, only the last touches of color, and often in quite unexpected places. His style also corresponds to this: Short periods, which in the soul and imagination of the reader shall resound in a long echo." Zeller, *Ausgewählte Briefe von David Friedrich Strauss*. Bonn, 1895, pp. 316-317. Pindar was Ranke's favorite poet. For the whole passage from Strauss, see appendix.

² For brief criticisms of Macaulay by Ranke, see *History of England*, Vol. I, p. xi. *Werke*, vol. 52, p. 570. Ranke called on Macaulay in March, 1857. "I told him I admired the form of his writings and particularly the way he explained the present through the past, although I did not agree with him in every point," p. 386.

³ Page 39. "Die unendliche Weltumfassung, die sich in diesem Grundbuch des historischen Wissens ausgeprägt hat."

them?" So Ranke himself wrote the history of France, not as a German, but as a European. An orthodox Protestant, he was suspected of a leaning toward Catholicism, a conservative monarchist, he held the scales with wonderful evenness in the case of Charles I. and Cromwell. His devotion to historic truth, holding everything subordinate to showing "exactly how it took place," exposed him to the charge of indifference to philosophical and religious interests. This he vigorously repelled.¹ Yet after all it is true that it was political history to which he devoted the most of his efforts. Economic phenomena are treated episodically if at all, yet to Ranke may be attributed a share in the immense development of the study of economic history. Roscher, the pioneer and founder of the historical school of economics, was a student of Ranke's at Berlin in his best period, and of all his teachers he attributed the greatest influence to Ranke and Gervinus. Roscher's thesis on "The Historical Teaching of the Greek Sophists," 1838, and his first book, entitled, "Leben, Werk und Zeitalter des Thucydides," testify to Ranke's inspiration.²

We have seen that it was as a teacher of teachers and writers that Ranke exerted the greatest influence at the university. It is much the same with his books. They are scholars' books. Only his History of the Popes has been a widely popular work. Four distinct translations of it were published in England and America. The History of Germany during the Reformation was partly translated, but has long been out of print. Of the French history, the first volume was put into English under the title of "Civil Wars and Monarchy in France," but the enterprise was not continued. The English edition is out of print, and the American edition has never been wholly sold. The History of England was translated by Oxford tutors through the influence of Stubbs,³ but the demand in twenty years has not been sufficient to necessitate reprinting the edition. The Weltgeschichte had the

¹ "It is ridiculous to hear that I am deficient in philosophical and religious interests, since it is exactly that, and that alone, which impelled me to the study of history." Letter to Ritter August 6, 1830, p. 239. Alexander von Humboldt good-humoredly wrote of him as "His nonpuritanical, but antipapistical Holiness." Letter to Sarah Austin in Janet Ross. Three Generations of English Women, Vol. I, p. 197. These volumes contain several interesting glimpses of Ranke, cf. I, 172, and II, 190.

² Wolowski's sketch of Roscher in Lalor's Roscher's Political Economy, Vol. I, p. 30. The original title of the thesis is "De historica doctrinæ apud Sophistas majores vestigiis."

³ Stubbs: Seventeen Lectures on Mediæval and Modern History, p. 57.

same experience as the French history; one volume only has been translated. The translation of the Ottoman and Spanish Monarchies and the Prussian History has been out of print for years. The case is different, of course, in Germany, but even there the demand for Macaulay's England far surpassed that for Ranke's.¹ The air of Ranke is too rarefied for the mass of readers. They need the warmth and glow of national or democratic feeling. Ranke is still a power in the academic world. Of living English historians, Stubbs, Gardiner, and Creighton belong distinctively to his school. Stubbs stands beside Waitz; Creighton takes Ranke's old theme and elaborates it in greater detail, and Gardiner draws more richly than the master could from Venetian, Roman, French, and Spanish relations, and in his narrative faithfully exemplified Ranke's principles and methods.² Of American historians the only one who shows the influence of Ranke in a marked way is Henry Adams.³ In his work we find the criticism, precision, and penetration in a remarkable degree, the characteristic and most successful use of diplomatic relations, the same comprehensive outlook.

Ranke crowned his unexampled labors with his History of the World. Like the aged Humboldt,⁴ as the end approached, he felt the impulse to leave the world a general view of the field of his labors—a sort of Testament. The undertaking was truly wonderful, but not so wonderful as has been supposed. Ranke in his lectures had been accustomed to treat long periods in a general way, sometimes covering the whole of mediæval history, and his seminary work was mainly in that field. Occasionally ancient history was the subject of his public courses. Given, then, the preservation of his powers, the rapidity with which he turned off the volumes seems less miraculous. The labor was largely that of sifting and arrang-

¹ Wegele, p. 1054, says it had "eine unendlich grössere Verbreitung" than Ranke's. This was in large measure owing to the fact that it fell in more with contemporary political feeling.

² Since writing the above I find in a review by Alfred Stern of Gardiner's History of the Commonwealth, the remark that Gardiner is following "den Spuren Ranke'scher Objectivität," *Hist. Zeits.*, vol. 76, p. 335.

³ It may occur to some that George Bancroft should be mentioned as a follower of Ranke's methods. This is of course true as regards the extensive use of diplomatic material. In other respects Bancroft shows more distinctly the influence of Heeren, under whom he studied and one of whose works he translated. The style of his early work similarly betrays the influence of Gibbon.

⁴ Alexander von Humboldt wrote most of his *Cosmos* after he was 75.

ing accumulated material and of composition. This is clearly true of the volume on ancient history. In it were utilized the results of his Frankfort studies.¹ The highly interesting chapters on literature are in substance the Frankfort lectures on classical literature. The critics have remarked the freshness of delineation without explaining it. The chapters on Israel come from one whose critical study stopped with De Wette.² The narrative of the Persian wars faithfully follows Herodotus and the older tradition. In his old age Ranke had little sympathy with skeptical criticism.³ Enough has been said to suggest the relation of this work to Ranke's life. The veteran lives over again his youth. His legacy to the world is to be a view of the world's history; a fusing of the results of youthful labors and youthful thinking with the calm reflection of age; in brief, such fruits of his life work of whatever period as were not already before the public. His life was spared until he brought his heroic work nearly to the age where sixty-four years earlier his youthful spirit tarried in its course to depict the entrance upon the stage of the great bearers of modern European culture. He died at the age of 90, having devoted over sixty years of unremitting effort to the interpretation of human life from the beginning of recorded history down to his own age.

APPENDIX.

DAVID FRIEDRICH STRAUSS'S CRITICISM OF RANKE.

I have recently been reading Ranke's new book on French history in the sixteenth century. I was much instructed and interested in regard to details, and yet as a whole it did not satisfy me. If one may compare the classification of poetry to other branches (and everyone does), then the fundamental form of historical writing is without doubt the epic. The muses of Herodotus are an epic melted into prose in the higher temperature of culture. Livy too is decidedly epic, and other historians are so, at least occasionally. At the same time, the

¹ Ranke wrote Alfred von Reumont, April 15, 1879, when he was at work on the earlier part of the *Weltgeschichte*: "Ich benutze Bücher, die ich mir noch in der Schulpforte angeschafft und kleine Arbeiten, die ich in Frankfurt a. O. entworfen habe, so dass Alter und Jugend unmittelbar zusammengehen" (p. 546).

² Ranke studied De Wette on the Old Testament in 1825, p. 150. Ranke does cite a modern critic, once—Dillman on Genesis—but still he adheres to a thoroughly conservative opinion.

³ Guggia, p. 379.

sententious and chiseled style of historians such as Sallust and Vellejus bear, in some degree, the stamp of the epigrammatic, and similarly many striking scenes in Tacitus we may well call dramatic. Ranke is a lyrical writer of history. His point of view is not that of the narrative, but that of reflection upon the material—reflection with feeling and imagination, and hence essentially lyrical. His attitude toward historical material is not like Homer's, but like Pindar's toward the mythical. It is not his purpose first to make us acquainted with the subject, as is usually the intention of historical writers, but he assumes such an acquaintance; he does not himself outline the historical picture, but adds to it, as he presupposes it in the memory of his reader, only the last touches of color, and often in quite unexpected places. His style also corresponds to this: Short periods, which in the soul and imagination of the reader shall resound in a long echo. Certainly this is a very elevated kind of historical writing, or, as the lamented rector of Ludwigsburg was given to saying, "devilish noble." With the trivial material of history one is not to soil his hands; one must seize only upon the noteworthy parts. No account is taken of the curiosity of men, which is rooted in their fond ignorance, and furnishes a circle of hearers for the epic poet and the epic historian. Why presuppose a coarse, common, ignorant, and curious reader? No; the public of Mr. Ranke knows everything already; knows more than is agreeable to him, and wishes to see that which it knows only in a new light, from new points of view. Thus over the whole picture an enveloping tone of color, an elegant smoothness, is spread. A Denner-like¹ wrinkled and bristled skin appears under such a brush as if freshly shaven. In Ranke's Henry III of France, as in his earlier work on Frederick William I of Prussia, one gets no inkling of bristles and dirt—one more sign of our blasé times et senescentis mundi.²

¹ Balthasar Denner, portrait painter. 1685-1747. In his portraits "one sees the pores and veins on the surface of the skin—each wrinkle copied."

² "And of a world growing old."

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V.—THE JOURNALS AND PAPERS OF THE CONTINENTAL CONGRESS.

By HERBERT FRIEDENWALD, Ph. D.,
OF PHILADELPHIA.

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THE JOURNALS AND PAPERS OF THE CONTINENTAL CONGRESS.

By HERBERT FRIEDENWALD.

I.

In the year 1826, after having made an examination of the documentary material bearing upon the colonial and Revolutionary history of the old Thirteen States such as has not since and probably will never again be made, Jared Sparks wrote: "The more we look into the history of the colonies, the more clearly we shall see that the Revolution was not the work of a few years only, but began with the first settlement of the country: The seeds of liberty when first planted here, were the seeds of the Revolution; they sprang forth by degrees; they came to maturity gradually; and when the great crisis took place, the whole nation were prepared to govern themselves, because they always had in reality governed themselves."¹ It need occasion small wonder, then, that a revolution the result of such deep-seated causes and having such far-reaching effects should have had its story related by a multitude of authors, each in his own particular way; nor that the men to whom it gave prominence and the events that mark its progress are as household words in the mouths of all Americans. For there is no portion of our history that has been so much studied, and relating to which so many documents have been published, as the period of the Revolution. Histories, biographies, memoirs, journals, correspondence, etc., have made their appearance until they are superabundant, and the end fortunately is not yet, for at no time has the true value of authentic records been more highly appreciated than at present, nor have such extensive exertions ever been put forth to obtain and to preserve them. Our country is therefore peculiarly fortunate in

¹ Sparks's Life and Writings, Vol. I., p. 404.

possessing, in an almost unbroken series, those of an official nature covering the Revolution. For the most part they are the documents officially known as the Records and Papers of the Continental Congress, which are placed in the care of the Department of State at Washington, where are also the priceless papers of Washington and Jefferson, and Franklin and Madison and Monroe. And yet the treatment accorded these records has not been in keeping with the value placed upon them. To say that they have never been published means much. It means that until they are, no real and adequate history of the Revolution can be written, for their present arrangement is so confusing as to have made it possible for documents to escape the vigilant eye even of a Bancroft. It means too that they are still in manuscript as they were written by the men we love to call patriots; it means that the tooth of time has had so little respect for them as often to have gnawed them even to their lasting defacement, and it means that they have been and are liable to irreparable injury from frequent removal and occasional handling, or even to total destruction by some unforeseen catastrophe.

A detailed description of the contents of these records would engross many pages. Exclusive of transcripts or copies, they fill some two hundred folio volumes, averaging about three hundred pages each, and all of them containing matters of exceeding great importance. Here are the Journals from the beginning to the very end (1774-1789) almost entirely in the hand of Charles Thomson, the indefatigable secretary. Here are letter books of the presidents of Congress recording their official communications. Here are hundreds of reports of committees made from 1775-1789 upon the army and the war department, upon foreign relations, upon increasing the powers of Congress, upon financial questions, upon Indian affairs, and upon a countless variety of other subjects. Here are some two thousand and more motions of the nature of resolutions offered in Congress, to many of which no trace exists elsewhere. Here are papers dealing with land controversies between the States, and petitions and memorials addressed to Congress, asking for their overburdened attention, often to the petty wants and still oftener to the serious complaints and important desires and rights of individuals. Here are to be found documents detailing the contest waged over the location for the capital of the nation. Here are the Articles of Confederation and sug-

gestions for their improvement; from which we can learn the steps taken towards their adoption and amendment, all of which lead directly up to the perfected Constitution under which we live. Here are letters from ministers sent to negotiate with foreign powers, and those of envoys sent by foreign powers to this country, with an almost complete record of our foreign relations. Here are the letters written by Washington and his generals to Congress detailing the movements of the army and making suggestions for the management of national affairs; and so on through the list, for one can, as has been proved by experience, spend months in examining these records without mastering more than a small portion of their contents.

It is to the Journals, however, mentioned but briefly above, that we particularly desire to devote our attention. For however valuable are the other documents in themselves, however great would be the loss to American history were they destroyed, the loss would be intensified an hundredfold were the Journals, too, lost to us, for they are the only record we have of the proceedings of that great body of men who, amid contention and disagreement and sore trial, so conducted the affairs of the country that the battle was waged and won, and a perfected union in the end resulted. More than this, the Journals are a sort of index to the whole mass of documents. From it, and often from it alone, can we learn what letters were received and what correspondence was carried on; the committees that were appointed, and what and when they reported, and what an effect these letters and reports had in shaping the course of legislation. But this is not all. Many of the really important state papers of the period exist upon the pages of the Journal and nowhere else. Many, it is true, were printed repeatedly by order of Congress, but these reprints are scarcer even than the printed Journals; nor was this always done, and much that was comparatively unimportant at the time, and is now only found within these pages, is of the greatest value to us.

But it may be asked, Has this valuable Journal never been printed? The answer is, Yes and No; with stern emphasis upon the latter reply.

To understand what is in print and what is not, we must examine the manuscripts carefully. In the first place, there exists what is generally known as the Original or Rough Jour-

nal, which appears to be the Journal made up by Secretary Thomson from notes taken during the daily proceedings; for writing long-hand, as he did, it is almost beyond a possibility that he wrote this at his desk in Congress during the sessions.¹ This Rough Journal fills thirty-nine folio volumes of varying thickness, and covers the proceedings from September 5, 1774, to March 2, 1789, although a volume containing the record from March 19 to May 2, 1778, is and has been missing for a great number of years. They are all bound in the original covers, are for the most part in the fine, round hand of Charles Thomson, and are in an excellent state of preservation. It may be proper to add that the record, never at any time full, is often exasperatingly brief, and omits mention of many events that it was deemed unnecessary to note at the time, but which to us are of the greatest importance.

Next in order is the series known as the Transcript of the Journal, which is a partial copy, with differences, of the above. This fills ten volumes similar in size to the Rough Journal, beginning with the proceedings of September 5, 1775, and ending abruptly with an unfinished sentence in those of January 20, 1779. All of this, with the exception of the record of almost a month from the end of December, 1776, to the end of January, 1777, is in Thomson's hand. While it is possible that a volume covering the Congress of 1774 and the first Congress of 1775 may have existed, it is unlikely, in that the numbering on the back of the volumes starts with No. 1; so it is probable that Thomson began his copying for this series with the proceedings of September 5, 1775. There are, among the archives, it is true, several copies of the proceedings from May to August, 1775, made by different hands, but they appear never to have formed a part of the Transcript Series.

On the fly leaf of the first volume of this series of Transcripts, Thomson has written and signed the following:

N. B.—The passages and resolutions, which in this and the following books are crossed, were all passed by Congress, But a Com^{ee} having been appointed to revise the journals for publication, such parts as the house determine, on the report of the comm^e should not be published, were ordered to be crossed or marked so as not to be transcribed for publication. As the crossing defaced the minutes another mark was introduced which was by dots in the margin.

¹ This opinion is fortified by the fact that there are a few scraps of paper among the archives which can be no other than such rough notes. (See also Thomson's controversy with Laurens, noted below. p. 99 n. 4.)

From this statement has arisen the prevailing opinion that the Transcripts were the volumes sent to the printers and from which the printed Journal, as we have it, was set up in type. This is true, perhaps, so far as it goes, but there are no Transcripts for 1774 and part of 1775, nor were there ever any portions of the Journal of 1774 withheld from publication except such as shall be mentioned below. The marking of which Thomson speaks is found upon the Transcript down to and including the proceedings of December 29, 1779. Although Thomson has not mentioned it, I have found that the Rough Journal for that part of 1775 not covered by the Transcripts is also marked in a similar manner.

While the Transcript is not an exact copy of the Rough Journal, the differences are only slight, being mainly verbal, such for example as the substitution of "Commander-in-Chief" for the word "General." And other changes of a like nature, bear evidence that Thomson polished his record a trifle before submitting it to the printer.¹

Next we have the single folio volume containing what is known as the Secret Domestic Journal, from May 10, 1775, to July 2, 1787. This contains such proceedings relating to domestic affairs, as distinct from those connected with foreign relations, that it was thought advisable to withhold from publication. From this volume of proceedings was printed the first part of the first volume of the Secret Journals of Congress published in 1821.

Nine other volumes of these manuscripts contain the remainder of the proceedings of a secret nature. They mostly concern foreign affairs, and it would appear from the manner in which they are made up that Thomson at first made entries in sundry volumes by way of experiment; then, having hit upon a satisfactory system, he conformed to it to the end.

This conclusion is reached from a perusal of the volumes known as Nos. 4 and 6 of the series. No. 4, in one volume, contains copies of matters entered in both the foreign and domestic Secret Journals, having to do with letters of instruction, commissions, letters of credence, plans of treaties, ratification of contracts, and the like, beginning with October 18, 1780, and ending with March 29, 1786. And No. 6, in three volumes, is known as the "Imperfect" Secret Journal, and commences with an extract from the proceedings of September

¹ See letter of Thomson's, July 27, 1784, p. 92 note 1, below.

17, 1776, and terminates with one from those of September 18, 1788. But these volumes (Nos. 4 and 6) contain nothing that is not to be found in either the Secret Domestic Journal (No. 3), mentioned above, or in the complete Journal of Foreign Affairs (No. 5). The latter is in three large volumes, beginning with the proceedings of November 29, 1775, and ending with those of September 16, 1788. They contain many valuable entries, upon the subjects that their title indicates, that are not recorded elsewhere, and from them were printed the last three volumes of the Secret Journal of Congress of the edition of 1821.

Another volume, "Secret Journal A," No. 8, contains various entries from 1776 to 1783, but nothing that is not elsewhere recorded. Its contents are mere minutes of proceedings that were afterwards entered in the regular Journal.

Lastly, there is the small quarto volume labeled "The More Secret Journal."¹ Its contents beginning with June 6, 1781, and ending with August 8, 1782, bear, for the most part, upon the history of the negotiations looking toward a settlement of the dispute with England. Some of the discussions and resolutions of minor importance, relative to the peace negotiations, are here noted, and as they are not found elsewhere, have never been printed.

Thomson's method of compiling the Secret Journals can not be ascertained without considerable difficulty. We frequently, but not always, find resolutions dealing with domestic and foreign affairs entered in the manuscript Rough Journal with the usual dotted lines in the margin to indicate that this was matter of a secret nature. Again, we occasionally find in addition to the dotted lines a brief note indicating that the resolutions within the lines were to be entered upon the Secret Journal of Domestic Affairs.² Affairs so marked we invariably found recorded in one or other of the separate Secret Journals. But again we not infrequently find brief statements in the Rough Journal with more lengthy accounts upon the pages of the Journal of Foreign Affairs, or there may be no reference to foreign affairs at all upon the pages of the Rough Journal, while under the same date a detailed entry will be found in the Journal of Foreign Affairs. And again, where we

¹ This volume of the Papers of the Continental Congress is No. 7 of the collection, and is a transcript of a small unbound manuscript entirely in the hand of Thomson.

² April 16 and 22, 1784.

find entries covering the same subject in both the Rough Journal and in the Journal of Foreign Affairs, they sometimes differ in details.¹ We can, therefore, safely state that the Rough Journal contains matter upon foreign affairs not recorded in the Foreign Journal, that the reverse is also the case, and besides that the printed Journal of Foreign Affairs, which was set up from these three volumes of manuscripts is not an exact copy, from the stand-point of modern methods.

This leads us to the conclusion, and the Rough Journal bears us out, that in the early days—that is, until the treaty with France was signed in 1778, up to which time foreign affairs received little of the attention of the Congress—Thomson recorded everything upon the pages of the Rough Journal, marking those matters which were considered secret, in order that they might not be printed. Then, from 1778 on, when foreign affairs came to engross so much attention, he changed this order, made brief entries in the Rough Journal, or none at all, and recorded the transactions bearing on foreign affairs at length in the Foreign Journal whenever their nature was such as to preclude the desirability of having them published. Not so with the Secret Journal of Domestic Affairs, however. Secret matters of this nature were of less frequent occurrence, for in print they fill but little more than half of an octavo volume of under five hundred pages. These proceedings were nearly always entered on the Rough Journal and the Transcript as well, were marked with dotted lines, and were withheld from publication. But a desire arose to have such kept together in a separate volume for reference. Then (probably in 1784, although the resolution to this effect has not been found) Thomson was ordered to make up such a volume or volumes. He tells of this work in a letter written from Philadelphia, June 20, 1784, to Samuel Hardy, the chairman of the Committee of the States, then in session at Annapolis during the adjournment of Congress. He writes, "I shall next proceed to revise and arrange the Secret Journal agreeably to the order of Congress, and hope to have this work completed, or at least a considerable progress made, before the next meeting of Congress."

Besides doing this, he tried to bring the Foreign Affairs Journal up to date, and in a letter written a little later, he

¹ May 17, 1786.

asks that the original manuscript be sent him in order that he might complete his task.¹

II.

Having thus briefly reviewed the material contained in these manuscripts, let us now turn to what was done, by the men who participated in the events of the day, to place some authentic accounts of their transactions before the public.² At the beginning of the Continental Congress the interest of the people in their proceedings was at fever heat, all the more fanned by the secrecy enjoined upon the members.

The public was therefore unwilling to wait until the work of the First Congress was completed before receiving an account of what had been done. Yielding to this popular will and appreciating that the appetite for revolution would thus grow from what it fed on, the Congress ordered the various great State documents printed and distributed as they were agreed to. First of these was the Declaration of Rights, but among the earliest were the Articles of Association. The engrossed copy of the latter was signed on the 20th of October, 1774, and on the same day was ordered committed to the press that a hundred and twenty copies might be struck off.³

The Congress was by that time approaching the end of its labors, and on the next day (October 21) the address to the people of Great Britain and the memorial to the inhabitants of the British colonies were agreed to and ordered to be committed to the printer immediately, with the injunction that no more than one hundred and twenty copies be printed without further order of Congress. At the same time a committee on revising the minutes of the Congress with a view to their publication, consisting of Galloway, McKean, J. Adams, and Hooper was appointed,⁴ and from a comparison of the manuscript

¹ Both of the letters referred to above are to be found only in manuscript, and are in the possession of the Historical Society of Pennsylvania. The latter is dated July 27, 1784, and is written to Bankson, the clerk in the Secretary's office, who was performing the duties of secretary to the committee while Thomson was absent on leave. In this letter he asks that the original manuscript journals be sent to him in order that he might be enabled "to complete the Secret and Foreign Affairs Journal as directed."

² In the preparation of the bibliographical appendix to this part of the paper, I have drawn freely upon Mr. Hildeburn's "Issues of the Pennsylvania Press," and Mr. Paul L. Ford's "Material for a Bibliography of the Continental Congress." From both of these valuable works much assistance has been obtained, and more detailed references will be found below. The titles have, however, been separately verified in each instance.

³ MS. Journal of 1774, October 20.

⁴ MS. Journal of 1774, October 21.

Journal with the printed copies that have been published distinct traces of their revision are discernible.

Neither they nor the Congress cared to lose any time in getting down to work; so in order that the Journal might be got ready for the printer as soon as the above committee had finished their task of revision, on October 22, it was ordered to be sent to the press and to be printed under the direction of Biddle, Dickinson, and Secretary Thomson. Scarcely had they been appointed when the first of a long series of prints, of what were known as the Extracts from the Votes and Proceedings of the Congress, saw the light. The first of these appeared on October 24,¹ and contained a part of the Articles of Association and nothing more. Three days later, however, a volume appeared from the press of the same printers, the Bradfords, containing the Bill of Rights, the list of grievances, occasional resolves, the association, the address to the people of Great Britain, and a memorial to the inhabitants of British North America. The public interest in these documents may to some extent be measured by the fact that before the end of the year reprints of this collection came out to the number of more than twenty² in the cities of Boston, Hartford, New York, New London, Newport, Norwich, Providence, Williamsburg, and London, England. Within a few days after the adjournment or rather dissolution of Congress³ (for it is worthy of note that there is no record on the pages of the Journal of any formal vote on this question), the complete Journal made its appearance printed by the Bradfords, of Philadelphia.⁴ Like the extracts, this too was issued in several editions⁵ and was frequently reprinted in New York and London.

The Congress, as is well known, reconvened in May, 1775, and in the following July Samuel Adams, R. H. Lee, and John Rutledge were appointed a committee to revise the Journal and prepare it for the press. The interest in the proceedings in Congress had not waned, and it was probably under their direction that another series of Extracts from the Journal saw the light, before the completed Journal prepared by them, and submitted to the criticism of Congress, was made ready for the printer.⁶

¹ See Appendix 1.

² See Appendix 2.

³ October 26, 1774.

⁴ See Appendix 3.

⁵ *Ibid.*

⁶ For the titles of these Extracts see Ford's Nos. 70-73.

That the committee performed their task is evidenced by the report made to the Congress at the next meeting in September, 1775. On the 26th of that month they "reported a copy, which was in part read."¹ The remainder being read on the next day, the Secretary was directed to have the whole, as then corrected, published, and to superintend and correct the press.² The Bradfords of Philadelphia were again the publishers,³ and reprints of it in this country and in England appeared early in the following year.

Although the Transcript of the Journal which we mentioned above does not begin until September 5, 1775, there are, among the archives, several copies of the Journal for the session of May 10 to August 1, 1775, which do not form a part of the series. They are all alike and were probably made for the use of the printer. The origin of the Transcript probably lies here, as well as of a Secret Journal, for at the end of proceedings of August 1, 1775, is the statement, signed by Hancock and Thomson, that the above is a copy of the Journal of Congress from their meeting on the 10th of May, "except that some Resolutions, relative to Military Operations carrying on, are omitted."⁴

In November, 1775, it was thought advisable to make public the transactions since the September preceding, and the committee previously appointed, with Wythe in the place of Rutledge, were instructed to revise the Journal for publication. They were further instructed "to examine whether it will yet be proper to publish any of those parts omitted in the Journal of last session."⁵ They made an arrangement with the Bradfords to continue the publication, and in 1776 they published what was termed on the title page a "Continued" Journal of Congress, containing the proceedings from September 5 to December 30, 1775.⁶

¹ Journal of Congress, September 26, 1775. See Diary of Richard Smith, *Am. Hist. Rev.*, Vol. I, No. 2, p. 292.

² See also Diary of Richard Smith *ubi supra*.

³ See Appendix 4.

⁴ These omissions are duly found in the Secret Journal (Vol. I) printed in 1821.

⁵ Journal of Congress, November 30, 1775.

⁶ See Appendix 5. Smith in his Diary (*loc. cit.*, p. 292), writes under date of September 26, 1776: "the Journal was read in Order for Publication and some parts of it ordered not to be printed as improper for Public Inspection particularly all that was there about fortifying the Passes on Hudson's River and the Directions to the New Yorkers to arm themselves, &c." On the next day he has the entry, "The Journal continued to be read and various Parts ordered not to be published. * * * " At various times from that date he makes note of the reading of the Journal at the beginning of each day's proceedings, and of the marking of various passages that were not to be published.

With this ends the Bradfords' activity in the publication of the Journals. Their work had latterly proved unsatisfactory, and when a committee to superintend the printing were elected, in March, 1776, they were empowered to employ another if the one then doing the work could not execute it "with sufficient expedition."¹

Robert Aitken now first appears upon the scene as a printer of Congressional proceedings. Beginning the work where the Bradfords left off, and without express order of Congress other than such sanction as he may have received from their printing committee, he published the Journal in monthly subdivisions from January to May, 1776, inclusive.² Aitken having learned of the dissatisfaction of Congress with the Bradfords' delays, issued this edition in October, 1776. Thinking the time opportune for getting a part of the printing business of Congress, he obtained access to the Journal and produced this as a sample of what he could do.³ But few copies of this were ever sold, for, as we shall presently see, their sale was rendered "abortive," as Aitken puts it, by the new and complete edition soon authorized. Meantime, July, 1776, saw the appointment of a new committee on publication, consisting of Jefferson, Lynch, and Hopkinson, and the Congress, appreciating the usefulness of an index, ordered one to be prepared.⁴ The greater duties of the day that devolved upon the Congress quite overshadowed the lesser one of perpetuating the record of their transactions, and the above committee paid little or no attention to their work. A month later,⁵ sundry of the members being absent, Messrs. Heywood, Hooper, Williams, and Walton were added to the committee, any two of whom, it was

¹ Journal Congress, March 21, 1776.

² See Appendix 6.

³ See *Pennsylvania Packet*, October 3, 15, and 26, 1776, for advertisements of this edition of the Journal. While no evidence of an authorization of this edition of the Journal by Congress has been found, the fact that he obtained access to the Journal is of itself a kind of authorization. Besides in his "Waate Book" or Journal, the manuscript of which is in possession of the Library Company of Philadelphia, he records, under date of January 2, 1779:

"To printing Journal of Congress from Feb 1, 1776 to April 29- inclusive on a pi-
ca type containing 15 sheets 8 vo. at £4 10" p sheet £67 10
To 30 Ems Demy for do. at 40..... 60

£127-10"

This would indicate that some one in authority ordered the printing or he would never have sent in his bill.

⁴ Journal of Congress July 17 and 24, 1776.

⁵ August 27, 1776.

ordered, were to be sufficient to make up a quorum. The work of Aitken, having now been examined and given a trial, was regarded with favor, and on September 26, 1776,¹ the committee appointed to superintend the publication of the Journals was instructed to employ Aitken to reprint them from the beginning, with all possible expedition, and to continue to print the same. The Congress agreed to purchase of him five hundred copies when printed, and Aitken was further directed to purchase from the Bradfords, on reasonable terms and at the expense of Congress, such parts of the Journals as they had printed but had not yet published. In pursuance of this order, and under the supervision of the printing committee, Aitken, in the spring of 1777, issued what he termed a "New Edition" of the Journal of Congress, in two volumes, the first containing the proceedings for 1774 and 1775 and the second those of 1776. This became the authoritative edition for those years, and has always been followed whenever reprinted.²

While Aitken was proceeding on this work, another change was made in the printing committee by the addition, in February, 1777, of Witherspoon and Lovell³ to its numbers, and they, acting under direction of the Congress, agreed to take two hundred more than the original number provided for in the resolution of September, 1776;⁴ this was probably done because of a determination to supply each State delegation with twenty copies for the use of their respective States, in addition to the individual copies for each member.⁵

It now fell to Aitken's lot to have a disagreement with Con-

¹ Journal of Congress.

² Aitken had the first volume of this edition ready earlier than May, 1777. For he records in his "Waste Book," under date of May 13, 1777: Congress Dr. To 100 Journals of Congr: vol: 1st in blue boards at 15/ea:—£ 75" and again under May 20, "Congress Dr. For 600 Journals of Congress Vo. 1st in blue boards at 15/—£450". See Appendix 7.

³ Journal of Congress, February 7, 1777.

⁴ Journal of Congress, June 2, 1777.

⁵ Journal of Congress, June 2, 1777. The number of copies issued can not exactly be determined. The first resolution of Congress authorized 500. By June 2, 1777, Congress agreed to take 700. Aitken in his "Waste Book" (pp. 356, 357) records: "I printed 800 vol. 2d of Journals of Congress. I allow 5 fewer of above no. Said books were carried to Lancaster and committed to care of Mr. Dunlap. I find of 750 copies only 532 delivered wanting in all 218—I allow at 22/6 as they have been lost or embezzled—654 Dollrs. 218 vol. 1st on hand acco't of the 2nd vols. missing. I desire to be heard on this affair." This is recorded in December 14, 1778, and January 2, 1779. But it hardly tallies with the vote of Congress of June 27, 1777, ordering Aitken to be paid \$148.76 "for 768 Journals of Congress, a copper plate printing press," &c., which he notes in his journal as received on June 28. On May 28, 1781, upon motion of Witherspoon, seconded by Sewell, the Secretary was ordered to "treat with" Robert Aitken for 200 copies of the first and second volumes of the Journals of Congress.

gress, as had the Bradfords before him, and he printed no Journal after the two volumes mentioned above, for in May, 1778,¹ the committee appointed to superintend the publication of the Journals (whose numbers had been increased by the addition of J. B. Smith on January 16, 1778) were "empowered and instructed to employ Mr. John Dunlap to continue printing the said journals instead of Robert Aitken." He began his work at once, and with the second volume of the Journal, for which there seems to have been a demand, due to the loss of a number of the copies printed by Aitken,² and Francis Hopkinson, who had been selected to prepare the index to Aitken's two volumes, now completed his task; and for the making of as poor and unsatisfactory an index as was ever produced he received, on September 17, 1778, the munificent sum of \$200.³ As it was printed separately, twenty copies were ordered to be distributed to the delegates from each State, to go with the copies of the Journal authorized to be distributed as mentioned above. On that same day⁴ Samuel Holten was added to the committee on publication of the Journal.

Dunlap also printed the Journal for 1777, but as this was not got through the press until 1779, although the title-page bears no date and was mentioned as "now publishing" as late as March 27 of that year, he too fell under the ban of Congress, no doubt because of his tardiness; and the dissatisfaction then engendered led to a radical change in the method of printing the record of Congressional proceedings.⁵

Although Congress on February 12, 1779, passed a resolution directing the committee on printing the Journals to employ Aitken to print those of the year 1779, and authorizing them "to engage to take of him, as well as of Mr. John Dun-

¹Journal of Congress, May 2, 1778.

²See footnote 5, p. 96; also Appendix 8.

³See Journal of Congress, June 15, September 17, and November 10, 1778. On December 1, 1778, he was ordered to be paid \$266½ as balance in full for his account against the Journal Committee.

⁴Journal of Congress, November 10, 1778.

⁵See Appendix 9. Hildeburn and Ford both hold that this Journal of 1777 was printed in 1778. My reasons for differing from them are based (1) on the resolution of February 12, 1779, noted below in the text, wherein, had there been a third volume of the Journal in existence, it would surely have been mentioned; (2) the resolution of March 27, 1779, directing that the yeas and nays be printed in the Journal then printing, which, as the Journal of 1778 was not ordered printed till later, must have referred to the Journal of 1777; and (3) the fact that Dunlap was not paid for printing this third volume until July, 1779. See next note.

lap¹ so many of each future volume printed by them respectively, as shall equal the number of the first and second already received,"² the committee appear to have taken no action in keeping with the powers given them. However, the matter of printing the Journals of Congress came up quite frequently in one way or another during the early months of 1779.

As noted above, the Journal for 1777 had not by that time appeared; that for 1778 had not even been put in the hands of the printer. Much inconvenience was occasioned by this delay, which was in striking contrast with the earlier method of publishing almost at once. It is not to be wondered at, then, that the dissatisfaction took definite shape at the end of March, 1779, when, "on motion of Mr. Drayton, seconded by Mr. M. Smith, Congress came to the following resolution: Whereas it is essential to the interest and security of every free state that the conduct of the public servants should be known to their constituents: Resolved, That from the first of January last, the journals of this house, except such parts as have been or shall be ordered to be kept secret, be printed immediately; and that, for the future, the journal, except as above, be printed weekly and sent to the executive powers of the several states, to be by them laid before their respective legislatures; and that a printer be engaged to print for Congress; and also a printer or printers be employed to bring up the journals from the time of their present publication to the said first of January."³ They followed this up on the same day by adding Hill, Floyd, and Muhlenberg to the committee appointed to superintend the publication of the Journal.

¹ Dunlap had some difficulty in having his account with Congress settled on March 9, 1779 (at the same time that Aitken, whose appeal had been heard, was voted \$3,483½ "for printing Journals of Congress and sundry other contingencies"). A report was made "respecting J. Dunlap * * * with his account," but it was laid on the table without consideration. At the end of the month (March 30) it was referred to the Board of Treasury, and on the 27th of April he was voted \$8,222 for printing done for Congress. This probably did not include the work done on the Journals, for on July 17 he was ordered to be paid \$5,756 for "printing the 3d volume of the journals of Congress, paper, etc." See MS. Journal of Congress.

² MS. Journal of Congress.

³ March 31, 1779, Journal of Congress. But this was not the first occasion that a proposition to print the Journal with greater frequency came before Congress. So far back as June, 1777, the Board of War complained that they labored under great difficulty in not having the daily resolves of Congress before them, and they therefore recommended that a printer be appointed to print the proceedings of Congress daily. The members of the Board of War present when this request was ordered made were John Adams, Sherman, Samuel Adams, R. H. Lee, Carroll, and Clymer. (See MS. Journal of Congress, June 17, 1777. Letter from Board of War, June 13, 1777.) It will be remembered also that Aitken's first attempts for 1776 were in monthly parts.

With the effectiveness of the new broom, they had by the 9th of April swept away Dunlap and in his place had had David C. Claypoole appointed to print for Congress.¹ He immediately began the publication of the most interesting, the most serviceable, and the costliest of all the Journals, and to the present-day investigators the rarest and most valuable, for but two or three complete sets are known to have come down to us. One of these is in the possession of Mr. Paul Leicester Ford, and the other, with the autograph of John Dickinson upon each part of it, is in the library of the Historical Society of Pennsylvania.

The first publication under authorization of Congress issuing from Claypoole's press was a folio bearing the following title: "Journals of Congress, From Friday January 1st, to Monday February 1st, 1779. Philadelphia: Printed by David C. Claypoole, Printer to the Congress of the United States of America. MDCCLXXX," with contents quite in keeping with what it purports to be. Next came a Journal reduced in size to the more wieldy octavo, containing the proceedings for February; then one with those of March, and then the last from March 31 to April 10 before the beginning of the weekly issues,² which continued from Monday the 12th day of April until the last day of December, 1779.³ As we shall advert below to the differences existing between these monthly sheets and the entire Journal of 1779 as we ordinarily know it, it is but necessary to remark here that they contain much matter of great importance that is found in no other publication. It was over the distribution of some sheets of these Journals that Thomson, the secretary, and Henry Laurens nearly came to blows on the floor of the House. Laurens so far forgot himself as to threaten to kick Thomson from the President's platform, upon which they both happened to be standing. This episode led Laurens to prefer charges against Thomson for malconduct in office, and he wrote a long letter to the investigating committee appointed by Congress. Thomson defended himself in similar manner and at great length, and nothing, not even a censure, came of the dispute.⁴ In the course of his letter Thomson wrote the following, which is of interest to us: "I had frequently heard Mr. Lovell—who has had a principal

¹Journal of Congress, April 9, 1779.

²See Appendix 10.

³Ibid.

⁴Potter's Am. Monthly, Vols. VI, and VII, pp. 269, et seq. The letter is dated September 6, 1779.

direction and management in printing the weekly journals and ordering the distribution, for as to myself I never before took any concern in the matter, as I did not consider it any part of my business—I say I had frequently heard him mention that there was only one for each member printed upon a fine paper and brought into Congress; that if any wanted to send copies to their state, they might be supplied with others printed on a common paper.” It may here be remarked that Dickinson’s set, which we mentioned above, is one of those printed on “fine paper;” not only this, the octavo sheets have never been cut or bound, but are kept in a case, with the original steel blue covers still about them. The folio, more difficult to preserve, has been arranged in sumptuous attire, although likewise uncut and with its first outer cover still intact. Nor would it be less than vandalism to destroy the inclosing sheets, for each, in the strong and well-known handwriting of the “Farmer,” proclaims that it was John Dickinson’s copy. Moreover, until the writer turned over the individual pages, they had never even been separated by the reader’s knife.

Acting under the authorization of the resolutions of March 31, 1779, Claypoole was also engaged to print the till then neglected Journal for 1778, Vol. IV of the set. It bears no date on the title-page, but its similarity, typographically, to the other journals published in 1779 and its dissimilarity from the volume published by him in 1783 give some ground for holding that he printed it in 1779.¹

The years 1778 and 1779 having been provided for, and the publications proving satisfactory, no more attention was paid to the subject during that year, beyond adding, on August 26, Houston, Peabody, and Partridge to the printing committee.² Early in 1780 the question of printing the Journal again came up, for the year’s work had to be looked after. To speak in the words of the original record, on January 18, 1780, “A motion was made by Mr. Gerry, seconded by Mr. Sherman, That in

¹ See Appendix 11.

² Journal of Congress, MSS. August 20, 1779. On October 20, November 5 and 29 and December 14 of that year Claypoole was ordered paid various sums for printing and binding the Journals, aggregating nearly \$20,000 in the currency of that time. On October 30, 1779, the Commissioners of the Chamber of Accounts reported to Congress that they had examined the account of Claypoole, and that they had found he had overcharged in every article. “They know not how the matter can be remedied unless Congress advertises for proposals for printing” every three months or any other limited time, the preference to be given to the most reasonable bidder. However, as there was no way out of the matter, they recommend that Claypoole be paid \$12,000 on account. This was done on November 5. (See Papers of the Continental Congress, No. 35, p. 55.)

the Journals of Congress for later date than the 31st of December, 1779, the yeas and nays, and the names of the members calling them, be not printed; but that the same, together with the respective propositions on which they are taken, be printed in pamphlets at the end of every three months, and that ten copies thereof, as soon as completed, be sent to each state. A division was called for, and, on the question to agree to the first part, the yeas and nays being required, It was resolved, that in the Journals of Congress of a later date than December 31st, 1779, the yeas and nays and the names of the members calling for them be not printed." The second part of the resolution was then voted on and defeated; and it was resolved instead "That the Journals of Congress for the current year (1780) be published monthly, and agreeably to the foregoing resolution." Accordingly, we find here and there in public libraries and in private collections a few of these monthly parts bound up with a regular title-page and index to the whole, the latter being entitled Index to Volume VI.¹

Like its predecessor for 1779, this varied greatly from the volume containing the proceedings of 1780, with which we are most familiar, and is also almost, though not quite, as scarce. The variations in the text will be spoken of at length below. We may note in passing that as a result of the resolution just read, the yea and nay votes, which are recorded in the MS. in profusion, have never been printed at any time.

By the middle of the year 1780 the Journal of 1779 had become scarce, and so, on June 20 of that year, the committee on printing the Journals were empowered to have the Journal of 1779 immediately reprinted in one volume, omitting the yeas and nays. Claypoole was kept so busy with the work then on hand that he was not able to carry out this resolution till 1783.² But the committee, acting under the authority to omit the yeas and nays, went still further, and made omissions in such number that their handiwork, which is the volume for that year ordinarily met with, and has been followed in all subsequent reprints, is but an unsatisfactory abridgment of the whole.³ Similarly a volume containing a part of the proceed-

¹ See Appendix 12.

² See Appendix 10.

³ Sundry matters pertaining to the printing of the Journal came up during 1780, which may be inserted here. On January 13, 1780, Francis Bailey, of Philadelphia, wrote to Congress (received on January 20) that he contemplated printing an edition of the Resolves of Congress, and asked that Congress patronize the work, furnish the paper, etc., without which the cost would be too great for him to undertake it. (See Bulletin of Dept. of State.

ings of 1780 and published by order of Congress by John Dunlap made its appearance, probably during 1787,¹ bearing the title of "Resolutions, Acts, and Orders of Congress." This seems to have been authorized in order to follow in the footsteps of Claypoole's abridgment of the Journal for 1779. It contains no more than its title implies, and in spite of its imperfections has been the volume followed in the republications of 1800 and 1824, and is generally known as Vol. VI of the set. Although bearing the authorization of Congress upon its title-page, no resolution ordering such a publication has been found. As Dunlap had his day again in 1784-85, when Claypoole was superseded, it is safe to assume that it was not printed earlier than that date, and possibly, as Mr. Ford suggests, under the resolution of September 13, 1786.

We have now reached the year 1781. By that time the pinch of poverty had been sorely felt, and the Congress was unwilling to continue the costly experiments of the preceding two years. Accordingly, we have no more weekly or monthly issues. But the seventh and eighth volumes of the Journal were both printed by Claypoole. The first of these contained the whole of the proceedings for 1781, as well as those of 1782, down to and including November 2, 1782.² After the adoption of the Articles of Confederation, in November, 1781, the Congressional year began with the first Monday in each November, and the title given to Congress was that of the "United States in Congress Assembled." I have seen at the Pennsylvania Historical Society the proceedings from April 21 to May 21, 1782, in signatures and bound, but there is nothing to indicate the date of its appearance. It is, however, quite possible that as parts of the Journal came from the printer they were distributed among the members without waiting for the whole to be completed. Nothing need be said about the eighth volume beyond that it contained the proceedings for the Congressional year 1782-83.³ Both of the volumes just

No. 3, p. 27.) It was referred to the committee on printing the Journals, and by them buried. On February 8, July 25, August 26, and October 21, sums aggregating \$30,000 were ordered to be paid to Claypoole. On November 28 the commander in chief of the army and sundry officers were ordered supplied with copies of the Journals for the use of the army. From September 19 on, the Journals and other public papers were ordered to be sent to the administrative powers of the States free of postage, and the Secretary was empowered to frank them accordingly.

¹ See Appendix 13.

² See Appendix 14.

³ See Appendix 15.

mentioned were issued under the supervision of Charles Thomson, the Secretary of Congress, for the standing committee was abolished in January, 1782, when the office of Secretary was regulated, and among the duties assigned to him was that of superintending the printing of the Journals and other publications of Congress.¹ It is quite likely that under his orderly supervision the printer was directed to furnish the Journal in signatures as soon as made ready.

In September, 1783, by reason of some indiscreet publication in his paper—the Pennsylvania Packet—Claypoole fell under the ban, and was dismissed from the position of printer to Congress. His successor was the man who had preceded him in the position, for in October² of that year, upon motion of Mr. Mercer, seconded by Mr. Williamson, the Secretary was instructed to employ John Dunlap to print for Congress, and “to inform him that Congress expect he will keep his office at the place where they may reside.” In the spring of 1784³ Congress decided to adjourn from the 3d day of June until the following November, intending to leave the management of the country’s affairs during the interval in the hands of the Committee of the States, appointed in accordance with the Articles of Confederation. The powers with which they were invested and the directions for their conduct in office were agreed to on May 29, 1784. They were instructed among other things to keep a Journal, which was to be published monthly and transmitted to the executives of the several States, and whenever desired the yeas and nays were to be entered.⁴ In keeping with their resolutions, Congress adjourned on the day appointed. The Committee of the States met at Annapolis on the next day,⁵ and among their first acts were those granting Secretary Thomson leave to return to Philadelphia, and directing the clerks in the Secretary’s office to attend the committee “and make the entries.” But Thomson did not lose sight of what was going on during his absence. Letters to the clerks, Bankson and Remsen, were written by him nearly every day of the brief session of the committee, and they for the most part have to do with the printing of the Journal. In a letter⁶ to Adams, Frank-

¹ See Journal of Congress, January 28, 1782.

² Journal of Congress, October 31, 1783.

³ April.

⁴ Journal of Congress, May 29, 1784.

⁵ June 4, 1784.

⁶ MS. in possession of Historical Society of Pennsylvania.

lin, and Jefferson, dated June 18, 1784, he says he incloses "a copy of the Journal of the last session of Congress as far as printed," and in another written at the same time he qualifies this statement by adding that the Journal sent to the above came "up to 28 May."

Three days later¹ he says he is sorry to find there will likely be a delay in printing the Journal, which, in accordance with the resolution of Congress of October 31, 1783, was being printed at Annapolis. Thomson adds that when Dunlap, who is out of town, returns, he will press him to send down another hand to finish the work.

By the 20th July the Journal of the last session is finished, and Thomson hopes that the printer will then take up and finish what remains of 1783 and complete it as speedily as possible.² He writes at the same time criticising the manner in which the Journal of the Committee of the States has been kept, a copy of which had been sent for his inspection, and makes suggestions for its improvement. Other letters written during July indicate that Thomson was doing his all to hasten the publication, and on August 10, when the Committee was about disbanding for lack of a quorum, he wrote Bankson: "I am sorry the printer makes no better progress. I wish you would stimulate him and urge his completing the Journal of 1783 with all possible expedition."³

Before the end of the year 1784, Thomson succeeded in getting out not only all of the Journal of Congress for that year, but the Journal of the Committee of the States as well, both of which bear the imprint of John Dunlap.⁴

In March, 1785, the Secretary's office was further regulated, but the duties of looking after Congressional publications still fell to his lot.⁵ From a resolution enacted a month later,⁶

¹ Letter to B. Bankson, *ibid.*

² Exactly what Thomson means by "last session" is not clear. It may have meant the session from November, 1782, to November, 1783, or it may have referred to that from November, 1783, to June, 1784. As he speaks of finishing "what remains of 1783" in his letter of July 20, it is probable that he means the session of 1782-83 when he speaks of "last session."

³ From these letters it is possible that while the eighth volume of the Journals bears the date 1783, it was not completed till 1784.

⁴ See Appendix 16. In Papers of the Continental Congress No. 32, page 63, is found the following: "Ordered that the Secretary revise the Journals of the States to be printed forthwith," and endorsed: "Passed August 2d, 1784, Motion that the Secretary cause the Journal of the Com^o of the States to be printed." The Journal of the committee under date of August 2, 1784, has such a resolution entered upon it.

⁵ Journal of Congress, March 31, 1785.

⁶ *Ibid.*, April 29, 1785.

directing the Secretary to furnish the delegates of each State with six copies of the Journal of Congress, commencing with the session of November, 1784, "in the order in which they are published," it would seem that the Journal must have been issued in signatures or possibly in monthly parts. None of these separates have been traced. In the spring of this year (1785) the question of reprinting the Journals came up in Congress on several occasions. The matter was finally referred to a committee,¹ and on June 1, 1785, they reported it as their opinion that the whole of the Journal ought to be reprinted and published, "And that such part of the secret Journals as are marked for that purpose by ye Committee and which have not heretofore been printed and published be incorporated in their order agreeably to their dates." They further recommended that the Secretary advertise for bids for their publication in quarto.² This report was taken up on June 21³ and referred to the Secretary to take order, and on August 29 Thomson inserted the following advertisement in the New York Packet:⁴

OFFICE OF SECRETARY OF CONGRESS, *August 26, 1785.*

The United States in Congress assembled intending to have a new, correct, and complete edition of their Journals, the Printers in the several States are hereby requested to [send] this office, on or before the first Monday in November next, the terms on which they will engage to publish the said Journals, and to deliver one thousand copies thereof.

The person or persons contracting must engage to have a complete index made for the whole from the beginning to the first Monday in November, 1785, and inserted in the volume ending at that time.

The proposal must mention the time when the work can be entered upon, and the quantity which can be composed daily, and be accompanied with specimens of the paper and types.

The work to be carried on at the place where Congress resides or within such distance thereof as shall be determined by the Secretary of Congress, who is to superintend the printing and revise the proof sheets.

CHARLES THOMSON, *Secretary.*

(The Printers in the several states are requested to give the above a place in their papers.)

By November Thomson had received bids from Dunlap, Oswald, and the Cists, of Philadelphia; from Childs, London, and Kolloch, of New York; from Adams, of Wilmington; from

¹ They were Houston, Howell, Hindman, Grayson, and Ellery.

² Papers of the Continental Congress, No. 23, p. 231.

³ Journals of Congress, June 21, 1785.

⁴ New York Packet, August 29, 1785.

Wheeler, of Providence, and from Collins, of Trenton.¹ Thomson reported the results of his advertisement to Congress and they referred the matter to a committee, who reported in January 1, 1786.² The committee recommended obliging the printer who may be appointed "entering into Articles to print 500 copies at his risk and cost for sale," and also that the Journal of the Stamp Act Congress be included in the edition. But before their report was given consideration, Dunlap's edition of the Journals for 1784-85 made its appearance bearing date of 1785.³

The question did not come up again until September, 1786,⁴ when Mr. Bloodworth moved that the "Secretary have printed and bound, in the usual manner, 300 Vols. of the Journals of Congress for each of the years 1777, 1778, 1780, 1781 & 1782," which motion was carried a week later.⁵

There is no evidence that all of the volumes here authorized were ever printed; or, if they were, they have all been destroyed. As mentioned above,⁶ it may be that the "Resolutions Acts & Orders" of 1780 made their appearance under this act. John Patterson, of New York, published by order of Congress Vol. III of the Journal containing the proceedings for 1777, but it bears no date. He also published in 1787 Vol. VII, containing the proceedings of 1781, which is an almost exact copy of Claypoole's volume for that year. Although no bids from him for doing the work, authorized by resolution of September 13, 1786, have been found, it is altogether probable that Thomson made an arrangement with him for publishing these two volumes and stopped there, because signs were pointing too forcibly to the supersession of the old Congress by the new. Dunlap was meantime retained as printer of the later proceedings, and the last three volumes (XI, XII, and XIII) bear his imprint.⁷

But one more occasion arose wherein a question of printing and publication was discussed by the Continental Congress. This time Varnum, of Rhode Island, is the moving spirit, and his proposition, which had conferred on it the dignity of a

¹ These proposals are all to be found in Papers of the Continental Congress, No. 46, pp. 181 et seq.

² Papers of the Continental Congress, No. 23, p. 285, dated January 30, 1786.

³ See Appendix 17.

⁴ Papers of the Continental Congress, No. 23, p. 305.

⁵ Journal of Congress, September 13, 1786.

⁶ Page 102.

⁷ See Appendix Nos. 18, 19, and 20.

Congressional report, and no other, was that, in addition to publishing the Journal and other documents, the United States should publish a bi-weekly paper. It was to be known as "The North American Journal," was to appear on Tuesdays and Saturdays of each week, was to be published "under the inspection of the Secretary of Foreign Affairs," or such other person or persons as Congress might direct; was to contain foreign and domestic information, "Sentiments, moral, philosophical, and elegant; strictures, political, literary, and historical;" and from it were to be excluded "all advertisements not immediately connected with the public interest, and also whatever may tend to scandal and detraction." Nothing ever came of this suggestion, but we see here but another of the evidences of a desire on the part of persons elected to office to convey to their constituents a knowledge of the transactions in which they have played a part.¹

If we may judge by the number of publications of its own Journal that made their appearance, although the power of the Continental Congress dwindled as years wore on to but a shadow of its earlier substance, the interest in its doings never ceased. It is not to be wondered at that the members themselves characterized their own labors with an exaggerated importance. But it is hardly possible that they would have had published, what were large editions of the Journals for those days, unless they were supported by a popular desire to know what was taking place within Congressional walls. And the demand for them ceased not, even after the old Congress went out of existence. It then became the custom to supply incoming members of Congress with complete sets of the Journals, not only of the Congress under the Constitution, but of the other Congress as well. By the beginning of 1798 the supply became exhausted, and, as Mr. Sitgreaves put it, "they had become so scarce that gentlemen elected to serve in Congress, and who were entitled to them, were not able to obtain them."² As these volumes contained many ordinances and resolves which were then the laws of the land, he proposed a resolution appointing a committee to report on the expediency of reprinting such volumes of the Journals of the old Congress as were then out of print. The resolution was agreed to, but the matter slumbered until the following June, when the scene is

¹ Papers of the Continental Congress, No. 23, pp. 311, 312, 315, 316.

² Annals of Congress. Fifth Congress, Vol. I, p. 846.

transferred to the Senate. There Mr. Bingham, of Pennsylvania, presents a memorial of Chief Justice Thomas McKean and others, members of the bench and bar, praying for the printing of the Journal.¹ After the usual commitment,² on July 14 a resolution was agreed to authorizing the Secretary of the Senate and the Clerk of the House of Representatives to subscribe to 400 copies of the Journal of Congress, which, it is learned, is to be published by Richard Folwell.³ On the same day the resolution was sent to the House, but consideration of it was then postponed till the succeeding session.⁴ Rutledge called the matter up at the beginning of the third session of that Congress,⁵ stating, among other things, that several printers had made proposals for printing the Journals, but were unwilling to undertake the work without Congressional subvention. He thereupon offered a resolution much like that mentioned above, but giving authority to subscribe for blank copies of the Journals on such terms as might be found suitable.

More than a month later⁶ the committee to whom the resolution was referred reported that the reprinting of the Journals was highly desirable, and as Folwell had opened subscriptions in Philadelphia for the work, they recommended, as had the Senate, that 400 copies of Folwell's edition be subscribed for. This was made into an act of Congress by the agreement of the Senate and by Presidential approval received March 2, 1799,⁷ and the well known Folwell edition which appeared at Philadelphia in 1800-1801 was the result.⁸

For twenty years nothing more in the way of publication was done, and then, as if to mark the half century of the Government and mainly through the influence of Jared Sparks, and to some extent of Peter Force, a wave of desire for placing before the world the doings of the founders of our Government swept over the country. In consequence many volumes of

¹ June 20, 1798, *Annals of Congress*. Fifth Congress, Vol. I, pp. 584, 585.

² *Ibid.*, pp. 607, 611.

³ *Ibid.*, p. 613.

⁴ *Annals of Congress*. Fifth Congress, Vol. II, pp. 2180, 2181.

⁵ *Annals of Congress*. Third session, Fifth Congress, Vol. III, pp. 2564, 2565, January 17, 1799.

⁶ February 26, 1799. The committee were Rutledge, Nichols, and D. Fowler. *Loc. cit.* p. 2572.

⁷ *Annals of Congress*. Fifth Congress, third session, Vol. III, pp. 3045, 3970. Also, *ibid.*, Vol. II, pp. 2, 239-240.

⁸ See Appendix 21.

valuable contributions to American history, and consisting for the greater part of what we would call documents, now first began to appear.

Preceding all these, however, was the resolution of March 27, 1818, which provided for printing, under the direction of the President of the United States, the Journal of the Constitutional Convention with its acts and proceedings, and the Secret Journal and the foreign correspondence of the United States, down to the date of the ratification of the peace of 1783. This was followed by the passage of the resolution of April 21, 1820, which provided for the publication, under the direction of the President of the United States, of the Secret Journal, "together with all the papers and documents connected with that Journal, and all other Papers and Documents, heretofore considered confidential, of the Old Congress" beginning with the year 1783 to the formation of the present Government. Under the provisions of these two resolutions appeared the two series of diplomatic correspondence, the first under Sparks's supervision in 1829-30, and the Secret Journal of the Old Congress published by Thomas Wait, of Boston, in four volumes, in 1820-21.¹

Congress has lent its encouragement to but one other publication of the Journal of Congress. As a private enterprise, Messrs. Way & Gideon, of Washington, in 1823, brought out a four volume edition of the Journal, which was but a reprint from Folwell's edition. Failing to receive the public support anticipated, they appealed to Congress to come to their assistance. The matter came up in the Senate in February, 1825,² when a motion to purchase 630 copies of Way & Gideon's edition was negatived by a substantial majority, and I have not been able to find that it was ever again given consideration by that branch of the Government. In the House they had a better fortune, for on the 24th of the same month³ a resolution was passed authorizing the purchase of 300 copies for the use of the House, "Provided the price shall not exceed \$2.25 per volume full bound and lettered."

¹ See Appendix 22.

² February 18, 1825. Congressional Debates, Vol. I, p. 624.

³ *Ibid.*, p. 681. See Appendix 23.

III.

We have now heard what the Journals are, and what steps have been taken for their publication. Let us next describe the imperfect manner in which the work of printing has been done. The imperfections start from the very beginning, and to state that the Manuscript Journal of the Continental Congress has only been printed in part, and that too in spite of the long list of editions that we have enumerated, is to speak well within the mark.

It will be impossible to note all the differences that have been discovered, as a result of a painstaking comparison of the manuscript with the various printed copies. Therefore suffice it that none but the most glaring and important omissions will be mentioned. As we have seen, the interest in the transactions of the first Congress (which, as all the others, was held behind closed doors)¹ was so intense that not only was it thought necessary to publish the complete Journal after the Congress had adjourned, but extracts from the proceedings were issued from time to time while Congress was in session, and as was found convenient. Besides this, the impulse to take such action came from the fact that the first and second Congresses were perhaps more directly representative assemblies than the later ones, for at least half of the delegates to each of these two Congresses were the choice of popular conventions. Soon, however, it became a settled custom to elect the delegates through the legislatures.

But to the Journal. Charles Thomson, as is well known, was elected Secretary upon the first day of the meeting of the Congress of 1774, and he retained his office until the end. But although this was the case, the original Journal covering the first five days of the Congress is not in his hand. For some reason, he seems not to have taken up the duties of his office until the 10th of September. Then he examined what had been recorded during his absence, and made sundry additions, corrections, and erasures. The entry of his own election read originally simply "Charles Thomson, Secretary." This he

¹To keep legislative proceedings secret was the order of the day. It is therefore interesting to find that on April 21, 1779, R. H. Lee, seconded by Carmichael, was instrumental in having a committee appointed to consider the advisability of opening the doors of Congress to the public except when matters of a secret nature were under consideration. The committee elected consisted of R. H. Lee, Laurens, Ellery, S. Adams, and Lovell, but no record of their report has been found.

changed to read, as we find it in the printed Journal, "Mr. Charles Thomson was unanimously elected Secretary," and the hand is unmistakable. But other alterations of more moment are worthy of our attention. Heretofore we have been dependent for our knowledge of the discussion over the method of voting in Congress upon the notes taken by John Adams and recorded in his diary.¹ There is no entry in the Journal, as printed, that would indicate anything in the nature of a contest over this question. But the manuscript tells a different story. There we find the notes of John Adams substantiated, however briefly, but in every essential detail. Under date of September 5, 1774, and crossed out, we find it recorded that a motion was made to appoint a committee on rules for the House, but that, after debate, consideration was postponed till next day. Under September 6, also crossed out, we find it stated that, after "a good deal of debate," the question on committing the matter of rules for the conduct of the House was passed in the negative, as was also that to appoint a committee "to fix the mode of voting by allowing each person one or more votes so as to establish an equitable representation according to the respective importance of each colony." The manner in which the question was settled is familiar, but it is exceedingly gratifying to find John Adams's statements thus corroborated, although we must still have recourse to him for the details. For some unknown reason, a sentence telling that on this same day Thomas McKean took his seat in Congress is similarly crossed out.

Under October 14, 1774, we find incorporated in the Declaration of Rights agreed to on that day the resolution providing for the non-importation of goods, wares, and merchandise after December 1, 1774; but it is stricken out in the manuscript, and six days later² the exact words are found forming the first half of the first of the Articles of Association, as we know it.

Under October 20 we learn from the manuscript that "the Articles of Association were ordered committed to the press that an hundred and twenty copies might be stricken off;" and a similar order was next day issued in regard to the address to the people of Great Britain, and the memorial to the inhabitants of the British Colonies. That same day (October 21) the

¹ Works, II, pp. 365-366.

² October 20, 1774.

committee, consisting of Galloway, McKean, J. Adams, and Hooper, were appointed "to revise the minutes of the Congress." We find no mention of these facts on the Journal as printed, but the latter at least is of importance, for it is doubtless under the directions of this committee that Thomson made the erasures which we have noted above and sundry minor alterations which we would now incorporate in a new edition of the Journal, but which need not detain us here.

But the manuscript terminates quite differently from that familiar to us. The edition of 1774¹ ends with the words: "A true copy. Charles Thomson, Secretary;" and this is followed by the letter of General Gage to Peyton Randolph of October 20, and by the petition to the King. To this Aitken, in his edition of 1777, added the sentence, after Thomson's signature, "The Congress then dissolved itself," and this has been followed in all subsequent editions; but, unless Bradford and Aitken printed from a manuscript unknown to us, there is no warrant for these additions. The words, "A true copy" and attestation by Thomson may indicate one of two things. They may stand for his certification to the correctness of the printed copy, or that a copy of the original was made for the printer, and this Thomson attests as a true copy. This is probably the case, and the changes from the original were probably made by Thomson, acting under instructions from the Committee on Revision. There is no Transcript of this Journal of 1774 among the archives of the Continental Congress, but this is not surprising, in that practically no papers of that period are to be found there other than the Journal. This would indicate that, having finished its work, the Congress dispersed, half hoping there would not again be occasion for a reconvention, although it made provision for such a contingency. It is altogether probable that when the new edition of the Journal was to appear in 1777, Thomson or the committee on publication noticed that there was no record of an adjournment of the first Congress, and they therefore added the sentence about Congress dissolving itself in order to give the appearance of a more seemly close to the proceedings. In place of the attestation of Thomson on the manuscript Journal, we find sundry additions made by him

¹ There is, however, one edition without the letter of Gage and the petition to the King. See Appendix 3.

after the Congress had adjourned, and which have not been printed in any of the editions. They are as follows:

Agents to whom the address of the King is to be sent.

For N. H. Paul Wentworth, Esq.

Mass. Wm. Bollan, Esq.

Dr. Franklin,

Dr. Arthur Lee

R. I. None.

Conn. Thos. Life, Esq.

N. J. Dr. B. Franklin

Penna. Dr. B. Franklin

N. Y. Edmund Burke

Del & Md. None

Va. & N. C. None.

S. C. Charles Gaith, Esq.

Then follows:

Wednesday sent an address to the King pr. under cover to Doctor Franklin directed to the above agents— | 27—Thursday sent pr. Mr. H. Middleton 2 letters to Georgia one directed to Glen the other | to Lyman Hall and others— | also one to East Florida and one to West Florida— | Sunday sent p Mr. Samuel Adams a letter to Nova Scotia and one to St. Johns— | 6 Nov. sent copy of address to his Majesty by Captain Falconer | The address to the people of Quebec being translated by | Mr. Simitier, 2000 were struck off, of which 300 were sent to Boston by Captain Wier, 16th of Nov.

We may note in passing that the great size of this edition of the address to the people of Quebec, indicates how strong was the desire to have the Canadians join with their fellow-colonists in the struggle.

These marked differences indicate that either there was another copy of the Journal made out which the printer used, or that the committees of revision and publication exercised their powers to the full. At all events, we have no exact copy in print of the MSS. for 1774, as it now exists, whatever may have been the early history of its publication.

The verbal differences that occur throughout the Journal of 1775 need not detain us. More important is the omission in all the printed Journals of the letter of November 20, 1775, to the Congressional agents, Penn and Arthur Lee, at London, telling of the progress of the war and aiming at putting an end to the military preparations in England, it being of the nature of a reply to the King's proclamation declaring the colonies in rebellion. This letter, for which we must have recourse to Force's archives, is entered in full in the original

H. Doc. 353—8

Journal. Nor is it entered on the Transcript. The entry there reads that this letter, with the other letters to the agents, is to be found in Mr. Hancock's, the President's, letter book, and this statement, being marked as secret by Thomson's usual marks, was omitted from the Regular and appears in due course on the Secret Journal.¹ But Hancock's letter book is not among the archives of the Continental Congress. Those of the other Presidents containing copies of their official letters are to be found there, but Hancock failed to comply with the resolution² requesting the Presidents to deposit their letter books in the Secretary's office, for he carried his off with him when he retired, and it is to be found among the collections of the Massachusetts Historical Society, to which body it and others of his papers were presented in 1817.

With the mere mention of the fact that other minor variations occur at odd times in the record for December, 1775, we may pass on to the next year's proceedings. There is no one year in American history to which so much time and space has been devoted as to the year 1776. Chiefest of all the events of that year was the Declaration of Independence, and the interest in the history of its adoption does not abate a jot with the advance of time. Yet the sad fact remains that, in the only official publication covering the transactions of July 4, 1776, the account is manifestly false, and was made so not by design but by the lack of foresight of the committee in whose hands was intrusted the publication of the Journal. They little thought that by their inadvertence they would render it impossible for future investigators to determine absolutely whether the Declaration of Independence was signed on July 4 or not; yet such has been the case, and for seventy-five years a dispute over this point has prevailed. While the weight of evidence is certainly against the supposition that it was, yet there is just that link in the chain lacking which makes all the difference between certainty and conjecture. It was not until the inquiring mind of Judge Mellen Chamberlain ranged alongside of each other the accounts in the printed Journal and those in the two manuscripts that the falseness of the printed record was made manifest.³ He proved that no

¹ I, p. 36.

² Journal of Congress, November 8, 1779.

³ See his article in "The authentication of the Declaration of Independence." *Mass Hist. Proc.*, Nov., 1884.

such sentence is to be found in either of the manuscripts as appears in the printed record stating that the Declaration, as it is printed in the proceedings of July 4, 1776, was engrossed and signed by order of Congress by the members whose names are subjoined, a number of whom were not then in Congress, and two of whom signed it some years later. Even Judge Chamberlain, who was at such pains to gather together all material bearing on the subject, did not get quite all, for he failed to make a personal examination of the manuscripts, or else at least one misstatement in his article would not have been made, and two additional illustrations of the point he was making might have been drawn into requisition. The fruit of his labors will, it is hoped, be to prove to our investigators and our statesmen that, before it is possible to say that all the information to be derived from the Journals is at hand, there must be a new edition with all the variations in the texts carefully collated. Although the differences appertaining to the Declaration of Independence are assuredly the most important and those in which the public is most interested, there are yet others in the Journal for this year of considerable account. Omitting those which are merely verbal, our sum of omissions foots up a round dozen and more, but three months, April, October, and November, escaping without a serious blemish. It will hardly profit us to recount them all at this time. They have to do with the affairs of the army and the navy, from which we may gather some new facts relating to the conduct of the naval establishment, and especially concerning the case of Commodore Hopkins, who was dismissed from office—unjustly, as John Adams always maintained; with the details of the history of the adoption of the resolutions permitting and controlling the fitting out of privateers; with the appointment of a committee, probably the first of its character, to recommend a regulation of prices; with a proposed conference with Washington which never took place, and with sundry details of the instructions to the commissioners who were to negotiate a treaty of alliance with France. Not the least important item is a resolution which gives some insight into the way in which popular opinion made itself felt within the walls of Congress. In the dark days of December, 1776, when one of the numerous crises was at hand, rumor was rife in the taverns that the Members of Congress, afraid for their safety, were about to take to flight. A resolution was there-

fore passed on December 11, directing Washington to contradict the scandalous report in general orders, "for the Congress," the resolution said, "has a better opinion of the spirit and vigor of the army and of the people than to suppose it can be necessary to disperse." They add, in conclusion, that they will not even adjourn until "the last necessity shall direct it." The amusing part of this is that the "last necessity" must have appeared to their minds the very next day, for they then decided to adjourn to Baltimore, leaving Washington in full charge of the affairs of the army, with Robert Morris at the head of a committee remaining in Philadelphia to look after matters there. In view of these facts, it is not surprising that the above resolution is crossed out in the original record, and that the bravery of Congress has not till now been questioned.¹

But passing comment need be bestowed upon the manuscripts for 1777 and 1778. The same general statement as made concerning the imperfections of the printed Journal for 1776 holds good for the next two years thereafter. We have, of course, no Declaration of Independence, but we have the discussion over the adoption of the Articles of Confederation, and in the case of the latter some detailed information is obtainable from the Manuscript Journal, which is not found either in the printed Journal or in the history of the Articles of Confederation contained in Vol. I of the published Secret Journal.

Besides, in the early days of 1777,² a resolution was passed, but never published, requiring the Secretary to note upon the Journal what States were represented in Congress later than 10 o'clock, the regular time of meeting of Congress. This was ordered with a view to transmitting, to the State legislatures, an account of the tardiness in attendance of the delegates to Congress. The Secretary performed his duty well, but the committees, on preparing the Journal for publication, never incorporated these notes in any of the editions, and they therefore exist in manuscript only. They are of importance to us, although they seem of a trivial nature, because they all occur before August, 1777, when the yeas and nays first began to be recorded, and they enable us in many instances to fix

¹ The dates upon which the omissions mentioned herein are recorded are as follows: January 16, 26; February 9; March 19; May 8, 18; June 25; July 19, 20; September 2, 3, 17, 24, 26, 28, 30; December 11; all in the year 1776.

² February 14, 1777, MSS. Journal of Congress.

the number of States in attendance when important legislation was under consideration.

The omissions during 1778, some ten or a dozen in number, are of lesser moment, but yet of sufficient importance to make the historian of the time feel that he has not said the final word until he has compared the printed Journal with the manuscript, or else has had access to a new and carefully edited reprint. Whatever may be the safety in using the printed Journal for 1778, it is when we come to the Journals of the next two years that we find the greatest divergence between the printed Journals and the manuscript. So great are the differences that we are safe in stating that not much more than half of the Journals for these two years has been printed in such a manner as to be generally accessible to the student.

We have already seen¹ that the Journal for 1779 was printed in two editions—first in monthly and weekly parts in 1779 and again in 1783. Regarded from the point of view of present day investigation, the monthly and weekly sheets of 1779, which are a more or less exact reprint of the Rough Manuscript Journal, might almost as well not have been published. But two or three complete copies of it exist, and they are hardly known and never quoted, and at least one of them was, until the past few months, in the same condition as it issued from the press. To all intents and purposes, then, this edition in the point of usefulness is as if it had never been issued, and, while its value can not be overestimated, we may here practically disregard it.

As to the other (the edition of 1783), it, and not the contemporaneous issues, has been followed in all subsequent editions; so it is well to emphasize the differences existing between the two, or, to be more exact, between the abridged Journal for 1779 and the manuscript.

To sum up the omissions in general terms, it may be said that the Committee on Publication left out what seemed to them unimportant details, printing only what bore the undoubted stamp of public interest. We have had too many examples in the past of imperfect editing that savored only too frequently of garbling. The demand nowadays is for the publication of everything, with many clamoring even for literal exactness. It has become plain, therefore, that what in 1782 was considered relatively unimportant, has come in 1897

¹Supra, pp. 99 et seq.

to have a greatly enhanced value and interest. The editors, too, of 1782 were no doubt hampered by the ever-present Congressional bugbear, lack of funds, and this must be held responsible for some of their transactions. Be that as it may, the omissions can be accounted for upon no apparent system except as respect to the exclusion of all statements referring to the receipt of letters and petitions and to reports of committees and the like.

To the statesman of that day, the mere record of letters and petitions received, and of the appointment and report of committees was an unimportant detail which might readily be omitted. But to us such matters wear a different face. We know from the letters of Washington how instrumental he was in shaping the legislation of the time. His suggestions were not always adopted, but ordinarily, when other than mere routine accounts, were dignified by reference to a special committee. The same statement is true, but in a lesser degree, of course, in regard to the other letters received, and their value to us can not be overestimated. Similarly from committee reports we learn what men were responsible for legislation recommended, in how far their ideas were embodied in the acts of Congress, and what were the steps leading up to the adoption of the resolutions as they now exist. All this we miss if we have not the key by which can be unlocked the secrets of the incentives to legislation. For, ordinarily, the course of events was in this fashion: A letter is received or a motion is made containing a proposition for new legislation or a suggestion for remedying a defect, say, in the army or in one of its departments. A discussion arises which is cut short by a motion for commitment. This being carried, the members of the committee are balloted for and elected, for we must remember that committees were chosen not by appointment of the Chair, but by election. The members thus selected were probably upon a half a dozen other committees at the same time, and this latest matter must await its regular turn. If of very great importance, it may be reported upon within a week; otherwise it may drag its slow length along indefinitely. At last reported to Congress, it takes its place on the calendar, unless requiring immediate consideration, in which event it is discussed in Committee of the Whole House, amended, perhaps recommitted, after which it is again reported, discussed, and amended, and finally takes the shape of a resolution. The latter—the resolution—in the case of the abridged

printed Journals of 1779 and 1780, is all we know of the matter, for the intermediate stages, deemed unimportant by the Committee on Publication, have all been omitted. It is therefore impossible to determine from them why it was that Congress passed many resolutions which now appear upon the pages of the printed Journal with no connection with what precedes or comes after. Worse still, many resolutions are entirely omitted, and the orders on the Treasury to pay claims are passed by without notice.¹

The printed Journal of 1779, bad as it is, offends less in this respect than does that of 1780. For at least in the former the editors had sufficient respect for subsequent investigators to retain the detailed yea and nay votes. But not so with the published Journal for 1780. Possibly afraid to show their constituents how they voted, or perhaps suffering from an acute attack of economy, we have seen² how Eldridge Gerry was instrumental in having the monthly issues printed without the yea and nay votes. It goes almost without saying, that in the volume known as the "Resolutions, Acts & Orders" for 1780, (published, probably, in 1787,³ and which forms Vol. VI of the set of Journals as we know them,) nothing omitted in 1780 was later incorporated. The committee in charge, or mayhap Thomson, included nothing but what might be fairly considered as coming under the title given to the volume. Thus while the printed Journal of 1780 is hopelessly brief, it is doubly exasperating in that we find the yeas and nays printed at various times from August, 1777, to the end, always excepting 1780 alone, on the printed pages of which Journal not a single yea and nay vote is to be found. They are not omitted because they do not exist, for the manuscript for 1780 has yea and nay votes entered upon it in profusion; their number all the more increased, perhaps, because of the knowledge that they were not to be divulged to the public. The absence of yea and nay votes on the printed Journal has been emphasized, because from them we are able to state who were responsible for certain resolutions, and who were its supporters and its opposers, and all readers of history appreciate how it puts life into a narration, and relieves it of the dry tedium of a bare

¹ To members of the Revolutionary hereditary societies these latter are of great importance, for no end of names are given.

² *Supra*, p. 100.

³ See *supra*, p. 102.

record of events, if we can thus embellish it. Besides, such details often lead to the discovery of material bearing on the reasons for support and opposition, for they indicate in what direction the search for facts may be rewarded.

Not satisfied with such a mutilation, the editors went farther, and the proceedings of whole days even are omitted entirely, leaving the impression that Congress was in session only a part of the time. The fact is that the Congress met daily, except on Sunday, Good Friday, the 4th of July, and Christmas day. It met even on the 4th of July, but there was no session, as adjournment was immediate.

It is thus seen that the Journals for 1779 and 1780, even though we include the rare and inaccessible monthly and weekly issues, have never been fully published.

The same story of editorial excision is to be told about the Journal for the years that yet remain. The year 1781, of all the later years, suffers particularly at the hands of the editors. We find the same omissions of committee appointments and reports, of motions made and of letters received. Mere notes of these set down in the briefest possible manner fill 92 letter-sheet pages. Besides this, other matters omitted from the printed Journal, including resolutions and the like, cover in addition some 15 folio typewritten pages. Nor has there ever been a full contemporary edition published for this year (1781), as in the case of the Journal for the two years immediately preceding. The year 1781 is, of all the years after 1776, perhaps the most interesting and important to the historian. The 1st of March of that year witnessed the Articles of Confederation, which had been the object of discussion for five years, put into actual operation, only in time to prove their inefficiency. From that month dates the "United States in Congress Assembled." This year saw an almost complete reorganization of the manner of conducting governmental affairs; it saw the appointment of a Secretary for Foreign Affairs, of a Secretary of War, and of a Secretary of Marine, with each provided with rules for carrying on his office; it saw a reorganization of army and naval affairs, and of the departments closely related to them; and, finally, it saw the appointment of Robert Morris as Superintendent of Finance, and the establishment of the Bank of North America. Greater than all, it saw the battle of Yorktown, with the practical end of the great struggle for home rule and liberty. Upon all

these matters, and upon all the great matters that engrossed the attention of Congress during this year, the parts of the Journal yet in manuscript throw much new light.

Another point worthy of note is that the Congress, out of respect for the month of November, in which in 1777 the Articles of Confederation were first adopted, agreed to date the official Congressional year from the first Monday in each November. As if to emphasize the change in the method of conducting affairs, Secretary Thomson then began, too, to keep the Journal in a different way.

Anyone who has carefully examined the Journal after November, 1781, must have been struck by the businesslike nature of the record as contrasted, say, with that for 1778—the only previous one that has been fairly accurately printed. No letter or motion or petition or report of a committee is mentioned unless it bears some relation to the resolutions immediately following. The minute details with which the earlier volumes are so replete we look for in vain, for they are so valuable. Nor is the manuscript much fuller than that published from November, 1781, to October, 1788. Some differences there are, to be sure, amounting in notes to some thirty folio typewriter sheets, for it seems to have been an impossibility to get anything approaching to an exact copy published; but the change for the better in the way of publication is marked. The explanation is not far to seek. After January, 1782,¹ the matter of publication was taken out of the hands of an inefficient committee and put in those of careful Secretary Thomson. He attended to this, as to everything, well, and we have him to thank for his pains. But why should he make so great a change in the manner of keeping the record? He doubtless thought he could improve its usefulness by omitting from the pages of the Journal such matter as was not immediately connected with the proceedings of each day. But it occurred to me that Thomson would never completely obliterate all trace of facts that to us are invaluable and that to him seemed in the earlier years to be of the first importance. A careful search among the archives was rewarded by the discovery of several volumes containing important information and carefully preserved in one of the most inaccessible of the Department of State's cases, where they have probably slumbered ever since their removal from the old quarters of the

¹Journal of Congress, January 28, 1782.

Department to the new. They are recorded, as one would expect, in the official published catalogue¹ of the Papers of the Continental Congress, but are nowhere else ever referred to. It is safe to say that their existence has until now scarcely been known. Although these are not included in the series of volumes containing the Journals, they are none the less part and parcel of them, in that they contain material that in the earlier days was entered on their pages.

Before describing their contents, we might say that Thomson seemingly thought of making these special entries in separate volumes at least two years before he put his scheme into entire operation. He began by experimenting, no doubt for his own convenience and to facilitate the finding of letters when wanted, as early as January, 1779, by keeping a list of letters received by the Congress. This he continued from time to time until the end in 1789. These notes are contained in four volumes², and they record in parallel columns (1) the date of the receipt of the letters; (2) the date of the letters; (3) from whom they came; (4) what disposition was made of them; (5) the names of the men composing the committee to whom they were referred, often with a brief note indicating what instructions were given by Congress to these committees. At the end of the first volume of these manuscripts is the schedule of "Expenditures for the year 1779," usually found as an appendix to the printed volume of the Journal for 1779.

Next to these and not less important, we have memoranda and lists and minutes of reports of committees covering the years 1781 to 1788 and contained in five folio volumes. Included in two of the volumes³ are long lists of the names of persons nominated by members of Congress for offices within the gift of Congress between September, 1780, and May, 1786. The data recorded in these volumes are arranged in parallel columns and inform us (1) of the names of the persons appointed to the committees; (2) the date of their appointment and (3) report, and (4) the subject-matter of the report stated in briefest terms. Besides, ten pages of one of the volumes⁴ are given over to a sort of résumé of the reports that have been made to Congress which have never been given any, but are still

¹ Bulletin of the Department of State, No. 1.

² Papers of Continental Congress, No. 185.

³ Nos. 186 and 190.

⁴ No. 191, pp. 56-65.

deemed worthy of, consideration. It is thus seen that this material forms a sort of supplement to the Journals, and that it was a great oversight not to have drawn upon it when they were published.

The remarks embodied in the past few pages cover all that it is necessary to say about the remainder of the Journal, and it is confidently held that the case against the earlier methods of publication has been made out. By way of summary it may, however, be added that the omissions concern a variety of miscellaneous subjects extending all the way from important financial and military affairs to a Congressional banquet on a 4th of July, including by the way details of the many land controversies, of regulations for a national post-office, of the establishment of a court of appeals in admiralty cases, and no end of appointments and reports of committees, all in all covering much of the sort of matter to which possibly the major part of the time of the Congress was devoted.

This important and valued information that has now laid hidden from the inquiring search of our investigators for so many years should no longer be left there, for never in this century has the scientific and popular interest in history in general, and particularly in that of our own country, been greater.

A few words, therefore, as to the methods of publication that might be pursued. The first and the least expensive, and at the same time the least satisfactory, would be to print the Journals exactly as they stand. But this should not mean a mere following of one or other of the manuscripts, for they often vary, as we have seen in the case of the record for July 4, 1776. But a careful collation of the texts should be made, the variations whenever found should be incorporated, and always with due reference, by footnote, to their source. This would mean the supplementing of the Rough Journal by the differences to be gathered from the Transcripts until they end in the beginning of 1779. But a new edition should do more than this.

Such a collation of texts should be supplemented by the incorporation of references to letters received from 1779 on and entered in the volumes just spoken of, but not in the Journal. The records of the appointments and reports of committees and the names of the members acting on them, which formed part of the Journal up to 1781, should, in addition, be extracted

from their places in the volumes in which they are entered and should be made part of the Journal to which they rightfully belong. But that is not all. The distinction which till now has been made between the Secret Journals and the regular Journals should no longer be retained. Each item of information to be derived from the manuscript Secret Journals, the texts of which in turn should all be carefully compared and collated, should be arranged in its proper place under the dates when the acts and resolutions were agreed upon. To this many might not agree, particularly in regard to the Secret Journal of Foreign Affairs, the objection being based on the advantages to be derived from having all the material on foreign affairs in separate volumes. At this none could cavil had such a distinction ever in reality been made. But the fact remains that perhaps half of the matter relating to foreign affairs is entered upon the Regular Journal and has never formed a part of the Secret Journal. Besides which the Regular Journal usually indicates in brief manner that some matters relating to foreign affairs were considered, and these are then found at length in the Secret Journal. To have all these data, then, arranged in their proper places under the dates upon which the events occurred would obviate the inconvenience of using two sets of volumes and would insure a great saving of time. Any other objections could be removed by having, if it is thought necessary, a special index made for foreign affairs. Lastly, but most important of all, an index to the whole body of material, which everyone who has had occasion to use the printed Journals knows has never existed, should be compiled in the most painstaking manner.

Another method of publication would be to add, by footnotes to the Journal arranged as above indicated, references to the volumes in which letters or petitions or memorials or reports or motions and the like, and which are mentioned in the Journal, are to be found. Footnotes of this character would greatly enhance the value of the Journal as a work of reference, and would be of the greatest possible use, but they could be only made as the result of a most careful examination of the archives.

We have yet to consider the ideal method of publication, always excepting, of course, the impossible publication in facsimile—impossible only because of the great cost. This would be to insert into the Journal, and make part of the record, as

they properly should, all the documents that are referred to in each day's proceedings. Wherever a report or a letter or a motion or any other document is mentioned, it should follow in regular order, printed in smaller type than the body of the Journal, bracketed to indicate that it forms no part of the Journal proper, and with footnotes indicating where the originals are to be found. I can speak from experience of the value of such an arrangement. The notes taken in the course of my investigations, extending over many months, were made in just this manner. Whenever a document was found a copy of it, if of importance, was made and inserted in its proper place. Arranged in such a manner the course of the legislation of the Continental Congress can be made to appear with something of the living force it had a hundred and more years ago. From the present point of view these documents are as much a part of the Journal as the bare record itself, and as the vast majority of them have never been published, no better way of so doing can be conceived than by printing them in the place where they so properly belong. Each volume would be a host of information in itself, and the historian who, having called all the chairs, desks, and tables in the house into requisition to hold books from which he is gathering material, would call him thrice blessed who had reduced the number of volumes that he must consult. This method of arrangement, by incorporating documents in smaller type, is not the mere idle figment of the imagination only, for it has the worthy precedent of the edition of 1824 to give it import. The editors of these volumes often inserted the later acts and ordinances of Congress in just this way in their endeavor to reduce the size of the last volume. Finally, an adequate index to such a collection would be in itself one of the most important contributions to American history that has ever been made.

Sundry other matters have yet to be considered. Upon the Journals are to be found words and pages which have been crossed out, but which are quite legible. These should be printed as they stand, using, perhaps, canceled type, or some other means to indicate their state upon the manuscript. Besides, Thomson made numerous marginal notes, very brief but often of great value in indicating the course of legislation. These too, should not be omitted, and the office of the editor should be restricted to printing the Journal and the accompanying documents with literal exactness, without critical or

historical comment, except where absolutely necessary to elucidate the texts. What is wanted is an edition of these documents as they are, not an editor's notion of what they stand for, nor his opinion upon their historical importance or their relation to the events then current. He should simply edit, leaving the rest to the commentators. A publication such as has been described above would provide for all but a very small number of documents of a miscellaneous character. These might be incorporated in one or two supplementary volumes. Lastly, facsimiles of important state papers that are much interlined and erased and can not possibly be reproduced by the printer's art should occasionally be inserted, for this could be done at no great cost.

If for any reason it were found that such a combination of the documents and the Journals would not prove practicable or desirable, yet one other plan may be availed of. After the Journals have been arranged as indicated above, the other manuscripts should be put together in chronological order. This is the only feasible classification, if the other, and to my mind far better, plan is not pursued. A topical arrangement is quite out of the question, for the ideas of no two persons can ever agree in this respect. That method was, to a certain extent, followed by the men who originally put the manuscripts in order for binding, but of its utter inadequacy and hopeless confusion all who have consulted them will sadly bear witness. And yet their present order was doubtless considered a good one in its day. The chances that Congress will make proper provision for carrying out the work of editing and publishing these documents are by no means so remote as they were a few years ago. Each session finds the attention of more and more Members drawn to the patriotic duty that lies before them. An estimate of the cost of publication was made by direction of Congress, in 1895, by the Secretary of State. The cost of printing, as estimated in that report, was put at a trifle over a hundred thousand dollars, but this failed to take into account the necessary expense of transcription and arrangement, which would amount to a few thousands more. The whole publication could be comprised within about fifty volumes of the usual octavo public document size.

If for any reason their publication is impossible, the precious nature of their contents requires that they at least be transcribed in duplicate or triplicate, the copies to be deposited in

different places. Not only do such copies go far to replace the originals in case of destruction, but they prevent the injury and defacement resulting from frequent handling. The fading and decaying processes of time have already left too many marks, and each year decreases the legibility of these documents and increases the work of destruction that has already made considerable progress. The typewriter copies of the Franklin papers, which were purchased at the same time as the papers, have been of infinite value in preserving the originals from injury by handling; as they are now arranged the originals need be consulted only in exceptional cases. The same would be true were the Records and Papers of the Continental Congress thus transcribed.

Moreover, it is worthy of remark, in conclusion, that in no portion of our history is so much interest taken, and to none do our public men make such frequent reference as to that of the Revolution. It is the constant theme, and will ever be, for orations and apt historical citation, and yet all who have studied know that the material, except for the purely military history of the period, is inaccessible; that while much has been said, much is still unwritten.

BIBLIOGRAPHICAL APPENDIX.

1. Extracts | From the | Votes and Proceedings | of the American Continental | Congress, | Held at Philadelphia on the | 5th of September, 1774, | Containing | The Association, an Address to the People | of Great Britain, and a Memorial | to the Inhabitants of the British | American Colonies. | Published by order of the Congress. | Philadelphia: | Printed by William and Thomas Bradford. | October 24th, M,DCC,LXXIV. | 8vo, Title and announcement pp (2), pp 8. On the back of the title-page is the following: "As the Congress is not yet dis- | solved and their whole Proceedings | cannot be published for some time; it was | thought advisable forthwith to communicate | as much thereof to the Public, as concerned | the Restrictions on Commerce, and the reasons for such Restrictions. |

This admission attests the falsity of the title-page, and the pamphlet does not even contain what it purports to in this additional note. It ends abruptly in the midst of a sentence in article 14 of the Association: "An Act for * * * securing * * * ammunition, and stores, by which," |

2. Half-title: Extracts | from the | Votes and Proceedings | of the | American Continental | Congress. | Title: Extracts | From the | Votes and Proceedings | of the American Continental | Congress, | Held at Philadelphia on the | 5th of September, 1774. | Containing | The Bill

of Rights, A List of Grievances, Occasional Resolves, the Association, an Address to the People of Great Britain, and a Memorial to the Inhabitants of the British American Colonies. | Published by order of the Congress. | *Philadelphia*: | Printed by William and Thomas Bradford, | October 27th, M,DCC,LXXIV. 8vo. pp. (4), 12, 11, 36. See Ford's Nos. 16-38 for the numerous reprints.

3. *Half-title*: Journal | of the Proceedings of the | Congress. | *Title*: Journal | of the | Proceedings | of the | Congress, | Held at Philadelphia, | September 5, 1774. | [cut] | *Philadelphia*: | Printed by William and Thomas Bradford, | at the London Coffee-House. | M,DCC,LXXIV. 8vo. pp. (1), (1), 132, 133-144.

The wood-cut embellishing the title page represents twelve arms supporting a column surmounted by a liberty-cap, and resting upon a parchment roll entitled "Magna Charta." The tail-piece of p. 132 represents a dove bearing an olive-branch in its beak; pp. 133-144 contain the letter of General Gage, and the petition to the King.

An edition was immediately printed by Hugh Gaine, of New York: Journal | of the | Proceedings | of the | Congress, | Held at Philadelphia, | September 5, 1774. | *New York*: | Printed by Hugh Gaine, Bookseller and | Stationer, in Hanover Square, | M,DCC,LXXIV. 8vo. pp. (1), 104. This lacks the letter of General Gage and the petition to the King. A few copies with similar omissions were also printed by the Bradfords. See Ford's No. 39 and for the reprints his Nos. 40-42.

4. *Half-title*: Journal | of the | Proceedings | of the | Congress. | *Title*: Journal | of the | Proceedings | of the | Congress, | Held at Philadelphia, | May 10, 1775. | [cut] | *Philadelphia*: | Printed and Sold, by William and Thomas | Bradford, at the London Coffee-House. | M,DCC,LXXV. 8vo. pp. (2), (2), iv, 239. The cut represents three military figures supporting a pedestal entitled "Libert. Patr." In the *Pennsylvania Journal* for December 6, 1775 this is announced as ready by December 8. See Ford's Nos. 74-77.

5. *Half-title*: Journal | of the | Congress. | *Title*: Journal | of the Congress | of the | United States | of America: | Continued | *Philadelphia*: | Printed and Sold, by William and Thomas | Bradford, at the Coffee-House. | M,DCC,LXXVI. 8vo. pp. (2), (2), 218. See Hildeburn Vol. II p. 255. Ford's No. 78.

6. The | Journals | of the | Proceedings | of | Congress, | Held at Philadelphia, | From January to May, 1776. | *Philadelphia*: | Printed by R. Aitken, Bookseller, opposite the | London Coffee-House, Front-Street. | M,DCC,LXXVI. *Bastard-title*: Journals | of | Congress. | 8vo. pp. (2) 93. The February issue has the following title: The | Journals | of | Congress. | For February, 1776. | R. A. | *Philadelphia*: | Printed and sold by R. Aitken, Front Street. | M,DCC,LXXVI. 8vo. pp. (2) 70.

The Journal for March (pp. 73-146) and the Journal for April, (pp. 147-237,) has each a heading. Hildeburn Vol. II, p. 255. Ford's No. 124.

Aitken records of this in his *Waste Book*: "I was ordered to print

no more in this large type, and to begin a new edition beginning with the session of Congress, which rendered the sale of the above abortive, meantime I sold 80 copies. I also sold 14 reams of this edition to Benjamin Flower, for the use of the army for cartridges at 30s., per ream."

7. Journals | of | Congress. | Containing the | Proceedings | From Sept. 5, 1774, to Jan. 1, 1776. | Published by Order of Congress. | Volume I. | *Philadelphia*: | Printed and Sold by R. Aitken, Bookseller, Front-Street. | M.DCC.LXXVII. | 8vo. Title and authorization pp. (2), text pp. 310. Index pp. (12). Hildeburn Vol. II, 285. Ford's No. 79.

Ibid. * * * In the Year, 1776. | Published by order of Congress. | Volume II. | * * *. | 8vo. Title and authorization pp. (2), 513; index pp. (22). See Hildeburn *ubi supra*.

8. Journals | of | Congress. | Containing | the | Proceedings | From January 1, 1776, to January 1, 1777. | Published by Order of Congress. | Volume II. | *Yorktown*: | [Pennsylvania] | Printed by John Dunlap. | M.DCC.LXXVIII. | 8vo. pp. (2), 520, index pp. xxvii. See Ford's No. 125.

9. Journals | of | Congress | Containing | the | Proceedings | From January 1st, 1777, to January 1st, 1778. | Published by Order of Congress. | Volume III. | *Philadelphia*: | Printed by John Dunlap. | [n. d.] 8vo. pp. 603. Index to Vol. III, pp. xxii, index to Vol. I pp. (12). See Hildeburn Vol. II p. 311; Ford's No. 164

Also: Journals | of | Congress. | Containing | the Proceedings | from January 1, 1777, to January 1, 1778, | Published by Order of Congress. | Volume III. | *New York*: | Printed by John Patterson. [n. d.] 8vo. pp. 603; index pp. xxii.

10. Journals | Of | Congress, | From | Friday January 1st, | To | Monday February 1st, 1779. | *Philadelphia*: | Printed by David C. Claypoole, Printer to | The Congress of the United States of America. | MDCCLXXIX. Folio pp. 12. Text printed in two columns. Hildeburn Vol. II, 338. Ford's No. 233.

Journals | Of | Congress, | From | Monday, February 1st, | To | Monday, March 1st, 1779. | *Philadelphia*: | Printed by David C. Claypoole, | Printer to the Honorable the Congress of | the United States of America. 8vo. pp. 50. Ford's No. 234.

Journals | Of | Congress, | From | Monday, March 1st, | To | Tuesday, March 30th, 1779, | Inclusive. | *Philadelphia*: | Printed by David C. Claypoole, | Printer to the Honorable the Congress of | the United States of America. | 8vo. pp. 56. Ford's No. 235.

[*Ibid.*] From Wednesday, March thirty-first, | To | Saturday, April tenth, 1779, | Inclusive. | * * * 8vo. pp. 24. Ford's No. 236. All of the titles to the succeeding sheets are similar to the March issue, with the necessary changes of date as noted below. Except that the word *Honorable* is abbreviated to *Hon.* in the above and in all the sheets to the issue of May 24-29, when *Honorable* reappears and is continued to the end. All are 8vo. See Ford's Nos. 237-273, with corrections.

H. Doc. 353—9

10. Journals | Of | Congress, | From | Monday, April 12th, | To | Saturday, April 17th, 1779, | Inclusive, | * * * . pp. 19.
 * * * | Monday, April 19th, | To | Saturday, April 24th, 1779, | Inclusive. | * * * . pp. 24.
 * * * | Saturday, April 24th, | To | Monday May 3d, 1779. | pp. 16. | This title contains an error, for the proceedings begin with Monday April 26 and end with May 1.
 * * * | Saturday, May 1st, | To | Monday, May 10th, 1779. | pp. 15. This contains the proceedings from Monday May 3, to Saturday May 8, inclusive.
 * * * | Monday, May 10th, | To | Saturday, May 15th, 1779, | Inclusive. | pp. 14.
 * * * | Monday, May 17th | To | Saturday, May 22, 1779, | Inclusive. | pp. 24.
 * * * | Monday, May 24th, | To | Saturday, May 29th, 1779, | Inclusive. | pp. 20.
 * * * | Monday, May 31st. | To | Saturday, June 5th, 1779, | Inclusive. | pp. 15.
 * * * | Monday, June 7th, | To | Saturday, June 12th, 1779, | Inclusive. | pp. 19.
 * * * | Monday, June 14th. | To | Saturday, June 19th, 1779, | Inclusive. | pp. 10.
 * * * | Monday, June 21st, | To | Saturday, June 26th, 1779, | Inclusive. | pp. 13.
 * * * | Monday, June 28th, | To | Saturday, July 3d, 1779, | Inclusive. | pp. 15.
 * * * | Monday, July 5th, | To | Saturday, July 12th, 1779, | Inclusive. | pp. 9. This title contains two errors. The Declaration of Independence was celebrated by Congress on July 5, so no session was held; and the Saturday of that week was the 10th and not the 12th.
 * * * | Monday, July 12th, | To | Saturday, July 17th, 1779, | Inclusive. | pp. 10.
 * * * | Monday, July 19th, | To | Saturday, July 24th, 1779, | Inclusive. | pp. 14.
 * * * | Monday, July 26th, | To | Saturday, July 31st, 1779, | Inclusive. | pp. 16. ("With this issue the imprint was changed to *Philadelphia*: | Printed by David C. Claypoole, | Printer to the Honorable the Congress, | and so continued to the end.") Ford's No. 252.
 * * * | Monday, August 2d, | To | Saturday, August 7th, | 1779, | Inclusive. | pp. 11.
 * * * | Monday, August 9th, | To | Saturday, August 14th, 1779, | Inclusive. | pp. 10.
 * * * | Monday, August 16th, | To | Saturday, August 21st, 1779, | Inclusive. | pp. 13.
 * * * | Monday, August 23d, | To | Saturday, August 28th, 1779, | Inclusive. | pp. 14.
 * * * | Monday, August 30th, | To | Saturday, September 4th, 1779, | Inclusive. | pp. 12.
 * * * | Monday, September 6th, | To | Saturday, September 11th, 1779, | Inclusive. | pp. 10.

10. Journals | Of | Congress, | From | Monday, September 13th, | To | Saturday, September 18th, 1779, | Inclusive. | pp. 22.
 * * * | Monday, September 20th, | To | Saturday, September 25th, 1779, | Inclusive. | pp. 9.
 * * * | Sunday, September 26th, | To | Saturday, October 2d, 1779, | Inclusive. | pp. 11.
 * * * | Monday, October 4th, | To | Saturday, October 9th (sic), 1779, | Inclusive. | pp. 11.
 * * * | Monday, October 11th, | To | Saturday, October 16th, 1779, | Inclusive. | pp. 8.
 * * * | Monday, October 18th, | To | Saturday, October 23d, 1779, | Inclusive. | pp. 12.
 * * * | Monday October 25th, | To | Saturday, October 30th, 1779, | Inclusive. | pp. 13.
 * * * | Monday, November 1st, | To | Saturday, November 6th, 1779, | Inclusive. | pp. 7.
 * * * | Monday, November 8th | To | Saturday, November 12th, 1779, | Inclusive. | pp. 11. This contains an error in the date of Saturday, which was the 13th and not the 12th.
 * * * | Monday, November 15th, | To | Saturday, November 20th, 1779, | Inclusive. | pp. 19.
 * * * | Monday, November 22d, | To | Saturday, November 27th, 1779, | Inclusive. | pp. 15.
 * * * | Monday, November 29th, | To | Saturday, December 4th, 1779, | Inclusive. | pp. 12.
 * * * | Monday, December 6th, | To | Saturday, December 11th, 1779, | Inclusive. | pp. 10.
 * * * | Monday, December 13th, | To | Saturday, December 18th, 1779, | Inclusive. | pp. 12.
 * * * | Monday, December 20th, | To | Friday, December 31st, 1779, | Inclusive. | pp. 16.
- Also:* Journals | of | Congress, | Containing | The | Proceedings | From January 1, 1779, to January 1, 1780. | Published by Order of Congress. | Volume V. | Philadelphia: | Printed by David C. Claypoole. | M, DCC, LXXXIII. 8vo. pp. 464, (15), lxxiv. Ford says of this (No. 274): "In the first issue of this volume pages 25 and 28, and 29 and 32, backed each other and were duplicated. There were no pages 26, 27, 30 and 31. These errors were corrected in most copies." The appendix, pp. 15, contains a tabulated schedule of "Expenditures for the Year 1779."
11. Journals | of | Congress | Containing | The | Proceedings | From January 1st, 1778, to January 1st, 1779. | Published by Order of Congress. | Volume IV. | Philadelphia: | Printed by David C. Claypoole, | Printer to the Honorable Congress. | 8vo. pp. (2), 748; index pp. lxxxix; appendix pp. (4).
12. Journals | of | Congress | From | January 1st, 1780, | to January 1st, 1781. | Published by Order of Congress. | Philadelphia: | Printed by David C. Claypoole, | Printer to the Honorable the Congress. | 8vo. pp. 403.

Some copies contain besides an index pp. xxxviii, and appendix, pp. (3). The sheets were issued as printed monthly with the following sub-titles:

- Journals of Congress, | For January, 1780. pp. (3)–38.
 * * * | For February, 1780. pp. (41)–73.
 * * * | For March, 1780. pp. (75)–106.
 * * * | For April, 1780. pp. (106)–131.
 * * * | For May, 1780. pp. (132)–162.
 * * * | For June, 1780. pp. (164)–198.
 * * * | For July, 1780. pp. (199)–237.
 * * * | For August, 1780. pp. (239)–274.
 * * * | For September, 1780. pp. (275)–314.
 * * * | For October, 1780. pp. (315)–349.
 * * * | For November, 1780. pp. (351)–384.
 * * * | For December, 1780. pp. (385)–403.

Mistakes in pagination occur as follows: pp. 106 and 200 are repeated; p. 236 is printed 256. No account is taken of the blank page between pp. 384 and 385.

13. Resolutions, | Acts and Orders | of | Congress, | For the Year 1780. | Volume VI. | Published by Order of Congress. | Printed by John Dunlap. [n. d. n. p.] 8vo. pp. 257. Index pp. xliii. Ford's No. 296.
14. Journals | of | Congress | And of the | United States | In Congress Assembled, | For the Year 1781. | Published by Order of Congress. | Volume VII. | Philadelphia: | Printed by David C. Claypoole, | M,DCC,LXXI. 8vo. pp. 522. Appendix pp. 4. Index pp. lxxix. Ford's No. 321.

This volume contains all the proceedings for 1781, as well as those to November 2, 1782, inclusive. For this reason the date of publication given on the title-page is false, as it could not have appeared before the end of the year 1782, and probably did not until 1784. The appendix contains the rules of Congress adopted May 4, 1781. The index is incorrectly entitled: *General Index | to Volume VIII*. This mistake is corrected in the following volume:

Journals | of | Congress | And of the | United States | In Congress Assembled, | For the Year 1781. | Published by Order of Congress. | Volume VII. | New York: | Printed by John Patterson. | MDCCLXXXVII. 8vo. pp. 522; appendix pp. (4), (13); index pp. lxxix. The additional appendix contains the report of the committee on debts due the United States, dated April 18, 1781. Ford's No. 322.

15. Journal | of the | United States | In Congress Assembled, | Containing | The Proceedings | From | The First Monday in November 1782, | To | The First Monday in November 1783. | Volume VIII. | Published by Order of Congress. | Philadelphia: | Printed by David C. Claypoole. | M,DCC,LXXXIII. 8vo. pp. 483; most copies have in addition an index pp. xxxvi, although some were issued without it. Ford's No. 345.

16. Journal | of the | United States | In Congress Assembled: | Contain-
ing | The Proceedings | From | The Third Day of November, 1783, |
To | The Third Day of June, 1784. | Volume IX. | Published by Order
of Congress. | *Philadelphia*: | Printed by John Dunlap, | Printer to
the United States in | Congress Assembled. [n. d.] 8vo, pp. 317.
This was issued also with an index pp. xviii, and with the following
bound in:
Journal | of the | Committee of the States: | Containing | The Pro-
ceedings | From | The First Friday in June 1784 | To | The Second
Friday in August 1784. | Published by Order of Congress. | Printed
by John Dunlap. | Printer to the United States in Congress Assem-
bled. | M,DCC,LXXXIV. 8vo. pp. 47.
17. Journal | of the | United States | In Congress Assembled: | Contain-
ing | The Proceedings | From | The First Monday in November 1784. |
Published by Order of Congress. | Printed by John Dunlap. | Printer
to the United States in | Congress Assembled. | M,DCC,LXXXV.
8vo, pp. 368; index pp. xxvi. Ford's No. 402.
18. Journal | of the | United States | In Congress Assembled: | Contain-
ing the | Proceedings | From | The 3d Day of November, 1785. | To |
The 3d Day of November, 1786. | Volume XII. | Published by Order
of Congress. | Printed by John Dunlap. [n. d.] 8vo. pp. 267.
Index pp. xvi. Ford's No. 435. This volume begins with the pro-
ceedings of November 7, instead of November 5, as the above title
indicates. The imprint *Volume XII* is a mistake for *Volume XI*,
since the next is *Volume XII*.
19. Journal | of the | United States | In Congress Assembled: | Contain-
ing | The Proceedings | From | The Sixth Day of November, 1786, |
To | The Fifth Day of November, 1787. | Volume XII. | Published by
Order of Congress. | M,DCC,LXXXVII. 8vo. pp. 220. Appendix
pp. 221-255. Index pp. (9). Ford's No. 436. The last entry in this
volume is under date of October 30, 1787. The index is incorrectly
entitled: *Index | For Vol. XIII*; but all the references are to
Volume XII.
20. Journal | of the | United States | In Congress Assembled: | Containing
The | Proceedings | From | The 5th Day of November, 1787. | To |
The 3d Day of November, 1788. | Volume XIII. | Published by Order
of Congress. | Printed by John Dunlap. [n. d.] 8vo. pp. 170.
Appendix pp. xviii. Journal of Congress Nov. 3, 1788-March 2,
1789, (1) p. Index pp. xi. The index is erroneously entitled Index
to Vol. XIV.
21. Journals | of | Congress: | Containing Their | Proceedings | from Sep-
tember 5, 1774, to January 1, 1776. | Published by Authority. | Vol-
ume I. | From Folwell's Press. | *Philadelphia*. | 1800. 8vo. Authori-
zation p.(1), pp. (3)-289. Index pp. (12).
* * * | From January 1, 1776, To December 31, 1776. | * * * |
Volume II. | * * *. pp. (1), (3)-480. Index pp. (22).
* * * | From January 1, 1777, To January 1, 1778. | * * * |
Volume III. | * * *. pp. (1), (3)-468. Index pp. (16).

21. Journals | Of | Congress: | * * * | From January 1, 1778, To January 1, 1779. | * * * | Volume IV. | * * * . pp. (1), (5)-537. Index pp. (42).
 * * * | From January 1, 1779, To January 1, 1780. | * * * | Volume V. | * * * . pp. (1), (3)-349. Index pp. (34).
 * * * | From January 1, 1780, To January 1, 1781. | * * * | Volume VI. | * * * . pp. (1), (3)-176; Index pp. (22).
 * * * | From January 1, 1781, To November 2, 1782. | * * * | Volume VII. | * * * . pp. (3), (5)-396; index pp. (36).
 * * * | From November 2, 1782, To November 1, 1783. | * * * | Volume VIII. | * * * . pp. (3), (5)-337; index pp. (16).
 * * * | From November 3, 1783, To June 3, 1784. | * * * | Volume IX. | * * * . pp. (3), (5)-227; index pp. (5). This is followed by (half-title): Journal | of the | Committee of the States | Containing the Proceedings from the first Friday in June, 1784 to the second Friday in August, 1784. pp. 29.
 * * * | From November 1, 1784, To November 4, 1785. | * * * | Volume X. | * * * | 1801. pp. (3), (5)-256; index pp. (14).
 * * * | From November 4, 1785, To November 3, 1786. | * * * | Volume XI. | * * * | 1801. pp. (3), (5)-193; index pp. (10).
 * * * | From November 6, 1786, To November 5, 1787. | * * * | Volume XII. | * * * . pp. (3), (5)-145; appendix pp. (147)-169. Index pp. (5). The appendix contains: "Powers to the Board of Treasury to Contract for the Sale of | the Western Territory."
 * * * | From November 5, 1787, to November 3, 1788. | * * * | Volume XIII. | * * * . | pp. (3), (5)-127; appendix pp. (129)-189, 189-192, 193. Index pp. (5). The first part of the appendix contains matter relating to the constitutional convention; the second a contract for a Dutch loan; and the third the votes and proceedings from November 3, 1788 to March 2, 1789.
22. Secret Journals | of | The Acts and Proceedings | of | Congress, | From the First Meeting thereof to the Dissolution | of the Confederation, by the Adoption | of the Constitution of the | United States. | Published under the direction of the President of the United States, conformably to | Resolution of Congress of March 27, 1818, and April 21, 1820. | Vol. 1. | Boston: | Printed and Published by Thomas B. Wait. | 1821.
Bastard title: Secret Journals | of the | Congress of the Confederation. | Domestic Affairs. | History of the Confederation. 8vo. pp. viii, (9)-279, (283)-464. Pp. (283)-464 Contain the History of the Confederation which is headed p. (283): History | of | The Confederation.
 * * * | Vol. II. | 1821. | *Bastard title:* Secret Journals | of the | Congress of the Confederation | Foreign Affairs. pp. (4), (5)-474. *Half title:* "Supplement" pp. (475)-587.
 [Ibid.] Vol. III. | * * * . pp. (6), (7)-614.
 [Ibid.] Vol. IV. | * * * . pp. (4), (5)-454.
23. Journals | of | The American Congress: | From 1774-1788. | In Four Volumes. | Volume I: | From September 5, 1774, to December 31, 1776, inclusive. | Washington: | Printed and Published by Way and Gideon. | 1823. 8vo. pp. 588. Index pp. xxviii.

23. Journals | of | The American Congress: | * * * | Volume II: | From January 1, 1777, to July 31, 1778, inclusive. | * * *. 8vo. pp. 639. Index pp. xxxviii.

[Ibid.] Volume III: | From August 1, 1778, to March 30, 1782, inclusive. | * * *. 8vo. pp. 740. Index pp. lviii.

[Ibid.] Volume IV: | From April 1, 1782, to November 1, 1788, inclusive. | Also the Journal of the Committee of the States, From the 1st Friday in June, to the 1st Friday in August, 1784. | With an Appendix. | * * *. 8vo. pp. 880. Appendix, pp. 62, (1), containing: "Journal of the Committee of the States" pp. 16; "Appendix. | Powers to the Board of Treasury to Contract for the Sale of | The Western Territory," pp. (17)-19; "Contracts for Monies Borrowed in Europe," pp. 19-28; Resolves of Congress, etc., relating to Constitutional Convention, etc., pp. 28-61; Contract for the Dutch loan, pp. 61-62; Journal of Congress, November 3, 1788-March 2, 1789. p. (63). Index pp. lxxvii.

4

VI.—THE ANTIRENT EPISODE IN THE STATE OF NEW YORK.

By Dr. DAVID MURRAY,
OF NEW BRUNSWICK, N. J.

0

THE ANTIRENT EPISODE IN THE STATE OF NEW YORK.

By DAVID MURRAY.

The antirent agitation, which sprang up in the State of New York about the year 1839, was in many respects a noteworthy movement. It pervaded all the counties of the eastern portion of the State, where the leasehold system of land tenure prevailed. This leasehold system had been introduced into this country from Europe, and brought with it the marks of the feudal system from whence it sprang, and the evils of which it was designed to perpetuate.

The communities which became involved in the antirent disturbances and were led into unforeseen exhibitions of lawlessness, sometimes ending even in bloodshed, were in almost all cases exceptionally moral and industrious. They were in no respects reckless, improvident, or vicious; but belonged mainly to the staid, conservative, and sober sections of the people, as indeed the agricultural elements of a population are almost always found to do. And yet out of these conditions arose a state of things which for years kept officers of the law on the alert, and which even made it necessary for the State to intervene with its military force, in order to suppress the disorders that arose.

As a preparation for the treatment of our subject we propose, even at the risk of referring to details that may be well-known, to explain how the large tracts of land in New York were acquired and how a European population was first introduced. It will be seen in this respect that the first settlements in these great manorial tracts of New York were developed in a manner entirely different from that which prevailed in the colonizing of New England.

The Hollanders were the first to undertake the colonizing of this territory. The Dutch West India Company in its American policy aimed primarily at the development of a profitable

trade. And almost the only article of trade to be derived from the Dutch territories in America were the skins of fur-bearing animals.¹ At the time of the first European settlements in America the beaver was found throughout the present States of New York and Pennsylvania and still more in the territories of Canada. The advances of civilized man, and the cultivation of the lands along the streams where the beavers had their homes, have gradually driven them away from their ancient haunts, until now they are rare in America except in the remote regions of Canada.

It was important on account of this fur trade that trading posts and contributing settlements should be established at convenient points. The present State of New York contains at Little Falls, where the Mohawk River pierces the Alleghanies, the easiest and most available route to the West. At the time of the Dutch ascendancy it was the home of the most powerful, advanced, and warlike tribes of Indians anywhere existing on the continent. To bring themselves into intimate relations with this fur trade, which the Mohawk Indians controlled, the Dutch West India Company undertook to plant a settlement at the present site of Albany. They offered liberal concessions to such men of wealth and enterprise as would undertake to found colonies on the frontiers of the Indian territories.

The first to enter upon such an enterprise was Killian Van Rensselaer, a rich pearl and diamond merchant of Amsterdam, who was one of the incorporators of the West India Company. He received a grant of land which extended 24 miles along the river, from Cohoes Falls, near the mouth of the Mohawk River, southward, and which finally was so enlarged as to extend 24 miles inland from the river, on both the east and west sides. This immense domain covered the chief areas now included in Rensselaer County on the east side of the river and Albany County on the west side. The soil of this territory, with the exception of the bottom lands along the streams, probably unknown both to the grantor and grantee, was of a very inferior quality, especially that on the west side of the

¹ The number of beaver skins sent home from the New Netherlands in 1624 was 4,000, besides 700 otter skins, valued at 27,125 guilders. Ten years later the numbers were 14,891 beavers and 1,413 otters, valued at 134,600 guilders. In 1633 it was estimated that 16,000 beaver skins were handled at Fort Orange alone. The value of a beaver skin is quoted in 1656 at \$3.50 to \$4. In 1676 a negro boy 9 years old, hale and hearty, was valued at the sum of 28 merchantable beavers.

river. Much of it consisted of the mountainous districts of the Helderbergs, and a large part of arid plains, covered with a growth of scrub pine and oak. A very considerable portion, however, was fairly fertile and responded readily to the agricultural industry which the new settlers expended upon it.

The recipient of this grant was denominated a patroon, which is a Dutch word having much the same meaning as the cognate English word "patron." He undertook within seven years to plant a colony on his territory of at least fifty persons over 15 years of age, and to establish and administer a government therein, and take measures to protect his settlements from injury and invasion. The Indian titles to his lands he agreed to extinguish by purchase, and to maintain amicable relations with his savage neighbors.

In 1630 a shipload of emigrants was forwarded from Holland, and in succeeding years others followed. They were settled upon the lands of the Van Rensselaer grant, which from this time was denominated Rensselaerwyck. They were furnished with live stock, seeds, and agricultural implements, and on their arrival received grants of land for which they agreed to pay an annual rental. Sometimes, as a special attraction, or in furtherance of promises made before leaving Holland, the agent of the patroon built houses and began the preparation of a home, which might be ready to welcome the immigrant on his arrival in the new territory. Fort Orange was the military protector of this colony, and around it rapidly sprang up a little village which became an important center of trade. This village was in the Dutch period called Beverwyck—meaning beaver village—because the principal occupation of the inhabitants was connected with the trade in beaver skins. Between this village, which was under the protection and patronage of Fort Orange, and the authorities of Rensselaerwyck there arose a very bitter state of feeling, owing chiefly to the rivalry in regard to beaver trade. The Rensselaerwyck authorities claimed this trade as belonging to the patroon, and issued licenses to private individuals to engage in it, on condition that a percentage of the profits should be given to him. The governor of the New Netherlands, on the other hand, claimed this profitable traffic for the Dutch West India Company, and as Fort Orange was under his jurisdiction, and the adjoining village of Beverwyck was under the protection of the fort, he was able to make much

trouble for his neighbors. This condition of rivalry and hostility came to a crisis during the incumbency of Governor Stuyvesant, and did not cease until the surrender of the Holland possessions in America to the English.

This occurred in 1664. It was stipulated in the terms of the surrender that the rights of individual citizens should not be disturbed; and as the representative of the patroon in Rensselaerwyck made haste to take the oath of allegiance to the British sovereign, the condition of the vast estate was not materially altered. The name of the colony now became New York, and the fort and village which had heretofore been known as Fort Orange and Beverwyck were now called Albany. The name of Rensselaerwyck was not disturbed, and the proprietor was still called the patroon, and his patrimony was dealt with and regarded as an English manor. Governor Dongan, who presided at New York from 1682 to 1688, made an effort to settle the difficulties between the patroon and the growing town, and at last succeeded in inducing the great landed proprietor to forego his claims of authority. In 1686 he granted a city charter to Albany, and at the same time renewed and confirmed the grants of land to the patroon,¹ enlarging the area so that the manor extended, as has been stated, 24 miles back from the river on each side and contained 737,280 acres. Since that time the condition of the property remained unchanged until in 1775 the English Government made way for the Government of the State of New York, and the feudal character of land ownership became transformed into the ordinary ownership which a simple citizen of the State could continue to exercise. Rensselaerwyck was no longer a manor, but merely a great estate which must be bequeathed by will and sold or divided according to the volition of the owner.

The lease on the Van Rensselaer manor was in its later form said to have been drawn by Alexander Hamilton, who was a brother-in-law of the last patroon. It was what was called a perpetual lease, with the reservation of an annual rent in wheat. About one-half of the leases contained also, in case of the sale of the premises by the tenant, a reservation of one-quarter of

¹ Judge Dento, in his opinion upon the validity of the Van Rensselaer title in 1853, says: "The grantees are authorized in terms to hold a court leet and a court baron, to award fines, to have the customary writs, etc., to have the waifs and estrays, deadlands, etc., and the patronage of any churches to be erected on the tract: and the freeholders are empowered to elect a representative to sit in the general assembly."

the price to be paid to the landlord and only three-quarters to be paid to the disposing tenant. The other half of the leases provided, in case of sale, that an extra year's rent should be paid to the landlord. In the parts of the manor which were first settled the annual rent was usually at the rate of 10 bushels of wheat for each 100 acres, together with 4 fat hens and a day's work with a team of horses or oxen, for a farm of whatever size. In the parts of the manor settled more lately the annual rent was usually fixed at 14 bushels of wheat for 100 acres, together with the same additional reservations.

A very material point in these leases, on which one of the decisions of the court of appeals was founded, consisted in the fact that when the landlord granted a perpetual lease, he really sold¹ the land to the tenant. The condition would be different in case the land was leased for a certain number of lives or for a limited number of years. Then the landlord retained an interest in the premises, because under certain conditions they might return into his possession.

The English during their ascendancy created several other manors.² The most important of these was the Livingston manor, in Columbia County. The founder was Robert Livingston, the son of a Scotch clergyman, who came to the colony in 1673, and occupied many positions of trust under the Government. Governor Dongan gave him leave to purchase land from the Indians, and at various times he secured extensive tracts, which the governor, on his agreeing to pay certain quit rents,³ confirmed in his possession and created as a manor. It extended 10 miles along the Hudson River and 20½ miles eastward into the interior, containing 165,240 acres. In 1715 Governor Hunter gave to the Livingstons a new patent for their land, confirming former grants and giving to the manor the right to be represented, like Rensselaerwyck, by a member of the general assembly. The manor continued to descend by primogeniture until the Revolutionary war, when this kind of

¹ The lease was worded thus: "Stephen Van Rensselaer, by these presents, doth grant, bargain, sell, remise, release and confirm unto the said party of the second part," etc. Cited in D. D. Barnard's article in the American Whig Review.

² In Hough's Gazetteer, of New York, seventeen manors are enumerated as having been established in New York and its dependencies. Several of these existed only in name, and were never developed by organized settlements. But some of them, like Courtlandt, Gardners Island, Morrisania, Pelham, Philipsburg, Scarsdale, etc., are well known, and have left important memorials behind them.

³ These quit rents, as also in Rensselaerwyck, were afterwards commuted by the grantees paying a lump sum and receiving a release from the State comptroller.

descent was abolished by the State. In 1792, on the death of the then lord of the manor, the property was divided by will between Walter, Robert C., and John H. Livingston.

The aim of this establishment of manors by the English colonial government was of course to secure the prevalence of a landed aristocracy in New York after the pattern of England.

It was the rule of the English colonial policy at this time to limit the grants of land to 1,000 acres to a single individual. But the grantees usually found means of evading these limitations. They formed companies for the acceptance of grants, and every one of the company was according to this rule entitled to receive 1,000 acres. After the grant was secured, the company melted away and the title stood in the name of the principal grantee or grantees.

The leases on the Livingston manor varied from each other in many particulars. Some were in perpetuity; some for ninety-nine years; some for one, two, or three lives. Most of them, however, were for two lives. The rent of the earlier leases was generally stipulated to be paid in wheat, and averaged about 14 bushels for 100 acres. In later times the rents were fixed in money, and were usually about \$18 for 100 acres. Each farm also had to pay yearly 4 fat hens and two days' work with a team. The new tenant engaged to clear and sow at least 2 acres each year; to set out an orchard and build a barn within five years. All grain was to be ground at the landlord's mill at a toll of one-tenth. The tenant agreed to pay all taxes and rates, and to contribute 6 shillings annually for the support of a minister of the gospel. It was also stipulated that in case of the sale of the premises by one tenant to another, a sum varying in different leases from one-tenth to one-third of the price should be paid to the landlord.

A lease executed in 1784 by Robert Livingston, in favor of William H. Simou for 140 acres, provides: That the annual rent shall be 30 skipples¹ of wheat, together with 2 fat hens and two days' work with a team of oxen or horses and a man, or in place of this labor 12 shillings in money, the rent to begin

¹ The term *skipple* as here used is the Dutch word *schepel*, which the scribes of the Livingston manor had borrowed from their Dutch neighbors and spelled according to their own downright, unceremonious fashion. They evidently used it as equivalent to the English bushel, although if we take the present measures as a guide, they are by no means equivalent. The Imperial bushel is equal to 2,218.192 cubic inches, while the Dutch *schepel* is only equal to 610.271 cubic inches, being put down as equal to a decaliter.

after seven years. The lease reserves for the landlord all streams, creeks, and runs of water, all mines, minerals, ores, and metals, and ingress through the land for manufacturing and carrying away; and for parts of land thus rendered unavailable for farming there is to be a reasonable abatement of rent. Whenever the premises designated in this lease are sold by the tenant, it is stipulated that the landlord is to receive one-third of the purchase money and the tenant the remaining two-thirds.¹

Besides the Rensselaerwyck and the Livingston manors, which have been referred to, there were other large land patents in different counties of eastern New York, whose tenants became more or less involved in the agitations of which we propose to treat. In Schoharie County there was a tract of more than 50,000 acres which had been granted to John Morin Scott, but which was at the time of the antirent troubles owned by the Livingstons. There was also the Blenheim patent, originally about 40,000 acres, which was confiscated in 1779 and sold to John Lansing, jr. On both these patents the rent was generally about \$15 for 100 acres.

In Schenectady County there was the Duanesburgh patent of about 60,000 acres; the leases being perpetual and the annual rent about \$15 for 100 acres. The tracts owned by George Clarke lay in Montgomery, Schoharie, Otsego, and Delaware counties. In Greene County there was a tract under leases from Edward P. Livingston, and another under leases from James Desbrosses. In Ulster County a tract owned by Robert R. Livingston was leased for three lives with an annual rental of 20 bushels of wheat for 100 acres. In Sullivan County there was a tract owned by Robert R. Livingston and another tract under leases from Mr. Desbrosses.

The Hardenbergh patent lay mostly in Delaware County, but a part also in Sullivan County. It was granted in 1708 by Queen Anne to Johannes Hardenbergh, of Kingston, and his associates. It included 10 miles square, and was described in the grant as extending to the main branch of the Delaware River. This the grantees claimed to be the West Branch,

¹ This restriction upon alienation was very obnoxious to the tenants. One farm in Rensselaer County of 196 acres is quoted as having been sold six times since 1790, the quarter sales of which amounted to \$1,165.14; another of 90 acres was sold twice, the quarter sales amounting to \$528, and a third of 69 acres paid to the landlord more than \$500 at one sale.

while the tenants claimed that the grant should properly stop at the East Branch. This large disputed territory was taken possession of by the Hardenbergh associates and was sold and leased by them to settlers. The rent was usually 1 shilling an acre.

Besides the Hardenbergh patent there was in Delaware County the Morgan Lewis tract of 15,000 acres. On this the farms were rent-free for five years, on half-rent for the second five years, on three-fourths rent for a third five years, and afterwards on the full permanent annual rent of 20 bushels of wheat for 100 acres. Also there were three tracts of Gulian and Samuel Verplanck, originally of 50,000 acres, of which less than 20,000 acres were under rent at the time of the antirent outbreak. On about one-half of the Verplanck tracts the rent was 15 bushels of wheat for 100 acres, commuted at \$1 a bushel. The latter leases were made at a rental of \$14 to \$20 for 100 acres. To these several patents and tracts in Delaware County are to be added those of Robert R. Livingston and Mrs. Montgomery, and the extensive tracts of Hunter and Overing and Kortright, whose lease was a warranty fee with a reservation of 12½ to 18 cents as rental per acre.¹

Besides these extensive tracts, which covered no inconsiderable part of the eastern portion of the State, there were enormous blocks of land which had been sold by the State government to capitalists, who hoped to realize great profits from the development of unsettled lands. Of these the principal are the McComb purchase in the northern part of the State, the Phelps and Gorham and the Holland tracts in the extreme western part of the State. But as the antirent disturbances did not in the strictest sense invade these tracts, and as they were settled by purchasers of the soil and not by persons renting it on leases, they do not properly belong to our subject.

The first antirent outbreaks took place in the Helderbergs of Albany County in the winter of 1839. This entire district was included in the Van Rensselaer manor and the farms were all held under the ordinary Van Rensselaer leases. Stephen Van Rensselaer came into possession of this great family property when New York was still a British province and the estate

¹The items of information concerning the different leasehold properties of the State are taken from the report of Hon. Samuel J. Tilden made to the assembly in the winter of 1846.

was a British manor. He was, therefore, called the last patroon, because during his life, by the laws of the State, primogeniture, and manors, and all the laws and usages of an English aristocracy were summarily abolished.

Stephen Van Rensselaer was a man of the noblest character, universally esteemed both by the general public and by the tenants on his immense domain.¹ He was almost too lenient in his treatment of those who were derelict in the payment of their rents. He allowed every consideration to weigh in behalf of those who could not pay their annual installments. He forgave much and deferred more, in order that his tenants might not be deprived of their little farms. He died January 25, 1839. The back rents at the time of his death had mounted to a sum not less than \$400,000. In consequence of his mistaken kindness toward his tenants, as well as his personal liberality and bountifulness in his home life, he was involved in debts almost equal to the arrears in rent on his domain.

He bequeathed all of his manor lying on the west side of the Hudson to his eldest son, Stephen Van Rensselaer, jr., and that on the east side to his son William Patterson Van Rensselaer. He created a trust for the payment of his debts, and directed that the proceeds derived from the collection of back rents be applied to this purpose. The requirement of this trust, coupled with the fact that the new landlord was resolved to pursue a different policy from the lenient one of his father, very soon led to serious complications with the tenants of the Helderbergs.

There was one cause which had no inconsiderable influence in producing uneasiness and dissatisfaction among the farmers

¹ The most honorable of the many good things done by Stephen Van Rensselaer was the founding of the Rensselaer Polytechnic Institute at Troy. His original aim in the establishment of this institution was to improve the methods of agriculture, in which his immediate tenantry were so largely engaged. He found in Amos Eaton a ready and accomplished agent for carrying out his plans. The first step in the establishment of this school was taken in 1824. It was opened in January, 1825, and was chartered by the legislature in 1826. It is believed to have been the first school of science organized in the United States. The methods of instruction were in advance of all the schools or colleges which had then been founded. Instead of the work being done by the instructors, the students were from the beginning trained to perform experiments in the laboratories and to give lectures in explanation of the subjects on which they were engaged.

Mr. Van Rensselaer for many years stood behind the professors and made up any deficiencies in the income of the school. For the first ten years his contributions amounted to about one-half of the annual expenses. During eight years he expended in this way \$20,000. The Rensselaer Polytechnic Institute never has been a sufficiently endowed institution; both the original founder and his successors were never able to place it on an independent footing, and it remains to-day for some opulent citizen of Troy or elsewhere to bestow upon it means so that its usefulness may be increased and perpetuated.

of the older parts of the country. Both those who had settled among the hills of New England and those who had been allured by the easy terms of the New York leases soon found that they had to deal with a very hard and unproductive soil. They learned with surprise and disgust that there were in the western portions of New York, and farther on, in Ohio, vast tracts, to be had almost for the asking, which would respond with alacrity to their diligent tillage. The movement began immediately after the close of the Revolutionary war, and continued during many years. The first great drift of this emigration was into the Genesee Valley. From bleak New England and from the east side of the Hudson and from the mountainous districts on the west side, the Catskills, and the Helderbergs, thousands upon thousands of families took their way into the lands of promise. The young and the enterprising were the first to go, and the old, the discouraged, and the inactive were left behind to till the old soil and pay the rent as best they could.

At the time of the first outbreak, William H. Seward was serving his first term as governor and was about to enter on a second term. The tenants had become restless and excited over the changed temper of their landlords, and there was among them a morose determination to resist the payment of rent. In August, 1839, the sheriff of Albany County sent a deputy to serve a declaration on certain tenants for nonpayment of rent, who met with some resistance. Again, in September, another agent of the sheriff was resisted and compelled to return, after throwing all his papers into a bonfire which his tormentors had built. In October and November the sheriff and his assistants undertook again to serve papers relating to the payment of rent, in the town of Berne; but again they were resisted and compelled to return without result to Albany. Then he set out with a posse comitatus of 500 armed men, of whom 100 were mounted.¹ They were met on the way by a crowd of mounted men who far outnumbered the sheriff's posse, and who compelled him to beat a hasty retreat.

On his return to Albany, the sheriff reported the matter to Governor Seward, who deprecated any hasty action which

¹ When the sheriff summoned this posse to aid him in the execution of his duties, one of the persons so summoned was Ex-Governor William L. Marcy, who was then a resident of Albany. He went without hesitation on foot like the rest. At Adamsville he was recognized by a friend and taken in his carriage to Clarksville, whence he returned with the posse to Albany. *History of Albany County*, p. 279.

might shut the door to a peaceful settlement of the disturbance. He directed him to repair again to the disaffected district with the papers of the court, taking with him the armed military companies of Albany as his posse. He also ordered the military companies of Troy and other localities to hold themselves in readiness to march to the assistance of the sheriff when ordered. Even this formidable military display met with considerable opposition on the part of the farmers, and they contrived, without actually resisting the posse, to prevent it from obtaining the necessary forage and accommodations.

On the 10th of December the governor issued a proclamation, addressed to the citizens of Albany County, enjoining them to submit to the law, and to avoid resistance to the courts, whose mandates the sheriff was authorized to execute, and whom he as governor was in duty bound to support. Under the influence of this proclamation and protected by an armed escort, the sheriff was able without further resistance to serve the papers with which he was charged. Thus ended the first open outbreak which occurred in the collection of rent. From this may be traced the widespread movement which for the next six years agitated several of the counties of the State.

Governor Seward, in his message to the legislature in January, 1840, recited the events which had called for his interference, and directed attention to the prevalence of leasehold tenures, which he pronounced inconsistent with the best interests of the State and contrary to a sound public policy. In response to his appeal the legislature appointed Messrs. Hugh Maxwell and Garry V. Sackett as commissioners to examine the causes of complaint on the part of the Van Rensselaer tenants, and if possible to bring about some form of settlement. In accordance with the recommendation of these commissioners, a conference was held between the tenants of the seven western townships of Albany County and their landlord.

On behalf of Mr. Van Rensselaer appeared his attorney, Mr. Teunis Van Vechten, who presented terms of settlement, viz: That the arrears of rent be paid up in full, an extension of time being allowed when necessary; that in case of utter inability to pay the arrears, they might be entirely released; that the reservation of quarter sales might be surrendered by the landlord on the payment of \$30 in one sum, or on an addition of \$2 to the annual rent; that the annual rent of 22 bushels

of wheat, one day's service with a team, and 4 fowls might be commuted for \$30, or if combined with the release of the quarter sales, for \$32; that the reservation of mines, minerals, and water privileges should be released, whenever such privileges are known to exist. As to selling the land outright, the landlord would agree to accept for everything a payment of \$4 an acre, one-fifth in cash and the remainder by a mortgage on the premises. These terms were stated as applying to the western towns; but the tenants on the farms in other towns of Albany County lying nearer to the river could also secure similar terms of accommodation by application at the manor house.

The representatives of the tenants made a counter proposition, viz: That wheat should be commuted at \$1 a bushel; that all the reservations be taken off; and that the tenants be allowed to purchase the fee of their land for a sum which at 7 per cent would produce the present rent, reduced as above. This would produce a price for the land of about \$2 an acre, instead of the \$4 contained in the proposition of the landlord.

It is almost needless to say that nothing came of this conference, and the commissioners reported to the next legislature their failure to effect any settlement.

Soon after this the agitation as to the payment of rents spread to the Van Rensselaer leasehold properties on the east side of the Hudson River. Antirent associations began to be formed in all the considerable localities. These associations became affiliated, and exerted a wide influence in all the subsequent movements, both in the Van Rensselaer and other leasehold domains. In connection with these associations there appeared a set of professional lecturers, who went about decanting upon the evils of the system of rents, and encouraging the tenants in the methods of violence which they adopted. Dr. Boughton, who was afterwards tried and convicted in Columbia County, and Mr. Brisbane, who was present at the killing of Under Sheriff Steele in Delaware County, were both professional antirent lecturers.

It must not be understood that the aims and purposes of these associations were wholly or even principally wrong. There was a perfectly legitimate object which they did much to promote. In them began that persistent agitation which finally produced those reforms which the leasehold system fairly needed. From them came petitions to the legislature,

relating to the several subjects in which they demanded legislative action. Petitions were presented concerning the laws of ejectment; concerning the reservation of water privileges, mines, and minerals; concerning the injustice of quarter sales, and the justice of taxing the property of the landlords. It was demanded that it should be made illegal for one man to own more than 1,000 acres of land; that landlords be compelled to sell to their tenants at a price to be fixed by commissioners; that the conditions of leases be modified so that rents be payable in money; and finally that the State should seize by right of eminent domain all the leased lands of the landlords, equitably compensating them therefor, and then disposing of them on just and reasonable terms to the tenants. These petitions, however, were awarded small consideration by the legislature at this early time, and it was not till some years afterwards that both the legislature and the courts were roused to do something like justice to the tenants.

In the meantime the employment of disguises had been introduced to aid in the resistance to the payment of rent. When these disreputable disguises were first used, we have not been able to ascertain.¹ The disguise consisted in a sheepskin cap pulled down over the head and face, out of which had been cut holes for the eyes, ears and mouth, and a place for the nose had been made. Sometimes the cap was provided with ornamental feathers, or plumes of horsehair, and with an artificial beard. The disguised persons called themselves Indians, and the commanders among them assumed such names as Big Thunder, Little Thunder, Blue Beard, White Chief, etc. The body of the Indian was disguised by a calico blouse, extending a little below the knees, and confined at the waist by a colored sash. These calico Indians were armed with pistols and knives, and usually also carried a rifle.

The first serious conflict in which these Indians participated was at Grafton in Rensselaer County in December, 1844, where a body of them met a man named Elisha B. Smith, who was a noisy and pronounced "uprenter." An altercation took place between Smith and the Indians, during which a shot was fired which took fatal effect upon him. An investigation was held in reference to the killing; but, although nearly 200 witnesses

¹ At the second trial of Dr. Boughton in 1845 in Columbia County, Judge Edmonds in pronouncing the sentence of imprisonment for life upon him announced that he was the first to introduce the so-called Indian disguises.

were examined, it was found impossible to find out who fired the fatal shot.¹

Serious disturbances broke out about the same time upon the Livingston manor in Columbia County. The sheriff set out to sell the property of certain delinquents in the payment of rents. A body of disguised Indians numbering 300, together with 500 or 600 persons not disguised, resisted him in the performance of his duty, and he was obliged to return to the city of Hudson without having consummated the sale.² At a rally of the Indians about this time a young man named Niphenburgh was shot and killed. It was claimed that the killing was an accident, and this was probably true. The supposed leader of the Indians, Dr. Boughton, who was believed to be the chief Big Thunder, and Mortimer C. Belden, the alleged Little Thunder, and Walter Hutchins, White Chief, were arrested. They were committed on the charge of manslaughter, assault, etc. They were afterwards indicted by the grand jury and tried. Boughton was tried twice; the first time the jury disagreeing, and the second time³ convicting him of manslaughter, for which he was sentenced to State prison for life.

¹ In the period of disturbances in Rensselaer County, an officer was intrusted with an execution which he was to serve on an antirent farmer. He met with such resistance that he was unable to make the service. He was required in consequence of his failure to appear before the court to "purge himself of contempt." He applied to Mr. Martin I. Townsend to draw up for him an affidavit explanatory of his failure. Mr. Townsend undertook to do this, on condition that the officer should read it in court himself. So the next morning the officer was on hand with his affidavit. He read it with great confidence and fluency as follows: John Doe, being duly sworn, says that the reason why he did not arrest the said defendant, as ordered by the execution delivered to him, was that said defendant aimed a loaded pistol at this deponent, and swore that if this deponent undertook to arrest him, he would shoot this deponent, and blow this deponent's soul to hell, which this deponent verily believes he would have done, had this deponent persisted in such undertaking. (Signed) John Doe.

Sworn to, etc.

Of course after such a pathetic affidavit John Doe was purged of contempt.

² It is said that an outrage arising out of land disputes between New York and Massachusetts was committed in Columbia County in 1791. The sheriff, Cornelius Hogeboom, undertook to hold a sale of the property of a man named Arnold. Seventeen persons disguised as Indians attended to resist the sale. One of them fired at the sheriff and mortally wounded him. A reward of £250 was offered for the criminal; but he was supposed to have made his escape into Nova Scotia and was never captured. Several participants in the outrage were tried and acquitted.

³ It was at this trial that a very bitter altercation occurred between John Van Buren and Ambrose L. Jordan, the opposing principal counsel. It almost amounted to a personal encounter; so that the presiding justice, Edmonds, interfered and committed each of the offenders to a confinement of twenty-four hours. As they were about to be marched off, Mr. Van Buren addressed the presiding judge, "I trust, your honor, we may both be committed to the same cell."

During these disturbances in Columbia County, while the prisoners were confined in the county jail, great excitement and fear prevailed lest an attempt should be made by their partisans to rescue them. The sheriff organized a volunteer corps to guard the jail, and Governor Bouck ordered for his assistance troops from Albany, Troy, New York, etc. A manifesto was issued by the leading citizens of Hudson, addressed to the people of the county, urging upon them the avoidance of disorder and the maintenance of the laws. Quiet was restored in a few months and the troops withdrawn.

The disturbances in Columbia County had a great influence in awakening like troubles in other counties. In Schoharie County the sheriff with a posse scoured the regions of the Blenheim patent for the purpose of serving papers upon the unwilling tenants. There were many complaints of his heartless cruelty and of his relentless methods. On more than one occasion the disguised Indians appeared and resisted the action of the sheriff and his posse. In Ulster County there was an outbreak which called for the interference of the governor. An agent of the landlord undertook to cut some timber from lands belonging to a nonpaying tenant. A party of Indians appeared and stopped him, tarred his head, poured tar into his boots, and then pulled them on. In doing this two of the Indians lost their disguises and were identified. The sheriff undertook to arrest the identified Indians, and was stopped by a large body, who refused to allow him to proceed. The military of the county were appealed to, and the adjutant-general of the State sent them arms and ammunition. This prompt and energetic action led to a cessation of the disturbances in Ulster County, and as a consequence many of the delinquent tenants came forward and paid their rents.

In the spring of 1845 a deputy sheriff of Albany attempted to serve writs against some tenants in the town of Berne for the nonpayment of rent. He had stopped for the night at a tavern, and about midnight was roused by a mob who came in search of his papers. Not finding them, they returned the next morning, and having secured them took him into the woods, where they tarred and feathered him and threatened his life if he returned on a like errand. Some of the mob were disguised as Indians and could not be recognized; but others undisguised, who encouraged the rest and taunted the sheriff, were

identified and afterwards arrested. They were tried at the Albany circuit, convicted, and fined \$10,000 for damages and costs.

Governor Silas Wright in his message to the legislature in January, 1845, made an extended reference to the antirent troubles. He pointed out that a lease between a landlord and a tenant was a contract which could not be destroyed either by law or by violence. He urged the tenants to make terms with their landlords; and if there was anything in the laws as they then existed which seemed unjust or unfair, he advised them to apply by petition to the legislature for their amendment. The principal modifications relating to antirent matters, which the legislature made at this session, consisted in the enactment of two new laws. One of these was an act forbidding the appearance of men in disguise, and providing for their punishment in two degrees, the highest when disguised and armed, and a less punishment when disguised and not armed. The second was an act authorizing the governor to preserve order in disaffected counties, by aiding the sheriff with arms and ammunition, by declaring a county in a state of insurrection, and then by sending State troops to preserve order. It was prescribed in this law also that the expenses of this military assistance should be paid by the State and charged to the county to be afterwards repaid.

It was during this same session of the legislature that the tenants petitioned for a law requiring the landlords to pay a tax upon the rents which they collected. The legislature therefore requested the State comptroller, Hon. A. C. Flagg, to communicate to it his views upon the taxation of rents. He gave them in an extended report, in which he held that it was just and fair for the landlord to bear a share of the taxes on leased lands. In Rensselaerwyck the leases were all framed with the intent to require all taxes to be paid by the tenant. But the legislature is authorized to equalize taxation, and for this reason may provide for such equitable assessment upon the equity of the landlord in the leased land. His opinion was that the comptroller might be authorized to collect the tax from the landlord, and then pay it over to the counties in proportion to the amount of taxable lands situated in each. No law of this kind was passed during the session of 1845, but during the following winter a law taxing the rents of landlords was duly enacted.

In the meantime the judges of the supreme court, when holding their circuits in the various disaffected counties, had interposed to warn the people of the impending danger. Judge A. J. Parker, in holding the circuit at Catskill in Greene County, September, 1844, charged the grand jury in the most impressive manner concerning the growing antirent disturbances. The jury desired the publication of this charge; but as it had not been written, it could not be furnished. However, afterwards he wrote to them a letter embodying the same views, and arguing with great earnestness against the resort to force and violence in the matter of rents.

In April, 1845, Judge Charles J. Ruggles, in holding the circuit at Kingston in Ulster County, directed the grand jury to inquire into the antirent outrages which had taken place. He explained particularly about the landlords' titles to their lands, which it had become the common fashion of the antirent agitators to dispute. He maintained that it was of great public interest that these titles should be held valid; because all or nearly all the land titles in the country had been derived in a like manner. In the first constitutional convention of the State of New York, held in 1777 at Kingston, all the land titles derived from the English sovereigns previous to 1775 were confirmed. All grants made subsequent to that time, which was the time of the independence of the State, were annulled and the lands declared to be the property of the State. The constitution adopted in 1822 contains a provision of the same force and purport. Against the proposition that the State had the power to take the lands from the landlords and bestow them upon the tenants, he calls attention to the fact that the United States Constitution contains a provision that, "No State legislature shall pass any law impairing the obligation of contracts." "A law," he says, "to abolish leases or to change them into fee-simple estates, against the will of either party, would be absolutely void."

One of the earliest steps taken by the antirenters to exert an influence in practical politics was to hold a State convention at the village of Berne, in Albany County, January 15, 1845. One hundred and seventy delegates were present, representing the counties of Albany, Rensselaer, Schoharie, Delaware, Columbia, Montgomery, Schenectady, Greene, Sullivan, Ulster, and Otsego. They passed resolutions disclaiming violence, and demanding on behalf of right and justice the three

following things: (1) A repeal of the special privileges enjoyed by landlords of collecting their rent by distress; (2) legal authority to set up as a defense against the payment of rent in any case of litigation the imperfection of the landlord's title; (3) the taxation of the rents collected by the landlords, thus requiring them to defray their equitable share of State and local expenses. It will be seen hereafter that this convention bore fruit both in the matter of politics and legislation.

While these events were transpiring in other counties, the affairs in Delaware County were rapidly converging toward a tragical crisis. The parts of the county in which the excitement first began were the towns of Roxbury and Middletown. The lands here were a part of the Hardenbergh patent, which had been granted in 1708 to Johannes Hardenbergh and his associates. They lay in the disputed section of the patent between the east and west branches of the Delaware River. The tenants had been greatly stirred up by the disturbances which had occurred in Albany and Columbia counties. Professional agitators had visited them and advised them to resist the payment of rent. Antirent associations had been formed, and thousands of tenants had enrolled themselves as members. They paid a certain number of cents an acre as dues to these associations, and out of the funds thus collected the expenses of the agitation were paid, such as expenses of meetings, pay of lecturers, equipment of Indians,¹ and their outlay and maintenance when upon any excursion connected with the organization.

In the summer of 1844 John B. Gould, the father of Jay Gould, who resided in Roxbury, was visited by a band of Indians who requested him to cease having a horn blown for his workmen to come to dinner, as was the custom among all the farmers of that region. The object of the request, of course, was that the blowing of Mr. Gould's dinner horn might not be mistaken for the signal by which the Indians were summoned to a gathering. Mr. Gould, however, refused to give up the use of his dinner horn notwithstanding the insistence of the Indians. They threatened him with violence if he should continue the practice, and he finally drove them off with a gun. A few weeks later a larger body of Indians surrounded his house and tried to intimidate him, but he absolutely refused

¹Not all the antirent associations employed their funds for such purposes, but that some or perhaps most of them did so there can be no doubt.

to yield to their demands, and finally as the neighbors began to collect they retired. On their way home they took revenge by capturing Hiram More and tarring and feathering him. In September of the same year another outrage was committed in the tarring and feathering of Timothy Corbin, who was engaged as a deputy of the sheriff in serving papers on Daniel W. Squires. The papers were taken from him and destroyed.

In February, 1845, Under Sheriff O. N. Steele, with three assistants, arrested Squires, who had been indicted by the grand jury for riot and assault and battery in being engaged in tarring and feathering Mr. Corbin, and in compelling the surrender of the sheriff's papers. He was arraigned and admitted to bail. A week later than this, Deputy Sheriff J. A. Berson, of Middletown, undertook to serve a declaration—not connected with antirent affairs. He was met by nine disguised Indians, who threatened him with tar and feathers if he came again on a like errand.

For appearing disguised and armed in Roxbury and Middletown, the grand jury, in April, 1845, indicted Silas Tompkins, Lewis Knapp, Anson K. Burrill, and Ezekiel C. Kelly. The last pleaded guilty and was fined \$250; the other three were tried, found guilty, and sentenced to State prison for two years.

Under Sheriff Steele with a party, who had been serving papers on delinquent tenants in the town of Andes, was stopped on his way home by a body of Indians near the lake now called Lake Delaware. They were taken back to the village of Andes and kept in a tavern. Steele found means to dispatch a messenger to Delhi, which is distant about 13 miles. The sheriff, Green Moore, being warned of the predicament of his assistant, summoned help and started for his rescue. The Indians, having learned of his coming, immediately scattered and left their prisoners free.

Shortly after this, Under Sheriff Steele and Deputy Sheriff Edgerton made an excursion into Roxbury for the purpose of arresting persons who had been engaged in tarring and feathering the sheriff's agent and in abstracting his papers. They marched in two parties, each composed of thirty or forty men. They made several arrests of persons who were alleged to have been in disguise contrary to law. Two of them, viz, James O. Burrill and Warren W. Scudder (Blue Beard), were committed,

and four were discharged for want of proof. Scudder was admitted to bail.

While these disturbances were thus accumulating, the sheriff became concerned for the safety of the jail and the other public buildings. He summoned a guard from the surrounding town, which he placed under the command of Colonel Marvin, of Walton. Under the authority of the law which had been passed by the legislature at its preceding session, he borrowed from the State 100 sabers, 100 pairs of pistols, and 600 ball cartridges. With these preparations he deemed the prisoners under arrest safe from the attempts at rescue which were from time to time threatened.

There is evidence that these attempts at violence were contrary to the moderate and sensible opinions of even the strongest antirent communities. Many meetings were held, some of which were meetings of antirent associations, in which a disapproval of acts of violence and lawlessness was most strongly and peremptorily expressed. But for the time being the guidance of matters was in the hands of the foolish and irresponsible. The absurd freak of disguises was mainly played by the young and inexperienced, and who usually had no property and character of their own at stake.¹ It required the serious and heavy hand of the law to be laid upon them before they could be awaked to a realizing sense of what they were really doing. The event which was to startle them all back into a full consciousness of the dangerous position in which they stood was now upon them.

On the 7th of August, 1845, Sheriff Moore, Under Sheriff Osman N. Steele, Constable Edgerton, and P. P. Wright, esq., a lawyer, went to the town of Audes to sell the property of Moses Earle, which had been levied on for the nonpayment of rent. His farm was upon the Verplanck tract and subject to an annual rental of \$32. It was in arrears for two years, and the sheriff therefore was called upon to sell property to the value of \$64 and more, in order to meet the rent and the expense of collecting it. Mr. Wright had been employed by the agent of the Verplanck landlords, and went to the sale prepared to bid on the property offered if it was necessary.

Sheriff Moore and Mr. Wright arrived at the premises about 10 o'clock. There were already present a considerable number

¹ An old Indian in Schoharie County said to a friend that this matter of disguises was mostly a matter of fun and frolic; "And," he said, "we did get lots of fun out of it."

of spectators. Mr. Wright sought an interview with Mr. Earle and proposed a settlement of the matter without a sale. But he declined and replied, "You must go on; I shall fight to the hardest." About 11 o'clock, Mr. Wright says in his evidence afterwards given, a small body of disguised Indians crossed the road and went through the pasture, where the cattle which were to be sold were gathered, and entered the woods. Afterwards other bodies of Indians made their appearance, until it was believed that more than two hundred were present disguised and armed.

About 1 o'clock fully one hundred of the Indians marched single file out of their ambuscade and took their place in the pasture. Mr. Wright was near enough to hold some conversation with them. He called out to them that they were "all there to break the law." They answered, "Damn the law; we are here to break it." He was told by the Indians that if he dared to bid on the property, he would go home to Delhi in a wagon feet foremost. A pail of whisky was brought from Mr. Earle's house and carried along the line, from which the Indians drank.

Officers Steele and Edgerton came on horseback, arriving about 2 o'clock. The sheriff then announced that the sale would be begun, and he started with two or three citizens to drive up the cattle which were to be sold. They were driven to a pair of open bars which led out into the road; but the Indians stopped them from going through. The Indians formed themselves into a hollow square, inclosing the sheriff, the cattle, Mr. Steele and Mr. Edgerton on horseback, and Mr. Wright. It was at this critical time, when all the parties were in a most excited state, that an order was heard from the chief of the Indians, "Shoot the horses;" and a moment later another shout from an uncertain quarter, "Shoot him!" "Shoot him!" A volley was at once fired and blood was seen to flow from Edgerton's horse. A few seconds later another volley was fired, and Steele fell bleeding to the ground. Three balls had pierced him, besides others which entered his clothes. Both the horses died from their wounds. Sheriff Moore appealed to the Indians, "For God's sake desist; you have done enough." Steele was carried into Mr. Earle's house, where Drs. Peake and Calhoun were summoned from the village of Andes, which was about 5 miles off. Three serious wounds were found upon him—one in his arm, another in his breast, and a third

which entered at his back and came out through his bowels. He lingered five or six hours in great agony and then died. While lying in his suffering, he is said to have told Mr. Earle that if he had agreed to a settlement that morning, he would not have been shot. Earle replied that he would not settle if it cost forty lives.¹

There was also a question raised at the trials which followed, whether Steele had fired upon the Indians before he was fired upon. It was understood that upon his deathbed he acknowledged having fired his pistol after he had received the wound in his arm. The pistol was subsequently picked up from the ground where it had fallen, and was presented at the trials. The condition of the barrels showed that it had not been fired except as stated by Steele. Neither the sheriff, Mr. Edgerton, nor Mr. Wright fired their pistols.²

The fatal termination of this affair aroused the greatest excitement, not only throughout Delaware County, but throughout the State. The newspapers without exception denounced the mad violence which had resulted in the death of an officer in the performance of his duty. Everywhere meetings were held to protest against the charging upon the antient movement such a case of folly and cruelty. Nothing could have happened which would deprive a cause, which many deemed a good cause, so completely of the sympathy to which it might be entitled.

Governor Silas Wright at once offered a reward of \$500 for the arrest of Warren W. Scudder, who was believed to have been in command of the Indians at Earle's sale. Sheriff Moore also offered a reward of \$300 for the apprehension of Scudder, and \$200 for the apprehension of William Bartlett. The sheriff and an armed posse scoured the county, arresting those who could be shown to have been engaged in any way in this fatal affair. On August 27 Governor Wright issued a proclamation, declaring Delaware County in a state of insurrection, and providing a sufficient military force for the preser-

¹ It is fair to state that Dr. Calhoun, who was present at Steele's death, denies the accuracy of this statement. He says that Earle's answer was, "If they will show me their title, I will pay every cent of rent, but if they mean to bully me out of it, I will not pay if forty lives are lost."

² There can be no doubt that there was a special hatred against Steele among the disguised Indians present at Earle's sale. He had been the most active of the sheriff's officers in searching for and arresting the disguised men. The fatal shots which were poured into him, and into no others, were unquestionably fired by some of his victims or their friends.

vation of order and the guarding of the arrested prisoners. Two companies of volunteers were called for from the towns in the south and west of the county, where no lease land nor anti-rent sentiment was to be found. Colonel Marion, of Walton, commanded these troops, 100 of whom were mounted and were used to escort the sheriff and his officers in making the needful arrests. The jail was so filled with prisoners awaiting trial that the sheriff was obliged to build a temporary structure in order to provide room for them.

The trial of the persons charged with complicity in the death of Steele was conducted in the circuit court held by Judge Amasa J. Parker, beginning August 22, 1845. It was a trying ordeal through which he was obliged to pass. He had resided for years in Delhi, and there had begun his brilliant legal career. Many of the persons who now appeared before him for trial were known to him, and their present critical position must have touched his sensibilities very deeply. No man who was in any way connected with these trying events exerted a greater or more benign influence than Judge Parker in putting an end forever to the methods of violence which had sprung up in this sober and conservative community. The arraignment and conviction of so many prisoners seem like a barbarous and unnecessary cruelty. But such an experience was necessary to convince them of the danger and futility of trifling with the execution of the laws.¹

The district attorney who conducted these trials was Jonas M. Hughson, and he was assisted by John Van Buren, then the attorney-general of the State, and by Samuel Sherwood, special counsel. The counsel for the prisoners were Samuel Gordon and Amasa Parker, an uncle of the judge, both of them residents of Delhi. The results of these trials, which continued into October, may be summarized as follows:

No evidence was presented which made it certain that any of the prisoners had fired the fatal shots. The nearest approach to this was in the trial of John Van Steenburg, in regard to whom it was testified that he asked to borrow a ramrod in order to reload his gun. On this evidence he was convicted of murder. In the case of Edward O'Conner it was proved that he was present at Earle's sale, disguised and armed, and that

¹ One of the sympathizing papers, in trying to palliate this crime committed by disguised Indians, describes it as similar to the tea riot which took place in Boston, when disguised men went on board a vessel laden with tea and emptied it into the harbor.

he probably discharged his gun. On the technical ground that he was present and aided as a subordinate chief of the Indians, he also was convicted of murder. It was proved that the commander of the disguised Indians at Earle's was Warren W. Scudder, of Roxbury. And although a reward was offered for him, he was not captured, and probably had left the State.

The list of convictions and punishments is given below :

(1) John Van Steenburg and Edward O'Conner, found guilty of murder and sentenced to be hung November 29, 1845.

(2) Daniel W. Squires, Moses Earle, Zera Preston, and Daniel Northrup, indicted for murder; pleaded guilty of manslaughter in the first degree, and sentenced to State prison for life.

(3) John Phoenix, John Burch, John Latham, William Reside, and Isaac L. Burhans, indicted for murder; pleaded guilty of manslaughter in the first degree and sentenced to State prison for seven years.

(4) Caleb Madison, same as above; sentenced to State prison for ten years.

(5) William Brisbane, found guilty of manslaughter in the second degree and sentenced to State prison for seven years. (He was a professional antirent lecturer, and was present at the sale undisguised.)

(6) Charles T. McOumber, found guilty of manslaughter in the second degree; sentenced to State prison for seven years.

(7) William Jocelyn, found guilty of manslaughter in the fourth degree; sentenced to State prison for two years.

(8) Thirty persons pleaded guilty and were fined sums varying between \$500 and \$25.

(9) Thirty-nine persons pleaded guilty and their sentences were suspended.

The following is a summary of the punishments meted out to the persons convicted or who pleaded guilty: Two to be hung; four manslaughter, first degree, life imprisonment; one manslaughter, first degree, ten years' imprisonment; five manslaughter, first degree, seven years' imprisonment; two manslaughter, second degree, seven years' imprisonment; one manslaughter, fourth degree, two years' imprisonment; thirty fined from \$500 each to \$25 each; thirty-nine sentences suspended; total sentenced, eighty-four.

This number did not include either the leading chiefs of the Indians or those who could be proved to have fired upon

Steele. These had early escaped from the country or had managed to elude detection.

The sentence of death which had been pronounced upon Van Steenburg and O'Conner was felt under the circumstances to be unnecessarily severe. Governor Wright therefore, before the date set for their execution, commuted their punishment to imprisonment for life. They, as well as the large number of other prisoners whose punishment was imprisonment, were conveyed to the State prison, where they all remained till they were pardoned.¹

The excitement in Delaware County after these trials and punishments rapidly subsided, so that on the 18th of the succeeding December the governor deemed it safe to withdraw his proclamation declaring the county in a state of insurrection. The troops which had been employed to guard the public buildings at Delhi were ordered home; and very soon everything resumed its ordinary peaceful routine. For a long time, however, a very bitter feeling² prevailed as to the harshness and severity with which the antirenters had been treated in these trials.

The expenses of this insurrection, which were paid by the State and afterwards charged to Delaware County, were \$63,683.20. It is said that this sum has never been repaid, and will not probably now be called for.

Governor Wright in his annual message to the legislature in January, 1846, recited the events of the Delaware County tragedy, and took occasion to refer at length to the antirent complaints. He pointed out that any change in the character of the leases, as they were in the nature of contracts, could only be made by the mutual agreement of the landlords and tenants. He recommended several changes in the law, which he deemed just and within the powers of the legislature. One of these was the abolition of distress for rent, by which the landlord was put in a position of preference to other creditors, and by which the

¹The public sentiment at Delhi in regard to the death of Under Sheriff Steele evinced itself by the erection of a monument to his memory, "as a testimonial of his faithfulness and bravery as an officer and worthy citizen." Hon. John Hunter, of Hunters Island, who was the owner of a large tract of land in Delaware County, presented to the widow of Mr. Steele 200 acres of land in recognition of her husband's character.

²Years after the period of these trials, a relative of one of the officers who attended Earle's sale was running for member of the assembly. He belonged to the dominant party and had no doubt about his election. To his amazement he was overwhelmed in an ignominious defeat. The cause was finally found to be that he had served on the sheriff's posse in the old antirent times, and had assisted in making some of the arrests.

tenant was unduly pressed in the matter of this payment. He approved of the legislature looking into the matter or taxing the landlords, in order that they should bear their equitable share of the State and local burdens. He deemed it good policy hereafter to forbid the letting of farming lands on a permanent lease, and to limit such leases to five or ten years or some other short period.

In consequence of these recommendations antirent questions assumed a good degree of importance in the deliberations of the legislature during the session of 1846. There were special committees appointed by both houses on the subject. The chairman of the committee in the assembly was Samuel J. Tilden, and it was owing to him that action of the greatest importance was taken. A hearing on the subjects was given, at which attorneys for the landlords were present, as well as representatives of the tenants of different tracts and patents. After this hearing Mr. Tilden's committee introduced a number of bills, some of which had been framed by them, and others had been presented to the committee by the representatives of the tenants, and having been considered and amended were reported by them to the assembly. His report, presented March 28, 1846, is altogether the best document we have anywhere found upon the antirent difficulties. Here are the weighty conclusions at which this report arrives: (1) Leasehold tenures have exerted an unfavorable influence wherever they have prevailed. (2) The easy terms at first required seem a great benefit to the tenant, but are afterwards often misleading and dangerous. (3) The idea of proprietorship of land¹ is natural and exhilarating to the human mind, and has a vast influence in securing the prosperity of growing communities.

(4) The restraints to alienation, which are inserted in most of the leases, are a serious impediment to the development of leasehold properties. The more enterprising settlers are kept out, and the steady making of improvements on the farms is discouraged.

(5) It is reasonable and fair that the interest in the lands

¹ Wendell Phillips in one of his speeches on slavery narrates an interview he had with an escaped slave. Mr. Phillips said to him, "I suppose you will want to work now that you have escaped." The negro proudly drew himself up and said, "No, massa; I don't want to work." Mr. Phillips in amazement replied, "Not work! Why, everybody works up here." The poor but proud fugitive answered, "No, massa; I don't want to work, I want a piece o' land."

which the landlord claims, and of which the annual rent is the measure, should pay its equitable part of the taxes assessed for State and local purposes.

The following laws were enacted on the recommendation of this committee:

Chapter 274, laws of 1846. An act to abolish distress for rent, and for other purposes. This act forbids the exercise by the landlords of the remedy heretofore belonging to them for the collection of rents by a process more summary than that possessed by other creditors.

Chapter 327, laws of 1846. An act to equalize taxation. This act requires taxes to be assessed upon the rents received by landlords. Such taxes are to be laid in the county where the lands are situated and the rents are paid.

These laws, together with the provisions inserted in the constitution which was framed by the constitutional convention of 1846 and adopted by the vote of the people, constituted an essential gain for the antirenters. The constitutional provisions are as follows:

ART. I. SEC. 12. All feudal tenures of every description, with all their incidents, are declared to be abolished, saving, however, all rents and services certain which at any time heretofore have been lawfully created or reserved.

SEC. 13. All lands within this State are declared to be allodial, so that subject only to the liability to escheat, the entire and absolute property is vested in the owners, according to the nature of their respective estates.

SEC. 14. No lease or grant of agricultural land, for a longer period than twelve years, hereafter made, in which shall be reserved any rent or service of any kind shall be valid.

SEC. 15. All fines, quarter sales, or other like restraints upon alienation reserved in any grant of land, hereafter to be made, shall be void.

SEC. 16. No purchase or contract for the sale of lands in this State, made since the fourteenth day of October, one thousand seven hundred and seventy-five, or which may hereafter be made, of, or with the Indians, shall be valid, unless made under the authority and with the consent of the legislature.

At the election which took place in November, 1846, John Young, who had been nominated by the Whigs and antirenters, was elected governor; and Addison Gardiner, who had been nominated by the Democrats and antirenters, was elected lieutenant-governor. The antirenters were very proud of the fact that they were thus shown to hold the balance of power in the politics of the State. Ira Harris, of Albany, was also elected by the antirenters as State senator, together with

twelve members of the assembly. Besides these there were three others elected who were counted on as favorable to their cause.

In January, 1847, a few weeks after he took office, Governor Young issued a proclamation pardoning all the antirent prisoners remaining in State prison. The prisoners Tompkins, Osterhout, Burrill, and Knapp had been pardoned by Governor Wright in September, 1846. They were not engaged in the killing of Steele, but had been convicted of appearing disguised and armed, and were sentenced to State prison for two years. Their sentences would have expired in the spring of 1847. Of the prisoners pardoned by Governor Young, Boughton, of Columbia County, and Van Steenburg, O'Conner, and Earle, of Delaware County, were set at liberty, but not restored to citizenship. There was some complaint against this wholesale pardon. But the governor in his proclamation made a calm and sober statement of his reasons, and the consequences which followed have seemed to justify the views of the governor. Enough had been done to show that the questions at issue were not such as could be settled by violence or by resistance to law. The period for legislation and the appeal to the courts had now come, and this phase of the questions was destined to continue yet many years.

The first question which reached a decision in the court of appeals was in reference to the legality of what is known as quarter sales—that is, the reservation made in most of the early leases by which a part of the price for which a farm was sold was to be paid to the landlord. The case which involved this question was that of *De Peyster v. Michael*. The plaintiff had bought from James Van Rensselaer the leasehold right in a farm of about 100 acres, occupied by the defendant, on a lease reserving an annual rent of 48 bushels of wheat, and also a stipulation to pay in case of a sale one-quarter of the selling price to the landlord. The premises were sold and De Peyster claimed the one-quarter of the price stipulated in the lease. The payment was refused, and he brought suit for ejectionment on account of nonfulfillment of contract. This suit was first tried before Justice A. J. Parker, who denied the plaintiff's claim on the ground that the stipulation of the quarter sale was illegal and void. The suit was then carried to the full bench of the supreme court, where in 1850 the decision of Justice Parker was sustained. The suit was then carried to

the court of appeals and finally decided in 1852. The decision¹ in the case was written by Chief Judge Charles J. Ruggles and unanimously concurred in. It argues very fully all the points in the case, citing precedents both from English and American law. It states the following propositions as clearly deducible: (1) That conditions in restraint of alienation are of feudal origin. They were good wherever grantor had right of escheat or reversion. (2) That they were good before the statute of *quia emptores*,² because the feudal lord had the right of reversion. (3) That they were not good after the statute of *quia emptores*, because that statute took away the right of reversion.

There have been objections raised that the statute of *quia emptores* did not apply in America, where the feudal system never existed as in England. But if these be admitted, the statutes of the State of New York passed in 1779, called the statute of escheat, and in 1787, called the statute of tenure, put an end to any feudal tenure between one citizen and another and replaced it by a reversion to the State, and hence took away the right to restrict alienation. The decision of the court therefore was that any restriction on the alienation of land which had been leased in perpetuity was illegal and void.

In the case where the lease is for lives, or for years, this illegality does not hold, because there remains in all such cases a right of reversion to the landlord.

The next important decision bearing upon the leasehold system was in reference to the validity of the titles. An impression very largely prevailed among the antirenters that the titles of their landlords were very generally defective. They had been led to this conclusion usually by the representation of professional lecturers, who sought to impress upon the tenants a profound distrust of the rights of the landlords to collect their rents. To each of the sessions of the legislature³ thousands of petitions were presented asking for the passage of a law allowing the resisting tenants to interpose as a defense

¹ See New York Reports, *De Peyster v. Michael*, October, 1852.

² The English statute usually known as the *quia emptores* statute, passed in 1290, provides that "henceforth it shall be lawful for any freeman to sell, at his pleasure, his lands and tenements, or any part thereof, so that the feoffee shall hold the same lands and tenements of the chief lord of the same fee, by such service and custom as the feoffee held before."

³ As early as 1840 Ira Harris, who was then a member of the assembly, introduced a bill appointing Eliphalet Nott, William H. Seward, and William C. Bouck a commission to investigate the titles of the landlords. The bill, however, was not passed.

to the claims of rent by the landlord that he had no adequate title to his lands. Finally Governor Young, in his annual message to the legislature in January, 1848, recommended to them to authorize and direct the attorney-general of the State to bring suits against the several landowners for ejection, in which suits the validity of their titles would be involved and would be tested. In compliance with this recommendation, the legislature ordered the attorney-general to institute suits. Accordingly eleven suits were brought in 1849 against the principal great owners of leasehold estates. Two of them were appealed to the court of appeals and were decided in 1853. One of these was *The People v. Van Rensselaer*, and the other was *The People v. Clarke*. The first had been tried in the supreme court before Justice Ira Harris, who went at length into the question of the validity of the manorial title. The several steps in regard to this inheritance were carefully reviewed: The original grant by the Dutch West India Company; the renewal and confirmation of this grant by Governor Dongan in 1686 after the Dutch possessions in America had passed into the hands of the English; a reaffirmation of the grant by Governor Cornbury in 1704; and, finally, the ratification of the grant by the legislature of the State in 17—. The supreme court declared the title invalid and that the land reverted to the State; but the court of appeals¹ in reviewing the decision upheld the title and declared it valid. The ground of this decision was that, whatever may have been the imperfections of the original title, the act passed in 1830 limiting the impeachment of titles by the State to a period within forty years² would in the case of the Van Rensselaers preclude any questioning thereof.

The second suit³ of the same kind, which was decided by the court of appeals at the same time, was *The People v. Clarke*. This suit was brought to test the title to a large tract of land which had been granted in 1737 to William Corry, and afterwards leased to George Clarke, who at that time was lieutenant-governor of the colony of New York. Circumstances were adduced to show that Clarke himself was the real grantee, and that he made use of his position as a member of the council to

¹ New York Reports, IX, 291.

² An act was passed in 1788 establishing a limit of forty years beyond which a title to land can not be impeached. In 1801 an act was passed in confirmation and replacement of that of 1788. This was again reenacted in 1830.

³ New York Reports, IX, 349.

obtain this valuable grant which was intended for his own emolument. The suit had been tried in the supreme court, where the title was declared valid. It was appealed to the court of appeals, where the decision of the lower court was affirmed, on the same ground as that on which it had been reversed in the Van Rensselaer case, namely, on account of the statute of limitations, passed in 1830. Thus was settled definitely and permanently the question concerning the titles of the landlords.

The courts had now to deal with the right of the landlord to reserve wheat rents, fat fowls, and days' service, although according to the decision of 1852 by the perpetual leases they had parted with all their estate in the land. The supreme court sustained this right on the ground that some entity of interest still remained in the landlord. The court of appeals, however, decided against this theory of an entity of interest, and reaffirmed the decision of 1852. But it still upheld, under an act of 1805, the right of the landlord to collect rent in the same way as if the right of reversion had been maintained. Under this decision the old processes of collecting rent were continued. But in 1860 the legislature repealed the act of 1805 on which the court of appeals had fixed the authority for collecting rents. Then new suits were begun, which in turn were carried to the court of appeals. In these cases the court decided that the law of 1805 was not necessary for the collection of rents and therefore the landlords were still entitled to their remedy.¹

The agitation which had been so long maintained over payments of rent, and the laws which had been enacted usually in the interest of the tenants, rendered the landlords weary of the situation in which they were placed. The Van Rensselaer landlords,² especially, became heartily tired and discouraged over the continual resistance which they met with in the collection of their rents. In September, 1845, Mr. Stephen Van Rensselaer issued notice to his tenants, offering them terms for the settlement of arrears of rent and for the purchase of the fee

¹ See pamphlet by A. J. Colvin in memory of Anson Bingham. Albany, 1882.

² During many years Mr. Vernon Henry was the paid counselor of Mr. Van Rensselaer in relation to all questions of antirent. He received \$1,000 annually. At last Mr. Van Rensselaer grew tired of paying this sum, and so told Mr. Henry. He replied, "Oh, well, Mr. Van Rensselaer, there will then be no objection to my taking a retainer from your tenants." It is needless to say that the \$1,000 continued to be paid as before, as long as Mr. Henry lived.

simple of their farms. He allowed until the 1st of March, 1846, for the acceptance of his terms. He offered to grant to them a title in fee simple for a sum which at 6 per cent would yield the present rent. Where the rent was payable in wheat, the price was to be reckoned at \$1.25 a bushel. In case the tenant could not at once pay the whole sum, he offered to accept a cash payment of one-fifth of the amount and a mortgage at 6 per cent for the remainder.

Landlords in other tracts of leasehold land also made liberal offers to come to a settlement with their tenants, and many of these tenants took advantage of the depression in the value of their landlords' holdings to purchase from them the fee simple of their farms. In Delaware County, where the tenants had received a severe lesson in reference to their refusal to pay rents, they were in many instances ready to meet their landlords more than halfway in settling this burning question. In some cases the landlords sold their rights to new parties who were ready to arrange with the tenants for the purchase of the fee simple. Usually the new purchasers, having obtained their properties at a trifling valuation, were ready to bargain with the tenants at easy rates; but sometimes, as in the Kortright patent, much litigation ensued.

In the report which Mr. Tilden made to the assembly in 1846, he made an approximate estimate of the amount of land held under lease at that time. In Albany County there were 1,397 leasehold farms, comprising 233,900 acres. In Rensselaer County there were 1,666 leasehold farms, comprising 202,100 acres. In another account, referring to the same date, the following statement is made: Nearly one-half of Rensselaer County was covered with leases, the greater part of Columbia County, a large part of Delaware County, and about two-thirds of Albany County.

To show what changes had been wrought in rented farms up to the year 1880, we refer to the United States census, as cited in Professor Cheyney's pamphlet on the Antirent Agitation.¹

| County. | Farms. | On lease. |
|----------------|--------|-----------|
| Albany | 3,325 | 690 |
| Columbia | 3,856 | 735 |
| Delaware | 5,264 | 688 |

¹ Philadelphia, 1887.

The leases therefore in these leasehold counties cover about 12½ per cent of the farms. This is a proportion not greater than in other counties of the State of New York, or in New England. These figures show to how great an extent the anti-rent question has passed away and become a matter of history, like the Mexican war, with which it was contemporaneous.

One of the most significant of the events which have occurred in recent times in connection with leasehold lands was the sale of the Van Rensselaer rights on both sides of the river. This action was doubtless taken on account of the continued disturbances among the tenants and their resistance to the payment of rent. The best and most prosperous of them had already settled with their landlords and had secured a title in fee simple for their lands. Those who still remained as tenants were in most cases so much in arrears in their rents, or were so reckless and regardless as to the retention of their property, that the landlords were glad to entertain propositions for the sale of their rights.

Under these circumstances, Stephen Van Rensselaer, in July and August, 1853, made an agreement with Walter S. Church and Oscar Tyler for the sale of all the Van Rensselaer leases on the west side of the Hudson River. The price was settled as follows: The rent was fixed by computing wheat at \$1 a bushel, day's labor at \$2, and fat fowls at 12½ cents each. The rent was capitalized at \$100 for each \$6 of annual rent (sixteen and two-thirds years purchase). The back rent was estimated in the same way without interest, and other reservations were taken into account. Of the gross sum thus computed, the purchasers agreed to pay for the first \$100,000 at the rate of 50 cents on the dollar, and for the residue at the rate of 60 cents on the dollar. The total sum was \$550,000, but the sum actually paid was only \$210,000. Colonel Church bought out his partner Tyler; but being unable to make the payments required by the contract, he made a new bargain in 1861 (having admitted Messrs. Cagger and Kidd as partners with himself), by which he agreed to pay \$75,000 in cash and \$75,000 in subsequent payments.

The eastern part of the Van Rensselaer tract was sold in 1857 to the same parties. The value was computed in the same way as on the west side of the river, and the price was fixed at the rate of 55 cents on the dollar, with a reduction of fifteen per cent. Another contract, however, was made in 1858, by

which the purchase price was fixed at \$57,303.67. Two years later Church failed in his payments and his rights in Schodack, Greenbush, Brunswick, Poestenkill, Sandlake, Stephentown, and Nassau were sold for \$41,983.64. Then followed a period of speculation and litigation in these land titles, out of which the property has slowly emerged. The Van Rensselaer family, who for so long were the landlords of the immense tract on both sides of the Hudson, are no longer interested in these properties. It is but just to say that in the main their management was considerate, and always honest and honorable, and their treatment of their tenants was marked by great kindness and generosity.

SOURCES OF INFORMATION.

Besides the books, pamphlets, and newspapers mentioned below, I desire to make acknowledgment for the information and assistance received from the following special sources:

(1) From Mr. John A. Parshall, of Delhi, who for fifty-eight years has been connected with the Delaware Gazette, for various items of information, and for a photograph of a disguised Indian.

(2) From Mrs. J. V. S. Pruyn, of Albany, for detailed information concerning her father, Hon. A. J. Parker, who took so conspicuous and beneficent a part in the settlement of the antirent difficulties.

(3) From Mr. Verplanck Colvin, for pamphlets and information relating to the antirent legal controversy, in which his father, Hon. A. J. Colvin, was so prominently engaged.

(4) From David Murray, jr., who kindly examined for me the session laws of New York and the reports of the court of appeals in the library of the Bar Association of New York City.

(5) From the New York State Library at Albany, for a bibliography of the antirent agitation and for the use of such books and pamphlets as I had need of.

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VII.--A KNOW NOTHING LEGISLATURE.

By **GEORGE H. HAYNES, Ph. D.,**
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A KNOW NOTHING LEGISLATURE.

By GEORGE H. HAYNES.

There is little that is distinctive in the ordinary State legislature. Some important law may associate itself with a given year. If, however, we attempt to call to mind the successive legislatures of a decade, instantly the memory blurs. But in the first week of the year 1855 there assembled in Boston a general court so extraordinary in its origin, its personnel, and its subsequent career that forty years have not sufficed to efface its memory.

Unique in many ways had been the campaign that sent these lawmakers thither. Three months before the election the press gives no hint of the unusual prevalence of so-called "American" ideas. Yet for a year zealots had been busily establishing throughout the State local councils or lodges of the Supreme Order of the Star Spangled Banner. Old Puritan exclusiveness, jealousy of Roman Catholic increase in numbers and in influence, alarm at the flood of immigrants that was pouring into Boston and leaving its sediment in the cities and manufacturing towns, exasperation at the large proportion of public charges among those of foreign birth, the guild feeling of a manufacturing population to which the ceremony of a secret society powerfully appealed—all these combined with an utter dissatisfaction with the existing parties to make Massachusetts an exceptionally fertile field for the growth of the new order. But until there leaked out a report of the convention which nominated candidates for the State offices, few except those in the secret mistrusted that the new order would play any considerable part in politics.

Election day brought its surprises. The normal thing in Massachusetts politics had been a Whig legislature which

would proceed to elect the governor, no candidate having polled a majority vote. But on the morning after the election in 1854 it was found that Gardner, the Know Nothing candidate, had swept the State, receiving a clear majority of nearly 33,000 over all opponents. Sixty-three per cent of the total vote went to this candidate of a secret society.

In the legislature of 1854 the Whigs had been in large majority. But in the new senate not a Whig was to be found; they were all Know Nothings. The choice of so large a number as 379 representatives—69 more than in the legislature of the previous year—indicated a keen interest on the part of the towns.¹ The roll included one Whig, one Democrat, one Free Soiler or Republican. The combined opposition constituted barely 1 per cent. The rest of the members were Know Nothings. Rarely indeed is a legislature found so absolutely under the control of a single party. Michigan has just afforded us an instructive parallel instance.

In the personnel of the new general court it is of interest to notice the changed proportions in which the legislators were called from different occupations. "Sam" was not much inclined to summon Cincinnatus from his plow. In the number of farmers there was a falling off of from 30 to 50 per cent from that of previous years. This was balanced by a gain in the ranks from the building trades and shop industries. Know Nothingism was popular among the farmers, but it had its greatest vogue in the towns, where it could build upon a strong class feeling among the workers at the same craft. Clerks, teachers, and physicians were unusually numerous, but in no other profession was the increased representation so marked as in the clergy. Twenty-four clergymen were members, four times as many as in 1854; nor has that number ever been approached since then. But for lawyers the Know Nothings had little use; like the Populists of to-day, they seemed to hold them in great distrust. The number of lawyers in the house for the seven years 1852-1858 varied as follows: 31, 36,

¹The largest possible number for the year 1855 was 418, twenty less than the maximum for a "valuation year." Since 1851 twenty little towns had exhausted their right of representation, and thus could not send a member until 1860. (Boston Advertiser, November 14, 1854. Constitution of Massachusetts, Amendments Art. XIII.) The membership of the House for the six years 1852-1858 was as follows: 289, 310, 379, 329, 355, 240. Poole's Annual Register of the Executive and Legislative Departments of Massachusetts, 1850-1860. In 1858 Amendment XX went into effect, limiting the numbers of representatives to 240, to be elected by districts.

46, 11, 29, 33, 48. Even the chairman of the committee on the judiciary was appointed from outside the legal profession, notwithstanding the fact that one of the eleven was a lawyer of very considerable ability.

The Know Nothings had been swept into power not so much by faith in their characteristic principles as by the conviction which they had successfully spread that the existing parties were worn out and hopelessly corrupt. It followed that by reason of past association with these parties of corruption members of previous legislatures must in the main be proscribed as candidates. The new legislators must come with a fresh mandate from the uncorrupted and incorruptible American constituency. Thus for the time Massachusetts was to be deprived of all experience in her State councils. There was a sublime faith that all work legislative could be turned off by tyros, provided only they were Know Nothings. Of Boston's six senators only two, of her forty-four representatives only one, had had any previous legislative experience. In the whole house there were but thirty-four men, barely one-eleventh, who had ever before had seats upon its floor. Conservatives stood aghast at this throng of novices to whom all power was to be committed for a year. It was thought that the outgoing governor, Emory Washburn, a staunch Whig, used pointedly ambiguous language when, in opening the session of the legislature, he declared: "So far as the *oath* is concerned the house of representatives is duly competent to do its business;" and some wag suggested that the preacher of the election sermon before the legislature ought in fitness to choose for his text Job 8:9, "For we are but of yesterday, and know nothing."

In completing its organization, the senate chose for its president a bright machinist, one of the very few who had seen a year's service in the lower house. The house elected for speaker a Baptist clergyman of no legislative experience. In his speech of acceptance he frankly acknowledged his ignorance of parliamentary law and usage; of this he gave ample proof during the session. The first week saw no more weighty matters settled than the election of State treasurer, the choice of chaplains, and the allotment of seats. In this last seniority had been the rule in the senate; but there was now no senior member. It took far more time and a deal of angry debate to decide that each member should be allowed but three newspapers daily—the State Register, the Boston Almanac, and a

much-needed copy of Cushing's Manual. The including in this list of such periodicals as Dwight's Journal of Music and Gleason's Pictorial was frowned upon, and an amendment authorizing members to claim the money value of the newspapers in lieu of the papers themselves was voted down. Notable victories were won in banishing snuff, tobacco, and chamomile flowers from the speaker's desk and in enacting that the members should be furnished with no stationery but that of American manufacture.

The first business of importance was the filling of the vacancy in the United States Senate. It straightway became evident not only that all was not harmony within the Know Nothing ranks, but that on the contrary "the control of the party was not in the hands of those members of it who honestly adopted its platform and were seeking to carry out its principles." An analysis of the gubernatorial vote in 1853 and 1854 seems to indicate that while something like 55 per cent of the Whigs and 62 per cent of the Democrats deserted their old allegiance, 77 per cent of the Free Soilers had merged themselves in the American party.¹ Massachusetts Free Soilers had ever shown a fondness for coalition. Under the lead of Henry Wilson they had formed an alliance with the Democrats which brought them into power in 1852. But the partnership was too ill sorted to be lasting, and in 1854 the Free Soilers found themselves standing alone. Neither the furtherance of their principles nor the delights of office were to be attained in the near future unless some new combination could be effected. At this juncture the American party made its opportune appearance. It is true that the Free Soil principle of the universal brotherhood of man irrespective of race or creed seemed hardly in accord with the spirit of a secret, oath-bound order that sought to exclude from all participation in American political life every man of foreign birth or of Roman Catholic faith. Henry Wilson himself was not unmindful of this inconsistency. As he told a friend, "he shrank from having certain men see him enter the place of meeting and, influenced by this feeling, walked up and down the street before the door until he could find an opportunity to enter unobserved."² But so rare a chance for a rapid stride to power must not be lost. To seize the Know Nothing machinery—that was the first task; the running of it accord-

¹ Boston Advertiser, November 20, 1854.

² Report of legislative proceedings. Boston Advertiser, January 19, 1855.

ing to Free Soil principles could be done later at leisure. Into the local councils of the order accordingly trooped the Free Soilers, bringing the experience gained in several years of shrewd maneuvering. The Know Nothings were inexperienced and felt flattered at the large accessions, and speedily by clever management the newcomers found their way to office and influence far beyond that to which their numbers would seem to have entitled them.

In the legislative caucus Henry Wilson proved to be the leading candidate for the vacant Senatorship. He was strenuously opposed, both because of his radical Free Soilism, which it was feared would make the South suspicious of the order, and because with reason it was believed that he had not the principles of the American party sincerely at heart. His election left no doubt that, relatively small as were the numbers of Free Soilers, they had nevertheless, by virtue of their superior tactics, secured a majority in both houses. As they had elected the Senator and seven of the eleven Congressmen, the contemporary comment seemed justified that in the distribution of offices "the Free Soilers had taken the turkey for their part, given the Whigs the hawk, and allowed the Democrats to smell of the game." Further proof of the dominance of Free Soilism was given later in the session by the large majorities which carried the Personal Liberty Bill and the address to the governor from each house demanding the removal of Judge Loring, who as United States commissioner had rendered a decision obnoxious to Massachusetts antislavery sentiment, and by the angry debates that followed the governor's refusal thus to remove a judge for purely political reasons.

When once the Senatorial election was out of the way and the general court could settle down to its legislative work, there was no lack of patriotic proposals and of wordy debate. Of leadership there was none; and when action was called for, faction reigned supreme. In his inaugural the governor had emphasized the necessity of investigating and modifying the law in regard to the State paupers, yet not until late in the session was the matter referred to a committee, and nothing was accomplished beyond making a report for consideration by the next legislature.

Much fervid eloquence was expended upon quite a list of proposed amendments to the constitution. The proposal to

restrict the suffrage to those who could read and write the English language was voted down. A test of intelligence was not the one which these legislators deemed the most important. On the very last day of the session there was rushed through an amendment restricting office holding to citizens of the United States by birth, and excluding from the franchise all who had not been for twenty-one years resident in the United States and legally naturalized. This crudely drawn and ill-advised amendment—almost the only distinctively American piece of legislation which the Know Nothings left upon the statute books—met a timely death at the hands of the next legislature.

Temperance agitation had figured in the anteelection campaign. Since 1852 the State had been under a so-called "Maine law." It was stated that every member of the senate and seven-eighths of the house were opposed to its repeal. The principle of prohibition found general approval among the members, but the old law needed modification. After long discussion, by large majorities, but against strenuous opposition, a law was enacted which, under the severest penalties, prohibited the manufacture and sale of any kind of liquors, wine, beer, or cider except by authorized agents and under careful registration. In the American party and especially in the legislature this law proved a two-edged sword, severing more completely the already hostile factions.

It was along educational lines that the genuine Americans feared the most dangerous "papist" attack. A bill was early introduced requiring that teachers in private schools submit to examination by the school committee and that private schools be open to visits from the school committee, "with a view to determine if the studies pursued are such as to meet the demand of a common-school education as now defined by law." The champion of this bill declared that "the principal elements involved in this subject were the occasion of his coming to the legislature this session."¹ Considering the excited debates on the public schools it is surprising that the only educational measure of any importance which found its way into the statute book was a law requiring "the daily reading in the public schools of some portion of the Bible in the common English version."

¹Mr. Johnson, of Lawrence, January 24, 1855.

But convents and nunneries were the bugbears that preyed most heavily upon the Know Nothing imagination. Early in the session there was appointed a joint special committee on the inspection of such institutions. Some time later, on a motion of a member of this committee named Hiss, an order passed both houses authorizing and instructing this committee to visit "such theological seminaries, boarding schools, academies, nunneries, convents, and other institutions of like character as they may deem necessary to enable them to make a final report on the subject committed to them."¹ Under this loosely drawn warrant the committee might invade at its discretion any one of the hundreds of private schools in the State, but everyone understood that it was directed at Roman Catholic institutions alone. It soon became apparent that the committee had sought this authorization less for the purpose of ferreting out imaginary abuses than of going on junkets at the expense of the State. After the third of these visitations the clamor of the press put a stop to them and set the legislature to investigating its committee's conduct. Each trip had served as a grand picnic to which friends both in and out of the legislature had been invited, sometimes to twice the number of committee members present. At Worcester the party spent a merry night at one of the hotels. At Roxbury, after some twenty minutes of impertinent rummaging through a private school, the party of sixteen, only five of whom were members of the committee, spent three hours in discussing an elaborate dinner which they had taken care to order in advance. Champagne flowed freely at the State's expense for these lawmakers, although the legislature by a vote of six to one had just enacted a law greatly increasing the penalties for the illegal sale of liquors. At Lowell, by order of Hiss, the hotel expenses of a woman of notoriously easy virtue were included in the bill paid by the State. With great reluctance the legislature found itself forced by the press to consider these disgraceful performances. Trying to hush the matter up or to whitewash the chief offender was without avail. After the scandals had been aired by three successive committees of investigation Hiss was expelled from the house. Yet 150 members dodged the vote.² In his own defense Hiss had the effrontery to urge that the charges

¹ Boston Advertiser, March 31, 1855.

² Journal of the house, May 11, 1855.

against him had not been proved, and that even if he had been guilty of them, such "indiscretions" on the part of many of his colleagues had not heretofore been considered disgraceful, while not a few—notably the chairman of the committee which denounced him—had been guilty of more serious offenses. The final report of this noisome nunnery committee, which had thus disgraced the legislature at home and abroad, amounted to absolutely nothing.

Such disclosures led to a critical scrutiny of the doings of other committees and of private members, and soon there was brought to light a record of petty stealings hardly to be expected from men of a party claiming to stand upon so lofty a plane of patriotism. An imperative demand for the law requiring that no accounts of committees should be allowed unless properly drawn up and attested was found in the abuses which had been experienced. Nor was it an inspiring spectacle to find members of the legislature calling upon the clerks to furnish them with penknives to the number of eight hundred and over, for which the State paid from \$1.50 to \$3 apiece. Such petty pickings were the more odious as they showed how widespread among the members was the notion that within moderate limits cheating the government was a venial offense. The low moral tone was evidenced also by the rigor with which all except Know Nothings were turned out of the offices, even if these were purely clerical. It must, however, in candor be added that the vast majority of the officeholders, forewarned of the impending doom, had saved their heads by trooping into the Know Nothing ranks. Another instance of favoritism was seen on the very last day of the session in the rushing through of pet acts of incorporation for the two newspapers that had been the stanchest apologists for Know Nothing failings. One of the most sensible acts passed by this legislature has immortalized itself in an epithet. This law required that every locomotive should be brought to a full stop before crossing the tracks of another railroad, and the term "Know Nothing crossing" survives in current use unto this day, although few could now tell its origin. One other act is of interest, as betokening an uneasy conscience. By a law of long standing the taking or administering of an oath, except by properly constituted authorities, was an offense punishable by fine. This law every one of the Know Nothing legislators had unquestionably vio-

lated. On motion of one of the clerical members, without debate or any reference to the subject-matter, this law was quietly repealed.

Everyone breathed a sigh of relief when the legislature was finally prorogued. Even the Know Nothing organs did not rise above the apologetic in their comment upon its work.¹ Economy and a short session had been urged upon it by the governor and by both presiding officers. Yet this session dragged out to one hundred and thirty-nine days, a length which had been exceeded but twice in the history of the State, and the pay roll, owing to the increased pay voted to the members, was nearly double that of any previous long session. Merely for the payment of members and officers it had been costing Massachusetts nearly \$1,300 a day. Indeed, the most prominent characteristic of this legislature was extravagance—extravagance in money matters, but not less also in word and in deed. What else could have been expected as the result of such a campaign as that of 1854? Nine-tenths of the members were utter novices at lawmaking; yet conceit and arrogance were by no means lacking. To this leaderless crowd was given unchecked power. With but three or four exceptions, the whole number belonged to the same party. Its very strength was its weakness. Party measures lost the searching scrutiny, the pointing out of defects, the fixing of individual responsibility, that would have come from a formidable opposition. An old and experienced party would have found in such irresponsible power a severe test of its public spirit and self-control. It is not strange, therefore, that in this legislature of "freshmen" many a crude and unwise bill passed unnoticed and that debate not infrequently "dwindled into the casual or ill-considered talk of the sidewalk and omnibus."

Despite the scandals of the session, it would be a mistake to infer that the majority of members were not men of at least average intelligence and integrity. The Know Nothing members fell into three groups: First, those who were sincere believers in the so-called "American" principles; second, the Free Soilers, some indifferent, some at heart distinctly hostile to the "American" principles, but who had, nevertheless, seized the Know Nothing machinery—these two classes being on the average not less worthy than the members of most

¹ The Boston Daily Bee, May 19, 1855, editorial, "The Massachusetts Legislature."

Massachusetts legislatures; third, however, there was much in evidence a relatively small group of cheap politicians, utterly unprincipled, who were simply working Know Nothingism for their own ends. At the time that "Sam" reached Boston he was there greeted by a native American party of several years' standing. It was a band of men united by no principle, but by a common prejudice—an antipathy to Irish Catholics.¹ It was even said that Germans and Irish Orangemen were included in its membership. In the elegant political slang of the period, this Boston society was made up of "Pro-Slavery Rum Hunkers." Being already enlisted under the colors of an "American" organization, they became charter members of the Know Nothing councils, and their experience and the prestige of years spent in the "cause" gave them an influence almost as great as it was unmerited. A specimen of these lucky adventurers was Hiss, who at the very time of his expulsion from the house was "Grand Worshipful Instructor" in the State organization. It was a bad streak that was thus brought into the order, and most of the scandals of the legislature's session could be traced in large measure to these disreputable members from the lower wards of Boston.

The year 1855 was of very rapid political readjustment. After the Philadelphia convention in June, which pledged the national organization to a let-alone policy as regarded slavery, the local councils in Massachusetts were reorganized upon the so-called Springfield platform, which took strong antislavery ground. But there is good evidence that hardly one-fifth of the old members retained their connection with the order.² Native Americanism could no longer obscure the one real issue of the hour. Governor Gardner, too, largely because of his plucky support of Judge Loring, had ceased to be the rallying point of the Know Nothings, and the new liquor law "cut the party in twain like a burning plowshare." Hence it happened that in January of 1856 there assembled a legislature of very different complexion from that which we have been considering. Barely one-sixth of the old members were reelected. For the most part, the preachers, the teachers, the doctors, and shop hands were allowed to stay at home, and merchants and

¹ New York Tribune, Boston correspondence, May 10, 1855.

² In Worcester on December 30, 1854, the membership list numbered 1,120. After the reorganization the new pledge book contains but 414 names; only 200 of these are duplicated from the old list. "A Chapter from the Local History of Know Nothingism." *New England Magazine*, September, 1896, pp. 85 and 86.

lawyers were again called upon to lend a hand at lawmaking. Nominally there was a fair "American" majority in the senate and a narrow one in the house, but many of these members had been elected as coalition candidates. It is doubtful if any distinctively "American" act could have been passed, and the spirit that would prompt such legislation had largely died out.

In an antislavery lecture delivered in Boston soon after the opening of the Know Nothing legislature, Ralph Waldo Emerson, speaking of the recent political upheaval, said:¹ "We were clear that the old parties could not lead us. They were plainly bankrupt. Those political machineries and politicians were discarded; we will have none of them. Yes, but shall we therefore abdicate our reason? I employed false guides and they misled me. Shall I therefore put my head in a bag? * * * The old parties found no respect, but were turned out by an immense joke. Yes, but to persist in a joke like this! I don't like very well joking with edged tools; and there is no knife so sharp as legislation." Before the end of the year this "immense joke" had lost its savor, and Massachusetts showed a decided inclination to put her edged tools into more competent hands.

REMARKS BY DR. STORRS ON DR. HAYNES'S PAPER.

I think the practice of witty application of Scripture texts must be familiar in the Massachusetts legislature. Years ago I remember Dr. Jackson, of Andover, I think it was, preached a sermon which was unsatisfactory to the Democratic majority of the legislature, who refused, or intended to refuse, to give a vote of thanks and to print the discourse, as was customary, when Josiah Quincy, I think—if I am not right Mr. Haynes will correct me—then president of the senate, suggested that if they took that action they should also by resolution instruct the next preacher of the election sermon as to his text, taking the verse of the Psalm, which says, "I will put a bridle upon my lips while the wicked are before me." [Laughter.]

¹ Boston, January 28, 1855.

VIII.—PEALE'S ORIGINAL WHOLE-LENGTH PORTRAIT OF
WASHINGTON.

A Plea for Exactness in Historical Writings.

By CHARLES HENRY HART,
OF PHILADELPHIA, PA.

PEALE'S ORIGINAL WHOLE-LENGTH PORTRAIT OF WASHINGTON—A PLEA FOR EXACTNESS IN HISTORICAL WRITINGS.

By CHARLES HENRY HART.

These United States of America have grown old enough to possess a distinct historical art. That this is a fact is being broadly recognized. It is shown in a marked degree by the owners of old family portraits. A few years ago their venerated ancestors could look down upon them only through the medium of a Reynolds, a Kneller, or a Lely without the least regard to chronology or life-long distance between putative painter and sitter. To-day, with perhaps little better respect for time and place, these same ancestors are from the easels of Smibert or Copley, West or Peale, Stuart or Trumbull, while all the former Cosway miniatures are now by Malbone. We may smile at the change, but it leans in the right direction.¹ That we may maintain our prerogative to this dignified position and see its importance increase, the questions that will necessarily arise must submit to the same scrutiny, bear the same investigation, and be tested by the same immutable rules of evidence as every other department of historical study.

Too much hitherto in this domain has depended upon tradition, that baseless fabric of a dream, which to follow is as the ignis fatuus, leading nowhere and to nothing. Accepted tradition and the blind following of one another, without submitting the statements followed to careful consideration, have caused many respectable writers to lend themselves to the dissemination and perpetuation of error. This very condition in the department of study to which I have paid especial attention, suggested the present paper, wherein I shall correct some often repeated errors, caused either by writers blindly following one another, or by their not giving due weight to the exact meaning of words, they have been led into a confusion of ideas, resulting in positive statements directly at variance with the facts.

If history is to be written with perspicuity and accuracy there are two canons that must be observed. One is, take nothing

¹ Vide, the writer's "Luncheon of Colonial Days," Harper's Weekly, July 4, 1896.

for granted. Go to the fountain head. The most careful will sometimes slip, e'en though the cause be the printer's devil. The other is, use exact language. Carefully weigh the meaning of words to express the precise sense you wish to convey. Our tongue is sufficiently pliable that words can readily be found to express almost every shade of meaning; and when readers come to know that words are not used haphazard, but are given their due value, they will learn to read with like precision and understand accurately the writer's sense.

These reflections have arisen from my inability to account for the eminent historians to whom I have alluded falling into the grievous error of translating "defaced" into "destroyed," otherwise than by a disregard of just such rules. Exactness in understanding, as well as in expression, would have avoided the writing out of existence of an important historical picture which I shall have the pleasure of showing is in existence to-day.

When a man reads that a thing has been "totally defaced," let him not pass it on as "totally destroyed." Let him recognize that a thing "defaced" may be restored, or if beyond restoration, that it may exist for ages in its defaced condition. The Venus of Milo is defaced by the loss of her arms, but the most daring iconoclast would not have the temerity to assert that she was therefore destroyed. And praise be to God, she will last for centuries, thus defaced. Not very long ago, in this good State of New York, a monument erected to the romantic Andrè was defaced, but no one has claimed that it was destroyed. So in the case under consideration, the picture that was defaced one hundred and fifteen years ago, instead of being destroyed, as numerous authorities positively state it to have been,¹ was restored and to-day exists without an apparent blemish to the superficial observer.

¹"This picture was afterwards (1781) defaced and totally destroyed."—W. S. Baker's *Engraved Portraits of Washington*, 1880, p. 14.

"The Portrait ordered for the State was totally destroyed in 1781, by some vandals who broke into the council chamber and ruthlessly defaced it beyond the hope of restoration."—Elizabeth Bryant Johnston's *Original Portraits of Washington*, 1882, p. 11.

"In 1781, some persons unknown broke into the council chamber and defaced and totally destroyed the picture."—Scharf and Westcott's *History of Philadelphia*, 1884, p. 1036.

"Which was wantonly destroyed."—Justin Winsor's *Critical History of America*, 1888, Vol. VII, p. 565.

"The portrait was painted, it was placed in the council chamber and it was destroyed."—W. S. Baker's *History of a rare Washington Print*, Pa. Mag. Hist. Biog., 1889, Vol. XIII, p. 261.

"This portrait destroyed in September, 1781."—W. S. Baker's *Itinerary of General Washington*, 1892, p. 150.

"It is no longer in existence."—Paul Leicester Ford's *Peale's Full length of Washington*, Harper's Weekly, May 16, 1896.

To Charles Willson Peale, the Doyen of American painters, was accorded the distinguished honor of painting Washington from life more often than any of his contemporaries. He began in May, 1772, with the Virginia colonel, and ended in September, 1795, with the first President of the United States. In the interim he had a dozen other sittings, and in the current number of one of our most popular magazines¹ I had the privilege of introducing to the public a newly found portrait of Washington, by Peale, in which the commander in chief is delineated wearing his military cocked hat, the only Revolutionary portrait of him in which he is so represented. This portrait is of great historic as well as artistic value, for it was painted to relieve the tedium of winter quarters at Valley Forge, upon a piece of bed ticking, the only available material to be had in those days that tried men's souls.

A close comparative study of this newly found Valley Forge head with Peale's well-known whole-length portrait, having Nassau Hall in the distance, satisfies me that this Valley Forge picture was his guide for the head in the whole-length painting. The investigation thus instituted was uncommonly rich in results. It developed this single atom of foundation for the often repeated, but apocryphal, story, that the original of these whole length portraits had been painted under a resolve of Congress, was begun at Valley Forge, continued at Monmouth, and finished in Philadelphia, but never delivered by the artist, owing to the failure of Congress to appropriate its stipulated price of \$8,000. I say "apocryphal," because Peale's price for a copy of his whole-length portrait of Washington was 30 guineas,² and Congress never resolved that he should paint one at any price. Owing to these somewhat important facts, the superstructure is without a foundation and with the inevitable collapse.

Having thus cleared away the mirage of tradition, I will relate briefly the true history of the picture.

In the midst of the campaign Congress summoned Washington to Philadelphia for consultation. He arrived on the 22d of December, 1778, and remained until the 2d of the ensuing February. On January 18, 1779, nearly a year after

¹ McClure's Magazine for December, 1896.

² Letter from Peale to Governor Harrison, of Virginia, October 30, 1784, Dreer Collection, Historical Society of Pennsylvania.

Valley Forge and six months after Monmouth, the supreme executive council of Pennsylvania, which was the State government, enacted¹ that—

Whereas the wisest, freest, and bravest nations, in the most virtuous times, have endeavored to perpetuate the memory of those who have rendered their country distinguished service, by preserving their resemblance in statutes and paintings; this council, deeply sensible how much the liberty, safety, and happiness of America in general, and Pennsylvania in particular, is owing to his excellency General Washington and the brave men under his command, do—

Resolve, That his excellency General Washington be requested to permit this council to place his portrait in the council chamber, not only as a mark of great respect which they bear to his excellency, but that the contemplation of it may excite others to tread in the same glorious and disinterested steps, which lead to public happiness and private honour. And that the president be desired to wait on his excellency the General with the above request, and, if granted, to inquire when and where it will be most agreeable to him for Mr. Peale to attend him.

Washington assented to the request, communicated by President Reed, in a letter dated "Headquarters, Philadelphia, January 20, 1778,"² and sat to Peale within the fortnight he remained in the city. The opportunity thus afforded Peale was without doubt, from the limited time at Washington's disposal, devoted chiefly to the delineation of the figure, —no inconsiderable work in a life-size, if not heroic, whole-length portrait, on a canvas 59 inches by 93—and the face was painted, as I have said, from the Valley Forge head, which would also go far to explain the reason for the uncovered head in this whole-length portrait appearing disproportionately small; although Washington did have a small head. The result, according to the newspapers of the day, was "a striking likeness."

When the finished picture was delivered it was hung in the council chamber in the building now known as Independence Hall, but correctly the Old State House, where on Sunday night, the 9th of September, 1781, to follow the Freeman's Journal of three days later, "a fit time for the Sons of Lucifer to perpetrate the deeds of darkness, one or more volunteers in the service of Hell broke into the State House in this city and totally defaced the picture of his excellency General Washington and a curious engraving of the monument of the patriotic General Montgomery, done in France in the most elegant manner."

¹ Colonial Records of Pennsylvania, Vol. XI, p. 671.

² Pennsylvania Archives, Vol. VII, p. 161.

The reporter of this occurrence possessed the merit, not common in gentlemen of his craft, of using exact language, and when he said that "the picture of his excellency General Washington" was "totally defaced," he did not mean that it was "totally destroyed." And it was not.

Charles Willson Peale's position as a portrait painter is very much underestimated. The reason for this may be found in the multitude of inferior heads he put into frames for his museum gallery, and by which he is chiefly known. But anyone who saw the fine examples from his easel, in the exhibition of historical portraits, the first held in this country, that I had the honor to direct at the Academy of Fine Arts, Philadelphia, nearly a decade ago,¹ will be very sure to have a marked respect for the ability of the man who limned them and to recognize that his work has a distinctly high place in the art of the period. His portraits are real, if they are somewhat hard, and his likenesses are always true. Apart from his ability as a portrait painter, he was a skilled mechanic, and had served his apprenticeship to a saddler; indeed, he paid for his first lessons in art with a saddle. Therefore, when he saw his original whole-length portrait of Washington "defaced," he knew that it was not "destroyed," but, by deft handling, the injured canvas could be backed with a sound one and the defacements restored, so as to be barely visible. Accordingly the picture was relined and restored, and retained its place in the council chamber.

The Supreme Executive Council of Pennsylvania ceased to exist on the third Tuesday of December, 1790, and the State Government under the new constitution took its place. The capital remained in Philadelphia until 1799, when it was removed to Lancaster, and thence to Harrisburg in 1812. For some now unknown reason, probably want of space, the whole-length portrait of Washington, with Martin's familiar "thumb portrait" of Dr. Franklin, willed by the great philosopher to the Supreme Executive Council, of which he had been president, and one of President Thomas Wharton, painted and presented by Peale, were left behind, so that when, in 1802, Peale removed his celebrated museum from the hall of the American Philosophical Society to the State House, he found these portraits hanging upon the walls. In his "Historical Catalogue

¹Wide Catalogue of Exhibition of Historical Portraits, December 1, 1887, to January 15, 1888. 12mo. pp. 148.

of the Paintings in the Philadelphia Museum," printed in 1813, Peale openly avows the ownership of these pictures in the State, thereby showing conclusively that the original whole-length portrait of Washington, he had painted to its order in 1779, had not been destroyed and was then in existence. The entries are as follows:

212. Whole length of General G. Washington.

213. Thomas Wharton, esq. See No. 11.

214. Dr. Benjamin Franklin. See No. 1. *This and the two preceding belong to the State.*

To corroborate and emphasize this printed record, the writer has two unpublished original letters directly on the subject, which strangely came together in his possession, of course from divergent sources.

HARRISBURG, *April 13, 1814.*

To CHARLES W. PEALE, Esq., *Philadelphia.*

SIR: The Governor having been informed that the portrait of the late President Washington and of the late Governors Franklin and Wharton, the property of the Commonwealth, which were formerly placed in the chamber of the Supreme Executive Council in Philadelphia, are now in your possession, and that you are ready to deliver them up to the proper authority, now directs me to request that you will be pleased to cause them to be safely boxed up and forwarded to this place by some safe opportunity, the reasonable expense of which will be paid at this office to your order.

I am, respectfully, your friend,

JAMES TRIMBLE,

Deputy Secretary.

(Endorsed:) "Answered."

PHILADELPHIA, *May 5, 1814.*

To JAMES TRIMBLE, Esq., *Deputy Secretary, Harrisburg.*

SIR: Your letter of the 13th of last month to my father was duly received, and I shall immediately prepare the pictures which belong to the Commonwealth, which I have under my care, and shall be forwarded by the most proper conveyance with safety.

My father having retired from the immediate labours of the museum, I am appointed his successor, which station I hope to fulfill with satisfaction to my fellow-citizens.

With great respect, I am your most obedient servant,

RUBENS PEALE.

(Endorsed:) "Reubens Peale relative to certain paintings."

Notwithstanding the nota bene in the catalogue and the foregoing correspondence, the portraits of Washington, Franklin, and Wharton seem to have remained a part of the museum collection, signifying that Peale must in some manner have acquired ownership in them. In 1821 the museum became a stock corporation, from which time its life began to ebb, until in October, 1854, the pictures that had belonged to its collection,

including the portraits of Washington, Franklin, and Wharton, were put up at public sale in Philadelphia, and Peale's whole-length Washington and Martin's Franklin were bought on the first choice at \$360 each by Mr. Henry Pratt McKean, coincidentally a great-grandson of Thomas McKean, who was governor of Pennsylvania when the capital was removed from Philadelphia, and these portraits left behind.

That the whole-length portrait of Washington, bought at the museum sale by Mr. McKean, and now in possession of his son, Mr. Thomas McKean, at Fernhill, Germantown, Pa., is the identical original picture painted for the Supreme Executive Council of Pennsylvania, in 1779, and "defaced," but not "destroyed," by the marauding vandals, the writer recently had the opportunity of establishing by a direct examination of the canvas, while in the process of again being restored, when the cuts and slashes that had "totally defaced" it, could easily be seen. In one place, to the extreme left in the middle distance, where in some of the repetitions of this picture two horsemen are represented, a square patch of wholly new canvas has been inserted.

As a sequel to this curious history, it may be well to note that Peale painted many repetitions of this whole-length portrait of 1779. One signed and dated the same year was brought to this country from France more than half a century ago by Julius, Count de Menou, and its history and vicissitudes are scarcely less remarkable than of the one under special consideration. Its pedigree is vague and uncertain. It was sold by Count de Menon in October, 1841, to Charles B. Calvert, of Prince George County, Md., who lodged it with the National Institute for the Promotion of Science, then recently incorporated as the forerunner of the Smithsonian Institution. With its collections the portrait adorned the Patent Office until 1861, when the National Institute became extinct, by the limitation of its twenty-year charter, and its gatherings were turned over, as it was legally provided they should be, to the Smithsonian Institution. There the portrait of Washington remained until by special act of Congress it was sent to Philadelphia for the Centennial Exposition of 1876, and for some time afterwards it hung in the Pennsylvania Academy of Fine Arts. In 1880 it was reclaimed by the Smithsonian Institution, taken to Washington and placed in the Corcoran Art Gallery, where it was kept until

1882, when the Library Committee of Congress paid \$5,000 for it to Titian R. Peale, the youngest and last surviving child of Charles Willson Peale,¹ and the picture now decorates the gallery leading to the Senate chamber in the Capitol.

Another repetition of this whole-length portrait of Washington was taken to the French King, Louis XVI, by Gerard De Rayneval, the ambassador from France, when he returned home in October, 1779, and is with little doubt the picture now in the Versailles Gallery. The frigate *L'Aurora*, that carried Gerard, took also John Jay and William Carmichael on their mission to Spain, and Mr. Carmichael had in his charge one of these pictures which he was to sell for Peale, or on failure of sale to present to the King of Spain. Carmichael sold the picture, but Peale had to wait eight years before he could obtain payment from Brockholst Livingston, to whom Carmichael intrusted the money for transmission to Peale, and then only secured it through the agency of Bishop White. Another was painted the same year for Henry Laurens, and was with him when he was captured by the British Captain Keppel, who appropriated the picture, and it has descended to the present Earl of Albermarle, who has it at Quiddensham Park, Norfolk, England. From it a copy was made a few years ago for the Massachusetts Historical Society.

There is one at Shirley, on the James River, the seat of the Carter family, some of whom intermarried with the Washingtons, which is dated 1780, but its early history is unknown. Another, dated 1781, was recently brought to this country from Cadiz and exhibited at the American Art Association, New York. On December 24, 1782, Peale wrote to Richard Lloyd, at Annapolis, "I have sent your whole-length portrait of General Washington by stage," and on January 30, 1783, he advised Governor Mathews, of South Carolina, "I have a whole length of his excellency General Washington in hand, which will be done by the time you will receive this." Yet another was sent to the Island of Cuba.² But the identity or whereabouts of the three last named cannot be determined. Within a few weeks I have been shown a photograph from England of yet another.³

Peale reduced the whole-length figure to three-quarter length and made several copies of that size, as well as a mezzotinto,

¹Titian R. Peale died in Philadelphia March 13, 1885, aet. 85.

²Letter from C. W. Peale to Charles Carroll, August, 1779.

³This picture has since been brought to this country and presented to the Metropolitan Museum of Art, New York.

which he published in August, 1780.¹ One of these reductions is in the family of Elias Boudinot, and another, painted for Count Rochambeau, for which he paid the artist 16 guineas,² and therefore was not presented by Washington, as family tradition says, hangs in the Chateau de Rochambeau in France.³

There is an obviously intentional omission in the detail of uniform in some of the pictures that were destined to be sent abroad, the reason for which it would be interesting to know. In the original portrait belonging to Mr. McKean, and in some of the replicas, Washington is represented wearing the broad blue ribband, which he prescribed for himself, in General Orders, "Cambridge July 14th, 1775" to designate the Commander in Chief,⁴ but which some writers have persisted in

¹ These prints are excessively rare, only three or four impressions being known to exist. One may be found among the iconographic rarities presented by the late William H. Huntington, of Paris, to the Metropolitan Museum of Art, New York.

² PHILADELPHIA July 25, 1775

DEAR SIR: Be pleased to inform me if his Excellency the Count Rochambeau left Sixteen Guineas for me which I had informed him was my charge for the copy of Gen. Washington's picture.

I am with much esteem your most humbl. srvt.

CHAS. PEALE.

To Mr MABBOIS.

³ The Chateau de Rochambeau. By J. G. Rosengarten. Proceedings American Philological Society. Vol. 33, page 353.

⁴ HEAD QUARTERS, Cambridge, July 14th 1775

Parole-Halifax

Counter Sign, Inverness

* * * * *

The General observing great remissness and neglect in the several guards in and about the camp, orders the Officers commanding any Guard to turn out his Guard, immediately upon the near approach of The Commander in Chief or any of the General Officers and upon passing the Guard; The Commander in Chief is to be received with *rested arms*; the Officer to salute and the Drums to beat a march. The Majors General with *rested Arms*, the Officer to salute and the Drums to beat two Ruffles. The Brigadiers General with *rested Arms*, the Officers to salute and the Drums to beat one Ruffle. There being something awkward, as well as improper, in the General Officers being stopp'd at the outposts; ask'd for passes by the Sentries, and oblig'd often to send for the Officer of the Guard, who it sometimes happens is as much unacquainted with the Persons of the Generals, as the private men, before they can pass in or out: It is recommended to both Officers and Men, to make themselves acquainted with the persons of all the Officers in General Command, and in the mean time to prevent mistakes: The General Officers and their Aids-de-Camp, will be distinguished in the following manner.

The Commander in Chief by a light blue Ribband, wore across his breast between his coat and Waistcoat.

The Majors and Brigadiers General by a Pink Ribband wore in like manner.

The Aids-de-Camp by a green ribband.

* * * * *

HEAD QUARTERS, Cambridge, July 24th, 1775

Counter Sign, Cumberland

Parole-Salisbury

It being thought proper to distinguish the Majors from the Brigadiers General by some particular Mark; for the future the Majors General will wear a broad purple ribband.

Notwithstanding the General Orders marking the distinctions of General Officers, Aids-de-Camp, &c., the Generals are frequently stopp'd by the centinels, which can only happen from the Captains having neglected to read the Orders to their respective Companies; If any General Officer, Aid-de-Camp, or Major of Brigade, is again stopped through the ignorance of the Centinels; the Captains will be responsible."

asserting was his insignia as a marshal of France, which office, he, of course, never held.¹ But the Rochambeau three-quarter length and the whole length lately brought from Spain are without the blue ribband. Why was the ribband omitted?

In conclusion, it seems well to note, in order to prevent misconception on the subject owing to ill-considered statements that have been made, that the whole-length portraits of Washington at Princeton University and in the house of delegates at Annapolis are wholly different from the picture under consideration, having been painted nearly five years later, forming a distinct type.² The picture painted for the State of Virginia and sent to France for Houdon's use in making his statue was evidently of this last type.³ The whereabouts of this interesting canvas, if in existence, is unknown.

¹ Washington wrote to Aneas Lamont, who had dedicated a volume of poems to him, January 31, 1785: "It behooves me to correct a mistake in your printed address to the patrons of the Fine Arts. I am not a marshal of France, nor do I hold any office under that Government or any other whatever." (Sparks's Writings of Washington, Vol. IX, p. 89. n.)

² Vide the writer's Life Portraits of Washington, in McClure's Magazine for February, 1897.

³ Letter from C. W. Peale to Governor Harrison, *supra*.

IX.—POLITICAL SCIENCE AND HISTORY.

By PROF. J. W. BURGESS,
OF COLUMBIA UNIVERSITY.

POLITICAL SCIENCE AND HISTORY.

By J. W. BURGESS.

The subject assigned to me is so comprehensive, and the time allowed me in which to develop it is so short, that I can waste no words upon an introduction or in an apology for the necessarily brief and fragmentary treatment of the theme, but must plunge at once into the midst of things.

In order to define the relation between history and political science, we must fix, with some degree of clearness and exactness, the meaning of these terms. If we can succeed in doing this the relation between the concepts which they represent will, in fact, need little further explanation.

Few persons, either professional or lay, are conscious of the difficulty of setting up the metes and bounds to the realm of knowledge designated by the name "history" until they actually undertake to do so. The proposition may even be hazarded that few persons have ever confronted themselves with this problem at all. Unfortunately for the right cultivation of historical knowledge and the true application of historical wisdom, everybody assumes to know what history is and to declare what it teaches. People do not dare to take such liberties with mathematics or chemistry or physics, and yet the real meaning of history is far more profound than the facts and principles of these sciences, and has been correctly apprehended by far fewer persons.

I have been a constant student of history for more than a quarter of a century, and yet I have never heard or read a definition of history, or a delimitation of the realm of knowledge which the word designates, that was satisfactory to me, and I am sure that I am unable to frame or trace any such. If I can arrive at a remote approximation to anything satisfactory, either to you or to myself, it is all that I can hope for, and it is more than I expect.

I have no time for criticism upon the propositions advanced by others in regard to this subject. I will address myself at

once to the consideration of those categories of thought which must, in my opinion, be applied in working out the true conception of history.

In the first place, the phenomena of history must be conceived under the category of time, that is, in the order of antecedent and consequent. This requirement alone, however, will not distinguish history from any other body of knowledge, not even from natural science. Anything and everything which the human mind conceives must be formed in the molds of time. If we apply this category of thought alone to phenomena we may call the result statistics or chronology, or narrative, perhaps, but not history, nor yet even natural science.

In the second place, therefore, the phenomena of history must be conceived under the category of cause and effect. This requirement demands a much more serious and exact mental effort than the first. While, undoubtedly, great mental acumen is necessary to distinguish fact from fiction in the fleeting world of phenomena, still, much higher intellectual qualities are indispensable in correctly apprehending this most fundamental relation of cause and effect. Not yet, however, have we reached the test which distinguishes history from many other realms of knowledge. The observations and experiments of the physicists are made as rigidly subject to this logical category in the discovery of the truths of natural science as are the experiences of mankind in winning an insight into the truths of history. We must, therefore, still find another form of thought by whose applications the facts and relations which belong to history shall be separated from those which do not, and shall be made intelligible, both in themselves and in the ultimate purpose toward which they tend.

This form of thought, which furnishes, at last, the crucial test that we are seeking, is, as I understand history, the category of self-progression. In nature the chain of events returns into itself; what has happened will happen again; but in history the significant thing is the increment which we discover in succeeding events. In history what has happened once in the life of a given people ought never to happen again exactly as it happened before. If it does it indicates that where it so happens history is, as to what underlies that event at least, either not being made, or that it is being unmade; and historical

wisdom does not consist simply in knowing what has happened under given conditions, but also, and, I may say, chiefly, in correctly apprehending the variations, however slight, in the everchanging conditions and the accretions in the succeeding events produced thereby. In a word, historical wisdom is the true basis of progress, and it is comparatively worthless—is, in fact, not historical wisdom—unless it produces the spirit of true progress.

Regarding, now, phenomena from the point of view of the requirement imposed upon them by the category of self-progression, we arrive at the conclusions: first, that the substance of history is spirit, since only spirit possesses the creative power of making the consequent contain more than the antecedent, of making the effect an advance upon the cause; second, that the substance of history is human spirit, since progress can be predicated only to the finite and the imperfect; and third, that the events which are true historical facts are those creations of the human spirit which are the symbols of its advance toward its own perfection.

History, in the making, is, therefore, the progressive realization of the ideals of the human spirit in all of the objective forms of their manifestation, in language, tradition, and literature, in customs, manners, laws, and institutions, and in opinion and belief. And history, in the writing, is the true and faithful record of these progressive revelations of the human reason, as they mark the line and stages of advance made by the human race toward its ultimate perfection. I do not mean by this that there can be no retrogression in the experience of a given part of the human race and no record of such a decline. Many are the races of men whose powers have been expended in the march of human progress. But the torch of history has been handed from one to another as each exhausted bearer has ceased to be the representative of human progress. When this great catastrophe happens in the life of a portion of the human race, that portion really ceases to make history; it really, thereafter, unmakes history. Its experiences, thereafter, are material for tragedy and romance, rather than for history.

Now, what is political science? Etymologically the phrase means the science of municipal government, and that is what it actually was among the classic peoples who bore the civilization of the world in the period before the Roman Empire. That period of the world's history was the period of city states,

states in which all citizens participated immediately in the government. The Roman imperium inaugurated the period of country states, and the period in which we live is the period of national country states. The essential difference in principle between the country state and the city state is that the government of the country state is representative, while that of the classical city state is immediate. And the essential difference in principle between the national country state and the country state merely is that the former is necessarily either democratic or so broadly aristocratic as to be very nearly democratic, while the latter may be either monarchic or aristocratic, but hardly democratic.

Political science, in its present meaning, is therefore the science of the national country state, and is tending to become the science of the human world state. Its problem is therefore something far more comprehensive than the science of immediate municipal government or of representative municipal government, or even of government in general. The modern requirements of territorial extension, representative government, and national unity have made political science not only the science of government in general, but also the science of liberty and the science of sovereignty.

Political science now consists of a doctrine of sovereignty, a doctrine of liberty, and a doctrine of government. And modern constitutional law consists of a series of provisions designating the members of the sovereign body and prescribing its mode of action, defining and guaranteeing the realm of individual liberty, and constructing the organs of government and vesting in them the powers which they may lawfully exercise. In other words, constitutional law is but the more or less perfect objective realization of the doctrines of political science. Now, not only is the process of casting the principles of these doctrines or theories into the objective forms and institutions of positive law an historical process and movement, but the doctrines themselves are largely an historical product. Centuries of experience in the practices of government and the customs of liberty antedate and lead up to the awakening of the consciousness of the political idea. Roughly speaking, we may affirm that the formulation of the political idea, political science, was first really accomplished, in post-Roman Europe, in the seventeenth and eighteenth centuries of the Christian era. Twelve centuries, thus, of practical education

in regard to the force and the freedom which society required in order to work out the problem of human civilization were necessary to rouse philosophical reflection upon the political idea, the state, to the degree of clearness and distinctness which must be attained before the products of reflection can take on the form of propositions and these propositions be arranged into a body of science. Nor was this result attained *then* perfectly and for all time. The productions of those who may, in a sense, be termed the founders of modern political science, Grotius, Pufendorf, Hobbes, Locke, Montesquieu, Rousseau, and the rest, were naturally crude and fragmentary and while their theories exercised a modifying influence upon existing political systems, they have themselves suffered changes and adjustments in the hands of the more modern publicists, as suggested by a longer and broader experience of the human race in government, law, and liberty. And although political science has now approached a stage of completeness where we can speak of it as the basis of constitutional law, still its propositions are being continually modified and readjusted by new practical experiences. It is leading them at one moment and being led by them at another, its genesis and development thus fulfilling all of the requirements of a true historical process.

But how much of history is political science, and how much of political science is history? Are the two identical, or is there some history that is not political science, and is there an element in political science which is not history? In a lecture delivered to his students in the year 1885, and recently published to the world under the editorial supervision of Professor Sidgwick, the late Prof. J. R. Seeley said that history "is the name of a residuum which has been left when one group of facts after another has been taken possession of by some science; that the residuum which now exists must go the way of the rest, and that the time is not very distant when a science will take possession of the facts which are still the undisputed property of the historian," and that the science will be political science.

Now, although this seems extravagant, yet it is much nearer the truth than most men will allow before serious reflection, because most men do not appreciate how large the body of facts belonging to political science is. Most men instinctively feel that the facts of political science are facts about government

only, while, as we have seen, political science now also comprehends the facts about sovereignty and liberty.

National popular sovereignty, the basis both of government and of liberty, is the most fundamental principle of modern political science. Now, the development of this principle, and its objective realization in constitutional law, is the most complex and comprehensive of all the movements of history. It involves facts about race, language, tradition, custom, literature, ethics, philosophy, and religion, in addition to those more commonly considered as belonging to the exhibitions of force and power. It is nothing less than the historical evolution of a consensus of opinion among the people of a country concerning the fundamental principles of government and liberty, and the objective realization of that opinion as supreme law. Now, while no one will question that the latter part of this process exhibits facts which belong to political science, it is not so readily and instinctively appreciated that the former part does also. It is, however, as strictly true in the one case as in the other. The only difference is that in the one case the facts do not belong as exclusively to political science as in the other. They are facts which are used as well by other sciences and disciplines.

Again, the constitutional liberty of the individual is a principle of modern political science of nearly equal importance with the principle of government itself. While, however, men regarded individual liberty as a body of natural rights, the facts about it were scarcely conceived as being facts of political science at all. Indeed, the doctrine of natural rights was one which made individual liberty a condition of original perfection rather than a product of history even. Here, then, is another large body of facts which has only recently been conceded to belong to political science. This body of facts makes up a very large portion of modern European and American history especially. If it belonged *exclusively* to political science, the dictum of Professor Seeley would be nearer to the truth than it is. But it seems to me that it does not. It seems to me that the idea of civil or individual liberty must be distinguished into two parts. The one part is the idea of the immunity of the individual, in a certain sphere, against the force and control of government. The other part is the right of the individual to be protected in a certain sphere by government against encroachment from any other quarter. Now, the first part may

be fairly regarded as a principle of political science exclusively, and the facts relating to it as facts of political science mainly. But the latter part of it involves principles of private law, political economy, and sociology as well, and the facts in regard to it belong as well to these bodies of knowledge as to political science. And the whole idea of liberty, as a concept of political science, must be carefully distinguished from the ethical idea of liberty, as the voluntary fulfillment of the perfect law. The two ideas are related to each other, as negative is to positive. The political idea is the prevention of force within a certain sphere of individual autonomy. The ethical idea is the voluntary conduct of the individual within that sphere according to the principles of right reason; and the immunity contained in the ethical idea is an immunity against error and sin. As the ethical idea is more and more fully realized in the conduct of men within the given sphere of individual autonomy, that sphere may be, and will be, enlarged by the State. That is, the State will do less by government and more by liberty, as it becomes manifest that immunity from compulsion is resulting in and promoting the voluntary regulation of individual conduct by the principles of right reason.

Now, therefore, while some of the facts which relate to the ethical idea of liberty are facts that must be made use of by political science, most of them are facts which more properly belong to the history of the intellectual, ethical, and religious progress of man. Many of these facts have, according to Professor Seeley's view, been appropriated by psychology, ethics, and theology; and the residue may, in greater or less degree, be appropriated by political science, in so far as this has not already happened. Still, I think from this discussion it will appear that there is a vast number of the facts of human experience which can not be *exclusively* claimed by any science as yet developed, and which will not be rightly so claimed by political science, even under the expanded idea of that science which at present prevails. Now, this body of facts must be brought together, in order that the relations which they express may be examined from all points of view and fully comprehended; and I do not see what designation can be given to such a body of knowledge with so much propriety as the title "history."

While, then, we concede that political science may rightfully

appropriate a much larger part of history than is, at first view, usually supposed, we are not convinced that political science will, within the appreciable future, take all of history not exclusively appropriated by other sciences.

When mankind shall have reached that fullness of experience which shall enable it to become completely conscious of itself, it may then be able to turn all of its knowledge into science, and history may then be said to have done its work. But I fancy that, when that far-distant day shall have been reached and the historian shall be no longer needed, the retirement of the political scientist also will not be greatly delayed. Until then the arranging of the facts of history in the forms and conclusions of science will only lift history to a higher plane, as the experiences of mankind approach more nearly the ideals and the goal of civilization.

Lastly, there is one more question which I have posed and not yet answered, namely, Is all political science history; or is there an element in political science which can not be classed under that title? I think the latter part of this question must be answered in the affirmative. Political science consists of something more than facts and logical conclusions from facts. It contains an element of philosophical speculation which, when true and correct, is the forerunner of history. When political facts and conclusions come into contact with political reason, they awaken in that reason a consciousness of political ideals not yet realized. Thrown into the form of propositions, these ideals become principles of political science, then articles of political creeds, and at last laws and institutions. Now, while this speculative element in political science must be kept in constant, truthful, and vital connection with the historical component, and must be, in a certain very important sense, regulated by the historical component, it is, nevertheless, the most important element in political science, because it lights the way of progress and directs human experience toward its ultimate purpose. It is the element most exposed to error and to fancy, but it is the only element, again, which mediates the adjustment of the actual to the ideal, and without it political science would not differ essentially from public law.

My conclusion is, therefore, that while there are parts of history which are not political science, and while there is an element in political science which is not strictly history, yet the two spheres so lap over one another and interpenetrate

each other that they can not be distinctly separated. Political science must be studied historically and history must be studied politically in order to a correct comprehension of either. Separate them, and the one becomes a cripple, if not a corpse, the other a will-o'-the-wisp.

REMARKS UPON PROFESSOR BURGESS'S PAPER.

Professor STEPHENS: Mr. President and Members of the Association: As chairman of the programme committee I did my best to get other speakers to open this discussion, and it was only this morning that I received the last refusal. Professor Hart, of Harvard; Professor Wilson, of Princeton, and Professor Judson, of Chicago, were all of them in my mind as men more qualified, by the nature of their studies, to open this discussion than I myself could possibly be. But on the other hand, I believe I am to some extent the cause of this paper having been written, and therefore, perhaps, it is as well that I should give some reason for the purpose which led me to bombard Professor Burgess with the request that he should tell us what political science means to him. I have now been in this country for two years and two months, and I have weekly, I might almost say daily, asked various teachers of history and political science with whom I have come in contact what political science is and what they mean by it, because to me, as an Englishman, it seemed, when I came over to this country, that the great study of history, to which my own life, as well as the lives of many of those who are now present are devoted, is being subordinated to the study of political science. In Oxford we proudly left on one side this subject which is now termed political science. There used, indeed, to be a paper in the historical examination on what is termed political philosophy, and for the purpose of that paper we had to read Aristotle and Locke, and concluding with the learned lucubrations of one Bluntschli. [Laughter.] Now Bluntschli bore a name highly esteemed in Oxford until his late work was translated into English. [Laughter.] I remember in my undergraduate days we spoke with bated breath about Bluntschli. The professor of history occasionally alluded respectfully to Bluntschli, and the Clarendon Press, having heard of this respect and ignorance, employed certain learned tutors and professors, who translated Bluntschli into English. From the moment the translation appeared you never heard in Oxford any words

of commendation of Bluntschli, but merely words of deprecation. I remember that Prof. Samuel Rawson Gardiner, of the board of history at Oxford, used to conclude his letters to the board with the phrase, "delendus est Bluntschli." [Laughter.] And the college papers never ceased to make fun of a celebrated passage from Bluntschli, declaring that the State is masculine and the Church is feminine. Therefore I came over to this country with the idea that so-called political science, so far as it was represented by Bluntschli, was a subject not worth the consideration of the historical student. But I very soon found that matters are in an entirely different situation here to the situation which they held at Oxford. I found to my astonishment, amounting to somewhat of a disgust, that history was regarded rather as a handmaid of political science than as a subject of study for its own sake; that the historian was regarded as a person whose business it was to dig out facts for the political scientist to make use of—I was going to say to make fun of—but to make use of. That seemed to me to be a degradation of the study of history generally. I pursued my task of trying to find out what was this political science to which history was tributary, and asked the question frequently. I remember spending a whole railway journey from Washington to New York, after the first meeting of this Association which I had the honor to attend, in repeating questions to a colleague of Professor Burgess, "What do you mean by political science?" And the reply he made was sort of a quid pro quo, "Tell me what is history." Of course I couldn't tell him that, because I was the gentleman who was asking the question and he had not answered me. Not being able to get a respectful answer from him I tried one or two undergraduates of Cornell. One of them reflected a long time and then told me it was knowing about the caucus.

Well, it was a pretty important thing, no doubt, to know about the caucus; but I do not see how in the undergraduate life you can study all about the caucus. If you are studying the history of the caucus, and the idea of the caucus, and so on, I can understand that it is possible to spend a certain amount of time in studying the history of the caucus; but it is not political science, it is history that you are studying. You are merely studying the facts—the way in which the caucus is made up. I have asked high and low, student and professor, and I could not find out what was political science, and

therefore I wrote to Professor Burgess and asked him to read a paper at this meeting, that he might state publicly before you all what he meant by political science. I do consider that his reply has been most masterly, and for the first time I do understand what men of the International, the world wide reputation of Professor Burgess mean when they speak of political science. I dare say that Professor Burgess is as well known on the other side of the Atlantic as on this. We know the sincerity of his life labor; and I think that no contribution that he has made to the study of politics or to the study of history ranks in clearness and in value to the exposition that he has given us this morning of what he means. [Applause.] He has answered my question. I do not say that he has answered it entirely to my satisfaction, but he has answered my question. He has successfully made history subordinate to political science, and, I think, made out that the duty of the historian is to supply facts for the political scientist to juggle with. [Laughter.] He did not mean to put it in that way. He kept quoting as one of his authorities, toward the end, the famous English professor whose name more than anything else has caused political science to be unpopular at Oxford. I refer to Professor Seeley. The reason why history has progressed further at Oxford than at Cambridge, the main reason why history is studied for its own sake and is neglected for other subjects at Cambridge, is because Bishop Stubbs was professor of history at Oxford and Seeley was professor of history at Cambridge. Seeley subordinated his study of history to his interest in political problems, whereas Bishop Stubbs taught us to study history for its own sake. And I believe—and it is an axiom with modern historical students—that if you investigate history for the purpose of finding a result you will find that the result is not necessarily the truth. You should investigate—and this applies to the modern historical school. We should study history with the endeavor to find out the truth, not with the endeavor of understanding how free this or that or the other country is; not for the purpose of explaining how superior the government of our own country is to any other country, and still less for the purpose of justifying any particular theory of government. The aim of genuine historical research is to discover the truth, and the moment you begin to subordinate that to proving any theory whatsoever you are in danger of finding what you looked for—that

is to say, taking a bias in your research after historical truth. It is for that reason that I deprecate the great part which the teaching of political science seems to play in the universities and colleges in this country. That part of political science which, as Professor Burgess has eloquently put it, belongs to the investigation of existing systems of government and the comparison of existing systems of government is indeed a useful study for students, but if they are to be taught history from the point of view of the present existing political institutions of this or other countries I think they will get a biased view of history. Therefore it is that I think the political scientists, with all due respect to Professor Burgess, should be confined to that part of political science which he admits lies outside the field of history, and one reason why I think so is because I find that the writings of many of the modern students of political science are based upon historical views which have been long since abandoned. If the writers on political science would only keep up to date with the results of political research it would be a very different criticism that I should have to make. But the period which it is my unfortunate lot to have to study—the period of the French Revolution—is mishandled by the writers on political science. Nearly everyone who writes on political science and desires to bring in a terrible example refers to the history of the French Revolution. They use the old views, which were propounded years ago, and have been exploded a quarter of a century, with regard to the Reign of Terror and the Committee of Public Safety. They still regard Robespierre as an incarnate demon, who took possession of France for a period and made a useful example for students of political science to quote. And it is in the interest of history and historical teaching that I protest against political science being regarded as not supplementing, but superseding, history as a study, whether in this country or in any other. I think you must remember that the complexion of history changes, like that of the chameleon; that we are getting new views of history with every generation of workers and with every new investigation into facts and with every new series of studies; we get different views of history, and we find that our teachers constantly refer to our grandfathers' view of history, and it is, I think I may say, not unnatural that the political student should get a little impatient at the doctrines and teachings of the writers on political science.

I do not intend to occupy your time any longer. I have been desirous of getting out this manifesto of mine for a long time. [Laughter.] I am very glad that I have had the success of getting it out after Professor Burgess's paper. I do not pretend for a moment that I am answering Professor Burgess. Professor Burgess's argument and his position is unanswerable. But I do think that those of us who are responsible for arranging the course of instruction in schools and colleges and universities ought to beware how we supersede the study of history by the study of political science, because otherwise there will be a danger that the student will be taught political economy by someone who is teaching the views of the French Revolution of fifty years ago, while the historian is teaching the views of the French Revolution of to-day, with the inevitable result that the student gets mixed and believes neither. Therefore I do think that the teaching of political science should be reserved for students who are sufficiently mature to be able to distinguish between that part of political science which lies outside the domain of history, namely, the comparative study of institutions as they exist, and that part of political science which makes use of the weapons, often badly shot and now disused weapons, of the historians of the past. It is in the interest of the student himself that I speak. I know that college students, in some institutions, do get very much puzzled by the different accounts of history which they receive from their teachers of history and their teachers of political science; and I do think a greater harmony in teaching between the teachers of history and of political science, which could only be obtained by the teachers of political science keeping rigorously up to date in the latest historical investigations, is the best way in which the relations between history and political science can be effectually harmonized and made a valuable study for information and discipline in many places of learning.

The CHAIRMAN. We seem to be put upon our metal. It is quite desirous that we should answer the question of Prof. Morse Stephens to his entire satisfaction. There are a number of gentlemen within my vision who are competent within five minutes each to get a great way toward answering the question, and I call at a venture upon President Gates, of Amherst College.

President GATES. Mr. Chairman, ladies and gentlemen: It

seems to me that the true scientific spirit has been invoked by the paper which has been read and the discussion which has followed. I think that what is needed, from the point of view of those of us who are distinctively and exclusively students of history, is so true a regard for the scientific spirit and the scientific method that no one shall shrink from digging for that fact, or those facts, which are wanted—which we should all agree that it is the historian's business to find out—by the fear that somebody may regard him as a drudge provided he makes use of the fact after it has been dug out. I think the demand of the institutions for true historical teaching is for a spirit that shall not despise a true utilitarianism in the study of history. When we remember, as Professor Burgess has told us, that first of all the events of history must be regarded as having no time limitations, and remember how infinite is the field, and that the life of one investigator, and much more the study of hours of any one student whom we as teachers may be likely to reach, are as nothing when compared to the field, the question of selection becomes inevitable; the question of selection and of a point of view become absolutely essential. Therefore I think no higher service can be done to the study of history in this country than such service as has been attempted in the masterly paper to which we have listened this morning. We all owe a debt, not only for the brilliant remarks which followed that paper, but for the paper which has called them out. Among the reasons, however, which have made the writings of Professor Seeley so disliked at Oxford and so loved, and regarded with so much interest in the rest of the world [laughter], is his power of seeing clearly that it is of advantage to have a certain light on a vast and infinite historical field when you begin to investigate. I remember in the volume of Seeley from which Professor Burgess has quoted, this pregnant sentence: "There is no such great knack in the study of history on the part of students, advanced students as well as students of an elementary character, as study based on general principles." I believe that, from my own observation, to be true. It is, to be sure, the fashion now to regard the work of a poet as fairly separated from the province of a historian; and yet it seems to me that there is more in the assertion that history is to be studied for its own sake than there is in the proposition that history is to be studied for the sake of the lessons that it is to give to the race in self-government and political science.

What shall we say of the general maxim that history is to be studied for history's sake, when that is preceded by the frank confession of a man who has spent thirty years in the study of history that he does not know what history is. It tempts the average man to say, give us something to show how history shall be studied. Now, whether it may be that we have not attained to the acumen and to the concentration that connect themselves with the insular position, or for other reasons, I do not think we are afraid in this country of looking at the historical side of questions somewhat in the light of principles. Certainly we should be very foolish to go back to the books from which this examination started and confine ourselves to Aristotle; and yet the man who has not gone through that book once or twice had better do so before he does anything else in connection with the study of history, simply that he may see what a master mind lays down always in approaching such a subject, and also what changes we have gone through. I should hardly like to say that history changes as the chameleon changes. What is there that is worth while in the study if it is true that the deductions and views in respect to it change as the chameleon changes? But I think it is fair to suppose that there are some principles that are to guide the study of history, and for us in this country it is absolutely vital that we either stop teaching history in our high and preparatory schools—which means the institutions where the majority of our voters get their only training—or else that we treat history more in the light of these principles. We are handling edged tools. It is only three or four days since we saw a communication in the New York Tribune in regard to the Quakers—that these advocates of peace have been heard to declare repeatedly lately that the French Revolution was not at all a bad thing, and they hope we are going to have one pretty soon in this country. Of course that is an exaggerated view, but I give it as one illustration of what need there is of teaching history on general principles.

I remember the five-minute limitation, and let me close by saying that the power to put a thing paradoxically, which makes J. R. Seeley's writing very valuable, is well illustrated by a little paradox in which he prefaced a lecture to his students: History without political science has no fruit. Political science without history has no root. The historical method always for political science. The lessons of political science from history.

The CHAIRMAN. There are two or three or four others upon whom I would like to call, but I shall venture to call upon but one, Prof. Simeon E. Baldwin.

Professor BALDWIN. Mr. President and gentlemen: When I saw upon the paper this morning the subject of Professor Burgess's essay, "Political Science and History," I wondered how he would be able in twenty minutes to tell us all about it. I met a few months ago a gentleman who told me that he was the custodian of the American Society of the Patriotic League of America. I asked him what his duties were. He said he was obliged to verify every fact in American history, and it was a great task. [Laughter.] But it is much easier, sir, to verify the philosophy of history. We have been brought up, most of us, with the thought that history was philosophy teaching by example. If I understand correctly the trend of Professor Burgess's paper it is that history is example teaching by philosophy; that philosophy is the thing to be taught and example is the thing to be referred to. I must say I sympathize a little with the thought of President Gates that there is something in history for history's sake. Is not the main thing in history the scientific statement and arrangement of facts in human experience, with some reference to their success; and is not the statement of the facts of more importance, so that it be clear and orderly and good, than the statement of the views of the narrator or of the grouper of these facts into scientific order? I was struck with a remark of one of our associates yesterday, in private conversation, that in most books the notes are worth more than the text. What is education, what is historical study, unless it is to give us individually, who read and who study, the grasp and thought which enables us to discern for ourselves the lessons of the facts? Indeed, there are two ways, it seems to me, of teaching history and thinking history—the scientific way and the artistic way. The French Revolution has been frequently referred to to-day. It seems to me that the artistic view of the French Revolution that Dickens gave in his *Tale of Two Cities*, and that Carlisle gave us in his history, is something that has made its dent upon the mind of England and America more than almost any scientific treatment of that subject that we have yet had. The main facts of history do not change from age to age, but the main views of history are constantly changing. Allow me also to add a single word, before my five minutes are up, on

the thought of Professor Burgess that the mission of decay is to unmake history. Is that true? Is there not a dark side of the picture that is to be presented? This, of course, is the age of evolution, which tinges our thoughts and our characteristics and our way of looking at things; and it seems to me that the lessons to be drawn from the decay of human society, painful though they may be, are quite as important for us as those to be drawn from its progress.

Prof. WILLIAM A. DUNNING. Mr. Chairman, may I trespass one moment? It is a very painful duty for me as a man rather interested in political science, quite as much as in history, to be obliged to take a moment to correct a historian. My venerable friend of Oxford and Cornell has now made historical a certain incident with a very pointed and pertinent allusion. He referred to a discussion on a railway train between Washington and New York. He has defined history as the search after truth. He has not applied history in that way. [Laughter.] As a matter of fact, the discussion did arise on the train, and I am free to confess that I was one of the parties interested, as to the relation of political science and history. There were three historians and one poor, unhappy political scientist, and in their assailing the political scientist from this, that, and the other direction, he became naturally somewhat confused, and in sheer despair he put the question as to what is history. These three learned historians were by the ears in three minutes and they continued in that condition until New York was reached, and the political scientist never had anything more to say on the subject.

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X.—THE USE OF HISTORY MADE BY THE FRAMERS OF
THE CONSTITUTION.

By ^{پروفیسر} PROF. E. G. BOURNE,
OF YALE UNIVERSITY.

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THE USE OF HISTORY MADE BY THE FRAMERS OF THE CONSTITUTION.

By E. G. BOURNE.

The formation of the Constitution of the United States must ever be a subject of the highest interest to the student of history and politics. Whether looked upon from a purely national point of view, as laying a new and more permanent foundation of our national life, or from the wider outlook of comparative politics as the creation of a new type of federation or as the epoch-making step in the development and diffusion of written constitutions over most of the civilized world, it stands forth as an event of the utmost importance in modern history. These words are and have long been commonplaces, but the solid and indisputable facts on which they rest continually prompt their repetition, and as continually spur on the student to renewed efforts to set the great transaction in a brighter light or to uncover some hitherto neglected phase of it, and so to contribute something to the better understanding of it. All students now realize that the whole political, and much of the religious, life of the colonies was a long schooling in self-government; the genealogy of our constitutions has been traced back through colonial charters to the charters of trading companies, and thence to the mediæval guilds, receiving in the descent a spirit, not to be overlooked, from the Puritan church covenants.

The indebtedness of the Federal Constitution to the State constitutions and colonial charters has been most instructively demonstrated. More familiar and far older are the illustrations of the ways in which the practice and precedents of English constitutional history influenced the framers of the Constitution, and, finally, isolated and fanciful suggestions of imitation of the Netherlands and the Holy Roman Empire

have not been lacking. It is none of these things that I propose to consider this morning, but, rather, a question which legitimately appeals to the curiosity of students and teachers of history. How much and what sort of help did the makers of the Constitution derive from their study of history?

Here is one of the great pieces of constructive statesmanship in the world's history; the peaceful transformation of a loose confederation into "a more perfect union;" a federation of an old and not unfamiliar type into a new creation, a Federal state; a work whose difficulties appalled, and whose accomplishment astonished its authors. Just what sort of help, then, did they derive from history, the record of the world's experience? The appeals to history are frequent in the controversial literature of the time and in the debates of the Philadelphia convention, and the most active members give evidence of a considerable range of historical reading in the apt illustrations and generalizations which abound in the debates. The whole atmosphere of these unsurpassable discussions is practical and historical rather than speculative.

Montesquieu, the founder of the historical method in political science, was there in spirit. His authority was undisputed. His theory of the separation of the powers, founded on his analysis of the English constitution in the first half of the eighteenth century, was almost unanimously accepted, and was wrought in most of the American constitutions. But the influence of any one writer, however controlling, would hardly be described with accuracy as help derived from history. By this, one naturally means the systematic study of history for the purpose of gaining light on the nature of an existing problem. Of help from history of this sort comparatively few instances can be discovered, yet there is one in the highest degree interesting and important.

Madison, whose ideas pervaded the Virginia plan, who shaped the growth of the constitution in convention, who was its indefatigable champion in the Virginia convention, and who, in the *Federalist*, was the ingenious and sympathetic advocate of its fitness for American conditions, was our first thorough and systematic student of the history of Federal government. So far as the past experience of mankind could be discovered and applied to the solution of the problems confronting his country, he proposed to do it. Always interested in historical studies, as early as 1784, when he realized that the confedera-

tion was a failure and rapidly approaching helplessness and disintegration, his studies were directed to this end. In March he writes Jefferson :

You know tolerably well the objects of my curiosity. I will only particularize my wish of whatever may throw light on the general constitution and droit publique of the several confederacies which have existed. I observe in Boenaud's Catalogue several pieces on the Dutch, the German, and the Helvetic. The operations of our own must render all such lights of consequence. Books on the Law of N. and N. fall within a similar remark.

April 27, 1785, he again asked for "Treatises on the ancient and modern Federal Republics, on the law of nations, and the history, natural and political, of the New World."

With Jefferson's help and careful scanning of catalogues, Madison gathered a remarkable collection of works on the history of Federal government, probably the most complete in the country at that time. With customary painstaking diligence Madison studied these works, and, in preparation for the Philadelphia convention, he drew up a careful analysis of the constitution of the Lycian League, the Achaean League, Amphictyonic Council, Swiss Confederation, Germanic Empire, and the United Netherlands. In this analysis a brief sketch of the origin and general character of the federation was followed by particular examination of the nature of the Federal authority and of the defects or "vices" of the constitution, as he called them, which led to its decay.

We may feel sure that Madison, in 1787, had more thoroughly studied and knew more of the history of the Federal Government than any other American or Englishman. It may be of interest to take a glimpse at the range of these studies. His knowledge of the Greek federations he derived mainly from Polybius and a treatise in Latin on the Greek republics by the eminent Dutch scholar, Ubbo Emmius. Gillies' history, published within a year, was also drawn into service, as well as two recent French works, Comte d'Albon's discourse on the history and government of Europe, and the extensive cyclopaedia of comparative politics, edited by Félice, which was usually referred to by Madison under its secondary title, "Le Code de l'Humanité."

These works also proved rich in information on the constitution of the Swiss Confederation, the Netherlands, and the Empire. Félice's work, which is in thirteen volumes, Madison

had ordered in 1785 through Jefferson, who praised it as "a very good dictionary of universal law," and who bought it for him before Madison's order could have arrived. For Switzerland he used a "Dictionnaire de Suisse," the account of Temple Stanyan, published in 1714, of which Dr. Johnson said: "The Swiss admit that there is but one error in Stanyan," and Coxe's sketches, which is praised by Freeman. The most serviceable description of the constitution of the Netherlands he found in Sir William Temple's "Observations." For Germany he relied upon Félice and Savage's history. In addition to these studies it hardly needs to be said that Madison, like several of his contemporaries, had studied Aristotle's politics and mastered Montesquieu's "Spirit of the Laws." Of the last he made an abstract for Washington's use prior to the convention, and Washington borrowed and copied with his own hand Madison's material on the history of federations.

The question naturally arises, what use did Madison make of these materials? Turning to the journal of the convention, we find that in his important speech of June 19, against Patterson's plan for revising the Articles of Confederation, he reviewed, as he says, "the Amphictyonic and Achaean confederation among the ancients and the Helvetic, Germanic and Belgic among the moderns," tracing their analogy to the United States in the constitution and extent of their Federal authorities, in the tendency of the particular members to usurp on these authorities and to bring confusion and ruin upon the whole. Later, in the same speech, he showed by examples from the same history how vulnerable loose confederacies were to foreign attack by intrigue.

Similarly, on June 28, he enforced his argument that the small States had nothing to fear from combinations of the large States by appealing to the history of the Empire, where it was the "contentions, not the combinations, of Prussia and Austria that have distracted and oppressed the German Empire." In Nos. 18, 19, and 20 of *The Federalist*, this material is again digested into a powerful argument against any form of government in which the sovereign authority deals with States rather than with individuals. The moral is driven home in compact and telling sentences at the close.

Having done what he could to advocate the Constitution in New York, Madison in March, 1788, went to Virginia to prepare for the Virginia convention. For this purpose he drew

up "an additional memorandum" on the defects of mere confederacies. In the meantime he had added to his previous material notes on the Hanseatic League the Union of Calmar and the Union of Scotland and England. This memorandum also took up the traces of representative institutions among the ancients, especially in Sparta, Rome, and Carthage, and the utility of a moderating senate. In the Virginia convention Madison was as prominent as in the Philadelphia convention, and his efforts not less important. The specious eloquence of Patrick Henry must be met by repeated appeals to solid facts, to those of recent experience, and to those of an earlier age. This Madison was prepared to do by his experience in the old Congress and by his historical studies.

From the reports of the Virginia convention one may see how effectually Madison performed this task. The report is, of course, condensed:

If we recur to history and review the annals of mankind, I undertake to say that no instance can be produced by the most learned man of any confederate government that will justify a continuation of this present system or that will not demonstrate the necessity of the change, and of substituting for the present pernicious and fatal plan the system now under consideration, or one equally energetic.

The powers of the Amphictyonic Council were exercised on the component states which retained their sovereignty. To this capital defect it owed its disorders and final destruction. The Germanic system is neither adequate to the external defense nor internal felicity of this people. The doctrine of quotas and requisitions flourishes here; without energy, without stability, the Empire is a nerveless body; the most furious conflicts and the most implacable animosities between its members strikingly distinguish its history. Concert and cooperation are incompatible with such an injudiciously constructed system.

Of late the fanciful suggestion that the Federal Constitution was imitated from the United Netherlands has here and there received favor. The indebtedness to Holland was of a far different kind in Madison's eyes. "The confederate Government of Holland," he proceeds, "is a further confirmation of the characteristic imbecility of such governments. From the history of this Government we might derive lessons of the most important utility. Governments destitute of energy will ever produce anarchy. These facts are worthy the most serious consideration of every gentleman here. Does not the history of these confederacies coincide with the lessons drawn from our own experience? I most earnestly pray that America may have sufficient wisdom to avail herself of the instructive infor-

mation she may derive from a contemplation of the sources of their misfortunes, and that she may escape a similar fate by avoiding the causes from which their infelicities sprang."

In short, for Madison, all his study of the history of Federal government confirmed his diagnosis of the existing evils. Permanent peace, prosperity, and development could not be obtained under any type of confederacy known to history. All have fallen a prey to dissension and disintegration. Something new must be devised in the form of a Federal constitution. From the debates in Philadelphia emerged our Constitution, to be recognized and classified as a new type: the Bundesstaat, or Federal State, the creation of Madison's thought more than of anyone else's. The evils of the confederation were obvious, and history showed Madison that they were irremediable. When we realize fully Madison's part in the Constitution, the unsparing toil which he devoted to its formation and adoption, we can form some idea—although, of course, not an exact one—of the importance in our history of his studies in the history of Federal government.

DR. FRIEDENWALD'S REMARKS ON PROFESSOR BOURNE'S PAPER.

Dr. FRIEDENWALD. Mr. President, ladies and gentlemen: It is very proper that the preface should be the last thing added to a book, so, by way of an appendix to Professor Bourne's very interesting remarks, I shall add a preface. I have been doing for some years for the Articles of Confederation what he has been doing for the Constitution. I have reached a point, I think, where I can lay my hand on a good many suggestions leading to the formation of the Articles of Confederation, and even to a plan of confederation which has not till now been brought to light, and which was published in Philadelphia early in 1776. I can say, too, that the framers of the Articles of Confederation made use of history not only so far as it was embodied in the experience of their own country, but also as respects the experiments in Federal Government with which the world is familiar. And we can assign a reason for the Articles of Confederation taking the shape they did only by bearing in mind the great influence that the Dutch, the Swiss, and the German confederacies had upon the minds of the framers of the Articles of Confederation. This statement is not based on mere assumption, but on the direct evidence of John Adams and Thomas Jefferson. At the time when the Articles

of Confederation were taken up for discussion in the Continental Congress the air was full of discussions on government. The newspapers were teeming with articles on the subject. And if there were any topics that were emphasized more than others they were those of the necessity of the separation of the powers of government under the three familiar heads and of the desirability of having the legislature consist of two chambers. Upon that point the opinion, except in Pennsylvania, was almost unanimous, and the monstrosities of the legislature of one chamber were depicted in a manner so hideous as to cause wonder that even so sturdy a State as Pennsylvania should have withstood the formidable array. Yet in spite of this discussion, in which members of Congress took so active a part, they went to work none the less and they created an anomaly in American history—the Articles of Confederation. They combined in their legislature of one chamber all the powers—legislative, executive, and judicial—that the States were willing to let the Federal Government have.

The plans of government that were constantly discussed at this time, within and without the halls of Congress, were the plans of the Dutch and Swiss and German confederacies. The leading idea in these confederacies was that of a Diet, a body of one chamber. Each State in the confederacy had one vote, for they voted according to States. They all acted in accordance with the instructions that the individual members had received from their own States. And in the case of a disagreement between States each appointed a referee, and if they could not agree the Diet appointed a third, and his decision was final. You see in that the most remarkable counterpart of the Articles of Confederation, providing for the settlement of disputes between States. In the matter of authority both were very much alike and very weak. They depended entirely for their powers upon recommendations which they made to the individual States. They could recommend, just as the Congress of the Confederation could, but they had no power to enforce their recommendations.

To understand, then, why it was that the Articles of Confederation took exactly the form they did we must put ourselves back, as nearly as may be, in the places of the men who created them. We must read the books on history and politics and government which were their familiars, and as well the articles upon these subjects with which they filled the

columns of the newspapers of the day. That done, we will learn from the fragments of debates that John Adams and Jefferson have passed on to us, and from other contemporary testimony, that the men of the time, while fashioning a new form of government, were unwilling to create something entirely new and untried. That inasmuch as the confederacies called into being on this continent furnished them with little assistance, they looked about them abroad and, with such modifications as were thought necessary, adopted what was best from the Swiss and Dutch experience. It is true that their work proved ineffectual, and it is not improbable that its failure resulted because of the designed attempt to transplant European ideas and institutions to this part of the world. The Articles of Confederation were inherently weak, but they fell short especially where American experience was set aside to make way for European. When they had been proved entirely inadequate, they made way for a plan of government that was based almost exclusively on American experience—the Constitution.

XI.—SCHEMES FOR EPISCOPAL CONTROL IN THE COLONIES.

By ARTHUR LYON CROSS,
OF HARVARD UNIVERSITY.

SCHEMES FOR EPISCOPAL CONTROL IN THE COLONIES.¹

By ARTHUR LYON CROSS.

I.

In treating of the various projects which were devised in England for establishing Episcopal control in the colonies, I shall consider, first, the jurisdiction actually exercised by the Bishop of London, and secondly, the efforts which were made to substitute a native episcopate, with the effect which those attempts produced in determining the course of our history just previous to the Revolution. Let me begin, then, with the Bishop of London, who was diocesan of the English plantations in North America during the greater part of the seventeenth and eighteenth centuries, and in this consideration the question first arises as to how and why the Bishop of London came to exercise his powers.

Most writers who have touched on this question, with the possible exception of Anderson and Makower, have either overlooked or disregarded the true course and purpose to which this diocesan control owed its origin.² They commonly assert that it rose from the accidental fact that the Bishop of London happened to be a member of the Virginia Company, and so, quite naturally, took in hand such Episcopal functions as were required without any express legal sanction. Yet not only did this authority rest on a definite legal basis—an order in

¹ This paper aims to present a slight sketch of the results of some investigations made during the years 1895-1897 in the Harvard Seminary of American History and Institutions, under the guidance of Professors Channing and Hart. Some time in the future the writer hopes, when he has supplemented his study of the American sources by an examination of those accessible only in England, to publish a monograph on the subject.

² I give here a partial list of references: Sherlock's Account in the New York Colonial Documents, VIII, 360-369; Society for the Propagation of the Gospel, An Account, pp. 8-11; Perry and Hawks, Connecticut Documents, I, 30, 31; Brodhead, History of New York, II, 456, 457; Tiffany, Episcopal Church, p. 23; Wilberforce, Protestant Episcopal Church, p. 137; Evans, Theophilus Americanus, pp. 310-312; Perry, American Church History, I, 154, 155; Anderson, Colonial Church, I, 261, 411; Makower, English Constitutional Church History, p. 141.

council dated October 1, 1633—but also took its origin from causes quite different from those commonly stated, as we learn from the pages of Peter Heylyn, court chaplain to Charles I and II.¹

Heylyn says: "Laud (at this time Bishop of London) not thinking that he had done enough for the peace and uniformity of the church at home, sets out to look after it abroad." And after detailing the steps by which that prelate succeeded in obtaining his desired authority, our author concludes as follows: "And now, at least, we have the face of an English church in Holland, responsible to the bishops of London for the time being as a part of their diocese, directly and immediately subject to their jurisdiction. The like course was also prescribed for our factories in Hamborough and those farther off; that is to say, in Turkey, in the Mogul's dominions, the Indian Islands, the plantations in Virginia, the Barbadoes, and all other places where the English have any standing in the way of trade."

From this I think the reader will admit that there is at least a measure of proof for the view I wish to advance—that the extension of the Bishop of London's authority abroad, instead of being due to accidental causes, grew out of the Stuart policy,² instigated by Laud, of seeking to establish the royal ecclesiastical supremacy in every corner of the British dominions. Owing to a series of events too familiar to need repetition here, this, like so many other of the schemes of Laud and Charles, proved abortive; and so we hear nothing of the Bishop of London in his capacity of colonial diocesan from about 1640 until after the Restoration.

Passing over the few scattered allusions which seem to indicate a revival of the ecclesiastical relations between the Bishop of London and the colonies soon after 1660, we pause next at the accession of Henry Compton to that See in 1675. That he began at once to evince signs of interest in his charges beyond the Atlantic we learn from a letter written by him in March of the same year, in which he says to his correspondent: "As the care of your Churches lies upon me as your diocesan, so, to discharge that trust, I shall omit no occasion of promot-

¹ P. Heylyn, *Cyprianus Anglicanus*, pp. 231-233. His testimony is confirmed by the reference to the Order in Council which he cites. See *Calendar of State Papers, Domestic Series for 1633-34*, p. 225.

² William Harris, in his *Life of Charles I*, says, pp. 208, 209: "Charles aimed at a thing most prejudicial—uniformity in modes and worship."

ing their good and interest."¹ And he kept his word. Meanwhile, at his request, the lords commissioners had made a search among the council records for the basis of his authority; but, overlooking the order issued to Laud in 1633, could find nothing. In this state of affairs Compton began to cast about for some means by which he could lawfully exercise jurisdiction. He finally succeeded about 1685 in obtaining the insertion of the following clause in the commissions and instructions issued to the governors of the various loyal provinces: "And to the end that the Jurisdiction of the said Bishop of London may take place * * * we do think it fit and convenient that you give all countenance and encouragement in the exercise of the same, excepting only the Collating to Benefices, granting Licenses for Marriages, Probates of Wills, which we leave reserved to you our Governors, etc."² The execution of the authority so conferred, with the exception of necessarily Episcopal functions—e. g., ordaining, confirming, and the like—was delegated to officers resident in the provinces, known as commissaries.

With the above grant of power, the successive Bishops of London seem to have been content till Edmund Gibson came to the See in 1723. He, apparently very conscientious as to his colonial duties, at once took measures to secure, by means of carefully formulated queries sent to the different commissaries, all the information available as to his spiritual charges beyond the seas.³ This done, his next step was to ascertain whether he possessed sufficient authority for their government. The matter was referred to the attorney-general, who gave it as his opinion that the bishop's powers were insufficient.⁴ Accordingly, Gibson sought and obtained the grant of a commission under the great seal investing him with the requisite authority. By virtue of this grant, which bears the date of 1727,⁵ Bishop Gibson continued to exercise his functions with

¹ Wilberforce, *History of the Protestant Episcopal Church in America*, p. 137, citing a Fulham MS.

² Sherlock's account in the *New York Colonial Documents*, VII., 360 ff.

³ For a full list of these queries, see W. S. Perry's *Historical Collections relating to the American Colonial Church*, I, 251-260. Perry's volumes, consisting largely of transcripts from manuscripts in the library of the Archbishop of Canterbury at Lambeth, and that of the Bishop of London at Fulham, contain a rich mine of material on the subject of early American church history.

⁴ *New York Colonial Documents*, VII, 363.

⁵ For a complete text of the Commission, both in the original Latin and in a translation, see *ibid.*, V, 849-853.

considerable satisfaction to himself and his ecclesiastical wards till his death, in 1748.

II.

With the accession of Gibson's successor, Thomas Sherlock, we are brought to the second aspect of our subject, namely, the influence which the Anglican Episcopate exerted in shaping the course of colonial politics from the middle of the eighteenth century to the Revolution. If we look for the cause of our changed point of view, we shall find it in the changed attitude which Sherlock as Bishop of London adopted toward the colonies. His predecessors, recognizing their limitations, had been content to exercise their functions as best they could. But this energetic and practical prelate refused to lend his countenance to such an anomalous state of things, and at once sought a remedy in the substitution of a native episcopate for the exercise of the powers hitherto intrusted to the Bishop of London. He proceeded somewhat as follows: In the first place, he refused to take out his commission from the Crown or to appoint any more commissaries, hoping, by thus withholding the ministrations of an English bishop, to compel the colonists to feel, more urgently than ever before, the need of a native episcopate. But, as we learn from a letter which he wrote to the Lords of Trade, February 19, 1759, he did not stop here. Soon after his accession he went to the King and laid before him the state of religion in the colonies and the need for resident bishops. The King allowed him to refer the matter to his ministers. After a number of futile attempts to obtain an interview, Sherlock again sought the Royal aid. But though His Majesty gave his sanction to the calling of a council meeting in New Castle House, no result was ever reached.¹ But such proceedings were not without their influence on the minds of the colonists. Sherlock's motives as he explains them sound plausible enough. "I am in a very bad situation," he writes; "bishop of a vast country, without power or influence, or any means of promoting true religion; sequestered from the people over whom I have the care and must never hope to see."² In such a quandary we can see why he should busy himself in "soliciting the establishment of one or two bishops to reside in

¹ North Carolina Colonial Records, VI, 10-13.

² Extract from a letter cited in Abbey, *English Church and Bishops in the eighteenth century*, I, 363.

proper parts of the plantations, and to have the conduct and direction of the whole." In the opinion of the colonists, however, all this had a very sinister aspect, for in it they saw nothing less than an attempted union of spiritual and temporal powers for the purpose of attacking their religious and civil liberties. It behooves us now to ask why the first determined resistance to Episcopal control over the colonies was directed against Sherlock and those who came after him, for surely the agitation for an American Episcopate had begun long before his time.

To answer this question requires a careful examination of the history of the situation before 1750. And such an examination shows that, with two exceptions, which came to nothing, Episcopal establishment had been sought for purely missionary purposes. Perhaps two extracts will best explain the motive and character of such efforts. The first is from a letter of Talbot, missionary to New Jersey, written to the Society for the Propagation of the Gospel in 1716, in which he says: "The poor church of God here in the wilderness! There is none to guide her among all the sons she has brought forth, or is there any that takes her by the hand of all the sons she has brought up."¹ The second is a joint appeal from the clergy and vestries of Christ Church, Philadelphia, and St. Anne's, Burlington. It reads thus: "For want of an Episcopacy being established among us, and that there has never been any bishop sent to visit us, our churches remain unconsecrated, our children are grown up and can not be confirmed. * * * But more especially for want of that holy power which is inherent to your apostolic office the vacancies which daily happen in our ministry can not be supplied for a considerable time from England, whereby many congregations are not only become desolate, and the light of the gospel thereby extinguished, but great encouragement is given to sectaries of all sorts which abound and increase amongst us; and some of them pretending to what they call the power of ordination, the country is filled with fanatic teachers debauching the inclinations of many poor souls who are left destitute of any instruction or ministry."²

For many reasons these earlier appeals excited little comment. In the first place, they were directed mainly to the

¹Extract cited by Perry. American Episcopal Church, I, p. 401.

²Perry quotes most of the extract in his American Church, I, p. 402.

officers of the society, and in most cases went no further. In the second place, they emanated chiefly from one section of the country—the Middle Colonies—where there was no organized body of churchmen to support them or no strong Puritan element to resist them. In the South, where the church was established, neither clergy nor laity were anxious to raise the question, the former because Episcopal supervision would curtail many of the liberties which they had hitherto enjoyed, the latter because of the expense which such a system might involve. And in New England, of course, it was not till after the middle of the century that the Episcopalian body became sufficiently large or wealthy to excite much apprehension. Consequently, till after the death of Gibson the project of settling native bishops was regarded, so far as any attention was paid to it at all, as an impracticable missionary scheme, existing only in the minds of a few zealous clergymen. With Sherlock's new method of procedure, however, the colonial mind was roused. While itinerant clergymen applied to their home missionary society for spiritual superiors to guide them in their work there was little cause for suspicion, but when a prelate of the English hierarchy and a member of the King's Privy Council began to use his influence as a leader of spiritual and temporal affairs to secure the introduction of native bishops, the matter assumed a different phase. It looked very much like an attempt at a State establishment, and the later efforts of Thomas Secker, Archbishop of Canterbury, who entered into correspondence on the subject with Horace Walpole, then in the ministry, tended only to confirm that suspicion. How far such surmises were justified by the facts of the case I do not pretend to say. What I do assert is, that the efforts of English bishops to establish that very system which the colonists came over here to avoid, was a potent factor in producing among our ancestors that attitude of mind which made the Revolution possible. This fact is well attested by an extract from a letter written by John Adams in 1815, in which he says: "Where is the man to be found at this day who will believe that the apprehension of Episcopacy contributed, fifty years ago, as much as any other cause to arouse attention not only of the inquiring mind, but of the common people, and urge them to close thinking on the constitutional authority of Parliament over the colonies? This, nevertheless, was a fact as certain as any in the history of North America. The objection was not merely to the office of a bishop, but to

the authority on which it was to be founded. * * * If Parliament can erect dioceses and appoint bishops, they may introduce the whole hierarchy, establish tithes, forbid marriages and funerals, establish religion, and forbid dissenters."¹ And here in these last two sentences we find the gist of the problem; it was the method by which appointment was sought that altered the whole aspect of the situation after the middle of the eighteenth century.

The importance which the question assumed in North America may be seen not only by reference to individual opinions, but from actual events, for during the decade from 1760 to 1770 there arose no less than three formal controversies concerning the introduction of bishops in which such men as Jonathan Mayhew and Charles Chauncy took the negative and Archbishop Secker and Thomas Chaudler the affirmative side. These discussions, though marked by much close and earnest reasoning, occasionally descended into the lowest stages of personality and abuse. For example, a writer in Parker's *New York Gazette* characterizes the proposed bishops as "apostolical monarchs who are to chastise us with scorpions, right reverend and holy tyrants who want to plunge their spiritual swords into the souls of their fellow-creatures—of all who will not be so senseless as to adore the miter and the surplice—blood-suckers who obliged our ancestors to abandon their native land and leave behind them what is the very heaven of persecution and temporizing conformists."² And in the heat of the controversy a Virginia clergyman who, to quote Ruskin, has evidently "mistaken his pugnacity for piety," thus characterizes Secker, late ecclesiastical superior of his own communion: "As to him, he is dead and in his grave; disturb not his slumbers. His character no more than his body can endure the keen question of the searching air. Unless you would give another proof of your friendship, cause him not to stink to futurity."³ These, of course, are individual

¹ John Adams's Works, X, 185. Cited by Mellen Chamberlain in his address before the Webster Historical Society. I hope in a later and more extended publication to consider this question in detail and show wherein I agree and wherein I differ with Judge Chamberlain.

² The whole article as it originally appeared is in the *American Whig*, a Collection of Tracts from the Late Newspapers, etc., Vol. I. The portion of the quotation here given is cited in Charles Inglis's *Vindication of the Bishop of Landaff's Sermon*, p. vi of the introduction. Both the tracts and the vindication were published in 1768.

³ Purdie and Dixon's *Virginia Gazette*, July 18, 1771. Cited in the address from the clergy of New York and New Jersey to the Episcopalians in Virginia (published in 1771), p. 26, note 2.

utterances, but the discussion was not confined to individuals. As time went on both parties organized societies for the purpose of attaining their respective ends. For instance, the New York and New Jersey clergy formed a convention which held annual meetings in order to secure the introduction of native bishops, while the Presbyterian synods of New York and Philadelphia united with the Congregationalist Association of Connecticut to keep them out. So the struggle went on till active preparations for the approaching war diverted men's thoughts into other channels.

It may now be asked, why, if so much apprehension was excited in America concerning Episcopal encroachment, we see little or no indications of any attempts on the part of the home Government to push the matter? The answer lies in this fact:¹ English statesmen saw that they had nothing to gain and everything to lose by such a course. Bishops settled here with purely spiritual functions would avail them little, and would arouse fully as much odium as an out and out State establishment. And the dreaded State establishment would have been resisted in the colonies, not only by the Puritans, but by the Episcopalians themselves. Some English writers have held that native bishops would have created a bond of union between the colonies and the mother country which might have averted the war for independence, but such a theory appears to be untenable. Though Episcopacy, once established, might have strengthened the arm of the English executive here, yet the advantages did not seem alluring enough to tempt them. Archbishop Drummond, writing in 1764, strikes the keynote of the situation: "In the last reign," he says, "the fears of disturbing His Majesty's governors, particularly in New England, so influenced the ministry that they not only, perhaps very wisely, hesitated about the proposed settling of bishops in America, but finally postponed it."² And I may add, though often solicited, they never took up the matter again, in spite of the fact that King George III expressed himself in favor of the plan were it not for the opposition it would involve. And so the conclusion which I wish to insist on is, that although owing to the cautiousness of the Englishmen in authority, the introduction of bishops was not one of the final specific causes of the separation from the mother

¹ Some might allege indifference, but we have proof to the contrary.

² See Collections of the Protestant Episcopal Historical Society, I, p. 142.

country, yet the apprehension which such a danger excited had a large share in shaping the events which led to that consummation.

And now for a closing survey: We have seen Laud begin the policy of seeking to establish Episcopal control over the colonies by extending the authority of the Bishop of London to those regions as a preliminary step toward the founding of a State church. After that project failed we have seen Episcopal jurisdiction resumed for purely spiritual purposes, from the Restoration to the accession of Sherlock to the See of London. From that time on we have noted that the succeeding Bishops of London surrendering their legal authority, continued to exercise their functions only provisionally until some other arrangement could be made, devoting all their efforts, in conjunction with other Anglican prelates, to the task of obtaining an American Episcopate. Finally, we have ascertained that this project, though unsuccessful, had played an important part in determining the course of events which culminated in the Revolution.

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XII.—THE TEACHING OF HISTORY.

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THE TEACHING OF HISTORY.

By HERBERT B. ADAMS.

In 1896 I spent my entire summer vacation in Great Britain, Ireland, and Scotland visiting university towns and attending so-called "Summer meetings," or summer schools, of which I have been making a study for the United States Bureau of Education. At Old Chester there was a meeting of the National Home Reading Union, corresponding to the American "Chautauqua." This union now embraces thousands of readers and is under the practical guidance of some of the best university men in England. Dr. Mandel Creighton, the newly appointed Bishop of London, gave the opening address on "The moral aspect of history." Other historical lectures were given by Cambridge men and Girton women; also talks on English architecture by eminent specialists, with Chester Cathedral and the Cistercian Abbey of Valle Crucis for class rooms and object lessons. Excursions were made to ancient castles and places of historical interest near Chester. The town itself with its ancient walls, quaint architecture, and Roman survivals, Hawarden and Conway Castles, Offa's Dike, and the whole country round were open books for the teaching of history.

The same was true of Old Cambridge, where University Extension students and teachers assembled from all parts of England, with guests from Belgium, Germany, Austria, Denmark, and Scandinavia. History was taught not only in class rooms, but by the associations and architecture of the place. One of the most interesting courses of historical lectures delivered at the Cambridge Summer Meeting was upon the subject of the Dissolution of the Monasteries. What a striking object lesson of monastic spoliation and transformation was afforded by those Cambridge colleges. For example: (1) Trinity, the noblest college of them all, founded upon nine earlier

religious establishments; (2) Jesus College, whose very buildings once belonged to a Benedictine nunnery; (3) Sidney-Sussex (the college of Cromwell), built on the site of a Franciscan monastery, the Grey Friars; (4) Emmanuel (the alma mater of John Harvard, the first university extensioner in the New World), erected on the very spot where the Dominicans or Black Friars lived and preached until dispossessed by that arch spoilsman, Henry VIII; (5) St. Mary Magdalene College, on ground once occupied by the Monks' Hostel of the Benedictine students from Croyland Abbey; (6) Peterhouse, the oldest college in Cambridge and an institutional offshoot of the bishopric of Ely. Think of an historical excursion to that old cathedral town, with lectures and peripatetic talks by the dean and his canons on the very premises of the Benedictines! That was a kind of history teaching which I had never before enjoyed, and I gladly recommend it to American students and instructors who would like to vary their pedagogical experience.

In alternate years the Summer Meeting is held at Oxford, which is perhaps even richer than Cambridge in historic associations. At these summer gatherings Americans hear and meet some of the best historical teachers and lecturers in England and come home, as I did, with enlarged views of public educational duty and of modern university opportunities. It is not enough to teach history to college boys and girls. It must be taught to school teachers and to the American people. The campaign before this American democracy is educational, moral, and religious. History, politics, and economics, with religion, ethics, music, art, good literature, good newspapers, good public speaking, and good, popular lecturing will be among the winning forces. Churches, libraries, school boards, colleges, and universities must all enter the open field of missionary labor for the public good, the *salus publica*.

At the Edinburgh Summer Meeting I was most interested, pedagogically, in the remarkable attempt to combine political and natural science, sociology and biology, history and geography, zoology and botany. Prof. Patrick Geddes and his colleagues are actually succeeding in this combination. Dr. Wenley, a professor of philosophy lately called from Glasgow to the University of Michigan, lectured on the relation between science and philosophy. Mr. Branford discussed the "Comparative Economics of Europe from the standpoint of natural history."

Some years ago I called attention to the original association of civil history with natural history in the ancient curriculum of Harvard College. That idea, which I once thought absurd, has been actually realized every summer at Edinburgh during the past ten years by Professor Geddes, whose lectures on "Contemporary Social Evolution" combined biology and history. His course on "Scotland, historic and actual," was another study in social evolution, combining in a most interesting and suggestive way physical geography and ethnography with historical sociology. Professor Geddes laid great stress in his familiar teaching upon historic survivals and their interpretation—upon the survey of regional environments like that of the historic city of Edinburgh and the neighboring kingdom of Fife. He was fond of taking his classes to the Outlook Tower on Castle Hill at Edinburgh and there pointing out object lessons in the physical and political history of Scotland. He led a series of excursions to places combining biological and social interest. Often would he replace the formal lecture of the class room by demonstration from actual and visible objects. For him the old town of Edinburgh, King Arthur's country, Melrose and Dryburgh abbeys, Roman walls, Stirling Castle, the fiords, lakes, islands, hills of Scotland, and even the Caledonian Canal were not only picturesque phenomena, but good illustrations of history, politics, economics, and sociology. Professor Geddes believes that "knowledge must always grow from the things and facts familiar and at hand to those far off and recondite." He does not believe in "proceeding from a past which the pupil has no means of realizing toward a present which he never reaches at all." He says: "It is through the vivid endeavor to comprehend the present that we are impelled toward the reconstruction and interpretation of the past."

In this connection as a teacher of history I should like to explain that I have never taught that all history is past politics and that all politics are present history, but only that some history and some politics are thus defined. It must be fully recognized that history is past religion, past philosophy, past civilization, past sociology, and includes all man's recorded action and experience in organized society; but for practical and working purposes we may adopt any historical motto that we like. There is a sense in which the dictum of the late Professor Freeman is true, and it is recognized by some of the

best scholars in England and Germany. Lord Acton, the successor of Prof. J. R. Seeley at Cambridge, said in a public lecture that a student of history "is the politician with his face turned backward." He quotes with manifest approval a German saying: "Die Geschichte ist derselbe Janus mit dem Doppelgesicht, das in der Geschichte, in die Vergangenheit, in der Politik in die Zukunft hinschaut." Droysen used to say: "What is politics to-day becomes history to-morrow." Professor Maurenbrecher, at Leipzig, in his inaugural address, while recognizing that there are other fields of historical interest and inquiry beside the State—for example, the church, religion, art, and science—maintains that history proper is political history, for without law and government there can be no culture or civilization. History reaches its goal in politics and politics are always the resultant of history. The two subjects are related like past and present.¹ The subject of historic evolution would have no vital interest unless the past was in some way related to the present. "History made and history making," says Lord Acton, "are scientifically inseparable and separately unmeaning."

Twenty years ago I was an advocate of local history. I then believed in an American approaching the great field of the world's historic life from the vantage ground of local interest. I taught my students to some extent the local history of New England, e. g., of Plymouth Plantations, of Salem and the Massachusetts Bay towns as typical of the English mode of settlement and as illustrative of the continuity of Germanic common land tenure and village institutions in the New World. The idea proved stimulating to similar studies in various parts of the country, North and South; but I early discovered that there was not sufficient historic training and positive knowledge on the part of the average college or university student to justify the devotion of very much time to local studies on the part of either teacher or pupil.

While I am still an advocate, for patriotic and other reasons, of American graduate students in their own country choosing for the most part American subjects for historical research, I believe that an American teacher of history should not lead his class prematurely, by lectures or seminary exercises, into

¹ For a fuller discussion of "History and Politics," see Proceedings of the Sixth Annual Meeting of the Association of Colleges and Preparatory Schools in the Middle States and Maryland, 1894: "Is History Past Politics?" By H. B. Adams.

local, State, or even national byways of specialized historical inquiry. In short, my present conviction is that a long period of college and university study, say, four or five years, in general history, should precede specialization in local history or American history. I have been acting upon this conviction in department work at the Johns Hopkins University, where for a long time fully two-thirds of both collegiate and graduate work in history has been upon Old World ground rather than upon New World territory. The college or university teacher, it seems to me, should seek to give his pupils a proper background of English, European, classical, and Oriental history before allowing them to specialize in the history of their country.

Of course this preliminary training can not usually be given by one teacher. The work properly involves a division of labor and an organized department. But sometimes it is necessary, for financial and other reasons, for one college professor or teacher of history to represent the whole subject of human history. Under such circumstances I think he would better represent it by giving preliminary courses in general history, or the history of civilization, than he would by confining the attention of his class to the narrower fields of French, German, English, or American history, whether local or national.

Many of us remember the old-time limitations of college work in history, and think with gratitude of those broad and comprehensive courses of instruction that were given by individual teachers like Professors Diman, Stillé, White, Torrey, and Allen. About all the history that students learned in those days was through the medium of general lecture courses or Guizot's *History of Civilization*. It is a gratifying evidence of the permanent value of such methods of general instruction that excellent text-books on European history and civilization have been written by well-known members of this Association. A recent American work of this kind is Prof. G. P. Fisher's *History of the Nations and of their Progress in Civilization*.

I have found that one of the best ways of teaching collegiate students general history is by the well-worn and ancient paths of Jewish and church history. Starting with Chaldæan and old Babylonian civilization, one can show the kinship of Hebrew and Semitic ideas and institutions. Phœnician and Egyptian civilizations may be reviewed and the points of contact with Israel clearly noted. The contributions of Israel's neighbors

to Jewish civilization and to world history should be tabulated in thesis form by members of the class and fortified by citations from private reading.

This method of undergraduate training in the historical sociology of the Hebrews involves to a certain extent the actual use of original sources of Hebrew literature, and at the same time an acquaintance with matters of general human interest about which American college graduates know far too little. A mayor of Baltimore was once called upon to give an address on the rededication of a Methodist Episcopal Church (colored) called "The Ebenezer Church." The pious mayor, wishing to testify to his familiarity with the Old Testament as well as his general sympathy with the colored voters, said: "Men and brethren: I have always had the greatest respect for that old Hebrew patriarch Ebenezer." The best of this joke is that it is obscure (I Sam. vii, 12) and needs a concordance or a commentary. I have told the story to many college students and some professors, and am always gratified if anybody sees the point.

Some persons may object to this Baltimore story about Ebenezer as local history, but surely it is worth while to teach a class of boys that "Ebenezer" was a rude stone altar erected to the Lord on a battlefield where the Philistines were driven backward. It illustrates the historic origin of many a sacred *menhir* or monumental column from ancient Palestine to the Pillars of Hercules. It is worth while for liberally educated college students to learn something of the fundamental institutions of the Shemites, as taught by such men as Robertson Smith and George Adam Smith, "the two Smiths" who have so enlightened modern Scotland that trials for heresy are no longer possible there, as they still are in our own country. Last summer when I was in Scotland, a theological professor was retired from office by the constituted authorities because he knew nothing of the higher criticism and the students would no longer listen to him.

There is a perfectly safe way of illuminating the modern student's mind without destroying his religious faith. That way lies through Hebrew literature, social and institutional history. The higher critics have about accomplished their work. Joseph Jacobs, in his "Studies in Biblical Archæology" (XII), says: "Literary criticism seems now to have come to an end of its tether with regard to the 'slicing' of the Hexateuch;

the reconstructions of Genesis by Fripp and Bacon, and of the whole Hexateuch by Addis, and the exhaustive work of Holzinger, all serve to show this. They all confirm my contention that on this line of research we can not further go. Literary search per se can not solve the problem of the Hexateuch, so far as that problem is concerned with the development of institutions of the ancient Hebrews."

Recently I have endeavored to so broaden and deepen my course in Hebrew history that it might gradually become a means of reviewing various Oriental religions. This year I began with Confucianism and Shintooism in China and Japan and continued with Brahminism and Buddhism in India. From this Asiatic background my class approached Judaism and Christianity.

Church history is a general course of liberalizing and illuminating college study, and one of the best introductions to the history of mediæval and modern Europe. The subject is usually monopolized by theological seminaries, where it is sometimes taught in a very narrow way. It ought to be taught not as the history of councils, creeds, and heresies, but as the institutional exponent of Christian civilization, in which the mediæval and modern world live and move and have their being. Lord Acton agrees with Bishop Stubbs in the view that "Modern history, including mediæval history in the term, is coextensive in its field of view, in its habits of criticism, in the person of its most famous students, with ecclesiastical history." With this great subject naturally belong the history of art and education and the historic relations between civil and ecclesiastical society, which find their best and highest expression in America, where a free church in a free State has become an institutional reality. This is, perhaps, America's greatest and most original contribution to history and political science.

The beginning and the end of historical evolution are the most interesting things to study and teach. A former president of this Association, Henry Adams, once said: "There is no history left for Americans to write except that of the North American Indians and the twentieth century." Although somewhat satirical, this remark implies a certain truth. All history begins with savagery and ends, like the story of the Jews and of the Christian Church, in prophetic ideals—in visions of things to come.

American teachers of history have a singular advantage of being able, within the limits of their own country, to illustrate the beginning and the end of historic evolution. The ethnological researches of Major Powell and his associates have taught us that the rudimentary forms of religion and government may be studied in the folklore and tribal customs of the North American Indians. Last summer, at the University of Edinburgh, I met M. Reclus, an eminent authority in the field of comparative religion, and he assured me that the historical world owes a great debt to Major Powell and the United States Government for encouraging and publishing such remarkable contributions to the knowledge of primitive faiths and institutions.

The American teacher of history should not, however, stop on this side of the world if he would fully understand the significance of the North American Indians. He must compare their religious and social ideas with those of other savages. He must discover the extraordinary resemblance between American forms of spirit worship and ancestor worship with those in ancient Babylonia, in China, and Japan. He must point out the gradual evolution of higher forms of stellar and solar worship. He must show how man began to reverence heavenly powers; how he personified natural forces; how he translated heroes, ancestors, and great kings into celestial deities, and how the divine principle of fatherhood triumphed over and unified all.

There are few subjects of inquiry more fascinating to teachers or to students than the historical evolution of religion and of customary law or government. The history of marriage, as treated by Westermarck, and historical sociology, as presented by such masters as Herbert Spencer, Fustel de Coulanges, McLennan, Morgan, and Sir Henry Maine, are subjects which I have been teaching by lectures to graduate students at the Johns Hopkins University during the present term. I require every student to tabulate the results of his note-taking and private reading in the form of a syllabus suitable for future reference and possible use when the young man becomes a teacher himself. A surprising amount of good materials is thus classified and assimilated. Every student develops his own system of topical arrangement and takes pride in independent work. From the start, note taking on lectures and books becomes vital and self-helpful, instead of a mechanical,

perfunctory process. In one of my graduate courses, that on the Nineteenth Century, students have been encouraged each to give a class lecture and submit to a general criticism by his fellows. The course on the Early history of society develops from a study of savage customs into more and more civilized institutions, and ends in a review of Greek politics, historical and theoretical. The course is given to graduates only, and once in three years.

For purposes of graduate training in general history, I have given each year two representative courses of class instruction, one in ancient history and one in modern history. I got the idea from Professor Oncken, of Giessen. All I care to say about the plan is that it works well for purposes of department training. I do not pretend to cover the entire ground. Certain phases only of the subject are presented. Books are recommended and read. Organized quizzes and written examinations do the rest.

It seems to me a mistaken policy for instructors to allow their college students to specialize prematurely in narrow fields of local or even national history, when the great empire of universal history is all undiscovered. For college boys and girls the reading of good selections from a few standard authors on great chapters of the world's civilization yields better educational results than does the close study of historical sources for any given period. Interest may be quickened and the judgment may be trained in historical matters by the comparison of different historians without the expenditure of so much precious time as is required by the study and digest of original sources. It is enough for the ordinary collegian if he is introduced to a few good books of history and politics. It is too much of a burden to load him down with documents and references to archives and sources. The end to be accomplished is historical and political culture, the development of a real interest in the world's life and experience.

The preparation of historical essays is also a good literary means of training collegiate students. They learn by writing to digest the results of private historical reading, but the reading of these essays by the instructor, or the presentation of even the best of them to a class, is wearisome and unprofitable. If a teacher will take pains to mark with care every error of statement or style, he can render a substantial service to his

students and thus aid one of his best academic allies—the department of English literature.

Excellent historical results have been secured from undergraduate classes in Baltimore by requiring the students to tabulate their knowledge of certain subjects in thesis form. For example, in institutional history and the history of civilization, college boys, in the second year of their course, have put on record, in brief space, a surprising amount of well-digested material, topically arranged and derived from a comparative study of the best standard authorities. China, Japan, India, Chaldea, Egypt, Phœnicia, and Palestine have been the fields of our study of the history of civilization. The idea is to treat topically and by groups the social, economic, religious, and governmental institutions of the Eastern World, ancient and modern, somewhat as Herbert Spencer and his coworkers have done in their descriptive sociology or groups of sociological facts. The students give references to authorities, which they have actually read, for every statement or group of facts which appear in the written digest. This kind of work is not an essay, but simply a collection of theses or propositions. Materials, thus gathered and arranged, are fairly well assimilated by the student and often prove very suggestive to the teacher. The papers are easily examined, and are sometimes of practical benefit to the class if papers are exchanged or exhibited for a comparison of results. Graduate students at the Johns Hopkins University first acquired this method in undergraduate classes.

After all, the great thing is to interest students in what they are doing, to persuade them that it is worth doing, and that, for the time being and for them, it is the most important work on earth. It is like training for a boat race or a football match. Study becomes an absorbing passion. I have seen old athletes forget their first love, scorn delights, and live laborious days, for the simple sake of reading good books, writing a dissertation, and winning a doctor's degree. One of the reasons why Johns Hopkins graduates cut no figure in athletics is simply this: They have no time to spare for the old familiar games. These men are now training for academic life and professional careers. It is the business of the trainer to keep his men in good condition, and he tries to do it; but, alas! some of them break down and some never arrive at the goal. As in the old Greek torch race, when one man falls another catches the

torch and carries it on. "The best master is quickly distanced by the better pupil," says Lord Acton.

"Run, Pheidippides, one race more! the meed is thy due!"

The true function of the teacher of history is to kindle the historical spirit in his pupils, to teach them to know themselves, and to understand the development of mankind historically from the past. "The pupil may become much wiser than his instructor," said Frederic Denison Maurice. "He may not accept his conclusions, but he will own, 'you awakened me to be myself;' for that I thank you."

REMARKS BY PROFESSORS FISHER AND ANDREWS.

Professor FISHER (in the chair): Professor Adams in his paper referred to the advantage of the study of history as including a study of politics in the past, and especially on account of the generic relation of the politics of the past to the present. Perhaps I may be allowed to refer to a remark which I was reminded of made by Dr. Arnold, of Rugby—the additional fact that in the study of ancient life, ancient politics, we have a field where a perfectly dispassionate study of politics is possible. In the midst of the life in which we live, and the political campaigns in which all are so zealously excited, there is a difficulty in that dispassionate and unprejudiced contemplation of political life which is possible in historical study.

Professor ANDREWS. There is always a certain misfortune, perhaps, in following two speakers with whom one so ardently sympathizes as I do; nevertheless there is always testimony which can be stated, even though one follows along in the same line and defends very much the same propositions.

I wonder if, in taking up the subject of teaching history and in defending a certain method, we are not more or less influenced by the peculiar conditions under which we are obliged to work as practical teachers. I happen, for instance, to be one of those unfortunates who is obliged to cover a very large period of time; that is, to instruct my students in as much history as I have time for, whether in covering a period which shall be, in my mind, sufficient to train them and instruct them at the same time. Therefore, naturally I am inclined to advocate, so far as it relates to certain portions of my work, a course of instruction in general history. I propose to limit myself entirely to that phase of the subject.

I can not wholly agree with Professor Burgess's paper. History is more than a residuum. It is the unit, and it is the sum total, which is not merely the sum of all the parts. There may be many different aspects of history, but history in itself considered certainly is something more than those various aspects simply brought into one whole. There is an organic character to history which is something more than a mere summing together. Therefore, if I did not believe that there was such a definition of history, that history were of that character, I certainly should not be able with any conscience to teach as a preliminary course in college that kind of history which I believe to be the history in the largest sense of the word. I can not teach a mere residuum.

History, then, is the organic evolution of peoples. I agree with Professor Emerton, that there is no exact definition which anyone can adopt and defend as against all others. After all, the definition is very like the method. It must be, in some way or other, created by the process of instruction, and I must say that I can only frame my own definition of history by the method which I should employ in instructing students in that which I believe to be most essential for them. Therefore, I would make a plea for, in the early years of a college course, the instructing of students in that general history which alone, I believe, the world is able to give to students—that which they ought to have before them first—on to the higher grades of work. What are such results? What does one seek to attain in such instruction? Something more, I believe, than mere interest. There is something more in historical instruction than the creation of an interest, although that stands very high. There is, I believe, the development in the mind of the student of a sense of criticism; a power of judging as to that which is important and that which is secondary; a power of concentrating all their energy and thought upon those phases of human life which stand out preeminently important and which characterizes a certain age—the age in which they exist. Now, those preeminently important aspects of history are varied according to the characteristics of the period in which the people lived, characterized by a certain degree of intellectual or religious or political or constitutional development. Secondly, I would endeavor to arouse in a class of beginners a judicial sense. That has already been mentioned to-night by Professor Fisher, the chairman. That judicial sense which

enables a student to weigh evidence; and not merely weigh evidence for the purpose of bringing out results as an original investigation, but in order to exercise as toward the material used a careful judicial power, which will enable them to compare; not to unduly exaggerate this, or underestimate that, but to act with reason, with common sense, with a mind free from partiality and prejudices, and to draw conclusions which are as near right as human nature is capable of attaining. I do not believe that can be attained by study of the present, and we have to get our first training in a judicial attitude in the past—in that history which does not in any way concern us, either in our politics or religion. Thirdly, I believe that such students should be taught—and perhaps it should stand very high as one of the results of our teaching—a proper sense of perspective and proportion in history, so that they will be able to estimate not only the value of the events of the age as compared with other events of the same age, but will be able to estimate the value and character of one age as compared with the value and character of another age.

History is, as was just stated, an evolution. We can not infuse into an early period ideas, thoughts, and conceptions, either legal, administrative, or constitutional, which belong to the present time, and unless one is led carefully over a large period of time and is given a sufficient amount of historical material to attain to that perspective to see the relation of one period to another, to see how certain phases which are common to us to-day have grown, little by little, out of the past and have become part of the present, unless there be a period of time, such a perspective can hardly be successfully attained. Therefore, I believe and I practice—because I believe it, partly, and because the conditions under which I work are such as to make it necessary, and it makes a difference whether one has the group system or the class system, and this may cover the whole of the years or only one or two years—I believe that the early years of a college course should be given up to work in general history. The question naturally arises: Where is one to begin and where is one to end? I wish it were possible in my own work to follow the suggestion of my old instructor, Dr. Adams, and begin with the Jews, but unfortunately there are time limits, and I have to begin at a later period in order to come down to that which is, after all, the ultimate of all history. The end is the understanding of things as they are to-day.

Now, necessarily, in making good citizens, we teach them a comprehension of the issues of to day in such a way as to interest them. Therefore, I find that about all we can accomplish is to begin with the old Roman Empire and to come down by gradual sequence through the most important of the issues which follow from that time to the present. In that work I believe firmly in the use to the largest extent of illustrative material; that is, that the student should be taught not to depend upon the lecturer or to accept his spoken word as final, but wherever it is possible to be sent, not only to valuable works of the most recent character, whether they be in our own language or any other, whether they be long or short, but to be sent to the original documents, and to be encouraged, just as far as time allows, to read them and to read them carefully. That I believe to be entirely different from Professor Emerton's characterization as top-heavy history. It is not the creation of history. That is a later matter, but it is letting the student gain by a gradual process of familiarity, an acquaintance with the actual written word and the actual appearance, form, and reality of that which is a part and goes to make up history as a whole. Illustrative material I have found to have aided infinitely to the enthusiasm and interest, whereas a mere written lecture would be in itself of only doubtful interest. To give students a document and to have at their own disposal a collection of documents is to give them something that is real, something that has a reality of its own, and brings them pretty closely in contact with the epoch with which the history treats.

REPORT OF PROFESSOR McMASTER'S ADDRESS.

Mr. Chairman, ladies and gentlemen, in the few remarks which I am to have the honor of making this evening I shall endeavor to remember the injunction that a shoemaker should stick to his last. Therefore I will confine myself entirely to the history of our own country. I do that all the more gladly because, coming at the end of such a line of predecessors, I find that is the only history, except that of the Lost Tribes [laughter], which has not been commented upon so far. In presenting it I would like again to say a few words for the great mass of students of history—those, I mean, that get their history in our common schools and stop their instruction there. We know, of course, that the great mass of the thousands of boys and girls that are studying the history of the

United States, almost all of them stop with its text-books and never again obtain any other history of the United States except that which they receive during Presidential campaigns [laughter], or periodically, when some of our Presidents see fit to give the State Department a show.

At the outset of any discussion of this kind, I think we want to draw very clearly a distinction between what we would like to have and what we can get. We have to deal with the practical question: What can we get? At the base of that question is the other question: What do we want, and why do we want it? What is the use, in other words, of a student ever studying the history of the United States? To that there seem to be a vast number of answers, which can be summed up under three heads. Some tell us that the object is that the student ought to know the history of his own country. We are told again that in a nation such as ours, resting as it does upon the vast mass of the people for its stability, it is especially necessary that those whose course runs in the history should have a good knowledge of the history of their own country. And we are told again by others that there is something in history which makes it the only subject which is capable of reasonable, philosophical treatment in order to enable a boy or a girl to distinguish between truth and falsity; hence, to understand that there is such a thing as a temperate and a hasty judgment, and that he or she will revise his or her judgment just as it is seen to be revised by the processes of time.

Now, without going into any discussion as to whether these are good answers or not, we will let them go for what they are worth, and come back to the other question: What can we get? Is it possible to so teach history in our schools all over the country that some real and lasting benefit shall be acquired? That depends upon four elements: First, there is a teacher; second, there is a text-book; third, there is the pupil; fourth, there is the time allowed. With the first two we can deal, but with the student and the time allowed we can not so easily deal. In no course of education is it possible to give to everyone the time that we would like to. Again, we have to deal with the average student rather than with a select few. Those two elements, then, are out of our control. The other two, the text-book and the teacher, are entirely within our control. It is not unreasonable to insist that the teacher of history everywhere should be trained for his work; that the

day must pass when the teachers of young boys and girls will be to so large an extent persons who do not intend to make teaching a profession. The time has come when a teacher must be educated for his work. Insisting, then, that the teacher shall be all that he should be, we come to the other question: What can be done with a good teacher with the present text-books? The text-book is far from what it ought to be. It seems to me that it is possible to so present the history of our country to young students, within a limited amount of time, that they can get from it not merely information, but certain fundamental principles which will be of benefit to them and enable them to understand very much better the problems they will have to deal with in later times. It seems to me that it would be better to begin by calling attention to the fact that this country was originally in the possession of a certain number of people of foreign nations; that it has passed, by a certain process, from them to us, and that is about all they need to know of the early colonial history. Then that the Spaniards, for reasons not at all accidental, occupied the Gulf Coast; that the French began their career in Canada, for reasons again perfectly well understood, and that these nations, with the English, were kept apart for a certain period, and that when they came in contact a very trifling incident on Lake Champlain prevented the French from ever getting down on the Middle Atlantic Coast, and that out of that grew matters of vast importance to us. When, afterwards, they were driven far to the westward, that they were brought into contact with such information as enabled them to discover a great river; that the Spaniards, for other reasons perfectly susceptible, were held in the southwest, and that the English then were given an opportunity to develop along the seaboard. Now, with so simple an introduction as that, it is fair to suppose that an ordinary student could understand how the thirteen colonies were organized, and that the English were developing an entirely different form of civilization from that which was being planted by the French in the Mississippi Valley, or by the Spaniards farther to the south. Then there should be presented to the mind of the student the great struggle for the possession of the continent, and that when that ended the first of these great nations disappeared as a nation from our history and its place was taken by the English. Now, then, the student has obtained sufficient knowledge by this time to see

how the country which we occupy was populated by these people; how in the course of time they came in conflict, and how out of that conflict resulted the disappearance of one of them and the expansion of the territory of the other. Now comes the struggle between the colonists and the parent country. If that is presented in the proper way the student will obtain a far better knowledge of the instrument, of which none of us know too much, called the Declaration of Independence. That is nothing but the great American Whig platform of the day. Every specification which went in there meant something to the men to whom it appealed. To us it means nothing. The number of persons who could take that instrument up and, beginning with the first charge, specify exactly what that meant, are extremely few. I remember not long ago to have seen an answer to a question which it seemed to me summed it all up. It was a question asked by a teacher: What is the Declaration of Independence? The boy to whom the question was put replied: "It is that part of the book at the back which nobody ever reads." [Laughter.]

Now, if the Declaration of Independence is presented to a student as it should be the student ought to know what those things which were thought to be serious enough to be the cause of a great rebellion meant. Now, then, it seems to me the student is ready for another idea which is not beyond his comprehension. If he is to understand the history of our own country from that day down, he must recognize that when we became independent and free there were along the seaboard three great centers of population, one clustering around Boston as a center, another around Philadelphia and Baltimore, and a third farther south; that each had been founded by people utterly distinct from each other; that the motive which brought them together and the laws and customs which they established were utterly distinct from each other; that when the time came for them to spread westward that they streamed out of these three centers, not in a miscellaneous sort of way, and that they went due west, and that that has been the marked characteristic of emigration so far as we can trace it. If these people had all been alike, the results would probably have been different. Each stream as it passed across the continent planted its own institutions, and it built up a population east and west which to some extent was similar. Then in the course of time events, which it is not necessary to spend much

time on or to remind you of, so developed those bands of population that they came to be by the time of the civil war two distinct nations; that there grew up in consequence of that two sets of people who utterly failed to understand each other, and to a large extent do not do so to the present day; that those in the extreme south were in every sense different from those at the extreme north, and we had the division of the country on an east and west line. Now, if attention is called, then, as it can be by the aid of even such maps as are given in the census reports, to that important fact, the student has got another. What use should he make of it? The next fact, I think, should be that while those immense streams of population have been passing westward they have not gone slowly or steadily. Sometimes they have moved with great rapidity, and at other times they have been checked, and the causes which checked them are practically the history of our country since. It is easy enough to understand that when the French Revolution was opened certain conditions were presented to a certain part of the country which enabled them to be the great ocean carriers of the world, and to another part of the country to become the greater producers of the world. That produced such a condition of affairs on the seaboard that the population was stacked up there, and there it remained until that condition had ended. Now, that brings the student down to the war of 1812. By that time an entirely new condition of affairs existed. Then began that rush of population which built up in a few years five cities in the Mississippi Valley. Then something checked it. Then the student has brought to his attention certain ideas which perhaps never occurred to him before. That is, it was possible for such a thing as a canal to cross this State and to produce a condition of affairs which was in itself a great social revolution. The introduction of a new way of doing things and better means of transportation, enabling men to cover a larger field, led to the growth of great cities in the East. Then came a period of hard times, and then the causes for it. The student can be presented with certain ideas which will enable him to understand the history of his country far better, and give him a better idea of the growth of population, and enable him to see that, while our ancestors drew up the famous Declaration of Independence they made something which they could not practice; that at the very time when they were de-

claring that all men were equal they were forming State constitutions which made them most unequal; and we find, then, in that great instrument—the ordinance of 1787—that these men put into it a kind of government they could not give themselves. Now, it seems to me that in such a way it is possible to do something to improve the general condition of history teaching in our schools. Whether that is done or not rests not upon any individual or body of men, but it rests upon every citizen; and it seems to me that no better use could be made of the opportunities afforded by this Association than to do something toward the improvement of history teaching, not merely in our colleges, but in the common schools of the land, dealing especially with those who come to us from foreign lands, so that they may see the history of our country in such a way that they shall clearly understand it. [Applause.]

XIII.—THE TEACHING OF EUROPEAN HISTORY IN THE COLLEGE.

By PROF. JAMES HARVEY ROBINSON,
OF COLUMBIA UNIVERSITY.

THE TEACHING OF EUROPEAN HISTORY IN THE COLLEGE.

By JAMES HARVEY ROBINSON.

The average time devoted by students in our colleges to the study of European history is very limited, and will probably always remain so. How to make the most of, let us say, three hours a week for a year is a problem which puzzles the teacher more and more; for wider knowledge and better preparation have made him discontented with the older plan of presenting simply an outline of general political history. He has come to realize what Mr. Bryce long ago pointed out—that “without a minuteness of detail sufficient to make its scenes dramatic and give us a lively sympathy with the actors, a narrative history can have little value and still less charm.” Nor is the impossibility of imparting in so limited a time any adequate notions of the complicated political changes in western Europe during the past fifteen centuries the only reason for distrusting the current methods of instruction. New ways of viewing the past from the standpoints of the constitutional, economic, social, literary, religio-political, or artistic changes and tendencies make much that once appeared important seem relatively insignificant, and thus invite a revision of our methods of instruction.

To escape these fundamental difficulties, it has often been suggested that the student's attention be centered upon a single brief but interesting period, thus enabling him, by mastering the detailed changes during some typical crisis in the affairs of mankind, to acquire the ability to deal with other periods when an opportunity shall offer. The advantages of such a course of study are obvious. The student's interest is easily aroused, and he can familiarize himself with the use of books and gain, incidentally, a great deal of the training which should constitute the sum and substance of our historical instruction.

There is, however, another solution which does not necessitate such serious sacrifices as the exclusive study of a single period, such as the French Revolution, or the Reformation, nor does it include simply the often relatively unimportant events, names of rulers and dates, which have too frequently been chosen to constitute an introductory outline of general history. The study both of general history and of special periods rests upon the same assumption. They both select the crises in human history for study, a single crisis engaging our attention in the one case, while in the other we skip lightly from one disturbance to another. Conspicuousness becomes our standard for estimating the educational value of historic occurrences. The student is taught to view mankind as in a periodic state of turmoil. We do all we can to disguise, by studied neglect, the lucid intervals during which a great part of human progress takes place. The dates we ask the student to learn are those of crises, or at least of supposed crises—476, 800, 962, 1096, 1453, 1492, 1517, and the rest. That these crises are unimportant no one will maintain, but to make them the exclusive subjects of instruction is to sacrifice some of the best and most permanent results to be derived from historical study. The most striking events are not necessarily the most interesting and instructive. On the contrary, their very unusualness is against them in their competition for a place in our programme of study.

We do not in our history of nature confine ourselves to the aurora borealis and the bird of paradise, to X rays and boa constrictors; on the contrary, the ill-defined Amoeba or the unassuming Amphioxus, striations unnoted by the untrained eye, and the unsuspected chemical reaction; these and their like form the subject-matter of the courses in science. How perverted our selection in history has been is easily estimated from the tenacity with which the public clings to the idea that the French Revolution was due to especially shocking conditions in France, instead of to an exceptionally happy and, in some respects, an ever-bettering state of affairs; or the delusion, long ago refuted by Voltaire, that the revival of learning began with the fall of Constantinople. The notions about Luther's Theses or the Inquisition are usually quite as far from correct.

I resolved, however, in preparing this paper, to refrain as far as possible from merely negative criticism, and ventured

some suggestions as to methods which are the results of a good deal of thought and of discussion, with both the sympathetic and the skeptical, as well as of some years of experience. I must, therefore, assume that those who feel that a teacher of history has an important unsolved educational problem to face have begun for reasons which can not be further considered here, by losing confidence in the subjects chosen for presentation in even our best manuals of general history. The suggestions which are advanced here, most tentatively indeed, are wholly incompatible with the once universally recognized aim of giving the student an outline of events, mainly political. Those who believe that the learning of events is the fundamental educational function of history and the best that we can give the student, have no cause to consider changes in the older methods.

Some plan must be devised by which the average college student shall gain the greatest possible permanent good from a course of three hours a week devoted to the history of the Continent of Europe since the dissolution of the Roman Empire. In order to combine the greatest number of advantages—for no plan, however cunningly conceived and skillfully executed, can accomplish everything we might desire—we must, I am convinced, alter our aims, our canons of selections, and our methods of instruction. First, what can we look for from a study of history, especially of European history; secondly, how shall we select from the infinite mass of human experiences that which will best answer our purposes, and lastly, how may we guide the student so that he will derive the greatest permanent benefit from his year's work. It will be noted in the programme proposed below that no effort is made to give the student a connected narrative of events, stress being laid not upon the crises, as is customary, but upon the transitionary periods. This seems impracticable at first glance, because it will be argued that the immature mind demands a lively story, otherwise the student's interest will certainly flag hopelessly. This would certainly be inevitable if the usual dogmatic method of instruction were continued, but, by a change of method, I believe it possible to render conditions as vivid as events. But if conditions and an idea of institutions can be successfully brought within the student's horizon, we have found a way out of many of our difficulties, because, in the first place, we need no longer choose between

the alternatives of attempting impracticable general history on the one hand, or, in order to give the essential vividness and detail requisite to permanent results, of resorting to a single period, like the Reformation or French Revolution, on the other; for general conditions are by no means so bewilderingly momentary and distractingly numerous as events. A second obvious advantage would be the opportunity to deal with the essentials of historical development, rather than the often seemingly fortuitous incidents, and thus satisfy, to some extent, the demands of constitutional and economic history as well as the history of culture.

The three requisites in instruction are, first, a well-trained teacher, such as are becoming hopefully numerous in our colleges, whose functions should consist in informal lectures and the supervision of the discussions of selected illustrated material. Secondly, there should be a brief, skillfully arranged outline or syllabus, which would enable the student to dispense almost entirely with distracting note-taking, and altogether with the time-consuming text-book, thus leaving him many precious hours for other things. Lastly, the student must be supplied with a printed list of required readings, mainly from the contemporaneous accounts of the subjects to be dealt with.

The main innovations—and all innovations are happily relative, in a period of experiment, where so many are straining every nerve to give their students the very best they can, without regard to tradition—the main innovations in the plan here sketched out are two. While clinging to the idea that a general course is, on the whole, better for the college student than the study of a single period, a new choice of subjects is brought to the student's attention; conditions are emphasized as well as events. The pre-Reformation period and the Council of Constance would, for example, receive quite as much, if not more attention than the Lutheran revolution. The Ancien Régime, culminating in the decrees of 1789-90, would receive a careful consideration which the Reign of Terror does not merit.

To some this may seem a fantastic attempt to teach the philosophy of history to the immature mind; the results will seem vague, since they lack the smug conciseness to which we are accustomed, and which is so convenient when examination time comes around. To this we can only answer that a different set of facts from the conventional one have been chosen for dis-

cussion, but they are none the less facts. "Heresy was long looked upon by the State as a crime worse than murder or high treason, and treated accordingly," is the statement of a fact, not of a philosophical theory, and it is surely more significant for the student than the statement that Charles VI of France died in 1422, or that the battle of Marignano was fought in 1515. The one fact is a permanent acquisition, which serves to explain much that would otherwise be ill understood, the others we may never have any use for, for even the professional students of history would, in nine cases out of ten, look up the dates in a book of reference.

As for the difficulty already touched upon, of rendering past conditions vivid to the student, we have, in order to avoid it, but to resort to the most vivid and forcible of all forms of presentation, that of the contemporaries themselves. There is a very general opposition to the use of the "sources" in introductory work, but this rests, perhaps, upon a misunderstanding of the sense in which the word is used by those who advocate the system. To refer the ordinary college student to Sully's or Richelieu's memoirs, to learn something of the reign of Henry IV or Louis XIII, would doubtless produce no good results; to ask him to read portions of Machiavelli's Prince, or a few of the stories of Cæsar of Heisterbach, may, on the contrary, be much the quickest way of conciliating his interest and impressing great historic truths upon his mind. Our instruction suffers from a want of palpableness in the objects dealt with. Too many of the essential ideas are foreign and abstract. The student has only a formal acquaintance with the externals, instead of a certain feeling or sentiment, which must be associated with a clear understanding of motives and conditions. Secondhand explanation usually fails by reason of its want of vividness, and to compensate for this we have often resorted to the merely picturesque, in the past, as the only feasible topics for consideration. We can meet this difficulty by reference to the experiences of eyewitnesses, or of those who lived in the conditions we are endeavoring to impress upon the student's mind. Letters, speeches, memoirs, literary productions can be employed judiciously. A sermon or tract of Wycliffe or Luther will tell more of the times than a volume of analytical discussion. Who can read the Baron of Marbot's account of the Siege of Genoa without feeling the horrors of war as he may never have felt them before in this

peaceful land of ours? Can any description of the intellectual conditions in the Middle Ages vie with the Apologues of Stephen of Bourbon, or of the ecclesiastical abuses with the Revelation of Goliath? It is upon such aid that we must rely, if the really significant phases of the past are to be successfully brought within range of the college student.

We have, in most cases, let us remember, but three hours a week for one year to deal, for better or for worse, with the history of Europe during fifteen long centuries. We can not hope to do what can be easily accomplished in American history. We can not cover the whole field with any degree of thoroughness, but must consent to say nothing of even very important occurrences. Only matters of supreme moment can engage our attention. No selection will suit everyone's taste. There is no plan but will appear to some one to neglect what is most essential.

We must first get underway—no light matter, indeed. A word must be said upon how the Middle Ages came about. The extent and general character of the Roman Empire, as well as the customs and habits of the invading barbarian, must be summarily dealt with in three or four lectures, the student being required to look at good maps and read some from Tacitus's *Germania*. The *Life of St. Columban*¹ will leave upon the reader's mind a more lasting impression of the peculiar conditions in the sixth and seventh centuries than a volume of comment. We can, or must, leave out practically all the events during the succeeding five hundred years, and yet the Middle Ages need not remain in the darkness in which they are often left, even after a review of the political events; for would it not be feasible to associate an account of the great tendencies of the period with a sketch of the development of the greatest of all mediæval creations, the Catholic Church and the Roman Primacy? We have been misled by German patriotism into giving the Kaiserthum an altogether too prominent place in our studies. It need scarcely be touched upon, except as illustrating the relations between church and state, and these can be more easily explained by the struggle between Philip the Fair and Boniface. We can only glance

¹The historical department of the University of Pennsylvania has endeavored, by the translation of illustrative material and its publication in the form of inexpensive pamphlets, to encourage a more satisfactory method of instruction. Prof. D. C. Munro has given us an English version of the life of St. Columban in "Translations and Reprints," Vol. II, No. 7.

at the motives and some of the results of the Crusades, dwelling upon the spirit of the times as reflected in the contemporaneous letters and documents which are available.¹

As we close the first third of our year's work we should, it seems to me, have accomplished three things: (1) The student should have learned how there came to be a Pope, who was, in stern truth, as he claimed, a king of kings; he should behold the church militant "as an army encamped on the soil of Christendom, with its outposts everywhere, subject to the most efficient discipline, animated with a common purpose, every soldier panoplied with inviolability and armed with the tremendous weapons which slew the soul." (Lea.) Let this sink deep into the student's mind, for it is the greatest acquisition he will make in his study of the period, in comparison with which all the deeds of the Henrys and Ottos fade into insignificance. (2) The student should have acquired some living idea of the feudal system as contrasted with our simple forms of tenure, of the manor, of the feudal relation as opposed to the modern idea of subject and citizen, of the great rôle that the wider use of money played, as well as something of the rise of the towns as industrial and commercial centers. (3) He should have gotten some notion of the church as the dominating power in the literary life of the thirteenth century and of mediæval culture as contrasted with the secular and humanistic tendencies perceptible in Dante's works, and fully developed in Petrarch's. Mr. Steele's extracts from Bartholomew Anglicus² give us a lively view of the popular science of the thirteenth century, while Dante's *Convito*, the first attempt toward the extension of university teaching, will present the more sedate phases of speculation. There he will find the sharp alternations of insight and uncontrolled vagary so characteristic of mediæval culture. In one chapter, Dante rejects the idea that the milky way was a strip of the heavens scorched during Phaeton's untoward ride, or proves the sphericity of the earth, and discusses the procession of the equinoxes; in the next, he may as enthusiastically point out why the Moon is like grammar, or Mars like music, or describe with precision the organization and occupation of the hierarchy of

¹ For example, Professor Munro's "Letters of the Crusaders" and "Urban and the Crusades," among the series of "Translations and Reprints," Vol. 1, No. 4, and Vol. 1, No. 2.

² In his *Mediæval Lore*.

contemplative angels. For the belief in miracles and the nature of popular religion, the student must be brought in contact with the monastic tales of Cæsar of Heisterbach, or Stephen of Bourbon,¹ eloquent as they are of intellectual and moral degradation. It is to be hoped that a delightful source, of primary importance for the student of the great change from the mediæval to the modern spirit, viz, the letters of Petrarch, especially those to Boccaccio, will soon be available in English.²

The second third of our year of study might be devoted to the pre-Reformation period, as culminating in that most hopeful, but unsuccessful effort, at Constance, to reform the church without fundamentally modifying its organization and tenets. The sources of dissatisfaction and the abuses can best be dealt with in considering this period, when all, except the Bohemian heretics, agreed that, although the personnel was bad, the church must be maintained essentially in its mediæval organization. Unfortunately, there is not much, as yet, to which the student can be referred for the spirit of the time, except to Wycliffe's sermons.³ But if he comes to see that the horror of heresy, as the supreme crime, and the forms of trial and punishment, were only phases of the general jurisprudence or civilization of the time, much will have been accomplished.

For the Renaissance in its various phases, chapters from Dante, Petrarch, one or two of Boccaccio's stories as selected by Morley, especially that of *The Three Rings*, one or two of Vasari's *Lives of the Painters*, some chapters of Cellini's *Autobiography*, and portions of Machiavelli's *Prince*, will rouse the interest of even an indolent mind. With such illustrations, the great essentials of the time are easily emphasized by a good teacher.

From here on, the task of selection is easier. Luther, the belligerent, should be contrasted, as has been the immemorial custom, with Erasmus, the discreet. Let the conservative reformation, which was in progress, especially in Spain and Germany, before Luther's advent, be emphasized. For this,

¹ Some examples of these are translated by Professor Munro, in his "Monastic Tales." Translations and Reprints. Vol. II, No. 4.

² Develay has admirably translated some of Petrarch's letters into French, especially "Lettres de François Pétrarque à Jean Boccace." Paris, 1891 3.50 fcs.

³ The writer has endeavored to furnish some material relating to the consciousness of the abuses, the conception of heresy and methods of dealing with it, in the collection of Translations and Reprints. Vol. III, No. 5.

the teacher may turn to Maurenbrecher¹ for a lucid outline. For this period the student will read parts of Erasmus's *Praise of Folly* and some of his letters as given by Drummond or Froude. Luther's *Address to the German Nobility* may properly be read from beginning to end; the latter half of the *Augsburg Confession* is a godsend to the teacher. The formulation or reassertion of certain dogmas at the Council of Trent form an appropriate close to the discussion of the elements of the religious struggle.

The last third of the year will naturally include a very brief review of the territorial and dynastic struggles, culminating in the war of the Spanish Succession. Here the accumulation of the Hapsburg possessions and the foreign policy of France serve as a type of much of the political history which we have been forced to omit for want of time. The two really important points for the student to grasp during the succeeding period are, first, the reform movement in France, culminating in the Decree abolishing the feudal system, in the Declaration of the Rights of Man, and in the Civil Constitution of the Clergy,² for these represent permanent gains; secondly, the manner in which the Napoleonic régime laid the foundation of the Europe of to-day. Reading matter is abundant. Walker Stephens' English version of some of Turgot's works will stand us in good stead; the *Memoirs of Madam de Rémusat* or those of the Baron de Marbot will suggest themselves to the teacher as examples of the material available.

The sole aim of this crude and hasty outline is to serve as an illustration, not as a guide, and it would be unfair to reject the principles which underlie it as unsound, even if the illustration seem, as it may to some, to show a false perspective.

An "introductory" course generally offers the most serious educational problems, for in many cases, as in the one we are discussing, it is in this introduction that we must put the final touches upon the student's training in our particular subject, since it is not probable that he will find time for a second course. This greatly increases our responsibility. We must send our student away after a single year, not with a convenient scheme of classification to be filled out later, but, so far as is feasible, with the results themselves. The "outlines of history," its "leading facts," in the usually accepted meaning,

¹ *Geschichte der katholischen Reformation.*

² These I have translated, *Translations and Reprints*, Vol. 1, No. 5.

furnished, it was argued, a species of scaffolding which implied the ultimate erection of a symmetrical, well-proportioned intellectual structure. It is, however, pretty freely recognized now that the scaffolding in most cases yielded somewhat readily to the ravages of time and rarely was instrumental in the creation of a permanent memorial to the teacher's labors.

The plan here suggested is an effort to supply, not an apparatus of dates and names, of battles and decrees, or of events at all, except for obvious purposes of illustration. Let the student come in contact with the things themselves. A year in political economy or chemistry or botany makes the learner a bit of an economist, a chemist, or a botanist, in a small way it is true, but in each instance he becomes a worker himself. In history, on the other hand, he is informed, but sadly unformed. Not only is he ordinarily excluded from any real participation in the work, but he is not brought in contact with the really interesting and important aspects of the past, but delusively "prepared" by laboriously learning what most of us teachers have long ago forgotten and scarcely miss. Who of us has, for example, a neat scheme in our minds of the history of the territorial claims of the English rulers to France, from William the Conqueror to the end of the Hundred Years' War? We sensibly look it up in a book just before the lecture.

Should not our aim be to prepare the student to work for himself by showing him how a rational person would proceed in the study of history? Let him learn the meaning of the terms used in historical study and the appliances to which he must have recourse; especially must he see that many of our instruments are very bad, and be instructed in the most fundamentally preparatory of all arts nowadays, the art of using the best books.

PROFESSOR FISHER'S REMARKS.

The CHAIRMAN. There is a single suggestion which I would venture to offer on the subject that has been discussed this evening. Of course, the great difficulty in the study of history is the vast extent of the field. There is a method, I think, in which universal history can be studied and made interesting, and it is this: Take the history of a single country—England, for example. Take Green's Short History of England, which sets forth clearly the main things that ought to be stated. Then let the pupil move on rapidly to a certain point—say, for instance, to the Norman conquest. Then let him stop and

make a little lake, as he has gotten downstream so far. Let him read portions of the literature of that day, something giving information respecting the Normans and their movements elsewhere in Europe. Then let him move on to another epoch—say, the reign of Elizabeth—and there pause and make another lake. Then let him read, so far as time will permit, something of the literature of the day, and get interested in the details. Now he has the connecting link between these lakes, as I have termed them; he has a clear view of the course of history, and at the same time he has that knowledge of details respecting important periods which give interest to the whole narrative.

I would venture this plan even in regard to universal history, beginning with the study of Oriental nations, and studying the main facts, and the early Egyptian history until you come to the reign of Rameses II. It is a comparatively dry work for a while, I know. Then when you get there stop and make your lake. Let there be an overflow, as there is of the Nile, and study Egyptian antiquities, the monuments, the records, somewhat in detail. Then there is a knowledge of Egyptian history in the concrete, a vivid conception of what Egypt was in the period of her greatest power.

I believe history can be studied in that way so as to be an interesting and a living study, and at the same time there will be obtained a connected and comprehensive view of universal history.

Now, I want to make a single observation further. I think it is exceedingly important that the study of history should be encouraged and extended. It came to my knowledge that in one of the largest cities in the country there was, not long ago, an examination of students preparatory to admission to the bar, and the examination was in English history, and, after various questions in regard to Queen Elizabeth, the question was asked: "What queen reigned about one hundred years after Elizabeth?" The student didn't know, and some little help was given him, some reference to William of Orange, and suddenly he said, "Oh, yes; Anne, called the Bloody Anne." Then I heard of an examination in one of the religious seminaries in this city where a student was asked: "What great ruler reigned in England about the middle of the seventeenth century who was not a king, and who had no descendants who were kings, but who was, nevertheless, one of the greatest rulers England ever had?" Well, the student was nonplussed,

and finally the reverend gentleman who was conducting the examination said, "Oliver?" "Oh, yes," exclaimed the student, "Oliver Twist." [Laughter.]

Now, I believe these are occurrences not so very exceptional as might be imagined. The problem is to teach history thoroughly and at the same time make it interesting. I believe it is perfect folly to initiate boys and girls into the study of history by undertaking to bring into their minds those inductions and generalizations which borrow their significance, and certainly all their impressiveness, from a knowledge of the facts on which they are based. We must begin in a simple way, and with a story of history; and a story can not be told without the connection of all its parts with one another. The great trouble with teaching history, as in all teaching, generally is that very often there is a shooting over the heads of the pupils.

But I have no right to discuss the paper, for my name is not on the programme, and you will pardon me for having taken your time to this extent.

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XIV.—THE WEST AS A FIELD FOR HISTORICAL STUDY.

By FREDERICK J. TURNER, Ph. D.,
OF UNIVERSITY OF WISCONSIN.

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279

THE WEST AS A FIELD FOR HISTORICAL STUDY.

By FREDERICK J. TURNER.

If any apology were needed for introducing this topic to the Association, it might be found in the resolution adopted at its second annual meeting, in 1885, as follows:¹

Resolved, That it is especially important that the beginnings of history in our newer Territories and provinces should be fully and carefully recorded. We, therefore, urge upon all the members of the American Historical Association residing in those portions of America, and upon all others interested in historical studies, the organization and maintenance of local historical societies which shall preserve files of local newspapers, collect fugitive documents, provide memorial sketches of men of mark, interest towns in carefully preserving their records and maps, secure full accounts of all that can be learned of the aborigines, their tribal organization, arts, customs, and implements; make careful descriptions of the location and nature of any Indian mounds, painted rocks, or other places of importance in the history of the red man; give complete accounts of all Indian wars or raids; mark the location of buffalo trails, cattle trails, forests, and treeless tracts which are likely to be lost; record the date of the first settlement of towns, with the names and origin of the first settlers; describe the temporary social organizations and popular habits which still existed before customs and laws crystallized, and in every other way supply the abundant material likely to be lost by general neglect, for the minute study of our history in future years.

These resolutions not only invite a consideration of Western history here, but they also illustrate the prevalence of the antiquarian point of view from which the West was regarded a decade ago. Until lately, Western historical societies have in general needed no invitation to this antiquarian position. Institutional history was not natural to the pioneers who founded and until recently shaped the work of these societies. Now that it is becoming clear, as they pass from the stage, that their work must be handed over to the younger generation of historical students, trained to institutional and social inves-

¹ Papers of the American Historical Association, I, 482.

tigation, it is important to interest such students in the field. Even in this Association, with some notable exceptions, most of the papers on Western history have dealt with the subject in its connection with the slavery struggle or the annexations of new territory.

It is time to inquire, therefore, why the West should be studied, what are some of the historical problems which it offers, where there are proper materials for the study, and how they may best be utilized.

If Western history had to do primarily with topics of anti-quarian interest, it might well be thought that strenuous insistence upon its importance as a field for study indicated a provincial tendency, or was perhaps an illustration of the so-called "new sectionalism." But the last Presidential campaign made it clear that the historic West holds a very important position in American political life at the present time. The West, therefore, needs to be understood. It requires analysis into the regions that compose it and historical study of their development, in order that its social organization and ideals may not be subjected to ill-informed or passionate judgments. A study of aboriginal survivals will not help us here. What is needed is a widely extended and earnest historical inquiry into the development of Western society. Such an investigation into the historic basis of a State like Kansas, for instance, is absolutely essential to an understanding of the peculiar aspects of that State. When the Kansas of the "immigrants aid society" and of "the higher law" is brought into connection with the Kansas of to-day, we shall be in a position to explain some things that seem difficult to understand. Such an investigation, also, would enable us to estimate the significance of the leaders in the West who have so recently supported an aggressive programme of finance and social action. To apprehend the real significance of these men, they must be seen with the historical background of the society wherein they live. It must be seen that they are the products of a society that sprang from the eastern parts of the middle West, in the days when it was just passing from frontier conditions to conditions resembling those of the East. Having avoided the transformations of the eastern area by migration, they reflect the struggle of this society to adjust the old Western ideals, based upon American isolation, upon the nonexistence of classes, and upon freedom of opportunity, to the changed con-

ditions of a settled nation competing with other settled nations and sharing their social tendencies.

Especially important is it that the prairie portion of the middle West should no longer be neglected by the historians. Successive frontiers of historical writing can be traced in this country. The school of American historians that dealt with colonial beginnings and the Revolution, along the Atlantic Coast, were followed by a group of writers on the history of the States between the Alleghanies and the Mississippi; and in the same way that the movement of settlement passed by the Great Plains to the Pacific Coast, so there appeared next in order an extensive history of the Pacific States. The area last to be occupied, between the Mississippi and the Rockies, has not yet received adequate treatment. No doubt the coming works of Mr. Roosevelt and Mr. Winsor will do much to fill this gap; but for the present it is clear that here, within the Mississippi Basin, one vast area, covering at least half a dozen States, is almost virgin soil for the historian. The brevity of its history, measured in years, should not blind us to the real extent of the gap, measured by stages of institutional development, and by the significance of those few years as having brought forth in this area the basis, in population, economic life, and social ideals, for so vast a portion of the West. The very brevity of the period, and the quietness of the process, makes it a reason for apprehension lest the collections of original material needed to explain the origin of this area may not be made in time to preserve them.

But it is not principally for itself that the West requires study. As I tried to show in a paper on the Significance of the Frontier, presented to this Association in 1893, the real significance of Western history is that it is national history in one of the most noteworthy aspects of that history, namely, that of expansion from the Atlantic to the Pacific. One of the most important functions of the historian is to enable the present age to understand itself by understanding its origin and growth. It is impossible to account for the United States of to-day without fuller inquiry into this important portion of its experience. The histories of the country that shall be written in ignorance of this truth will unavoidably suffer from a wrong perspective. In corroboration of this view of the importance of the nation as dealing with an unoccupied continent, I desire to call attention to the words of the well-known geog-

rapher and anthropologist, Professor Ratzel, of Leipsic. In the second edition of his work on the geography of the United States, published in 1893, and which has just come to my attention, he says in his chapter on Space as a Factor in the United States: "The extent of this portion of the earth's surface, so vast from the European point of view, creates the problem of its economic and political disposal; that is, of its settlement, cultivation, and utilization in every way. Its importance in a political sense lies quite as much in the spiritual element of swing and push which a widely extended look into vastness gives to political projects and actions as it does in the material fact that this country sets apart so much of the earth's surface for the use of a single complete political body." Professor Ratzel elaborates this idea throughout the chapter, emphasizing the continental way of looking at politics here. "The breadth of land," he says, "has furnished to the American spirit something of its own largeness. If one looks back upon the history of the region which to-day makes the United States, he sees the increasing preponderance through the three centuries of ideas of space." In this "sense of space," as he calls it, the author finds an explanation of some of the most distinctive features of American character.

But it is not only to the student of geography that this interpretation will appeal. The history of the United States finds its chief claim to attention in its value as a field for the scientific study of social development. The spread of settled society into these continental wastes, and the free development of a democracy in relation to unoccupied lands, constitute the peculiar features of our national life. Henry Adams has well said:¹

Should history ever become a true science, it must expect to establish its laws, not from the complicated story of European nationalities, but from the methodical evolution of a great democracy. North America was the most favorable field on the globe for the spread of a society so large, uniform, and isolated as to answer the purposes of science.

It need hardly be said that for such a sociological interpretation of our history the Western movement is fundamental. In this movement one can trace social development under the influence of the free opportunities of the unoccupied area. The wilderness has been the melting pot and the mold for American institutions; it has been a field for new species of social life.

¹History of the United States, ix, 222.

Whether the historian traces the process of exploration, Indian fighting, settlement, and wilderness winning, or investigates its institutional origins, or the development of the social ideals of the West, there is abundance of opportunity open to him.

The relation of the whites to the Indians should receive scientific study, as well as those of the negro. The management of the Indian affairs by the General Government is awaiting attention; their land cessions and the history of their reservations and removals ought to be studied, and, in general, the process by which the savage gave way to civilization in the farther West remains to be written.

On the economic side we have topics like the rise of the great industries of the West—the development of the mining, ranching, and forest industries, and their effects upon the social organization that followed them. The historical geography of the areas of these and the various agricultural industries should be studied, and their transition from one economic status to another, with its political accompaniments, should be described. It is unnecessary to do more than call attention to the wealth of material awaiting the student of transportation in the West, and to the need of writing the financial history of the newer States and the history of the land tenure in the areas so recently public domain.

Nor is the field less attractive to the student of political history. The history of the separate Territorial governments, and of the Territorial system in general, remains to be written. We shall not understand the history of political parties in this country until the history of political parties in the Western States has received more attention. Nor have such topics as the admission of the Western States into the Union, the formation of their constitutions, and the sources of their political institutions been sufficiently considered. The West is a rich museum of political forms and experimentations that will reward study.¹

Even more important is the history of social development in the West. The rise of its cities and their evolution in response to physiography and economic influences; the types of life that have been thus created; the movement of immigration from the Old World, and the interstate migration into the

¹ Professor Shambaugh, of the University of Iowa, has initiated a movement worthy of imitation in other States, in his collection and annotations, of "Documentary Material Relating to the History of Iowa." (Iowa City. Published by the State Historical Society.)

West, require more than the statistician's care. A new society, with a composite nationality still in the process of formation, is before us, and its history is almost untouched.

A preliminary inquiry into the materials for the history of the Mississippi Basin is not altogether reassuring to the student. By the kindness of Mr. R. G. Thwaites, secretary of the State Historical Society of Wisconsin, an examination has been made into the historical resources in the form of newspapers, legislative journals, and statutes of the States formerly embraced in the Northwest Territory,—an area whose earlier history has been ably unfolded in Professor Hinsdale's *Old Northwest*. This inquiry reveals a lamentable lack of systematic collections of this nature. Manuscript sources are most meager, with the exception of those of the State Historical Society of Wisconsin; and even in this library the manuscripts are chiefly useful for the Indian fighting era in the region between the Mississippi and the Alleghanies. While each State has the best collection of its own sources, they are in each case, with the exception of Wisconsin, scattered through various libraries. The newspaper files and legislative journals, and to some extent the laws, of most of these States are incomplete or scattered. Not until the period of the slavery struggle did the Northwest collect its records. Whether the excitement of this period stirred the historical instinct, whether the increase in the proportion of self-conscious and historically-inclined New England settlers explains it, or whether the change was due simply to the increase in culture attendant upon older settlements, may not be possible to say, certain it is, that for the formative period of each State, historical material is sadly lacking. It is clear that a determined effort should be made to bring into the libraries the surviving newspaper files, to complete the public records and to arouse an interest in the collection of historical manuscripts, economic, political, and social.¹ The State Historical Society of Wisconsin expects soon to publish a preliminary statement of the location of certain of such historical sources in the Old Northwest.² Material for the study of the early institutional development of the Prairie West, also, should now be garnered for preservation and catalogued for the use of students.

¹ Compare *The Dial*, for April 16, June 1, and June 15, 1897.

² See *Proceedings of the State Historical Society of Wisconsin*, 1896.

Rich in materials for the interior as is the library of the State Historical Society of Wisconsin, it may, nevertheless, be safely said that no single library can serve the purposes of the student of the Mississippi Basin. For the purposes of historical investigators there should be a catalogue of the Western material in the various libraries of the country. The scattered condition of these sources and the impossibility of collecting and reprinting them, after the manner of the colonial archives, makes this necessary. A system of exchanges between libraries should be perfected; interuniversity migration of graduate students should be fostered, and more attention should be devoted to cooperative study of definite lines of Western history. In this way the universities best equipped with certain sources for an historical investigation could apportion research among themselves and achieve something by system and concert in their work. The State and local historical societies should be urged to devote increasing attention to institutional history, through the contributions of graduate students and other trained investigators. Only by such cooperative and systematic pushing forward of the lines of investigation will it be possible to give the correct perspective to American history.

REMARKS BY DR. WINSOR.

I remember when I read Professor Turner's paper on the Movements on the Western Frontier, three years ago, I said to myself, here we have one man, if there are no others, and I have no doubt there are others, who, working away from the great masses of material which are preserved in the libraries of the Eastern seaboard, has at last grasped the inner meaning of Western history, and I am glad to see that in the paper which we have just listened to that opinion received confirmation. We had hoped to hear this morning from another student of Western history, Mr. Roosevelt, but I am sorry to say a note has been received from him stating that imperative duties at police headquarters prevent his attending upon the Historical Association. We have with us, however, a gentleman who in certain studies of Western history has made his mark, in the period covered, for instance, by the life of Lewis Cass, and in the distressing period, as I might call it, when the United States were contending for the delivery of the Western posts, and I will ask him to open a discussion upon

this paper. I beg your attention to Professor McLaughlin, of the University of Michigan.

REMARKS BY PROF. A. C. M'LAUGHLIN.

Mr. President, members of the Association, ladies and gentlemen: I am afraid I can but very inadequately represent Mr. Roosevelt, who is not able to be with us this morning. Perhaps it is fortunate we have no need of a police commissioner, however, and that may enable us to put up with the loss somewhat more readily.

We have all been interested very much, I am sure, in the paper that has been read by Mr. Thwaites, prepared by Professor Turner, and I was especially interested in the fact that Professor Turner had distinctly turned his attention to the institutional development of the Western States. They have been studied, as he points out in this paper, from a somewhat antiquarian standpoint. It is not my purpose, nor would it be his, I am sure, to cast any reflection upon that sort of study. It is necessary, and it is inevitable and desirable that it should come as it did. Professor Thwaites is himself collecting materials by which we can study the earliest introduction of European ideas, and possibly civilization, into the Northwestern States, and our presiding officer is giving us material whereby we may understand more clearly especially the early geographical ideas concerning those Western Territories. But Professor Turner has very rightly said that it is the duty of men who have access to materials of Western history to point out the beginnings of American life in these Western places, to show the building up of these States, how they have grown, the elements that have entered into their life. The point which he made at the beginning of his paper is one, perhaps, necessary to be insisted upon, that this is not a sectional study. In the first place, I suppose the residents of Wisconsin and Michigan would hardly consider themselves western. San Francisco being the geographical center of our system, we consider ourselves in the torpid Orient in Michigan and Wisconsin. Nevertheless, our historical societies are still young, and historical material is still fresh. The American Valley, as we all know who have studied American history carefully, this great Mississippi Valley, is not in any sense a section; it is the heart of America. It is bound together geographically as a great home for a great people. It has been said by more than one historian who has been impressed by this fact, that

the true American moves in the great valley. I wish to cast no reflection upon Plymouth Rock or upon Eastern ideas of history, but within the last few years it has been perfectly evident that Eastern students, as well as Western, have seen that the point of view—I feel like saying *the* point of view, the proper perspective in American history—is from the West East; but at least we must always keep our eyes upon the West, for the very fact that there was a West has influenced American history more than any other one thing. Just as four hundred years ago there was a great turning point in the world's history, when the nations of western Europe ceased to look east and began to look west across the sea of darkness, so there was a great change in American history, a momentous change, when people ceased to look across the Atlantic and, especially after the war of 1812, turned their faces toward the new West, where they could have new hopes and new prospects. The people of the West have themselves looked in different directions. For a long time, as we know, they looked South. They looked toward England. Then, bound together by roads and canals and railroads, they looked Eastward. And I do not know that there can be a more important fact in American history than that. But perhaps I am getting away somewhat from the thought which I wished particularly to dwell upon here in the first place, that this is not sectional or in any proper sense local history, but distinctly national history. Mr. Godkin, in a recent book that he has published, on *The Real Problems of Democracy*, has said, and in an essay which he wrote, I believe, about thirty years ago, that the characteristics of American life, which have been dwelt upon at various times by visitors to the United States and by other writers on the social peculiarities of America, were not the characteristics of democracy; they were the characteristics of the frontier; even the East was influenced by its own early frontier life—influenced in the nineteenth century; and the West, which was giving the peculiar tinge and character to American political and social life, was the frontier. And we find then the essential characteristics of American democracy, so called, expressing themselves in politics, in political institutions, in social life, were characteristics of the frontier, not essentially the characteristics of the government of the whole, by the whole. The spoils system itself we have been taught, perhaps, to study as an ebullition of the democratic spirit, a little piece of democratic effervescence. To a great extent it was a piece of

Westernism; something from the frontier. It came naturally through Andrew Jackson, as a representative of the new life that for the first time was being recognized fully and having its full influence on national life and in national councils. The peculiar characteristics of turbulence—I may say turbulence, perhaps, wisely—from 1825 to 1835—the time of excesses and extravagances of various sorts—those excesses were because of the first full control of national principles and national movements by the West. Now, if I have made my point clear, I think that I have indicated to you at least the position which Professor Turner first dwells upon, that this is not local history in the ordinary sense of the word; that if we are to understand the character of the American State, if we are to understand the phases through which American life passes, we must not look toward tide water; we must not be salt-water historians, as has been so often charged against American writers. The West, as we know—and perhaps we Westerners, if I may accept the word, pride ourselves unduly upon the fact—have never been influenced by colonialism or colonial conditions. I do not speak of that now for the purpose of dwelling especially upon any mental or moral characteristics of the Western man, but to dwell upon the thought that religious institutions, educational institutions, and even to a large extent political institutions, grew up naturally in the West, not in any deference or not in any great marked subservience to inherited conditions—without any subservience, at least. In the Western States religious institutions grew because they were wanted, not because during any time of the existence of the States those institutions had been superimposed upon the people. Thus I think we can study the natural and rational development of religious institutions. In the same way we ought to study the natural and rational development of educational institutions, coming freely at the desire of the people, without any deference to any need superimposed from without, on the development of these institutions, the universities and schools, in respect to the real desire of the people themselves—democratic through and through. We can study a series of interesting political experiments or constitutional experiments much more readily in the Western States than in the East.

I wish to dwell upon one thought which Professor Turner passed over somewhat hastily. I mean the influence of migration in the West, especially the migration of Europeans into

the Western country. I take it for granted that most of you here, who are from the East, have very little conception of the nature of the migration and settlement of Europeans in the Western States. In the county in which Ann Arbor is situated we have a primordial germ. We have a settlement of Germans who came over to this country forty or fifty years ago and who have remained practically intact. They are just beginning to be touched by American life, beginning to be shaded off or absorbed into American life; but as we absorb them they are pretty sure to absorb a good deal of us. They are influencing and they must influence American character more than the mere American State or American man in his physical and mental make-up is to be influenced by these peoples. This little settlement—this primordial germ I will call it—until a few years ago was unacquainted with the English language. There are hundreds of people in the township now that can not understand a word of English. Until the last election it was almost impossible to find a Republican vote in the township. Why, is a problem for the historian. Why is it that this little settlement of Germans should have kept itself distinct, kept its own life, kept its own politics; and how are such settlements as these, of which there are many, going to influence, or how have they influenced the life and character of such a State as Michigan. In the western part of Michigan about fifty years ago there was a migration of Hollanders coming to that country under the charge of their minister. It was a congregation moving into a new land. It would be very desirable if such a settlement as this in the western part of Michigan could be studied before the originals are lost, before the men themselves who came there have disappeared.

I see my time has more than passed. I wish to dwell simply upon one thought and then I will close. It is very desirable that we may study not only how these different ethnic elements came into the West, and how they have influenced the Western States, to collect material for the future historian; we ought to study, it seems to me, also the making of the Western States and the Western country in the sense in which Green used that word in writing of England; how the topography of the country has influenced the building up of the country. It is a difficult task. I have had students year after year working on that problem, and they recoil, somewhat embarrassed and overcome by the recollection of the oldest inhabitant which they find recorded in the ordinary pioneer collections and in the

newspapers; and yet it seems as if that was an historical investigation of the utmost importance and consequence.

I wish simply, in closing, to speak of Professor Ratzel's book, to which Mr. Turner's paper referred, and especially to his very suggestive use of the idea that the spaciousness of the country has materially affected the American mind, and that it has materially affected, perhaps, the Western mind. It has, according to Professor Ratzel, who brings it out in a very suggestive and highly entertaining way, impressed upon the American people all the time a sense of a coming destiny, which has influenced our politics by making us optimistic. It has influenced our political life because the manifest destiny of a nation is dependent upon the coming generation—upon the children. It has changed our home life as well as our national and political life. It has changed the nature and the tone of the American man. Professor Ratzel's book, to which I am very glad Professor Turner chose to refer, is a very suggestive piece of work, in which all who are intending to study Western history will find great interest. [Applause.]

REMARKS BY PROF. WOODROW WILSON.

Mr. President, ladies and gentlemen of the Association: I want to begin by paying my personal tribute to Professor Turner. I believe he is one of those men who gain the affection of every student of history by being able to do what very few men manage to do, to combine the large view with the small one; to combine the general plan and conception with the minute examination of particulars; who is not afraid of the horrid industry of his task, and who can yet illuminate that industry by knowing the goal to which it is leading him, and the general plan by which it should be done. Such men ought to be not only appreciated, but they ought to be loved and supported. [Applause.] It is necessary to say this perhaps the more because a certain unpleasant impression might be created by such a paper as this. It is a dethronement of the Eastern historian. I think most of us would be inclined to reverse the expression which was used by Professor McLaughlin. He spoke of the materials being fresh and the students being young. We should speak of the materials being young and the students being fresh. [Laughter.] I say that is the natural inclination which we have, in our repulsion at being so prohibited from a field which we obviously do not understand. And yet

I for my part have no feeling of being hurt, because at the same time we have to get used to the idea that we do not constitute the nation here on the Eastern Coast. It is an unpleasant idea, but we must prepare our stomachs for it, because it must be digested. I know we naturally have the feeling with regard to such matters that the country at large had when Andrew Jackson came to the Presidency. If you will let me tell you a rather rough story, of a rough region, it will illustrate, perhaps, what I am saying: An Eastern man, traveling in the West and putting up at one of those nondescript hostels in that region, which had a barroom, and was used for a lodging house and for various other purposes, was shown to his room, which had a window opening on a balcony where sat a number of men talking and smoking; and wishing to make his toilet in private and finding no shade to the window, he pinned up a waterproof cloak over the window. It was suddenly jerked down from the outside, and when he asked the intruding head what he meant by it, he said he just wanted to see what was so private in there. [Laughter.]

Now, I think we feel exactly that way about Andrew Jackson. The Westerners tore aside the veil of the old administrations in this country and said they wanted to know what was so very private about this Government. It had been run, they insisted, by a clique. It had been run by a dynasty. It had been run by people who pretended to own the Government. It had been run with the spirit of a corporation, with a provoking privacy, by those who felt that they had the prerogative to run it in the future as they had in the past. Andrew Jackson wanted to know what was going on. He dispelled the privacy of the Government, and the Government has been a public and a published Government ever since. Then came in the era of talk and gossip, and a Government which was characterized by shaking hands with the President until he was absolutely disarmed [laughter]—by using the Government as if it had been a part of the common property, and a very common sort of property indeed. Now, I welcome the more freely disclosures of the sort we have had in Professor Turner's paper this morning because it interests me particularly with regard to another region—I mean the South. Southerners are characterized by family pride, as everybody knows; and they have one characteristic which I am sorry to say is not common. They don't like to talk about themselves in public. In this

autobiographic age that is a very singular characteristic; in this age when we all not only want to do things, but tell everybody how we do them, and tell everybody what we read in order to do them, and tell everybody what our fathers looked like and what our mothers' manners were. In this age of disclosures of private life such a characteristic is at least refreshing. Now, I can not claim that characteristic for myself, because I do not come by the strict Southern blood. I come of an enduring blood, the Scotch-Irish. Now the Scotch-Irishman has no objection to talking about himself. And if you will allow me to call your attention to it, a great deal of the history in regard to the South and the disclosures of the private affairs of the South is being done by the Scotch-Irish. The Scotch-Irish are following the admirable example set by New England. They are forming societies and proceeding to annex the universe. They are forming societies for the purpose of showing the United States that every element of any value or importance in the history of the country has been contributed by the Scotch-Irish; and I must say that I have the weakness to believe that a good deal of that is true. [Laughter.] And I believe this is another means of readjusting the perspective of American history.

Now, singularly enough, there are two sorts of irritation, or, rather, there are two bodies of irritation, that have prevented us from having the true history of this country written hitherto. The Northerner is irritated against the Southerner, and therefore he can not write the history of the Southern region; and until the Scotch-Irish popped up, there was nobody else to do it. Then the Eastern part is also irritated in regard to the Western. The Easterner regards it as a new eruption of the West into the East, and he is irritated by it; it disturbs the calm of his earlier studies. And it is eminently fortunate, it seems to me, that a man should arise like Professor Turner, who has self-possession, who is not bumptious, who has not any of the qualities we object to, and who yet knows the things which we want, unpalatable though they be, and who has the courage to put American history in its proper setting. Now, the Southern writers labor under a disadvantage. Have you never noticed how the Northern writer speaks about the South? He speaks about the South as he would speak of an inhospitable region which it was impossible for him to visit and see. I have noticed Northern historians almost always quote trav-

elers in regard to the South, just as I would describe Kamchatka, a place to which I did not intend to go and did not hope to go. They quote by preference foreign travelers, those foreign travelers who have only been in a portion of the South and for a very brief period indeed. And they speak of the South as if it was not part of this country. They do not quote travelers in respect to the North. They know the North; they don't have to quote travelers. But the South is an inhospitable region with regard to which they believe travelers' tales, and they make up the picture of the South by matching this traveler's tale with that traveler's tale, and making a contradiction which I defy anybody to say is a valid picture of that region. It is a sort of phantasmagoria. I have lived in the South more than one-half of the length of years I have reached already, and I do not recognize it in these pictures. I am interested in them, because I recognize the atmosphere which I have breathed and yet never lived upon. I recognize ideas which I have heard currently attributed to people at the South, but which I myself have never entertained, and which my neighbors have never entertained, so far as I am aware. For one thing, the historian wishes the Southerner to be regretful in regard to his past. He wishes him to be apologetic in regard to his past. Now, no substantial history was ever of a sort to be regretted. Shall you regret your nature? Shall you regret your environment? Shall you regret your existence? Shall you apologize for not having done the impossible? Shall you change your spots? Shall you grow an inch in stature of your own choice? Shall you say, "I wish I had lived an unnatural life instead of a natural life?" Shall you say, "I wish I had imported ideas instead of inheriting ideas and developing ideas?" There is nothing to apologize for in the past of the South—absolutely nothing to apologize for. There is a great deal, however, cordially to accept in the present, and that is the consummation for which I pray and the consummation which has largely been brought about. The Southerner is proud of the past of his region, and he is cordially ready to accept the present and to help forward the tasks of the future. [Applause.]

Now, the man who is going to say all of this I fervently believe is a Scotch-Irishman, because, as I say, the Scotch-Irishman likes to hear himself talk. He has lived in this region and he is an animal who conforms his habits to his environ-

ment, and you will not find the Scotch-Irishman anywhere other than at home. If he can get good whisky and one or two of the other requisites of life, that is all he requires. The rest of the circumstances he can conform himself unto with great kindness of spirit. And he has the appropriating spirit. The minute he lives in a region the region belongs to him. He does not belong to the region, but the region belongs to him, and he is responsible for its past as well as for its present and future. He has been adopted into the family; he has accepted the lineage; he has received the blood, and it is his purpose henceforth to apologize for nothing and to manage everything. Now, I say this conquering spirit is the spirit which ought to conquer its place in history. [Applause.]

APPENDIX.

AVAILABLE MATERIAL FOR THE STUDY OF THE INSTITUTIONAL HISTORY OF THE OLD NORTHWEST. COMPILED BY ISAAO S. BRADLEY, LIBRARIAN OF THE STATE HISTORICAL SOCIETY OF WISCONSIN.

The following is a list of the statutes, session laws, legislative documents and journals, journals of constitutional conventions, and newspaper files of the territory northwest of the Ohio River, and the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin, published prior to 1851, to be found in public libraries within those States, so far as is apparent from the catalogues of the several libraries, and from special reports recently made to our society by the librarians of the institutions represented:

STATE OF OHIO.

IN STATE LIBRARY, COLUMBUS.

NORTHWEST TERRITORY. Journal of the convention held November 1, 1802. Columbus, 1827.

— Journal of the house; second assembly, first session. Chillicothe, 1801.

— Laws of the governor and judges. 3v.

Vol. 1. From the commencement of the Government to the 31st of December, 1791. Philadelphia, 1792.

Vol. 2. From July to December, 1792. Philadelphia, 1794.

Vol. 3. From May 29 to August 25, 1795. Cincinnati, 1796.

— Laws of the general assembly. Cincinnati, 1800-02. 3v.

Vol. 1. First session, first assembly, 1799.

Vol. 2. Second session, first assembly, 1800.

Vol. 3. First session, second assembly, 1801-02.

OHIO. Statutes, 1788-1833. By S. P. Chase. Cincinnati, 1833-35. 3v.

— Statutes in force, 1841. By J. R. Swan. Columbus, 1841.

— Statutes, 1833-60. By M. E. Curwen. Cincinnati, 1853-61. 4v.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 297

- OHIO. Laws, 1803-50. 48v.
— Legislative documents, 1836-50.
— Journals of the house, 1803-50.
— Journals of the senate, 1803-50.
† — Constitutional convention, debates, 1850-51. 2v.
— Constitutions of 1802 and 1851, with notes. Columbus, 1873.
INDIANA. Revised laws, 1824, 1831, 1838, 1843. 4v.
— Laws, 1817-50. 24v.
ILLINOIS. Revised code of laws, 1829. Shawneetown, 1829.
— Revised laws, 1833. Vandalia, 1833.
— Laws, 1819-50. Kaskaskia and Springfield, 1819-50. 13v.
— Journals of the house, 1844-50.
— Journals of the senate, 1844-50.
MICHIGAN. Revised statutes, 1837-38. Detroit, 1838.
— Laws of the Territory. Detroit, 1820, 1827. 2v.
— Acts, 1824-50. Detroit and Lansing, 1824-50. 13v.
WISCONSIN. Statutes, 1838-39. Albany, 1839.
— Laws, 1849-50. Madison, 1849-50.
— Constitutional conventions, journals of, 1846, 1847-48. 2v.

Ohio newspapers.

- CINCINNATI. Catholic Telegraph, v. 1-4, 1831-35.
— Cincinnati Chronicle, 1828-35.
— Cincinnati Gazette, 1819-24.
— Cincinnati Daily Gazette, 1841-50.
— Cincinnati Mirror and Western Gazette, v. 5, 1836.
— Cincinnati Weekly Advertiser, 1844.
— Cist's Weekly Advertiser, 1847-50.
— Daily Morning Message, 1842-43.
— Elevator, v. 1, 1841-42.
— Great West, 1850.
— Liberty Hall, 1819-24.
— National Republican, 1823-26.
— Saturday Evening Chronicle, 1828-40.
— Sentinel and Star in the West, v. 1, 1829-30.
— Western Tiller, 1826-27.
CIRCLEVILLE. Fredonian, 1811-13.
— Independent Republican, 1810-11.
CLEVELAND. Cleveland Daily Herald, 1841-50.
COLUMBUS. Columbus Sentinel, 1832-34.
— Confederate Harrisonian, 1840.
— Ohio Confederate and Old School Republican, 1840-41.
— Ohio Daily Standard, 1848-49.
— Ohio State Bulletin, 1829-40.
— Ohio State Journal, 1832-50.
— Ohio Statesman, 1837-50.
— Old School Republican, 1841-44.
— Palladium of Liberty, 1843-44.
— Patriarch, v. 1, 1846.
— Taxkiller, v. 1, 1846.

- COLUMBUS. *Western Hemisphere*, 1835-36.
 DAYTON. *Coon Dissector*, v. 1, 1844.
 DELAWARE. *Delaware Patron*, 1825.
 HAMILTON. *Hamilton Intelligencer*, 1831-50.
 — *Miami and Hamilton Intelligencer*, 1814-31.
 — *Miami Herald*, 1814-21.
 HUDSON. *Rural Repository*, v. 21, 1844-45.
 MAUMEE CITY. *Maumee Express*, 1837.
 MIDDLETOWN. *Middletown Mail*, 1839-40.
 OXFORD. *Literary Register*, 1828-29.
 ZANESVILLE. *Zanesville Courier*, 1847-50.
 — *Zanesville Gazette*, 1837-44.

IN SUPREME COURT LAW LIBRARY, COLUMBUS.

- NORTHWEST TERRITORY. *Laws*, 1791, 1792, 1795, 1798, 1799, 1800, 1801. 7v.
 NOTE.—This is a complete set.
 — *Journal of the convention*, 1802.
 OHIO. *Statutes*. By S. P. Chase. 1788-1833. 3v.
 — *Statutes*. By J. R. Swan. 1841.
 — *Statutes*. By M. E. Curwen. 1849.
 — *Laws*, v. 1-48, 1803-50.
 INDIANA. *Revised laws*, 1824, 1831, 1838, 1843. 4v.
 — *Laws*, 1817, 1821-23, 1825-27, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850.
 ILLINOIS. *Revised laws*, 1833.
 — *Revised statutes*, 1839, 1845.
 — *Laws*, 1819-20, 1823-24, 1827, 1829, 1831, 1833, 1835, 1836, 1837, 1838-39, 1839-40, 1841, 1842-43, 1844-45, 1847, 1849.
 MICHIGAN. *Laws revised*, 1820, 1827, 1838, 1846. 4v.
 — *Laws of the Territory*, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.
 — *Laws*, 1824-25, 1828-29, 1834-35, 1837, 1837-38, 1839, 1840, 1841-43, 1844, 1845, 1846, 1847, 1848, 1849, 1850.
 WISCONSIN. *Revised statutes*, 1849.
 — *Laws*, 1836, 1837, 1838, 1839, 1841-46, 1847-48, 1848, 1849-50.

IN CINCINNATI PUBLIC LIBRARY.

- OHIO. *Revised statutes*. By J. R. Swan. 1841.
 — *Laws*, 1802-16, 1819-21, 1825-26, 1830-32, 1834-40, 1844-50.
 — *Journals of the house*, 1808-17, 1820-21, 1824-27, 1829, 1831-49.
 — *Journals of the senate*, 1808-11, 1813-20, 1822, 1824-25, 1828, 1831-49.
 — *Legislative documents*, 1835-50.
 INDIANA. *Laws and statutes*, 1828, 1831, 1834, 1841-42, 1844-49.
 — *Senate journal*, 1820-21, 1823-29, 1831-37, 1839-41, 1843-45, 1848-49.
 — *House journal*, 1821-22.
 ILLINOIS. *Revised laws*, 1833.
 — *Laws (session)*, 1839.

Ohio newspapers.

- CINCINNATI. *Advertiser*, 1826.
 — *Atlas*, 1843-46, 1848-49.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 299

- CINCINNATI. Chronicle, 1830, December, 1836–September, 1837, October, 1839–May, 1844, January, 1847–June 1849, 1850.
- Daily Chronicle, 1839–44, 1847–50.
 - Cist's Western General Advertiser, 1845–50.
 - Liberty Hall and Gazette, 1814–16, 1818–24, 1827–50.
 - Gazette, January–September, 1838, 1839–42, October, 1843–December, 1845, November, 1849–1850.
 - Morning Herald, 1843–45.
 - National Republican and Mercantile Advertiser, January–June, 1833.
 - Republican, September, 1840–August, 1842.
 - Times, 1846–48.
 - Western Spy, 1817–22.
- COLUMBUS. Ohio Coon Catcher, August–November, 1844.

IN HISTORICAL AND PHILISOPHICAL SOCIETY OF OHIO, CINCINNATI.

NORTHWEST TERRITORY. Laws. A complete set of the laws of the Northwest Territory, as follows:

- Laws passed in the Territory of the United States, Northwest of the Ohio River, from the commencement of the government to the 31st of December, 1791. Published by authority. Philadelphia: Printed by Francis Childs and John Swaine, 1792. 70p.
- Laws passed in the Territory of the United States, Northwest of the Ohio River, from July to December, one thousand seven hundred and ninety-two, inclusive. Published by authority. Philadelphia: Printed by Francis Childs and John Swaine, printers of the laws of the United States, 1794. 77p.
- Laws of the Territory of the United States, Northwest of the Ohio, adopted and made by the governor and judges, in their legislative capacity, at a session begun on Friday the xxix. day of May, one thousand seven hundred and ninety-five, and ending on Tuesday the 25th day of August following, with an appendix of resolutions and the ordinance for the government of the Territory. By authority. Cincinnati: Printed by W. Maxwell, 1796. 225p.
NOTE.—The last was known as "Maxwell's Code," and was the first book printed in Cincinnati.
- Laws of the Territory of the United States, Northwest of the River Ohio, adopted and published at a session of the legislature, begun in the town of Cincinnati, county of Hamilton, and Territory aforesaid, upon the 23d day of April, in the year of our Lord 1798, and continued by adjournments to the 7th day of May in the same year. By authority. Cincinnati: Printed and sold by Edmund Freeman, 1798. 32p.
- Laws of the Territory of the United States, Northwest of the Ohio River, passed at the first session of the general assembly begun and held at Cincinnati, Monday, the 16th day of Sept., A. D. 1799; also, certain laws enacted by the governor and judges of the Territory from the commencement of the government to December, 1792. With an appendix containing resolutions, the ordinance of Congress for the government of the Territory, the constitution of the United States, and the law respecting fugitives. Vol. 1. Published by authority. Cincinnati: From the press of Carpenter and Findley, printers to the Territory, 1800. 280p.

NORTHWEST TERRITORY. Laws of the Territory of the United States, Northwest of the River Ohio, passed at the second session of the first general assembly, begun and holden at Chillicothe, on Monday, the 3rd day of November, 1800, with an appendix of resolutions. Vol. II. Published by authority. Chillicothe. Printed by Windship & Willis, printers to the Honorable the Legislature, 1801. 112p.

— Laws of the Territory of the United States, Northwest of the River Ohio, passed at the first session of the second general assembly, begun and holden at Chillicothe, on Monday, the 23rd day of November, 1801. Also, an appendix containing certain acts and resolutions. Vol. III. Published by authority. Chillicothe: From the press of N. Willis, printer to the honorable Legislature, 1802. 253p.

— Laws of the Territory Northwest of the River Ohio, 1788-1802 [Reprint] Cincinnati, 1833.

— Journal of the convention of the United States, Northwest of the Ohio, begun and held at Chillicothe, on Monday, Nov. 1, 1802, and of the Independence of the United States the twenty-seventh. Chillicothe: From the press of N. Willis, 1802. 46p.

NOTE.—This convention formed the constitution of the State of Ohio, under which it was admitted into the Union. This pamphlet is exceedingly rare.

Newspapers.

CINCINNATI. The Western Tiller, v. 1, 1826-27; complete, all published.

IN CLEVELAND PUBLIC LIBRARY.

OHIO. Laws, 1806-14, 1817-23, 1825-50.

— Compilation of laws, treaties, resolutions, and ordinances of the General and State governments, which relate to lands in the State of Ohio; including the laws adopted by the governor and judges; laws of the Territorial legislature; and of this State, to the years 1815-16. Columbus, 1825. 534 p.

— School laws, 1842.

— Senate journal, 1839.

— House journal, 1807-09, 1812, 1838-39, 1839-40.

IN WESTERN RESERVE HISTORICAL SOCIETY, CLEVELAND.

NOTE.—The librarian states that the library has "nearly complete sets of all the laws, statutes, journals, and documents of Ohio prior to 1850."

Ohio newspapers.

CINCINNATI. Cist's Advertiser, 1847.

— Western Humorist May-November, 1839.

CLEVELAND. Weekly Herald, 1819-38.

— Daily Herald, 1839-50.

— Weekly Plain Dealer, 1843-50.

COLUMBUS. Gazette, 1817-19, 1822-25.

— Sentinel, 1833-35.

— Ohio State Journal, 1830-44.

GAMBIER. Observer, 1833-34, 1834-35.

WARREN. Trump of Fame, June 16, 1812-September, 1816; part of 1818.

— Western Reserve Chronicle, 1821-50.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 301

WARREN. Trumbull County Whig, 1848-50.
ZANESVILLE. Gazette, 1835-38.
— Whig, 1843.

STATE OF INDIANA.

IN STATE LIBRARY, INDIANAPOLIS.

NORTHWEST TERRITORY. Laws, 1791-92, 1796-98.

OHIO. Statutes, 1829, 1841.

— Laws, 1820-50.

— Executive documents, 1843-50.

INDIANA. Revised laws, 1824, 1831. 2v.

— Revised statutes, 1838.

— Laws of the Territory, 1800-16.

— Acts, 1826-50.

— House journal, 1817, 1826-50.

— Senate journal, 1817, 1826-50.

— Documentary journal, 1835-50.

ILLINOIS. Laws, 1819-50.

— House journal, 1844-50.

— Senate journal, 1844-50.

— Reports of general assembly, 1841-50.

— Documentary journal, 1840-50.

MICHIGAN. Revised statutes, 1838.

— Laws, 1820-50.

WISCONSIN. Revised statutes, 1839, 1849.

— Laws, 1836-50.

Indiana newspapers.

BLOOMINGTON. Post, 1832-38. 6v.

CAMBRIDGE. Reveille, 1847-50.

DANVILLE. Weekly Advertiser, 1848-51.

INDIANAPOLIS. Indiana Telegraph, 1848.

— Indiana Democrat, 1845-46.

— Weekly Journal, 1840-53. 12v.

— Daily Sentinel, 1841-50.

— Weekly Sentinel, 1845-50.

LA FAYETTE. Courier, 1847, 1850. 2v.

— Journal, 1850.

— Wabash Atlas, 1848-50.

LAWRENCEBURG. Independent Press, 1850.

— Political Beacon, 1838-40. 2v.

MONTICELLO. Prairie Chieftain, 1850.

NEW ALBANY. Ledger, 1849-50.

— Commercial, 1847-50.

RICHMOND. Palladium, 1847-48.

SOUTH BEND. St. Joseph Valley Register, 1848.

TERRE HAUTE. Wabash Courier, 1848, 1850.

— Wabash Express, 1846-47.

VINCENNES. Gazette, 1848-50.

MISCELLANEOUS. Tippecanoe Journal, 1848.

— Democratic Pharos, 1848-50.

MISCELLANEOUS. Indiana Blade, 1847.

- Indiana American, 1847-50.
- Valley Register, 1848.
- White Water Valley, 1849-50.
- Western Sun and General Advertiser, 1847-49.

Ohio newspapers.

CINCINNATI. Gazette, 1841-50.

IN STATE LAW LIBRARY, INDIANAPOLIS.

NORTHWEST TERRITORY. Laws, 1788-1802. Cincinnati, 1833.

OHIO. Statutes, general acts revised, 1820, 1824.

- Statutes. By J. R. Swan, 1841.
- Compiled land laws, 1825.
- Session laws, 1810-11, 1814-15, 1815-16, 1816-17, 1819-20, 1820-21, 1821-22, 1823-24, 1824-25, 1831, 1832, 1834-35, 1835-36, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

INDIANA. Territory. Revised laws, Vincennes, 1807.

- Revised laws. Corydon, 1824.
- Revised laws. Indianapolis, 1831.
- Revised statutes. Indianapolis, 1838, 1843. 2v.
- Session laws, 1801, 1802, 1803, 1805, 1806, 1807, 1808, 1810, 1813, 1814, 1816-17, 1817-18, 1818-19, 1819-20, 1820-21, 1821-22, 1822-23, 1824, 1825, 1825-26, 1826-27, 1827-28, 1828-29, 1829-30, 1830-31, 1831-32, 1832-33, 1833-34.
- General laws, 1834-35, 1835-36, 1836-37, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.
- Local laws, 1834-35, 1835-36, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

ILLINOIS. Revised statutes, 1845.

- Session laws, 1819, 1820-21, 1822-23, 1824-25, 1826-27, 1828-29, 1830-31, 1832-33, 1834-35, 1835-36, 1836-37, 1837, 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, 1849.

MICHIGAN. Laws of the Territory of Michigan, 1806-1835. [Reprinted.]

- Lansing, 1871-84. 4v.
- Revised laws of the Territory, 1820, 1827, 1833. 3v.
- Revised statutes, 1838, 1846. 2v.
- Session laws, 1824, 1825, 1828, 1829, 1830, 1831, 1834-35, 1835-36, 1837, 1837-38, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850.

WISCONSIN. Territorial statutes. Albany, 1839.

- Revised statutes. Southport, 1849.
- Constitutional convention. Journal, 1847.
- Session laws, 1836-38, 1838-39, 1839-40, 1840-41, 1843, 1843-44, 1845, 1846, 1847, 1848, 1849, 1850.

NOTE.—The librarian reports that the library "contains practically a complete set of the laws and statutes of the Northwest Territory, as well as of all of the Territories and States formed out of it."

THE WEST AS A FIELD FOR HISTORICAL STUDY. 303

IN INDIANAPOLIS PUBLIC LIBRARY.

INDIANA. Revised statutes, 1838.
— Documentary journal, 1845, 1846.

Indiana newspapers.

INDIANAPOLIS. Indiana Democrat, August, 1830–November, 1837; February, 1839–June, 1841; October, 1846–November, 1849. 7v.
— Indiana Farmer and Gardener, 1846.
— Indiana State Journal, January, 1825–50.
— Indiana State Sentinel, July, 1841–December, 1842; January, 1844–December, 1846; January, 1849–November, 1850.
— Indianapolis Gazette, January, 1824–October, 1829. 3v.
— Locomotive, 1845–49.
LAWRENCEBURG. Indiana Register, May 15, 1847–May 6, 1848.

STATE OF ILLINOIS.

IN STATE LIBRARY. SPRINGFIELD.

NORTHWEST TERRITORY. Laws, 1791, 1792, 1796, 1798.

OHIO. Revised statutes, 1841.

— Laws, 1815–16, 1832, 1833, 1834, 1835–36, 1836–37, 1837–38, 1838–39, 1839–40, 1841–42, 1842–43, 1843–44, 1844–45, 1845–46, 1846–47, 1847–48, 1848–49, 1849–50.
— Legislative documents, 1843–44.

INDIANA. Revised statutes, 1824, 1838, 1843.

— Laws, 1807, 1818–19–22–23, 1827–28, 1828–29, 1829–30, 1832–33, 1833–34, 1834–35, 1835–36, 1838–39, 1839–40, 1840–41, 1841–42, 1842–43, 1843–44, 1844–45, 1845–46, 1846–47, 1848, 1849, 1850.
— Laws of a local nature, 1835–36–37–38, 1838–39, 1843–44–45, 1844–45, 1849.
— Journal of the senate, 1835.
— Documentary journal, 1849–50.

ILLINOIS. Revised code of laws, 1827, 1829, 1833.

— Revised statutes, 1844–45.
— Statutes (real estate), 1849.
— Laws, 1815, 1818, 1819–23, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839–40, 1841, 1842, 1843, 1844–45, 1846–47, 1848–49, 1849–51.
— Journal of the house, 1820, 1821, 1824, 1825, 1826, 1828, 1829, 1833, 1835, 1836, 1836–37, 1837, 1838–39, 1839–40, 1840–41, 1842–43, 1844–45, 1847, 1849, 1849–51.
— Journal of the senate, 1818, 1824, 1826, 1827, 1828, 1829, 1831, 1833, 1835, 1836, 1836–37, 1837, 1838–39, 1840–41, 1842–43, 1844–45, 1847, 1849, 1849–51.
— Reports to general assembly, 1838–39, 1839–40, 1840, 1840–41, 1842–43, 1844–45, 1847, 1849, 1851.
— Constitutional convention. Journal, 1847.

- MICHIGAN. Revised statutes, 1838, 1846.
 — Laws, 1820, 1824, 1825, 1828, 1829, 1835, 1837-38, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850.
 — Journal of the senate, 1843.
 WISCONSIN. Laws, 1848, 1849.
 — Constitutional conventions. Journals, 1846, 1847-48. 2v.

IN STATE HISTORICAL LIBRARY, SPRINGFIELD.

- ILLINOIS. Laws, 1818-50.
 — House journal, 1818-50.
 — Senate journal, 1818-50.
 — Reports to general assembly, 1818-50.

Illinois newspapers.

- ALTON AND ST. LOUIS. Observer, 1835-38.

IN UNIVERSITY OF ILLINOIS LIBRARY, CHAMPAIGN.

- ILLINOIS. Laws, 1819-50.
 — Senate journal, 1826-27, 1830-50.
 — House journal, 1830-50.
 — Reports to general assembly, 1838-50.

IN CHICAGO HISTORICAL SOCIETY LIBRARY.

- NORTHWEST TERRITORY. Laws passed in the Territory of the United States Northwest of the Ohio River, from the commencement of the government to the 31st day of December, 1791. Philadelphia, 1792. 70p. [Facsimile reprint.]
 — Laws passed in the Territory of the United States Northwest of the Ohio River, from July to December, 1792, inclusive. Philadelphia, 1794. 77p. [Facsimile reprint.]
 — Laws of the Territory of the United States Northwest of the Ohio, adopted and made by the governor and judges, in their legislative capacity, at a session begun on Friday, the XXIX. day of May, 1795, and ending on Tuesday, the 25th day of August following, with an appendix of resolutions and the ordinance for the government of the Territory. Cincinnati, 1796. 225p. [Facsimile reprint.]

NOTE.—The original volume was known as "Maxwell's Code," and was the first book printed in Cincinnati.

- Laws of the Territory of the United States Northwest of the Ohio River, adopted and published at a session of the legislature begun in the town of Cincinnati, upon the 23d day of April, 1798, and continued to the 14th day of May, in the same year. Cincinnati, 1798. 32p. [Facsimile reprint.]
 OHIO. Laws ordered by the legislature to be reprinted, 1816.
 — Acts of a general nature, 1838-39, 1841-42, 1847-48.
 INDIANA. Revised laws enacted by the fifteenth general assembly, 1831.
 — Revised statutes enacted by the twenty-seventh general assembly, 1843.
 — Laws of the Indiana Territory, 1801-1806, inclusive. [Reprinted.] Paoli, Ind., 1886.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 305

- ILLINOIS. Revised code of laws, 1827.
— Revised code of laws, 1829.
— Revised laws of 1833.
— Public general laws in force, 1837.
— The public and general statute laws of the State of Illinois. Chicago, 1839.
— Revised statutes of the State of Illinois, 1844-45.
— Laws (session), 1830-31, 1834-35, 1835-36, 1836-37, July, 1837, 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, January, 1849, October, 1849.
— Private laws, 1833.
— House journal, 1818, 1820-21, 1824-25, 1826, 1828-29, 1832-33, 1834-35, 1836-37, 1837 (special session), 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, 1848-49, 1849.
— Senate journal, 1820-21, 1826, 1828-29, 1830-31, 1834-35, 1836-37, 1837 (special session), 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, 1849-50.
— Reports made to the senate and house, 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, 1849.
MICHIGAN. Laws of the Territory, 1820.
— Revised statutes of the State, passed in 1837-38, 1838.
— Revised statutes of 1846.
— Acts, 1840, 1842, 1844, 1845, 1846, 1849, 1850.
WISCONSIN. Constitutional convention, journal of, 1846.

Ohio newspapers.

- CANTON. Ohio Repository (w.), 1846-50.
CHILLICOTHE. Sciota Gazette (w.), 1818-29. 5v.
CINCINNATI. Journal (w.), 1835-37.
— Observer (w.), 1840-41.
COLUMBUS. Journal (w.), 1829-37. 3v.
HUDSON. Observer (w.), 1834-35.
RAVENNA. Western Courier (w.), 1828.

Illinois newspapers.

- ALTON. Observer (w.), 1836-38.
— Spectator (w.), 1833-36.
— Telegraph (d. and w.), 1836-50. 5v.
CHICAGO. American (w.), 1835-42. 4v.
— American (d.), 1839-42. 6v.
— Better Covenant (w.), 1843-44.
— Christian Advocate (w.), 1827-32.
— Democrat (w.), 1833-50. 10v.
— Democrat (d.), 1840-50. 10v.
— Gem of the Prairie (w.), 1850.
— Hard Cider Press (w.), 1840.
— Journal (d.), 1844-50. 7v.
— Western Citizen (w.), 1842-51. 6v.
— Western Herald (w.), 1846-47.
H. Doc. 353—20

- EDWARDSVILLE. Illinois Advocate (w.), 1831-35.
 — Spectator (w.), 1820-22. 2v.
 GALENA. Miner's Journal (w.), 1828-32.
 NAUVOO. Nauvoo Neighbor (w.), 1843-45.
 PEORIA. Register (w.), 1837-39.
 SPRINGFIELD. Sangamo Journal (w.), 1836-38.
 — State Register (tri-w.), 1847.
 UPPER ALTON. Western Pioneer (w.), 1830-38.

IN THE UNIVERSITY OF CHICAGO LIBRARY.

- INDIANA. Constitutional convention, journal of, 1816.
 — Journal and debates, 1850-51. 3v.
 ILLINOIS. Laws, 1831-50.
 — House journal, 1835-50.
 — Senate journal, 1826, 1835-50.
 — Reports to general assembly, 1838-50.

IN CHICAGO PUBLIC LIBRARY.

- OHIO. Statutes, 1788-1833. By S. P. Chase. 3v.
 — Constitutional convention, journal of, 1802.
 INDIANA. Revised statutes, 1852.
 — Territorial laws, 1801-1806.
 — Senate journal, 1849, 1850.
 ILLINOIS. Revised code of laws, 1827, 1829-30, 1837.
 — Revised statutes, 1844-45.
 — Laws, 1820, 1827, 1830, 1837, 1839, 1840, 1841, 1843, 1845, 1847
 — Compilation of all the general laws concerning real estate and the titles thereto. Quincy, 1849.
 — Journal of the house, 1834-50.
 — Journal of the senate, 1826-50.
 — Reports to general assembly, 1826-50.
 MICHIGAN. Revised statutes, 1837-38.
 — Laws of the Territory, 1834.
 — Acts of the legislature, 1841, 1842, 1844, 1845, 1846, 1847, 1848, 1849.
 — House journal, 1850.
 — Senate journal, 1850.
 — House documents, 1850.
 — Senate documents, 1850.
 — Joint documents, 1850.
 — Constitutional convention, proceedings and debates, 1850.
 WISCONSIN. Laws, 1836-50.
 — Journal of the council, 1837-44. 9v.
 — Journal of the House, 1834-41. 4v.
 — Assembly journal, 1849.

IN NEWBERRY LIBRARY, CHICAGO.

- INDIANA. Laws of Indiana Territory, 1801-06. [Reprinted], Paoli, 1886.
 ILLINOIS. Laws of the Territory of Illinois, revised and digested under the authority of legislature, by Nathaniel Pope. Kaskaskia, 1815.
 — Territorial laws, 1816-17, 1817-18.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 307

ILLINOIS. Laws, 1819-51.

- Laws. Compilation of all the general laws concerning real estate in Illinois from the organization of the territory northwest of the Ohio, by N. H. Purple. Quincy, 1849.
- Senate journal, 1826-27, 1834-35, 1836-37, 1838-39, 1840-41, 1842-43, 1844-45, 1846-47, 1848-49.
- Reports to the general assembly, 1839-50

MICHIGAN. Constitution of Michigan, preceded by the acts, etc., relative to the admission of the State to the Union. n. d. pamphlet.

- Senate executive journal, 1835-36, 1837.
- Senate journal, 1837.
- House journal, 1850.
- Joint documents, 1834, 1844, 1845, 1850.

IN CHICAGO LAW INSTITUTE LIBRARY.

OHIO. Revision of laws, 1823-24, 1830-31.

- Statutes, 1788-1833. By S. P. Chase. 3v.
- Statutes, 1833-60. By M. E. Curwen. 4v.
- Statutes, 1841. By J. R. Swan.
- Land laws, 1788-1816.
- Session laws, 1803, 1805, 1806-07, 1810-12, 1814-21, 1823-32, 1834-50.
- Constitutional convention. Debates, 1850-51. 2v.

INDIANA. Territorial laws, revision, 1807.

- Revised statutes, 1824, 1831, 1838, 1843. 4v.
- Session laws, 1801-06, 1808-11, 1818, 1820-22, 1825-50.

ILLINOIS. Revision of the laws of Indiana Territory, including Illinois Territory. Vincennes, 1807.

- Compilation of Territorial laws, 1815. 2v.
- Revised statutes, 1819, 1827. 2v.
- Revised laws, 1829, 1833. 2v.
- Compilation of laws, 1839.
- Revised statutes, 1833, 1845. 2v.
- Real estate statutes, 1849.
- Constitutional convention journal, 1847.
- House journals, 1835-50.
- Senate journals, 1826, 1835-50.
- Reports to general assembly, 1838-50.
- Session laws, 1815, 1816, 1817, 1818, 1819, 1821, 1823, 1825, 1826, 1829, 1831, 1832, 1833, 1835, 1836, 1837, 1839, 1840, 1841, 1843, 1844, 1845, 1847, 1849.
- Private laws, 1827, 1833, 1837, 1839, 1847, 1849.

MICHIGAN. Laws of the Territory of Michigan, 1806-35. [Reprinted], Lansing, 1871-84. 4v.

- Territorial code, 1820.
- Compilation of laws, 1827, 1833.
- Revised statutes, 1838, 1846.
- Session laws, 1829, 1832, 1834-50.

WISCONSIN. Revised statutes, 1839, 1849.

- Session laws, 1836-50, parts.
- Constitutional convention, journal of, 1846.

STATE OF MICHIGAN.

IN MICHIGAN STATE LIBRARY, LANSING.

NORTHWEST TERRITORY. Statute law. Compilations. (Governor and judges.)

- Laws passed in the Territory of the United States, Northwest of the River Ohio, from the commencement of the government to the 31st of December, 1791. Philadelphia, 1792. [Reprint in facsimile.]
- Laws passed in the Territory of the United States, Northwest of the River Ohio, from July to December, 1792. Philadelphia, 1794. [Reprint in facsimile.]
- Laws of the Territory of the United States, Northwest of the River Ohio, adopted and made by the governor and judges at a session begun on the 29th of May, 1795, and ending 25th of August. Cincinnati, 1796. [Reprint in facsimile.]
- Laws of the Territory of the United States, Northwest of the River Ohio, adopted and published at a session of the legislature begun in the town of Cincinnati, county of Hamilton, and Territory aforesaid, upon the 23d day of April, 1798, and continued by adjournment to the 7th day of May in the same year. Cincinnati, 1798.
- Laws passed at the first session of the general assembly, begun and held at Cincinnati on Monday, the 16th day of September, 1799; also certain laws enacted by the governor and judges of the Territory from the commencement of the government to December, 1792; with an appendix containing resolutions, the ordinance of Congress for the government of the territory, etc. V. 1, Cincinnati, 1800.
- Laws passed at the second session of the first general assembly, begun and holden at Chillicothe, 3d November, 1800; with an appendix of resolutions. V. 2, Chillicothe, 1801.
- Laws passed at the first session of the second general assembly, begun 23d November, 1801; also, an appendix containing certain acts and resolutions. V. 3, Chillicothe, 1802.

OHIO. Laws, 1816.

- Statutes, 1788-1833. By S. P. Chase. 3v.
 - Statutes, 1841. By J. R. Swan.
 - Statutes, 1833-60. By M. E. Curwen. 4v.
 - Land laws, 1825.
 - Session laws, 1803-04, 1805-06, 1806-07, 1809-10, 1810-11, 1811-12, 1812-13, 1813-14, 1814-15, 1815-16, 1815-16 [reprint], 1816-17, 1817-18, 1818-19, 1819-20, 1820-21, 1821-22, 1822, 1822-23, 1823-24, 1824-25, 1825-26, 1826-27, 1827-28, 1828-29, 1829-30, 1830-31, 1831-32, 1832, 1832-33, 1833-34, 1834-35, 1835-36, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.
 - Journal of the senate, 1823.
 - Legislative documents, 1843-44.
 - Index to documents, 1802-36.
 - Constitutional convention, debates and proceedings, 1850-51. 2v.
- INDIANA. Revised laws, 1824, 1831.
- Revised statutes, 1838, 1843.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 309

INDIANA. Laws, 1801-06. [Reprinted.] Paoli, 1886.

— Session laws, 1817-18, 1819-20, 1820-21, 1822-23, 1823-24, 1825, 1826, 1826-27, 1827-28, 1828-29, 1829-30, 1830-31, 1831-32, 1832-33, 1833-34, 1834-35, 1835-36, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

— Documentary journals, 1848-50.

ILLINOIS. Revised laws, 1827, 1829, 1833.

— Compilation of laws, 1839.

— Revised statutes, 1845.

— Real estate laws, 1849.

— Session laws, 1820, 1822, 1824, 1826, 1828, 1830, 1832, 1834, 1835, 1836, 1837, 1838, 1839, 1840-41, 1842-43, 1844-45, 1846-47, 1849.

— Journal of the senate, 1844-45, 1849.

— Journal of the house, 1844-45, 1849.

— Reports to general assembly, 1840-41, 1841, 1841-42, 1844-45, 1846-47.

— Constitutional convention. Journal, 1847.

NOTE.—The debates of the constitutional convention of 1847 were published in the Illinois State Register, Springfield, v. 1, Nos. 1-36, June 12-September 3, 1847, copies of which are on file in the office of the secretary of state of Illinois and the office of the publisher of the Register.

MICHIGAN. Territorial laws, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.

— Revised statutes, 1838, 1846.

— Session laws, 1806, 1816, 1820, 1821, 1824, 1825, 1827, 1828, 1829, 1830; 1831, 1832, 1833, 1834, 1835, 1835-36, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850.

— Journal of the senate, 1835-50.

— Journals of the house, 1835-50.

— Legislative council journals, 1824-35.

— Executive journals, 1835-37, 1844.

— Senate documents, 1835-50.

— House documents, 1837-50.

— Joint documents, 1841-50.

— Legislative manual for 1836.

— Constitutional convention. Journal, 1835.

— Constitutional convention, journal of proceedings, 1836. [Reprinted.] Lansing, 1873.

— Constitutional convention, journal, 1850.

— Constitutional convention, proceedings and debates, 1850.

— Journal of the proceedings of the convention to form a constitution, begun in Detroit, May 11, 1835. Detroit, 1835.

— Constitution of Michigan, adopted in convention held in Detroit, 1835. Detroit, 1835.

— Appeal by the convention to the people of the United States; with other documents in relation to the boundary question between Michigan and Ohio. Detroit, 1835.

WISCONSIN. Statutes, 1839, 1849.

— Session laws, 1836, 1836-7-8 [reprint], 1839, 1840-41, 1841-42, 1843, 1843-44, 1845, 1846, 1847, 1848, 1849, 1850.

— Journals of the council, 1839-40, 1840, 1840-41.

— Journals of the assembly, 1839-40, 1840.

— Constitutional convention. Journals, 1846, 1847-48.

Michigan newspapers.

- DETROIT. Daily Free Press, January-September, 1843; June, 1843-June, 1844. 2v.
 LANSING. Michigan State Journal, 1849-50.

IN UNIVERSITY OF MICHIGAN LIBRARY, ANN ARBOR.

- MICHIGAN. Revised statutes, 1837-38.
 — Territorial laws, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.
 — Acts of the legislative [Territorial] council, 1830-35.
 — Journal of the legislative [Territorial] council, 1824-34. 2v.
 — Session laws, 1835-50.
 — House journal, 1835-50.
 — Senate journal, 1838-50.
 — House documents, 1838-50.
 — Senate documents, 1838-41, 1847-50.
 — Senate and house documents, 1843-46.
 — Joint documents, 1842-50.
 — Manual of the legislature, 1838, 1839, 1842, 1843, 1845, 1846, 1847, 1850.
 — Convention of assent (Ann Arbor), 1836. [Reprint, 1894.]
 — Constitutional convention. Journal, 1835, 1850.

Michigan newspapers.

- DETROIT. Michigan Essay. Published by James M. Miller. V. 1, No. 1, August 31, 1809.

NOTE.—First paper published in Michigan.

- Michigan Christian Herald (Baptist). Edited by Rev. Andrew Ten Brook. V. 1 and 2, January, 1842-December, 1844.
 — Daily Gazette, December, 1842-August, 1843.

IN DETROIT PUBLIC LIBRARY.

- NORTHWEST TERRITORY. Laws passed in the Territory of the United States, Northwest of the River Ohio, from July to December, 1792. Philadelphia, 1794.
 — Laws of the Territory of the United States, Northwest of the River Ohio, adopted and made by the governor and judges at a session begun on the 29th of May, 1795, and ending 25th of August. Cincinnati, 1796. [Reprint in facsimile.]
 — Laws of the Territory of the United States, Northwest of the River Ohio, adopted and published at a session of the legislature begun in the town of Cincinnati, county of Hamilton, and Territory aforesaid, upon the 23d day of April, 1798, and continued by adjournment to the 7th day of May in the same year. Cincinnati, 1798.
 — Laws passed at the second session of the first general assembly, begun and holden at Chillicothe, 3d November, 1800; with an appendix of resolutions. V. 2. Chillicothe, 1801.
 — Laws passed at the first session of the second general assembly, begun 23d November, 1801; also an appendix containing certain acts and resolutions. V. 3. Chillicothe, 1802.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 311

OHIO. Laws, treaties, etc., which relate to lands in Ohio; [also] laws of Territorial legislature and State, to 1816. Columbus, 1825.

— Statutes, 1840, 1841.

INDIANA. Laws adopted by the governor and judges of the Indiana Territory at their first sessions, 1801. Frankfort, 1802. [Reprinted.] Paoli, 1886.

— Revised statutes, 1818-43. 2v.

ILLINOIS. Constitutional convention, journal, 1847.

MICHIGAN. Laws of the Territory, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.

— Laws of State, 1836-50.

— Journal of legislative council, 1824-34.

— Journal of house of representatives, 1835-50.

— Journal of senate, 1835-50.

— Executive journal of senate, 1835-37.

— Senate documents, 1838-50.

— House documents, 1838-50.

— Joint documents, 1841-50.

— State Register, 1836-37.

— Legislative manuals, 1837, 1838, 1839, 1841, 1842, 1845, 1846, 1849, 1850.

— Journal of constitutional convention, 1835, 1850.

— Manual of constitutional convention, 1850.

(With autographs.)

— Detroit charter and ordinances, 1836, 1842, 1848.

WISCONSIN. Constitutional convention. Journal, 1847.

Michigan newspapers.

DETROIT. Gazette, July 25, 1817-June 26, 1827, December 19, 1842-June 13, 1843.

— Courier, August 23, 1832-January 14, 1835.

— Times, May 14-August 12, 1842.

— Democratic Free Press (weekly), May 5, 1831-November 20, 1832.

— Daily Free Press, September 28, 1835 (v. 1, No. 1)-December, 1850.

— Northwestern Journal, November 2, 1829-November 17, 1830.

— Journal and Michigan Advertiser, November 24, 1830-November 14, 1835.

— Daily Advertiser, June 11, 1836 (v. 1, No. 1)-December, 1850.

— Daily Tribune, November 19, 1849 (v. 1, No. 1)-December, 1850.

STATE OF WISCONSIN.

IN WISCONSIN STATE (LAW) LIBRARY, MADISON.

NORTHWEST TERRITORY. Laws passed in the Territory of the United States, Northwest of the Ohio River, from the commencement of the Government to the 31st day of December, 1791. Published by authority. Philadelphia. Printed by Francis Childs and John Swain, MDCCXCII. 70p. [Facsimile reprint.]

— Laws passed in the Territory of the United States, Northwest of the Ohio River, from July to December, one thousand seven hundred and ninety-two, inclusive. Published by authority. Philadelphia. Printed by Francis Childs and John Swain, printers of the laws of the United States, MDCCXCIV. 74p. [Facsimile reprint.]

NORTHWEST TERRITORY. Laws of the Territory of the United States Northwest of the Ohio, adopted and made by the governor and judges, in their legislative capacity, at a session begun on Friday, the XXIX day of May, one thousand seven hundred and ninety-five, and ending on Tuesday, the 25th day of August following, with an appendix of resolutions and the ordinance for the government of the Territory. By authority. Cincinnati. Printed by W. Maxwell, MDCXCVI. 225p. [Facsimile reprint.]

NOTE.—The original of this volume was known as Maxwell's Code, and was the first book printed in Cincinnati.

— Laws of the Territory of the United States, Northwest of the Ohio River, adopted and published at a session of the legislature begun in the town of Cincinnati, county of Hamilton and Territory aforesaid, upon the 23d day of April, in the year of our Lord 1798, and continued by adjournments to the seventh day of May, in the same year. By authority. Cincinnati. Printed and sold by Edmund Freeman, MDCCXCVIII. 32p. [Facsimile reprint.]

OHIO. Statutes of Ohio and of the Northwestern Territory, adopted or enacted from 1788 to 1833, inclusive. By Salmon P. Chase. Cincinnati, 1833-35. 3v.

— Statutes of the State of Ohio of a general nature, in force December 7, 1840, collated by J. R. Swan. Columbus, 1841. xv+1111p.

— The public statutes at large, from February, 1833, to the present time, a supplement containing all laws passed prior to February, 1833, now in force. By Maskell E. Curwen. Cincinnati, 1853-54. 3v.

— Laws ordered by the legislature to be reprinted, 1816.

— Acts of a general nature enacted, revised, and ordered to be reprinted, 1823-24, 1831. 2v.

— Acts of a general nature, 1815-16, 1833-34, 1834-35, 1835-36, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

— Acts of a local nature, 1836-37, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

— Index to Ohio laws, general and local, and to the resolutions, 1845-57, and to documents, 1802-36. By William T. Coggeshall. Columbus, 1858.

— Constitutional convention, debates and proceedings of the convention of 1850-51. 2v.

INDIANA. Revised laws of Indiana, adopted and enacted by the general assembly at their eighth session. Corydon, 1824. 438p.

— Revised laws of Indiana, adopted and enacted by the general assembly at their fifteenth session. Indianapolis, 1831. 596p.

— Revised statutes of the State of Indiana, adopted and enacted by the general assembly at their twenty-second session. Indianapolis, 1838. 667p.

— Revised statutes of the State of Indiana, passed at the twenty-seventh session of the general assembly. Indianapolis, 1843. xxii+1114p.

— Laws of the Indiana Territory, 1801-1806, inclusive. [Reprinted.] Paoli, Ind., 1886.

NOTE.—Includes laws adopted by the governor and judges of the Indiana Territory at their first, second, and third sessions, held, respectively, in 1801, 1802, and 1803; and laws passed at the first and second sessions of the general assembly of the Indiana Territory, held, respectively, in 1805 and 1806.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 313

- INDIANA. Laws (session), 1827-28, 1828-29, 1829-30, 1831-32, 1832-33, 1833-34.
- Laws of a general nature, 1834-35, 1835-36, 1836-37, 1838-39, 1839-40.
 - General laws, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.
 - Laws of a local nature, 1842-43, 1844-45.
 - Local laws, 1849.
 - Documents, 1849-50.
- ILLINOIS. Revised code of laws of Illinois. Vandalia, 1827. iv+406p.
- Revised code of laws of Illinois. Shawneetown, 1829. 278p.
 - Revised laws of Illinois. Vandalia, 1833. 677+40p.
 - The public and general statute laws of the State of Illinois. Chicago, 1839. iv+743p.
 - Revised statutes of the State of Illinois. Springfield, 1845. xvi+749p.
 - Laws (session), 1824-25, 1830-31, 1834-35, 1835-36, 1836-37, July, 1837, 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, January, 1849, October, 1849.
 - Private laws, 1846-47, January, 1849.
- MICHIGAN. Laws of the Territory of Michigan, Detroit, 1820. 517p.
- Laws of the Territory; comprising the acts of a public nature, revised by the commissioners appointed by the first legislative council, and passed by the second council; the acts and resolutions of the first and second councils; and the acts in force adopted by the governor and judges of the Territory. Detroit, 1827. 709p.
 - Laws of the Territory, condensed, arranged and passed by the legislative council. Detroit, 1833. 623p.
 - Revised statutes of the State of Michigan, passed at the sessions of 1837 and 1838. Detroit, 1838. 817p.
 - Revised statutes of the State of Michigan, passed and approved May 18, 1846. Detroit, 1846. xvi+829p.
 - Laws of the Territory of Michigan, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.
 - Township laws of the Territory of Michigan. Detroit, 1833. 92p.
 - Acts, 1828, 1835-36, 1837, 1837-38, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850.
 - Constitutional convention and commission. Report of the proceedings and debates in the convention of 1850.
- WISCONSIN. Statutes passed at sessions commencing in November, 1838, and January, 1839. Albany, 1839. iv+457p.
- Revised statutes passed at a session of the legislature commencing January 10, 1849; with an appendix. Southport, 1849. xii+899p.
 - Laws, 1836, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848, 1849, 1850.
 - Journals of the council, 1836, 1837-38, 1838, 1839, 1839-40, August, 1840, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848.
 - Journals of the house, 1836, 1837-38, June, 1838, November, 1838, 1839, 1839-40, August, 1840, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848.
 - House journals, 1848, 1849, 1850.

WISCONSIN. Senate journals, 1848, 1849, 1850.

— Constitutional convention. Journal, 1846. 506p.

— Constitutional convention. Journal, 1847-48. 678p.

IN STATE HISTORICAL SOCIETY LIBRARY, MADISON.

NORTHWEST TERRITORY. Laws of the Territory of the United States Northwest of the Ohio, adopted and made by the governor and judges, in their legislative capacity, at a session begun on Friday, the XXIX day of May, one thousand seven hundred and ninety-five, and ending on Tuesday, the 25th day of August following, with an appendix of resolutions and the ordinance for the government of the Territory. By authority. Cincinnati: Printed by W. Maxwell, 1796. 225p.

— Laws of the Territory of the United States, Northwest of the River Ohio; passed at the second session of the first general assembly, begun and holden at Chillicothe, on Monday, the third day of November, one thousand eight hundred; with an appendix of resolutions. Vol. 2. Chillicothe, 1801. 112p.

— Laws of the Territory Northwest of the River Ohio, 1788-1802. [From Chase's Statutes of Ohio and of the Northwest Territory, v. 1. Cincinnati, 1833, pp. 92-350.]

OHIO. Statutes of Ohio and of the Northwestern Territory, adopted or enacted from 1788 to 1833, inclusive; together with the ordinance of 1787, the constitutions of Ohio and the United States, and various public instruments and acts of Congress, illustrated by a preliminary sketch of the history of Ohio; numerous references and notes, and copious indexes. Vol. 1. Edited by Salmon P. Chase. Cincinnati, 1833. 740p.

— Statutes of the State of Ohio, of a general nature, in force December 7, 1840; also, the statutes of a general nature passed by the general assembly at their thirty-ninth session, commencing December 7, 1840. Collated, with references to the decisions of the courts and to prior laws, by J. R. Swan. Columbus, 1841. 15+1111p.

— Acts of a general nature ordered to be reprinted, at the first session of the eighteenth general assembly of the State of Ohio, begun and held in the town of Columbus, December 6, 1819; and in the eighteenth year of said State. Vol. XVIII. Published by authority. Columbus. Printed at the office of the Columbus Gazette, by P. H. Olmsted, 1820. 488p.

— Acts of a general nature, 1836-37, 1838-39, 1839-40, 1841-42.

— Acts of a local nature, 1836-37, 1838-39, 1839-40, 1841-42.

— Land laws. A compilation of laws, treaties, resolutions, and ordinances of the General and State governments which relate to lands in the State of Ohio; including the laws adopted by the governor and judges; the laws of the Territorial legislature; and the laws of this State, to the years 1815-16. Published in pursuance of resolutions of the general assembly, passed January 22, 1825. Columbus. Printed by Geo. Nashee, State printer, 1825. 534p.

— Documents, 1830-31, 1837-38, 1843-44, 1845-46, 1846-47, 1847-48, 1848-49, 1849-50.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 315

OHIO. Canals. Public documents concerning the Ohio canals, which are to connect Lake Erie with the Ohio River, comprising a complete official history of these great works of internal improvement, from their commencement down to the close of the session of the legislature of 1831-32. Compiled by John Kilbourn. Columbus. Published by I. N. Whiting, 1832. 452+28+40p.

- Constitutional convention. Journal, Chillicothe, 1802.
- Constitutional convention. Journal, 1850-51. Columbus. 2v.
- Constitutional convention. Debates, 1850-51. Columbus. 2v.

INDIANA. Laws of the Indiana Territory, comprising those acts formerly in force, and as revised by Messrs. John Rice Jones and John Johnson, and passed (after amendments) by the legislature; and the original acts passed at the first session of the second general assembly of the said Territory, begun and held at the borough of Vincennes, on the sixteenth day of August, anno Domini eighteen hundred and seven. Printed by authority, and under the inspection of the committee. Vincennes. Printed by Stout & Smoot, printers to the Territory, 1807. 540+xxviii p.

- Acts of assembly of the Indiana Territory, passed at the first session of the third general assembly of the said Territory, begun and held at the borough of Vincennes, on Monday, the twelfth day of November, A. D. one thousand eight hundred and ten. Printed by authority and under the inspection of the committee. Vincennes. Printed by Elihu Stout, printer to the Territory, 1810. 118+[13]p.
- Laws of a general nature, 1838-39, 1839-40.
- General laws, 1840-41, 1841-42, 1842-43, 1843-44, 1844-45, 1845-46.
- Laws of a local nature, 1844-45.
- School laws. Indianapolis, 1844. 105p.
- Documents of the general assembly, 1844-45, 1845-46, 1848-49, 1849-50.

ILLINOIS. Revised code of laws of Illinois. Shawneetown, 1829. 278p.

- Revised laws of Illinois. Vandalia, 1833. 677+40p.
- Laws, 1820-21, 1822-23, 1824-25, 1830-31, 1834-35, 1835-36, 1836-37, 1837 (special session), 1838-39, 1839-40, 1840-41, 1842-43, 1844-45, 1846-47, 1849.
- Incorporation laws of the State of Illinois; passed at a session of the general assembly, begun and held at Vandalia the 6th day of December, 1836. Published in pursuance of law. Vandalia. William Walters, public printer, 1837. 344+xxi p.
- Laws of the State of Illinois relative to justices of the peace. Published in pursuance of law. Vandalia. William Walters, public printer, 1839. 91+viii p.
- House journal, 1820-21, 1822-23, 1824-25, 1826, 1826-27, 1828-29, 1830-31, 1832-33, 1834-35, 1836-37, 1837 (special session), 1838-39, 1839-40, 1840-41.
- Senate journal, 1820-21, 1822-23, 1824-25, 1826, 1826-27, 1828-29, 1830-31, 1832-33, 1834-35, 1836-37, 1837 (special session), 1838-39, 1839-40, 1840-41, 1842-43, 1849-50.
- Reports made to the senate and house, 1838-39, 1839-40, 1840-41, 1842-43, 1849.

MICHIGAN. Statutes, laws of Michigan, v. 1. City of Washington, 1806. 179p.

- Laws of the Territory of Michigan, with marginal notes and an index; to which are prefixed the ordinance and several acts of Congress relating to this Territory. Published by authority. Detroit, 1820. 517p.
- Laws of the Territory of Michigan, comprising the acts of a public nature, revised by commissioners appointed by the first legislative council and passed by the second council; the acts and resolutions of the first and second councils; and the acts now in force, adopted by the governor and judges of the Territory; together with the Declaration of Independence, the Constitution of the United States, and certain acts of Congress relative to said Territory. Published by authority. Detroit, 1827, 709p.
- Laws of the Territory of Michigan, condensed, arranged, and passed by the fifth legislative council, together with the Declaration of Independence, the Constitution of the United States, the ordinance of 1787, and the acts of Congress relative to said Territory. Published by authority. Detroit, 1833. 623p.
- Some of the acts of the Territory of Michigan, with the titles and a digest of all the acts of the said Territory, now in force, March 20, 1816. Printed by Theophilus Mettez, 1816. 138+6p.
- Acts of the Territory of Michigan, adopted by the legislative board since July the third, 1821. Published by authority, Detroit, 1824. 40p.
- Actes, relatifs aux townships, aux grand chemins, aux elections, &c. Publiés conformement à certaines resolutions, passées pendant la seconde session du second conseil legislatif du Michigan. Detroit, 1827. 69p.
- Laws of the Territory of Michigan, 1806-35. [Reprinted.] Lansing, 1871-84. 4v.

NOTE.—The first volume contains: Woodward Code, 1805; Cass Code, 1816: code published in 1821; laws compiled by legislative board in 1824; acts of Congress affecting Michigan Territory, 1815-22; laws, etc., published by legislative council, 1825. Succeeding volumes contain reprints of all laws passed by the Territorial legislature, 1806-35, not included in v. 1.

- Acts, 1824, 1825, 1828, 1830, 1831, 1832, 1834, 1834-35, August, 1835, 1837-38, 1839, 1841, 1842.
 - Journal of legislative council of Territory of Michigan, 1824, 1825, 1827, 1832, 1834.
 - House journal, 1841.
 - House documents, 1841.
 - Constitution. *Herziene grondwet van den staat Michigan, aangenomen in de conventie van den 15 Augustus, 1850.* The revised constitution of the State of Michigan [in Dutch and English], adopted in convention, August 15, 1850. Translated by G. Van de Wall. By authority. Holland, Hawks & Bassett, printers, 1851. 59p.
- WISCONSIN.** Statutes passed at sessions commencing in November, 1838, and January, 1839. Albany, 1839. iv+457p.
- Revised statutes passed at a session of the legislature commencing January 10, 1849; with an appendix. Southport, 1849. xii+899p.
 - Laws, 1836, 1837-38, 1838-39, 1839-40, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848, 1849, 1850.

THE WEST AS A FIELD FOR HISTORICAL STUDY. 317

- WISCONSIN.** Journals of the council, 1836, 1837-38, 1838, 1839, 1839-40, August, 1840, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848.
- Journals of the house, 1836, 1837-38, June, 1838, November, 1838, 1839, 1839-40, August, 1840, 1840-41, 1841-42, 1842-43, 1843-44, 1845, 1846, 1847, October, 1847, 1848.
- House journals (State), 1848, 1849, 1850.
- Senate journals, 1848, 1849, 1850.
- Constitutional convention. Journal, 1846. 506p.
- Constitutional convention. Journal, 1847-48. 678p.

Ohio newspapers.

- CANTON.** Ohio Repository and Stark Co. Gazette (w.), August 28, 1829.
- CHILLICOTHE.** Fredonian (w.), July 22, 1808.
- Friend of Freedom (w.), February 4, 1824.
- Supporter and Scioto Gazette (w.), October, 1821-January, 1822.
- Weekly Recorder (relig.), v. 1-4, July, 1814-July, 1818. Indexed.
- CINCINNATI.** Christian Journal and Religious Intelligencer (w.), July, 1830-July, 1831.
- Spirit of the West (w.), July 26, 1814.
- Standard (w.), Presb., v. 1-3, September, 1831-October, 1834.
- Daily Times, April-October, 1841.
- Western Christian Advocate (w.), Methodist Episcopal, May, 1834-March, 1844. Indexed. 6v.
- Western Spy (w.), July, 1814-December, 1822. 5v.
- Whig (w.), April 20, 1809.
- CLEVELAND.** Axe (w.), April-November, 1840.
- Family Visitor (w.), v. 1-4, January, 1850-May, 1853. 2v.
- COLUMBUS.** Columbus Gazette (w.), 1821-23, 4 nos.
- Ohio Monitor (w.), June, 1818-October, 1824. 2v., (incomp.).
- KIRTLAND.** Olive Branch (m.), Mormon. v. 1-2, August, 1848-June, 1850. Indexed.
- LEBANON.** Western Star and Lebanon Gazette (w.), February-October, 1828. Partly indexed.
- LONDON.** Madison Patriot (w.), November, 1833-August, 1834. 4 nos.
- MARIETTA.** Western Spectator, October 30, 1810.
- MOUNT PLEASANT.** Weekly Historian, October 6, 1823.
- Philanthropist (w.), October 24, 1817.
- NEW LISBON.** New Lisbon Gazette (w.), March 12, 1824.
- OBERLIN.** Oberlin Evangelist (bi-w.), May, 1845-December, 1851, scat. nos.
- PORTSMOUTH.** Scioto Telegraph (w.), March 4, 1820.
- ST. CLAIRSVILLE.** Ohio Federalist (w.), January 18, 1816.
- SOMERSET.** Perry Record (w.), September 2, 1825.
- STEUBENVILLE.** Western Herald and Steubenville Gazette (w.), October 27, November 9, 1821.
- XENIA.** Greene County Torchlight (w), September, 1838-September, 1840.

Illinois newspapers.

- CHICAGO.** American (w.), August 30, 1839; August 2, 17, 1842.
- Chicago Democrat (w.), June 4, 1835; 1842-45, 5 nos.
- Prairie Farmer (m.), v. 6-15, 1846-55. Indexed.

GALENA. Galenian (w.), 1834-35, 7 nos.

— Miners' Journal (w.), September, 1829-December, 1830.

— Northwestern Gazette and Galena Advertiser (w.), November, 1834-August, 1848. 4v.

— Semi-Weekly Galena Jeffersonian, October, 1845-January, 1847.

ST. CHARLES. Prairie Messenger (w.), July 16, 1846.

VANDALIA. Illinois Intelligencer (w.), 1821-22, 4 nos.

Indiana newspapers.

NEW HARMONY. New Harmony Gazette (w.), v. 1, October, 1825-September, 1826.

Michigan newspapers.

DETROIT. Detroit Daily Advertiser, March-June, 1840.

— Detroit Gazette (w.), April, 1818-May, 1819, 9 nos.; July, 1819-July, 1828. 6v.

— Detroit Journal and Advertiser (s-w.), January 28, 1834.

— Detroit Journal and Courier (d.), January 22, 1839.

— Michigan Herald (w.), September 20, 1825; January-October, 1828, 5 nos.

GRAND RAPIDS. Times (w.), April 18, 1837.

NILES. Niles Gazette and Advertiser (w.), September, 1835-September, 1836.

— Niles Intelligencer (w.), February, 1838-March, 1841. 2v.

Wisconsin newspapers.

BELMONT. Belmont Gazette (w.), October, 1836-April, 1837.

BURLINGTON (IOWA). Wisconsin Territorial Gazette and Burlington Advertiser (w.), July, 1837-May, 1838.

ELKHORN. Western Star (w.), 1849-50, 16 nos.

FOND DU LAC. Whig (w.), December, 1846-November, 1847.

— Wisconsin Republican (w.), July 2, 1849.

FORT WINNEBAGO. River Times (w.), July, 1850-September, 1853.

GENEVA. Wisconsin Standard (w.), July 7, 1849.

GREEN BAY. Advocate (w.), 1846-51, scat. nos.

— Intelligencer, December, 1833-March, 1836.

— Republican (w.), October, 1843-November, 1844.

— Wisconsin Democrat (w.), 1837-39, scat. nos.

— Wisconsin Free Press (w.), January-March, 1836, 8 nos.

KENOSHA. Kenosha Telegraph (w.), June, 1849-50.

LANCASTER. Grant County Herald (w.), March, 1843-50.

MADISON. Tri-Weekly Argus, October, 1847-March, 1848.

— Campaign Express (w.), October-November, 1848.

— Madison Express (w.), December, 1839-52.

— Tri-Weekly Express, December, 1847-February, 1848.

— Wisconsin Argus (w.), August, 1844-August, 1851.

— Wisconsin Democrat (w.), October, 1842-May, 1844.

— Wisconsin Democrat (w.), 1846-January, 1851.

— Wisconsin Enquirer (w.), November, 1838-June, 1843.

MILWAUKEE. Milwaukee Advertiser, July, 1836-March, 1841.

- MILWAUKEE.** Commercial Herald, July, 1843-44.
 — Courier, March, 1841-47.
 — Courier (d.), March-July, 1846; February-May, 1847.
 — Daily Commercial Advertiser, 1850, scat. nos.
 — Daily Sentinel and Gazette, 1846, 1847, 1848.
 — Daily Wisconsin, April-December, 1848, 1849, 1850.
 — Weekly Wisconsin, June, 1847-November, 1849.
 — Democrat, August, 1843-February, 1844.
 — Gazette (d.), November, 1845-February, 1846.
 — Sentinel (w.), 1838-May, 1845; January, 1846-August, 1847.
 — Sentinel (d.), 1845-50.
- MINERAL POINT.** Democrat, April-December, 1845.
 — Free Press, July, 1838-March, 1841.
 — Tribune, September, 1847-51.
 — Miners' Free Press, July, 1838-March, 1841.
- PLATTEVILLE.** American, 1845-47.
- POTOSI.** Republican, September, 1847-48.
- PRAIRIE DU CHIEN.** Patriot, 1846-51.
- PRAIRIEVILLE.** Freeman, November, 1846-48.
- RACINE.** Argus, March-October, 1838.
- SHULLSBURG.** Telegraph, 1849.
- SOUTHPORT.** American, June, 1843-44; 1848-49.
- WATERTOWN.** Chronicle, 1847-51.
 — Rock River Pilot, October, 1847-48.
- WAUKESHA.** Democrat and Chronotype, 1848-51.

XV.—A PLEA FOR THE STUDY OF VOTES IN CONGRESS.

By **ORIN GRANT LIBBY**, Ph. D.,
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H. Doc. 353—21

321

A PLEA FOR THE STUDY OF VOTES IN CONGRESS.

By ORIN GRANT LIBBY.

Congressional action is one of the focal points in our national life. It is the organ of expression for the whole people, and to the average voter expresses most concretely his idea of the State. Of the two bodies that compose Congress, the House of Representatives stands preeminent as the type of our democracy in some of its best and certainly in some of its worst aspects.

To study Congressional action, then, especially that of the Lower House, is to study a great plexus of forces, partly harmonious and partly antagonistic, whose outcome is national policy and national development.

It is perhaps no exaggeration to say that the usual method of studying the action of Congress has been quite largely to use the speeches delivered by the members in the course of debate as representing not only the views of their own constituents, but also those of all other members who did not speak, but who, in general, belong to the same political party, thus laying the greatest possible emphasis upon the annals of Congress and other similar material as forming the all important source of information and authority for the study of Congressional action.

It is the purpose of the following paper to call attention to a method of studying Congressional action which has as yet been little used, but which is of prime importance in any discussion of the measures that have been passed in the several Congresses.

The very evident importance ascribed to speeches in Congress has some show of reason during the first years of our history, when the number of members was small. In the House of Representatives, however, the number soon became so large that it was manifestly impossible for the published speeches to voice the opinions of such a varied group of representatives, especially as the measures under consideration involved inter-

ests so diverse and numerous. Neither was it possible to even place the members in great political aggregations when they came to vote, for party ties were weaker than local or sectional prejudice in so many cases as to make it hard for the best of political managers to keep a compact party in line through more than one or two campaigns. But in spite of these disadvantages, this method of considering Congressional action seems to have prevailed everywhere. Occasionally a writer refers to sections in a general way, but rarely in a manner implying that they are really important. To be sure, we have a class of references to votes in Congress, dating back perhaps to the early numbers of *Niles Register*, in which the terms, the South, the North, the Middle States, the West, New England, appear regularly, and are good as far as they go. The main difficulty with this method of sectional grouping is that the unit taken is the State, whereas it should be the Congressional district, in order to at all adequately reach a proper classification of the votes in the all-important Lower House.

One of the best examples of this dependence on speeches to the detriment of clear appreciation of the facts is to be found in that considerable body of discussion concerning the adoption of the Federal Constitution in 1787-88. From the published speeches and other contemporary material of the time there is little hint of sectional feeling based on economic considerations. One searches in vain in the proceedings of the Massachusetts convention for some utterance voicing the strongly anarchistic sentiment of the Shay's district. The members from this part of the State speak loudly enough in their votes, but for the most part they are a silent factor in the the convention. In the same way there seems to have been no appreciation of the importance of the Connecticut Valley, which carried the Constitution in two of the New England States. In Virginia the contest apparently narrows down to a battle royal between Henry and Madison and their few colleagues. The Kentucky members are silent on the Mississippi matter, that unquestionably lost the votes of their section to the Federalists, nor is there anything to indicate the sentiment of the Shenandoah Valley, that inland Federal area, which carried the Constitution in Virginia. In North Carolina so large was the majority and so well organized the opposition of the anti-Federalists, that Willie Jones, the astute leader of the party, proposed in all seriousness that a vote be taken at

once without discussion, since they were so well agreed upon the matter, and the expense of a longer session could thus be saved. And when this was refused he suggested that some of the Federalists should make arguments on one side and others of their colleagues should answer them. Hardly a better example could be cited of the futility of speeches where silent majorities are pitted against eloquent and protesting minorities. When, however, we turn from the published reports of the conventions and study a map showing the sections supplying the support or opposition to the Constitution, we get at once a clear idea of the other half of the answer to the question, What carried the Constitution?¹

The weakness of the method of investigation based largely on speeches in Congress, may best be shown by the following charts, giving the relative proportion of speakers and voters in the House of Representatives during the first eight Congresses, and also for certain measures later. In Chart I is shown the relative number of those members, whose names appear in the index of the Annals of Congress as taking any part whatever in the discussions, compared to the whole number of members in each Congress, whether speaking or not. The proportion is shown by the relative length of the bar of black at the right, the upper bar indicating the number of speakers and the lower the total number of members in each case. It is manifest from the showing on the chart that an average of one half of the members of the House of Representatives during the first eight Congresses are on record nowhere but in the yeas and nays of the recorded votes. This is, however, the most favorable view to take of the situation, and it is far from revealing the real state of the case. In Chart II is shown, again, the relative proportion of speakers to voters in the same Congresses as in Chart I, but only for certain selected measures. It will be seen that the number of votes taken varies from 6 to 24 and comprises all those of importance in each of the Congresses. As in the first chart, the upper bar indicates the relative number of speakers and the lower bar the relative number of voters. The average result is still more decisive, for hardly one man in six of the voters has anything to say on the questions under discussion. That this disproportion of speakers and voters tends to increase

¹ See map in Bulletin of University of Wisconsin, Economics, Political Science, and History Series, Vol. 1, No. 1.

with each successive Congress is shown farther down in Chart II by the relative number of speakers on such important questions as those of the tariff and internal improvements.

Proportion of speakers to voters in the House of Representatives.

CHART I.

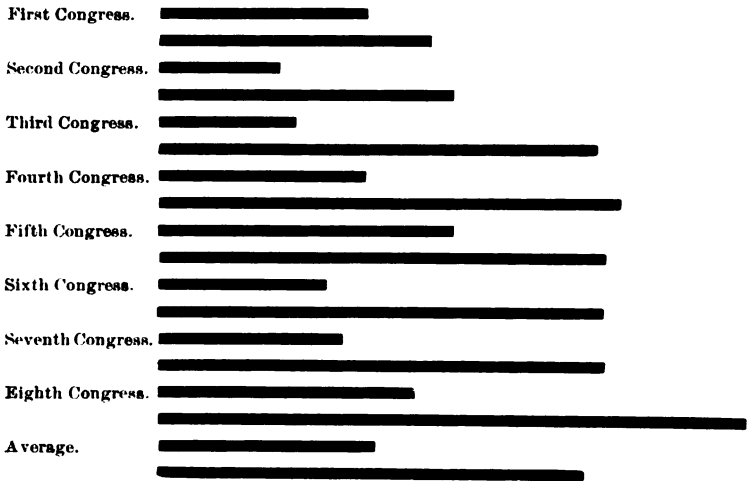
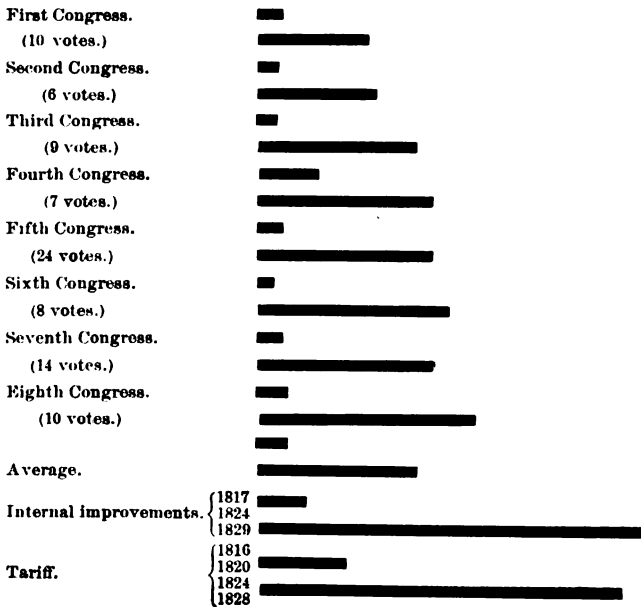


CHART II.



Such a presentation needs little comment. To base judgment of what these silent majorities thought and did upon what these insignificant minorities said is a grotesque application of the rule of the best which has no place in our history. It is good heroics to picture the multitude put to flight or led by a single man, but it never works very long in practice. A crisis may call a genius to the front to dominate the national councils for a brief interval; most of the time is filled up with the labors of lesser men. The great leaders in Congress from Clay and Webster to Sumner and Seward had power and wielded it with tremendous effect because they were supported by what amounted to a national constituency. It is one thing to note the formulation of the American system by Clay or the theory of nationality by Webster. It is quite another to trace their growth through Congressional action up to the final stage of complete expression. In the former case, a few speeches supply the material needed; in the latter, a long series of votes must be selected, classified, and studied to reveal the origin and development of these ideas. Yet between these modes of procedure there is no comparison of relative importance. The real thing is not what Clay or Webster said, it is how the labors of the mediocre Congressmen built up, brick by brick, the magnificent structure which it was the privilege of these statesmen to dedicate to the American Union. I can not forbear a few quotations bearing directly upon this question, taken from the annals of the Seventh Congress, first session, at the time when the Republicans had gained a majority in the House of Representatives. Upon the question of requiring the Secretary of the Treasury to report to the House the expenses of collecting internal revenues with a view of reducing the same—a Federal measure—to save the tax from being repealed: “Mr. Huger could not reconcile it with his sense of duty to give a silent vote on the present occasion, nor could he but lament the strange and novel course of proceeding which gentlemen had thought proper to adopt. The intention, it would seem, was to repeal the internal taxes, right or wrong, and at all events; and so determined were gentlemen on carrying this favorite project into execution that everything like previous investigation, or even wish to gain information on the subject, was hooted at and treated with the most sovereign contempt.”¹ “Mr. Rutledge confessed

¹ House of Representatives, January 25, 1802; *Annals of Congress, Seventh Congress, first session*, p. 461.

himself much puzzled by the new forms of proceeding this day adopted. Ever since he had had the honor of a seat in Congress it had been invariably the practice, when measures were proposed not agreeable to the majority, for them to offer their objections to them. * * * In these days of innovation we, it seems, are to pursue a different course. When the resolution offered this morning by his honorable friend from New York (Mr. Morris) was taken into consideration, not a voice was raised against it. This profound silence made us expect a unanimous vote; but, in consequence, it was supposed, of some outdoor arrangement, it was rejected by this silent majority. He had seen many deliberative assemblies, but had never before witnessed such a procedure. * * * All we ask for is information relative to the expense of collecting this part of the public income. Gentlemen say we shall not have it. * * * Gentlemen not only withhold information from us, but will not assign their reasons for withholding it; and to all we urge they will not deign to say anything but 'No.'¹ On an allied question. "Mr. Dana: I beg liberty to tender the homage of my profound respects for the dignified situation in which gentlemen have now placed themselves, and congratulate them on their silence. There is something particularly impressive in this mode of opposing everything that is urged. It is seldom that gentlemen have exhibited such a remarkable appearance of a philosophical assembly. * * * Their argument is silence. I hope to be excused if I do not discuss this subject in the most satisfactory manner, as silence is a new species of logic about which no directions have been found in any treatise on logic that I have ever seen. It will be my endeavor to reply to gentlemen by examining some points which may be considered as involved in their dumb arguments."² It is the size and growing importance of the silent vote which almost defies explanation that constitutes the grounds of defense for the present paper. It hardly seems necessary to argue for a study of votes rather than of speeches in such a Congress as Mr. Dana found so exasperating to his Federal temper. And when we come to Congresses later and consider such questions as the tariff and internal improve-

¹ House of Representatives, January 25, 1802; Annals of Congress, Seventh Congress, first session, p. 455.

² *Ibid.*, p. 459.

ments, questions so purely sectional, it is imperative that we keep close to the facts, and never lose sight of votes, no matter what the speeches may be. As a case in point, illustrating the need of careful use of votes as more important than speeches, let me cite Professor McMaster's discussion of the tariff of 1816. He tells us that the strongest opposition to this tariff came from New England and the warmest support from the South, and he speaks at some length of the reasons for this supposed condition of affairs.¹ The facts of the case are as follows: The total vote stood 88 for and 54 against the tariff. Of the 27 votes of New England, 17 were cast for and 10 against the tariff; New Hampshire alone casting a majority of votes against it. The South (all States south of Pennsylvania and the Ohio River) cast a vote of 64—39 against and 25 for the tariff. Three States were for the measure—South Carolina, 4 to 3; Tennessee, 3 to 2; Kentucky, 6 to 1. Georgia, like Connecticut, was evenly divided. It seems, then, that the strongest opposition did not come from New England, who supported the tariff by a vote of 17 to 10; and neither did the warmest support come from the South, who voted against it, 39 to 25. Not the least significant feature of his comments is the omission of any reference to the Middle States, or Middle and West, whose vote was cast almost as a unit for the tariff of 1816, and this section comprising New York, New Jersey, Pennsylvania, and Ohio stood 46 for and 5 against it. It should be stated, however, that as far as speeches and arguments are concerned, a very considerable opposition, led by Webster, did come from New England, while it is equally true that the measure was warmly supported south of the Ohio River by such leaders as Clay, Calhoun, and Lowndes.²

Another case involving the same idea of the importance of a study of the votes is to be found in Professor Schouler's discussion of the distribution of the Liberty party vote in New York in the Presidential election of 1844. He states that this vote was cast largely west of Cayuga Bridge and in Whig counties.³ That this is not the case is clearly seen from the following table based on material from the Whig Almanac of

¹ McMaster, *History of the United States*, Vol. IV, pp. 339-340.

²It may well be doubted if Kentucky really should be classed with the South at this time; it is so considered in this instance to avoid any appearance of unfairness in comparing the votes of the sections as given by Professor McMaster.

³Schouler, *History of the United States*, IV., 479.

1845. The total vote of the Liberty party cast in this State during the election was 15,812, or 3.2 per cent of the entire vote of the State:

Counties of New York in which the Liberty party cast 3.2 per cent or over of the total State vote in 1844.

| West of Cayuga Bridge. | | | East of Cayuga Bridge. | | |
|------------------------|------------------------------------|--|------------------------|------------------------------------|--|
| County. | Per cent of vote of Liberty party. | Prevailing party in Presidential election, 1844. | County. | Per cent of vote of Liberty party. | Prevailing party in Presidential election, 1844. |
| Chautauqua | 3.3 | Whig majority. | Essex | 3.3 | Whig majority. |
| Erie | 3.3 | Do. | Lewis | 7.4 | Do. |
| Genesee | 4.9 | Do. | Tompkins | 6.5 | Do. |
| Monroe | 3.3 | Do. | Washington | 3.9 | Do. |
| Niagara | 5.1 | Do. | Cortland | 10.2 | Whig plurality. |
| Ontario | 5 | Do. | Herkimer | 7.7 | Democratic majority. |
| Orleans | 5.3 | Do. | Jefferson | 5.6 | Do. |
| Wyoming | 8.3 | Do. | Otsego | 3.6 | Do. |
| Allegany | 5.4 | Whig plurality. | St. Lawrence | 4.1 | Do. |
| Cattaraugus | 8.3 | Do. | Cayuga | 3.5 | Democratic plurality. |
| Wayne | 6.5 | Democratic plurality. | Clinton | 9 | Do. |
| Yates | 4.7 | Do. | Madison | 14.8 | Do. |
| | | | Oneida | 7 | Do. |
| | | | Onondaga | 5.1 | Do. |
| | | | Oswego | 9.4 | Do. |

Per cent.

| | |
|--|-----|
| 10 Whig counties west of Cayuga Bridge, average Liberty vote | 5.2 |
| 2 Democratic counties west of Cayuga Bridge, average Liberty vote | 5.6 |
| 5 Whig counties east of Cayuga Bridge, average Liberty vote | 6.2 |
| 10 Democratic counties east of Cayuga Bridge, average Liberty vote | 6.9 |
| Total average for all counties having over 3.2 per cent of total vote cast by Liberty party: | |
| 15 Whig counties, average Liberty vote | 5.5 |
| 12 Democratic counties, average Liberty vote | 6.7 |

If these averages prove anything, they certainly prove that the strength of the Liberty party vote did not lie in the Whig counties. It should be added, also, that out of a total vote of 15,812, only 5,387 votes were cast west of Cayuga Bridge. There seems to have been a general impression at the time of the election that the larger part of this vote was really cast west of Cayuga Bridge, and also that the Whigs were the heaviest losers by the vote. Certainly the above-quoted figures from the election returns do not seem to warrant such a conclusion.

I do not doubt that examples in point, exactly similar to the foregoing, might be cited indefinitely. These cases were called to my attention by two students of our Historical Seminary,¹ who had happened upon them in the course of their own special investigations.

We may now turn to examine for a few moments the strength and weakness of the method of studying Congressional action which is based on votes in the House of Representatives. Members of the Lower House, representing a smaller territorial unit than the Senators, embody in their views and actions the ideas of the various sections, State and national, into which the country is divided. Their short term keeps them in touch with their constituents and this finds expression in the instruction of Representatives, which, whether expressed or understood, is held to render the member responsible to the electors for his speeches and votes.

On the other hand, party policy or political leadership may determine more than local desire the vote of the member. Gerrymanders also neutralize strong sections so that they apparently disappear or do not come to light at all. The Representative may and often does not vote in accordance with the wishes of his constituents, trusting to party strength and later policy to keep in office, or even not caring for reelection, and hence voting without regard for public opinion.

The case, however stated, is nevertheless decidedly in favor of a study of votes, since the objections largely apply to a single Congress or at most two or three Congresses. A long series of investigations will neutralize such special cases and an average be secured that shall express with tolerable accuracy the real attitude of the sections. Of great disturbing power is the gerrymander, since its presence is hard to ascertain and still harder to make due allowance for. It is also of increasing importance after 1814 and infinitely complicates the already complex relations of sections and interests that reveal themselves in any series of Congressional votes that are studied. But this does not alter the importance of the vote compared to speech in Congress. Both are open to the same objection of gerrymander influence; and between the two, the first place must be accorded to voting and, as supplemental to this, such speeches as may be available along with other material of a similar sort. Votes in Congress are by no means the only

¹ W. J. Hocking and H. E. Bolton.

valuable source of this kind. Votes of State legislatures and State and national elections are very often exceedingly helpful.

Granted, then, that this concrete method of studying votes in Congress is the best one, in that it reaches everyone who votes, whether he speaks or not, let us see what advantages it offers to the special student in this field of history. This brings me to speak briefly of the importance of mapping votes on the great questions that have been up for discussion in our National House of Representatives from the earliest history of our Government, such questions as the tariff and internal improvement, and such financial questions as the United States Bank, payment of the public debt, disposition of the surplus, and the national currency: If the votes of the members of the House of Representatives are a correct expression of the opinions of the constituents of the various districts represented, it is of prime importance to know from what quarter of the country, from what localities, come the strength of the opposition and of the support for the measures that have shaped and are still shaping our history.

Take, for instance, the series of tariff measures that extend from 1789 to 1857; what more important economic study than to trace the spread of the idea of protection to manufactures, the forces that strengthened and those that opposed it. That such a study would be greatly aided by a series of carefully prepared maps showing the exact location of every vote for and against each measure, that indeed such a series of maps would be an absolute necessity for an investigation of this character, no one, I think, will for a moment deny.

I offer in illustration of this method a few maps showing distribution of votes in the House of Representatives upon the tariff, internal improvements, and national bank. On the maps of the tariff votes for 1791, 1816, 1820, 1824, and 1828 is clearly shown a regrouping of sections and the emergence of a new economic life.¹ The series on internal improvements shows the appearance of a new section, the Great Lake and Ohio River section; this includes greater New England in New York, the Middle States, West Virginia, and the West, north of Tennessee.

¹ This method is the same one already used in my monograph, *The Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution*. It is proposed to carry this analysis of votes and the mapping of them through the entire period of our history in order to secure a concrete basis for later political and economic investigations. So far the work has progressed to the year 1841.

The vote on the war of 1812 shows, perhaps, the beginning of this section as the internal improvements vote of 1829 shows its full development. The importance of this Great Lake and Ohio River section lies in the fact that the most significant thing in our history for the last seventy-five years has been the successful occupation of the northern Mississippi Valley by this section, making it the seat of political power and the natural champion of nationalism as opposed to sectionalism.

The series of maps for 1816 and 1817 shows in concrete form the disintegration of parties in the "Era of good feeling."

In conclusion, and perhaps in anticipation of the objection that this method of study raises more questions than it settles, I desire to offer one possible method by which the economic interpretation of Congressional action may be attained. I have already made a somewhat elaborate tabulation of the United States census of manufactures for the years 1810, 1824, 1833, and 1840, to ascertain the per capita distribution of manufactures, by counties, and I desire to call attention to the fact that as early as 1816 and down to as late as 1830, both in Congress and in several State legislatures, the districts or counties with the largest per capita value of manufactures voted quite consistently against the United States Bank. If this is borne out by my later investigation, Jackson's assault upon the bank was not entirely without backing from quiet forces of a capitalistic nature. Furthermore, I do not find that opposition to internal improvements which has been ascribed to Eastern capital. It may very possibly be that a side-by-side comparison of the growth of manufactures and the trend of public opinion in Congress will reveal facts of the deepest significance in our history, and it shall be my endeavor to institute such a comparative study with a view of beginning a line of explanation of the action of Congress which shall contribute to a solution of this problem in its political as well as its economic aspects.

It is doubtless clear by this time just what can be claimed for a study of votes and of maps showing their distribution. This must precede, not follow, the study of the speeches. With this work done, a history of speeches like Elliott's *Tariff Controversy* is a valuable commentary and supplement, nothing more. This method enables one to discover the physiographic areas that become in time economic and political sec-

tions. It shows the investigator where he must go to find his material and where to begin his work, since it reveals the action of steady forces through a long series of years, localized in such a way that they can be studied to advantage. It is, in a word, the laboratory method of the botanist, the chemist, and the geologist applied to human action, and it is offered merely as enabling us to use a store of unworked material for the better solution of the politico-economic problems of our national life.

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XVI.—THE NORTHERN LAKE FRONTIER DURING THE CIVIL WAR

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THE NORTHERN LAKE FRONTIER DURING THE CIVIL WAR.

By J. M. CALLAHAN.

During the period of national and industrial development which followed the war of 1812, the animosities which had been engendered between the United States and Canada were allowed to decline from lack of nourishment. In the absence of rival navies upon the lakes, and with the increase of friendly commercial intercourse, the past was partially forgotten.

Border sympathy for the Canadian insurgents in 1837-38 caused both Governments some anxiety and friction, which did not entirely disappear for several years, but after 1848 there was a renewal of mutual friendliness which continued to develop, so that in 1860, when the Prince of Wales visited America, our relations with Canada and England were probably more cordial than they had ever been before. But a political storm was already upon the horizon—an “irrepressible conflict” of such vast proportions that it would involve England and America in serious misunderstandings which it would take years to untangle.

Events growing out of the civil war several times caused the relations between the two countries to be strained almost to the breaking point. In England there was alarm felt at the vast armies and naval armaments which continued to grow as the war progressed. With the long Canadian frontier unprotected by costly forts and fleets, with a revived feeling that the United States looked forward to a “manifest destiny” of wider territory, and with thousands of Canadians joining the Union Army, it was not unnatural that England should have some fear of danger to her American possessions. This feeling was strengthened after the *Trent* affair by the statement in American papers that England would be brought to a reckoning after the close of the war.

On the other hand, there was a general feeling in the United States that the policy of the London Government was greatly

influenced by the wide sympathy for the Confederates which existed among the aristocracy and clergy of southern England, who expected to see recorded the death of another of the world's republics. The Queen had early issued a proclamation of neutrality, but the Government of Great Britain, it was said, was too fast in recognizing the cotton States as belligerents and too slow in preventing the English ports from being made bases for Confederate operations against the United States. The Times and other London papers appeared to be subservient to the Confederate cause, and some people were "persuaded that the Lord Chancellor sits on a cotton bale."

The first note of warning to England was given by Mr. Seward in a private interview with Lord Lyons in April, 1861, in which he stated that the *Peerless*, under regular British papers, was being taken from Lake Ontario by the Confederates, and that the United States could not tolerate such proceedings, no matter what flag the vessel had. Though Lord Lyons protested, Mr. Seward gave conditional directions to have the vessel seized.¹ In June, Mr. C. F. Adams, United States minister at London, wrote to Mr. Seward, Secretary of State, that the British were sending troops to protect Canada from invasion. Lord Russell explained that they were sent as "a mere precaution against times of trouble." He said the Americans "might do something," and he thought it well to be prepared.

By the agreement of 1817, the naval force of each party upon the lakes had been limited to four vessels each of 100 tons burden and with restricted armament and duties. In 1861 there were no British naval vessels upon the lakes, and had not been for many years. The United States had only one vessel, the *Michigan*, which had been cruising upon the upper lakes since 1844. The British Government had complained before in regard to the size of the *Michigan*, and the conditions of 1861 led to another complaint on August 31. Lord Lyons was instructed by the British Government to represent to the United States Government that the tonnage of the United States naval force on the lakes above Niagara Falls, and especially the armament of the steamer *Michigan*, seemed to be "in excess of the limit stipulated in the arrangement of 1817."² Mr. Seward in reply stated that the only naval force of the United States upon the upper lakes was

¹ No. 8, Notes from State Department to British Legation, May 1, 1861.

² No. 42, Notes to State Department from British Legation.

the *Michigan*, of 582 tons, carrying one gun of 8 inches, and used "exclusively for purposes of recruiting the Navy, with artillery practice for the newly recruited seamen." Mr. Seward did not consider that the retention of the *Michigan* upon the lakes was any violation of the agreement of 1817, but expressed his willingness to consider any views which the British Government might have to the contrary.¹ There is no record at the State Department to show that there was ever any further objection to the *Michigan*. The fact that the United States had no other naval vessel on the lakes probably influenced the British Government to give a loose construction to the agreement of 1817 in regard to the size of the *Michigan*. The *New Orleans*, of 74 guns, which had remained unfinished at Sacketts Harbor since 1814, seems to have been reckoned in the navy list as an effective line-of-battle ship, but there was nothing to fear from it.²

It was doubtless the intention in Canada to preserve a strict neutrality. But the people of the United States were suspicious. Secretary Seward's circular of October 14 to the Northern governors spoke about the need of defenses for the lakes. In reply to this the Canadian papers said that fortifications on the north were a menace to Canada. The English papers doubted whether the convention which made the Great Lakes neutral would justify either England or the United States in erecting fortresses along their shores, and it was stated that such fortresses would only be standing menaces and could not answer the end desired.

On November 8 the *Trent* affair occurred, and was a new cause of alarm in regard to the relations between England and the United States, but it does not appear that the danger from Canada was great enough to require defensive preparations in that quarter. The Detroit Free Press said that there was no danger on the lakes, and that the merchant craft could be used for defense in case of hostilities. The Toronto Globe said that the act of Commodore Wilkes could not cause any apprehension of war between the two countries. Other Canadian papers went so far as to say that the weight of authority might be found to lie upon the side of Commodore Wilkes. There was a wide Northern sympathy in Canada at this time. The Detroit Free Press saw no danger upon the lakes. The comment of the London press and the demand of the British Government in December, however, seemed to forebode war, and each side

¹ No. 9, Notes from State Department to British Legation.

² London Times, January 7, 1862.

considered plans for the defense of the lakes. There was an impression in Canada that General Scott returned from France solely to give counsel as to an invasion of Canada, and there was at once a decreased sympathy for the Union cause.

In the midst of the general excitement statesmen were carried away by their feelings, but Lincoln and Seward, uninfluenced by passion and prejudice, surveyed calmly and decided wisely. The past policy of the country was continued and war was averted, but the rankling wound caused by the *Trent* affair was one that could not be healed at once.

England would have had immediate advantage in case war had broken out. She had "dug a canal from the foot of Lake Ontario, on a line parallel to the river, but beyond the reach of American guns from the opposite shore, to a point on the St. Lawrence below, beyond American jurisdiction, thus securing a safe channel to and from the lakes." She also had a canal around the Falls of Niagara. Thus she could in a short time convey light-draft gunboats from the ocean to the lakes, and threaten American commerce and lake cities. The House Military Committee, however, probably exaggerated the danger. Its report stated that the wealthy cities and immense commerce of the United States upon the lakes from Ogdensburg to Chicago was "as open to incursion as was Mexico when invaded by Cortez;" that light-draft gunboats could in one month shell every town and "at one blow sweep our commerce from that entire chain of waters." It went on to say:

Occupied by our vast commercial enterprises, and by violent party conflicts, our people failed to notice at the time that the safety of our entire northern frontier has been destroyed by the digging of two short canals. Near the head of the St. Lawrence, the British, to complete their supremacy on the lakes, have built a large naval depot for the construction and repair of vessels, and a very strong fort to protect the depot and the outlets of the lakes. * * *

The result of all this is that in the absence of ships of war on the lakes, and of means to convey them there from the ocean, the United States, upon the breaking out of the war, would, without navy-yards and suitable docks, have to commence the building of a fleet upon Lake Ontario, and another upon the upper lakes. At the same time, England, possessing a naval depot at the entrance to this system of waters, can forestall us in all our attempts, both offensive and defensive.

But the British probably felt that the *ultimate* advantage in this quarter would rest with the United States. They did not desire to make the lakes the theater of any conflict which

might arise. Sir Francis Head said: "If Canadian vessels are attacked on fresh water, let the injury be promptly avenged by the British navy throughout the wide, rude, salt, aqueous surface of the globe." Mr. C. F. Adams thought that it was the discovery of the indefensible position of Canada which materially contributed to cool the ardor with which the discussion of the *Trent* affair had been entered into. Mr. W. H. Russell, an Englishman, who went to Canada just after the *Trent* affair to study the condition, said that the Canadian frontier was assailable at all points. The line of the Welland Canal was open and defenseless; Hamilton had no defenses; the defenses of Toronto were ludicrous; the Grand Trunk Railway was close to the shores of Lake Ontario, where communications could be easily cut; Lake Michigan gave the United States the advantage; New York alone was richer than the Canadas; England did not have as many light vessels as the United States; and Canada could not guard herself from invasion by preparing a navy in time of peace.

Nevertheless, the evident immediate advantage which the British had upon the lakes was the source, during the year 1862, of various discussions, resolutions, and reports concerning the northern frontier. The Ohio legislature passed resolutions in favor of a naval depot on Lake Erie to protect the country from danger or injury by an "armed enemy."¹ Lieutenant Totten had also recommended such a depot at some point on the Western lakes. The House committee (on Harbor Defenses on Lakes and Rivers) favored lake defenses. The "brilliant naval triumphs" upon the lakes in early days were held out to the "brethren of the East" in order to secure their votes for defenses.² The House Military Committee reported in favor of a ship canal from the Mississippi River to the lakes, in order to admit gunboats, though they did not think it wise to abrogate the agreement of 1817 at that time.³ Reports upon a national armory in the West favored Pittsburg rather than Chicago, on the ground that it was near the lakes but not upon them. On April 23, Mr. Blair, of the Military Committee, reported in favor of military canals from the Mississippi to the lakes, and from the lakes to the Hudson, so that "one fleet would answer for two" in protecting the exposed northern

¹ House Mis. Doc. No. 45, Thirty-seventh Congress, second session, February 21, 1862.

² H. Rps. Com. No. 23, Thirty-seventh Congress, second session, Vol. 3, February 12, 1862.

³ H. R. No. 37, Thirty-seventh Congress, second session, Vol. 3, February 20, 1862.

frontier.¹ On April 28 there was a report upon the feasibility of enlarging the Illinois and Michigan Canal, so gunboats could pass to Lake Michigan. It was believed by many that the agreement of 1817 did not apply to that lake. On June 3, Mr. Blair, of the Military Committee, reported upon the petitions for enlarging the locks of the Erie and Oswego canals so monitors could pass for the defense of the lakes.² To partially overcome the British advantage on the lakes, the New York senate also proposed to adapt the canals of the State to the defense of the Northwestern lakes.³

Back of all the petitions and reports upon ship canals is something besides the feeling of danger. It was the realities of Western commerce more than any imminent danger from northern attack which developed the plans for connecting the lakes with the Mississippi and the Atlantic by deep waterways. The ghost of British fleets upon the lakes was pushed into prominence in order to get the aid of the Government in digging canals. There was doubtless some cause for uneasiness in the rumors which were occasionally afloat,⁴ and there was a considerable number of people in both countries who might have rushed into a conflict if they could have had their way; but there appears to have been a general conviction that the two countries would reach a mutual understanding.

During the first two years of the civil war when the Lower Mississippi was held by the Confederates, the Western products considerably increased the lake commerce. The Canadian canals even before were not of sufficient capacity to satisfy the needs of the American commerce. In addition to this, just after the *Trent* affair, there was considerable American sentiment in favor of canals on American soil. A select committee of Congress in March, 1863, thought that our Canadian neighbors had insulted us, and that we should not be compelled to use their canals.

In June, 1863, at a ship canal convention in Chicago, five thousand delegates were reported to be present. The Union arms had recently sustained serious defeats, and the Confederates were planning to carry the war north of the Potomac. The fear that this would secure the favor of England to the Confederate cause was increased. It was thought to be a

¹ Reps. Com. No. 86, Thirty-seventh Congress, second session, Vol. 4.

² Reps. Com. No. 114, Thirty-seventh Congress, second session, Vol. 4.

³ New York Senate Journal.

⁴ Domestic Letters (S. D.), Vol. 68, October 8, 1862.

favorable time to secure the aid of the Government in constructing a waterway from the Mississippi to the lakes and from the lakes to the Atlantic. Nearly every speaker at the convention said that the lake commerce was in great danger. Many thought there should be a procession of ironclads from the Mississippi to Lake Michigan. Mr. Spalding of Ohio favored the Niagara Canal also, so the procession could pass on to Lake Ontario.

It is evident that the danger of war was much exaggerated. Vice-President Hamlin spoke of the military value of the canals, but he mentioned the commercial value also. Mr. Hubbel, of Wisconsin, said the canals were not a military necessity. He said that if England had desired war she would have made it in 1862, "when the South had us by the throat," and that there was now no danger of war with her "except by our own volition." Mr. D. B. Ruggles of New York talked of the "glorious West as a gigantic hogpen." With the cooperation of the hog and the canals vast amounts of corn could be taken to the sea. The hog could eat the corn and Europe would eat the hog.

The convention passed resolutions declaring the construction and enlargement of canals between the Mississippi River and the Atlantic and connecting with the lakes as of great military and commercial importance. It was stated that such canals were "demanded alike by military prudence, political wisdom, and the necessities of commerce;" that they would "furnish the cheapest and most expeditious means of protecting the northern frontier," and at the same time "promote the rapid development and permanent union of the whole country."

The energy and resources of the country were taxed to the utmost at this time, and these schemes were not adopted by the Government, though they were proposed in the Thirty-eighth Congress several times in the early part of 1864.

By July 4, 1863, the tide of the civil war had clearly turned in favor of the Union cause. Vicksburg had fallen and in a few days the Mississippi was entirely wrested from the hands of the Confederates. Gettysburg had also helped to decide the issue of the war. The invasion by the gallant Lee was repelled. It was considered an auspicious time for the Government of the United States to speak in a more decided tone against the attitude of the British Government toward the Confederates. It apprehended a crisis in case of the probable failure of all

the "friendly appeals to Her Majesty's Government against suffering a deeply concerted and rapidly preparing naval war to be waged against the United States from British ports in Europe and America by British subjects in British built and armed vessels."¹ Mr. Seward, on July 11, when he felt the danger of an approaching naval conflict with Great Britain, in his instructions to Mr. Adams, used some expressions which were afterwards incorporated into the President's message and were considered by the British Government to be "disrespectful and menacing." The President in the following March allowed any expressions to be withdrawn which Lord Russell should consider exceptional, though it was asserted that their object had been "to remove out of the way a stumbling block of national offense," and not to offend or provoke war.

Events which occurred after his letter of July 11, 1863, "such as the intended invasion of Johnsons Island from Canada * * * and especially the report of Malling, the pretended secretary of the navy of the insurgents," caused Mr. Seward to feel that the trouble which he apprehended "was not overestimated nor too soon anticipated."

In the early part of November, 1863, the Governor-General of Canada notified Lord Lyons at Washington that there was rumor of a plot of the Confederates in Canada to secure steamers on Lake Erie, release the prisoners at Johnsons Island, and then invade the United States by an attack upon Buffalo.² Lord Lyons at a late hour on the night of November 11, promptly notified Mr. Seward so that measures could be taken to watch lake steamers. General Dix was at once sent to the frontier and Hon. Preston King was sent to confer upon the subject with Lord Monck, so that there might be perfect understanding between the authorities of Canada and the United States. The *Michigan* anchored off Johnsons Island to prevent any expedition against that place, but Lord Monck's warning had already prevented the execution of the plot at that time.

At the beginning of 1864 there was much anxiety concerning the operation of Confederate agents along the northern border of the United States. Suspicious vessels were reported to be seen in Canadian waters. They were supposed to be there for

¹ Cf. No. 19. "Instructions" (S. D.), March 2, 1864

² Correspondence Relating to Fenian Invasion and the Rebellion of the Southern States. Ottawa, 1869.

the purpose of making piratical attacks upon the lake trade of the United States. The *Montreal* was reported to be armed with 24 guns, small arms, cutlasses, and boarding pikes. The *Saratoga* was also reported as a hostile vessel. Lord Lyons notified Lord Monck of the reports concerning these vessels, and he at once took steps to detain them if the report proved to be true. The large number of Confederates in Canada at this time caused Lord Monck to have fears that there would be great danger of having the neutrality of the Canadian territory compromised during the following season, and this consideration caused him to think that there ought to be some British naval force stationed on the lakes to enforce the commercial police. On March 19 he wrote to the Duke of Newcastle that the agreement of 1817 prohibited the United States from a naval force competent to protect her commerce from piratical attempts at that time, and that Great Britain was "bound to take stringent precautions that her harbors shall not be used for the preparation of expeditions hostile to the trade of the United States against which the stipulations of a treaty prevents that power from making adequate provision for her defense." Lord Monck's ideas were not clear in regard to the agreement of 1817. He thought it limited both parties to "one vessel on Lake Ontario and two on each of the other lakes." He was also under the false impression that the prohibition had been "imposed on the United States" in the interests of Great Britain. He suggested that five vessels small enough to pass through the Canadian canals should be sent out—one for Lake Ontario and two for each of the lakes Erie and Huron.¹

Lord Monck sent a confidential agent to investigate the various reports concerning Confederate vessels, and he reported to Lord Russell, on March 31, that no evidence was found. Neither the *Montreal* nor the *Saratoga* could be discovered. But he was still of the opinion that it would be "most advisable to have some vessels bearing Her Majesty's flag on the lakes." There was no royal navy on the lakes, and he thought this might hold out some inducement to piratical attempts. Even rumors produced a feeling of unrest on the part of those interested in the lake trade of the United States "which might easily be exaggerated into a sentiment of hos-

¹ Correspondence Relating to Fenian Invasion and the Rebellion of the Southern States, p. 61.

tility toward the Canadians, from whose harbors they imagine an attack on their commerce might issue." Lord Monck thought the evil effects of rumors could be stopped if it were known that one British vessel was stationed on each of the lakes Ontario, Erie, and Huron. Mr. Cardwell, who soon took the place of the Duke of Newcastle at the home office, promised to address Lord Monck later concerning the small naval vessels which were to be kept within the limits of the agreement of 1817, but no vessels were ever sent.

The reports of Confederate organizations in Canada probably had some influence in causing the United States to begin the building of cutters for the lake revenue service. A side-screw cutter was begun at Lower Black Rock, near Buffalo, in the early part of April, and was expected to be ready in three months. Lord Lyons saw a newspaper statement concerning the new vessel and asked Mr. Seward whether it would contravene the conditions of 1817.¹ The latter made inquiry of the Secretary of the Treasury, and on May 11 he wrote Lord Lyons that it appeared that the vessel would form "no part of the naval force of the United States," but was intended exclusively for the prevention of smuggling.²

But the idea of making these revenue vessels available for defense in case of an emergency was probably considered, though there was no intention of violating the stipulation of 1817. On May 5 Secretary Chase, of the Treasury, wrote Secretary Seward as follows:

I have the honor to call your attention to the arrangement of April, 1817, between the United States and Great Britain (U. S. Stat. at Large, vol. 8, p. 231) relative to the naval force to be maintained upon the American lakes, and to inquire whether the provision of the arrangement which restricts the naval force of the two Governments to two vessels on the upper lakes is construed by the Department of State to embrace Lake Erie as among the lakes referred to; also whether it is within the scope of the arrangement to restrict the armament and tonnage of vessels designed exclusively for the revenue service.

On May 7 Mr. Seward replied:

I have the honor to state that, in my opinion, Lake Erie may be considered as one of the upper lakes referred to in that instrument. I am not, however, prepared to acknowledge that its purpose was to restrict the armament or tonnage of vessels designed exclusively for the revenue service.³

¹ Cf. Buffalo Morning Courier, April 15, 1864.

² No. 11, Notes from the State Department to the British Legation.

³ Domestic Letters (S. D.), vol. 64, p. 228.

The United States Government desired to live up to the spirit of the agreement of 1817, although there was a feeling in Congress that it was unequal, under the changes which had occurred since its inception. It was believed that England was too passive in her policy concerning the civil war in the United States¹ and that she should have followed the advice of those English statesmen who advocated a more liberal policy toward the United States Government. Notwithstanding the avowed intention of the British Government to preserve a strict neutrality, the Confederates managed to get the materials of war from English ports. The Union cause doubtless received assistance in the same way, but this did not prevent the widespread belief that the Confederates were receiving assistance that could have been prevented.

The uneasiness regarding the Confederates in Canada continued. Lord Monck was kept busy investigating reports concerning them.² He asked the authorities to adopt every precaution to prevent the Confederates from making Canada a base for hostility against the Northern States. But notwithstanding the diligence of authority it was still possible for the Confederates to find their way into Canada and secretly plot to break the peace between Canada and the United States. Relations with Great Britain were also made more complicated by the Canadian Canal policy, which was not considered to be liberal enough to justify the United States in continuing the reciprocity treaty.

On May 25 Mr. Spalding, in the House, passed from a discussion of the inequalities of the reciprocity treaty to consider the agreement of 1817, "whereby," he said, "the northwestern lakes, with a population of ten millions of people upon their American borders, and upon whose bosom floats one-third part of the whole commercial wealth of our country, were placed at the tender mercies of Great Britain."³ * * *

He complained that the United States Government was afraid it would offend England to place a naval depot or navy-yard upon the American coast of one of the lakes, though Great Britain had been allowed quietly to dig canals by which they could pass gunboats from Quebec to Chicago to "devastate our fairest cities and destroy our richest commerce."

¹ No. 86, Dispatches from Mr. Adams, May 19, 1864.

² Nos. 64 and 65, Notes from the State Department to the British Legation.

³ Congressional Globe, vol. 58, Thirty-eighth Congress, first session, p. 2481.

Mr. Spalding said that by their canals the British had "defeated the only object that led us into the arrangement." Mr. Washburne thought that if the Government would enlarge the Illinois and Michigan canals in his State that the United States would also be able to send gunboats into the lakes. Mr. Pruyn of New York said the United States could build gunboats on Lake Michigan, but Mr. Spalding informed him that the head of the Navy Department said that this lake was also included under the agreement of 1817. Mr. Arnold said there were 100 vessels of war on the Mississippi which could be taken to the lakes, and he favored the canals rather than the abrogation of treaties. Mr. Spalding was tuned up to a higher key. He had a constituent who controlled fourteen steam propellers from Chicago to Ogdensburg, all of which could within a week be made into gunboats if there had only been a navy-yard on the lakes. Mr. Spalding was not satisfied with the decision of the Navy Department and he was at the time in favor of making a clean sweep of treaties. "I hope," he said, "when we get our hands once in we will make clean work."

On account of the objections which had been made to establishing a naval depot upon the lakes, Mr. Spalding, on June 13, introduced a joint resolution for the termination of the agreement of 1817. On June 18 it passed the House in the following form:

Whereas the treaty of eighteen hundred and seventeen, as to the naval force upon the lakes, was designed as a temporary arrangement only, and, although equal and just at the time it was made, has become greatly unequal through the construction [by] Great Britain of sundry ship canals; and whereas the vast interests of commerce upon the Northwestern lakes and the security of cities and towns situated on their American borders, manifestly require the establishment of one or more navy-yards wherein ships may be fitted and prepared for naval warfare;

And whereas the United States Government, unlike that of Great Britain, is destitute of ship canals for the transmission of gunboats from the Atlantic Ocean to the Western lakes:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and is hereby, authorized and directed to give notice to the Government of Great Britain that it is the wish and intention of the Government of the United States to terminate said arrangement of eighteen hundred and seventeen, in respect to the naval force upon the lakes, at the end of six months from and after the giving of said notice.

This resolution was not considered in the Senate, but on August 4 Lord Lyons wrote Mr. Seward that the attention of

his Government had been drawn to the resolution and would view with regret and alarm the abrogation of an arrangement which for fifty years prevented occasions for disagreement, as well as needless expense and inconvenience. Mr. Seward replied that there was "at present no intention to abrogate the arrangement," and that timely notice would be given in case the Government should favor its abrogation.

But letters and telegrams continued to announce that the Confederates were negotiating for the purchase of boats on the lakes. In July there were reports that they had machines which were to be mounted on vessels and that they intended to destroy the cities on the lakes.¹ Such reports induced the United States Government to place a restriction upon the export of materials from New York to the British colonies.

An affair on Lake Erie September 19 brought matters to a crisis. The steamboat *Philo Parsons* left Detroit for Sandusky, taking passengers with supposed baggage at Sandwich and Amherstburg. They proved to be Confederates, and after leaving Kellys Island they took charge of the vessel. They intended to cooperate with another force designed to capture the armed steamer *Michigan* at Sandusky, to release rebel prisoners at Camp Johnson, near Sandusky, and then to commit depredation on the lake cities. Design on the *Michigan* having failed, the *Parsons* was brought back to the Detroit River and left at Sandwich in a sinking condition. During the raid some other captures were made of United States soldiers and of the steamer *Island Queen*.²

The news that the Confederate flag had been unfurled upon the lakes created much excitement along the frontier. Major-General Hitchcock of Sandusky advised "that no time be lost in putting afloat armed vessels upon Lake Ontario and speedily upon the other lakes also." On September 26 Mr. F. W. Seward notified Mr. Burnley, of the British legation at Washington, that, owing to the recent proceedings on the lakes, it was found necessary to increase the "observing force" temporarily in that quarter. The steam propeller *Hector* was chartered at Oswego, N. Y., for revenue-cutter service. The *Winslow* had been chartered at Buffalo a few days before.

The United States Government felt that it was only acting in self-defense in meeting conditions which "could scarcely have been anticipated" in 1817.

¹ Correspondence Relative to Fenians and the Rebellion of Southern States, p. 37.

² Detroit Free Press, September 21, 1864.

Mr. Seward had just prepared a statement of the outrage upon Lake Erie, when the news arrived that a band of twenty-five desperate men had on October 19 attacked St. Albans, Vt., robbed its banks and boarding houses and escaped upon stolen horses to Canada, where they were arrested by the municipal authorities.

Mr. Seward discussed these matters in a friendly spirit with Mr. Burnley; wrote Mr. Adams at London to give Earl Russell notice that after six months the United States would "deem themselves at liberty to increase the naval armament upon the lakes, if, in their judgment, the condition of affairs should require it." He said that such events required prompt and decisive proceedings on the part of the British Government, "in order to prevent the danger of ultimate conflict upon the Canadian borders."

The excitement produced by the St. Albans affair was fed both by the natural course of events and by artificial means. It was felt that Canada was responsible for the good conduct of her Confederate guests,¹ and that their bad conduct might produce a danger of war with Canada. It produced no better feeling in the United States when Lieut. Bennett H. Young, commander of the St. Albans raiders, declared that he went to Vermont as a commissioned officer in the provisional army of the Confederate States, and that he had violated no law of Canada.² False reports continued to alarm the people and to add to the excitement which naturally existed upon the eve of a great Presidential election. On Sunday, October 30, the American consul at Toronto telegraphed the mayor of Detroit that 100 men armed to the teeth and loaded with combustibles had left Toronto to raid Detroit.³ The congregations at Detroit were dismissed, bells rang, rumors floated, crowds met and had to be dispersed by the mayor. The hundred men never arrived, but on November 2 a telegram from Washington announced that the State Department had information that there was a conspiracy to fire all the principal cities in the North on the election day. The Free Press had ceased to place much reliance in such reports, but they had the tendency to keep up an unhealthy excitement along the border. Some, guided entirely by emotion and passion, would have been glad if a disruption of peaceful relations between the United States

¹ Detroit Free Press, October 27, 1864.

² Toronto Leader, October 28, 1864.

³ Toronto Leader, November 4, 1864; also Detroit Free Press, October 31.

and Canada could have been brought about.¹ The war had given a great impetus to the Fenian organization, and there were many Fenians in the Federal Army who would have welcomed an opportunity to invade Canada. Then there were others who, speaking for political effect or personal influence, favored "the next war." A colonel at St. Louis said that "God Almighty had established boundaries for the great Republic bounded on all sides by oceans and peninsulas," and that Canada would become a part.

Canadian authorities appear to have done all they could to preserve neutrality, but the tone of some American newspapers gave them offense. Governor Monck took offense at the Dix order to an officer at Burlington after the St. Albans affair, which spoke of pursuing the offenders across the boundary. Seward wrote Lord Lyons on November 3 that "Indignant complaints by newspapers, * * * as well as hasty popular proceedings for self-defense and retaliation, are among the consequences which must be expected to occur when unprovoked aggressions from Canada no longer allow our citizens to navigate the intervening waters with safety, or rest at home with confidence of security."²

Mr. Seward found no fault with the authorities in Canada, but he felt that the two Governments should agree upon some more effective measures to preserve the peace. He saw that the provocations against the people along the line of border might lead to intrusions from the American side of the lakes. He remembered the border troubles of 1838, and the excitement at the time of the McLeod trial in 1841. Political agitation had existed in Canada as well as in the United States, and in order to prevent future civil strife, he was inclined to think that it would be "wise to establish a proper system of repression now which would prove a rock of safety for both countries hereafter."³

On the day of the November election, General Butler and Gen. J. R. Hawley, with 7,000 men, as a precautionary measure, were placed upon lake steamers ready for service at any point in case Confederates or Confederate sympathizers should attempt any of the reported plots. Nothing occurred to make their service necessary.

¹ Dix to Stanton, November 22, 1864. Correspondence Relative to Fenians, etc., p. 40.

² No. 12, Notes from State Department to British Legation, p. 346.

³ No. 19, Instructions to Adams, October 24, 1864; No. 88, Dispatches from Mr. Adams, November 25, 1864.

Reports of plots continued, though it was evident that they had depreciated in value. Reported Confederate vessels were searched for, but could not be found. Commander Carter of the *Michigan* thought that rumors were issued merely to scare the people on the lakes.¹ Major-General Hooker, in a telegram to Mayor Fargo of Buffalo, complained of receiving so little that was reliable, and became skeptical as to the accuracy of information.²

Still there was reason for vigilance, for since the people had so strongly supported the Lincoln Administration at the polls, the Confederates saw the approaching doom of their cause, and in order to give themselves a chance to get new breath they were industrious in their efforts to involve the United States in foreign difficulties. Major-General Dix heard of "rebels drilling north of Lake Ontario," and also saw "indications of retaliation" on the part of American citizens. Thoughts of war with England had become familiar. People complained that the privateers which swept the American commerce from the seas were English-built and English-manned.³ Detroit believed that further raids were being planned in Canada, and petitioned Congress for "stanch and strong vessels" to protect the cities and shipping of the lakes.⁴

There was increase of feeling south of the lakes, both natural and artificial, when Congress met in December. Action at Washington was prompt and energetic. Mr. Seward asked the Secretary of the Navy and the Secretary of the Treasury if they desired legislation for additional naval armament upon the lakes.⁵ The Secretary of the Navy thought that since the notice had been given to terminate the agreement of 1817, it would be well to have two or three additional vessels upon the lakes, though he had not yet submitted estimates for extra expenditures in that quarter.⁶ Senator Sherman introduced a bill for six new revenue cutters. He had been out in Ohio when the *Philo Parsons* was captured, and he decided to prevent such another "close shave" for the lake traffic. The two steamers which had been chartered in September "to prevent smuggling" were no longer in the Gov-

¹ Misc. Letters (S. D.), November 16, 1864.

² Buffalo Courier, November 16, 1864.

³ Cf. Lecture of Goldwin Smith at Boston December, 1864.

⁴ Senate Doc. No. 2, Thirty-eighth Congress, second session, vol. 1, December 8, 1864.

⁵ Domestic Letters (S. D.), vol. 67, December 9.

⁶ Misc. Letters (S. D.), December 14.

ernment service. It was felt that in order to guard the long lake coast vigilance was required. It was understood that the cutters were to be armed with a small pivot gun. This was not supposed to be in violation of existing treaties.

Passion was aroused on December 14 by the news that the Canada courts had released the St. Albans raiders. Senator Chandler of Michigan proposed in Congress that troops be sent to defend the northern frontier from raids from Canada.¹ On December 15 the House passed a bill to terminate the reciprocity treaty. Senator Sumner also called for information concerning the agreement of 1817, with a view of terminating it by proper legislation. The State Department issued an order requiring that all travelers from Canada to the United States, except immigrants, should obtain passports from the United States consuls. On December 19, in discussing a bill for the defense of the northern frontier, Senator Howard of Michigan said that the "lion must show his teeth on this side the border in order to preserve the peace," and to prevent Canada from being a place of refuge for the Confederates.² Senator Sherman referred to the inequalities of the agreement of 1817, and said that Congress should give the President power to place a necessary force upon the lakes. Senator Sumner spoke of the agreement of 1817 as an "anomalous, abnormal, * * * small type arrangement" whose origin, and history, and character were still subjects of doubt, and thought the Senate could easily abrogate it if necessary. Mr. Farwell said there was no need for alarm; that the United States, in case of war, could easily get control of the lakes at any time by converting steamers into war vessels. Mr. Grimes said Great Britain had no vessels which could pass to the lakes.

There was anxiety all along the border. Conservative newspapers admitted that there was danger of a crisis. The Detroit Free Press said: "We are drifting into a war with England," and favored nonintercourse with Canada until Canada could enact proper neutrality laws. Detroit and other lake cities began to urge the advantage of their location as a site for a naval depot. The Toronto Leader began to philosophize upon how much of the savage still remained in man to prevent mutual disarmament from leading to lasting results. The

¹Senate Mis. Doc. No. 5, Thirty-eighth Congress, second session, vol. 8.

²Congressional Globe, Thirty-eighth Congress, second session, part 1, p. 57.

attitude of the American Government seemed to indicate that the United States would have a lake fleet by April, and the Leader began to advocate the enlargement of the Canadian canals so British vessels could be taken into the lakes. It was stated that the Americans had not observed the spirit of the agreement of 1817 for three years.¹ As the year closed it was reported that 50,000 Fenians were ready to march upon Canada at a day's notice.

While Congress had been showing its teeth by energetic action, the news of preparations for incursions of Confederates from Canada had not ceased, but the border feeling was gradually becoming more quiet. After the Dix order was revoked, Mr. Burnley thought all would get along smoothly if the public could be kept from getting too "rampageous." It soon became evident that the naval depot which Wisconsin wanted at Milwaukee would not be needed. The agreement of 1817 was finally abrogated by Congress in February, but the scare upon the lakes was already over, and it does not appear that there was any intention of placing a naval establishment there. When the subject was under discussion in the House, on January 18, Mr. Farwell and others thought that useless vessels upon the lakes were "more likely to involve us in trouble with Great Britain than to do us any good;" and though they voted to ratify the notice previously given by the State Department for abrogation of the agreement of 1817, they hoped that the President would at an early date institute proceedings or a commission with Great Britain to renew the arrangement.²

The need of war vessels on the lakes was still urged by some, especially by those who hoped to induce the United States Government to engage in building ship canals to join the lakes with the Mississippi. One member³ said in Congress that the United States had \$50,000,000 invested in war steamers on the Mississippi, and that for one-tenth that amount a canal could be dug so they might be taken to the lakes for preservation in fresh water. There were still others who said that "the 2,000 ships bearing the teeming productions of the West upon the bosom of the lakes" required more than one war ship for their protection. There was probably some reason for this statement, for it appears that Great Britain, alarmed by the pro-

¹ Toronto Leader, December 23, 1864.

² Congressional Globe, Thirty eighth Congress, second session, part 1, p. 311.

³ Congressional Globe, February 1, 1865.

ceedings in Congress, was preparing to send guns "to arm new naval forces on the lakes." The policy of the British Parliament was uncertain.

But public sentiment for the Confederacy began to decrease in England. After the news of the storming of Fort Fisher and the closing of navigation to Wilmington, the friends of the United States Government gained at London.¹ The aspect in Canada had become peaceful. At the recommendation of the Government of Great Britain, Canada passed an act on February 6 to repress outrages in violation of peace on the frontier.² The London Times began to alter its tone. Lord Russell spoke in a better spirit. Conferences with Mr. Adams were more friendly. Mason, Slidell, and Mann, the Confederate agents in Europe, were notified that such practice as had been going on from Canada and acknowledged by President Davis as belligerent operations must cease.³ Canadian papers stated that measures would be taken to prevent the danger of a war in which the Confederates were trying to involve us.⁴

Still there was at this time an undercurrent of much restlessness and distrust in England on account of the fear of large impending claims, and of an American war for the conquest of Canada after domestic reconciliation had been secured. The disposition of Congress to terminate treaties nourished a feeling that the United States was unfriendly to England. In the House of Commons Lord Palmerston endeavored to calm the fears that there was an indication of intended hostilities on the part of the United States,⁵ but the alarm policy did not die away for some time. On February 20, when the defenses of Canada were being considered in the House of Lords, there was much talk of the contest of the North for empire and the need of counter preparations on the lakes to balance those made by the United States, which it was stated were in violation of treaty stipulations.

It was evident that something should be done to combat this feeling. Lord Russell suggested that it was time to think of something to take the place of the agreement of 1817 before it was terminated by the notice already given. Mr. Adams

¹ No. 88, Dispatches from Mr. Adams, February 2, 1865.

² Canada Gazette, February 6, 1865.

³ No. 88, Dispatches from Mr. Adams, February 2, 1865. (Inclosure.)

⁴ Toronto Globe, January 24, 1865.

⁵ Parliamentary Debates, vol. 177, p. 144 (February 10). London Times, February 11, 1865.

agreed that armaments were expensive, useless, and breeders of suspicion; and he saw no reason for not continuing the treaties since the active effort of the Canadian authorities.¹

On March 8 Mr. Seward announced that the United States had decided to abide by the agreement of 1817. The passport system for Canada was also to cease at once. In accepting the farewell of Lord Lyons on March 20, Mr. Seward said: "I have no doubt that when this dreadful war is ended the United States and Great Britain will be reconciled and become better friends than ever."

Before the news that the United States Government desired to continue the agreement of 1817 had reached London (officially), there had been two debates in the House of Commons, on March 13 and 23, in regard to relations with the United States and vessels for the lakes. Evidently the alarmist policy was on the decline. The majority of the members spoke in a tone of moderation in regard to Canadian defenses. Both Lord Palmerston and Lord Russell said that the United States was justified in its action regarding the lakes, and they did not think that the action of Congress was hostile.

The news that the United States would abide by the agreement of 1817 and that the passport system on the Canadian border had been abandoned created a good effect both in England and in Canada. There was even well-grounded hope for a new reciprocity treaty. Mr. Cardwell, the colonial secretary, soon after announced the decision of the London Government to abide by the arrangement of 1817. Gradually members of Parliament turned from fortifications and began to advocate plans for encouraging the settlement of Canada. But the prodigious development of physical power in the United States continued for some time to be a source of some alarm both in Canada and England. The Slave Confederacy was in its death struggle, and there was fear that idle soldiers would threaten Canada. In Canada the danger from the United States was used as an argument in favor of the Intercolonial Railway and the confederation of the British provinces.² Members of Parliament felt that the continuance of the bond with Canada depended partly upon the good will of the United States, and they were not so sure that the American policy of extension was not one of conquest. They sometimes mistook the momentary utterances of swaggering officers and demagogues for the

¹ No. 88, Dispatches of Mr. Adams, No. 884, February 23, 1865.

² Can. Prov. Parlia. Debates on Confed., 8th P. P., 3d sess.

abiding will of the great American people. Territorial aggrandizement had never been the passion of the North.

It is doubtless true that at the close of the civil war many in the United States thought that in a few years Canada would be constrained, for commercial reasons, to knock for admission into the American Union, but it would have been a departure from the American policy to annex Canada by force. In the heat of excitement the press often assumed a threatening tone, and "colonels," for effect, referred to the boundaries which "God Almighty had established, reaching to the Aurora Borealis on the north." Fenians organized to carry the green flag into Canada, and a Congressman moved to grant them the rights of belligerents. But if the Government may be said to have had any policy in regard to Canada, it was certainly not one of forcible incorporation. It may well be said of Seward that "he was faithful" to his duty, and the disbanding of vast armies at the close of the civil war, leaving irritating differences with England to be settled by diplomacy, was a triumph of the American principle.

The CHAIRMAN. There are five minutes before the necessary adjournment of this morning's session, and we happen to have with us the Federal general who commanded on the lake frontier at that time, and I would ask him to make a few words of comment on the paper to which we have listened. I present to you General Carrington.

REMARKS OF GEN. H. B. CARRINGTON.

Mr. Chairman, ladies and gentlemen: No episode of our civil war was so intense, so desperate, so organized, and for the time being threatened such utter ruin as the episode connected with this northern frontier matter. It was my province to command that department, and every paper referred to here has passed through my hands, and most of them are at my house in Boston. I have felt for several years a hesitancy whether to destroy or not papers associating the names of very eminent men at the North with the attempt to destroy the Union. I have at my house a United States Senator's letter, with his frank, in which he agrees to furnish 25,000 Garibaldi rifles. I have another letter from a member of the House, in which he agreed that 100,000 men should be organized for the Northwest confederacy. I had at Camp Douglas 7,000, at Camp Morton 9,000, and at Camp Chase 6,800 prisoners of war, and at Johnston's

Island 3,800, and the whole State was honeycombed with orders—the Knights of the Golden Circle, for instance. There were 87,000 members in Indiana and 70,000 in Illinois. People came over from Canada and got the bounty of \$500 or \$600 or \$700. They went to Louisville, jumped, and went back. On one single day I had to shoot three, after court-martial, who had come from Canada and enlisted and deserted three times, with their money. The hot-bed of this was Windsor. Vallandigham went from Dayton, Ohio, and established his headquarters there. It so happened that detectives were enabled to steam letters at midnight and give me the letters, and then they took the reply and steamed that, so I had a copy on both sides before the persons to whom they were addressed received them. Chief Justice Bullitt, of the State of Indiana, was one, and it became necessary to send him for a country residence to the Dry Tortugas. I was compelled to send to Rosecrans to get soldiers to guard Camp Morton. They had nearly tunneled out. They used pieces of wood, and their shoes were cut up into strings to assist them in getting out. It resulted in the arrest of five and their sentence to death. Their galls—five of them—were painted black, and at night there came a telegram from Lincoln to commute the sentence to imprisonment for life. Afterwards there was a writ of error to the Supreme Court, and it was held that a military commission could not try them while the United States courts were open. There was that underlying element, which was very intense. One man came and enlisted, and in his pantaloons was found that which showed him to be a spy from Kirby Smith. His own company asked permission to shoot him. Generally in those military executions lots are drawn. Part of the guns have ball cartridges and part blank. But this company came forward with a unanimous signature requesting that each man might load, and they shot him all to pieces. He had gone out and was taken prisoner. One of my staff had paid him his bounty. The money was taken over into the other line, and that man turned traitor, pretended to be steward for his regiment, and he had over \$3,000 of that money with him and Kirby Smith's safe conduct. No wonder his own company were glad to execute him. That was the condition in Indiana. On the last day of December, 1862, the chief justice of Indiana, Chief Justice Perkins, had ordered the arrest of one of my staff officers, Captain Osborne, because he had arrested a private

soldier. We had forty-two forcible rescues that year. I was obliged to send a regiment to Charleston, in Illinois, and take the judge from the bench. He had just charged the jury, and he called an army officer a kidnaper because he arrested a deserter. Chief Justice Perkins said this: "I send the sheriff to execute the writ and arrest Captain Osborne." I was in the court-room and I said to him: "He belongs to the United States Army. He is on Government duty." Said he: "I should say, perhaps, the officer himself in command is not exempt from arrest. If that man Abraham Lincoln, called President, to-morrow issues the proclamation that he pretends he will, I declare Indiana out of the Union, and we will take care of ourselves." Captain Biddle, now of the Seventh Cavalry, who was then on my staff, was standing at the door. He left the room. The court did not order the commanding general arrested. It was not more than ten minutes before the drums were beating and two regiments were surrounding that court-house, and the supreme court was notified that they need have nothing to do for a few days, that the court-room would be occupied by the United States troops. There were 176 murders, assassinations of soldiers, and all the time a plot, of which we had knowledge, to burn our Northern cities; and five boxes were brought into Detroit, delivered over, and burned, of clothing that came from the yellow fever infected district in the West Indies. That was the character of the constant struggle day by day. Finally, at the request of General Sherman for laborers, I took two gangs, each of 40, of these people, instead of court-martialing them, chained their hands together, and, with colored musicians playing the Rouge's March through the town, put 40 in one car and 40 in another, and when they went down there Sherman set them to digging.

This is a little episode. It would take a long time to tell it, but it is a thrilling experience. But it was not the Confederates of the South who were doing this so much as the traitors at home, the politicians at home, the men who were trying to start the Northwestern confederacy and had a constitution drafted. I have kept silent about names, because there are men, perhaps as old as myself and perhaps a little older, still living, but I did want in connection with this paper to show that there was a terrible undergrowth of defiance of the Government at home, at the North, and that it was threatening us with absolute destruction. [Applause.]

XVII.—LANGDON CHEVES AND THE UNITED STATES BANK.

By LOUISA PORTER (HASKELL)
OF RADCLIFFE COLLEGE, CAMBRIDGE, MASS.

LANGDON CHEVES AND THE UNITED STATES BANK: A STUDY FROM NEGLECTED SOURCES.

By LOUISA P. HASKELL.

Among American public men few were better known in their time than Landgon Cheves, judge of the South Carolina supreme court, member of Congress, Speaker of the House, and president of the United States Bank; and in regard to few have we scantier knowledge to-day. A modest and retiring man, one who early gave up the responsibilities of a great position to retire to the obscurity of private life, it does not seem to have occurred to him that posterity might be interested in his career. Fortunately, a mass of family correspondence has been preserved, which throws light upon his most important public service—the presidency of the bank. This material I have supplemented from certain printed, yet little known, sources, especially Cheves's Exposition to the Stockholders at the time of his resignation, published in Niles's Register, October 12, 1822; his letter to the Charleston Mercury of August 18, 1837, entitled "The Bank of the United States;" and files of the Baltimore Patriot and of the National Intelligencer for the years 1819 to 1823.

The history of Langdon Cheves, before his election as president of the bank, in 1819, appears in no published work, but from the family papers and tradition it is known that he was born in 1776, in what is now Abbeville County, S. C. His father, Alexander Cheves, was a poor Scotch Indian trader, a loyalist in sympathies, who, losing whatever means he possessed during the Revolution, was forced to move to the low country, where he set up business in Charleston. Here Langdon was brought when 10 years old, and soon after his father apprenticed him as office boy to a shipping merchant. By his own unaided exertions the lad obtained an education, studied law, and at 21 was admitted to the Charleston bar. Within ten years he

rose to the head of his profession in the State, and in 1808 was appointed attorney-general. He was three times elected to the South Carolina legislature, and in 1811 was sent to Congress by the young Republican party. In Washington he formed one of the famous "War Mess," composed of William Lowndes, Henry Clay, John C. Calhoun, and himself. During the first two years of the war he served as chairman of the Committee on Ways and Means, and the Naval Committee. He was then elected Speaker of the House, to succeed Henry Clay. This office he held till the close of the Thirteenth Congress. In 1814 he retired from Congress, and, refusing the position of Secretary of the Treasury to succeed Albert Gallatin, he returned to South Carolina and resumed the practice of law. In 1816 he was appointed one of the associate judges of the State, and this position he held till March of 1819. In January of that year he had been elected one of the directors of the United States Bank, and a few days later Mr. Jones, president of the bank, resigned his office.

Public opinion immediately pointed out Mr. Cheves as his successor. He was the avowed choice of the Administration, and possessed the entire confidence of the mercantile stockholders, whose interests he had materially served on one occasion while in Congress. The position was one for which Mr. Cheves had little inclination; it was well known that the affairs of the bank were deeply involved, though the real dangers of the situation were by no means appreciated in the South. But aside from this, he had also been informed at the same time by Mr. Middleton, Senator from South Carolina, that a vacancy was about to occur on the United States Supreme Bench to which President Monroe proposed to appoint Mr. Cheves. This office would have been, for several reasons, the more congenial of the two to him,¹ but after some hesitation he finally yielded to the urgent solicitations of his friends and consented to accept the position of president of the Bank of the United States. The election took place March 6, 1819.

When Mr. Cheves reached Philadelphia he found the affairs of the bank in a lamentable condition. The institution had been for two years in operation, having started in January, 1817, with an untrameled active capital of twenty-eight millions. During the first year it had carried on an extensive

¹ MS. Letter from Cheves.

business and established eighteen branch offices. It had imported large sums of specie and paid its notes and those of the branch offices without reference to the places where they were payable. The bank notes were everywhere received in payment of debts to the United States Government, and drafts were given without limit on the parent bank, and on the Northern offices by the Southern and Western offices, at par or at merely nominal premium. The tide of business brought a flood of notes from the South and West to the Eastern commercial centers, where they were paid and returned, only to be immediately reissued. The South and West were thus stimulated to artificial activity, while the parent bank and Northern offices were drained of their capital. The result was that on July 20, 1818, began a rapid and heavy curtailment of note issues. Between that date and April 1, 1819, the total curtailment amounted to six and a half millions. Yet at the end of that period the offices at Philadelphia, Boston, and New York were in a worse condition than when the remedy was devised, for the Southern and Western offices were not restrained from freely issuing their notes, while their curtailment in many instances resulted merely in a change of debts bearing interest for debts due by local banks on which no interest was paid. And all this time the Northern offices continued to purchase and collect drafts on the South and West, though the great object of the curtailments was to draw funds from those sections.

When the curtailments began the bank was indebted to Baring Bros., and other houses, to the amount of one and a half millions. To meet these obligations, the bank disposed of \$2,200,000 of its funded debt, paid off \$700,000 of the debt to Baring Bros., and by these complex operations furnished ways and means to the amount of one and a half millions. This transaction, Cheves says, together with the curtailments, reduced the productive capital of the institution by more than eight millions in eight months. All the funded debt which was salable had been disposed of, and by April the proceeds were exhausted. At the close of the day, April 12, the demand liabilities of the bank exceeded the specie in its vaults by more than \$100,000. At the same time the bank owed to Baring Bros. \$900,000 and had a circulation of \$6,000,000 to meet. Meantime the Government revenue was being paid in all the ports in branch paper, while the debentures, which amounted to \$1,000,000 every three months, were

demanded and paid in specie. The Southern offices were remitting tardily, the Western offices not at all. "All the resources of the bank," exclaims Mr. Cheves, "would not have sustained it in this course and mode of business another month!"

In Philadelphia there was a general expectation that the bank was about to stop payment; yet one part of the danger was as yet absolutely unsuspected. During the last session of Congress the Congressional Bank Committee had discovered that the firm of Buchanan & Smith of Baltimore owed enormous sums to the bank. But when Mr. Cheves came into office he pursued the investigation further, and found that Buchanan, who was also president of the Baltimore branch bank, and his cashier, McCulloch, had appropriated to their private business nearly \$3,000,000 of the bank funds, and their unsecured debt amounted to \$900,000. For \$500,000 of this Mr. Cheves was able to obtain securities. He then removed McCulloch and Buchanan resigned. For some days the excitement in Baltimore was so intense over Mr. Cheves's reputed severity and injustice that his agent, Mr. Colt, narrowly escaped injury at the hands of the mob.¹ Then, however, the facts of the case leaked out and Mr. Cheves was exonerated; but popular distrust was immediately transferred to the bank, and this last blow threatened completely to overwhelm it.

The task of restoring the institution seemed an impossible one, nor were the difficulties attending it overestimated. Mr. Cheves says: "A ship without rudder or sails or mast, on short allowance of provisions and water, on a stormy sea and far from land, will afford a figure by no means too strong to express the hapless condition of the Bank of the United States." And in March Mr. Crawford, Secretary of the Treasury, writing to him of the prospects of restoring a sound currency, says: "The task will be executed with difficulty and loss, if indeed it be practicable. * * * The stoppage of specie payments by the bank and by the State institutions is inevitable. * * * I greatly fear that no efforts which it is in the power of the directors to make will be successful."²

Still stronger are the statements of John Quincy Adams, as recorded in his diary. On April 5 he writes: "The bank is so drained of its specie that it is hardly conceivable that it can

¹ MS. Letter from Colt to Cheves.

² MS. Letter from Crawford to Cheves.

go till June without stopping payments. * * * The state of our currency is perilous in the highest degree, and threatens to terminate in a national convulsion." And again, on April 18, writing of a visit of Mr. Cheves to Washington, he says: "Its real cause is the tottering situation of the bank, which will very shortly be reduced to the alternative of calling in all its notes and trading on those of other banks or of stopping payment."

But, like many others, Mr. Adams had failed to appreciate the remarkable ability and energy of the new president. Three weeks after the last quoted entry in the diary the bank was safe and sound again, and in a position to aid other solvent but needy concerns.

The remedial measures adopted by Mr. Cheves to bring about this remarkable transformation were comparatively simple and obvious. The prime object, and the one toward which he immediately bent his every energy, was the maintenance of specie payments, and this he perceived depended upon the ability of the bank to sustain the national credit and to restore a sound currency. To this end, therefore, the curtailments of circulation ordered previous to his election were for a short time continued, and the offices in the South and West were forbidden to issue their notes when exchanges were against them. Measures were also taken to collect the balances due to the offices from local banks, and to obtain from the Government time necessary to transfer funds from the offices where the money was collected to those where it was to be disbursed; also, time to transfer funds to meet the notes of offices paid in offices other than those where they were payable in tenor. Moreover, debentures were to be paid in the same money in which the duties on which the debentures were secured had been paid. Lastly, it was determined to obtain a loan in Europe for a sum not exceeding two and a half millions for a period not exceeding two years. Of these measures, two deserve special attention; the one on account of the popular misrepresentations to which it has been subjected, the other because Mr. Cheves considered it the effective cause of the bank's preservation.

At that time it was believed that the curtailments originated in the policy of the new administrator of the bank, and that this course, continued too long, was at the root of many of the financial distresses of the day. In his Financial History Mr.

Bolles has embodied this impression, and says that though Mr. Cheves saved the bank, the price paid was very high. This statement is, however, most emphatically contradicted by Mr. Cheves. He states that after he took his seat at the board not one additional curtailment was ordered, and those already in force were continued only so long as was absolutely necessary. Boston and New York were required to sustain themselves till the scattered bank funds could be collected and supplied to them; Philadelphia continued its curtailments only seventy days after Cheves's election, and at no time did the reductions of the discounts of the parent bank and of the offices north of Philadelphia exceed \$400,000, until they were reduced by a lack of demand for money which was general throughout the nation. By the middle of May curtailment of circulation had ceased everywhere except in those offices where there was excess of capital. This excess was found in the offices of the South and West, and there, indeed, the suffering caused by the curtailments was real. As has been seen, those sections had for a year been conducting business on the basis of what was practically an inflated currency, and the rapid restoration of a sound currency basis caused widespread distress. Here, however, the personal popularity of Mr. Cheves stood the bank in good stead, by inspiring confidence in the institution. During the summer of 1819, Robert Hayne of South Carolina, writing from Kentucky to Mr. Cheves, says: "I have found, in general, that the Bank of the United States is unpopular, but the public confidence in yourself is very great, and the prevailing opinion everywhere is that the affairs of the bank will in future be honestly and ably conducted;" while from Virginia W. H. Fitzhugh reports: "Your conduct in the management of the bank has met with the entire approbation of the more respectable part of the community," while he adds that without this influence there would be grave danger of a repetition of the notable opposition of 1798-99.² Far, then, from augmenting the evils necessarily resulting from the enforced curtailments, Mr. Cheves's presence in office was of material assistance in moderating them.

The other measure to be particularly noticed is the European loan proposed and defended by Mr. Cheves. This loan was for \$2,000,000, payable in July, 1821, when \$1,000,000 was

¹MS. Letter of Hayne to Cheves.

²MS. Letter from Fitzhugh to Cheves.

renewed at 5 per cent and the remainder paid off at a profit that defrayed all charges of remittance, even with an adverse rate of exchange. The loan was at the time severely attacked as an unnecessary and oppressive measure. But in his Exposition Mr. Cheves successfully vindicates the necessity of the step. At the time that the loan was projected, the liabilities to Baring Bros. alone exceeded the total amount of specie in the parent bank and all its branches. To meet this charge the bank was obliged to enter into a contract to pay it in England at a given time, with interest, and in executing this contract employed the whole operations of the next business season in foreign exchanges. Other transactions tended still further to divest the country of its metallic basis, and many individuals and banking institutions were desiring a pretext for suspension of payments. To the Bank of the United States such a step would have meant ruin. Its whole salvation depended upon its ability to maintain the credit of the country and to restore the soundness of the currency, for should public confidence for a moment be shaken, a run upon the bank would ensue which must inevitably have ruined it. Moreover, the second installment of the Louisiana stock was to fall due in a few months, and the sum to be paid exceeded the total amount of specie in the cities of Philadelphia and New York. The loan was an absolute necessity.

The results of the step fully justified Mr. Cheves's expectations. He says of it that not only was it a circumstance of the utmost importance in the management of the bank, but also a measure on which turned, to a great extent, the preservation of a sound currency, an event which he holds to be more important than any other in the history of the country since the late peace.

One other question of policy for which Mr. Cheves was most bitterly attacked was that of declaring no dividends. For two years the clamors of the stockholders were firmly resisted, and not till July, 1821, was a dividend of $1\frac{1}{2}$ per cent granted. This was followed by one of 2 per cent in January, 1822; $2\frac{1}{4}$ per cent in July, 1822; and $2\frac{1}{2}$ per cent in January, 1823. These dividends, however, were much smaller than had been hoped for, and Mr. Cheves's friends felt seriously alarmed at the consequent growing hostility to his administration. They feared that when once he had placed the affairs of the bank in a prosperous condition a new régime would be introduced,

and a successor would reap the benefits and popular results of his labors. Nicholas Biddle and other directors thought Cheves too conservative and cautious, and were recognized as being opposed to his policy. There is a family tradition to the effect that a prophetic friend said to him once in a tone of anxious warning, "Take care, Cheves; you are only stuffing a saddle for old Nick to ride on."

When the facts of the Exposition were published in 1822, however, the real value of his conservatism was realized, for it then became known that an accumulation of three and one-half millions had been made to repair past losses of the bank, and that the capital again stood whole and untrammelled. The sole purposes for which the bank needed funds were to pay the outstanding English loan of \$1,000,000 and to furnish some additional capital to the parent bank and the office at New York.

With affairs in this condition, there could be no longer any doubt that the safety of the institution was secure and its outlook for the future highly promising. Mr. Cheves's immediate task of establishing a sound specie basis and maintaining the national credit was triumphantly accomplished, and there was no further inducement to him longer to retain an office which had from the first proved highly distasteful to him. Accordingly, on the 1st of July, 1822, he wrote to the stockholders announcing his intention to resign at the end of the year. "It was my desire," he says, "to have done so very soon after I entered upon the duties of the office; but I owed it to you and to the country * * * to hold the station * * * until the bank should be placed in a state in which a change could be made in safety and without alarm. There is, in my opinion, no longer anything in the situation of it which can make a change difficult or injurious * * * and therefore no duty on my part to forbear the gratification of a wish I have long anxiously indulged."

The announcement of this determination was received with the deepest regret throughout the country, and from every side Mr. Cheves received expressions of public confidence and concern. "Your friends believe," wrote Mr. Hayne, "that since the war you have done more for the country than any individual in it."¹ And great anxiety was expressed as to the

¹ MS Letter from Hayne to Cheves.

probable effect of the resignation upon the bank credit. Mr. Cheves, however, felt the fullest assurance of the safety in which he left the institution, and adhered to his resolution of retiring in December. He asked for a committee of investigation, which examined the affairs of the bank, and on October 1 published their report. "The circumstances of the bank," they declare, "fully realize the anticipations of the stockholders * * * in regard to the president, who, by his talents, disinterestedness, and assiduity has placed its affairs in an attitude so safe and prosperous as that the burthen of duty devolving upon his successor will be comparatively light."

The saddle had indeed been well stuffed for Nicholas Biddle, who in December was elected as his successor. The prosperity of the bank was assured, its credit firm and easy, the task of those who followed after the man who justly has been called the Hercules of the United States Bank.

XVIII.—THE INFLUENCE OF THE AMERICAN REVOLUTION ON
ENGLAND'S GOVERNMENT OF HER COLONIES.

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THE INFLUENCE OF THE AMERICAN REVOLUTION-ON ENGLAND'S GOVERNMENT OF HER COLONIES.¹

By **GEORGE B. ADAMS.**

It has become almost commonplace to say that the American Revolution taught England the true method of colonial government. I quote, as the text of this paper, two statements of the sort from writers who are particularly worthy of attention. The first is from Mr. C. P. Lucas, of the present Colonial Office staff, a very well known writer on English colonial history. The passage is from his Introduction to the Historical Geography of the British Colonies. He says (p. 117): "England learnt thereby the true mode of dealing with colonies. Her liberal colonial policy in the present century, which stands out in brilliant contrast to the systems of other times and other nations, is the direct fruit of her greatest mistake and her most striking failure." The second is from the Commentaries on the History of England of Prof. Montagu Burrows. He says (p. 417): "Nor * * * may we forget that while the mother country lost colonies from want of intelligence and sympathy, she learnt a lesson in the art of keeping the rest." And after a passage on the Quebec act of 1774, he adds, referring to the Quebec government bill of 1791: "On this foundation William Pitt and the King built the fabric of colonial government which has made them what they are—a part and parcel of the Empire."

The question to be examined here is, How much do these statements mean? In the art of governing colonies, how much did England learn from the American Revolution?

There is one point which may be regarded at the outset as

¹ This paper is based upon an investigation, as yet incomplete, of the larger subject of England's colonial government during the present century. I have decided, with some hesitation, to print it as originally read, since I think the conclusions expressed are not likely to be modified very essentially by later study.

established beyond question. England did learn that she must abandon forever the attempt to force her colonies, by taxes which she herself imposed and collected, to share in the burden of imperial defense. But this lesson can not be said to make a change in England's colonial policy. The attempt at taxation was a decided innovation of the generation immediately preceding the Revolution. It was an experiment, then tried for the first time by the English Government, in order to provide, if possible, for a part of the heavy expense of the long conflict with France for the empire of the world. It was no part of the traditional colonial policy of England. This difference was clearly seen by the colonists, who marked the distinction between these new taxes and the old ones laid by Parliament for the enforcement of the navigation laws. This innovation England learned that she must abandon. In the act of 1778 she made a formal promise that she would never renew the experiment. It was a lesson so perfectly learned that, under the greatly changed conditions of the last fifty years, England has borne with very little complaint far more than her fair share of the burden of imperial defense. It was too well learned, in fact, for the resulting condition of things has not been a good one either for England or the colonies, and it promises to be productive of more serious evils in the not distant future, unless the colonies can be brought in some way to assume their proper share of the burden.

But it is clearly to some change since 1783 in the traditional policy of colonial government that the passages quoted at the beginning of this paper refer. They certainly mean positive instruction in the art of governing colonies, and the second clearly implies that Pitt had learned from the American Revolution how to form a colonial constitution, that he applied the lesson practically in the Quebec government bill of 1791, and thus founded the system which now makes the colonies "part and parcel of the Empire."

When we look back over the present century, it is easy enough to see what it is to which these quotations do refer. The change in England's traditional colonial policy has been almost revolutionary. During the first third of the century there is nothing in her political management of colonies which distinguishes it from that of the first third of the eighteenth century, unless it be that there is far more direct interference in local colonial affairs by the home Government than the thirteen

colonies suffered in the earlier period. But it is now more than a generation since it became her settled policy to grant complete self-government, or responsible government, as it is named, to all colonies of Englishmen as soon as they become populous enough to manage it successfully. As compared with the old policy, which prevailed with scarcely any modification down to 1840, this is so striking a change as to attract much attention and to lead to attempts at explanation. What brought it about? It is by no means unnatural that the first explanation, looking at the surface appearance of things, should assign the American Revolution as the cause. The revolutionary change in England's colonial policy was due to the revolutionary revolt against that policy which split the Empire in two. But was it?

Upon this question the debate on the Quebec government bill of 1791 is most instructive. It occurred less than ten years after the close of the Revolutionary war. Many were still in Parliament who had taken a prominent part in the earlier crisis. Burke, the defender of the colonies, was one of the most active debaters. Charles James Fox was the leader of the opposition to Pitt. The question was that of giving to the colonists that form of government which should be best adapted to their wants and under which they would be the most contented. This purpose was repeatedly stated. It was mentioned, for example, in reference to the United States. The Canadians must have such a government as will content them in comparison with the governments of their neighbors. There is no evidence that this was not an honest desire. Everything, on the contrary, indicates that it was.

Here, then, is an ideal test of the knowledge of colonial government which England had acquired by her experience with the thirteen colonies. That experience was fresh in mind. The actors in it were still the leaders in Parliament. The problem was precisely the fitting one for such a test—to give a colony the government best adapted to it and most satisfactory to the colonists. And that problem was clearly in mind as the one to be solved. What was the result? What does the outcome show to have been the lessons of experience?

It is to be answered, in the first place, that the government established by the act of 1791 is on the model of the worst of the governments of the thirteen colonies, of those which had

been the least satisfactory in operation, and it contains precisely those elements which had led to repeated conflicts between executives and assemblies, with one additional element of badness which none of the thirteen had contained—a provision for hereditary legislators. In the second place, the debate shows no tendency whatever to draw on past experience. There is no sign that it had occurred to anybody to study the constitutional history of the thirteen colonies after the revolution of 1688, although this would have been an extremely useful guide in their task, and there is no evidence that anyone had studied the causes of the American Revolution with a view to the removal of such causes in the present case. One of the very few references in the whole debate to the causes of the Revolution would be of a rather surprising sort if it had been the result of any historical study. Mr. Pitt is of the opinion that the absence of an hereditary aristocracy in the colonies hastened the separation from the mother country—a proposition which, theoretically considered, may be true, but which, as an argument for the creation of hereditary aristocracy in a neighboring colony, shows clearly that theory and not historical experience is the speaker's guide. It may go very well with the even more astonishing statement attributed by Lord John Russell, in the debates on the Canadian troubles of forty years later, to Chief Justice Robinson, that if the English Church had been established by law among the Puritan colonists the Americans would never have revolted.

Considering the debate as a whole, two conclusions seem substantiated. First, in the minds of the ministry and of the great body of the House of Commons the way to give the Canadians a perfectly satisfactory government is to give them a copy of the British constitution. This is repeatedly said by Pitt and Burke, and is in the main accepted by Fox and the speakers of his party. Now, there could be no possible objection to this; it would, indeed, be precisely the thing to do, if it could have been understood to mean, as everybody now understands it, that form of government which would produce in the colony those results which the British constitution produced in England; or, in other words, the British constitution with no more of a departure from its exact form than is necessary in order to make its operation under the changed conditions of the colony the same as in England.

But this interpretation of the idea, in effect suggested and

argued for by Fox, was distinctly repudiated in 1791, repudiated through ignorance no doubt, and with no illiberal purpose, but deliberately and consciously rejected as an interpretation which could not be allowed. To the framers of the bill, judged by the debate, the English Government did not mean government by the people. The British constitution was not considered to be machinery for giving expression to the popular will. It meant King, Lords, and Commons, with the emphasis on the Lords. Even Burke says in the debate that the Americans in the United States have not "set up the absurdity that the nation should govern the nation," but "not having the materials of monarchy or aristocracy among them" they have "formed their Government as nearly as they could according to the model of the British constitution. Yet * * * if the bare imitation of the British constitution was so good, why not give [the Canadians] the thing itself?"

This was the constitution which was to be given to Canada. In making a grant in this form, the great difficulty was with the especially important feature—the aristocratic. It was easy enough to represent the Crown by the governor and an entirely irresponsible executive council. The Commons could be represented by an elective lower house, but how to get a House of Lords was the chief difficulty, and this difficulty seems to have required more thought on the part of the framers of the government than any of its other features. Pitt says several times in the debate that his object is to make a grant of the English constitution in so far as the colonial conditions will allow. But we must not be deceived by the phrase. The only condition to which he refers as standing in his way is the absence of an hereditary aristocracy. The bill sought to avoid the difficulty by making the upper house appointive, and by providing for the gradual creation of a body of hereditary legislators. Now, the history of the thirteen colonies was full of evidence to show that an executive and an upper house independent of popular control, in colonial constitutions, were fruitful sources of conflict, disorder, and even of the paralysis of government. And there was evidence also to show the impossibility of a colonial hereditary nobility. But in the debate on this question, the whole argument proceeds on theoretical grounds. Nothing indicates any disposition to learn from American experience, or even the consciousness that there was anything to be learned from that source; indeed, Pitt indicates clearly

enough that he considers that the adoption of republican government in America makes the conditions in the United States so different from those in Canada that American experience is shut out of consideration.

On this question, as on the bill as a whole, Fox stands opposed to Pitt. He entertains far better ideas of colonial government. His words have often been quoted. "I am convinced that the only way of retaining distant colonies with advantage is to enable them to govern themselves." But Fox stands, on this occasion, even more alone than the defenders of the colonies ten years before—a single voice speaking to closed ears, a leader with hardly a following in his own party.

On this particular question, he accepts fully the theoretical arguments in favor of an aristocracy. He takes advantage of the opportunity, indeed, to make entirely clear his belief in the great blessing conferred on any land by the possession of an hereditary aristocracy. His object in this is apparently to meet the accusations which have been laid against him in consequence of his attitude toward the French Revolution. But he differs wholly from Pitt in the means by which he would secure this blessing to the colony. He argues that Pitt's plan can not be made to succeed, and he predicts in general terms the consequences which actually followed. His own plan, we may say in passing, which was a higher property qualification both for the members and for the electors of the upper house, has been since adopted by some of the self-governing colonies, though the result has not been to create an aristocracy. But Fox does not give any evidence that his belief in the failure of Pitt's plan was based on a knowledge of colonial experience. He shows some slight knowledge of colonial charters, but none of the practical operation of government under them. His position seems rather to be due to that remarkable statesmanship which reveals itself now and then in his peculiarly composite character.

The second general observation to which the debate as a whole leads is that it is in the main not a debate on colonial government at all. The question of the government to be given to England's most important colony sinks into comparative insignificance and does not attract the attention of the House in comparison with a more interesting discussion which grows out of it. This is, as is well known, the famous debate

on the French Revolution, which leads to the breaking of the long friendship between Burke and Fox, and to Burke's withdrawal or expulsion from the party with which he had so long acted. The theoretical character of the debate had led not unnaturally to this result, and it is not too much to say that the French Revolution and its probable effects were more in the minds of all parties, and had a more direct influence on this bill and this debate than the American Revolution. It should be remarked, also, that one can hardly read this debate without concluding that Pitt had a more real interest in allowing the breach between Burke and Fox to become extreme than in advancing the bill or in securing the best practicable government for Canada.

It ought to be added, to make the consideration of the case complete, that in the matter of taxation the bill followed the act of 1778 very imperfectly and incompletely. It granted, as Fox said of the whole bill, the shadow and withheld the substance. Some portion of the Canadian revenues was reserved from the start to the disposition of the home Government, and no real control over the raising or expenditure of the public income was granted to the colony as a whole, as the future abundantly proved, for that portion of the legislature which represented the people found itself in practice powerless to determine anything, either financial or legislative. The British Government assumed the right to appropriate the Canadian revenues, raised by acts of the Canadian legislature, to the uses of the executive government of the colony, in defiance of the colonial assembly, and in the struggle for self-government, which lasted for more than a quarter of a century, the revenue question became relatively almost as important as the similar question had been in 1765.

The final conclusion from this first case must be that England had learned nothing and showed no disposition to learn anything in the art of governing colonies, either from the constitutional experience of the thirteen colonies before the Revolution or from the study of the Revolution itself. The case shows an honest desire to grant a good government to the colony, but at the same time a complete ignorance of all the necessary conditions, an ignorance which will not listen to enlightenment and which believes that what seems good for Englishmen at home must perforce be good for Englishmen in the colonies.

After the passage of the Quebec government bill the next

question of colonial management which arouses any general discussion is that of the renewal of the East India Company's charter in 1813. This charter had been renewed in 1793, but at that time no interest in the question is visible. In 1813 there is considerable discussion among the persons immediately interested. But the question is almost wholly commercial. The discussion is upon the removal or modification of trade restrictions, and we should hardly expect to find in it any indication of the direct influence of the American Revolution. It is, however, particularly interesting as presenting the first evidence which I have as yet found of what I believe to be the most important direct effect of the American Revolution upon English opinion about colonial government, at least until after that opinion had been permanently changed by other causes. This is in the creation of the belief that the removal of colonial restrictions and the granting of liberal favors to colonies leads directly to insubordination, rebellion, and finally to independence. Two passages of especial interest are the following. The first is from an anonymous pamphlet entitled *Considerations on Colonial Policy*, published in 1813. The writer says (p. 8): "Authentic history proves that from the era of the Grecian colonies planted in Asia Minor to the memorable event of the American Revolution, the removal of restrictions has occasioned a lengthy series of expense, bloodshed, and vexation, till a final separation has taken place between a mother, foolishly fond, and her ungrateful offspring." A little further on he continues: "Nor can it be too often or too seriously pressed that a firm adherence to a restrictive policy alone can secure the allegiance of the colonists and the advantages which they bring to the mother country." The second, from a pamphlet entitled *A Letter to the Earl of Buckinghamshire*, also anonymous and of the same year, reads: "To strengthen the well-grounded fears which are entertained respecting colonization, I shall refer to the arguments of the favorite writer of the *Open Traders*, Adam Smith * * * ; in following up his opinions on the baneful effects of monopolies, he says that the spirit of exclusive companies is unfavorable to the growth of new colonies, and has probably been the cause of the little progress which has been made in colonization in India. Is there any man, my Lord, when adverting to America, can say that colonization is not to be dreaded? This doctrine, practically followed has lost

you America! This doctrine rejected by the directors of the East India Company, has preserved India to Great Britain" (p. 73).

Between 1813 and the time when England was forced to deal with the constitutional troubles of Canada, two colonial questions were much discussed. One was the question of slave emancipation, and the other that of the repeal of the navigation laws. Neither of these is exactly a question of colonial government in the present sense, though the first led to a striking instance of the exercise of the right of Parliament to force legislation upon a colony against its will. In passing by the repeal of the navigation laws, one remark should be made. The change upon the commercial side of England's colonial policy, which was made by the overthrow of the old restrictive system, was as revolutionary as that made in her political government by the grant of full colonial liberty. A most decided impulse toward this change was undoubtedly imparted by the overthrow of the navigation laws in so far as they related to the original North American colonies. It may be true that trade follows the flag. But certainly, so far as America was concerned, it was not found that trade refused to survive a change of flag. It has been said that the American mercantile marine increased fivefold in twenty years, and that trade with England increased in the same proportion. Here was the light of fact and experience thrown on the old mercantile theories, and the advocates of free trade pushed the argument with vigor. Undoubtedly the American Revolution had, in this direction, a very decided influence upon England's colonial policy. But if this change reacted upon her methods of governing the colonies politically, it was only at a late date, and it is certainly not to this influence that reference is made in the passages quoted above and others like them.

I have, I fear, too little space left for a detailed presentation of the first case of the granting of complete self-government to a colony—the grant to Canada fifty years ago—which is as interesting and instructive as the case of the Quebec government bill in 1791. Fortunately the facts are so well known that this is not necessary.

Within less than twenty years, or as soon as population had materially increased and the colony began to feel itself competent to manage its own affairs, agitation began for a modification of the government established by Pitt. This was

for many years a purely colonial agitation, which attracted but little attention in England. It was a parliamentary and constitutional struggle, closely similar in many of its details to the struggles which marked the early years of the eighteenth century in some of the thirteen colonies, in Massachusetts and New York, for instance, but in Canada the executive and the appointive council were far more strongly entrenched in the government and much more effectively supported from home than in the earlier cases, which all terminated in a short time in the practical success of the colonists.

The first material advantage gained was the right of the representatives of the people to vote the supplies, which was secured early in the struggle by skillfully taking advantage of the necessities of the government. Strange method surely of gaining this right under a government established as a close copy of the British constitution! This advantage, once gained, was immediately put to use as the chief weapon of the reformers against the executive, according to the traditionally constitutional practice of withholding the supplies. By this practice the government was sometimes left for years without the means of paying salaries, and it would have been much more quickly decisive of the conflict, if the home Government had not stood ready to support the Crown, as it expressed it, by itself assuming the right to appropriate the supplies from the Canadian treasury. Finally, in 1828, about twenty years after the beginning of the trouble, Parliament became conscious that there was a case in Canada which needed inquiring into, and the Canadian committee of that year was appointed. Its report marks a step in advance, by bringing the subject fairly before England, but it was followed by no proper action. Long delays and half measures; new commissions to make unnecessary reports; reluctant concessions which really conceded nothing, as everybody ought to have known, some of them even taken back almost as soon as made; much discussion and debate, but no decision; these are the characteristics of the next twelve years. In 1837 came the rebellion soon put down; in 1838 the unhappy mission of Lord Durham; and early in 1839 his remarkable report, which deserves the German epithet of epoch-making; and finally, in 1840, the beginning of real concessions to the colonists, which in the course of half a dozen years secured them all they had asked.

This rapid sketch gives us no idea of the importance of the

period in the history of England's management of her colonies. It is the period which revolutionized her whole system of colonial government, or at least which began and rendered inevitable that revolution. This being true, it is pure presumption to attempt to characterize it in five pages, but for the present specific purpose, to ascertain the effect of the American Revolution upon the change, I may venture to state certain conclusions from a study of the period.

In the first place, it will be remembered that during nearly the whole time after England began to understand that there was real trouble in Canada, the party which was in office was the Whig party, now beginning to be called the Liberal party. The party which stood in opposition to the policy of Lord North, which championed the cause of the thirteen colonies, and which was represented by the wise suggestions of Fox in 1791, had now the opportunity to show that it understood the true colonial policy, as some of its great leaders in the past had done. But what we really find is only another instance of the familiar principle that opposition and office have widely different effects upon the mind. The Tories, out of office, are consistent with themselves; the Whigs, in office, have forgotten their past. There is no essential difference to be found on this occasion between the ideas of the two parties, between the *Quarterly Review* and Lord John Russell. They advance the same objections; they fear the same calamities; they put their arguments and apprehensions into almost identical language, though the *Quarterly* in the same articles denounces the awful perfidy of the Whigs and bewails the contemptible mediocrity of poor little Johnny Russell. The opposition, indeed, shows that it cares nothing for the colonies in comparison with a party advantage, but nothing materially better can be said for the Government.

The cause of the colony in England was mainly represented by members of the little group of the so-called philosophical radicals, whose advocacy, to say the least, did not prejudice the ruling classes of the country in favor of the colonial cause, by the *Westminster Review*, and for a part of the time by the brilliant, but feared and distrusted Brougham, at this time an out-of-office free lance, the supposed ally of the ministers, but ingeniously seeking occasion to make them as uncomfortable as possible. These men probably did secure a wider hearing for Canada than the colony could have gained by

itself, and the Canadian question is a part of the agitation on colonial subjects in the decade from 1830 to 1840, which marks the first rise of a real public opinion in England on colonial subjects. Their arguments, however, did not convince anyone. Canada did not gain her cause by convincing England, and she would have gained nothing for years to come if she had depended upon argument alone.

We gain from this discussion, in the second place, the clearest evidence of one effect of the American Revolution, already spoken of, now showing itself in the minds of those who determine England's policy. It is the belief that to grant concessions to a colony, to give it the power to govern itself, will lead inevitably to the loss of the colony. Colonial self-government is but a step to revolt and independence. The evidence of this belief is to be had on every hand.¹ Lord Durham in his report mentions it as one of the chief arguments of the opponents of reform, as does Wakefield in his *Art of Colonization*. The *Tory Quarterly Review* proclaims it an immediate danger with hysterical emphasis in italics and small caps. Lord John Russell insists upon it in speeches and dispatches alike. The colonial legislative council defends its opposition to change on this ground, and King William IV most emphatically asserts it in a formal letter to the prime minister. It is interesting in this connection to add a reference to the academic lectures on *Colonization and Colonies*, delivered at Oxford during these years by Herman Merivale, who certainly was not out of sympathy with the cause of colonial reform. Although the lecturer handles the topic with very great caution, he evidently holds the opinion, which, indeed, he expresses in almost these words, that complete colonial self-government will tend to break off the connection between the colony and the mother country, and that this tendency will be hastened by the example of the United States. I think it unquestionably true that the successful revolt of the thirteen colonies created in the minds of those who really controlled the Government of England a distrust and fear of colonial self-government, which shows itself in many ways during the first half of the present century, and which was never overcome by argument. It passed away only after the lapse of time made evident that revolution and independence did not follow, but rather a deeper and more trustworthy loyalty. The

¹See note at the end of this paper.

exact change and the process of it is seen by putting beside Merivale's original lecture of 1840, to which I just referred, his appendix to that lecture published in 1861. The first expresses a cautious fear of the results of complete colonial liberty. The latter says: "None but those who have traced it can realize the sudden spring made by a young community under its first release from the old tie of subjection, moderate as that tie really was. The cessation, as if by magic, of the old irritant sores between the colony and the mother country is the first result. Not only are they at an end, but they seem to leave hardly any traces in the public mind behind them. Confidence and affection toward the 'home,' still fondly so termed by the colonists, * * * seem to supersede at once distrust and hostility. Loyalty, which was before the badge of a class suspected by the rest of the community, becomes the common watchword of all. * * * Communities which but a few years before would have wrangled over the smallest item of public expenditure to which they were invited by the executive to contribute have vied with each other in their subscriptions to purposes of British interest." And further to the same effect.

The evidence of any other influence than this of the American Revolution in settling the Canadian question can not be found. There is special reason for believing that if there were such an influence, it would show itself in Lord Durham's report. But nothing in that document indicates that its author had reached the conclusions which he announces through the study of that event, and it is not to be found in the case of any of the other actors in these events. With the little band of those who plead the cause of the colony in England, who stand in the place of Chatham and Fox in the two earlier instances, the case is different. They have evidently studied history with care and profit. They denounce the fears of the Government. They assert that independence will not result from granting the colonial demands, but from refusing them. They clearly and repeatedly point out, and that, too, early in the conflict, the close parallel between the course which the ministry is following and that of Lord North's ministry sixty years before, and enforce their assertions by pointed quotations from Burke, Franklin, and the Declaration of Independence. But these men, as I have said, had no more influence upon the actual current of events than Fox in 1791.

It is clear, taking the whole case together, that responsible government was not granted to Canada by the English Government as the result of any past experience, or from any conviction that it ought to be done. It was not done because it was the right of colonies, or because it was a part of a wise system of colonial government. Responsible government was reluctantly conceded, against the will and apparently against the judgment of those who granted it, simply because of the obstinate demands of the colonists which could not otherwise be quieted; because the ministry feared that the ultimate result which they believed would follow the grant—colonial independence—would certainly come at once if they did not grant it.

This history could easily be followed further with the same results. One would think that having granted a fully free government to Canada, and found no evil consequences, the way of the next colony which demanded a similar favor would be easy. But so far from having learned a true colonial policy from the loss of the thirteen colonies, England seemed to learn from her recent Canadian experience only a little caution in daring the anger of the colonists too long. New South Wales and Victoria found the old difficulties in the way, and New Zealand suffered from the interference of the home Government in its internal affairs long after self-government had been conferred in form.

The idea that England learned any lesson of value in the management of her colonies from the American Revolution is pure imagination, most of all the idea that she acquired, as Professor Burrows suggests, "intelligence and sympathy." The exact opposite is more nearly true, that it taught England a lesson of fear and distrust from which her later colonies suffered much. The liberal and ungrudging concession of full colonial liberty has become so entirely England's policy in the last forty years that it is easy to forget how very recent a policy it is. The inference that she ought to have learned it from her experience in America is so simple and direct that when men think of the contrast between the present and 1776, without thinking much of the less dramatic or familiar history which lies between, the tendency is almost irresistible to jump to the conclusion that the present policy was learned through the earlier experience. But as a matter of historical fact it was not. The real causes of the change were complex in

character, and at the middle of the century they had only just begun to act.*

* For Lord Durham's *Report* see pp. 207-210 (edition published by Ridgways), and for Wakefield, *Art of Colonization*, p. 232 and pp. 269-270. (Compare also Lewis, *Government of Dependencies*, pp. 299-301 (Lucas's edition), and Mills, *Colonial Constitutions*, Introduction, p. liii. Roscher refers to the English feeling briefly, but correctly. See his *Kolonien*, p. 300 (3d edition).

The italics and small caps of the *Quarterly Review* may be seen on p. 253 of vol. 61 (p. 139, Am. edition).

Lord John Russell's ideas are to be found in *Speeches and Despatches of Earl Russell*, Lond., 1870, Vol. I, pp. 484 and 493, and Vol. II, p. 55, and in the dispatch of October 14, 1839. For one instance of his agreement with the *Quarterly Review* compare his account of what followed the report of the committee of 1828, *Speeches*, II, p. 55, with that in the *Quarterly*, vol. 61, p. 255 (p. 140, Am. edition).

The language of the Canadian legislature is quoted in the *Westminster Review*, vol. 8, p. 13. The letter of William IV is printed in *Lord Melbourne's Papers*, Lond., 1889, p. 349. The passage quoted from Merivale is from p. 641, edition of 1861, appendix to Lecture XXII.

Lord Durham's *Report* was probably written, in the main at least, by Charles Buller, and his writings show, as do those of Wakefield and Roebuck, considerable acquaintance with American history.

On the other side, interesting comparisons between the troubles of Canada and those of the older colonies will be found in the first article of the October number of the *Westminster Review* for 1835, vol. 23. Brougham says that the ministry's course is identical with that of Lord North in his life of North, *Works*, Edin., 1872, Vol. III. p. 63. Brougham's attitude toward the ministry on the question is well stated in the *Greville Memoirs*, Part II, Vol. I, p. 124. Greville knew Brougham's mind at the time as well as anyone did. See his remark on p. 149.

XIX.—THE GOVERNMENT OF FEDERAL TERRITORIES IN EUROPE.

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THE GOVERNMENT OF FEDERAL TERRITORIES IN EUROPE.

By EDMUND C. BURNETT.

The government of dependencies has been extensively studied, but chiefly with reference to colonial government. A similar amount of attention has not been given to dependencies of federal governments—subject territories which are not component parts of the federation. The problem is not one with which Americans alone have had to deal, for the possession of dependencies by federal governments is almost as old as federal government itself, and in almost every federal union it has been a present condition, and often one of great importance. The question is interesting to Americans because they have been more successful than others in its solution, and because, for them, it has been so intimately interwoven with the problem of federal government itself. How successful the American system has really been can be seen only by a comparison with other systems which have prevailed. It is the purpose of this paper to describe those systems which have existed in Europe.

We find the first example of federal dependencies where federal government began—in Greece. Switzerland, the next confederation of importance, had an extensive system of dependencies, the possession of which was of very great importance in the history of the confederation. The United Netherlands likewise had during their entire history territories within their borders which were subject to the federal government. At present there exist three instances of such territories: Alsace-Lorraine, which is a dependency of the German Empire; the Territories of the United States, and those of Canada.

GREECE.

The idea of city autonomy was so thoroughly ingrained into Greek political thought that dependence of any kind, even the dependence of equality, was abhorrent. A city in the days

of the Persian wars and afterwards had little choice between absolute independence and absolute dependence. Federalism, consequently, came late; it came only when the cities had worn themselves out fighting for their autonomy, and even then was successful only in those parts of Greece which were of later political development. Cities like Sparta and Athens, which had had a long autonomous history, acted, as a rule, but a poor part in the later federations. We should naturally expect that when once federalism was attempted among States possessed of such ideas of independence its promoters would attempt to push it to its logical limit, which would discountenance any form of dependence, but make all cities members of the confederation. Such would seem to have been the case with the greatest of Greek leagues, the Achaian, and in a measure also with the Aitolian.

Of the two great leagues, so called, which preceded these, the Delian was soon converted into an Athenian Empire; the dependencies were never dependencies of the league, but of the city of Athens. The Bœotian League made some approach to nominal federalism, though Thebes, like Athens, eventually swallowed the league. Of subjects of the Bœotian League¹ in the days when it was confined to Bœotia, we hear nothing. There were towns and territories subject to individual members of the league,² but how they were governed we are nowhere told.³ When the power of the league was extended, under Epaminondas, it was no longer Bœotian, but Theban.⁴

Of the smaller leagues of the time, the Phokian, the Akarnanian, the Epeirot, and the doubtful Thessalian in northern Greece, and the Lykian⁵ in Asia Minor, none of these, so far as our information goes, ever extended their power beyond their own borders or had dependencies within them.⁶ In the short-lived Arkadian League there may have been dependencies upon the Federal Government. When Megalopolis, the capital, was created, it was done by the union of a number of small towns, some of which willingly gave up their individuality for

¹ Cf. Freeman, *History of Federal Government in Greece and Italy*, p. 122 ff. (Ed. 1893.)

² Freeman, p. 126. Thucydides, IV, 76, where Chaironeia is spoken of as a dependency of Orchomenos.

³ But see Freeman, p. 128.

⁴ Epaminondas left oligarchies in control of Achaian cities, but the home Government disapproved of his action and sent Theban Harnosts to govern. Xenophon, *Hellenica*, VII, 1, 42; also 15, 18. Cf. Freeman, p. 143.

⁵ *Ib.* 162-169.

⁶ See Freeman, pp. 112-120.

citizenship in the greater city; some were compelled to do so, while still others would seem to have been reduced to mere dependencies.¹

No hint, however, of their government is given us. When the Arkadian League went to pieces, and Megalopolis became a member of the Achaian League, these small towns, whose identity had been merged into that of Megalopolis, were erected into free and equal members of the league.²

ACHAIAN LEAGUE.

The greatest of all the leagues, and the most thoroughly federal, was the Achaian. It is doubtful whether the Achaian League ever had any dependencies, strictly speaking. It is assumed by Mr. Freeman,³ and by Bishop Thirlwall⁴ before him, that it had not. There is no positive proof to the contrary and the evidence is in favor of the assumption. Yet whatever the theoretical relation, we know that in many instances the practical relation sustained toward the league was that of dependence. During the existence of the ancient League of the Twelve Cities, Kalydon⁵ and Naupactos⁶ came into their possession. We are told definitely that Kalydon was made a member of the league;⁷ Naupactos was held by a garrison, but might, nevertheless, have been admitted to Achaian citizenship.

When the league was revived, about 280 B. C., after its dissolution for a few years through Macedonian interference, it confined its action for some time to the boundaries of Achaia. A change came when Sikyon⁸ was admitted in 251 B. C.; thenceforward the policy of the league was extension—by persuasion if possible, by force if necessary. One neighbor after another entered the union, Corinth, Argos, Megalopolis, even Sparta⁹ herself, until at one time the league included the whole

¹ Freeman, p. 159. Loc. cit.

² Id., pp. 315, 488-489.

³ Pages 200, 187.

⁴ VIII, 364.

⁵ B. C. 391, Freeman 186, 255.

⁶ B. C. 341, Freeman 186, 187. Loc. cit.

⁷ Xen. Hell., iv, 6, 1.

⁸ Cf. Freeman, pp. 278, 286, 287.

⁹ Sparta was a very restless member, and often complained that she was treated unfairly. She had been brought into the league (B. C. 192) by much the same methods as Mantinea (see below, p. 396). See Freeman, p. 492, 503, 504. Livy, XXXV, 37. *Evocatis principibus et oratione habita—societati Achaeorum Lacedaemonios adjunxit.* By some sort of an assembly the form of a request for admission was gone through with.

of Peloponnesus. When cities were brought in by force a federal garrison was usually necessary, for a time at least, in order to hold them. In many instances of the kind we know that these garrisoned cities were admitted to full membership in the league; in others we are told only of the capture and the garrison. Corinth,¹ though one of the most influential members of the league, was kept constantly garrisoned. Kynaitha,² in Arkadia, also had a garrison, and while we do not hear that it ever was given a vote in the Achaian Assembly, we do hear the inhabitants of Kynaitha, and other Arkadian towns taken about the same time, called Achaians.³

The case of Mantinea may serve to illustrate the condition of actual dependence with nominal equality. The city was captured by the general of the league, and in order to secure its admission legally the franchise was conferred upon a class of citizens who had not before possessed the rights of citizenship.⁴ Admission to equal membership in the league seems, then, to have been the rule. The case of Megalopolis, where a number of insignificant townships were so admitted, has already been referred to. In the case of some small towns which were detached from Sparta (195 B. C.), the evidence points toward a different conclusion. Livy tells us that they were placed under the protection of the Achaians.⁵ Zakynthos⁶ was bought outright by the league, but through the interference of the Romans was soon given up. Three other acquisitions were made outside of Peloponnesus: Aigina,⁷ which voluntarily entered the league, and Pleuron and Heracleia⁸ (about 190 B. C.). On what terms the latter were brought in we do not know.

AITOLIAN LEAGUE.

Our knowledge of the Aitolian League depends so much upon chance notices that we get only occasional glimpses of

¹ Freeman, pp. 294, 242, 419.

² *Ib.*, 314. Thirlwall, vii, 136. Polybios, iv, 17. (Probably about B. C. 240.)

³ Freeman, pp. 314, 315. *Pol.*, ii, 52, 55; iv, 19.

⁴ Captured by Aratos B. C. 226-225, and compelled to enter the league, and afterwards garrisoned. Freeman, pp. 347-349; 242. *Pol.*, ii, 57. About two years later the city revolted, and when retaken in B. C. 222 its inhabitants were sold into slavery. *Ib.*, pp. 354, 385. *Pol.*, ii, 58.

⁵ Livy, xxxv, 13. *Achaeis omnium maritiorum Laconum tuendorum a T. Quintio cura mandata erat.* Freeman thinks that they must have been admitted as States, as equal annexation was the unvarying principle, p. 485; cf. 492.

⁶ B. C. 191. The acquisition by purchase finds numerous parallels in Switzerland; cf. the Louisiana purchase. See Freeman, p. 497. Thirlwall, VIII, 387.

⁷ B. C. 229. Freeman, p. 331. *Loc. cit.*

⁸ Freeman, p. 496. *Loc. cit.*

the working of its constitution. Beginning with the acquisition of Naupactos,¹ which fell into their hands about 338 B. C., they pushed their power eastward until it included pretty much all of central Greece. Even the whole Bœotian League² became for a time either a member of this league or else a dependent ally. Southern Thessaly was also included.³ They took from Akarnania a large part of her territory, and even her capital city, Stratos.⁴

A close alliance existed between the Aitolians and Elis,⁵ which enabled them to get a hold upon Arkadia and make raids through Achaia and other parts of the Peloponnesus.⁶ With respect to the cities of the contiguous territories of central Greece, it is highly probable that they became sooner or later members of the Aitolian League, with the right to sit in the Federal Assembly.⁷ The name Aitolian came to be applied to all these people. In several of these cities—Naupactos, Heracleia,⁸ Hypata, Lamia—the Federal Assembly sometimes sat.⁹ From several of them, too, came generals of the league. Phthiotic Thebes¹⁰ was held by the Aitolians and made a basis for predatory operations. It may have been that the original inhabitants had been driven out and that the inhabitants at this time were Aitolians; it was not an uncommon practice of theirs. Antikyra was captured by the help of the Romans and peopled with Aitolians.¹¹ It would be reasonable to suppose that a city inhabited by Aitolians would be made a member of the league. In the Peloponnesus Phigaleia had an Aitolian garrison and governor, although it is spoken of as being in political union with Aitolia.¹² From there numerous raids were made into the surrounding coun-

¹ Freeman, p. 255. Loc. cit.

² B. C. 244. *Ib.*, pp. 142, 268, 293. *Pol.*, xx, 5.

³ Freeman, p. 341.

⁴ *Ib.*, 115. *Pol.*, II, 45. See in *Xen. Hell.*, IV, 6, 4, an account of an Aitolian Assembly there B. C. 266.

⁵ Freeman, 271, 314.

⁶ *Ib.*, 314.

⁷ *Ib.*, pp. 268-270.

⁸ Heracleia was compelled to enter the league prior to B. C. 280. Freeman, pp. 260, 268.

⁹ This fact, of course, does not prove the one thing or the other; but the chief officer of the league most likely would be chosen from a full member of the federation. Cf. Freeman, p. 269, note 2. *Liv.*, xxxi, 29, 40.

¹⁰ Freeman, 269, 430. *Pol.*, v, 99 (B. C. 217).

¹¹ B. C. 211. Freeman, p. 449. *Pol.*, ix, 39. Cf. *Liv.*, xxvi, 24-26.

¹² Freeman, 270, 314, 395. *Pol.*, IV., 3; ἐτύχανε δὲ τότε συμπολιτευομένη τοῖς Αἰτωλοῖς. But elsewhere (IV., 99) he speaks of the relation as *συμμαχία*. On the relation of *συμπολιτεία*, see Emil Scanto, *Das Griechische Bürgerrecht*, p. 104 ff. Kephallénia seems to have sustained a similar relation. Cf. Freeman, p. 270.

try, and even Messênê, which was in alliance¹ with Aitolia, was plundered. Other places were captured and held by garrisons for a greater or less time.² Mantinea,³ however, joined the Aitolian League of its own accord, preferring that connection to membership in the Achaian League. Relations of some sort existed between the league and Lysimacheia, Kalchêdôn, Kios, Keôs, and Teôs, but it is impossible to tell just what these relations were. Kios⁴ had an Aitolian governor, although it is called an ally⁵ of the Aitolians. Lysimacheia⁶ was for a time in the charge of an Aitolian general, yet is spoken of as a member of the league. The cases of Teôs and Keôs are even more obscure.⁷

The conclusion we must come to is that, whatever the theoretical relations of the various components of the league, the actual relations varied all the way from equality to subjection. In the Achaian League equality seems to have been a fundamental principle. It is herein that we find the strongest point of contact with the American system, and of contrast with the Swiss and Dutch systems: the idea that dependencies are only States in course of preparation. The Aitolian League, furnishing apparently the greatest variety of relationships, bears a strong resemblance to the Swiss Confederation.⁸

SWITZERLAND.

The Swiss Confederation presents, during its centuries of growth, many varieties of relationship between the parts which now make up the whole. Some of the present cantons were long more or less closely allied to the central league, others were under the protection of the league or of associations of members less than the league itself, others acknowledged a sort

¹ The relation is called *συμμαχία*. See Freeman, p. 390, citing Pol., iv, 15, etc. The exact difference between *συμπολιτεία* and *συμμαχία* can not with certainty be made out, though the former seems to indicate a closer relation than the latter. Cf. *Ib.*, p. 400; Pol., iv, 32.

² Kynaitha was sacked by the Aitolians in B. C. 220, and then offered to the Eleans, who refused it. They determined then to keep it for themselves, and appointed a commander over it; but learning that the Macedonians were coming, they burned the city and left Pol., iv, 18, 19. Cf. Freeman, pp. 44, 403. Compare the attempt on Medeon, B. C. 233-2. *Ib.*, p. 323; Pol., ii, 2.

³ B. C. 227. Freeman, 268. Pol., ii, 57.

⁴ Freeman, p. 267; Pol., xv, 23.

⁵ Pol., xviii, 2, 3, 4.

⁶ *Ib.*

⁷ See Freeman, p. 268. The instances here given are by no means all the allies or dependencies of the league. Others are given by Freeman.

⁸ See the comparison drawn at length in Freeman, pp. 271-274.

of overlordship, and others still were long dependencies, either of the whole league or of parts of the league.¹

Swiss history during its first century is the history of a noble struggle against oppression; it is full of high ideals and unselfish devotion to the cause of liberty. Appenzell, struggling against the tyranny of the abbot of St. Gall, received the hearty support of the confederates, and when its freedom had been won was left to pursue its own course. Zug and Glarus were won by the combined arms of Uri, Schwyz, and Unterwalden, and were declared independent,² and then were received into the league on terms of equality. Within scarcely more than sixty years from the time when Uri, Schwyz, and Unterwalden formed their first perpetual league (1291) five new members had been received, completing the league of the "Eight Old Places" (1353). After the Sempach war (1386) a different spirit began to animate the Swiss. Unselfish devotion gave place to a selfish struggle for territory and for power. It was a century and a quarter before another State was admitted to membership into the league, though within that period large territories had been acquired. Individual cantons, particularly Bern, Zürich, and Lucerne, added rapidly to their possessions.³ The central cantons, less favorably situated for conquests, became jealous and the very existence of the league was threatened. With the beginning of the fifteenth century the greed for territory took possession of the league itself.⁴ A period of acquisition was begun which continued well into the sixteenth century. As a rule, the individual cantons acquired their territories through purchase and forfeiture of loans, though sometimes by force of arms. With the league the rule was reversed; their possessions were gained chiefly by conquest, though sometimes by purchase. As a rule, the later a province was won the less mild were the terms granted it.⁵ Under exactly similar conditions territories which at first would be admitted as equal members, later as protected places,⁶ finally would be made subject territories.

¹ See Blumer, *Staats- und Rechtsgeschichte der Schweizerischen Demokratie*, I, 296. Bluntschli, *Geschichte des Schweizerischen Bundesrechts*, I, ch. 13.

² See Blumer, I, 297.

³ Bluntschli, I, 209.

⁴ *Ib.*, 210.

⁵ Blumer, I, 297.

⁶ This meant the acknowledgment of dependence, in certain matters, upon the protecting States. See Bluntschli, ch. 13. "Die Zugewandten und Verbündeten Orte;" more briefly, Blumer, I, 349-355.

The latter merely changed masters, and their conditions were not always improved; for oftentimes the lords of a district, through long possession, had come to regard the welfare of the people as bound up with their own welfare, while the new owners were inclined to lay more stress on their own power than upon their subjects' rights, and looked upon their acquisitions, since they were often purchased with money, largely as business investments.¹ The business point of view is, consequently, especially prominent in all the dealings with the subject territories; at the same time the confederates desired to deal justly by their subjects, as they regarded justice.

The confederation at the time of these acquisitions was a very loose one, so that the individual members were little hampered by the control of their associates. As a result, we find two, three, or more members of the league joining forces in the conquest or purchase of a territory and administering its government entirely free from interference on the part of the larger league. There was no single territory subject to all the thirteen cantons which composed the league from 1513 to 1798.

The confederates did not gain usually all the rights of government, but only such rights as had been possessed by the lords or sovereigns whom they succeeded. These were in general the rights of the higher executive, the right to the military forces, the right to taxation with certain limitations, and in greater part the rights of jurisdiction.² The last was the most complicated of all their claims and gave rise to constant conflicts. As a rule, they acquired the higher jurisdiction completely, and the lower to a greater or less extent. In some cases they did not control the jurisdiction of a territory at all. Certain cities in the territories controlled either entirely or in great part their own courts. Such³ were Frauenfeld and Disenhofen, in Thurgau; Baden, Mellingen, Bremgarten, and Aarau, in Aargau; Lugano and Locarno, in Ticino. Some of these occupied almost an independent position, even sending upon occasions delegates to the general diets of the league.⁴ The system of government employed by these various groups in their territories was in its general features much the same

¹ See Blumer, i, 297.

² Bluntschli, i, 216. Dändliker, Geschichte der Schweiz, ii, 350.

³ See Dändliker, iii, 7; ii, 351.

⁴ See Blumer, i, 348. Bluntschli, i, 392; cf. (Josias) Simler, Regiment der Eidgenossenschaft, mit Anmerkungen von H. T. Leu, pp. 651-658; (Simler wrote about 1570; Leu's notes were written in 1734) Amtliche Sammlung der Eidgenössischen Abschiede, passim.

in all cases, though it differed in details in the different territories.

The system in its essential features was no invention of the confederates, but only an adaptation from one they found at their hands to the peculiarities of federal control. The system had been employed by the Dukes of Austria in the government of their provinces, and many of the cantons themselves had been so governed. It was employed at this very time by various lords, lay and clerical, in that region, and by individual cantons, for the management of subject districts.¹

At the head of the system was a Vogt, later called Landvogt, who was both governor and judge—in short, represented all the sovereign rights in the territory, putting his seal to all official documents. He was chosen by the governing States in succession for a term of two years. As the representative of the sovereign power he received the homage of the people of the territory, and in turn swore to protect and guard the people and to uphold their rights and customs.² To him might be appealed all civil controversies in the province, and also the lower order of penal cases; the latter might often be brought before him in first instance. The Landvogt was the receiver³ for the States of all revenues (taxes, tolls, feudal dues, fines), and accounted for these annually, paying over to the States the balance after the payment of the Government expenses. This balance was divided equally.⁴ The Landvogt was generally paid a percentage of the incomes.

The next most important officer was the Landschreiber, or provincial secretary, who kept the records of the Government and often sat with the Landvogt in judgment, though as an adviser only. He was nominally elected by the ruling cantons for an indefinite period, but the office was practically hereditary. In most of the territories it continued to be so down to the end of territorial dependence.

In general, administrative processes were through the Landvogt. Instructions⁵ were given to him and reports were made by him. His power of initiative was large, but he felt the

¹ Except, of course, the feature of alternation.

² Bluntschli, i, 216.

³ Bluntschli, i, 216. Simler, p. 659.

⁴ Simler, p. 430.

⁵ Instructions were frequently given to the Landvogt and Landschreiber jointly. Quite often the orders of the league were sent directly to the Untervogts, subordinate local officers. This was especially so in the earlier period. See *Amt. Sam.*, *passim*.

necessity of not overstepping too far the ordinary boundaries of his prerogative.¹

A special annual assembly (*Jahrrechnung*)² of delegates from the States was held to transact business connected with the subject territories. This diet received the accounts of the *Landvogts*, divided the incomes, heard appeals, passed ordinances, or made recommendations to the *Landvogts* for the government of the territories and elected those officers (*Land-schreiber*, *Landammann*, and *Landweibel*), whose choice devolved upon them. To this assembly a newly elected *Landvogt* was presented in a formal manner by the delegates of his State, and after producing his credentials took the oath of office. When a *Landvogt* read his report, the delegates from his State had to retire and leave the investigation to others. *Planta* describes the assembly as follows:

The meetings were opened by formal speeches from the chief deputies of each canton; those of Unterwalden, Glarus, and Appenzell, who represented each a separate district, having all of them the right of delivering a complimentary harangue.³ * * * [Business which concerned all the States was transacted first.] * * * After this, the deputies who had no share in the common bailiwicks made each another complimentary discourse and withdrew. The bailiffs hereupon reported concerning the affairs of their different districts, gave in their accounts, and stated particularly the sentences they had pronounced and the fines they had imposed. All this was carefully investigated, and the awards, if complained of, were confirmed or repealed. The conduct of every subordinate magistrate was severely scrutinized, and where any delinquency appeared severely censured.⁵

Whilst the *Jahrrechnung* was primarily an assembly for territorial affairs, it was by no means confined to those affairs nor was territorial business confined to the *Jahrrechnung*, but with certain exceptions, particularly the receiving accounts and the hearing appeals, such business might be brought before any diet or a special diet might be convoked for the purpose. The matters appertaining to the Italian territories

¹ See *Simler-Leu.*, 430.

² June and July, "On St. John the Baptist's Day at sunset." *Simler-Leu.*, 433; *Bluntschli*, I, 394. See on *Jahrrechnung*, *Bluntschli*, I, 216, 391-408 (*Die Tagsatzung und der Vorort*); *Blumer*, I, 348; *Dändliker*, II, 353; *Simler-Leu.*, p. 428 ff.; *Planta*, *The History of the Helvetic Confederacy*, II, 291 ff. For the German territories the *Jahrrechnung* was held during the greater part of the period at Baden. For the *Jahrrechnung* of the Italian territories, see below, pp. 417, 418.

³ *Planta*, II, 293.

⁴ If, as often happened, all the delegates were not present at the appointed time, those present proceeded with their own business.—*Simler*, 435.

⁵ *Planta*, II, 294. For a general account of the *Tagsatzung*, see *Simler-Leu.*, 420-438.

were even in a less degree confined to the Italian *Jahrrechnung*; in fact, the management of the territories constituted, as a rule, the largest part of the business of any diet.¹ This assembly was neither a supreme legislature nor a supreme court. The delegates acted only in accordance with their instructions from their Governments, and from their decisions appeal could be taken to the States themselves. Whilst in the general affairs of the league the minority was not bound to follow the majority, in the management of the common territories it was so.² From this statement is, of course, to be excepted religious matters which became subject to the parity rule.³

Lastly, each territory was bound to furnish a certain quota of men in time of war.⁴ These were under the command of the *Landvogt*. When, however, war arose within the league the territory remained neutral.⁵

VAL LEVENTINA.

The first acquisition by more than one member of the league was the valley Leventina or Livinen, beyond the Gotthard, won by Uri and Obwalden from the Duke of Milan in 1403. The year before, when some men of Uri were making their way to the annual cattle market at Varese, the officers of the Duke of Milan seized upon their cattle, asserting that the tolls had not been paid. Having sought in vain through remonstrance for redress, the enraged foresters resolved to seek it by force of arms. The men of Uri were joined by those of Obwalden and together they seized Val Leventina, which was a possession of the Duke.⁶ The people of the valley seemed not to be averse to a change of sovereigns, and readily placed themselves "into their hands, their power, and protection." (August 19, 1403.) They took the oath of allegiance to them, promised obedience and assistance, and agreed to be governed in any way that their conquerors might see fit, though reserving their *gemeinde* or communal assembly of all over 14 years of age. They promised to pay to Uri and Obwalden the taxes hitherto

¹ Cf. Blumer, i, 346.

² See Bluntschli, i, 404.

³ *Ib.*, 404; and see below, p. 422.

⁴ See Bluntschli, i, 411-412, for quotas.

⁵ Bluntschli, i, 382, 404; *Leu.* in Simler, p. 436; and see art. 26 of the Peace of Aarau (1712), in Bluntschli, ii, 298.

⁶ *Dändliker*, ii, 44. Blumer, ii, 298. Planta, ii, 334-335.

paid to the Duke of Milan, to receive auxiliaries from them and at their expense.¹ The two cantons agree to send alternately every year a Richter² to Leventina. In 1426,³ the valley was ceded back to the Duke of Milan, and though in 1444,⁴ it came once more into the possession of Uri, it was to Uri alone, hence its further government does not concern us here.

ESCHENTHAL (VAL D'OSSOLA).

The possession of Val Leventina naturally brought on further strife between the foresters and their southern neighbors. In 1410 a new quarrel⁵ arose, and this time the other members of the league were called in to help Uri and Obwalden. All except Bern⁶ responded and together they took possession of the valley of the Tosa or Val d'Ossola, also called "Eschenthal." Domo d'Ossola was also given up to them, and was garrisoned.⁷

The next year the confederates had hard fighting to keep their conquest, and in 1414 it was taken from them. In 1416, however, they not only regained what they had lost, but added the valleys Maggia and Verzasca which lie between Val d'Ossola and Val Leventina.⁸ The next year a threatened invasion⁹ on the part of the Duke of Milan brought the confederates once more into Eschenthal, and after this the Emperor Sigismund confirmed them in their possession (1418).¹⁰ In October, 1418, the territory was organized¹¹ into two administrative districts, Eschenthal and Val Maggia, the latter including Verzasca. A Richter, whose term of office was one year, was placed in each. The Richter took an oath "to be obedient to the confederates, to further their interest and their honor and protect them from injury, to judge rich and poor alike in

¹ Amt. Sam., i, 335 ff.

² Amt. Sam., i, 336. The only one recorded is Hans Schudier of Uri, who was in disgrace within a year. Amt. Sam., i, 106, 107. Blumer, ii, 299.

³ Blumer, ii, 299.

⁴ Ibid.

⁵ See the account in Dändliker, ii, 45.

⁶ Bluntachli, i, 211.

⁷ Dändliker, ii, 45.

⁸ Dändliker, ii, 45. Zürich was very reluctant to join the expedition. Amt. Sam., i, 164. So Lucerne in 1417. A. S. i, 170.

⁹ Amt. Sam., i, 166, 170. Dändliker, 2, 46.

¹⁰ Dändliker, 2, 46. Valais was a partner to this conquest, while Schwyz was not. Dändliker, ii, 146. Amt. Sam., i, 193. The government was by the six (Amt. Sam., i, 193-194), though Valais was a partner in the incomes and expenses ("mit nutz und mit Schaden"), i, 355.

¹¹ Amt. Sam., i, 207.

accordance with the books, as oath and honor bade."¹ The confederates in their turn pledge their support and their confidence.²

The Richter exercised both executive and judicial functions, and was also collector for the league. The jurisdiction of the league was such as the Duke of Milan had possessed,³ but was not complete.⁴ The subjects retained, however, the right of taxing themselves, paying only a small yearly tribute.⁵ There was not in this period any fixed time for rendering accounts.⁶

Eschenthal did not long remain in the possession of the league. At the battle of Bellinzona, or Arbedo (1422), the confederates were defeated by the Duke of Milan, with the result that they lost Eschenthal, together with the county of Bellinzona,⁷ which they had recently purchased. In 1426 all the possessions which the league held in Italy were given up to the Duke of Milan.⁸

AARGAU.

A more important acquisition was a large part of the present Aargau. In 1415,⁹ at the Council of Constance, Duke Frederic of Austria was excommunicated and placed in the ban of the empire. There was a scramble for his territories. The Emperor Sigismund called upon the confederates as subjects of the empire to take possession of Aargau, which was a fief of the House of Austria. As the confederates had only three years before made a fifty years' peace with the Duke, they hesitated to respond, but finally, through threats and promises, were made to comply. The forces of the league accordingly marched into Aargau and easily took possession

¹ Er schwört, dem Eidgenossen gehorsam zu sein, ihren Nutzen und ihre Ehre zu fördern und ihren schaden zu wenden, ein jahr lang Richter zu sein, dem Armen zu richten wie dem Reichen nach den Büchern, wie Eid und Ehre ihn weisen, niemand zu Lieb noch zu Leid, das Beste und Wegste zu thun, und die kleinen und grossen Bussen einzuziehen, aufzuschreiben und den Eidgenossen zu verrechnen. Amt. Sam., i, 207. This differs slightly from the form presented the year before.

² Sollte jemand von Eschenthal auf ihn setzen, oder wider ihn reden oder Falschheit treiben, so werden die Eidgenossen sich nicht daran kehren, sondern billig ihm bei seinem Eide glauben. * * * Ihm ist erlaubt während des Jahrs 10 oder 14 Tage herauszukommen "sin ding ze schaffen." Amt. Sam., i, 186.

³ Amt. Sam., i, 186, 188.

⁴ Ib. i, 193-194.

⁵ Ibid.

⁶ Oftenest in February, but also at other times. See Amt. Sam., i, 184, 190, 193, 194, 207, 229, 230.

⁷ See Bellinzona, below p. 416.

⁸ Dändliker, ii, 50. Blumer, i, 302.

⁹ Bluntschli, i, 212 ff. For a fuller account of the conquest see Dändliker, ii, 54 ff.

of the important cities, Baden, Mellingen, and Bremgarten, and of the county of Baden. The Free Bailiwicks (Freie Aemter) also fell into their hands at this time.¹ A quarrel² arose over the division of the spoils. The Emperor demanded it all, as the conquest had been made for the empire. The confederates refused to give him any. As finally settled the Emperor accepted 9,500 florins, and gave Aargau in pledge, reserving to the Empire the right of redemption.³ Bern, Zürich, and Lucerne had made conquests individually, and in the division received large shares. To the league fell the county of Baden and the Free Bailiwicks.⁴ Uri refused to be a partner to the business, honestly insisting that the conquests had been made for the Emperor and to the Emperor should be delivered.⁵ In 1445,⁶ however, she waived her scruples and became one of the ruling cantons. Bern had not acted in concert with the league and was not admitted to the government of Aargau until 1427,⁷ and then only of Baden.

The conquered territory thus obtained was organized into two administrative districts, the county of Baden and the Free Bailiwicks. The former was governed (after 1445) by all eight members of the league; the latter by all except Bern.

BADEN.

In the organization of the government of Baden the plan was inaugurated which prevailed with but slight modifications throughout the entire period of dependencies. The States chose alternately a Landvogt for a term of two years,⁸ who was in all things their administrative agent. In 1435 the duties of the Vogt are defined. He must faithfully preserve the house, rights, and jurisdiction of the confederates, and be obedient and attentive to their commands; he must collect⁹

¹ See below, p. 408.

² See the account in Dändliker, i, 59 ff. Bluntschli, i, 214 ff.

³ This was understood to be a mere formality. Dändliker, ii, 60. Bluntschli, i, 214-215. A. S., i, 156. The documents are at pp. 351, 352.

⁴ See Dändliker, ii, 61, and map, p. 62; also Bluntschli, i, 213.

⁵ Bluntschli, i, 216. Dändliker, ii, 61-62.

⁶ So Leu in Simler, p. 336; so apparently Amt. Sam., ii, p. 220. Dändliker, ii, 62, says 1446, but on p. 350 he says 1447.

⁷ Dändliker and Bluntschli as above.

⁸ Whilst the two-year term of office seems to have been adopted at once, it was not for some time rigidly adhered to; the same is true of the principle of alternation. Cf. Amt. Sam., i, 182, 178, 193; also, ii, 72.

⁹ The collectors of tolls, who were numerous, were required to take an oath to make their collections and payments honestly; to put the money into a box (the key to which was kept by the Vogt at Baden), and to account as faithfully for that which was collected by their wives and children as by themselves. A. S., ii, 104.

all dues and render an account therefor; he may not, without permission from the league, be absent from home more than one night (later two or three); his pay is to be 150 zurichstäbler, together with hay, straw, wood, and all fowls.¹ Other important officers were the Landschreiber and Untervogt,² each appointed for life by the ruling cantons.³

Civil causes and criminal causes not involving life or limb came first, as a rule, before the local courts, whence they might be appealed to the Landvogt.⁴ In such cases the Landvogt was the sole judge, though the Landschreiber and the Untervogt of Baden usually sat with him as counsel, but without voice in the decision.⁵ Higher criminal causes were tried by the Landgericht, a court of twenty-four judges, composed of the eight Untervogts and sixteen others appointed from different parts of the county by the Landvogt.⁶ The latter had the power of commutation and pardon.

There were numerous manorial lords in the county of Baden possessing the rights of lower jurisdiction.⁷

The bishop of Constance had such rights in a number of places,⁸ and kept his obervogts there. His jurisdiction extended only to ten pounds. Many monasteries also had an almost independent position. The most important exceptions to the authority of the league were the cities of Baden, Mellingen, and Bremgarten, all of which had gained special liberties from the Dukes of Austria, and which the confederates pledged themselves to preserve.⁹ They elected their own

¹ The following from the records of 1462 is of interest here: "Wenn künftig ein neuer Vogt nach Baden kommt, so soll man ihm und seinem Gefinde für den ersten Abend und die erste Nacht Zehrung geben; am andern Morgen soll er seine Söldern und sein Gefinde heimsenden und sie nicht mehr auf der Eidgenossen kosten zehren lassen. Der abgehende Vogt mag mit seinem Reitknechte auf der Eidgenossen kosten bei ihnen bleiben, bis der Tag ein Ende hat." A. S., II, 323.

² Distinct from the Untervogts of local districts, of whom there were eight. See his duties, A. S., I, 103.

³ Simler (and Leu's note), 429, 665. See A. S., VI, I, 289.

⁴ Leu in Simler, pp. 664-665. Cf. Blumer, I, 348.

⁵ Leu in Simler, pp. 664, 666.

⁶ Simler (p. 665) says the twenty-four were appointed for life. Leu says: "Das Malefiz-Gericht wird aus den 8. Untervogten gesetzt und dann von dem Landvogt der Ueberrest bis auf 24, nach Gutbefinden jedesmal darzugethan von Zurzach, Klingnau, Kayserstuhl und anderen Aemtern, doch so dass diese letztere es dann nicht lebenslanglich verbleiben, sondern bey jedern Anlas von dem Landvogt auch andere nach Belieben benamset werden, auch hat der Landvogt das Begnadigungs-Recht." Such a change might well have taken place after Simler's time.

⁷ Bluntschli, I, 212; Simler, 665-666.

⁸ For the peculiar case of Zurzach, where the Landvogt had entire authority only during the semiannual fairs, see Simler, 666 ff., and cf. A. S., II, 240, 323, 341, etc.

⁹ For the city of Baden see A. S., II, 67 (1427), II, 168-169 (1443).

mayors and councils and negotiated with States in a very independent manner.¹

Immediately after the winning of Aargau the city of Baden was chosen as the place for holding the annual meeting for transacting business connected with the government² of the common territories. In other words, it became the capital of the league.³ It was selected because it was in common territory, and was also rather centrally located to the members of the league.⁴ The Landvogt of Baden became, consequently, one of the most important officers of the league. He presided over the diets, cast the deciding vote in case of a tie, and put his seal to all enactments.⁵ He also received the delegates of the ruling places when they came to Baden. The Landschreiber of Baden, in addition to his duties as secretary and accountant for the county, became also the secretary (protokollist) of the league. He kept the records of the proceedings and prepared the copies of them ("Abschiede") for the several States.⁶ Those officers, consequently, were for the time not only officers of those eight States that ruled Baden, but also of the other members of the league after the league increased.

FREE BAILIWICKS (FREIE AEMTER).

The Free Bailiwicks, as already stated, came into the possession of the six⁷ cantons, Lucerne, Zürich, Zug, Glarus, Schwyz, and Unterwalden, with the admission of Uri in 1445. The Landvogt⁸ of the Freie Aemter did not reside in his territory, but went there twice a year, spring and autumn, to hold court. If there was urgent demand for it, he held a special court, at the cost of the suitors. The government was administered chiefly by the Landschreiber in the Landvogt's name, his action in important matters being subject to revision by the Landvogt.

¹ Bluntschli, I, 212; Blumer, I, 348.

² See Amt. Sam., I and II, especially II, 38 and 84. "Auf Dienstag in den Pfingstfeiertagen soll man jedes Jahr zu Baden sein: Niemand soll fürderhin daran säumig sein." 1430, Amt. Sam., II, 84; cf. Dändliker, II, 353.

³ It was not at once, indeed, the most common place for the diets of the league, but gradually became so.

⁴ Cf. Simler, p. 432.

⁵ Simler, 664; Bluntschli, I, 394.

⁶ Bluntschli, I, 394.

⁷ Blumer, I, 346; Simler, 347. See A. S., II, 2, 4, 10, 21, 25, 52. The "Schiedspruch" is in A. S., II, 736.

⁸ See A. S., II, 45, 67, 83, 94, 95, and especially 102-103; Leu in Simler, 678 ff.

Untervogts appointed¹ by the Landvogt resided in the several subdivisions of the territory, and before them were tried all civil and lesser criminal cases. Before the Landschreiber or Landvogt came only appeals and higher criminal cases. The latter might be tried by the Landschreiber and an Untervogt, but were often referred to a Landgericht, a special court composed of all the Untervogts and a like number of persons additional, chosen by the Untervogts individually. At such a court the Landvogt himself was always present. Before the entire court the evidence was read, then the judges, apart from the Landvogt, rendered the decision, and reported to the Landvogt, who might lessen the penalty. "Then the Landvogt, together with these judges ('Malefitz-Richtern'), betook themselves to the accustomed place of the criminal court ('Blut-Gericht'); there under the open sky the court is held and the sentence, pronounced publicly, is immediately executed."

THURGAU.

Thurgau², like Aargau, was acquired as the result of a quarrel with the Duke of Austria. A dissension having arisen in the city of Rapperswyl over the Austrian rule, the confederates were invited by the party opposed to the Austrians to take possession of the city. The invitation was accepted. The Austrian party was driven out, and the city gave itself into the hands of the confederates (1458). Sigismund had no mind for a war with the confederates, and as a fifty years' peace between Austria and the league (made in 1412) had not yet expired, he endeavored to persuade Pope Pius II to declare them in the ban of the church. The Pope, however, declined to do more than confirm the fifty years' peace. Repperswyl accordingly remained in the possession of the confederates. Soon afterwards a quarrel arose between Sigismund and Cardinal Cusanus (Nicoläus von Kues). Sigismund threw the Cardinal into prison, whereupon the Pope, taking up his cause, put Sigismund to the ban and urged the confederates to make war upon him. They were not slow to respond, and notwithstanding the peace marched into Thurgau (1460). The whole country was won with scarcely a blow.

¹ Previous to 1531 Untervogts were elected by their respective districts. The second national peace deprived all the Vogteien of this right except Muri, Meyenberg, and Bettwyl. Blumer, II, 13.

² A good account of the conquest of Thurgau is to be found in Bluntschli, I, 217-220. A fuller account in Dändliker, II, 150 ff.

Dissenhofen¹ sought to escape the war through appealing to the fact that it had been given to the wife of Sigismund as a marriage dower; but having taken in an Austrian garrison, it was besieged by the confederates and compelled to surrender and do homage to them. In this siege Bern and Schaffhausen took part. Accordingly, whilst Thurgau as a whole was governed by seven States, Dissenhofen was governed by nine.

Schaffhausen had at that time only a temporary connection with the league, and it was stipulated that its interest in Dissenhofen should terminate whenever it should separate from the league. The following year (1461)² a fifteen years' peace was made between the confederates and Archduke Sigismund, by the terms of which each was to keep during the peace what it had won in the war. Before the expiration of the peace Thurgau was definitely ceded to the league (1474).³

The league had, however, won over the province only such rights as the Dukes of Austria at that time had possessed, namely, the general sovereignty of the land, including the right to the military forces and certain rights of taxation.⁴ All the liberties and rights of jurisdiction which were possessed by the county, and by cities and individuals, were recognized by the conquerors. The most important of these rights was the whole of the higher judicial system (Landgericht) which had been mortgaged by the Duke to the city of Constance.⁵ Even of the lower strata of judicature the greater part was held by various lords, spiritual and temporal, and by cities and cloisters. Frauenfeld, the most important city of Thurgau, had, before the conquest, won large liberties and privileges, and when it surrendered to the confederates it was on condition that its liberties should be preserved.⁶ Accordingly, whilst acknowledging the sovereignty of the league, it was practically a free city within a dependent territory. The city did homage to the league, though it not only preserved its own government in complete independence, but also at times had representatives in the diets of the league.

Dissenhofen similarly had liberties of which it was not deprived, possessing its own jurisdiction entire.⁷ It swore

¹ See Dändliker, II, 153 and 155; Bluntschli, I, 217-218.

² *Ib.* also Amt. Sam., II, 886 (the document).

³ Dändliker, II, 159; Amt. Sam., II, 913.

⁴ Bluntschli, I, 218; Dändliker, II, 153 and 351.

⁵ In 1429. Simler, p. 674.

⁶ Bluntschli, I, 218.

⁷ Simler, 672.

allegiance to the seven¹ States, and its representative had a seat in the diet when any business concerning Dissenhofen was under discussion.² Appeals might be taken from the council or court of the city to the nine governing States.³ That one government exercised the executive and in some measure the legislative functions, while another controlled the courts, naturally led to conflicts. The confederates sent their Landvogt into Thurgau and the city of Constance placed there her chief justice (Landrichter) and minor justices (Urtheiler, Schäffen). The Landvogt was often slow to assist in carrying out the decision of the judge, and sometimes refused. The Landrichter claimed the penal judicature (Blutbann) as his exclusive right, whilst the Landvogt sought to extend his jurisdiction.⁴

For thirty years and more the time is thick with complaints and conflicts.⁵ Then came the Swabian war, in which Constance took the side of the Swabian League and Thurgau remained faithful to the confederates. When peace was made in 1499, the point of dispute between Constance and the league was left to the Duke of Milan to arbitrate, and by him the Landgericht was adjudged to the league⁶ (October 15, 1499). This bestowal was made in the form of a mortgage which the Emperor might redeem for 20,000 rhein gulden, and Constance made numerous efforts to regain this jurisdiction, but was unsuccessful.⁷ Whilst this decision cut the gordian knot of difficulty as between the league and Constance, another knot had meanwhile been tied which was left uncut for more than two centuries. It will be remembered that only seven of the eight members of the league had joined in the reduction of Thurgau. In 1481 two new States had been admitted, Fribourg and Solothurn. As the jurisdiction had been adjudged to the confederates for their part in the Swabian war,⁸ it fell to them all, the original seven and Bern, Fribourg, and Solothurn. Consequently while the seven exercised all the rights of government, the other three received their share of the

¹ Afterwards to Bern and Schaffhausen also. Leu in Simler, p. 672.

² *Ib.*

³ That is, they did not come before the Landvogt.

⁴ The league came into possession of the lower jurisdiction in many places. Leu in Simler, 673.

⁵ See A. S., II, and III, passim, especially II, 576, 661, and III, 14.

⁶ Bluntschli, I, 219. Dändliker, II, 300. A. S., III, I, 628-629, 762.

⁷ A. S., III, I, 641-647, 651, and III, II, 34-35.

⁸ See above, and Blumer, I, 347.

income from the higher courts (Landgericht).¹ The Landvogt was accordingly elected by the seven (alternately); and at the same time he was supreme judge for the ten.² By such an arrangement the three were at an evident disadvantage. We hear of many complaints and even of serious quarrels. The points of dispute were chiefly over the right of hearing appeals, the oath of the Landvogt, and the government of the cloisters. In 1555³ an agreement was come to which classified the cases, drawing a tolerably clear line between those which should belong to the seven and those which should belong to the ten. The three gained their point in the matter of appeals,⁴ but not in respect to the Landvogt's oath.⁵ Whilst the system after this worked more smoothly, all conflicts did not yet end.⁶ Besides the conflicts with the city of Constance and the conflicts of the seven with the three, there were also conflicts with the abbot of St. Gall and various lords who possessed rights of jurisdiction.⁷

There were some differences between the system of government in Thurgau and that in most of the other territories, consisting chiefly in a differentiation of functions. The Landvogt was at the head of the system exercising both executive and judicial functions. He had the right to preside over the Landgericht or provincial court, but usually did not do so, this office devolving regularly upon a special judicial officer, the Landammann,⁸ chosen by the ruling States in their diets. His term of office was ten years.⁹ Besides his duties of presiding over the

¹ Bluntschli, i, 219. Simler, 345. For illustration of an "Amtrechnung" for the seven and the ten, see Amt. Sam., iv, ii, 982.

² Bluntschli, i, 219.

³ Simler (Leu), 346, 667.

⁴ Simler, 676.

⁵ Not so in 1653 anyway; see the oath then prescribed, A. S., vi, i, 1733.

⁶ See A. S., vi, i, 1156 (1649).

⁷ In 1563 a case comes up which necessitates that the delegates (Gesandte) ask their home governments for instructions upon the question whether the case should fall to the abbot of St. Gall by reason of his lower jurisdiction, or to the seven or the ten. See A. S., iv, ii, 997, 998, 999. At those places where the abbot had the lower jurisdiction and the league the higher, if one injured anyone in his honor, the officers of the abbot were to set a day and notify the Landvogt. If the person retracted his injuries, it was a case for the abbot; if he proved his assertions, punishment devolved upon the Landvogt. If a person broke the peace with words, it was a case for the abbot; if with works, for the Landvogt. And other such regulations.

⁸ Blumer, i, 348. Simler (and Leu), 675, cf. A. S., iii, i, 643, 644, 645, 657. Blumer (i, 348) says he was usually a citizen of Thurgau, but the lists in Amt. Sam. seem to disprove the statement. See list for 1712-1742. A. S., vii, i, 729.

⁹ Leu in Simler, 676. So after 1718 (A. S., vii, i, 734); previously the term had been indefinite and generally for life and hereditary. See A. S., vi, ii (ii), p. 1741 (A. D. 1684). The Ammann or Landammann was, in the States, the usual judicial officer.

Landgericht, held monthly in Frauenfeld,¹ and also at times over some of the local courts, it was his special duty to care for widows and orphans.² The Landgericht was composed of twelve (in a case of "Blutbann" twenty-four) men of Thurgau, named by the Landvogt, four always from the city of Frauenfeld and eight from outside.³ In case of a tie, the Landammann cast the deciding vote. This court was one both of appeal and of first instance, and from it there was appeal to the governing cantons,⁴ except when the death penalty was involved; the Landvogt, however, had power to modify the sentence.⁵

Parallel to this court was one composed of the Landvogt, Landschreiber, Landammann, and Landweibel, to which appeals might be taken, according as the suitor wished.⁶

NEUCHÂTEL.

Neuchâtel or Neuenburg,⁷ the last member of the Swiss Confederation, though more or less closely connected with the league from its very beginning, was for a short time ruled as a common territory of the twelve States.

It formed a Burgrecht with Fribourg as early as 1290, the year before the first reunion of the three forest cantons. In 1307 a similar relation was established with Bern, and in 1324 with Solothurn. Afterwards this alliance was neglected and forgotten, but late in the fifteenth century it was renewed by Count Philipp of Hochberg, and Lucerne was added to the number of its allies.⁸ Through the marriage of its countess⁹ to Louis of Orleans, Duke of Longueville, Neuchâtel was brought under the protection of France. When, in 1512, war broke out between France and the league, the four cantons asserted their protectorate¹⁰ over the city and county and their government over it as a dependency. The customs and privileges of the place they promised to protect.¹¹

¹ Leu in Simler, 675. A. S., III, 1, 643.

² Leu in Simler, 676. See also Blumer, 1, 275.

³ See Simler and Leu, 675-676: but see the arrangement made in 1499 by which the Landvogt was to choose six out of Frauenfeld and the remainder from the county. In a case of "blood" the number was to be twenty-four. A. S., III, 1, 643.

⁴ Simler, 675.

⁵ *Ib.*, 677.

⁶ Simler, 675-676.

⁷ Bluntschli, 1, 204-206. Simler and Leu, 326-328.

⁸ The relation was really one of intercitizenship.

⁹ Simler, 327.

¹⁰ *Ib.*, Dändliker, II, 320-348.

¹¹ A. S., III, II, 626. A list of these privileges is drawn up on p. 627.

The plan of government was the usual one.¹ The *Jahrrechnung*² was held at Neuchâtel by delegates of the four States, who installed the new Landvogt each two years, administering the oath of office to him and the Untervogts, and heard appeals³ from the lower courts and from the decisions of the Landvogt. The other eight cantons laid claim to Neuchâtel as a common acquisition of the league,⁴ and after a contest⁵ which lasted for two years they gained their point (1514).⁶

No essential change, however, was made in the method of government. In 1529 the county was restored to the Countess Johanna.⁷

RHEINTHAL.

Rheinthal⁸ was purchased, not with blood, but with money. In 1460, the year when Thurgau was taken, Jacob Peyer, the lord of Rheinthal, fearing that the Appenzellers, with whom he was not on good terms, would wrest his possession from him, sold them the province. In 1490 a quarrel arose between Appenzell and the Abbot of St. Gall. The Abbey was at this time under the protection of Zürich, Lucerne, Schwyz, and Glarus. These four, together with Uri, Unterwalden, and Zug, marched to the assistance of the Abbot. Appenzell was compelled in the end to give Rheinthal to the seven in payment for the expenses of the war. Finally, in 1500, Appenzell herself was admitted to the governing body as a recompense for the worthy part she had taken in the Swabian war.

The Landvogt had no officer except a Landschreiber,⁹ who was chosen by the ruling cantons, at first for life, but after 1734¹⁰ for a period of ten years and according to a certain order of succession.¹¹ Criminal court was held in three places: Rheineck, Altstetten, and Oberried. The court was composed of the

¹ See A. S., III, II, 627, 633, 797.

² Simler and Leu,³ 327. A. S., III, II, 630. See also report Nov., 1516. A. S., III, II, 1023.

³ Simler, 327. Dändliker, II, 320-348.

⁴ A. S., III, II, 633.

⁵ A. S., III, II, 664; Heimbringen, da Bern die Grafschaft Neuenburg eingenommen 'ob solcher Innehen in unser allen Namen bescheiden sei und wie man sich darin halten soll'. Cf. Simler-Leu, p. 327; Dändliker, II, 348.

⁶ See A. S., III, II, pp. 687, 693, 742 (where the four argue that Neuchâtel was won by "Botschaft," not with the sword, and ask to be left in peace with their possession; they propose, however, to give the eight a share in Neuchâtel in return for a share in Rheinthal), 778, 782 (reply to 742).

⁷ Simler-Leu, p. 327, 328. Dändliker, II, 348.

⁸ Bluntschli, I, 220-221; Simler-Leu, 350-352; Blumer, I, 347 (Brief).

⁹ Simler-Leu, 681.

¹⁰ A. S., VII, II, 840, 843.

¹¹ See lists of officers in Amt. Sam.

Landvogt, Landschreiber, the twelve judges of the place, with the addition of other officers, varying in the different places. The Abbot of St. Gall possessed a larger part of the lower jurisdiction, and strife naturally arose between the league and the Abbot over the limits of their respective jurisdictions.¹ In 1676² they agreed to become equal partners in both the lower and the higher jurisdiction. It was arranged that appeals from the lower courts should go first to the Landvogt, or to the Obervogt of the Abbot, respectively, and further appeal should lie for one year to the *Jahrrechnung* at Baden, the next to the Abbot.³

SARGANS.

Sargans,⁴ like Rheintal, was for the most part a purchase, not a conquest. Early in the fifteenth century close relations had developed between Sargans and Schwyz and Glarus, and later Uri, Schwyz, and Glarus gained possession of several important places. These acquisitions were, in 1462, adjudged to the whole league (seven cantons).⁵ In 1483 the league bought of the last Count of Werdenberg and Sargans the county of Sargans with all the rights of sovereignty belonging to it.

The government of Sargans was more like that of Thurgau than any of the other territories. The Landvogt, who was elected in the usual manner, had his seat in the castle of Sargans. He had the appointment of the mayors of Sargans and Wallenstadt, from a list of three chosen by the Burglers, and also the appointment of the Landammann similarly, from a list of three chosen by the whole province. He was also prosecutor in the higher criminal court at Sargans. Not the Landvogt ordinarily, but the Landammann, presided over the courts. From the lower courts appeals went to the Landvogt, and then to the *Jahrrechnung*.

The Landschreiber and Landweibel were chosen by the governing cantons for an indefinite period. The duties of these two officers were not essentially different from their duties in other territories.⁶

¹ See Simler-Leu, 352. A. S., vi, 1, 1224, 1232, 1233, 1234.

² See Leu in Simler, 352; also, A. S., vi, 1, 1234, 1236, 1237, 1238, and 1701 ff. (Agreement between the five and the Abbot.) Some incidents of the quarrel and its settlement are not without humor.

³ A. S., vi, 1, 1701.

⁴ See Bluntschli, i, 221-222; Blumer, i, 347; Simler-Leu, 679-680 and 348-349.

⁵ Bern became a member of the ruling body in 1712.

⁶ See instructions to the Landschreiber in 1724-1726 A. S., ii, 1, 902.

ITALIAN TERRITORIES.

Soon after¹ Uri and Obwalden had won Leventina and Eschenthal the lords of Bellinzona (Bellenz) put themselves under the protection of the two forest cantons, agreeing to pay to them a yearly sum. In 1419 these same lords attempted to betray Bellinzona into the hands of the Duke of Milan, but were prevented by the watchfulness of the foresters. Through the mediation of Lucerne and Schwyz the county was sold to the two cantons for 24,000 gulden. In 1422, as a result of the battle of Bellinzona, the Duke of Milan gained both Bellinzona and Eschenthal.² The Duke retained possession of them until 1498, when Louis XII of France made his descent upon Italy. The county of Bellinzona fell into the hands of the French and at the same time the men of Uri took possession of the adjoining province of Riviera. The next year King Louis confirmed Uri in her possession of Riviera. The year following Uri, Schwyz, and Nidwalden, becoming impatient for the pay which the French King had promised them for their assistance in the war, crossed the mountain and took possession of the whole county, and compelled the people to swear allegiance to them. Their possession was confirmed in 1503 by the Peace of Arona, and in 1508 Maximilian bestowed the county upon them as a fief of the Empire.³

The conquered country was divided into three vogteien or territories, Bellinzona, Val Blenio (Bollenz), and Riviera, and the ruling cantons, in an order of succession,⁴ placed in each vogtei a vogt (afterwards Landvogt⁵), whose term of office was two years. Riviera being small and comparatively unprofitable it became a rule that the vogt who had held that vogtei two years should for the next two be vogt of Bellinzona.⁶

The Landvogt appointed for the subject district a Statthalter. The people themselves elected a Landschreiber, Landweibel, Dollmetch (interpreter), and Säckelmeister (treasurer), also a number of persons who with the officers above named,

¹ A. D. 1407. Blumer, i, 301.

² Leventina was not given up until 1426.

³ The account here given follows Blumer, i, 301-302. The principal facts are given in Bluntschli, i, 223-224; Simler-Len, 354-355; 334-336. A much fuller account is in Dändliker, ii, 302 ff.

⁴ The State which governed Bellinzona any given period also governed Val Blenio, but through a different Landvogt. See lists in any volume of Amt. Sam.

⁵ In Bellinzona he was called Commissarius.

⁶ Simler, p. 355. And see lists of vogts in Amt. Sam.

formed the council of the Landvogt. The Landvogt in council judged both civil and criminal cases, except the higher criminal causes, which went before a court composed of the three Landvogts and the Castellan of one of the three castles in Bellinzona. The fines¹ imposed were shared equally by the province, the Landvogt, and the governing cantons.

Every year (August and September) a "syndicate" of three delegates from the three cantons came to hold the *Jahrrechnung*; that is, to receive the accounts of the Landvogts and hear appeals. On alternate years they presented to the people assembled in their provincial assembly (*Landsgemeinde*) the new Landvogt, to whom the people did homage and swore obedience, and who in turn swore to them to protect their liberties. The syndicate met first in Bellinzona, then in Val Blenio and Riviera.

From their decision appeal might be taken to the governing cantons. After 1535 this appeal went not to an assembly of those cantons, but to that canton which had at the time the *Commissarius* at Bellinzona.²

"ENNETBIRGISCHE VOGTEIEN."

Shortly after the winning of Bellinzona another windfall came to the confederates. When Pope Julius II, in 1511, organized the Holy League to drive the French out of Italy, the Swiss were the main reliance of the Pope and his league. They defeated the French in the bloody battle of Novarra and drove them out of Lombardy. As a reward for their services, the confederates were given the provinces of Lugano (*Lavis*), Locarno (*Luggarus*), Mendrisio (*Mendris*), and Val Maggia (*Meinthal*), together with Domo d'Ossola and Eschenthal, which they had possessed for a while a century before.³

In 1515 the French were again in Italy. Francis I won over the Swiss the battle of Marignano (September 13, 14, 1515), and the following year⁴ they gave up Domo d'Ossola and Eschenthal, but were allowed to keep their other acquisitions.

¹ Cf. Bluntschli, I, 225. An den Bussen halte der Vogt einen Antheil, der Ertrag des Blutgerichtes, der Confiscation fiel den Orten zu. Das Land halte überdem eine mässige Steuer an die Orte zu bezahlen.

² An account of the government is in Blumer, II, 209-210.

³ Bluntschli, I, 224; Dändliker, II, 312-320; Simler-Leu, 352-353. Except where otherwise noted, the account given of the government of these territories is based on that of Simler-Leu, pp. 684-686.

⁴ The peace of Fribourg, November 29, 1516.

At the time of these acquisitions (1512) there were twelve States in the league, Appenzell not being admitted until the following year.¹ These twelve organized the territory into four vogteien (as above named), and appointed the Landvogts in succession, as in the German territories.² These four were known as the "Ennetbirgische Vogteien."³

The general management of the affairs of these territories was intrusted to a special syndicate, one delegate from each of the twelve States, who held the *Jahrrechnung*⁴ (in June and July),⁵ receiving the accounts of the Landvogts, hearing appeals, and every two years installing the new Landvogts.

Two such *Jahrrechnungen*⁶ were held, the first at Lugano, for Lugano and Mendrisio; the second at Locarno, for Locarno and Val Maggia. Appeal might be taken from their decisions to the governing States.

Lugano (Lavis).—The most important of the four territories was Lugano, both in size, in wealth, and in situation. Its Landvogt was the Landshauptmann or military head of all four territories. (He was called there *Capitano*.) He was presented to the province by the syndicate in the Church of St. Lawrence, when he took an oath for the preservation of their liberties and usages and received from the provincial officers, in the name of the province, the oath of homage.⁷

The Landvogt did not interfere with the administration of the province, but controlled in very large measure the judicial system. He was sole judge in all civil and criminal cases brought before him in first instance, or by appeal from such places as retained their own courts.⁸ The chief officers who served under him formed a consultative body, but without actual voice in the decision. These officers were the *Land-schreiber*, the *Statthalter*, two *Fiscals*, and two court secreta-

¹ Appenzell never became one of the owners of the Italian territories.

² From 1512 to 1516 there was considerable confusion in the government. The officer of the league is generally called *Richter* or *Landrichter*, and his term is indefinite. One man was *Richter* for the four years. A. S., III, II, 643, 644, 661, 674, 696, 768, 769, 878. A more definite arrangement was made in 1516. A. S., III, II, 872 and 966.

³ That is, *Vogteien yon side the mountain*.

⁴ *Bluntschli*, I, 225.

⁵ *Leu in Simler*, 686.

⁶ *Bluntschli*, I, 225; and see *Amt. Sam.*, *passim*.

⁷ Among their privileges were the right to enact laws, subject to the sanction of the syndicate, and the right of coinage. Among the things that could not be done without the Landvogt's sanction were the assembling of the council and the passing of an ordinance imposing fines. *Leu in Simler*, p. 686.

⁸ Also appeals in certain cases from the provincial council (*Rath*). For the places which retained their own jurisdiction see *Simler-Leu*, 687. A few places, on the contrary, had what was called first jurisdiction, by which their appeals went direct to the syndicate.

ries (Gerichtsschreiber). The Landschreiber was chosen by the governing cantons from among their own citizens. He held office usually for life. He was secretary or clerk for the syndicate when it met at Lugano, kept its records, and prepared its acts. The Statthalter was appointed by the Landvogt from among the inhabitants of the province. He took the place of the Landvogt in the latter's absence, and also had a civil jurisdiction of his own,¹ appeal from which did not go to the Landvogt, but to the syndicate. The two Fiscals were elected by the ruling cantons in common, but they were generally citizens of Lugano.² They were court secretaries and collectors of fines in two divisions of Lugano. The Gerichtsschreiber, so called, were similar officers for other divisions.

For a long time there was a Dollmetsch, but this office came later to be filled by the Landschreiber.

Locarno (Luggarus).—The government of Locarno differed only slightly from that of Lugano. The Landvogt, who was called here Commissarius, was installed in the Church of St. Francis in Locarno, taking an oath to preserve the good old customs, and receiving the oath of homage. He alone was judge in all cases except those of life and death, when he had to take the opinions of a body of seven associate justices chosen by the province. Even in other cases he had to avail himself of the advice of persons acquainted with the laws of the province.

Mendrisio (Mendris).—The territory of Mendrisio presents only one or two differences from the places already described. The Landschreiber was called there the Dollmetsch, and was chosen by the province itself, though from one of the ruling cantons.³ His term of office was two years. He was not the court secretary, that office being performed by a Canzler appointed by the cantons. The Statthalter and the Fiscal were appointed as in the cases already described. The Landvogt was attended by a Grossweibel and a Landweibel. The first was appointed and paid by himself, the other by the province.

The local officers of the province were in a general way subject to the control of the Landvogt. As already stated, reports and appeals from Mendrisio went to the Jahrrechnung at Lugano.

¹ In civil cases it rested with the auditors whether the case should be tried by the Landvogt or the Statthalter.

² See, for example, A. S., VII, II, 946.

³ Leu in Simler, 696; see also A. S., VII, I, 1107.

Val Maggia (Meinthal).—The Landvogt of Val Maggia or Meinthal was installed not in his own territory, but at Locarno, whither the local officials repaired to do homage for their province.

The province was divided into two jurisdictions, in each of which the Landvogt placed a Statthalter and a Dollmetsch.

The court secretary was a Canzler, as in Mendrisio. A Fiscal appointed by the Landvogt assisted him in the management of trials.¹ In cases involving the death penalty the Landvogt did not judge alone, but in each jurisdiction in company with the local judges, who were seven in number.

Whilst the confederates apparently interfered much less in the local affairs in the Italian territories than in the German ones as a rule, the inhabitants of these provinces actually suffered far more at the hands of their governors, the Landvogts. They had to pay, to be sure, a small yearly tribute to the cantons, but it came to pass in time that they had to pay heavily to the Landvogts for a modicum of justice. To their German rulers the Italians were foreigners, for whom they naturally had not the same consideration as for those of their own language and blood, and the absence of easy communication left the Landvogts much at their own will.²

UTZNACH AND GASTER.

The possession of a territory by only two States had, like dependencies of single States, only an indirect influence upon the confederacy as a whole. Two instances only of this kind present themselves, that of Schwyz and Glarus in the possession of Utznach and Gaster, and that of Bern and Fribourg in the possession of Schwarzenburg, Morat, Orbe, and Grandson.

Utnach.—Schwyz and Glarus came into the possession of Utznach³ in 1447. The two cantons alternated in the election of the Landvogt, whose term of office was the usual period of two years, and an Untervogt. They also chose through their delegates, from a list of four elected by the Landsgemeinde of Utznach, a Landammann, who, besides performing other duties, presided over the provincial council (Landrath). The other

¹ Leu in Simler, 696.

² Cf. Bluntschli, i, 225; and see below p. 426-427.

³ Blumer, i, 313-315; ii, 221-225. They had had from about the beginning of the century a protectorate over Utznach. Even in 1450 they promised that Utznach should be treated rather as a protected than a subject place.

officers, *Landschreiber*, *Landrichter*, and *Landweibel*, were chosen by the *Landsgemeinde*.

The *Landvogt* did not reside in his territory, but after being installed into his office and receiving the homage of the province, went only when there was urgent need of his presence. The *Untervogt* was constantly in residence, and was present at the courts in the interest of the *Landvogt*. He was a member of the *Landrath*. Except in very small cases, the *Landvogt* could not act as judge alone, but must associate with himself the *Ammann*, the *Untervogt*, and the *Landschreiber*. Appeals from the local courts took the usual course—to the *Landvogt* first, then to the syndicate, and then to the ruling cantons.

Gaster.—*Gaster*¹ became a possession of Schwyz and Glarus in 1438. Its government,² so far as controlled by the two cantons, was like that of *Uznach*, except that there were two divisions of the *vogtei*, *Schännis* and *Wesen*, and an *Untervogt*³ in each. There was also a *Weibel* and a *Schreiber* for each division, chosen by the citizens. Every two years, in May, there assembled in *Uznach* a syndicate to receive the accounts of the *Landvogts* and the *Untervogts* and to hear appeals, and to install the new *Landvogt*. This syndicate, which was called the *Sommerritte*, consisted of six persons—two delegates from the two cantons, the two incoming and the two outgoing *Landvogts* of *Uznach* and *Gaster*. Every year, in January, two delegates from the two cantons and the two governing *Landvogts* met as a court of appeals. This was called the *Winterritte*. When the syndicate had finished its business at *Uznach* it proceeded to *Schännis*, in *Gaster*.

DEPENDENCIES OF BERN AND FRIBOURG.

The territories governed in common by Bern and Fribourg⁴ were four in number, namely, *Morat* (*Murten*), *Schwarzenburg* (*Grassburg*), *Orbe* and *Echallens* (*Tscherlitz*), and *Grandson*. *Schwarzenburg* was purchased in 1424 from Count *Amadeus of Savoy*. The others were won in the Burgundian war in 1475.

The two cities sent alternately to each of these territories a

¹ Blumer, I, 315-316; II, 225-228.

² When Schwyz had a *Vogt* at *Uznach*, Glarus had a *Vogt* at *Gaster*, and vice versa.

³ Previous to 1531 the election of these was in the hands of the people. Blumer, II, 13.

⁴ Simler-Leu, 524-525; see also Bluntschli, I, 222, 223.

Landvogt,¹ whose term of office was five years. The alternation was such that while Bern governed Schwarzenburg and Grandson one term of five years, Fribourg governed Morat and Orbe.² Every two years, in the autumn, delegates of the two States came together at Morat, to whom the Landvogts made their reports and delivered their balances. Appeals from the decision of the Landvogt lay to that city from which the Landvogt came.³

REFORMATION PERIOD.

In the growth of religious freedom the territories of the Swiss League have been an important factor. As the principles of the reformation made progress the question arose. What creed should the territories follow? It was an admitted principle that each State should be a unit in its faith, but the territories were under the rule of States of different faiths, The principle upon which these territories were governed, dating from the convention of Stanz (Stanzerverkommis), 1481, was that a majority of the States should decide a question of the government and the minority should conform to the decision.⁴ The Catholic States insisted that this principle should be applied to religious questions as to others, whilst the Protestant States, notably Zürich and Bern, sought to separate religious from political government so far as to allow each church community⁵ to decide by a majority vote which faith it would adopt. Each party sought to win the territories for its faith. The first Peace of Kappel⁶ (1529) laid down the important principle that no one should be constrained in his belief, but the principle was applied territorially rather than individually. The majority in each community were to decide questions of religion. The principle of parity (later so called) thus established was to be applied only to communities in the common territories and to the league as a whole, but in each independent canton there should be but one faith. The pure business necessity of agreeing upon some basis upon which the common property of the confederates could be managed

¹ In Morat he was called Schultheiss, though the difference was one of name only.

² See *Amt. Sam.*, lists.

³ Bluntschli says that a vogt from one city was subject to the council of the other; I, 223.

⁴ Bluntschli, I, 290, 301, 402.

⁵ Dändliker, II, 507, 510. The entire question is treated quite amply in Bluntschli, I, pp. 292-310.

⁶ Dändliker, II, 507, 510, 519; Bluntschli, I, 322, II, 255 (Document), Adams and Cunningham, 170; Blumer, II, 8.

thus laid a foundation for religious liberty such as Switzerland might long have fought for otherwise and not gained. No real peace, however, resulted. The Catholics felt that too much had been lost, the Protestants that not enough had been gained. War soon broke out again. The battle of Kappel was fought in 1531, after which a second national peace¹ was signed which gave to the Catholics considerable advantages over the first peace. It was really a step in advance toward religious liberty. The principle of parity was reaffirmed, but on a broader basis. The church communities might keep their faith or change it (which the first peace had really forbidden), according to the decision of the majority. But more important was the provision which guaranteed to the minority the right to remain and organize a church of their own.

In 1586 Cardinal Borromeus (St. Charles Borromeo) organized the seven Catholic cantons into a special league, called the Golden League,² and set himself the task of extirpating heresy in Ticino and Val Telina. From this time there were virtually two leagues instead of one. The whole league continued to meet in their *Jahrrechnung*, but rarely at other times. In an agreement made at Baden in 1632, the principles of majority rule in political and parity in religious matters were once more reaffirmed, and provision was made for arbitration of religious questions not provided for in former agreements.³ Peace was, however, temporary and only partial. The records of the times are filled with complaints of the Protestant subjects against Catholic Landvogts.⁴ Mistrust, bitterness, and hatred between the two parties became chronic. The peasants' war, which broke out in 1653, united Catholics and Protestants for a time in something like the old bonds. They set about a vigorous reform in all the German territories. The Landvogts had to make oath that they had given neither money nor money's worth in obtaining their election.⁵ Both the Landvogt and the *Landschreiber* were forbidden to accept

¹ Bluntschli, I 332 ff, especially 337-339; II, 269 (Document); Blumer, II, 11 ff; Dändliker, II, 542-543.

² Bluntschli, I, 357; Adams and Cunningham, 171, 172; Dändliker, II, 603.

³ Bluntschli, I, 362, 363; Blumer, II, 19, 20. In upper Rheinthal, where the Abbot of St. Gall had jurisdiction, the Protestant communities chose their preachers from the Protestant cantons, presenting two to the Abbot, who chose one of them. Other regulations of this agreement are interesting.

⁴ Bluntschli, I, 363, 364, sums up the character of these grievances.

⁵ "Ihr sollent schweren, dass ihr zu erlangung dieser Landvogtey oder Amtsverwaltung weder gelt noch gelts werdt, weder speiss noch trankh von Euch selbst oder durch andere mit ewerem Wiissen oder vaszugeben verachaffet habent."—A. S., VI, I, 1729.

gifts from persons who should be fined.¹ A new and more stringent oath of office was administered to all the officers of the territories. This oath, besides requiring of all to judge poor and rich alike, and give no decision for love or compassion, nor for any reward, included a tolerably definite outline of the duties of the respective officers.

When, however, the common danger had passed strife broke out afresh.² The immediate quarrel was between Schwyz and Zürich. The Bernese, taking the side of the latter, were defeated at Villmergen, after which, through the interposition of the neutral cantons and of France and Savoy, a third national peace was made (1656). So far as the common territories were concerned, the basis of the peace³ was the agreement of 1632. If doubt arose whether a question was one for decision by the majority of the States (political) or by the community (religious), a tribunal composed equally of Protestants and Catholics should decide. Something, too, was gained toward individual religious liberty. This peace lasted, with no serious interruption, until 1712.

CHANGES IN 1712.

In the year 1712 war⁴ broke out again between the Protestants and Catholics. The Protestants got possession of Thurgau, Baden, the Free Bailiwicks, and Rheinthal, and won over the Catholics the battle of Villmergen.⁵ The Peace of Aarau which followed⁶ gave to Zürich and Bern the whole of the county of Baden, together with the city of Bremgarten and the northern half of the Freie Aemter. Glarus alone of the other cantons kept its interest in these territories.

¹ A. S., VI, I, 1159, 1734. The abstracts of these reforms will be found in A. S., VI, I, as follows: Thurgau, 1159; Rheinthal, 1225; Sargans, 1267; Baden, 1290, 1291; Freie Aemter, 1341. The entire scheme is at p. 1729 ff. The following, with slight verbal differences, is common to all the presented oaths: "Ferner ein gemainer richter zu sein dem Armen wie dem Reichen und dem Reichen wie dem Armen, Niemand zue lieb noch zue Leidt, und darumb Keine mieth noch gaben zue nemmen, sonder darbey Ewer bestes und möglichtes zue thuen." (Oath of the Landvogt of Thurgau, A. S., VI, I, p. 1733.)

² For the occasion of this war see Bluntschli, I, 365; Blumer, II, 20. A fuller account of the war is in Dändliker, II, 733 ff.

³ Bluntschli, I, 366 ff; II, 285 (Document); Blumer, II, 21, 22; Adams and Cunningham, 172.

⁴ The Toggenburg war. See Bluntschli, I, 375-376; Blumer, II, 22-23; Dändliker, II, 744 ff.

⁵ The second of that name.

⁶ The first Peace of Aarau was made July 18, the battle was fought July 26, and a modification of the peace was made August 9-12. Bluntschli, I, 376-390; II, 290 (Document); Blumer, II, 23 ff.

Bern was admitted to the membership in the government of Thurgau, Rheintal, Sargans, and the Upper Free Bailiwicks (southern portion). In Thurgau and Rheintal, where the principle of parity had been introduced in religious matters, the same principle was now applied to the government politically.¹ In Thurgau² the Landschreiber was henceforth Catholic, and was elected by the Catholic cantons. The Landammann was Protestant, and was chosen by the Protestant cantons. The latter now held office for ten years.³ The Landweibel, whose term of office became ten years, was alternately a Protestant and a Catholic. The body of Landrichter and Landgerichts-knechte (judges and assistant judges), each twelve in number, were now equally divided between Catholics and Protestants. The Landshauptmann and Landslieutenant were one Catholic, the other Protestant.⁴ For military purposes Thurgau was at this time divided into eight districts (Quartiere),⁵ in each of which was a Quartierhauptmann, named by the Landvogt. Four of these were Protestant and four Catholic. The Untervogts alternated between the two religions.⁶ In Rheintal the Landschreiber was hereafter to alternate between the two religions.

A very distinct advance in religious freedom had been made over former conditions. No one should be compelled to take part in or give support to the opposite worship. Where there was but one church house in a community, the first right to it belonged to that religious party which had first used it, but at certain times⁷ it was to be given up for the use of those of the other religion unless the latter preferred to build a church of their own. Similarly, the one might send to the schools of the other or organize schools of their own. The rights of the Catholics to the practice of their religion and to the religious foundations were guaranteed. The place for the *Jahrrechnung*⁸ was transferred to Frauenfeld, in Thurgau, since Baden was no longer a common possession of a majority of States. The Landvogt of Thurgau henceforth performed for the league

¹ Bluntschli, i, 378; Blumer, ii, 24.

² Blumer, ii, 25; Leu in Simler, 676; Bluntschli, i, 380-381.

³ Leu in Simler, 676. This regularity does not appear in the lists in A. S. until 1748.

⁴ Leu in Simler, 668, 673, 674. See also Bluntschli, i, 381.

⁵ Leu in Simler, 676.

⁶ Bluntschli, i, 381.

⁷ *Ibid.*, 377; Blumer, ii, 24.

⁸ Bluntschli, i, 395; Dändliker, ii, 13. Baden continued to be the place for holding the *Jahrrechnung* for Baden and the Lower Free Bailiwicks. It was held in August.

the same services which had previously devolved upon the Landvogt of Baden. The secretaryship was now intrusted to two Protokollisten, the one Catholic, the other Protestant, who kept the records and compared and unified them.¹ Finally one article of the Peace of Aarau declared that in case of war between members of the league the common territories should not take part, but remain neutral and pray God for peace.²

The possession of Baden and the Lower Free Bailiwicks by Bern, Zürich, and Glarus in unequal proportions led to some complications among the three States, and caused some divergences from the old system. As Glarus had only an eighth interest, as before, it continued to send a Landvogt two years out of every sixteen and receive one-eighth of the income.³ When it came the turn of Glarus the whole of the Free Bailiwicks was under a single Landvogt; likewise when it so happened that the turns of Zürich and Bern in the Upper and Lower Free Bailiwicks coincided.⁴ In 1733 Zürich and Bern began to keep possession of Baden four years at a time, and in 1743 seven years, though one man did not hold office so long.⁵ When the turns of Zürich and Bern did not correspond in the two sections of the Free Bailiwicks, the Landvogt of the Upper Free Bailiwicks for one term of two years was generally sent to the Lower Free Bailiwicks the next two years.⁶

Beginning in 1724, the office of Landschreiber⁷ ceased to be hereditary, and its term was made ten years. It was arranged that Zürich and Bern should each have the appointment for twenty years and Glarus for ten years.

CONCLUSION.

The reforms of 1653-54 may have checked in some measure the abuses of the Landvogts for a time, but it can not have had any very permanent result. They continued to buy their way to office, to oppress their helpless subjects, and to fill their own

¹ Bluntschli, I, 395.

² "Mit Gebett zu Gott zu Deroselben wider Verein und Befridigung." Art. 26 of the peace.

³ That is, of such as had belonged to the eight. Fribourg and Solothurn still retained their interest in that part of the jurisdiction that had been assigned to the ten. Simler-Leu, 664.

⁴ Leu in Simler, 678. See references, note 4.

⁵ His term varied from one to four years.

⁶ Amt. Sam., VII, I, 947, 984, 1039; VII, II, 791, 819, 883; VIII, 438, 455, 483-484.

⁷ Ibid., VII, I, 984; VII, 819; VII (lists).

pockets with public money.¹ The dependencies alone had held the league together, but the dependencies became the greatest blot on the league. In many of the cantons usage came to demand a fixed sum from the candidate. In Glarus,² for example, the price of Lugano was above 2,400 gulden, of Baden 5,000, and Rheintal above 6,000. When there were several aspirants, in order to insure the election, still larger sums were spent in personal bribery. And where a Vogt who had obtained his office in this manner came to his province, he naturally made it his special concern not merely to cover his outlay, but to gain a profit. The Italian territories suffered especially in this way. "Until the eighteenth century," says Dändliker,³ "the rule of the Ennetbirgische Vogteien formed a system of baseness which cried to heaven." The States, indeed, made frequent efforts to remedy this evil, but the delegates were corrupted by the Landvogts and the disease took even deeper root than before.⁴ But the curse of subjection was upon the masters no less than upon the subjects. The whole era is one long record of injustice, oppression, and corruption, and moral and political stagnation. The Peace of Aarau laid a new and stronger foundation for the life of the Confederation, but it did not draw all the poison out of its system.⁵ The interference of the French in 1798,⁶ which broke up the system of dependencies, was the greatest blessing to the Swiss Confederation.

GRAUBÜNDEN (GRISONS).

The league known as the Graubünden or Grisons (usually called by the Swiss Confederates "Drei Bünde") was composed of three members, each itself a league. The Gotteshausbund or League of God's House, dates from the year 1396; the Oberer or Grauer Bund, the Grey League, from 1424, and the Zehngerichtenbund, or League of the Ten Jurisdictions, from 1436. The three were united in 1471, and the bond renewed in 1524.

¹ See Dändliker, II, 727, and his reference to the satire "Heutelia," which appeared in 1658, satirizing most keenly the practices in the territories.

² Dändliker, II, 4.

³ *Ibid.*, II, 623. See there the graphic description of the corrupt practices.

⁴ See Bluntschli, I, 225.

⁵ Cf. A. S., VII, II, (1), (Preface).

⁶ In the reorganization in 1803 the old boundaries were for the most part restored. The larger dependencies, Thurgau, Aargau, and Ticino, were created into separate cantons; Aargau including the whole of ancient Aargau, and Ticino including Leventina. Sargans, Rheintal, Uznach, and Gaster were merged into the canton of St. Gall.

In the government of dependencies the Graubiinden presents in general the same system as employed by the Eidgenossen, yet with certain peculiarities of its own.

The city of Meyenfeld was purchased by the three leagues in 1509, and the neighboring town of Malans, together with Jennins in 1537. The whole territory was governed by a Landvogt, chosen alternately by the three leagues every two years, who had his seat at Meyenfeld. The cities kept for the most part their own organizations, and did not even do homage to the Landvogt, whilst he was bound to preserve their rights, liberties, and customs. However, in Meyenfeld, he appointed from among their twelve councilors a Stadt-Vogt for a term of two years, who, together with twelve assistants (Rechtssprecher), sat in judgment on all civil cases in the city, and he alone was judge in criminal¹ cases for the whole territory. The Landvogt was the prosecutor in criminal trials, and at the same time had the pardoning power. The incomes from the administration of justice went partly to the dependencies themselves and partly to the Landvogt and the league.

On the Italian side of the mountain the Grisons possessed three territories or counties, Bormio (Worms), Val Telina (Veltlin), Chiavenna (Cleven). These were all won in 1512 in that same Italian war in which the Eidgenossen won Bellinzona, Lugano, Locarno, and Mendrisio.²

Bormio (Worms).—The city with the territory and villages surrounding it preserved its freedom almost entire; but received from the league a Podesta, who presided over the city's assembly and also over all civil and criminal trials.³ He was assisted by a Statthalter and Vicarios, appointed by himself from the city council. He received a salary from the subject territory.

Val Telina.—Val Telina was divided into three sections, called respectively the Upper, Middle, and Lower Terzer, and also the Community Teglio (Teil), situated on the border. The Upper Terzer was governed by a Podesta of the league, who had his seat at Tirano (Tiran). In the Lower Terzer were two Podestas, one at Morbegno (Morben), and one at Traona. There was also a Podesta of the league at Teglio. The Middle Terzer was governed by a Landshauptmann and a Vicarius,

¹ Simler-Leu, pp. 602-603.

² Dändliker, II, 320; see also 337, and Amt. Sam., III, II, 654, 1187, 1286. This sketch of the government is based upon Simler-Leu, p. 610 ff.

³ The Judges (Rechtssprecher) were sixteen in number.

who resided at Sondrio (Sonders). Each Podesta (or Landshauptmann) controlled the civil and criminal jurisdiction of his district, judging in accordance with laws provided for the territories by the league.¹ If either party to the suit desired it, the Podesta had to associate with him a Jurisconsultus.

Criminal causes for the entire valley were appealed to the Vicarius of the Middle Terzer, who likewise had to ask the opinion of a Jurisconsultus,² whose sentence could not be increased, though it might be lightened.

The Vicarius, as well as the Landshauptmann, had jurisdiction in civil cases in the Middle Terzer. Appeal might be taken from any of these courts to the Bundstag or federal assembly of the league, or to the Commissarii sent to Val Telina, or even to the Gemeinde of the leagues.³ Each Podesta had his Statthalter, Canzler (secretary), and certain other subordinate officers (Bediente) to assist him. Their pay came partly from the Government and partly from the territories.

Chiavenna.—The county of Chiavenna was divided into two parts, Chiavenna and Plurs. The governor of the former was called Commissarius, of the latter Podesta. Each was judge in his district of both civil and criminal cases; but, unlike the practice in the other territories, the local laws and usages were employed. Here, too, persons versed in these laws and customs were often consulted. From the decision of the Commissarius or Podesta in criminal cases there was no appeal.

All of the officers of the league in any one of these territories were chosen by the three leagues in succession⁴ for a term of two years. Before entering upon their duties they appeared before the Bundstag of the league and took the oath and received the requisite credentials, and then (the last of May or first of June) went to their territories. They were accompanied by a body of nine Syndicators, three from each league, one

¹ If these laws failed to meet the case, the Roman law was used (Römische Kayserliche Recht).

² "Wann er nicht Doctor Juris ist."

³ Simler, 613.

⁴ In the individual leagues the method of choosing these officers was different at different times. Simler says that formerly the Gemeinde (or Gerichte) had elected them in succession, but that in his time (1576) they were elected by each league in its Bundstag. Leu gives the following as the method in vogue in his time (he says nothing about its development historically): In the League of the Ten Jurisdictions the election was by the individual jurisdictions (Hoch-Gerichte) in succession, but in the other two leagues the Hoch-Gerichte had made among themselves a certain division of the territories, so that one jurisdiction governed one territory and another another.

of whom, chosen by the leagues in succession, was made president. These Syndicators installed the new officers, received the accounts of the old ones, heard complaints from the territories, heard appeals from the courts, and investigated the general management of the business of the territories. From their decision there was appeal to the league itself. Their sittings were held in the different territories in an order of succession. They were served by subordinate officers, a Canzler, Schreiber, Assistant Schreiber, and Weibel, all four of whom were appointed from a single league by the leagues in succession.

These subject places, it will be seen, retained a measure of freedom, Bormio and Chiavenna having extensive privileges. Val Telina had a special organization, whose object was the watching over and preserving the liberties of the people.

Beginning in 1572¹ Val Telina became the scene of religious and political strife of the worst form. Lying between the Tyrol and Milan, its possession would have been of the greatest value to the Spanish-Austrian House, and the latter sought by every means to gain it,² stirring up dissension in the territory and fomenting discontent among the subjects of the league. The league itself was torn with religious strife. The Zehngerichtenbund and the Gotteshausbund were chiefly Protestant; the Grauer Bund was largely Catholic.³ The subjects of the league began to find their yoke heavy, and resisted the efforts of the reformers with the sword.⁴ Austria took possession not only of the territories but also of the league itself. The territories were not restored until 1639. After this time they remained in the league's possession until 1797, when Napoleon erected the Cisalpine Republic. The people of the territories were stirred up to seek admission to the new Republic, and when (October 10, 1797) Napoleon declared that the door was open to them, they entered.⁵

THE NETHERLANDS.

The common territory of the Netherlands had its origin in that war by which the United Provinces won their independence from Spain. The revolt at first included the whole of the

¹Dändliker, II, 605.

²Ib., 688, 691 ff.

³Ib.

⁴Dändliker, 700 ff. The massacre of the night of July 19, 1620, was one of the worst horrors of the Thirty Years War. See also Planta, II, 182 ff.

⁵October 17, 1797, Peace of Campo Formio. See Dändliker, II, 301, 302. Napoleon is credited with saying on this occasion: "No people can become subject to another without the violation of public and natural right."

Netherlands. In the Pacification of Ghent (1576) the majority of the provinces vowed a close and faithful friendship and pledged themselves to drive out the Spaniard. In the Union of Brussels, which shortly followed (January, 1577), they drew for the moment, more closely together in the common resistance to oppression. But the Union of Brussels, excellent as in many ways it was, held the seed of its own destruction within itself,¹ it avowed the purpose to maintain Catholicism. The southern provinces were Catholic and felt only political grievances, whilst the northern provinces were more bitter against Spanish Catholicism than Spanish taxation. Calvinism and Catholicism could not work in harmony. Added to religious differences were differences of race, language, and economic interest. Between the two the Duke of Parma thrust the cleaving wedge of his skillful diplomacy. The Batavians and the Walloons fell apart. The first formed the Utrecht Union (January 23, 1579), and two years later declared their independence. About the same time (1579) the latter reconciled themselves to Spain. Some of the southern cities, however, Antwerp, Bruges, Ypres, Ghent, Breda, and also Venlo, joined the Union of Utrecht,² and others were under its control. It was chiefly in the territory embraced by these cities that the struggle for independence was to be waged. With all the spirit which the Dutch displayed, they were no match for the powerful generalship of Parma. City after city was in quick succession wrested from them. 's Hertogenbosch, the strongest place in North Brabant, fell early in 1579, and soon after, Maastricht, the gate to the Netherlands from the German side, was captured by Parma and the population massacred. In 1581 they lost Breda, another stronghold of great importance, and Hulst in 1583.

The year 1584 was crowded with misfortunes for the Patriots. Dendermonde and Vilvoorde surrendered, and Bruges forsook the Union. It was in this year, too, that William the Silent was murdered. The year 1585 also brought disasters. Brussels was taken in March, Mechlin in July, and in August Antwerp fell after a long siege and a defense as heroic as any in history; Ghent, too, lost courage and went over to the enemy. Parma's next operations were against Grave and Venlo, and he had soon taken them both and established himself in Gelderland and Zutphen (1586). In the next year (1587) he failed

¹ Motley, *Dutch Republic*, III, 157

² Motley, *Dutch Republic*, III, 413. Wenzelburger, *Geschichte der Niederlande*, II, 467.

to take Ostend, but Sluys, the key to northern Flanders, was besieged by him and compelled to capitulate. Bergen-op-Zoom was now almost the only place of importance outside their own territory still held by the provinces,¹ and before that city Parma brought his conquering army. But an unlooked-for disaster now came to Spain; the Great Armada sent to conquer England was destroyed. The Patriots were filled with new hope. Maurice marched to Bergen-op-Zoom and compelled Parma to raise the siege. It was the turning point of the war. In 1590 Maurice recaptured Breda through the stratagem of the ever-to-be remembered turf ship, and in 1591 he defeated the Spanish army at Coeworden and took Nimeguen, Zutphen, and Deventer. Hulst was also taken in this year,² and Gertruidenburg by a remarkably skillful siege in 1593.

There was now a lull in the war for a few years. In 1600 the Dutch once more took the offensive. Maurice won a great victory at Nieuport over the Archduke Albert, which raised his own fame to the highest point and filled his country with enthusiasm. In 1602 he took Grave, and Sluys in 1604, though Ostend, after a three years' siege that had cost near 200,000 men, was forced to surrender. Meanwhile the command of the Spanish forces had been given to the Marquis of Spinola,³ who by a series of brilliant successes held the Dutch at bay. Maurice had twice failed in an effort to take 's Hertogenbosch (1601, 1603), and an attempt upon Antwerp (1605) was likewise fruitless. But the enemy failed in attempts to take Bergen-op-Zoom and Sluys (1605). The Dutch were in desperate straits, but Spain's finances were exhausted. Negotiations for peace were begun, and in 1609 the contestants made a truce for twelve years. At the end of the truce the Dutch still refused submission and the war was renewed.

Spinola opened the campaign by besieging Bergen-op-Zoom (1622), and though he failed to reduce it, in 1625 he captured Breda, the city that had so often changed hands. Prince Frederick Henry,⁴ on the other hand, captured the strong city of 's Hertogenbosch, which brought the whole province under his control. In 1632 he invaded Gelderland and retook the important cities of Maastricht and Venlo, and though the latter was lost through treachery in 1637, in that same year Breda was once more and finally recovered to the provinces.

¹ Ostend was still held by them.

² But retaken by the Spanish in 1596.

³ Parma had died in 1592.

⁴ Maurice had died in 1625.

The war was now practically at an end, but it was not until 1648, in the Peace of Munster, that Spain acknowledged the independence of the provinces. They were then in possession of a small part of northern Flanders, embracing the towns of Sluys, Hulst, Sas van Gent, etc., and North Brabant, comprising the provinces of 's Hertogenbosch, Breda, Bergen-op-Zoom, the district of Cuyk, and the city of Maastricht, together with portions of neighboring provinces. By the terms of the treaty the United Provinces were to remain definitely possessed of what they then held in Brabant¹ and Flanders, while the scattered conquests beyond the Maas were left an open question and a commission of the two countries (*Chambre Mi-partie*) established to settle disputes.² It was not until 1661 that the controversies were definitely settled. The Union of Utrecht had said nothing about the acquisition of such territory by the Union; but the States General kept it and controlled it, and the sovereignty was eventually lodged in them.

The cities of Brabant sought repeatedly during the war to be admitted as a province of the Union, but were put off with vague promises.³ When the Peace of Munster was at hand, they renewed their petition, and again at the Great Assembly in 1651.² At this assembly representatives of the cities of Brabant asked to be given a hearing, but were commanded to put their request in writing. They did so, but without avail. Finding it useless to seek for equality, they now besought that they might at least retain the privileges which they had enjoyed under the House of Burgundy and be allowed to control their own affairs. This, said they, because of the love which they had shown for their fatherland, would surely not be denied them. Brabant, at least, had every

¹Including Maastricht and the county of Vroenhove.

²The treaty is in Wicquefort, *Histoire des Provinces Unies des Pays-Bas*, 170; Kluit, *Historiæ Federum Belgii Federati Primæ Linæ*, I, 43; *Groot Placaet-Boek*, I, 79; Aitzema, *Saken van Staet en Oorlogh*, III, 259. The provinces in Overmaas were to remain in that state in which they were at the conclusion of the treaty, and already before the treaty had been signed each power was endeavoring to extend its boundaries. See the resolutions of the States General, January 1, May 4, December 24, 1648, expressing their determination to keep these possessions. Wicquefort, 340, 341, 343, 344. Spain proposed a temporary dual government. See resolution of States General, February 1, 1650, Wicquefort, 594. An account of the *Chambre Mi-partie* and the controversies, p. 103 ff.; also 346, 340. Kluit, 70; cf. *Tegenwoordige Staat der Vereenigde Nederlanden*, II, 373.

³*Tegenwoordige Staat*, II, 2-4. Such a request was preferred in 1637, after the recovery of Breda. They also made complaint against having their supreme court outside the province.

⁴See T. S., I, 183, 282. Through an error of the secretary the deputies of Brabant were summoned to this assembly. Kampen, *Geschiede der Nederlande*, p. 136.

ground for making such a request. Breda had signed the Union of Utrecht, and both Breda and 's Hertogenbosch had stood valiantly by the United Provinces and had resisted the enemy to the utmost.¹ Deputies of Brabant had continued to sit in the assembly of the States General until the fall of Antwerp in 1585,² and some of them had been members of the Council of State. Bergen-op-Zoom and Willemstad had never been severed from the Union.³ But the States General were far from having in view that the conquered provinces should at any time become members of the federation, and could not by any amount of persuasion be turned from their purpose to keep them as subject territories. However unjust such a course may appear, the reason for it is clear. As equal members they might thwart the purpose of those who wished to direct the policy of the Union; as subjects they could be controlled, and their territory better utilized for purposes of defence. Holland particularly regarded the accession of other provinces as likely to add to the difficulty already experienced of giving unity to so complex an organization,⁴ and the other provinces declared that it was unreasonable that cities that had been won with money and with blood ("met goed en bloed") should be given power to use against their conquerors.⁵ The States General were not, however, without some good reasons. Some of these places, particularly Maastricht and 's Hertogenbosch⁶ and Venlo, had given aid to the enemy and had resisted the conquest by the Dutch. And so the conquered territories remained subject to the federation "De Generaliteitslanden," or the Lands of the Generality. Autonomy in their local affairs, however, was left them.⁷ In general, the federation acquired only the rights which had been possessed by Spain. In Brabant they succeeded the Duke of Brabant; in Flanders, the Count of Flanders, and these facts remained the basis of their government.

¹ T. S., II, 3-6.

² Wicquefort, 75.

³ The Brabantons also called attention to the fact that they were always referred to in public documents as associated (geassocieerende) with the States, whereas many with the mouth, against right and reason, spoke of them as "geconquesteerden."

⁴ Westerkamp, Das Bundesrecht der Republik der Vereinigten Niederlande, p. 20.

⁵ T. S., II, 3, 4.

⁶ Wicquefort, p. 76. The Meijerij of 's Hertogenbosch was largely Catholic, and the States General had even thought it necessary to disarm them. *Ib.*, p. 340.

⁷ Cf. Treitschke, Die Republik der Vereinigten Niederlande, in Aufsätze, II, 439: "Die Generalitätslande erfreuten sich eines ungestörten Communallebens." Cf. Westerkamp, 20. In 1600 the States General augmented the impositions in Bergen-op-Zoom and Breda, and when these places protested against it as a violation of their privileges, the impositions were withdrawn. Wicquefort, 257, cf. 335.

By appointment of courts or through appeal, the States General pretty completely controlled the civil jurisdiction of the appointment of *Generaliteitslanden*. Their control of criminal jurisdiction was more remote. They made little attempt to create a territorial system, but simply from time to time superimposed upon the existing governments in town or in province more or less control in such manner and by such measures as seemed to them good. Of many towns they were the immediate lords and appointed the officers. Sometimes they were half owners and appointed half the officers; sometimes they had nothing whatever to do with the Government. In some cases where they had not interfered before they inserted some of their own appointees into the ordinary governing body of a town. In some instances the States General or their deputies appointed the upper ranks of officers, leaving the control of the lower to the towns or provinces themselves.

BRABANT.

The Council of Brabant.—The Council of Brabant for Dutch Brabant dates from 1586, when, at the request of Bergen-op-Zoom, Maurice empowered his own council, with three lawyers added, to take the place of the Council of Brabant, which sat at Brussels.¹ Five years later (1591) it was permanently organized as *De Raad en Leenhove van Brabant en het Land van Overmaas*. The council consisted of nine members,² together with a recorder (*Griffier*), an attorney-general (*Advocaat-Fiscaal*),³ and other officers. It was the court of last resort for the whole of Dutch Brabant and the Land of Overmaas, excepting only the city of Maastricht.⁴ It was chiefly a court of appeal and revision, but had also a considerable original jurisdiction, principally as a court of tenure (*Leenhof*). In civil causes its jurisdiction was unlimited. Criminal cases seem rarely to have come before it. Such rarely came even before the higher courts of a province, but were tried finally, as a rule, by the court of first instance.⁵

¹ Wicquefort, 76, 256; T. S., II, 8-10. G. P. B., v. 894-896.

² The number was at first seven, and varied from that to ten.

³ The office was called "*Het Officie-Fiscaal*," and combined the offices of *Advocaat-Fiscaal* and *Procureur-General*. During a part of the period the two offices were separate. T. S., II, 18-19.

⁴ Wicquefort, p. 11; T. S., II, 7, 12.

⁵ This applies to all parts of the *Generaliteitslanden*. With reference to the criminal jurisdiction of the Council of Brabant, see T. S., II, 7, 9. G. P. B., v. 897. The city of *'s Hertogenbosch* sought to be exempt from appeals in criminal cases, but did not succeed.

The authority of the council embraced legitimation, naturalization, the guardianship of the property of minors, matters of relief and recovery, illegal engagements, involuntary manslaughter, and in general it possessed, as representing sovereignty, the rights of grace and pardon. As a feudal court all questions of tenure came within its jurisdiction, and as the representative of the States General homage for all fiefs of Brabant was done before it.

'S HERTOGENBOSCH.

The Meijerij of 's Hertogenbosch (De Meijerij van 's Hertogenbosch) was much the most important part of Staats-Brabant, the only part that the States General actually governed. It comprised four divisions or quarters (Kwartiers): Oosterwijk, Kempenland, Peelland, and Maasland.¹ The city of Hertogenbosch had a certain supremacy over the whole province, since its court had appellate jurisdiction over the entire Meijerij, and some original jurisdiction. Over the whole was a Hoog-en Laagschout² appointed for life by the States General. In his name all ordinances of the province were issued, and to him the instructions of the States General were directed. His actual authority, however, came to be very small. In all towns which belonged directly to the States General, and also in all manors where the lord had not the high jurisdiction, he took cognizance of all violations of the law, and arraigned the accused persons before the court of Schepens (Schepensbank) of 's Hertogenbosch. In the civil government and judicature he did not interfere, beyond the performance of a few nominal functions; the civil business in the city belonged to the Regeering (Schepens, etc.), and in the Kwartiers to the Kwartierschouts.³ To the Hoogschout the Schepens made their oath of office; he was also empowered to convoke an assembly of the four Kwartiers at 's Hertogenbosch whenever questions arose that concerned the entire province. The functions of his office,

¹ T. S., II, 28. Kluit, *Historiæ Federum Belgii Federati Primæ Lineæ*, pp. 52-54.

² T. S., II, 45-47, 126-127.

³ The Hoogschout had formerly had both civil and criminal functions, but a controversy having arisen between him and the government (that is, the Schepens and counoilors) of 's Hertogenbosch over the limits of their respective authorities, the States General decided in favor of the government (1650). T. S., II, 45. A dispute had previously arisen between him and the Kwartierschouts over his right even to the criminal administration, the Kwartierschouts endeavoring to accroach to themselves that business. The States General confirmed the Hoogschout in his claim (1634, 1639), and henceforth the limit between civil and criminal authority was strictly drawn. T. S., II, 127.

however, were generally performed by a Stadtholder of his own appointment. The government of the city of 's Hertogenbosch was vested in two bodies, the one of nine Schepens and seven ex-Schepens, the latter being called Gezwoorens (sworn), the other of twenty-four councilors. The process by which this government was formed was in this manner:¹ The States General annually appointed seven new Schepens, who, with two old Schepens, made the nine who bore the title of Schepens, seven of the old Schepens became Gezwoorens, and the seven Gezwoorens became councilors; they became councilors in rank at least, for the number of acting councilors was limited to twenty-four. After being councilor two years one might again be chosen Schepen. The Schepens and Gezwoorens, in conjunction with the councilors, formed a legislature whose authority was limited by the ordinances passed from time to time by the States General. The Schepens and Gezwoorens also formed a court (Geregtshof, Hoofdbank, Schepensbank) which judged in first instance all causes, both civil and criminal, in the city, and was the court of appeal for the whole Meijerij.² From its decisions appeal could be taken to the Council of Brabant.³

Besides its judicial supremacy over the province, the city of 's Hertogenbosch was the capital, in a sense, of all Brabant, for it was the center of the tax-gathering system of the States General. There were numerous receivers of taxes in every province and division of a province, generally one for each particular kind of tax. In 's Hertogenbosch there was a number of general receivers.⁴

There was little administration of the Meijerij as a whole, except judicially, the government being in the control of the several Kwartiers. In each Kwartier the States General placed a Kwartierschout who, as has already been said, had the general control of the civil administration, the criminal administration belonging to the Hoogschout. The Kwartierschout as the representative of the States General appointed in the places belonging to the States General, the courts (Regtbanken), and other officers, as church wardens, poor-masters, etc. He proclaimed in his Kwartier the ordinances

¹ T. S., II, 47.

² T. S., II, 48, 61.

³ The process was "Hervorming" (revision). Regulations will be found in Groot Placaet-Boek., II, 3145, III, 495.

⁴ See the category in T. S., II., 52.

of the States General, and convoked the annual assembly of the Kwartier (Kwartier-Vergadering). With the consent of the Council of State he might also convoke extraordinary sessions.¹ He also had charge of the farming of the revenues, and to him the receivers of the Kwartier made their reports.² Each Kwartier had its annual assembly³ of deputies (Afgevaardigden) from the towns and villages.

A deputy could not represent more than one community, and was required under penalty of a fine of 25 gulden to attend the meeting from the beginning to the end.

The heads of business to be brought before the assembly had to be announced in the summons to the communities, fourteen days before the meeting, and also to the Council of State, and no other business could be discussed except by permission of the Council of State. In the laying of taxes the consent of the Kwartier Assembly was necessary.⁴ The Kwartierschout was the presiding officer, but was not permitted even to express an opinion unless requested to do so. Whenever a question concerning him personally came before the body, or at any time by a two-thirds vote, he was required to retire from the assembly.⁵ The business of the government in the interval of sessions was conducted by the Kwartierschout in conjunction with a committee of six persons (Ordinaris Gecommitteerden), three from the villages belonging to the States General and three from the manorial villages. Each year two members of the committee retired and two new ones were appointed to fill their places.⁶ As the intervals were longer than the sessions, this committee was the real executive power. It put into execution the laws that had been passed and made up the slate for the next assembly.⁷

The great confusion that existed in local government has already been referred to. This state of affairs existed more largely in the Meijerij of 's Hertogenbosch than anywhere else. Some lords possessed complete rights of jurisdiction in their manors, others only the lower jurisdiction, in which cases criminal causes were under the jurisdiction of the Schepens-

¹ T. S., II., 127.

² *Ib.*, 133.

³ *Ib.*, 129.

⁴ *Ib.*, 128-129.

⁵ *Ib.*, 129-130.

⁶ *Ib.*, 130-131.

⁷ *Ib.*, II, 131. See the regulations in 1714, *Groot Placaet-Boek*, v. 1332 ff.

bank of 's Hertogenbosch, and the Hoogschout or his Stat-holder took cognizance of them. The government of a village possessed by the States General did not differ essentially from the government of other such communities. The government of a town of which the States General were only the half owners demands a word of attention. We will take for example the town of Oorschot in Kempenland. The method of government for this town was settled by the States General and the other "Half Lord," the Count of Merode, in 1664.¹ The count appointed a Drossaard or Schout, and the two together appointed the other officers by a method of division or alternation. These officers were seven Schepens, seven Gezwoorens, seven councilors, two church wardens, and three overseers of the poor. One who had served as Schepen two years became a Gezwooren, and after another two years became a councilor, thus serving in all six years, after which he might again start around the circle. The term of the church warden was three years, that of the poormaster, two. The States General would one term appoint four Schepens and the count three, and the next term they would alternate; similarly they would alternate in the appointment of the poormaster.²

The three remaining provinces of Brabant, the Barony of Breda, the Margravate of Bergen-op-Zoom, and the Barony of Grave and Cuyk (De Stad Grave en het Land van Cuyk) were so little subject to the control by the States General that their governments need not be described in any detail.

Bergen-op-Zoom.—The Margravate of Bergen-op-Zoom³ was a fief of Brabant, and the margrave was supposed to do homage to the Council of Brabant, but the appointment of the officers of the government was left in his own hands. It was required only that his appointments be submitted to the States General for approval.⁴ The States General had of course an indirect control through the Council of Brabant, which had appellate jurisdiction in civil cases over the province. The States General laid claim to the right of having appeals in criminal cases also brought before the council, on the grounds that this was an inherent right of sovereignty. They demanded⁵ that notice be given to the Council of Brabant, within fourteen

¹ G. P. B., II, 2623, 3155, 3157.

² T. S., II, 93-95.

³ Kluit, I, 58.

⁴ T. S., II, 148, 150-151.

⁵ See G. P. B., II, 2670; T. S., II, 149-150.

days, of all murders taking place in the province. The controversy continued from 1661 to 1719, and then was not actually decided. As a result criminal jurisdiction was left solely in the hands of the provincial courts. The States General had the same rights of taxation in Bergen-op-Zoom as in all¹ parts of the Generalsiteitslanden, and they empowered the Schepensbank of the city of Bergen-op-Zoom to try causes which concerned them, particularly questions regarding taxation.² The government of the Margravate of Bergen-op-Zoom was in its general features the same as in the Meijerij of 's Hertogenbosch.

Breda.—The Barony of Breda³ presents but few differences from Bergen-op-Zoom, either from the point of view of the general government or of provincial administration. The Baron appointed the officers directly or indirectly, and ratification by the States General was not necessary. The reason for this difference was doubtless due to the fact that the Baron of Breda was the Prince of Orange. It may be noted in this connection that the High Court (Hoofdbank) of Breda was the court of appeals for the principalities of Prinsenland⁴ and Steenberg,⁵ which also belonged to the Prince of Orange.

Ouyk and Grave.—A small territory along the western bank of the Maas, east of the Meijerij of 's Hertogenbosch, composed the Barony of De Stad Grave en het Land van Cuyk.⁶ Here, again, the authority of the States General limited itself usually to such authority as resided in the Council of Brabant, and to the collection of their usual taxes.⁷

THE LAND OF OVERMAAS.

The Land of Overmaas, consisting of portions of the three provinces of Valkenburg (Fauquemont), Daalhem, and 's Hertogenrade (Rolduc), though largely in the possession of the States as early as 1632,⁸ was not definitely ceded to them until 1661.⁹ The laws for the government of the three acquisitions

¹ Except the principality of Willemstad. T. S., II, 301.

² T. S., II, 165.

³ See T. S., II, 206, 220-224.

⁴ *Ib.*, 316-317.

⁵ *Ib.*, 299-300. Appeals from Willemstad, another possession of the Prince of Orange, went direct to the Council of Brabant. *Ib.*, 315.

⁶ See T. S., II, 256, 259-263.

⁷ The receivers of the general taxes made their reports to the Council of the Prince of Orange. T. S., II, 257.

⁸ Kluit, I, 69-70; T. S., II, 376 ff.

⁹ T. S., II, 379.

were passed in 1663.¹ The three provinces were all under the jurisdiction of the Council of Brabant, but otherwise their governments were separately administered. The three were very similar, both in their local government and in the administration of them by the States General. Each had its own estates of nobles and representatives of towns or districts; each had as the head of its government one or more officers appointed by the States General. The organization of the judiciary was also very similar.

Valkenburg.—The province of Valkenburg was of greater importance than the other two, both in point of size and of compactness of territory. The chief officers of the government were a Voogd and a Drossaard, both appointed by the States General. Both presided at the assembly of the province, though the Voogd was the superior in rank, and both were bound to see that the ordinances of the States General were promulgated and their commands executed. The Voogd, however, was the head of the civil administration and courts, and the Drossaard of the criminal. The Voogd appointed usually the officers in those towns which did not belong to a particular lord, and was the head of those governments as well as of the entire province.² The Drossaard presided at the criminal sessions of the various courts of the province, where there was not a special Schout, and pronounced the sentences of the Schepens.³ The highest court of the province was the High Court, or Feudal Court (Hoog-Geregt en Leenhof), which sat in Valkenburg and was composed of the Voogd and seven vassals (Leenmannen). It had jurisdiction in first instance over all feudal questions, and was the court of appeals for the province.⁴

The province was divided into four judicial districts,⁵ in each of which was a superior court (Hoofdbank) consisting of the governing officers (Schout, Schepens, and Secretary) of the town in which it was located, and having below it a number of local courts, manorial, and other (Heerlijheden and Onderbanken).⁶ In criminal cases the decision of the local courts was,

¹ G. P. B., II, 3091-3131.

² T. S., II, 389.

³ *Ib.*, 389-390.

⁴ *Ib.*, II, 383.

⁵ Meerssen, Klimmen, Beek, and Heerle. Heerle had a Schout, appointed by the States General.

⁶ T. S., II, 393.

as a rule, final. In civil cases appeal might be taken to the Hoofdbank, or direct to the High Court at Valkenburg. The decision of this court might be revised by the Council of Brabant.¹

There was an annual assembly (Landdag) of the provincial estates, consisting of the nobles (Ridderschap) and representatives (Afgevaardigden) from the four Hoofdbanken. The Voogd and Drossaard conjointly summoned the Landdag, sending to each of the nobles a summons in writing, and to the Hoofdbanken writs of election addressed to the Voogd (or Schout) and Schepens. The Schepens thereupon assembled and elected two of their number to represent them in the Landdag.²

The nobles, before they could be admitted to the government, had to obtain the approval of the States General, to whom also they were required to make an oath of fidelity.

The Landdag legislated for the province and apportioned taxes in accordance with a roll made out by the States General in 1666. It could not impose any new tax without the consent of the States General, except in case of sudden war. The tax receiver made an annual report to the Landdag. To administer the government during the interval of sessions three commissioners (Commissarissen) were chosen by the assembly, two nobles and one Schepen (by turns from the four Hoofdbanken), who had to make a report of their action to the next Landdag.³

Daalhem.—In the division of the province of Daalhem between the King of Spain and the United Provinces in 1661 the latter obtained, besides the town and castle of Daalhem, only six towns, more or less dispersed.⁴

The government of the province (if such a collection of scattered districts may be so called), differed little in form from that of Valkenburg. There was but one officer of the States General, a Drossaard, who administered the criminal law in the town of Daalhem, but not elsewhere. He was the head of the High Court, and the Feudal Court at Daalhem, which were similarly constituted and had similar functions to those in

¹ T. S., II, 383.

² *Ib.*, 391. Heerle sent also its Schout; naturally, since the other towns were supposed to be represented by the Voogd.

³ *Ib.*, 390-392. G. P. B., II, 3091-3097.

⁴ These were Trembleur, Fenneur, and Bombai, neighboring to Daalhem; Kadler, east of Maastricht; Oest, south of Maastricht, and Olne, about midway between Liège and Limburg. See T. S., II, 395.

Valkenburg;¹ the towns in Daalhem and their territory all belonged to special lords, and hence the States General or their officers did not interfere in their administration. Appeals from their courts, however, might be taken to the Hoog-Geregt. The Landdag was similarly constituted to that in Valkenburg,² and had a similar commission to govern during the interval.³

's Hertogenrade. As finally left to the United Provinces in 1661,⁴ 's Hertogenrade comprised two separated districts; the one including the villages Gulpen and Margeraaten, and the other Holzet, Vaals, and Vylen. The Drossaard of Daalhem was also Drossaard of 's Hertogenrade, and his functions were practically the same as in Daalhem.⁵ He summoned the Landdag and presided over it, and appointed the officers (except the Schout) in the jurisdiction of Holzet, Vaals, and Vylen (the three formed a single jurisdiction). The Schouts were appointed by the States General.

MAASTRICHT.

The city of Maastricht had long been a part of Brabant, but had occupied a somewhat peculiar position;⁶ it was in a sense a dual possession of the Duke of Brabant and the Prince-Bishop of Liège. The origin of this double sovereignty is obscure;⁷ but when, by the Peace of Munster, the city fell to the United Provinces, the ancient rights of the Prince-Bishop were left undisturbed. It was also arranged that the city should occupy in its administration a position independent of Brabant.⁸ The Bishop had jurisdiction over all persons of Liège birth, and the States General of all of Brabant birth. The line of distinction was formerly a geographical one, but an agreement between the Bishop and the Duke of Parma in 1579 settled that those who were born of Liège mothers in the city, and, outside the city, those who were born within the Bishop's temporal jurisdiction should, regardless of their mothers, be con-

¹ T. S., II, 397-398, 403.

² *Ib.*, 404-405.

³ *Ib.*, 397-399. See G. P. B., I, 3097-3103.

⁴ T. S., II., 404-405.

⁵ *Ib.*, 407, 410-411. G. P. B., II., 8103-3109.

⁶ See, for its history, T. S., II, 325-328.

⁷ *Ib.*, 347-349. This double sovereignty gave rise to a saying in Maastricht: "Een Heer, geen Heer, twee Heeren, een Heer." And in Latin: "Trajectum neutri Domino, sed parit utrique." The Latin name of the city was Mosa-Trajectum. Kluit, I, 60. G. P. B. IV., 565.

⁸ T. S., II, 349, 352. Cf. Kluit, I, 59.

sidered as of Liège birth. All others were regarded as of Brabant birth. Preachers and pastors were required to inform themselves in regard to children brought to them for baptism, whether their mothers were Brabançons or Liégeois, and make an annual report to the recorder of the High Court. When a marriage took place, information had to be given to the court whether the wife was Brabant or Liège born.¹

The States General were regarded as the lords of the city in a feudal sense, and had larger rights² than the Bishop of Liège. To them belonged the right of granting pardon to exiles,³ jurisdiction over all religious organizations, the right to publish their ordinances in the city (which the Bishop had not) the right to coin money,⁴ to erect a gallows, and the right to garrison the place, and some other rights. The government consisted of two High Schouts, two Burgomasters, fourteen Schepens, eight Councilors (*gezwooren*, Raaden), and two paymasters, two pensionaries, and two secretaries of the lower courts. One half were Brabant born, the other half Liège. Together they formed the Great or United Council and had control of the general administration.⁵ The council appointed the two pensionaries, who had a seat in the council and were its legal advisers, but were also used as ambassadors to their respective sovereigns. The two paymasters (*Paaimester*, *Betaalmester*), who were the receivers for the city, made their report to the council.⁶

The High Schouts and Schepens formed the High Court (*Hoog-Geregt*), but the Brabant and Liège bodies sat separately and had jurisdiction over Brabant and Liège citizens, respectively. Each court had its special secretary. The Burgomasters and the Councilors, together with the two secretaries of the council, formed conjointly the Low Court (*Laag-Geregt*), with a certain jurisdiction over both classes.⁷

The High Schouts arrested violators of the law without regard to their citizenship, but the trial had to take place

¹T. S., II, 349, 351-352.

²*Ib.*, 349-350.

³Among other rights of the Duke of Brabant which descended to their High Mightinesses was the right, " (by *zyne blyde inkomst*)" to bring back exiles holding on to the tail of his horse or to a string attached to him. See T. S., II, 349.

⁴They did not, however, exercise it. See G. P. B., II, 2395.

⁵T. S., II, 352-353.

⁶The functions of the receiver were divided between the two paymasters, and they alternated annually in the performance of them. *Ib.*, 359.

⁷*Ib.*, 352-358.

before the court of the class to which the accused belonged.¹ The sentence was executed by the Schout of the same citizenship. If the case was one for the court of low jurisdiction (for example, if the person was taken in the act) it was carried before the Low Court. Their sentence also was executed by the Schout of the criminal's class.² Controversies between persons of Brabant and Liège citizenship were tried by the court of the defendant.³ Besides the government already described there was a commission, of four members—two Brabant and two Liège—called Commissarissen Instructeurs,⁴ who were appointed by their respective sovereigns for life. These commissioners had a seat in the council and also a special function of their own. In conjunction with the secretaries of the Low Court, who were also secretaries of the council, they prepared for presentation to the special commissioners (Commissarissen Déciseurs) of the States General and the Bishop of Liège all cases appealed from the Low Court. Cases appealed from the Schepens' courts (the High Court) were prepared by the Brabant and Liège commissioners, separately, in conjunction with the respective secretaries of the Schepens' courts. The Commissarissen Déciseurs⁵ alluded to were four commissioners sent to Maastricht biennially by the sovereigns, to appoint the government and to hear appeals, receive reports, and in other ways regulate matters of law and administration. Appeals from the Low Court were heard conjointly, but appeals from the High Court were heard by each pair of commissioners separately. In other words, high jurisdiction was kept separate, while low jurisdiction was administered in common. The commissioners of the States General alone heard appeals from the county of Vroenhove,⁶ which was partially attached to the government of Maastricht and in which the Bishop of Liège had no part. Cases of sedition, insurrection, and the like were tried by them directly. The Commissarissen Déciseurs of the Bishop of Liège were appointed for life, those of the States General for the one circuit only. In alternate years (between the years of the Commissarissen Déciseurs) the

¹ "Des man des ban" was the legal phrase of the time.

² For fuller distinctions between the high and low courts, see T. S., II, 355-358.

³ *Ib.*, 357.

⁴ *Ib.*, 361.

⁵ *Ib.*, 362-363; Wicquefort, p. 11.

⁶ T. S., 362. A number of small villages along the Maas were similarly attached to Maastricht. *Ib.*, 367-374; Kluit, I, 64.

Council of State sent two deputies (*Afgevaardigden*),¹ who farmed the revenues in the Land of Overmaas, and in *Vroenhove* received accounts and inspected the fortifications and garrisons.²

FLANDERS.

The narrow strip of Flanders which finally remained to the United Provinces was not organized into an administrative whole, except judicially and in the method of inspection and appointment which will presently be described. The control in judicial affairs which the provinces exercised over their Flemish possessions (*Staats Vlaanderen*) was parallel to the case of *Brabant*. A Council of Flanders was erected in 1599 at *Middleburg* in *Zealand*, to take the place, for the Dutch possessions, of the Council of Flanders at *Ghent*.³ At first it was a provisional arrangement, as the progress of the war made the final destiny of this territory uncertain; but upon its permanent acquisition by the United Provinces the necessity of some such court became apparent.

Prior to 1661 various regulations for the council had been passed. In that year it was organized on a permanent basis and an elaborate system of rules enacted for its government.⁴ The number of councilors was fixed at nine,⁵ and the President of the Council, called "*De eerste presideerende Raad*," was always its oldest member, unless the States General saw fit to bestow that office upon some other member.⁶

The council was a court both of appeal and of first instance. Its appellate jurisdiction in civil cases had but few limitations; in criminal cases it was more limited legally, and in practice, it would seem, even more so. Its original jurisdiction was extensive, including all questions that involved sovereign or manorial rights, all affairs concerning widows and orphans, official misconduct, and disputes between communities. It could not, however, issue warrants for the arrest of persons or seizure of goods of inhabitants of Flanders, but only letters of request, etc., to the judges in whose jurisdiction the person or goods belonged.⁷

¹ T. S., II, 363.

² See the complete scheme of government in G. P. B., IV, 564-599.

³ T. S., II, 415.

⁴ *Ib.*, 415; G. P. B., II, 2701-2759.

⁵ There was also an *Advocaat-Fiscaal* or Attorney General.

⁶ T. S., II, 417.

⁷ *Ib.*, 418-420.

With slightly different organization, the council was also a Feudal Court, its full title being *De Raad en het Leenhof van Vlaanderen*.¹ The jurisdiction of this Feudal Court² extended over the whole of Dutch Flanders, except the district of Sluys, where feudal matters came before the High Bailiff.

The civil administration of Flanders was perhaps more completely under the domination of the States General than any other of their possessions. The communities retained for the most part their old forms and customs, but the appointment of their governments was assumed by the States General. As accurately as one can speak, where there was so little uniformity, Flanders comprised four administrative divisions: (1) The Jurisdiction of Sluys (*Het Vrije van Sluys*, oftener called *'t Land van de Vrijen*), including, besides the town of Sluys, Aardenburg, Oostburg, Yzendyke, and Cadsand; (2) Hulst and Hulster Ambacht;³ (3) Axel, Ter Neuse, and Biervliet; (4) Sas van Gent. Within these divisions were communities which were subordinate, either in their judicature or their entire administration. There was in each of the divisions named a High Bailiff, or Bailiff, appointed for life by the States General, and before whom he was required to take an oath of fidelity. He was generally the prosecutor of criminals, and had the appointment of certain local officers. In some cases he held, in addition, the office of Schout.

The most important of these divisions was the Jurisdiction of Sluys,⁴ which had formerly been a part of the Jurisdiction of Bruges. The governing body was a college (*Het Kollegie 's Land van de Vrijen*), consisting of a High Bailiff, a Burgomaster, and seven Schepens. The High Bailiff was appointed for life by the States General, and the Burgomaster and Schepens were chosen by the Deputies of the States General, the former from among the number of elected Schepens. The Burgomaster and Schepens might be reelected, but could not hold office more than two years in succession. The college, collectively, chose a pensionary, a recorder, and a receiver.⁵ The High Bailiff was the nominal head of the government, but had far less power than the Burgomaster. The latter, besides his duties

¹ *Ib.*, 424-425.

² For the powers of the court and its method of procedure, see *T. S.*, 426-428, and *G. P. B.*, 2729 ff.

³ The word *ambacht* means jurisdiction or gild.

⁴ *T. S.*, II, 429-432.

⁵ The college also appointed the government of Yzendyke. *Ib.*, 433-434.

as presiding officer of the Schepens, had, in conjunction with the pensioner or one or two Schepens, a number of civil and ecclesiastical functions, such as the general oversight of the finances, the superintendence of dikes, and the appointment of church councils. The college had, besides the executive and judicial functions, a limited power of legislating for the territory, though in all those matters subject, directly or indirectly, to the States General.¹ With a few exceptions it had original jurisdiction over its entire territory, and, except in the case of Sluys, had appellate jurisdiction in civil cases over those. Its own decisions, of course, might be revised by the Council of Flanders. The town of Sluys, though under the same High Bailiff, had otherwise an independent government. It elected its own Burgomasters (two), but its Schepens were chosen by the Deputies of the States General.²

Feudal affairs came before a court called the Prinselijk Leenhof van den Burgt van Brugge, which was merely a court for the Jurisdiction of Sluys, bearing the same name and character as that court at Bruges which had formerly had charge of such matters.³

Hulst⁴ and Hulster Ambacht⁵ were under the same High Bailiff, but had otherwise distinct governments. Hulster Ambacht had a special assembly of Notabilen (about twenty in number), whose consent was necessary in the laying of taxes, and three of whom were appointed by the Deputies of the States General as a sort of committee of safety to watch over the judicial action of the government.

The government of the remaining divisions present only slight differences; and need not be described. Reference has been made to the Deputies (Afgewaardigden)⁶ of the States General. These were representatives in the States General who were sent annually to Flanders to reorganize the governments of the towns and to receive the accounts of the tax receivers. They appointed the Burgomasters and Schepens in almost all the Flemish towns. One year they were four in number, and consisted of representatives of Gelderland,

¹ T. S., II, 435, 437.

² *Ib.*, 450.

³ *Ib.*, 439, 440.

⁴ *Ib.*, 514-516.

⁵ *Ib.*, 521-523.

⁶ See the resolutions 1671-1683. G. P. B., 139-146.

Utrecht, Overijssel, and Groningen; the next year their number was three, and from the provinces of Holland, Zealand, and Friesland.¹

UPPER GELDERLAND.

Upper Gelderland ('t Kwartier van Venlo of Opper-Gelderland) comprised the town of Venlo, with some territory under its jurisdiction, the forts of Stevenswaard and St. Michael, and the Jurisdiction of Montfoort (Ambt van Montfoort), all of which was once a part of Roermond, one of the four divisions of Gelderland.² The city of Venlo had signed the Utrecht Union, and had been held by the provinces until 1586, when Parma captured it. It was retaken by Frederick Henry in 1632, but five years later was once more lost to the Spaniards, and it was not until 1702 that it came finally into the possession of the United Provinces. By the Barrier treaty, 1715,³ the territory was definitely ceded to the provinces, and two years later they established their government over it, and the States General, in accordance with the terms of the treaty, erected a Geregtschhof at Venlo.⁴

This court (Het Hof van Venlo) consisted of five Councilors or Judges (Raaden), with an Attorney-General (Mombour, or Fiscaal) and a recorder. It was a court of revision in civil causes for the Court of Venlo (the city) and the Courts of the Ambt van Montfoort. If a party to a suit was dissatisfied with the decision of this court, he had one other recourse: He obtained, first of all, the consent of the court itself to a rehearing; he then applied to the States General, and they appointed three or four additional councilors; the court, thus augmented, again sat upon the case, and from their decision there was no appeal. The process was called "Eene groote Herziening."⁵ Besides its appellate jurisdiction, the Hof van Venlo was empowered, in the name of the States General, to grant pardons, declare legitimacy, pronounce *veniam aetatis*, and the like. It had also jurisdiction over questions of domain, controversies between communities, over wills, and all matters affecting

¹ T. S., II, 561. The plan is similar to the Swiss Syndicate which was sent annually to the Italian territories.

² T. S., II, 565, 567; Kluit, 72-75.

³ T. S., II, 572-573; Kluit, 73-75; G. P. B., v, 527.

⁴ T. S., II, 567.

⁵ *Ib.*, 568.

sovereignty, as treason, rebellion, false coinage, etc. It was likewise a Feudal Court.¹

The government of the city of Venlo was a peculiar composite of self-perpetuation and control by the States General. The officers were a Schout, a Burgomaster, seven Schepens, three councilors, and two secretaries. The office of Schout was practically hereditary in a single family.² The Schepens were appointed for life by the States General. The Burgomaster was appointed annually by the States General from a list of three out of the body of Schepens, chosen by the three councilors. The three councilors were chosen for life by the Burgomaster and Schepens.³

The Schepens sat under the presidency of the Burgomaster, both as a civil and criminal court. In criminal cases their decision was final; and also in civil cases when the amount involved was not greater than 200 gulden; beyond that sum a review (*Herziening*) of the case might be had before the Hof van Venlo.

In the civil administration the three councilors⁴ took part with the Burgomaster and Schepens.⁵

Note on Drenthe.—The relation of Drenthe to the Union was peculiar; it was not a subject territory, nor yet quite a member of the Union. It had joined the Utrecht Union, but the following year had been taken by the Spanish. When it was reconquered by Maurice, its old constitution was restored to it, making it a sovereign province just as the others. It was denied any part in federal affairs, yet was compelled to contribute a certain portion of the general taxes. The relation was much the same as that which several of the Swiss Cantons long sustained to the Central League, namely, that of associated States (*verbündete, zugewandte*).⁶

Such was the last of the premodern systems of federal dependencies. There is nothing in the government of the Dutch territories that is especially instructive, unless we learn a lesson in confusion. It does not appear that the possession

¹ T. S., II, 569.

² *Ib.*, 577.

³ *Ib.*, 578-579.

⁴ Raads-verwanten.

⁵ They sat on Mondays and Fridays as an assembly, and Wednesdays as a court. T. S., II, 579.

⁶ See Westerkamp, 19; Wicquefort, 16, 24; Treiteschke, 439; Kampen, 131, 136; Philip Skipton, in Churchill's *Voyages*, Vol. VI, p. 410; Geddes, *Administration of John De Witt*, I, p. 111; Dujardin, *Histoire Générale des Provinces-Unies*, p. 213.

of these territories had anything more than a minor influence on the life of the federation. That the Generaliteitslanden throve much as other provinces throve is doubtless due largely to the fact that they were so much let alone. During their entire history there was very little change in the government of any of the territories. The Dutch were not harsh masters, even though they may seem to us to have been short-sighted and selfish. One can not help thinking that no real harm would have come to their subjects or themselves if their High Mightinesses had bestirred themselves ever so little and given some uniformity to their territorial government. The French Revolution did no bad thing when it cast away this confusion and substituted system.

ALSACE-LORRAINE.

The one instance of a federal territory which the Europe of the nineteenth century presents is Alsace-Lorraine.¹ There is, however, little in its government at the present time that suggests the methods of the Swiss or Dutch; on the contrary, its government is of that liberal nature that has come to characterize the government of dependencies generally. The history of its accession to the German Empire in 1870 as the price of the Franco-Prussian war is familiar, and need not be given here. By a law of June 9, 1871, Alsace-Lorraine was united with the German Empire as a special province of the Empire. The Bundesrath was empowered, in conjunction with the Emperor, to legislate for the territory, but executive power was left to the Emperor alone. The ministerial functions were at first lodged in the Imperial Chancellor, but necessity soon demanded a closer administration, and an Ober-Präsident, or Lord Lieutenant, was placed in Strassburg, with very large powers. The government for the next three years was practically an imperial dictatorship. January 1, 1874, the constitution of the Empire was put in force in Alsace-Lorraine. This gave to the Reichstag cooperative authority in legislation for the territory, though under extraordinary circumstances the Emperor and Bundesrath could still issue decrees. The territory also obtained thereby representation in the

¹ This account of the government of Alsace-Lorraine is based on A. Leoni, *Das Staatsrecht der Reichslande Elsass-Lothringen*, in Marquardsen's *Handbuch des Oeffentlichen Rechts*, Vol. II, pp. 219-302, and Demombynes, *Les Constitutions Européennes*, Vol. II, pp. 517-546.

Reichstag. Later in the same year an imperial edict created a territorial commission¹ (Landesausschuss), which might prepare bills and have a general advisory power in the territorial legislation. A further step was taken in 1877, when full legislative authority was given to the Landesausschuss. Finally, in 1879, Alsace-Lorraine was given a constitution. Certain powers are reserved to the Emperor, but the chief executive is a Statthalter, appointed by the Emperor, holding office at the Emperor's will. Below him, but not subject to him, is the secretary of state, also appointed by the Emperor, whose counter signature is necessary to the Statthalter's measures, and who, consequently, is the real responsible minister. The ministry consists of the secretary of state, who is president, and four under-secretaries (of departments), also appointed by the Emperor. The entire routine business is carried on by the ministry under the direction of the secretary of state.

There is a council of state (Staatsrath), consisting of the Statthalter (President), the secretary of state, the under-secretaries, the chief justice of the supreme court of the province, the attorney-general, and, besides, "eight to twelve members to be appointed by the Emperor every three years, three of whom are to be proposed by the Landesausschuss." The council of state is not strictly a legislative body, but may propose laws to the Landesausschuss.

The Landesausschuss, or Lower House, is composed of fifty-eight members, of whom thirty-four are elected by the three district assemblies (Bezirkstage), four by the communal councils of Strassburg, Colmar, Metz, and Müllhausen. The remaining twenty are elected indirectly by the provincial circles (Landkreise). The term of office is three years. The Landesausschuss has the ordinary legislative powers for the territory, but all laws require the assent of the Bundesrath and the Emperor. The right to summon and dissolve the assembly lies with the Emperor. The Reichstag, of course, retains its imperial legislative authority, and upon extraordinary occasions the decrees of the Emperor, with consent of Bundesrath, are law for the time being, though such an ordinance must not be contrary to the imperial constitution, nor to the laws then in force in Alsace-Lorraine, and must be brought before the Reichstag at the next session for approval. The Landesausschuss is not, however, solely a legislative body, but has the

¹ Elected by district assemblies which had been created in 1873.

general control of territorial administration. The Landesausschuss elects four delegates to the Bundesrath, who have the power to discuss measures, but not to vote. The territory has fifteen representatives in the Reichstag.

Local government in Alsace-Lorraine is practically on the same basis as when under French domination. The Bezirkspräsident takes the place of the French prefect, and the Kreisdirektor of the subprefect, and have much the same powers. Both are appointed by the Emperor. In general, the officers of the administration are appointed, not elected. An upper rank is appointed by the Emperor, certain ones by the Statthalter, while the secretary of state and under-secretaries appoint their subofficials. The territory has an appellate court (Oberlandesgericht) at Colmar, and six provincial courts (Landgerichte). These are constituted and regulated by the Emperor. Lower courts are appointed and regulated by the Statthalter.

From this brief sketch it will be seen that in the realm of legislation Alsace-Lorraine now occupies theoretically, at least, a position little inferior to that of a State of the Empire. What the future holds for it in the way of government no one can tell.

Between the territorial systems described there is probably no historic connection, but each country has developed its own system in its own way. A similarity between certain forms in the Swiss and Dutch systems exist, but it is not at all likely that the one borrowed from the other. The government of Alsace-Lorraine stands completely alone, unless we compare its representation in the Reichstag and Bundesrath to similar American usages; and here it corresponds more closely to Canadian usage than that in the United States.

Finally, attention need only be called to those fundamental characteristics of the territorial systems of America which distinguish them particularly from the Swiss and Dutch systems and in a measure also from that of Alsace-Lorraine. The fundamental principle of the territorial government of the United States was put forward with the first suggestion of national sovereignty over the Western lands and has been the center around which all subsequent legislation has grown; this principle is ultimate admission to the Union. Territories are regarded as States in infancy, and the purpose of national legislation has been, while exercising the necessary control, to give the Territory the largest possible room for development

and gradual assumption of self-government. The plan for different stages of government which the Northwest Ordinance laid down is one of the wisest provisions of that noble document.

The Canadian system,¹ which is in its infancy, was inaugurated in the full light of the experience of the United States and is built upon that same wise principle of ultimate admission to the Union. In one particular Canada has shown greater liberality in the government of the Northwest Territory than has been the practice in the United States, for the Territory has full representation in the Canadian Parliament. As a stage in the development of self-government, the wisdom of such a measure can not be doubted.

What the importance of the Western territory to the United States has been is too vast to be measured; but it is not difficult to see that had the States been so short sighted as to exploit the Territories for their own immediate gain, the result would have been to check enormously the nation's growth and dwarf permanently its greatness.

¹The Northwest Territory was acquired in 1869 by purchase from the Hudson Bay Company. One State, Manitoba, has already been carved out of it.

XX.—THE VALUE OF MAPS IN BOUNDARY DISPUTES.

By P. LEE PHILLIPS
OF THE LIBRARY OF CONGRESS, WASHINGTON, D. C.

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THE VALUE OF MAPS IN BOUNDARY DISPUTES, ESPECIALLY
IN CONNECTION WITH VENEZUELA AND BRITISH GUIANA.

By P. LEE PHILLIPS.

The importance of maps and of a correct bibliographical knowledge of them is of vast interest, especially as to those relating to this country, for what with State boundary disputes and the immense supervision which we have assumed over the affairs of this continent, questions will arise requiring, at short notice, that all maps of America should be well known and accessible.

In the last few months great knowledge of maps, and a no less wondrous ignorance of cartographical bibliography, has been shown in articles for the public press, and maps have been recently sold here and abroad at exorbitant prices, while the atlases from which they have been taken could not be disposed of for a trifle. In the large two-volume catalogue of maps in the British Museum there are a number of maps relating to America without place of publication or date, showing on the face that they have been torn from books or atlases, thus demonstrating the fact that maps are but carelessly looked over in nine cases out of ten, and that a knowledge of historical cartography is still in its infancy.

Much has been written of late and many maps of the past have come to light and new ones have been published relating to the recent Venezuelan-British Guiana controversy, but so many chronological and bibliographical mistakes have been made in connection with the Venezuelan cartography, that a study of this side of the subject is well worth our attention.

The maps of a country may count up into the hundreds, but when critically examined number only a few that contain original matter. This can be exemplified by reference to Virginian cartography. If all but four of the many hundred maps published in atlases or separately from 1585 to 1751 were destroyed,

the world would not be a loser thereby. The first map, made by With in 1585, was used up to the time of Capt. John Smith's, in 1608. His, in turn, was copied until Herman's, in 1670, and then came Fry's and Jefferson's, in 1751. These four were the only original surveyors; the other map makers simply copied their work. Most of the old maps were made by navigators who delineated the coast. The great inland country was mapped out by missionaries, while facing with untold fortitude the rigors of an inclement climate, hostile natives, and hardships of every kind, in order to propagate their religion. As showing the indirect but important influence which the missionaries have exerted in the making of maps, I may refer to a passage found in *The Naturalist's Library*, Edinburgh, 1841, vol. 39, page 79, in a memoir of Schomburgk up to his starting for British Guiana in December, 1840:

The destruction of the missionary settlement by the Brazilians and the destitute condition in which most of the native tribes have been seen to be at present existing, together with their willingness and ability to receive and comprehend the instruction of the missionaries, have induced our Government to investigate the subject, and it was brought under the notice of Parliament in March last, when a survey of the boundaries was determined upon, and, under the sanction of a Royal Commission, Mr. Schomburgk has been selected again to superintend and command an expedition to Guiana.

I might cite many examples of the use the old map makers made of each other's work. The great atlas of Blaeuw, in twelve volumes, is mostly a compilation from earlier materials, particularly the volume devoted to America. Thus the map of Guiana, 1640, which is referred to in the recent British Blue Book on the disputed Guianan boundary, was taken bodily from De Laet's work of 1625, called "*Nieuwe Wereldt ofte Beschrijvinge van West-Indien.*"

The great English work of Ogilby, published under his name in 1671, is simply a translation of Montanus, and reproduces all his maps and plates, excepting that of America, which is, I believe, also derived from other sources. Alexander von Humboldt, in a note to the introduction to his personal narrative of travel in South America, arraigns the great English map maker, Arrowsmith, with great asperity. "My general map of the kingdom of New Spain, 1804," he says, "has been copied by Mr. Arrowsmith, who has appropriated it to himself by publishing it on a large scale under the title of *New Map of Mexico, Compiled from Original Documents.* The conduct of Mr. Arrowsmith is so much the more repre-

hensible, as neither Messrs. Dalrymple, Rennell, D'Arcy de La Rochette, nor any of the other excellent geographers England boasts, have ever given him the example, either in their maps or the analyses which accompany them. The reclamations of a traveler must appear first when mere copies of his labors are published under the name of other persons."

Again, take Halley, one of whose maps is cited as authority and reproduced in the same British Blue Book. The following extract concerning him speaks for itself. It is taken from a volume entitled *The Memorials of the English and French Commissaries, Concerning the Limits of Nova Scotia and Acadia*. London, 1755; page, 275:

The three English maps cited by the French Commissaries are one by Mr. Halley, another by Mr. Popple, and a third by Mr. Salmon, and to give them the greater weight they are very careful to do justice to the great knowledge of Mr. Halley in geography and astronomy, and they observe that Mr. Popple is one of those who have "travail sur les titres." The fact is that Acadia is worked in Mr. Halley's map within the peninsula near the seacoast, and Nova Scotia near the isthmus, from which it appears that he did not think Acadia was confined to the southeast part of the peninsula, and that he was very little attentive to the position of countries in his map, his only view having been to show the several variations of the needle in the several degrees of longitude there marked. The whole map, full of geographical errors, proves this to have been his design, and the French Commissaries chose an unfortunate topic to commend Mr. Halley upon when they cited this chart as a specimen of his profound knowledge in geography, however strong in example this very map may be of that gentleman's great skill in astronomy, and however perfect it may be in the light and for the purpose he designed it.

The same high authorities speak of De Laet's maps as "made according to his own opinion and notions of the countries included in it." They also mention (p. 69 of the same work), in rather a slighting manner, De Lisle, Bellin, and d'Anville, all high authorities, whose maps have been used repeatedly in the settlement of great boundary disputes. From the same volume I take the following excellent criticism of maps in general:

Maps are from the nature of them very slight evidence. Geographers often lay them down upon incorrect surveys, copying the mistakes of one another; and if the surveys be correct, the maps taken from them, though they may show the true position of a country, the situation of islands and towns and the course of rivers, yet can never determine the limits of a territory, which depend entirely upon authentic proof; and the proofs in that case, upon which the maps should be founded to give them any weight, would be themselves a better evidence, and therefore ought to be produced in disputes of this nature, in which the rights of kingdoms are concerned.

From Ortelius's atlas, published in 1570, and the many other great atlases of the Dutch up to 1700, the world reaped a rich harvest, although many reproduce older maps, on which some new discoveries are added. Taking these maps in chronological order, we have Ortelius in 1570, Heyns in 1598 (the latter giving only an epitome of the former's work), Gallæum in 1589, Langenes in 1598, and Mercator in 1606, with the various editions of his work by Hondius. Ortelius and Mercator were bound by ties of friendship, so the latter deferred the publication of his atlas till after that of Ortelius had appeared, while he in turn communicated all his special maps and cartographical emendations to his friend Mercator.

Following these, and placing them in the order in which their works were brought out, are: De Laet, 1625; Blæuw, 1638; Janson, 1639; Vischer, about 1670; Montanus, 1671; Danckers, about 1680; Dewits, about 1675, which was made up from Blæuw, Vischer, Janson, and others; and finally Homann in 1759. The next maps in importance for a knowledge of the American cartography from the seventeenth to the eighteenth century are those of the French—Sanson, d'Anville, De Lisle, Robert de Vaugondy, and others; and here, again, I must refer to the obligations these map makers, and also the Spanish and Italian, were under to the missionaries, particularly in the case of America, the works of Fathers Marquette, Hennepin, and Charlevoix. As illustrating what has been said in the first part of this paper, take the maps of Guiana, in which so much interest is centered at present. The first reference made to a map of Guiana is that in Sir Walter Raleigh's *The Discovery of the Large, Rich, and Beautiful Empire of Guiana*. He speaks of it in the text as follows:

How all these rivers crosse and encounter, how the country lieth and is bordered, the passage of Cemenes, and of Barreo, mine owne discoverie and the way I entered, with the rest of the nations and the rivers, Your Lordship shall receive in a large chart or map, which I have not yet finished, and which I shall most humbly pray Your Lordship to seeret and not to suffer it to pass your own hands; for by a draught there of all may be prevented by other nations. * * *

Sir Robert Schomburgk says in his edition of this book of Raleigh published for the Hakluyt Society:

It appears he never executed this map, or, if he did so, it has been lost. Jodocus Hondius constructed, from the account of Raleigh's and Keymis's voyage, the map entitled *Nieuwe Caerte Van Het Gou Drijcke Landt Guiana*, 1599. The map of Hondius is found in the Latin translation of Raleigh in the celebrated De Bry collection, *Americae, pars VIII*, 1599.

Schomburgk gives a map of Guiana, entitled *Map to Illustrate Sir Walter Raleigh's Voyage, etc.*, which he refers to as follows:

It remains only to say a few words on the map which accompanies this work. Where pages of letterpress are required to explain the conformation of a coast, the course of a river, or the situation of a place, a single glance at a map will convey to the mind's eye relative local positions, however complex, better than any verbal description. It was gratifying to find my proposition to illustrate Sir Walter Raleigh's journey upon the Orinoco by a map met with the approbation of the council of the Hakluyt Society. This map is laid down in a great measure from personal observations made during eight years' rambles through Guiana; the northern part of it has been chiefly constructed from Colonel Codazzi's atlas of Venezuela.

Kohl in his "Descriptive catalogue of those maps, charts, and surveys relating to America, which are mentioned in volume 3 of Hakluyt's great work," page 62, has a long statement about the supposed lost map of Raleigh. In it he says: "The map in question is contained amongst the rolls of the manuscript department of the British Museum. It is drawn on thick parchment, which is rather somewhat darkened by age, and more or less roughly treated and not without wrinkles." A facsimile of this map is published in *Hamburgische Festschrift zur Erinnerung an die Entdeckung Amerika's*, vol. 2, 1892.

Salmon in his *Modern History*, vol. 29, page 65, London, 1737, says of Guiana: "Several European powers have settlements on or near the seacoasts of this country, particularly the Spaniards, the French, and Dutch, but the natives are yet possessed of much the greater part of it, and are not in subjection to any of them unless upon the seacoast." That the natives were warlike and the climate unhealthy are good reasons why so little was known of the country up to the time of Humboldt and Schomburgk, and this must account for the great imaginary Lake Parima remaining on all the maps till then. Even on the great and rare map of Cano y Olmedilla, of 1775, republished with some changes by Faden in 1799, a copy of the original of which I have recently unearthed in the Department of State, this lake figures in bold relief. Requena's *Mapa Geográfico*, made by order of the Spanish Government in 1796, in the boundary dispute with Portugal, has also this lake. The great Humboldt exploded this myth, but, curious to relate, in 1844 an author named J. A. Van Heuvel, in a work entitled *El Dorado*, asserted again the

existence of this lake. At this Schomburgk, in his edition of Raleigh's Guiana (p. 100), expressed his surprise as follows:

Notwithstanding the proofs of the nonexistence of the White Sea, or Lake Parima, a work was published in New York in 1844 with the pompous title of *El Dorado*. It is illustrated by a map, on which the Lake Parima figures in the whole extent. The author, Mr. Van Heuvel, visited the coast region of Guiana without penetrating into the interior, and his conclusions respecting this lake rest only upon what he learned from some Indians, whose language he did not understand, and upon the maps of Sanson, D'Anville, and others of the last century; and, although fully acquainted with Humboldt's writings, who, he says, "effaced without sufficient grounds that wondrous lake," Mr. Van Heuvel has fully restored it and gives it a length of from 200 to 250 miles and a breadth of about 50 miles. Out of this flow the rivers Parima and Takutu into the Rio Negro and the Amazon; the Cuyuni, the Siparumi, and the Mazarumi into the Essequibo, and the Paragua into the Orinoco.

In conclusion, let me state that little is known of the rich and extensive collection of maps relating to America in the National Library at Washington. It has been my pleasure at odd moments spared from other duties to catalogue this collection, which, roughly speaking, I would place at somewhere over fifteen thousand, and in which are found, among other treasures, manuscript maps of the Revolutionary war from the Force, Faden, and other collections, with a vast number of State and county maps. These are now catalogued chronologically under the authors and subjects, and separate cards under each map in atlases, books, and magazines have also been made. Though at present inaccessible in the old Library, it is a pleasure to think that this valuable collection will soon be safely and conveniently deposited in the new Library, where proper facilities will be provided for its examination by the public.

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XXI.—REPORT OF THE HISTORICAL MANUSCRIPTS COMMISSION OF
THE AMERICAN HISTORICAL ASSOCIATION. *10 June 1896*
1896

DECEMBER 30, 1896.

TABLE OF CONTENTS.

| | Page. |
|--|--------------|
| Report of the Historical Manuscripts Commission..... | 467 |
| List of printed guides to, and descriptions of, archives and other repositories of historical manuscript..... | 481 |
| Letters of Phineas Bond to the Foreign Office of Great Britain, 1787, 1788, 1789: | |
| Introduction..... | 513 |
| Letters..... | 517 |
| Intercepted letters to the Duke de Mirepoix, 1756: | |
| Introduction..... | 660 |
| Letters..... | 662 |
| Letters of Stephen Higginson, 1783-1804: | |
| Introduction..... | 704 |
| Calendar of letters now or heretofore printed..... | 708 |
| Letters..... | 711 |
| Diary of Edward Hooker, 1805-1808: | |
| Introduction..... | 842 |
| Diary..... | 844 |
| Clark-Genet correspondence..... | 930 |
| | 465 |
| H. Doc. 353—30 | |

REPORT OF THE HISTORICAL MANUSCRIPTS COMMISSION OF
THE AMERICAN HISTORICAL ASSOCIATION.

*To the Executive Council of the
American Historical Association:*

The Historical Manuscripts Commission begs leave to submit the following report:

On December 27, 1895, the undersigned, together with Dr. Douglas Brymner, archivist of the Dominion of Canada, were by your action constituted a Historical Manuscripts Commission, charged to collect information regarding manuscript materials relating to American history, especially those which are in the hands of private persons or institutions, to report to you and to the Association respecting the same, and in general to perform, *mutatis mutandis*, such services with respect to American history as have been performed with respect to British history by the Royal Commission on Historical Manuscripts first appointed by the Queen of Great Britain in 1869.

Since the members of the Commission, appointed with some regard to the representation of various sections of the country, are widely scattered with respect to residence, and since they are also much occupied with other duties, it proved impossible to arrange a meeting at an earlier date than the 1st of June. Up to that time they had conducted its business by correspondence, exchanging views as to the initial stages of its work and as to its plans for future activity, and seeking the advice of competent scholars as to the latter. During this stage of their proceedings, the members of the Commission arrived at an agreement upon certain general principles, which may be stated as follows:

First of all, it was agreed that the Commission, however eager in the endeavor to make new historical materials accessible to scholars, should aim only to supplement existing agencies, and should strenuously avoid entering upon ground already sufficiently cultivated by such or preempted by them. All its work can and should be carried on in the most harmonious cooperation with the historical societies and other publishing institutions of the country. The Department of State,

for instance, is certain to deal, sooner or later, with all important parts of its vast mass of historical matter, through the valuable Bulletin of the Bureau of Rolls and Library. Similarly, several of the State governments are dealing with the historical materials in their archives in a manner which would render superfluous and inappropriate the attempted interference of any external agency. Most State governments, to be sure, are not doing this. But their resources for doing it are ample, if only their authorities or their citizens could be roused to a sense of the value and importance of such labors. It is far better for a Commission enjoying resources so slight in comparison with those of an American State to content itself with lending its aid, in all appropriate ways, to those who are endeavoring so to arouse their States, rather than to attempt to do what it is the duty of the State to undertake. An exception may be admitted in the case of documents in the archives of a State which, though of little importance to its own history, illustrate in an important degree the history of other States or of the nation. The same principles apply to the governments of the Dominion of Canada and of its individual provinces, and to the archives of towns and cities. As to historical societies, there are some which are abundantly able to publish, or otherwise to make available, such historical materials as they possess, and which make a practice of so doing. But there are many others which have no adequate means of doing this, and to which, even though their treasures are largely of local rather than of wider importance, the cooperation of this Commission may be both welcome and useful. Some historical societies, though wealthy when compared with the majority of these organizations, find their resources small in comparison with the mass of unprinted material in their possession, and can not hope to deal properly with many portions of the latter for a long time. To such, also, it may be possible for this Commission to offer an aid in some respects useful.

But between almost all the historical treasures of governments and institutions, and almost all those possessed by individuals, there is a highly important difference which can not fail to affect the attitude of the Commission toward them respectively. Most of the papers possessed by governments and societies are kept measurably secure from fire and other causes of destruction; most of those in private hands are not, but are exposed to all those accidents of dispersion or loss

which were so graphically set forth by Prof. Moses Coit Tyler in a paper read before the American Historical Association in April, 1886 (Papers, II, 20-22). Aside from the chances of destruction, it is also to be remembered that, under the conditions of life in America, where families are subject to great alterations of fortune and frequent changes of residence, the chances of dispersion are much greater than in the case of private collections of papers in Europe. These reasons have induced the Commission to believe that, if not the most important sphere of their duties, at any rate that which most presses for immediate attention, is that which relates to historical papers now in the custody of private individuals. The possibility, and in some cases the probability, that such documents, if not now made available for scholarly uses, will be dispersed or destroyed or irrecoverably lost, gives them a claim upon our attention superior to that of documents of equal importance which are securely and permanently housed in public or semipublic buildings.

Moreover, differences in the conditions of life in America and in England respectively, to some of which allusion has already been made, led the Commission early to conclude upon an important deviation from the procedure usually followed by the British Commission. Their practice has been to print simply calendars of the private collections examined by their agents. In America several reasons impel to the belief that it is wiser to print such documents in full. In England there are many private collections of papers, in some degree accessible to scholars, which may be regarded as practically permanent. A calendar of such a collection may be permanently useful, because its references are to a body of materials which are likely to remain always where they now are. In America, on the other hand, there are few cases in which private collections of papers can be expected to remain so long in the hands of the same family that a calendar of them would be of permanent value to historical scholars. A generation hence they may be dispersed in other hands. If they are important to history, it is expedient that they be printed at length, and thus preserved completely while this is still possible. In England, moreover, if the scholar in making use of a calendar finds, as he not infrequently will, that he must consult the original document, it will usually cost him no great journey to do so. But in America the student may

often find that, if the indications given by the summary are insufficient, the only remedy lies in a journey of several hundred miles. In the third place, it costs less in this country to have a series of documents copied than to have them calendared in a thoroughly satisfactory manner. It is probably also true that the average collection of historical manuscript in England consists more largely than would be the case in America of formal documents, of which, since they are constructed according to familiar formulæ, a summary may be quite as convenient and useful as the entire text. In America, it appears, such collections most commonly consist of letters, for which summaries are a very unsatisfactory substitute.

On June 1, 1896, the Commission met in New York, in a room kindly furnished for the purpose by the authorities of Columbia University. Those present were the chairman (Professor Jameson), Mr. Williams, Professor Trent, and Professor Turner. Dr. Brymner was, on account of illness, unable to attend. Professor Trent was elected secretary. Plans were formed for the work of the Commission during the remainder of its first year of service. It was agreed that the most important part of its initial work lay in the simple collecting of information. Accordingly two circular letters were formulated, the one to be sent out to libraries and similar institutions, the other to individuals owning or having knowledge of historical manuscripts important to American history. Their tenor will be stated in detail below. It was also resolved that the Commission's first volume should contain a bibliography, or list of printed guides to the contents of American archives or similar repositories of manuscript historical material in the United States and Canada, and of other printed descriptions of such collections. The object of such a list, however provisional, is to furnish a basis for future work by enabling the Commission, and other students, to learn as early as possible what unprinted materials are now accessible to investigators. The members of the Commission also resolved to begin with their first report the printing of some of the materials which they might find. Although their first thought was that the prosecution of preliminary inquiries would alone be sufficient work for their first year, they on reflection perceived, and subsequent experience has confirmed the impression, that while much information would be obtained at once from librarians, private holders would be slow to respond until they could discern by

ocular demonstration just what the purposes of the Commission were, and in what manner it intended to deal with manuscript historical materials. No amount of programme and prophecy would win the confidence of collectors and possessors so well as the sight of a volume of good historical material, well edited; but if the latter could be pointed to as evidence of the intentions and methods of the Commission, replies to its inquiries would become at once more abundant and more satisfactory in form. Accordingly the Commission, at this meeting, planned to obtain from England, Canada, New England, the Middle States, the South and the West, respectively, interesting series of historical papers, such as it is its mission to seek, and so to combine and edit them as to form a specimen volume, an earnest of their future labors. Finally, the chairman was charged with appropriate inquiries to be made for the Commission in England.

During the summer the circulars above mentioned were printed and were sent out in considerable numbers. The text of that which was addressed to private individuals is here inserted:

**AMERICAN HISTORICAL ASSOCIATION—HISTORICAL MANUSCRIPTS
COMMISSION.**

**CIRCULAR TO PRIVATE INDIVIDUALS OWNING OR HAVING KNOWLEDGE OF
UNPUBLISHED DOCUMENTS OF HISTORICAL VALUE.**

DEAR SIR: Historical students, it is believed, will concur in the opinion that the general advancement of historical scholarship in America can in no way be better promoted than by the extensive publication of original materials hitherto unprinted. Of such papers a large number are in the possession of the United States Government, and have been printed or will be printed by it; others have been or will be similarly cared for by the Governments of the Dominion of Canada and the individual States of the Union, or by local historical societies which print extensive series. But much manuscript material of great importance to American history is not thus provided for, being in private hands or in the possession of institutions which do not print such papers. The interests of American historical scholarship have seemed to demand the creation of an agency, representing all sections of the country and affiliated to our largest historical organization, which shall systematically endeavor to bring these materials to the knowledge of students, and to print those which are of most importance.

In this conviction, the American Historical Association, at its annual meeting in December, 1895, appointed the undersigned a Historical Manuscripts Commission, to deal in the manner above described with such manuscript materials as seemed to be of importance to American history.

In this work, the members of the Commission hope to secure the cooperation of such private individuals and families as may possess or have knowledge of documents of historical importance. They feel sure that in all parts of the country there are collections of family correspondence which contain not only unpublished letters of our distinguished public men, but also many of a private character which would throw light upon our social and political history and might be published without breach of propriety. Private diaries also exist, and narratives of important movements and events by participants and eyewitnesses, as well as memoranda, account books, and other instruments which would throw light on our economic history, and especially upon those institutions and customs that have passed away forever. Should you own or know of such historical materials and be interested in their exploitation, you are respectfully invited to aid the Commission in accordance with the following methods:

1. By communicating to the chairman or such member of the Commission as you may prefer, a list of documents in your possession, with brief notes as to their contents, state of preservation, and accessibility to students;

2. By stating whether you are willing to have your documents published should the Commission desire to print them, and if so, whether you could have them copied for the press;

3. By stating whether you would be willing, barring publication entire, to allow a list or calendar of your documents to be made and published, and under what conditions, in this contingency, the documents would afterwards be accessible to general and special students;

4. By informing the Commission of the existence of private collections of historical materials in other hands, and by using your influence to induce the holders to put themselves in communication with the Commission or with some local historical society.

The Commission promise that the matter printed by them shall be edited with care and accurately printed, and that whatever is chosen for publication shall be first submitted to the owner for his approval. They hope for your assistance in inaugurating a movement which they believe likely to prove of real and permanent utility to the cause of history in America. Your reply may be addressed to the chairman or to any of the Commission at the addresses given below.

Very respectfully yours,

J. FRANKLIN JAMESON,
Chairman, 196 Bowen street, Providence, R. I.
 DOUGLAS BRYMNER,
Archives of the Dominion of Canada, Ottawa, Canada.
 TALCOTT WILLIAMS,
331 South Sixteenth street, Philadelphia.
 WILLIAM P. TRENT,
University of the South, Sewanee, Tenn.
 FREDERICK J. TURNER,
University of Wisconsin, Madison, Wis.

This circular was accompanied with a blank form for reply. A copy of it was sent (errors excepted) to each member of the American Historical Association, to each officer of the State

societies of the Sons of the Revolution and of the Sons of the American Revolution, to each officer of the Society of Colonial Wars, to each chapter-regent of the Daughters of the American Revolution, and other copies to many other officers in similar organizations. Copies were also sent to all possessors of manuscript whose names were to be found in or by means of the appendix to Vol. VIII of Winsor's Narrative and Critical History of America (the appendix entitled "Manuscript Sources for American History"), and to a considerable number of other persons whose names and addresses happened to be or to become known to the individual members of the Commission.

The second circular, addressed to the official heads of libraries and similar institutions, contained the same statement of the general objects of the Commission which was made in the first, but differed from it appropriately in details. It invited these officials to aid the Commission by sending a list and description, as detailed as they might please, of the unpublished manuscripts relating to American history in their custody, or by making reference to printed lists or descriptions which the Commission might consult. The blank which accompanied this circular provided space for direct information, for references of the sort alluded to, and for a statement as to whether the institution could or could not, in any case in which it was desired, furnish the Commission with a copy of certain of its manuscripts, and thus bear a part of the expense of preparing matter for the press. A suggestion special to this circular was made in the following paragraph:

To institutions which are just beginning the collection of historical materials, and especially to those in comparatively new communities, the Commission begs leave to suggest the broadest possible construction in determining what manuscript accumulations are worthy of deposit. For the economic and social aspects of history, matter which, at first sight, appears unimportant may prove to a later generation most valuable. Important material is often allowed to disappear because the public does not appreciate the value of such collections as letters, account books, journals, etc. Attention should also be given to the gathering of recent historical manuscripts. So large a portion of the United States has been recently settled, with its institutions still in the formative period, that a free solicitation and acceptance of contemporaneous material is desirable.

This circular, with its accompanying blank, was sent out to the librarians of all known historical societies in the United States and Canada; of all other libraries, public, societary, or collegiate, in the United States or Canada, known to possess

more than ten thousand volumes; of all State libraries; of all libraries, even though of less than ten thousand volumes, which are mentioned, as containing historical matter, in the Harvard University Library's Bibliographical Contributions, No. 45, Notes on Special Collections, and to the librarian of the chief library in each colony or country south of the United States, including island colonies.

To the second of these circulars, replies have been received to the number of nearly two hundred, and others are still from time to time coming in. Made chiefly by members of the intelligent and progressive profession of librarians, they have furnished the Commission with an invaluable body of information concerning the objects of its search. They have been especially useful with respect to the smaller libraries of the country whose accessions of manuscripts are not recorded in print in ways so conspicuous as those which can be employed by the larger libraries and the richer societies. As the information to be derived from this source is still incomplete, the Commission has not thought it wise to attempt in this present report to set forth the results of this inquiry, except in so far as these are presented in the bibliography, or list of printed guides to archives and other printed descriptive accounts of collections of historical manuscripts. At a later time the results of this inquiry may not improbably reach a state of completeness that will justify publication. The replies made to the inquiries addressed to individual holders of manuscript are, naturally, less numerous and less complete. It is confidently expected, as has been stated above, that the publication of an initial volume by the Commission will make its objects clear to the public mind and will greatly facilitate this branch of the Commission's inquiries. But the replies already received are gratifying in number and quantity, and have brought to the knowledge of the Commission considerable masses of historical material hitherto completely unknown to its members, and the existence of which has, they believe, never been made known to the public. The work of pushing inquiries by means of these circulars is to be actively continued as the central function of the Commission.

The bibliographical part of the work outlined at the meeting in June has been executed, under the direction of the chairman, by Mr. Edmund C. Burnett, assistant in history in Brown University. This list, the preparation of which was deemed

of great importance, is intended to include not only all books and pamphlets which are of the nature of catalogues, calendars, indexes, or guides to the contents of archives or other collections of manuscript historical material, but also all printed descriptions of such repositories or collections, separate or contained in books or pamphlets, that are of sufficient fullness to be of use to students of history. Collections to be found in the United States and Canada were alone considered. As no bibliography of precisely this character has, it is believed, been printed heretofore in America, it is not to be expected that it should be free from imperfections and errors. But it has at least been constructed with great care. The principles of its arrangement are explained in its heading, and need not be detailed here.

In pursuance of the vote already referred to, the Commission also made an attempt to select and to prepare for the present volume six brief but typical series of historical documents—respectively representing England, Canada, New England, the Middle States, the South, and the West—with which their work of publication should be begun and which should serve as specimens of those interesting and important materials for American history which, on all hands, remain to be exploited. With respect to the repositories of such manuscript in England, it was the conviction of the Commission that in proportion a far larger amount of matter relating to the colonial and Revolutionary periods had been drawn from them and printed in America than of matter relating to subsequent periods; that matter relating to individual colonies was less appropriate to their purposes than such as would contribute to the general history of America; and that of periods of American history which might be illustrated by papers derived from English archives and for which those archives are open to examination, that period which at present stands most in need of such illustration is that which extends from the treaty of 1783 to the point at which Mr. Henry Adams's History of the United States begins—the opening of the present century. The chairman of the Commission spent some time in London during the summer and had opportunities of consultation regarding its concerns with Mr. Hubert Hall of the Public Record Office, who has succeeded to the functions of the late Mr. W. Noël Sainsbury in respect to the American papers in that establishment; with the Bishop of Oxford, Dr. Stubbs, a mem-

ber of the Royal Commission on Historical Manuscripts, and with Mr. J. J. Cartwright, the secretary of that Commission. In the particular matter of a series of British papers illustrating American history, it was decided, after consultation with Mr. Hall, and after a partial examination, to make use of a selection from the letters of Phineas Bond, British consul at Philadelphia from 1787 to 1812, addressed to the Foreign Office. The good offices of the Hon. James R. Roosevelt, secretary of the American Embassy, being invoked, the Marquis of Salisbury, the present head of the Foreign Office, kindly gave the necessary permission for the examination and copying of these letters, and work was soon begun. The extracts from this correspondence presented in the present volume extend from the beginning of the year 1787 to the end of the year 1789, a period of critical interest in the history of the United States.

The importance of these letters lies in the following facts: Phineas Bond, during most of the years from his appointment to the arrival of Anthony Merry as minister in 1803, was on the whole the most intelligent and useful of the British official agents in the United States. His letters were frequent and informing. He was situated at the commercial capital of the country, and was thus enabled to follow closely the developments of American commerce and industry, subjects in which he was both officially and personally interested. Believing, as the members of the Commission do, that far more attention than has hitherto been vouchsafed ought to be given to the economic history of the country, and that the commercial and industrial history of these three critical years is capable of throwing an important light on their political history, so much discussed, they take satisfaction in presenting a body of documents which is so largely economic in its character and contents. Especial attention is called to Bond's long letter of November 10, 1789.

From Canada, Dr. Brymner sends a series of letters exhibiting a curious and interesting plot against the English power, devised in Pennsylvania in 1756 by some one who asserted himself to be the holder of high military command under England, but who, in letters to the Duke of Mirepoix, professed a treasonable desire to use his position for the benefit of France by turning over the expedition against Fort Duquesne to the service of that power. Aside from the mystery which attends

the plot itself, the interest of the correspondence presented in this volume lies in its exhibition of the alarm caused to the British Government by these letters when intercepted, and of the ignorance of American affairs upon which that alarm was based.

In New England, the chairman was offered by Col. Thomas Wentworth Higginson the use of such letters as he possessed written by his grandfather, Stephen Higginson (1743-1828), prominent and influential as a Boston merchant and as a member of the famous "Essex Junto." With this collection as a nucleus, efforts, more fully described in the editorial introduction to the documents themselves, have been made to collect from all the various public and private repositories into which they have been dispersed all those letters of this New England Federalist which have any historical interest. The result has been a considerable collection of letters, which is believed to cast a large amount of light upon the history of New England and the Union during the years from 1784 to 1804. It is believed that special interest will be felt in the revelation of the extent to which this sagacious merchant, seldom officially connected with politics, nevertheless influenced their course. Especial attention is called to his letter to Knox, dated February 8, 1787, in which he makes what was, so far as the editor knows, the earliest suggestion that the plan of government to be made by the proposed constitutional convention should go into effect upon being ratified by nine States. Among the later letters there are several which illustrate the utility of just such collections of scattered but closely related material as this. Letters obtained from various collectors of autographs or various societies are placed in a new and instructive light when thus brought together; readily compared one with another, they show what they could never show when isolated.

To represent the Middle States the Commission hoped to have a selection from the correspondence of two brothers, prominent statesmen of that region during the first half of the present century, but these could not be obtained in time for the present report. For the South, more particularly for South Carolina, they have been enabled by the kindness of John Hooker, esq., of Hartford, Conn., to present a considerable body of extracts from the journal kept by his father, Edward Hooker, during a residence in that State extending

from 1805 to 1808. The writer of this journal had, especially while he resided in Columbia, exceptional opportunities for the study of South Carolina legislation and politics. His reports of the debates in the legislature of the State, among them the debates on the bill for the abolition of the slave trade, are, so far as the editor knows, unique; they are certainly the work of an intelligent and fair observer. For the next report, the Commission expects to be permitted to use the unpublished papers of one of the greatest of Southern statesmen.

The marvelous collection of manuscripts made by the late Dr. Lyman C. Draper, and by him bequeathed to the State Historical Society of Wisconsin, has furnished the material for the concluding portion of this report, which illustrates a picturesque and highly important episode in the history of the Mississippi Valley. By the favor of Mr. Reuben G. Thwaites, secretary of the society named, Professor Turner has been permitted to gather together from its stores of manuscript the essential papers, not hitherto printed, which exhibit the relations between Gen. George Rogers Clark, the conqueror of the Northwest, and the minister of the French Republic, Edmond Charles Genet, and the history of Clark's projected expedition against the Spaniards in Louisiana, 1793-94. Other important papers, relating to that history, have been obtained from the Archives Nationales and the Archives des Affaires Étrangères at Paris. The story has, as will be seen, many elements of interest, arising from the relations of the United States to France and Spain and to the great struggle just begun in Europe, from the relations of Jefferson and the Federal Government to the West, and from the state of feeling toward the Federal bond which it evinces in the West. The papers, various and abundant, illustrate the whole episode with surprising completeness, from the side of the Governments at Philadelphia and Paris, from that of Genet, from that of Clark, from that of the Government of Kentucky, from that of the Spanish agents accredited to the United States, and from that of the Spanish officials at New Orleans and at Natchez. Other papers relating to this matter, subsequently received from Paris, will be embodied in the next report of the Commission.

The principles of editing adopted by the Commission will, in general, be made clear by an inspection of the texts which it presents. These principles are in practical agreement with

those printed by the third "Versammlung deutscher Historiker" in 1895. In the case of collections of correspondence the Commission has made it a rule to print the whole of each letter used, making no omissions save of entire letters. In these and similar cases the usual rule will be to follow a chronological order, to prefix to each separate piece its number in the series, printed in heavy-faced type, to indicate plainly in the heading the name of the writer and of the person to whom the letter is addressed, and to state there the place of deposit of the piece or the source whence it is derived. An exact reprint will be aimed at, but contractions will not be used for "the" and "and." Documents in foreign languages other than French the Commission has reluctantly concluded to print only in translation. Its members recognize the far superior authority of the originals. But if they should print the originals, the interests of most students of American history would compel them to print also a translation, and they are not prepared, at any rate in the case of long pieces, to double the expenditure of space.

Thus the members of the Commission offer to the Executive Council of the American Historical Association, to scholars, and to the history-reading public, the first-fruits of their labors. They perceive clearly that they have only made a beginning. They expect to continue with activity the work of collecting information not only in this country, but in England. In the latter country they intend to make systematic inquiries by means of a special circular addressed to the individual descendants, so far as their names can be learned, of royal governors of colonies, of other colonial officials, of officers of the British army stationed in America during the Revolutionary war or at other times, and of others whose papers, if preserved, may be expected to cast light on portions of the history of the United States or Canada. They intend to cooperate in every appropriate way with the local historical societies of the country, seeking their aid and, if opportunity offers, aiding them. They hope also to be able at times to arrange for cooperation with those libraries, somewhat numerous, that possess valuable and interesting historical manuscripts without having any regular appliances or means for communicating them to the public. Several such, without having these particular means, have money enough and clerical force enough to enable them, if such cooperation be arranged, to relieve the Commission of

a large part of the expense of bringing their treasures to public knowledge. It may be expected that similar arrangements may at times be made with families or private individuals who are able and willing to bear a part of the expense of publishing such of their ancestral papers as are of historical importance.

Other opportunities of usefulness are presented by the auction sales of historical manuscripts which from time to time occur. If there is any chance that a collection of such material will be dispersed, the Commission may properly exert its influence to secure that, before this takes place, accurate copies of the pieces be taken and preserved, either by it or by some permanent historical society. The stocks of public-spirited and appreciative dealers and the collections made by amateurs will sometimes present similar opportunities. The influence of the Commission will also be used in all proper ways to encourage State and municipal governments to collect, to preserve, and to render accessible the manuscript sources of their history, and to print such of them as may be deemed most important. It is not too much to hope that State Governments may in some instances resolve to establish historical manuscripts commissions of their own, with inspectors like those of the British Commission, charged with the making of local inquiries and searches within and without the borders of the State. This Commission, conscious of the slight extent of its own resources, would most heartily welcome the inception of such a movement.

It remains for the present members of the Commission to express their regret that the pressure of official duties has caused their associate, Dr. Douglas Brymner, archivist of the Dominion of Canada, to resign his membership in their body. They had hoped to be able in the future, as they have been during the past year, to draw upon the extensive stores of his knowledge and of his experience in the treatment of manuscript historical material; but they are forced to recognize that the Archives of the Dominion of Canada, which he has made famous in all America for richness and efficiency, have necessarily the first claim upon his attention.

Respectfully submitted.

J. FRANKLIN JAMESON.
TALCOTT WILLIAMS.
FREDERICK J. TURNER.
WILLIAM P. TRENT.

A LIST OF PRINTED GUIDES TO AND DESCRIPTIONS OF ARCHIVES AND OTHER REPOSITORIES OF HISTORICAL MANUSCRIPT.

The following bibliography has been prepared, under the direction of the chairman of the Commission, by Mr. Edmund C. Burnett, assistant in history in Brown University. It is hoped that, in spite of imperfections, it may be useful to historical students. Such students often need to know, with regard to accessible collections of historical materials, many facts which have not yet been put into print. Such facts the Commission are not yet in a position to supply in a systematic manner. But a necessary preliminary, it would seem, is the publication of some such list as this, from which the inquirer may learn, with respect to individual collections, what books, pamphlets, or minor pieces describe, fully or succinctly, that part of the manuscript contents which bears on American history. The list here presented is tentative and provisional. Additions and corrections will be warmly welcomed.

It is well to refer, in these introductory lines, to an article on the general subject to which this list relates—an article such as, perhaps, only one American scholar is in a position to write. Dr. Justin Winsor some years ago printed in the *Magazine of American History* (Vol. xviii, pp. 20-34) a contribution entitled "Manuscript sources of American history: the conspicuous collections extant," presenting general characterizations. A multitude of references in the following pages will show how largely the compilers, and all searchers of American archives, are indebted to the same author's "Narrative and Critical History of America."

In the list which follows no attempt has been made to make use of all the possible refinements of bibliography. Practical and immediate utility has been kept chiefly in view. In the

citation of titles, for instance, since the pieces to which reference is made are mostly embedded in volumes, and especially in the volumes printed by historical societies, it has been thought that the searcher will reach his piece more quickly if the volume is named to him first than if the item in the list (not itself a volume) is begun with the name of the author. Moreover, a large proportion of the pieces listed is anonymous. The principle of arrangement has been to make two main divisions. The first is headed "Governmental repositories." It is intended to include the literature relating to the manuscript collections possessed by Federal, State, or Provincial Governments, kept at their capital cities, either in separately established archives, in the offices of secretaries of state, or in State libraries. The order in which these Governments appear is the following: First, that at Washington; second, that at Ottawa; third, those of the Canadian provinces; fourth, those of the States of the Union. The latter are arranged geographically, in the order followed in the well-known "Dewey" system of classification.

The second chief division consists of the literature relating to "Local repositories," by which phrase is meant all those which are not of the former class, whether they belong to municipalities, to societies and other institutions, or to individuals. These collections are arranged in a geographical order by provinces and States, of the same sort as the order followed in the first division. In a given State an alphabetical order by towns is observed. It should be mentioned, however, that the "Dewey" order has not been followed in placing New Jersey after Pennsylvania, an arrangement which to historical students would seem unusual and confusing; and the cities of New York and Philadelphia have, in spite of the alphabet, been given precedence in their respective States.

There are cases in which State historical societies have been by statute brought into such close relations with the State archives that their collections are practically governmental. But the compilers have preferred to place such societies in their second rather than in their first division, believing that most inquirers will more naturally seek them in the second place.

PRINTED GUIDES TO AND DESCRIPTIONS OF ARCHIVES, ETC.

I.—GOVERNMENTAL REPOSITORIES, NATIONAL AND STATE.

1. NATIONAL (AT WASHINGTON).

AMERICAN ANTIQUARIAN SOCIETY. Proceedings, New Series, Vol. II., pp. 118 ff. Report of the Council, by Hon. George F. Hoar, October, 1882. An Account of the Material for Historical Study now Accessible in Washington.

This contains, among other things, an account of the records of the Supreme Court of the United States, from 1790; a description of the records of the court of appeals in cases of capture, with a list of prize appeal cases during the Revolution; a description of some historical documents in the Department of State, besides those which belong properly to the records of the Department itself; an account of the Franklin Papers; an enumeration of MS. volumes in the Library of Congress; an account of the collections of Peter Force, in the same; and some mention of the collections in the Indian Bureau, the Post-Office Department, in the Registry of Deeds, and in the Patent Office.

THIRTEENTH CONGRESS, THIRD SESSION. House. State Papers, No. 18, November 17, 1814. Reports from the Departments of State, Treasury, War and Navy, and the General Post-Office, in relation to the destruction of official books and papers in consequence of the incursion of the enemy on the 24th of August.

Department of State.

AMERICAN HISTORICAL ASSOCIATION. Annual Report, 1894, pp. 281-298. The Historical Archives of the Department of State, by Andrew H. Allen.

HARVARD UNIVERSITY LIBRARY. Bibliographical Contributions, No. 45. Notes on special collections, by W. C. Lane and C. K. Bolton.

Page 68 contains a brief description of the archives of the Department of State.

BULLETIN OF THE BUREAU OF ROLLS AND LIBRARY OF THE DEPARTMENT OF STATE, Nos. 1-8, 1893-[1896].

No. 1 contains (pp. 7-22) a catalogue of the manuscript volumes containing the records and papers of the Continental Congress, and (pp. 23-102) the beginning of "a partial miscellaneous index of manuscripts of the Continental Congress examined to the date of going to press," which is continued in No. 3 (pp. 22-134), in No. 5 (pp. 14-138), and in No. 7 (pp. 9-126). No. 2 is a Calendar of the Correspondence of James Monroe. No. 3 contains (pp. 5-21) a list indicating the arrangement of the Washington Papers. No. 4 is a Calendar of the Correspondence of James Madison; an index to this has been issued as a supplement. No. 5 contains (pp. 5-14) a list indicating the arrangement of the Madison, Jefferson, Hamilton, Monroe, and Franklin Papers. Nos. 6 and 8 constitute a Calendar of the Correspondence of Thomas Jefferson, No. 6 relating to the letters from him and No. 8 to the letters to him. No. 7 contains a list of the Territorial and State records deposited in the Bureau of Rolls and Library.

ELEVENTH CONGRESS, SECOND SESSION. Executive Documents. Report of Representative Josiah Quincy on the Government Archives and their Condition, March 27, 1810.

FIFTY-THIRD CONGRESS, THIRD SESSION. Senate Executive Document No. 22, 1895. Letter from the Secretary of State, reporting the results of an examination of the Revolutionary archives, except military records, in pursuance of the act of Congress approved August 18, 1894.

Contains a list of the manuscript volumes containing the records and papers of the Revolution, except the military papers: a memorandum on the acquisition and preservation of the historical archives in the Bureau of Rolls and Library, and an account of the present condition of the papers.

AMERICAN HISTORICAL ASSOCIATION. Annual Report, 1894, pp. 549-561.
What the United States Government has done for History, by A. Howard Clark.

Contains a list of the manuscript volumes in the Department of State containing the records and papers of the Revolution, taken from the preceding.

JUSTIN WINSOR. Narrative and Critical History of America, Vol. VIII, pp. 414-426.

A description of the manuscript materials for American history in the possession of the Department of State.

TWENTY-THIRD CONGRESS, FIRST SESSION. Reports of Committees (House), No. 381.

A brief description, partly by Jared Sparks, of the papers of General Washington purchased by Congress in 1834.

AMERICAN HISTORICAL ASSOCIATION. Annual Report, 1892, pp. 71-169.
Some account of George Washington's library and manuscript records and their dispersion from Mount Vernon, with an excerpt from Washington's diary in 1774, with notes by J. M. Toner, M. D.

Contains an account of the transmission of these MSS. and of their acquisition by the Government; a general description given by George Corbin Washington in a letter to the Secretary of State, January 3, 1834; a general description, by Mr. Archer, in House Report No. 381, April 1, 1834; a summary of the contents of the 203 volumes in a letter of Jared Sparks to Edward Everett, March 3, 1834; a classified list of the papers to be delivered by G. C. Washington; a list of volumes made up from loose papers, by Peter Force, September 23, 1834, and a schedule of the papers bought from G. C. Washington in 1849.

MAGAZINE OF AMERICAN HISTORY. Vol. VI., pp. 81-88. Description of the Journals of Washington, by Theodore F. Dwight.

BENJAMIN FRANKLIN'S LIFE AND WRITINGS. A Bibliographical Essay on the Stevens Collection of Books and Manuscripts relating to Dr. Franklin, by Henry Stevens, of Vermont. 40 pp., London, 1881.

These MSS. are now in the custody of the Department of State.

HENRY STEVENS. Historical Collections. Catalogue I. [London, 1881.]
 Pages 160 ff. give a list of the Franklin MSS.

MAGAZINE OF AMERICAN HISTORY. Vol. VIII, p. 346 ff., May, 1882. The Franklin Papers, by H. P. Johnston.

Description taken from report of T. F. Dwight.

MAGAZINE OF AMERICAN HISTORY. Vol. IX, pp. 428-439, 1883. Lost and found manuscripts of Benjamin Franklin, by Theodore F. Dwight.

Description and general list of those now in the Department of State.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 19. The Kohl Collection of Early Maps, by Justin Winsor.

Brief description also in Winsor, Narrative and Critical History of America, VIII, 425.

Other Governmental repositories in Washington.

AMERICAN STATE PAPERS. Naval Affairs, Vol. I, p. 320. Report of W. Jones, Secretary of the Navy, on the Archives of the Navy Department.

JUSTIN WINSOR. Narrative and Critical History of America, Vol. VII, pp. 413, 414.

Brief description, by J. R. Soley, of the MS. archives of the War and Navy Departments.

LIST OF RECORDS AND FILES OF THE WAR DEPARTMENT, May 14, 1889.
145 pp.

FIFTY-THIRD CONGRESS, SECOND SESSION. Senate Executive Document No. 66, March 21, 1894. Statement of the cause of delay in the transfer of the military records of the Revolution and the War of 1812 to the War Department.

NAVY DEPARTMENT. Library and Naval War Records Office. Office Memoranda No. 5. List of Log-books of United States Vessels, 1861-1865, on file in the Navy Department, 1891. 49 pp.

ANNUAL REPORTS of the War Records Office in the Department of War, of the Superintendent of the Naval War Records Office, and of the Board of Publication of the Official Records of the Union and Confederate Armies.

NEW HAMPSHIRE STATE PAPERS. Vol. XVII.

Pages iii-vi of preface describe eight volumes of New Hampshire papers in the Old War and Navy Divisions of the Bureau of Pensions.

REPORTS OF CASES in the Supreme Court of the United States, Vol. 131, pp. xxxv-xlix.

List, by Hon. J. C. Bancroft Davis, of prize appeal cases during the war of the Revolution, the papers for which are in the office of the clerk of the Supreme Court.

MAGAZINE OF AMERICAN HISTORY. Vol. XXIX, pp. 371-380. The Records of the Virginia Company, by Alexander Brown.

Describes volumes in the Library of Congress. Further accounts of these MSS. will be found in an article by Hugh Blair Grigsby, in the *Southern Literary Messenger*, 1854; in an article by J. Wingate Thornton, in the *Historical Magazine*, 1858; and in an article by William Green, on Stith's History of Virginia, in the *Southern Literary Messenger*, 1863; also in Winsor, *Narrative and Critical History*, III, 158.

FORTY-SIXTH CONGRESS, FIRST SESSION. Senate Miscellaneous Document No. 34, 1880. Report of the Librarian of Congress on the Force MSS.

MAGAZINE OF AMERICAN HISTORY. Vol. VIII, p. 349 ff. The Rochambeau Papers, by Henry P. Johnston.

MSS. in the Library of Congress. See, also, Winsor, *Narrative and Critical History*, VIII, 467.

JUSTIN WINSOR. *Narrative and Critical History of America*, Vol. VI, pp. 589-590.

Account of the papers of John Paul Jones preserved among the Force Papers.

2. CANADIAN.

Ottawa.

DOUGLAS BRYMNER. Reports on the Canadian archives, 1881-1896. Ottawa, various dates.

These annual volumes each contain much general matter respecting the original papers in the Archives of the Dominion and the transcripts obtained for them from London and Paris. In especial, the issues for the years 1884 to 1889, inclusive, contain a Calendar of the Haldimand Papers, copies of which have been secured from London. This calendar also exists as a separate book, in three volumes. The report for 1889 contains a Calendar of the Bouquet Papers. Those for the years from 1890 to 1893, inclusive, contain a Calendar of State Papers relating to Canada, Upper Canada, and Lower Canada from 1760 to 1813. The report for 1894 calendars the State Papers for Nova Scotia from 1603 to 1801, including

those for Prince Edward Island, New Brunswick, and Cape Breton during the times in which they were a part of Nova Scotia. The report for 1895 calendars the State Papers for Prince Edward Island from 1763 to 1801; those for New Brunswick from 1784 to 1801; those relating to Cape Breton from 1764 to the same date, and those relating to the Hudson Bay region from 1673 to 1759. The report for 1896 calendars those for Upper and Lower Canada from 1813 to 1818.

AMERICAN HISTORICAL ASSOCIATION. Papers, Vol. III, pp. 393-407. The Canadian Archives, by Douglas Brymner.

WINSOR. Narrative and Critical History, IV, 366, and VIII, 465.

The former, a description of the MS. sources for Canadian history to be found among the copies and transcripts at Ottawa; the latter, a note by T. B. Akins on the military correspondence of British North America to be found there.

[FARIBAULT.] Notice sur la Destruction des Archives et Bibliothèques des deux Chambres législatives du Canada, lors de l'émeute qui eut lieu à Montréal, le 25 avril, 1849. Quebec.

TRANSACTIONS OF THE LITERARY AND HISTORICAL SOCIETY OF QUEBEC, 1870-71, pp. 53-71. On Canadian Archives, by Henry M. Miles.

TRANSACTIONS OF THE LITERARY AND HISTORICAL SOCIETY OF QUEBEC, n. s., Part IX, 1872, pp. 29, 132. The Archives of Canada, by W. J. Anderson.

L. P. TURCOTTE. Les Archives du Canada, conférence, le 25 oct., 1877.

T. P. BEDARD. Nos Archives; les Statistiques. Quebec, 1880. 30 pp.

SOCIÉTÉ ROYALE DE CANADA. Mémoires et Comptes-Rendus, Tom. I. Les Archives du Canada. Étude lue devant la Société, le 23 mai, 1883.

WILLIAM KINGSFORD. The Early Bibliography of the Province of Ontario. 1892, pp. 21-25. Description of the Archives at Ottawa.

PIONEER HISTORICAL SOCIETY OF MICHIGAN. Collections, Vols. IX, X, XI, XIX, XX, XXIII.

Contain lists of Haldimand Papers (with text), from the Archives of the Dominion of Canada, extending in date from 1762-1790. Vol. XIX also contains a list of Bouquet Papers. In the index to MSS. in the British Museum, 1880, p. 679, they are noticed under the title: Official Correspondence and Papers of General Frederick Haldimand during his various commands, 1758-1785. See also Winsor, VII, 188, and VIII, 461, and the Bulletin of the Boston Public Library, VII, 308.

CHICAGO HISTORICAL SOCIETY. Collections, Vol. IV, pp. 11-111.

List of John Todd Papers, from Canadian Archives; also list of Rocheblave Papers, from Haldimand Papers in the same repository.

CATALOGUE OF THE LIBRARY OF PARLIAMENT [CANADA]. Toronto, 1858.

Pages 1448-1655 constitute a catalogue of the MSS. Of these, pp. 1451-1613 are devoted to MSS. relating to the history of New France, especially the official correspondence of the French Government relative to New France, drawn from the Archives of the Ministries of Marine and War in Paris. The ensuing pages refer to other portions of Canadian history.

Quebec.

SECRÉTAIRE DE LA PROVINCE DE QUÉBEC. Premier Rapport, 1886-87.

And succeeding annual volumes. Contain lists of documents in the custody of the registrar of the province.

COLLECTION DE MANUSCRITS contenant Lettres, Mémoires et autres Documents Historiques relatifs à la Nouvelle France, recueillis aux Archives de la Province de Québec, ou copiés à l'étranger. Mis en ordre et édités sous les auspices de la Législature de Québec. 4 vols. Quebec, 1883-1885.

J. G. BOURINOT. *Cape Breton and its Memorials.* 1892.

Pages 142-144, list of some of the documents in Quebec archives relating to Cape Breton.

WINSOR. *Narrative and Critical History*, iv. 356-357, 367.

Description of the register and proceedings of the Council at Quebec. Page 367, brief description of the MSS. obtained from abroad by B. P. Poore for the State of Massachusetts, copied for the Quebec Government, and now in its archives.

LITERARY AND HISTORICAL SOCIETY OF QUEBEC. *Transactions*, Librarian's Report, December 31, 1888, by F. C. Württele, pp. 18, 19. List of MS. volumes delivered by the Librarian to the Provincial Secretary, by Order in Council.

WINSOR. *Narrative and Critical History*, v, 603, 604.

List of journals of the siege of Quebec in the office of the Royal Engineers, Quebec.

Toronto.

WILLIAM KINGSFORD. *The Early Bibliography of the Province of Ontario.* 1892.

Page 127. brief description of some MSS. in the Public Library of Toronto.

Halifax.

RECORD COMMISSION CATALOGUE, 1877. *Catalogue or List of Manuscript Documents*, arranged, bound, and catalogued under the direction of the Commissioner of Public Records, together with a *List of Books of Entry*, consisting of Minutes of His Majesty's Council, Letters, Registers of Crown Grants of Land, Commissions, Orders of Government, etc., from the year 1710 to year 1867, preserved in the Government Offices at Halifax, Nova Scotia. Also, a list of the boxes which contain papers assorted in bundles, with memorandum of contents of each box.

Winsor, v, 458, gives a list of part of the volumes arranged by Mr. T. B. Akins, in the legislative library at Halifax.

3. NEW HAMPSHIRE.

Concord.

NEW HAMPSHIRE PROVINCIAL PAPERS. Documents and Records relating to the Province of New Hampshire from the Earliest Period of its Settlement, 1623-1776. Edited by Nathaniel Bouton. Seven volumes, 1867-1873.

The prefaces to the volumes give a brief description of the records.

NEW HAMPSHIRE STATE PAPERS, Vols. XIV-XVII. *Revolutionary Rolls*, Vols. I-IV. Edited by Isaac W. Hammond.

The prefaces, etc., afford some knowledge of the records.

NEW HAMPSHIRE HISTORICAL SOCIETY. *Collections*, Vol. II., pp. iii, iv. List of letters, etc., copied from the originals in the office of the secretary of state of New Hampshire.

4. VERMONT.

Montpelier.

RECORDS of the Council of Safety and Governor and Council of Vermont, 1775-1836. Eight volumes. 1873-1880.

Lists in tables of contents.

WILLIAM SLADE. Vermont State Papers. Middlebury, 1823.
Pages iii-viii, list.

VERMONT HISTORICAL SOCIETY. Collections, Vol. II, p. 3.

A brief description of the Haldimand Papers, especially those of which there are copies in the office of the secretary of state of Vermont.

5. MASSACHUSETTS.

Boston.

HENRY B. PIERCE AND OTHERS. Report to the Legislature of Massachusetts upon the Condition of the Records, Files, Papers, and Documents in the Secretary's Department, January, 1885, 42 pp.

Report made by a commission appointed to make this examination. It contains a general account of the condition of the archives of the State; a list of the volumes as arranged by J. B. Felt, 1836-1846; a list of papers abstracted from their volumes; a list of the most ancient and valuable documents; a list of volumes not included by Mr. Felt; a description of the records of the general court and of the council, of the minutes and files of the council, of the journals and papers of the senate and house, and of charters; a list of volumes of the documents of conventions; a description of the collection of letters and of the archive material relating to the French and Indian war; lists of collections relating to the provincial period in general and to the Revolutionary war and other wars, and a list of the collections for the period subsequent to the Revolution. Mr. Winsor, who was a member of the commission, gives a summary of its report in *Narrative and Critical History*, v, 165, and another account in viii, 426 ff. In iv, 387, he gives a brief description of the MSS. obtained for Massachusetts from the Paris archives.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, third series, Vol. II, pp. 260 ff.

Account of the Plymouth Colony Records, with partial list of contents.

RECORDS of the Colony of New Plymouth in New England, 1633-1698, edited by N. B. Shurtleff and David Pulsifer. Twelve volumes. 1855-1861.

Descriptive matter in introduction to Vols. I and IX, and some others.

RECORDS of the Governor and Company of the Massachusetts Bay in New England, 1628-1686, edited by N. B. Shurtleff. Five volumes. 1853-54.

Lists, etc., in prefatory matter.

MASSACHUSETTS SOLDIERS AND SAILORS IN THE REVOLUTIONARY WAR. A Compilation from the Archives, prepared by the secretary of the Commonwealth. (To comprise fifteen volumes.) Vol. I, 1896.

General description of Revolutionary rolls in preface.

WINSOR. *Narrative and Critical History*, viii, 431-433.

A historical account and brief description of the Hutchinson Papers in the Massachusetts archives. Another brief description will be found in James K. Hosmer, *Life of Thomas Hutchinson*, p. xxiii.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, second series, Vol. IX, pp. 370-371, 1832.

List of Hutchinson Papers presented by the secretary of the Commonwealth, Alden Bradford. As to the controversy respecting these, and the subsequent delivery of Hutchinson Papers to the secretary of the Commonwealth, see the Society's Proceedings, 1873-1875, pp. 217 ff.

THOMAS C. AMORY. *Life of James Sullivan*. Two volumes. Boston, 1859.

Pages vii, viii contain a brief description of the Sullivan Papers that are in the State archives.

NEW HAMPSHIRE HISTORICAL SOCIETY. Collections, Vol. II.

Page 212, brief description of Penacook Papers in the office of the secretary of the Commonwealth of Massachusetts.

CARROLL D. WRIGHT. Report on the Custody and Condition of the Public Records of Parishes, Towns, and Counties (Mass.), 1889. 379 pp.

ROBERT T. SWAN. Second Report on the Custody and Condition of the Public Records of Parishes, Towns, and Counties (1890).

And subsequent annual reports, third to ninth, 1891-1897. The volumes of Massachusetts town records listed in the American Historical Review, I, 581-584, usually contain, in the prefaces, some account of the MS. records of the towns.

6. RHODE ISLAND.

Providence.

J. R. BARTLETT. Bibliography of Rhode Island.

Contains a brief mention of MSS. in the office of the secretary of state.

J. R. BARTLETT. Records of the Colony of Rhode Island, 1636-1792. Ten volumes. Providence, 1850-1865.

The prefaces to the volumes give some description of the records.

WINSOR. Narrative and Critical History, VIII, 440.

Brief enumeration of the Rhode Island records of the Revolutionary period in the office of the secretary of state.

RHODE ISLAND HISTORICAL SOCIETY. Publications, new series, Vol. I. (1893-94) pp. 115-176.

Accounts of the various town records of Rhode Island by the respective town clerks.

7. CONNECTICUT.

Hartford, etc.

CHARLES J. HOADLEY. The Public Records of the State of Connecticut, 1776-1780. Two volumes, 1894, 1895.

Brief description of records in the prefaces.

Report of the Secretary of State and State Librarian to the General Assembly [of Connecticut] on Ancient Court Records, by L. M. Hubbard and C. J. Hoadley, 1889. 38 p.

This includes all court records down to 1886, and presents lists of the volumes of court records in the secretary's office at Hartford, in the offices of the clerk of the superior court for Hartford County, of the clerk of the county court, and in the probate office, together with similar lists of judicial records for each of the other counties of the State, records to be found at the county towns. A brief résumé of this pamphlet is given in Winsor, VIII, 442.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Second Series, Vol. V, pp. 288-302.

List by R. C. Winthrop, jr., of MSS. given to the State Library of Connecticut, Hartford.

8. NEW YORK.

Albany.

WINSOR. Narrative and Critical History, V, 231-233.

Descriptive list of MS. sources of New York history in the State archives.

GEORGE W. SCHUYLER. Colonial New York, Vol. I, pp. iv-x.

Description of State Archives.

JOHN ROMEYN BRODHEAD. Report to the senate of New York, February 26, 1845, followed by "Calendar to the Holland Documents in the office of the secretary of state at Albany; transcribed from the originals in the Royal Archives at The Hague and in the Archives of the City of Amsterdam," and "Calendar to the London Documents in the office of the secretary of state, etc., transcribed from the originals in the Queen's State Paper Office; in the office of the Privy Council; in the Library of the British Museum, and in the Library of the Archbishop of Canterbury." 735 pp.

WINSOR. Narrative and Critical History, IV, 409-410.

List of volumes of Brodhead's collections from Holland, France, and England relating to the colonial history of New York. Winsor, IV, 36, 356, also contains, when describing the MS. sources of Canadian history, brief lists of the copies from the Paris archives, and from the London Colonial Office, which are in the library of the State of New York. Many of these documents are listed (and printed) in J. R. Brodhead and E. B. O'Callaghan's ten volumes of Documents relating to the Colonial History of the State of New York.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, by W. C. Lane and C. K. Bolton.

Presents brief list of the important collections of MS. volumes, six hundred in number, in the State Library of New York at Albany.

CATALOGUE OF MSS. received from the office of the secretary of state and deposited in the State library [of New York] in pursuance of a joint resolution of the senate and assembly, passed December 15, 1847. 53 pp. Catalogue of Historical Papers, ditto, 55 pp., Albany, 1849.

CATALOGUE OF THE NEW YORK STATE LIBRARY, 1850, pp. 1021-1054.

Catalogue of "Manuscripts received from the office of the Secretary of State and deposited in the State library," etc.

ANNUAL REPORT of the Trustees of the State Library of the State of New York, by G. Y. Lansing, March 10, 1854, p. 129.

List of MSS. presented by William H. Bogart.

ANNUAL REPORT of the Trustees of the State Library of the State of New York, by G. Y. Lansing, March 11, 1855, pp. 78-83.

List of MSS. added from January 1, 1850, to January 1, 1855. See, also, reports of 1856 and 1871.

NEW YORK STATE LIBRARY. Catalogue, 1856, Vol. III, pp. 95-113.

Catalogue of the MSS.

TRUSTEES OF THE NEW YORK STATE LIBRARY. Annual Report, 1881.

Appendix 3, Report on Historical Documents, by B. Fernow, pp. 11-15.

Descriptive list of volumes of records, MSS., etc., in the State library. A résumé of this Sixty-fourth Annual Report is given in Winsor, VIII, 445.

TRUSTEES OF THE NEW YORK STATE LIBRARY. Annual Reports, 1882, 1884, 1885.

Contain reports by G. W. Clinton on the George Clinton MSS. The report for 1885 also contains a list of marriage bonds, etc., by B. Fernow.

UNIVERSITY OF THE STATE OF NEW YORK. Historical and Statistical Record, 1885, pp. 778-779.

List, by Franklin B. Hough, of records transferred (according to act of April 19, 1881) from the office of the secretary of state, and from the comptroller's office to the Regents of the University of New York as trustees of the State library.

TRUSTEES OF THE NEW YORK STATE LIBRARY. Annual Report, 1886, pp. 11-12.

Brief description, by H. A. Homes, of fourteen volumes of Clinton MSS. lately added.

TRUSTEES OF THE NEW YORK STATE LIBRARY. Annual Report, 1888.

Contains a brief list of some of the more notable collections and original MSS. in the library, followed by a list of the transcripts of papers from the French Archives.

REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK. Annual Report on the State Library, 1891, p. 21.

Some account of the MS. archives, with especial reference to the colonial records, by George R. Howell. The annual report for 1892, pp. 20-23, contains further items in this list.

AMERICAN HISTORICAL ASSOCIATION. Papers, Vol. II, Willem Usselinx, by J. F. Jameson, pp. 213-220.

List of transcripts from the Archives of The Hague relating to Usselinx (Murphy Papers) in State Library of New York, Albany. Of the transcripts enumerated in this list, derived from the Hague and Leiden, those which were not among the Murphy Papers, but were the property of Mr. Jameson, are now in the possession of the New York State Library.

E. B. O'CALLAGHAN. Calendar of Historical Manuscripts in the Office of the Secretary of State, Albany, N. Y. Part I, Dutch Manuscripts, 1630-1664. Part II, English Manuscripts, 1664-1776. Albany, 1865-66.

CALENDAR of New York Colonial Manuscripts indorsed Land Papers in the office of the secretary of state of New York, 1643-1803. 1087 pp. Albany, 1864.

LIST OF BOOKS AND PAPERS in the office of the secretary of state. 8 pp. Albany, 1866.

CALENDAR of historical manuscripts relating to the war of the Revolution in the office of the secretary of state. Two volumes, Albany, 1868.

DOCUMENTS relating to the colonial history of the State of New York, Vols. XII and XIII. Documents relating to the history of the Dutch and Swedish settlements of the Delaware River, edited by B. Fernow.

"Translated and compared from original manuscripts in the office of the secretary of state at Albany, and in the Royal Archives at Stockholm." Lists are given.

NEW YORK HISTORICAL SOCIETY. Collections, 1885, pp. ix-xiii.

Description by Edward F. De Lancey of records relating to the freedom of the city of New York, some of which are in the State archives at Albany.

NEW YORK STATE ARCHIVES, Vol. I, New York in the Revolution, by Berthold Fernow.

Some lists of papers.

WINSOR. Narrative and Critical History, VIII, 447.

Brief description of the papers of Gen. John Lacey in the New York State Library at Albany.

9. NEW JERSEY.

Trenton.

SELECTIONS from the correspondence of the executive of New Jersey from 1776 to 1786, 368 pp., 1848.

Pages v-xvi give a list of such letters in the office of the secretary of state.

WINSOR. *Narrative and Critical History*, VIII, 449.

Brief description of the New Jersey archives. Some account of these archives will also be found in the prefatory matter to certain of the eighteen volumes published by the State under the title *Archives of the State of New Jersey*, 1631-1776.

NEW JERSEY HISTORICAL SOCIETY. *Collections*, Vol. v. An analytical index to the colonial documents of New Jersey in the State Paper Office of England, compiled by H. Stevens. Edited, with Notes and References to MSS. in other Repositories, by W. A. Whitehead, 504 pp., 1858.

10. PENNSYLVANIA.

Harrisburg.

REPORT of the Select Committee [of the senate] on the Colonial Records, 1851. Ditto, house of representatives.

PENNSYLVANIA ARCHIVES, first series, edited by Samuel Hazard, Vol. I, pp. 7-13.

A report of a committee containing a partial description of the archives of the State. Some additional indications will be found in the prefaces of the various volumes of the three series entitled *Pennsylvania Archives* and of the series entitled *Colonial Records of Pennsylvania*.

11. MARYLAND.

*Annapolis and Baltimore.*¹

DOCUMENT No. 7. Report of D. Ridgely [State Librarian] to the executive of Maryland, in relation to the collection of documents * * * ordered to be deposited in the council chamber. Also, a second and third report, joined with this. Annapolis, 1836.

J. H. ALEXANDER. *Index to the calendar of the Maryland State Papers*. Baltimore, 1861.

ETHAN ALLEN. *Report on the condition of the public records*. Annapolis, 1860. 5 pp.

REPORT of the Rev. Dr. Ethan Allen, in relation to the records of the executive department; and letter from John H. Alexander, esq., in reference to the *Calendar of Domestic State Papers*. [Annapolis, 1861.] 8 pp.

ARCHIVES OF MARYLAND. *Proceedings and acts of the general assembly of Maryland, 1637-38 to 1664*, by J. W. M. Lee, B. T. Johnson, and H. Stockbridge. Baltimore, 1883.

Contains a report upon the archives of Maryland made to the general assembly of the State by a committee of the Maryland Historical Society in 1883, together with a calendar of the State archives. The latter also exists separately as a quarto pamphlet of lvi pp. Two pages of additions and corrections to the above calendar of Maryland archives are to be found in the next volume, "*Proceedings and Acts of the General Assembly of Maryland, 1666-1676.*"

¹In accordance with an act of the assembly, the MS. documents of the State, previously kept at Annapolis, have in large part been transferred to the rooms of the Maryland Historical Society, at Baltimore, for access during the period during which the Society is publishing the volumes of Maryland archives.

ARCHIVES OF MARYLAND. Proceedings of the council of Maryland, 1636 to 1667. Baltimore, 1885.

Contains p. vii, a "Memorandum of record books at the land office, Annapolis, not calendared in the Maryland Archives."

WINSOR. Narrative and Critical History, III, 555-557, v. 270.

Description by W. T. Brantly of the Maryland Archives and notes taken from the calendar above mentioned.

12. VIRGINIA.

Richmond.

CALENDAR OF VIRGINIA STATE PAPERS, 1652 to 1795. Edited by W. P. Palmer and others. Seven volumes. Richmond, 1875.

The introduction to Vol. I, especially pages xiv to xxv, describes the manuscript historical resources of Virginia.

WINSOR. Narrative and Critical History, III, 161, 164.

Relates to the abstracts from English State Papers (Sainsbury Papers) in the State Library of Virginia, to the journals of the general assembly, and to the records of the county courts.

WINSOR. Narrative and Critical History, VIII, 454.

Describes papers relating to the revolutionary history of the State.

13. NORTH CAROLINA.

Raleigh.

HISTORICAL SOCIETY OF THE UNIVERSITY OF NORTH CAROLINA. Indexes to documents relative to North Carolina during the colonial existence of said State, now on file in the offices of the Board of Trade and State Paper Office in London, transmitted in 1827. Raleigh, 1843. 120 pp.

Published by the State; also, in another form, by the Historical Society of the University of North Carolina. Of these papers copies have since been obtained.

THE COLONIAL RECORDS OF NORTH CAROLINA. Ten volumes. Edited by W. L. Saunders. Raleigh, 1886-1890.

W. L. SAUNDERS. Abstracts of records and documents relating to the Colonial History of North Carolina during the Proprietary Government. [Raleigh, 1885.] 36 pp.

WINSOR. Narrative and Critical History, VIII, 456.

List of MS. materials in the secretary's office for the Revolutionary history of the State.

14. SOUTH CAROLINA.

Columbia.

REPORT of the Committee of the South Carolina Historical Society in the matter of the procuring transcripts of the colonial records, October 3, 1891.

An appendix gives a list of journals of the Council and House of Commons, etc., in the office of the secretary.

MAGAZINE OF AMERICAN HISTORY. Vol. XXVI, p. 388. The Colonial Records of South Carolina.

SOUTH CAROLINA HISTORICAL SOCIETY. Collections, Vol. I, 1857, pp. 85-307.

A list and abstract of documents relating to South Carolina now existing in the State Paper Office, London. Transcripts of these are now at Columbia.

15. *GEORGIA.**Atlanta.***WINSOR.** Narrative and Critical History, v, 397-402.

Brief descriptions of MSS. in the office of the secretary of state and of transcripts made for the State in England and now in the State library.

16. *LOUISIANA.**Baton Rouge.***FORTY-SIXTH CONGRESS, SECOND SESSION.** House Miscellaneous Document No. 22. Letter from Mr. Charles Gayarré * * * * * relative to the early history of Louisiana. Pp. 24.

Gives an account of the historical MSS. which were in the State Library at Baton Rouge, especially those obtained from Spanish archives.

17. *TEXAS.**Austin.***C. W. RAINES.** Bibliography of Texas, Appendix 2, p. 247.

An account of some of the MSS. in the department of state and in the State library. See also the reports of the department of insurance, etc.

18. *OHIO.**Columbus.*

Indexes to the St. Clair Papers, [Columbus, 1870], pp. 19.

19. *ILLINOIS.**Springfield.***ILLINOIS STATE HISTORICAL LIBRARY.** Biennial reports, 1891, 1893, 1895.20. *WISCONSIN.**Madison.*

(See Wisconsin, Madison, State Historical Society, under II.)

21. *IOWA.**Des Moines.***HISTORICAL DEPARTMENT OF IOWA.** First Biennial Report, 1895, 122 pp.
Gives a catalogue of the collections, including MSS.**ANNALS OF IOWA, Third Series, Vol. II, p. 557, 1896.**

Description, by B. F. Shambaugh, of the MS. copies of Iowa constitutions in the office of the secretary of state.

22. *KANSAS.**Topeka.*

(See Kansas, under II.)

23. *NEW MEXICO.**Santa Fe.***MAGAZINE OF WESTERN HISTORY, Vol. XV, p. 574.**

Brief description of the archives of New Mexico, 1621-1801. There is another in H. H. Bancroft, History of Arizona and New Mexico, pp. 19, 20.

II.—LOCAL REPOSITORIES.

OF MUNICIPALITIES, SOCIETIES, INDIVIDUALS.

1. CANADA.

Quebec.

PHILÉAS GAGNON. *Essai de Bibliographie Canadienne*, Quebec, 1895. Pp. x, 710.

An account of the author's own collection; pp. 531-656 present a catalogue of his letters, autographs and other MSS.

LITERARY AND HISTORICAL SOCIETY OF QUEBEC. *Transactions*, No. 20, 1891. Index of the lectures, papers, and historical documents published by the Society * * * together with a list of unpublished papers read before the Society, 1829-1891, by F. C. Würtele. 49 pp.

CATALOGUE OF THE LIBRARY OF PARLIAMENT [Canada], 1858, pp. 1622-1644.

A list of historical documents relating to Canada and the English colonies in America, from the London archives, deposited in the library of the Literary and Historical Society of Quebec. Others on p. 1613.

MAGAZINE OF AMERICAN HISTORY, Vol. III, p. 458.

List of MS. volumes, acquired in Europe, now in the library of the Literary and Historical Society of Quebec.

WINSOR. *Narrative and Critical History*, VI, 223.

Enumerates records of the Quebec campaign of 1775-76, to be found in the library of the Literary and Historical Society of Quebec.

NEW YORK HISTORICAL SOCIETY. *Collections*, Vol. III, 1857.

List of Jogues Papers in the Hotel Dieu, at Quebec.

ABBE SASSEVILLE and J. G. SHEA. *Notes on the two Jesuit Manuscripts belonging to the estate of the late Hon. John Neilson of Quebec, Canada*. 1887. 16 pp.

Toronto.

WINSOR. *Narrative and Critical History*, VIII, 175.

Description of the papers of the Hon. Col. D. W. Smith, in the Public Library of Toronto.

Halifax.

WINSOR. *Narrative and Critical History*, V, 458.

Brief description of the papers of Rev. Andrew Brown, in the hands of the Nova Scotia Historical Society.

2. MAINE.

Portland.

MAINE HISTORICAL SOCIETY. *Documentary History of Maine*. Proceedings of the Legislature of Maine for procuring copies of original papers in the British State Paper Office, not heretofore published, in regard to the early history of Maine. [Augusta, 1863.]

MAINE HISTORICAL SOCIETY. *Collections and Proceedings*, 1892, pp. 277-279.

List of Williamson MSS.

MAINE HISTORICAL SOCIETY. *Collections, Second Series*, Vol. IV, pp. vii-xvi.

List of Baxter MSS.

MAINE HISTORICAL SOCIETY. Collections, Second Series, Vol. III, p. xi.
List of Trelawny Papers, possessed by the Society.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, p. 59.
Brief enumeration of MSS. of Maine Historical Society.

MAINE HISTORICAL SOCIETY. Collections, Vol. 1, pp. 269, 305-307.
Account of the early York records and of the Lincoln MSS.

MAINE HISTORICAL SOCIETY. Collections and Proceedings, 1895, p. 7.
Descriptive list of the records of the "Old First Parish" of Portland.

Alfred.

WINSOR. Narrative and Critical History, III, 363, 364.
Account of the early records of Maine at Alfred.

3. NEW HAMPSHIRE.

Concord.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, pp. 26, 27.
List of the most important MSS. of the New Hampshire Historical Society.

NEW HAMPSHIRE HISTORICAL SOCIETY. Collections, Vol. IX, 1889.
With the table of contents is included also a partial list of the MSS. possessed by the Society.

4. MASSACHUSETTS.

Boston, Massachusetts Historical Society.

MASSACHUSETTS HISTORICAL SOCIETY. Catalogue of the Books, * * *
Manuscripts, etc., in the Library of the Society. 1811. 96 pp.

MASSACHUSETTS HISTORICAL SOCIETY. Catalogue of the Library of the
Society. Two volumes. Boston, 1859-60.

This enumerates bound volumes of MSS. (427 bound volumes of MSS. were then noted), but not the unbound. There is no separate list of MSS. The preface to Vol. II, pp. iii-vi, gives a descriptive list of twelve important collections and an additional list of miscellaneous MSS. In the Proceedings of the Society, Second Series, Vol. VIII, p. 330, is a list of the passages in the publications of the Society (chiefly in its Proceedings), in which lists of gifts are noted.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings (1867-1869), pp. 323-325.

Dr. Belknap's list of MSS. in the Cabinet of the Massachusetts Historical Society in 1792. (MS. list made by Dr. Belknap, found 1868.)

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, 1791-1835.

Page 8, list of MSS. presented by Dr. James Freeman, April, 1791. Pages 21-22, list of MSS. presented by Dr. Jeremy Belknap, October, 1791. For further notices of Dr. Belknap's papers, see below, and Winsor, v, 436. Many of them are printed in the Society's Collections, Fifth Series, Vols. II, III; Sixth Series, Vol. IV. Pages 216, 217, list of donations for the collections, including MSS., August 28, 1810, and other similar reports in this volume. (In Proceedings, Second Series, Vol. II, pp. 291, 292, there is a "List of MSS. recently donated," 1816.) Page 271, descriptive list of eight volumes of MS., "Minutes of the Doings in Congress and Several of the Provinces, from September 5, 1774, to October 26, 1774."

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, II. (1835-1855), p. 121.

The Librarian's report, containing a list of MS. volumes, mentioned as the most important possessed. Page 229, list of 57 volumes of MSS. indexed by Mr. J. W. Snelling (April, 1842).

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, 1855-1858, pp. 294-296.

Description of the Belknap MSS., by Charles Deane.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, 1858-1860, pp. 10-13.

List of MSS. received in year, including 9 volumes Spanish MSS.; Pierce Memoranda, 18 volumes; Belknap Papers. Pages 287-289, brief classified list of Heath Papers, 45 volumes.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, 1862-63, p. 15.

List of MSS. received during the year.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, 1867-1869, pp. 158-165.

List of the principal MSS. belonging to the Society.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Vol. XIII (1879-80), pp. 136-140.

Descriptive list of (8 volumes) Holmes Papers.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Second Series, Vol. I (1884-85), pp. 360, 361.

List of MSS. given to the Society by Francis Parkman, January 8, 1885, followed by a general description of the several volumes.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Second Series, Vol. IV (1887-1889), pp. 44-46.

Descriptive list of MSS. presented to the Society by Mr. Parkman.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Second Series, Vol. VII, pp. 348, 349.

List of papers given to Massachusetts Historical Society, April 11, 1892, by Francis Parkman. Some matter descriptive of the Parkman MSS. will also be found in Winsor, IV, 367; V, 453, 454, 594, 599, 605.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Third Series, Vol. I, pp. iii-iv.

List of certain Hutchinson Papers. See Proceedings, 1873-1875, pp. 217 ff., for transfer of certain Hutchinson Papers to the secretary of the Commonwealth of Massachusetts.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Fourth Series, Vol. V, preface.

Account of the Hinckley Papers.

WINSOR. Narrative and Critical History, III, 357-358.

Brief account of the MS. Journal of John Winthrop, by Charles Deane. See also the Memorial History of Boston, Vol. I, p. xvii. The Winthrop Papers possessed by the Society have in part been published in its Collections, Third Series, Vols. IX, X; Fourth Series, Vols. VI, VII; Fifth Series, Vols. I, IV, VIII; Sixth Series, Vols. III, V, in some of which lists will be found.

JOHN L. SIBLEY. Harvard Graduates, Vol. III.

Complete list of the writings of Cotton Mather, of which some are possessed by the Massachusetts Historical Society.

WINSOR. Narrative and Critical History, V, 167.

Brief description of the Sewall Papers.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Sixth Series, Vols. VI, VIII.

Belcher Papers; descriptive list of MS. volumes in preface to Vol. VI. Appendix, pp. 449-520, "Calendar of letters and papers from September 3, 1731, to January 21, 1733-34, which are not printed in this volume." A similar appendix, January 23, 1733-34, to April 21, 1735, and August 24, 1739, to July 25, 1743, is printed in Vol. VII.

H. Doc. 353—32

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Sixth Series, Vol. VIII. Historical Index to the Pickering Papers, 580 pp.

MAGAZINE OF AMERICAN HISTORY. Vol. XXX., p. 143. The Pickering Manuscripts, by H. E. Green.

See, also, Winsor, VIII, 434.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Sixth Series, Vols. IX, X.

Trumbull Papers. Pages ix-x., give a description of the 28 volumes; in an editorial note on p. xv. is given a list of those papers not printed in Vol. IX, which are in vol. 22 of the Trumbull Papers in the Society's library. At pp. 319-329 in Vol. X are lists of letters from Washington to Trumbull and vice versa.

USHER PARSONS. The Life of Sir William Pepperell, Bart.

Preface to first edition gives descriptive account of papers in the library of the Massachusetts Historical Society. See, also, Winsor, V, 436, 437, where other Louisbourg papers possessed by the Society are also described.

WINSOR. Narrative and Critical History, III, 362.

Description by Charles Deane of William Hubbard's MS. history of New England in the library of the Massachusetts Historical Society.

JAMES K. HOSMER. The life of Thomas Hutchinson, p. xxiii.

Brief description of the Hutchinson Papers owned by the Massachusetts Historical Society. See also under the Archives of Massachusetts.

WINSOR. Narrative and Critical History, V, 585-586.

List of Israel Williams MSS.

WINSOR. Narrative and Critical History, VI, 188.

List of a few diaries and orderly books, in the library of the Massachusetts Historical Society, relating to the American Revolution.

WINSOR. Narrative and Critical History, VIII, 437.

On the minor collections or Revolutionary papers in the library of the Massachusetts Historical Society. It should be added here that the Society has printed a large number of its MSS., as the Heath, Sewall, Warren, and Winthrop papers.

Boston, municipal.

(A reminder should here be added that many of the printed volumes of Massachusetts town records, listed in the American Historical Review, Vol. I, pp. 581-584, contain in their prefaces accounts of the MS. records of the respective towns.)

JUSTIN WINSOR. Memorial History of Boston, Vol. I, pp. xx-xxii.

List, by the city clerk, of the volumes of records and papers in his office. Lists are likewise presented for those towns that have been annexed, and lists of papers in the office of the city registrar. See, also, the successive reports of the record commissioners of the city, and Winsor, Narrative and Critical History, VI, 95.

BOSTON PUBLIC LIBRARY. Bulletin, Vol. IV, p. 278, 1877.

Catalogue of old papers of the overseers of the poor of Boston.

THE PRINCE LIBRARY. A Catalogue of Books and Manuscripts, formerly belonging to Thomas Prince * * * and now deposited in the Public Library of the City of Boston.

A calendar of the autographs and other manuscripts presented by the Hon. Mellen Chamberlain has been printed, and a catalogue of other manuscripts possessed by the library is now in progress.

MASSACHUSETTS HISTORICAL SOCIETY. Collections, Fourth Series, Vol. VIII.

The preface contains a brief description of the Mather Papers in the Boston Public Library.

BOSTON PUBLIC LIBRARY. Bulletin.

Lists of MSS. acquired by the library have been printed in Vol. III, p. 263; Vol. IX, pp. 57-335; Vol. X, pp. 29, 30, 266; Vol. XI, pp. 116, 162; Vol. XIV, pp. 268, 269; and in the Monthly Bulletin, Vol. I, pp. 16, 51, 81.

WINSOR. Narrative and Critical History, VIII, 429-431.

A description of the papers of Gen. Henry Dearborn possessed by the Boston Public Library.

Boston, others.

NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY. Proceedings, January, 1881, pp. 27-31.

A description of the Knox MSS. by E. F. Slafter. Some account of these is also to be found in the preface to the Life and Correspondence of Maj. Gen. Henry Knox, by Francis S. Drake, Boston, 1873; and in Winsor, VIII, 433.

COLONIAL SOCIETY OF MASSACHUSETTS. Publications, Vol. I.

Descriptions, *passim*, of the documents presented to the Society.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, by W. C. Lane and C. K. Bolton, p. 12.

Manuscripts respecting Brownism in the Congregational Library at Boston.

Brookline.

BROOKLINE HISTORICAL SOCIETY. Publications, No. 2, pp. 7-14, the Sharp Family Papers in the Brookline Public Library; No. 4, White Family Papers.

Cambridge

JOSIAH QUINCY. History of Harvard University, Vol. I, pp. 449-452.

Descriptions of the early records of the college.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 27. A few Notes concerning the Records of Harvard College, by Andrew McF. Davis.**LIBRARY OF HARVARD UNIVERSITY.** Bibliographical Contributions, No. 8. Calendar of the Arthur Lee Manuscripts in the library of Harvard University, by Justin Winsor. 43 pp.

This was reprinted from the Harvard University Bulletin.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 22. Calendar of the Sparks Manuscripts in the Harvard College Library, with an appendix showing other MSS., by Justin Winsor. 88 pp.

This was reprinted from the Bulletin of Harvard University. A condensed list of the Sparks Papers is also to be found in the catalogue of the Sparks Library, Appendix, pp. 213-230. The other MSS. covered by this pamphlet are chiefly papers of Thomas Gage, of Samuel Tucker, and of Paul Mascarene, and a series of MSS. in the Delaware language. Winsor, Narrative and Critical History, VII., 73, gives a partial list of the Sparks MSS. Those of General Lincoln are in part listed in Winsor, VI., 513.

WINSOR. Narrative and Critical History, VIII, 429.

Description of the papers of Governor Francis Bernard in the library of Harvard College. In Winsor, V, 401, is a description of a MS. of John Gerard William de Brahm, relating to the Carolinas.

HISTORICAL MAGAZINE, Vol. VII, p. 128.

Description of MSS. given to Harvard College by Charles Lowell Hancock.

Chelsea.

F. S. DRAKE. *Tea Leaves, being a Collection of Letters and Documents relating to the shipment of Tea, etc.* (1884).

Preface gives brief account of MS.; index, pp. 370-373, list of letters and documents. In private possession, Chelsea.

Dedham.

WINSOR. *Narrative and Critical History*, VIII, 435.

Gives a brief description of the papers of Gen. James Warren in the possession of Mr. Winslow Warren, Dedham, Mass.

Deerfield.

CATALOGUE OF COLLECTIONS IN MEMORIAL HALL, Deerfield, Mass., by George Sheldon (Deerfield, 1886). See Winsor, VIII, 427.

Nantucket.

NANTUCKET HISTORICAL ASSOCIATION. *Centennial Catalogue, 1895.* 27 pp.

Pages 12, 13, 26, list of log-books and some other MSS. in the library of the Association. Notices of other MSS. are also to be found scattered through the pages of the pamphlet.

Newburyport.

A. H. HOYT. *Pepperell Papers* (1874).

The preface contains a brief description of the papers which are in the possession of Capt. Luther Dame, Newburyport, Mass. The papers are printed with comments.

Quincy.

WINSOR. *Narrative and Critical History*, VIII, 426 ff.

Contains a very brief description of the personal archives of the Adams family.

Salem.

C. W. UPHAM. *Salem Witchcraft, Vol. I, pp. 273-282.*

Contains a general description of the Salem records. The preface, pp. ix-x, also contains some general descriptions of papers relating to witchcraft, to be found in the Essex County clerk's office.

ESSEX INSTITUTE HISTORICAL COLLECTIONS, Second Series, Vol. I, Part I (1868). *Town Records of Salem*, by William P. Upham, 1634-1659.

Pages 5-8 give description of records, indicating lost portions, etc., but no list.

LIBRARY OF HARVARD UNIVERSITY. *Bibliographical Contributions*, No. 45. *Notes on Special Collections*, p. 64.

Brief description of the manuscripts in the library of the Essex Institute, Salem.

ESSEX INSTITUTE BULLETIN, Vol. XXV, pp. 66-67. *Catalogue of Exhibits at the World's Fair.*

The contents of cases 5, 6, and 7 were MSS.

MASSACHUSETTS HISTORICAL SOCIETY. *Proceedings, Second Series, V, pp. 304-305.*

Contains lists of MSS. given to the library of the Essex Institute, Salem, by R. C. Winthrop, jr.

Woburn.

WOBURN PUBLIC LIBRARY. Twenty-sixth Annual Report of the Committee and Librarian, March 1, 1883, p. 7.

Contains a brief description of MSS. in the library. See also *Bulletins of the Library*, Nos. 21, 24, 25; and *Library Journal*, p. 92, May, 1896.

Worcester, American Antiquarian Society.

AMERICAN HISTORICAL REVIEW, Vol. 1, pp. 378, 379.

Brief lists of MSS. in the library of the American Antiquarian Society, including a description of the Mather MSS.

AMERICAN ANTIQUARIAN SOCIETY. Report of the secretary, October 24, 1814, pp. 25-26.

List of MSS. recently received.

AMERICAN ANTIQUARIAN SOCIETY. Address to the members, March, 1819, pp. 28-29.

List of MSS.

NATHANIEL PAINE. A brief notice of the library of the American Antiquarian Society, 1873, pp. 8-16, 47-48.

Descriptive list of some of the MSS. in the library.

AMERICAN ANTIQUARIAN SOCIETY. Proceedings.

The annual reports of the librarian have presented lists of MSS. acquired. In the Proceedings, Vol. 1, pp. 163-165, Mr. Nathaniel Paine gave a list of orderly books and kindred records in the library of the Society. See, also, Winsor, vi, 204, 359.

J. L. SIBLEY. *Harvard Graduates*, Vol. III.

Gives a complete list of the MSS. works of Cotton Mather. Some of his diaries are in the library of the American Antiquarian Society.

5. RHODE ISLAND.

Providence.

RECORD COMMISSIONERS OF THE CITY OF PROVIDENCE. First Report. City Document, No. 18, 1892. 34 pp.

Presents a historical and descriptive account of the early records of Providence, and, in appendix, lists prepared in 1678 and 1755.

RECORD COMMISSIONERS OF THE CITY OF PROVIDENCE. Second Report, 1893. City Document, No. 13. 31 pp.

Presents a description of various MS. papers in the possession of the city and of the Historical Society; also a list prepared in 1677. The third report, 1893, City Document, No. 29, presents similar matter.

RHODE ISLAND HISTORICAL SOCIETY. Collections, Vol. VII, pp. 103-107.

A list of the original records of the town of Providence prepared in 1678.

RHODE ISLAND HISTORICAL SOCIETY. Proceedings, 1892-1893, pp. 77-92.

A general catalogue or descriptive list of the manuscripts in the library of the Society. Notes of acquisitions made at various times will be found in the annual reports of the librarian: e. g., 1875-76, pp. 51-52; 1877-78, p. 61; 1880-81, p. 38; 1884-85, pp. 34-39; 1885-86, pp. 31-34; 1887-88, p. 26; 1888-89, p. 26; 1891-92, p. 39; also in the first numbers of Vols. I-IV (1893-1896) of the quarterly publications of the Rhode Island Historical Society. An enumeration of the Revolutionary papers in the Society's library will be found in Winsor, VIII, 442.

W. E. FOSTER. Stephen Hopkins. Providence, 1884.

Pages 205-208 give a list of unpublished letters of Stephen Hopkins and a brief description of the Esek Hopkins Papers in the library of the Rhode Island Historical Society.

WINSOR. Narrative and Critical History, VIII, 440-442.

Notes respecting private collections in Providence.

6. CONNECTICUT.

Hartford.

CONNECTICUT HISTORICAL SOCIETY. Annual Reports, 1893-1896.

Lists by Albert C. Bates of some of the MS. collections are to be found in the report for 1893 at pp. 26-30; 1894, p. 21; 1895, p. 21; 1896, p. 26.

NEW YORK HISTORICAL SOCIETY. Collections, 1886. The Deane Papers.

Many of these are in the library of the Connecticut Historical Society.

MASSACHUSETTS HISTORICAL SOCIETY. Proceedings, Second Series, V, pp. 302-304.

Contain lists of MSS. given to the library of the Connecticut Historical Society by R. C. Winthrop, jr.

New Haven.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, pp. 38-39.

On MSS. in the library of Yale University.

HENRY M. DEXTER. Congregationalism as seen in its literature. Bibliographical appendix, p. 288.

On the Stiles Papers in the library of Yale University.

7. NEW YORK.

New York City.

HENRY B. DAWSON. Records of New Amsterdam, Vol. I, pp. ix-x.

Brief description, by D. T. Valentine, of records to be found in the office of the clerk of the common council.

NEW YORK HISTORICAL SOCIETY. Collections, 1885, pp. ix-xiii.

Description, by Edward F. De Lancey, of records relating to "Freedom" of city of New York (Burgher Right, etc.), some of which are in the City Hall.

THE MEMORIAL HISTORY OF NEW YORK, Vol. IV, p. 104.

On several of the important collections of MSS. in the library of the New York Historical Society.

NEW YORK HISTORICAL SOCIETY. Collections, Vol. II (1814). Appendix, pp. 137-139.

Catalogue of MSS. in the library of the Society. A number of those subsequently added are noted in the Proceedings of the Society, 1843, pp. 40-42; 1844, pp. 44-45; 1845, pp. 55-57, 67-68; 1846, pp. 55-56. The collections for 1868, pp. xv-xviii, show a list of documents relative to the administration of Leisler. Documents printed in the subsequent volumes of the collections are mainly papers possessed by the Society. A brief description of the papers of Lord Stirling, possessed by this Society, will be found in Winsor, VIII, 448.

New York, Lenox Library.

MEMORIAL HISTORY OF NEW YORK. Vol. IV, pp. 92-93.

A brief descriptive list of the Lenox Collection of Spanish MSS. relating to America. Page 93, classified list of volumes of Chalmers Papers.

- LIBRARY OF HARVARD UNIVERSITY.** Bibliographical Contributions, No. 45. Notes on Special Collections.
General descriptive list of MSS. in Lenox Library, New York.
- JOSEPH SABIN.** The Library of the Late Hon. George Bancroft. A Sketch of the Historical Manuscripts. 89 pp.
- JAMES WYNNE.** Private Libraries of New York (1860), pp. 53-56.
Description of the MS. collections of George Bancroft.
- WINSOR.** Narrative and Critical History, VIII, 426 ff.
A brief description of the Samuel Adams Papers in the Lenox Library.
- MEMORIAL HISTORY OF NEW YORK.** Vol. IV, pp. 118-120.
Descriptive list of many of the MS. collections of Dr. Thomas Addis Emmet, now in the Lenox Library.
- BULLETIN OF THE NEW YORK PUBLIC LIBRARY, 1897.**
Nos. 1-9 (all yet published) contain the beginning of a calendar of the Emmet Collection; also the text of, or information concerning, other MSS.
New York City, others.
- HOLLAND SOCIETY OF NEW YORK.** Collections. Vol. I, Part I, pp. ix-xv.
List of records of Reformed Dutch churches.
- HISTORICAL MAGAZINE, I, 276.** Papers of Gen. Philip Schuyler.
A description of their condition in 1854, by S. Alosfen.
- BRAYTON IVES.** Catalogue of his collection of books and MSS. New York, 1891.
- EDWARD F. DELANCEY.** New York Historical Collections, 1883, pp. vii-viii.
Description of the Kemble Papers (printed in volumes 1883 and 1884). In the possession of Peter Kemble, New York City.
- RHODE ISLAND HISTORICAL SOCIETY.** Publications, Vol. III (1895), pp. 159-167. The papers of Maj. Gen. Nathanael Greene, by J. F. Jameson.
Now mainly in New York City.
Auburn.
- CAYUGA COUNTY HISTORICAL SOCIETY.** Collections. No. 1, pp. 88-94.
List of journals relative to Sullivan's Campaign, 1779.
Brooklyn.
- LONG ISLAND HISTORICAL SOCIETY.** Memoirs, 1869, p. xi.
Brief description of the MS. collections contained in the library.
- LIBRARY OF HARVARD UNIVERSITY.** Bibliographical Contributions, No. 45, p. 9.
Brief descriptions of the unpublished MSS. of the Long Island Historical Society, including the Laurens Papers, some letters of Washington, etc.
- WINSOR.** Narrative and Critical History, VIII, 458.
Brief description of the Laurens Papers in the possession of the Long Island Historical Society. See also the Fifth Annual Report of the Society, p. 26.
- MASSACHUSETTS HISTORICAL SOCIETY.** Proceedings, Second Series, V, pp. 305-306.
List of MSS. given to the Long Island Historical Society, Brooklyn, by R. C. Winthrop, jr.

Buffalo.

BUFFALO HISTORICAL SOCIETY. Annual Report of the Board of Managers, 1885. Secretary's report.

Contains a brief description of the MSS. collections.

BUFFALO HISTORICAL SOCIETY. Annual Report of the Board of Managers, 1886.

List of MSS. added, among them Sullivan's journal, 1779; list of autograph letters.

BUFFALO HISTORICAL SOCIETY. Annual Reports of Board of Managers, 1887-1893. Secretary's reports.

Contain lists of MSS. additions and of autograph letters.

BUFFALO HISTORICAL SOCIETY. Annual Report of Board of Managers, 1894, p. 13.

List of MS. collections, chiefly records of Seneca Nation. Pages 23-24, list of autographs and autograph letters.

Ithaca.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45, pp. 31, 32. Notes on Special Collections.

Mentions the important MSS. in the library of Cornell University, including some MSS. of Washington.

LIBRARY OF CORNELL UNIVERSITY. Bulletin, Vol. II, No. 6, January, 1888, pp. 97-98.

Short account of MS. orderly book of Sullivan's Campaign, 1779.

Mount Vernon.

WINSOR. Narrative and Critical History, v, 536.

List of the campaign letters of Thomas Williams, of Deerfield (1755 and 1756). In the possession of William L. Stone.

Newburg.

E. M. RUTTENBER. Catalogue of Manuscripts and Relics in Washington's Headquarters, Newburg, N. Y., pp. 11-45.

Contains list of the MSS.

Rye.

HISTORICAL MAGAZINE. Third Series, Vol. I, p. 10. Early Records of Trinity Church, New York City, by Charles W. Baird.

Brief descriptions of records are to be found in this and succeeding volumes. Now at Rye, N. Y.

Utica.

ONEIDA HISTORICAL SOCIETY. Annual Report, 1878. Librarian's report, M. M. Jones, Utica, N. Y., pp. 30-32.

Brief description of MS. collections, e. g., p. 30, Van der Kemp Collection, sermons, letters, etc.; p. 31, miscellaneous documents; pp. 31-32, Herkimer Papers, relating to the family of Gen. Nicholas Herkimer.

ONEIDA HISTORICAL SOCIETY. Transactions, 1881, pp. 100-106.

Descriptive list of Herkimer Papers, by M. D. Bogg.

ONEIDA HISTORICAL SOCIETY. Transactions, 1881. Report of the librarian, M. M. Jones, pp. 182-183.

Description of MS. collections; also special remarks upon papers connected with Louisiana purchase and Van der Kemp MSS.

ONEIDA HISTORICAL SOCIETY. Catalogue of the library, 1890, pp. 118-127. Catalogue of MSS. on these pages.

8. NEW JERSEY.

Newark.

NEW JERSEY HISTORICAL SOCIETY. Collections, Vol. IV (1852).

Papers of Governor Lewis Morris of New Jersey, 1738-1746; listed in contents, pp. 11-32. (In the main in the library of the New Jersey Historical Society.)

NEW JERSEY HISTORICAL SOCIETY. Collections, Vol. V. Calendar of New Jersey Colonial Documents in the State Paper Office, England.

Includes a large number of MSS. of the New Jersey Historical Society, etc.

WINSOR. Narrative and Critical History, VIII, 449.

General enumeration of the MS. collections of the New Jersey Historical Society.

NEW JERSEY HISTORICAL SOCIETY. Proceedings, Vol. VIII (1856-1859), pp. 3-4.

Brief description of MS. collections, pp. 4-6; list of the drawings and papers of Robert Fulton in the possession of the Society.

NEW JERSEY HISTORICAL SOCIETY. Proceedings, Second Series, Vol. VIII. Report of the library committee (1885), p. 154.

List of several volumes of added MSS.

WINSOR. Narrative and Critical History, VIII, 449.

List of many papers of the New Jersey Historical Society, with records of surveys, etc., at Burlington and Perth Amboy, N. J.

NEW JERSEY HISTORICAL SOCIETY. Collections, Vol. VI. Records of town of Newark.

Contains some description of the records in the preface.

9. PENNSYLVANIA.

Philadelphia. Historical Society of Pennsylvania.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45, pp. 55-57. Notes on Special Collections.

Contains list (41 numbers) of MSS. in possession of the Historical Society of Pennsylvania.

HISTORICAL SOCIETY OF PENNSYLVANIA. Memoirs, Vol. II (1827), Part I, pp. 225-238.

Presents a list of the instructions, letters, etc., from Thomas and Richard Penn, Proprietaries and Governors of Pennsylvania, to James Hamilton, esq.

PENNSYLVANIA HISTORICAL SOCIETY. Memoirs, Vol. III, Part I, pp. 283-284.

Descriptive list of four letters of William Penn copied in London.

PENNSYLVANIA HISTORICAL SOCIETY. Memoirs, Vol. IV, Part I.

Descriptions of other letters of William Penn are to be found in the introduction.

PENNSYLVANIA HISTORICAL SOCIETY. Catalogue of the Society and Library (1849), pp. 30.

Contains a list of the MSS. A general account is in Winsor, VIII, 450-452.

PENNSYLVANIA HISTORICAL SOCIETY. Collections, 1851-1853.

List of documents in possession of the Society. Pages 121-131, notices of papers in the possession of Charles Thomson, i. e., letters of Jefferson, Jay, etc.

WINSOR. Narrative and Critical History, III, 506-507.

Brief description of the Penn Papers in the possession of the Historical Society of Pennsylvania.

MAGAZINE OF WESTERN HISTORY, XIV, p. 575.

Description of the papers of Governor George Wolf (Pennsylvania, 1829-1836), in the possession of the Historical Society of Pennsylvania.

AMERICAN HISTORICAL ASSOCIATION, Vol. II, pp. 361-368.

J. F. Jameson gives a list of MS. writings of William Uselinx. Those not there designated as at Albany are in the possession of the Historical Society of Pennsylvania.

Philadelphia, other societies.

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, pp. 51-53.

Contains list of MSS. in American Philosophical Society, especially correspondence of B. Franklin, W. T. Franklin, A. and R. H. Lee.

AMERICAN PHILOSOPHICAL SOCIETY. Transactions, Vol. I (1819).

List of MS. donations, concerning the Indians and their language.

AMERICAN PHILOSOPHICAL SOCIETY. Proceedings, Vols. 2-3 (1841-1843). Proceedings, March 5, 1841, pp. 35-36.

List of MS. volumes of records and documents of the Society.

PENNSYLVANIA HISTORICAL SOCIETY. Memoirs, Vols. IX and X. "Correspondence between William Penn and James Logan, secretary of the Province of Pennsylvania, and others, 1700-1705. From the original letters in the possession of the Logan family."

Now in the possession of the American Philosophical Society.

BAPTIST HISTORICAL SOCIETY. Catalogue of books and manuscripts in the library, No. 530 Arch street, Philadelphia. June, 1872.

List of MSS., pp. 96-105.

AMERICAN BAPTIST HISTORICAL SOCIETY. Catalogue of the books and manuscripts in the library of the Society, August, 1874, pp. 108-140.**AMERICAN HISTORICAL REGISTER.** Vol. II, pp. 735 ff., 843 ff., 1449 ff. MSS. possessed by the Mercantile Library Company.**PENNSYLVANIA MAGAZINE OF HISTORY AND BIOGRAPHY.** Vol. 14, p. 182. Autograph collection of Ferdinand J. Dreer, by Gregory B. Keen. No list relating exclusively to American History.**A CATALOGUE** of the Collections of Autographs formed by Ferdinand Julius Dreer. Two volumes (1890).

Andalusia.

WINSOR. Narrative and Critical History, VIII, 433.

A very brief description of the papers of Rufus King in the possession of Charles R. King, Andalusia, Pa.

Gettysburg.

HISTORICAL SOCIETY of the American Lutheran Church, Gettysburg. Catalogue.

10. *DELAWARE.**Wilmington.*

HISTORICAL SOCIETY OF DELAWARE. Catalogue (1871), pp. 9-20.
Contains many MSS.

11. *MARYLAND.**Baltimore.*

LIBRARY OF HARVARD UNIVERSITY. Bibliographical Contributions, No. 45. Notes on Special Collections, p. 4.

Brief general list of collections of MSS. in Maryland Historical Society.

MARYLAND HISTORICAL SOCIETY. Collections, Vol. II. Catalogue of the MSS., maps, etc., in the Maryland Historical Society, by Lewis Mayer, 1854. 49 pp.

MARYLAND HISTORICAL SOCIETY. Fund Publications, No. 28, 1894, pp. 61-126. Calendar of the Calvert Papers.

WINSOR. Narrative and Critical History, III, 555.

Descriptive list of the Maryland records, including those which were possessed by the Maryland Historical Society at the date of the publication of Winsor.

AMERICAN HISTORICAL RECORD, Vol. II, pp. 149 ff. History of the Annapolis "Tuesday Club," by Rev. John G. Morris.

Records described; they are partly in the library of the Maryland Historical Society.

JOHNS HOPKINS UNIVERSITY CIRCULARS, Vol. X, pp. 110-112. Account of the Scharf Library, by L. P. Powell.

Accounts of MS. materials are printed in the circular, Vol. II, p. 60; Vol. V, p. 59; Vol. XI, p. 32, and in "History of Gifts and Bequests received by Johns Hopkins University, 1876-1891." 1892.

12. *VIRGINIA.**Alexandria.*

VIRGINIA MAGAZINE OF HISTORY, Vol. III, pp. 85, 86.

A descriptive list of the vestry books and registers of Virginia parishes, preserved in the library of the Episcopal Theological Seminary near Alexandria. See, also, Winsor III, 161.

Charlottesville.

WINSOR. Narrative and Critical History, VI, 589, 590.

Account of the papers of Paul Jones, and of the Lee Papers, in the Library of the University of Virginia.

Eastville.

PENNSYLVANIA MAGAZINE OF HISTORY, Vol. XVI, pp. 64-74. Quaint Virginia Records, by Thomas T. Upshur.

Description of the court records of Northampton County, Va.

Richmond.

VIRGINIA HISTORICAL SOCIETY. Collections, Vol. VI; Vol. VII, p. xxvi.
Lists of some of the MS. in the Society's library.

VIRGINIA MAGAZINE OF HISTORY, Vol. I, pp. v, vi; Vol. II, p. v; Vol. III, pp. vi, vii.

Account of the more important MSS. possessed by the Society, and of subsequent accessions. Accounts of individual MSS. are also to be found in Winsor, III, 158, 161, 164. The Spotswood and Dinwiddie Papers are described in the prefaces to the Society's editions of them.

13. NORTH CAROLINA.

Chapel Hill.

HISTORICAL SOCIETY OF THE UNIVERSITY OF NORTH CAROLINA. First Annual Report, June 4, 1845, pp. 6, 7.

List of MSS. in possession of the Society.

14. SOUTH CAROLINA.

Charleston.

R. W. GIBBES. Documentary History of South Carolina in the American Revolution.

The preface, p. v, mentions several important collections of papers in the hands of the editor. The index, pp. vii-xv, gives a list.

COLLECTIONS OF THE SOUTH CAROLINA HISTORICAL SOCIETY. Vol. I, 1857.

The introduction gives a brief list of some of the Society's collections.

15. GEORGIA.

Savannah.

GEORGIA HISTORICAL SOCIETY. Collections, Vol. III, Pt. I. (1848), p. 4.

Brief description of the papers of Benjamin Hawkins, Indian agent, possessed by the Society.

16. ALABAMA.

Tuscaloosa.

ALABAMA HISTORICAL SOCIETY. Transactions. Report of Executive Committee, July 14, 1851, p. 8.

List of MSS. in possession of the Society.

17. LOUISIANA.

New Orleans.

MAGAZINE OF WESTERN HISTORY. Vol. XIII, p. 263.

List of the papers of Jefferson Davis in possession of the Louisiana Historical Association.

LOUISIANA HISTORICAL SOCIETY. Publications, 1895, pp. 3, 4.

List of MS. volumes in the possession of the Society.

18. TEXAS.

Austin.

C. W. RAINES. Bibliography of Texas. Appendix 2, pp. 248-250.

On the Guy M. Bryan collection of MSS.

Galveston.

C. W. RAINES. Bibliography of Texas. Appendix 2, p. 248.

Brief description of the Texas Historical Society MSS., Galveston.

San Antonio.

- C. W. RAINES. Bibliography of Texas. Appendix 2, p. 248.
On the archives of Bexar, San Antonio.

19. *KENTUCKY.**Louisville.*

- WINSOR. Narrative and Critical History, VIII, 458, 459.
Enumeration of some MSS. in library of Col. R. T. Durrett.

20. *OHIO.**Cincinnati.*

- HISTORICAL AND PHILOSOPHICAL SOCIETY OF OHIO. Catalogue of the
Torrence Papers.

- HISTORICAL AND PHILOSOPHICAL SOCIETY OF OHIO. Annual Report for
1893, by Catherine W. Lord, librarian.

Pages 6-7, description of some of the MSS. in the Society's library; the Judge
William Crouch Papers and Letter-book, etc.; Judge Timothy Walker Papers;
legal documents.

- HISTORICAL AND PHILOSOPHICAL SOCIETY OF OHIO. Annual Report for
1894, by Catherine W. Lord, librarian.

Page 4, further account of Walker Papers, listing many; list of letters added.

Cleveland.

- WESTERN RESERVE HISTORICAL SOCIETY. Annual Report for May, 1877,
(Tracts, Vol. II), p. 3.

Brief mention of some MSS. added during year. A MS. of Western Reserve
County; several journals.

- WESTERN RESERVE HISTORICAL SOCIETY. Tract No. 66½ (July, 1885),
p. 16.

Partial list of MSS.; field notes and maps.

- WESTERN RESERVE HISTORICAL SOCIETY. Tracts, Vol. III, Tract No. 74.
Historical Sketch of the Western Reserve Historical Society, 1892.

Pages 136-145, list of contents of fifteen volumes of MSS. chiefly relating to
Ohio; p. 146, description of some other MSS. in possession of Society; journals, St.
Clair Papers.

21. *ILLINOIS.**Chicago.*

- CHICAGO HISTORICAL SOCIETY. Collections, Vol. I. Introductory, by I. Z.
Leiter.

Some account of George Flower's MS. history of English settlement in Edwards
County, including present Cook County, 1817-18; also, some letters by Lafayette,
Jefferson, and others.

- CHICAGO HISTORICAL SOCIETY. Collections, Vol. III, preface.

Account of letters and papers of Niman Edwards.

- CHICAGO HISTORICAL SOCIETY. Collections, Vol. IV, pp. i-ii.

List of Pierre Menard Papers printed in this volume; when French, in English
translation. In possession of the Society.

CHICAGO HISTORICAL SOCIETY. Collections, Vol. IV, p. 192.

List of MSS. acquired in 1883, relating to the early history of Illinois.

CHICAGO HISTORICAL SOCIETY. Collections, Vol. VIII, p. 586.

Mr. E. G. Mason describes the record book of Col. John Todd, first civil governor of the Illinois country.

REPORT of the Quarterly Meeting of the Chicago Historical Society, January 16, 1894, pp. 89-103.

Mr. Joseph Kirkland gives a list of MSS. and a descriptive account, presented at that meeting, of the Madison Papers, papers of Armstrong, Joseph Jones, Edward Randolph, Wilkinson; also of the Gibault Papers.

WASHINGTON-MADISON PAPERS. Sale catalogue of the J. C. Maguire Estate, by S. V. Henkels.

Besides a general description in the preface, this catalogue presents a calendar of the documents and the text of many letters. These papers are now in the possession of the Chicago Historical Society. Of the Joseph Jones letters, many were published by W. C. Ford in his Letters of Joseph Jones of Virginia.

Kaskaskia.

MAGAZINE OF AMERICAN HISTORY. Vol. VI, pp. 161-182. Kaskaskia and its Parish Records, by E. G. Mason.

MICHIGAN PIONEER AND HISTORICAL SOCIETY. Collections, Vol. 5, p. 94.

An article on Kaskaskia, by E. G. Mason; gives a description of the parish records of that town.

22. MICHIGAN.

Detroit.

MICHIGAN PIONEER AND HISTORICAL SOCIETY. Collections, Vol. VIII, pp. viii-x; Vol. XII, pp. v, vi.

Lists of papers in the possession of the Society.

AMERICAN HISTORICAL REVIEW. Vol. I, pp. 584, 585. The Burton Historical Collection, by W. D. Johnston.

Mackinaw.

MAGAZINE OF WESTERN HISTORY. Vol. II, pp. 74-81, 119-134. The Parish Registers at Michilimackinac.

23. WISCONSIN.

Madison.

MAGAZINE OF AMERICAN HISTORY. Vol. XXVIII, pp. 228-230. Wisconsin's Priceless Historic Treasures.

Brief description of some of the more important MSS. in the possession of the Wisconsin Historical Society.

WISCONSIN STATE HISTORICAL SOCIETY. Collections.

Lists of MSS. and autographs acquired by the Society are given in Vol. I, p. 10; Vol. II, p. 10; Vol. III, pp. 3, 11; Vol. IV, pp. 24, 55, 57; Vol. V, pp. 161, v; Vol. VI, pp. 18, 19, 50, 65-67; Vol. VII, pp. 19, 37, 38, 40, 41, 54, 56, 76, 77; Vol. VIII, pp. 28, 27, 49, 52, 53, 82, 84; Vol. IX, pp. 18, 19, 25, 26, 37, 38; Vol. X, pp. 17, 26, 39, 40, 90; Vol. XI, p. 271 (Dickson and Grignon Papers); pp. 370-371 (American Fur. Co.'s invoices).

WISCONSIN STATE HISTORICAL SOCIETY. Reports by Lyman C. Draper, corresponding secretary.

Lists of added MSS. and autographs are given in the reports for 1881, pp. 22-24; 1882, pp. 35, 36; 1883, pp. 7, 10; 1885, p. 36; 1886, p. 12; 1887, pp. 20-22; 1888, pp. 21-26; 1889, pp. 25-28; 1890, pp. 32-34; 1891, pp. 43, 44; 1892, p. 55.

WISCONSIN STATE HISTORICAL SOCIETY. Report for 1894, by R. G. Thwaites.

A description of the Draper MSS. 4 pp.

WISCONSIN STATE HISTORICAL SOCIETY. Proceedings, December 10, 1891.

Pages 36-37, brief description of Draper collections; p. 55, list of MSS. added; p. 95, brief description of some unpublished MS. material in possession of the Society.

*Mineral Point.***MAINE HISTORICAL SOCIETY.** Collections, Vol. IV, pp. iv, 335.

List of Journals of Rev. Paul Coffin, D. D., Buxton, Me. MSS. formerly in possession of Cyrus Woodman, Mineral Point, Wis.

24. IOWA.

*Des Moines.***ANNALS OF IOWA.** Third Series, Vol. I (1893-1895), pp. 61, 64, by Charles Aldrich.

On letters in the possession of the State Historical Society of Iowa.

IOWA HISTORICAL RECORD, Vol. IX, p. 414. An important manuscript, by B. F. Shambaugh.

The constitution and records of the Association of Johnson County.

25. KANSAS.

*Topeka.***KANSAS HISTORICAL SOCIETY.** Biennial Reports and Collections.

Lists of MSS. acquired by the Society are to be found in the first biennial report, pp. 32-36; in the second at pages 95-104; in the third, pp. 36-51 (including descriptive list of Indian office MSS.); in the fourth, pp. 13, 26-32; in the fifth, pp. 11, 12, 29-32; in the sixth, pp. 7, 39-44; in the seventh, pp. 8, 28-35; in the eighth, pp. 7-9, 29-35; in the ninth, pp. 11-13, 44-51. Some of these same pages are also contained in the Collections of the Society, Vols. I, II, III, pp. 36-51, 124-130, IV, 11-12, 29-32, 113, 145-150.

26. CALIFORNIA.

*San Francisco.***BOSTON DAILY ADVERTISER,** November 3, 10, 1882. *Pacific Coast History.* The Great Bancroft Library at San Francisco.

A description of the library of H. H. Bancroft and some of the MS. collections.

H. H. BANCROFT. *Literary Industries,* pp. 209, 210.

A list of the more important MSS. in the library of H. H. Bancroft.

WINSOR. *Narrative and Critical History,* VIII, 260, 261.

Brief description of the Bancroft collection of MSS.

H. H. BANCROFT. *History of Texas,* Vol. II, pp. 576-578.

Collections of brief biographies, MSS., in H. H. Bancroft's library.

H. H. BANCROFT. *History of Oregon*, Vol. I, pp. 53, 314; Vol. II, p. 43.
Small lists of MS. authorities in addition to those quoted in library.

H. H. BANCROFT. *History of Arizona and New Mexico*.

Page 20, brief descriptions of collections used viz: 1. Vol. xxv, *Archivo Gen. Mex. (Doc. para la Hist. de Nuevo Mexico)*. Copies in library of H. H. Bancroft.
2. *Nuevo Mexico, Cédulas*, MS. (Library of H. H. Bancroft). Page 22, list of MSS. "contained in the collections cited, or existing separately in my library."

H. H. BANCROFT. *History of Mexico*, Vol. I, p. viii.

Brief list of important collections of MSS. in his possession (for Mexico).

H. H. BANCROFT. *History of Central America*, Vol. II, p. 736.

Brief description of the E. G. Squier MSS. in the library of H. H. Bancroft.

LETTERS OF PHINEAS BOND, BRITISH CONSUL AT
PHILADELPHIA, TO THE FOREIGN OFFICE OF GREAT
BRITAIN, 1787, 1788, 1789.

Phineas Bond was born at Philadelphia in 1749. He was the only son of Dr. Phineas Bond and of Williamina Moore, and nephew of Dr. Thomas Bond. His father and uncle were eminent medical practitioners in the city, and were among the originators of the College of Philadelphia, which subsequently became the University of Pennsylvania. Dr. Thomas Bond was the first to teach clinical medicine in that institution.¹ Phineas Bond the younger was graduated from the college in 1766. In the autumn of 1770 he repaired to London for legal studies, as appears from the following remarkable letter written to Benjamin Franklin by his wife:²

MY DEAR CHILD

the bairer of this is the Son of Dr. Phinis Bond his only son and a worthey young man he is a going to studey the Law he desired a line to you I beleve you have such a number of worthey young Jentelmen as ever wente to gather I hope to give you pleshuer to see such a numbe of fine youthes from your one countrey which will be an Honour to thar parentes and countrey.

I am my Dear child your feckshonot

wife D FRANKLIN

1770

ocktober the 11

Bond was admitted to the Middle Temple on April 15, 1771.³ His father died in 1773. Bond himself returned to Philadelphia, and in August, 1777, was living in Chestnut street. His name is found among the list of those suspected persons whom the Supreme Executive Council, on August 31, designated to be arrested, but who might be released on parole if they would agree to stay at home and to do nothing inimical toward the United States.⁴ He gave his parole September 3, but the

¹ Norris, *Early History of Medicine in Philadelphia*, pp. 25-29.

² *Pennsylvania Magazine of History and Biography*, iv, 510.

³ *Alumni Oxonienses*, i, 130.

⁴ *Colonial Records*, xi, 284.

same day, on finding that certain conditions he had made were not to be conceded, he renounced it by letter to the president of the council, who thereupon ordered Colonel Nichola, the town major, to take him to the Freemasons' Lodge with the other suspects and to guard him there.¹ He was taken there that evening, joined in the protest of the suspects, and was one of the committee of three whom they appointed to draw up their address to the inhabitants of Pennsylvania.² But when they were exiled to Staunton, Va., he was not taken with them. On the previous day he had tried to arrange a satisfactory parole, under which he might be permitted to go to Virginia and thence to the West Indies.³ Failing in this, he declared his purpose to share the fortunes of the rest. Yet, when the order came for their transportation, his name was not upon the list.⁴ Apparently he left Philadelphia, but returned when the British entered the city after the battle of Brandywine, or later, and withdrew from Philadelphia when they did, in June, 1778.⁵ Not long after this, it appears, he was attainted of high treason, his estate was confiscated, and he went to England. Here he engaged in the practice of law. He was called to the Middle Temple in June 1779,⁶ and resided there until 1786. His mother, who remained in Philadelphia, labored to have his attainder reversed; on her petition it was, in this year, suspended for a time by the General Assembly.⁷

Meanwhile, on April 5, 1786, Bond was commissioned by the British Government as its consul for the States of New York, New Jersey, Pennsylvania, Delaware, and Maryland, and as its commissary for commercial affairs throughout the United States.⁸ Inclosed in one of the letters now printed is a com-

¹ Pennsylvania Archives, v, 578; Colonial Records, xi, 289.

² Gilpin, *Exiles in Virginia*, 67, 81, 84; Colonial Records, xi, 290.

³ Gilpin, 133; Colonial Records, xi, 300.

⁴ Gilpin, p. 133. There is some obscurity about the matter. The minutes of the Council (Colonial Records, xi, 300) say that the permission he sought was granted (September 10); but apparently the form of parole offered him was unsatisfactory.

⁵ A letter of September 11, 1777, printed in the *Pennsylvania Magazine*, xiv, 66, says that Phineas Bond is gone. A letter of Timothy Matlack, secretary of the council, to Col. Lambert Cadwalader, July 22, 1778, says that if Bond shall take the oath he will not be questioned for anything that happened before the British occupied the city; but that as to his leaving the city with them, if he did, that is a point on which he (Matlack) will not pronounce; Pennsylvania Archives, vi, 655.

⁶ Letter of J. W. Waldron, Esq., Under Treasurer of the Middle Temple.

⁷ Pennsylvania Magazine, iv, 380; Colonial Records, xv, 8, 187. I have nowhere found the record of his attainder.

⁸ Secret Journals of Congress, Foreign Affairs, iv, 343.

munication which he wrote to the Foreign Secretary from the Middle Temple on August 8, 1786.¹ Soon after this he sailed for Philadelphia, where he arrived in November.² He was never able to secure recognition of his commission as commissary for commercial affairs. Even with regard to his commission as consul the Continental Congress was dilatory, partly because the United States had no commercial treaty or consular convention with Great Britain. An anonymous rival agent of the British Government writes to it in April that Bond "has been, ever since his arrival here, endeavoring, by the assistance of his friends, to get his attainder removed by the interest of that old rascal Franklin."³ On May 3, 1787, Congress passed a resolve recognizing him as consul, and the Council of Pennsylvania, on the 18th, ordered that he be announced as such.⁴ He remained in Philadelphia as British consul for many years. He seems to have been well regarded in Philadelphia. Ann Warden notes in her diary, 10 mo. 24, 1788, that he is "now considered a great man here."⁵

On February 28, 1793, Sir John Temple (hitherto consul-general for the whole United States) was made consul-general for the New England States, and Bond consul-general for the Middle and Southern States.⁶ From the time when the first British minister, George Hammond, left the country, August 15, 1795,⁷ until the arrival of Liston, who was appointed on March 10, 1796,⁸ Bond was British chargé des affaires. In this capacity he conducted the correspondence with Secretary Pickering on the relations of the treaty of Greenville to Jay's treaty, and signed with him the explanatory article on the subject which was added to the latter.⁹ It may be remarked that Bond's letter, No. 59, in the following series makes it evi-

¹ No. 7, inclosed in No. 5.

² Ann Warden notes in her diary, 11 mo. 29, that she met Phineas Bond, "who had just come from England;" *Pennsylvania Magazine*, XVIII, 56.

³ Bancroft, *Formation of the Constitution*, II, 415, 416.

⁴ *Journals of Congress*, IV, 741, 742; *Pennsylvania Archives*, XI, 145; *Colonial Records*, XV, 215; *Madison Papers*, 602.

⁵ *Pennsylvania Magazine*, XVIII, 63. He was at that time living in Second street, as appears from his letters to Dr. Franklin, March 7, August 26, 1788, in *Pennsylvania Archives*, XI, 255, 381; later, according to *Simpson's Lives of Eminent Philadelphians*, p. 108, he "resided for a considerable period in Chestnut street, above Fifth, on the north side."

⁶ *Annual Register*, 1793, Promotions.

⁷ *Pickering's Pickering*, III, 233.

⁸ *Annual Register*, 1796, Promotions.

⁹ *American State Papers, Foreign Affairs*, I, 551, 552, March 26, May 4, 1796; *Pickering's Pickering*, III, 233, 335.

dent who supplied Hammond with that long array of grievances respecting American infractions of the treaty of 1783 respecting which he and Jefferson corresponded in 1792. Bond's service as consul-general for the Middle and Southern States continued till 1812 or 1813.¹ He then returned to England. On June 7, 1815, "Phineas Bond, benchler of the Middle Temple, Chargé des Affaires in America," was given the degree of Doctor of the Civil Law by the University of Oxford.² He died in London on December 29 of the same year.³

A few letters by Bond, written in 1796 to Thomas Barclay, British agent in the matter of the northeastern boundary of the United States, have been printed in the latter's recently published correspondence.⁴ A letter from him to Pickering is to be found in the American State Papers.⁵ A report made out by him is given in a pamphlet printed by the State Department in 1888 with the title "Report of a Committee of the Lords of the Privy Council on the Trade of Great Britain with the United States, January, 1791."⁶ It will be seen by an examination of a footnote to No. 31 in the following series that his four letters on the Hessian fly⁷ were printed, in whole or in part, in a British Government publication of the year 1789, which, however, is presumed to be inaccessible to a degree that makes their inclusion in this series not inappropriate, more especially as most of the early American accounts of the Hessian fly are now hard to obtain.

It is believed, as has been said in the Report of the Commission, that the printing of a selection from the letters of Phineas Bond to the British Foreign Office is justified by their interest and value. They make a not unimportant contribution to our knowledge of the relations between the United States and Great Britain during an interesting period, and especially of the causes of friction which still remained after the conclusion of peace; to our understanding of the economic status of this country, and in a less degree to our information on the facts of our political history. The series herewith presented is a selection from the letters written by Bond during

¹The notice of his death in the Gentleman's Magazine speaks of "the twenty seven years of his service," which began in 1786.

²Alumni Oxonienses, I, 130.

³Gentleman's Magazine, Vol. LXXXV, pp. 643, 644; died "in Baker street."

⁴Page 52, July 27, 1796; p. 54, August 18; p. 56, August 29; p. 60, September 6; p. 63, October 24; p. 71, November 29.

⁵Foreign Affairs, I, 551, 552.

⁶Pages 61-63.

⁷Nos. 31, 37, 39, 44, post.

the years 1787, 1788, and 1789, to the Marquis of Carmarthen (afterwards the Duke of Leeds), Secretary of State for the Foreign Department in the ministry of William Pitt, or to the Under Secretaries William Fraser and Evan Nepean. An earlier letter (August 8, 1786), inclosed in one of these, is also presented. All the letters printed are given in full; the only omissions are of entire letters, which seemed of inferior interest. The letters have been derived from the volumes of the Correspondence of the Foreign Office, series America, Vols. 3, 4, and 5. They have been copied under the kind supervision of Hubert Hall, esq., F. S. A., of the Public Record Office, to whom the hearty thanks of the Commission are due for this and for many other favors. The few notes which seemed to be necessary have been supplied by the undersigned.

J. FRANKLIN JAMESON.

I. TO THE MARQUIS OF CARMARTHEN.

My Lord

I had the honour of writing to your Lordship by the last packet, since which I have not been able to enter upon the duties of my appointments, as a congress is not yet assembled at New York;¹ it is expected in the course of a short time a sufficient number of members will be collected there; but in the present state of the federal Union; there is no saying, with any certainty, when a congress will be formed.

I have the honor to be
my Lord,

Your Lordship's
most faithful and obed^t servant

P. Bond

Philadelphia

Jany. 1st. 1787.

Rt. Hon. Marquis of Carmarthen²

Endorsed. Philadelphia Jany. 1st 1787. Mr. Bond

Rec^d. Febr: 2nd.

¹ There was no session of Congress from December 4, 1786, to February 2, 1787. Jour. Cont. Cong., IV., 718, 719.

² Francis Osborne (1751-1799), son of the fourth Duke of Leeds, was styled Marquis of Carmarthen during his father's lifetime, and became Duke of Leeds March 23, 1789. He was Secretary of State for the Foreign Department in Pitt's ministry from December, 1783, to April, 1791. The Political Memoranda of Francis, Fifth Duke of Leeds, edited by Oscar Browning, were published in 1884 by the Camden Society.

2. TO LORD CARMARTHEN.

My Lord

In my letter of the 1st inst. by the Jan. packet, I had the honor to inform your Lordship "I had not yet been able to enter upon the duties of my appointments, as a congress was not then assembled at New York;" nor have I since heard a sufficient number of delegates is yet collected there to form a congress.

In the usual course of intelligence, your Lordship has most probably been informed of the contents of the letter contained in the enclosed paper: if genuine it manifests plainly the disposition of the French Court to establish and secure as much as possible, a commercial connection with the United States; for which purpose, exemptions and indulgencies to a most liberal latitude seem to be in contemplation. Whether the disposition of France extends as far as the letter seems to imply, your Lordship will be best able to decide: certain it is the contract alluded to *now* exists; and so favorable is it to the importation of tobacco into France, that it has been and will be the means of diverting that very considerable subject of remittance from its just and honest channel, viz, the making good the very important engagements entered into and depending between the American merchants and their British correspondents; an object of no small consequence to them, when it is considered how few resources, in the way of remittance, this country possesses in the present confined state of its trade.

I conceive it to be my duty to submit this matter to your Lordship's consideration, and shall as often as occasion may offer, take the liberty of communicating whatever affects the interests of the commercial part of the nation.

I have the honor to be, my Lord, with sentiments of the highest respect,

Your Lordship's most faithful
and obedient servant

P. Bond.

Philadelphia

Jany. 5th 1787

Rt. Hon. the Marquis of Carmarthen &c

Endorsed Philadelphia Jan. 5th 1787

Mr Bond.

Rec^d. 15th.

3. TO WILLIAM FRASER.

Philadelphia Feb. 4th. 1787.

Sir,

I had the honor to receive your letter of the 1st of Nov. at this place: I return you many thanks for your polite attention in forwarding the late act of Parliament, for the further increase and encouragement of shipping and navigation;¹ tho' I was so fortunate as to bring one of them from England with me; and found it particularly useful immediately upon my landing, in directing the mode of proceeding in the repairs of a British ship, then in some part of New England, about which the Consul-General² had been applied to: as he was not in possession of the Act he was at a loss what to direct, and I was happy in the opportunity of communicating my sentiments upon the subject, which I presume to hope was the means of obviating the difficulties which had arisen.

I take the liberty of mentioning this circumstance for the purpose of suggesting the necessity of furnishing us as speedily as possible with all Acts of Parliament, which, in any degree, prescribe rules of conduct for us; or which have a tendency to correct or reform the laws of navigation and commerce applied to the United States.

Perhaps this may be the only essential line in which we may be immediately useful, in our respective appointments; for such is the present state of this country that I cannot discover any prospect of speedy or effectual relief for the many inconveniences the British merchants labor under. Happy shall I be if a longer residence will enable me to see things thro' a clearer medium, and tend to dissipate those clouds which at present hang over the trading interests of Great Britain, as far as they are connected with this continent.

I am weary of repeating to the Marquis of Carmarthen the situation in which I still continue to stand: there has not been a congress assembled since I arrived, and when that body will meet again seems quite uncertain: in the present state of the federal powers, little efficacy can attend their deliberations: how far those powers are to be extended, or whether they will be extended at all are matters of great doubt, and involved in great perplexity.

¹ The statute 26 Geo. III, c. 60.

² Sir John Temple, son-in-law of Governor James Bowdoin of Massachusetts, d. 1798.

I most sincerely hope the Marquis of Carmarthen is perfectly recovered from his late indisposition.

I beg you to accept my best wishes that you may long enjoy health and happiness, and am with great truth Sir, Your most faithful and obed: servant

P. BOND

P. S. An opportunity, for London, will offer shortly from hence; by which I hope I shall be able to write; in order chiefly to represent the necessity of establishing agents in the different States conformable to the plan we conversed about, previous to my departure from England

William Frazer Esq.¹

4. TO WILLIAM FRASER.

Philadelphia Feb. 21st. 1787.

Sir,

I did myself the honor to write to you on the 4th. inst. and now avail myself of an opportunity, from hence, to London, to inform you, I have represented, as fully as possible, to the Marquis of Carmarthen the necessity of appointing agents in the different States.

I have frequently conversed with you upon the subject, and was happy to find the plan I had suggested was conformable to your ideas.

I am sure I need not say much to convince you of the propriety of filling up the agencies with men of tried and approved integrity and merit: the trust is of a very important nature, and the violation of it, would be attended with great inconvenience to the nation.

I remember you, at one time, conceived it would be a proper compliment to offer the nomination for the Ports of New England, to the Consul General, as he had family connections there; and you thought the appointment to such, as were within my district, would fall upon me:

Tho' I am persuaded I know many to whom this trust would be delegated with the utmost security and confidence, I must confess I have ever been very unwilling to take the responsibility of others upon myself especially in matters of public con-

¹ Under Secretary of State for the Foreign Department almost continuously from 1765 to 1789, when he was succeeded by Sir James Bland Burges.

cern, if however it should be the opinion of Government that my residence here may enable me to judge fully of characters, I shall pay the utmost regard to such nominations as may rest with me; and be careful to render them secure and respectable.

The estimate we formed before I embarked, as to the amount of the respective salaries, will, I presume be found tolerably accurate.

I may perhaps be irregular in entering upon this business, before my commissions are acknowledged, but the object seems to be of so much consequence as to require speedy attention and dispatch.

I fear it will not be within my ability to render you any essential service, while I remain in this country: but I beg leave to assure you, it will always be very grateful to my mind, to convince you with how much truth and sincerity, I am, Sir,

Your faithful and most obed: servant

P. Bond.

Endorsed, Philadelphia Feb. 21st. 1787

Mr Bond.

Rec^d. April 8th.

5. TO LORD CARMARTHEN.

Philadelphia Feb. 21st. 1787

My Lord

I have frequently informed your Lordship that my commissions have not yet been recognized by the congress: Within the last fortnight that body assembled for the first time since my arrival; they proceeded to the election of a president, and, in the usual course of business, my commissions were referred to a committee, but by reason of the indisposition of one of the members, no report has yet been made thereon.¹

I have been in so uncertain a state, I could do little more than take measures to collect from the different States an accurate account of all duties imposed by the respective legislatures, on British goods, and of the tonnage of British bottoms; and also to obtain full information of all the Acts of Assembly which have been passed to limit or restrain the recovery of British debts, or which, in any degree, affect British property: I hope shortly to be fully satisfied upon

¹ Congress assembled February 2, 1787, and elected St. Clair President; Jour. Cont. Cong., iv, 719. The Journals show no trace of the reference of Bond's commissions.

these important objects of inquiry, for the purpose of informing Government, how far the Treaty of Peace has been violated, and the better to enable me to take fit measures to obtain such redress as justice and the faith of nations call for.

In such an extensive continent, my Lord, I have found it rather tedious and difficult to accomplish my purpose at this season; the roads being almost impassable, render all communication between State and State very dilatory; and the great obstruction of navigation, by the severity of the frosts impedes that intercourse, which, at other seasons of the year, is by means of the coasting vessels, not only frequent but certain.

Thro' the interests of some English merchants in the different States, to whom I have applied, I trust I shall, e'er long, be enabled to transmit to your Lordship, a precise and accurate detail of whatever respects the important duties of my Commissions: when they are recognized by Congress, and when I have materials to act upon I mean to make every decent and suitable representation which may, at all, tend to remove the existing grounds of complaint: for the present, I shall forward such representations to confidential persons in the remote States, to be, by them presented to the different legislatures; but I shall not dispense with my own attendance even in the most remote State, where my personal interference may be deemed expedient to promote the commercial interests of the nation.

I am very apprehensive, however, my Lord, the accidental delay I have met with from the Congress respecting my Commissions will postpone the opportunity of applying to any of the distant States this Winter; the fixed seasons of dispatching business will probably be over, before I could properly digest and represent the subjects of complaint; in the mean time, my Lord, I beg leave to assure your Lordship substantial reasons now exist to render the appointment of discreet agents for proper districts thro' this continent, absolutely and immediately necessary: new and important objects of duty and attention arise out of the late Act¹ for the further increase and encouragement of shipping and navigation, every endeavor will be used to elude the purposes the Legislature had in view and it will require some address and industry to detect and correct the schemes which will be practiced to defeat the extensive operation of law, the effect of which if properly

¹ The statute 26 Geo. III, c. 60, chiefly relating to the registry of ships, and passed in 1786.

pointed, must inevitably cramp the little remnant of commerce now enjoyed by this country.

This circumstance will give additional weight to the representation I had the honor to make to your Lordship in my letter of the 8th of Aug. last,¹ previous to my departure from England; in which I took the liberty of suggesting to your Lordship, the expediency of appointing agents for the different ports, to check and prevent the frauds committed respecting Mediterranean Passes² and to enforce his Majesty's proclamations and the orders of Council thereupon made: a copy of that letter I have now the honor to enclose to your Lordship and beg leave to observe it will not be possible for a consul to superintend every port in the district, to which he is, or may be, appointed: and in my own particular case my second commission, as commissary for commercial affairs, may carry me to very remote States, out of my consular district where particular exigencies may require my personal inquiry and attendance.

Your Lordship I understood clearly saw the extent of the mischief arising from the frauds now practiced and the necessity of defeating such practices:—the mischief is become more alarming, as the fraud is become more general: as far as I can learn most American vessels, sailing in the track of the Algerine cruizers, carry forged passes;—the Lords of the Admiralty will know how closely the false resemble the genuine passes: and perhaps to destroy the evil completely, their lordships may deem it necessary to call in the present passes and to emit new ones with suitable devices to guard as much as possible against imitation:—but for the present, my Lord, the nomination of fit agents seems to be only expedient to correct a matter of great national consequence;—their appointment may combine the important duties to which I have alluded: they may enforce the regulations of the new Act of Navigation, they may check the indirect practices now prevailing in respect to Mediterranean Passes; and moreover they may act as deputies to the commissions at present existing;³ and in distant States, at least,

¹ See post, No. 7.

² Passes which the British Government, by arrangement with the Barbary Powers, gave to British vessels sailing to Mediterranean ports, to secure them from the depredations of those powers, an immunity granted in return for tribute. Some correspondence between Jay and Sir John Temple, respecting counterfeits of these passes, is to be found in Diplomatic Correspondence, 1783-1789, vi, 29-32.

³ I. e., the commissions of the British consuls and that which Bond held as commissary for commercial affairs.

they may take the charge of conducting such representations as may be thought advisable.—As the trade of this country is now restricted within very narrow bounds: and will be more confined Government may conceive such agencies competent to every purpose of commercial regulation and their appointment may, for a time, or perhaps wholly, supersede the necessity of appointing consuls to other districts; especially as the commission of the consul-general extends to every case, where resort is to be had to the Executive Body of the United States assembled in Congress, and my second commission as commissary for commercial affairs comprehends every application which may be requisite to the individual Legislatures, thro'out this continent.

I have the honour to enclose to your Lordship a list of the ports or rather districts which seem to require the superintendence of agents, and have annexed my remarks upon their importance, in point of trade and the probable duty of each agency.

The Revolution which has happened in North America, called for new and peculiar Regulations for commerce; and the frauds which have been practiced evince the necessity of enforcing them by due diligence and strict attention.

There can be no better test, my Lord, of the importance of the new act,¹ and its tendency to increase the carrying trade of G^t. Britain as far as it respects this country, than the alarm and perplexity it has occasioned here. Hitherto the practice of providing American ships with double papers has been very successfully managed; and the fraud has not only prevailed, to the detriment of the revenues in British ports but has even operated to elude those duties which the Legislatures of the States have imposed upon British Bottoms: by an ingenious collusion between partners in trade residing in different countries, ships have enjoyed the advantages of British bottoms in harbours within his Majesty's dominions, and the privileges of American Bottoms in the ports of America.—The attention recommended by government to their different officers to adhere to the provisions and regulations of this new and salutary Act, in their full extent, will it is to be hoped effectually prevent the further progress of these and similar deceptions—

I shall hope to be favored with your Lordship's instructions,

¹ 26 Geo. III, c. 60. as explained in a former note.

upon the subjects to which I have now alluded, as soon as your Lordship's important engagements will admit

With sentiments of the greatest respect, I have the honor to be, my Lord

Your Lordship's very faithful
and most obed: servant

P. Bond.

Endorsed. Philadelphia Feb. 21st 1787

Mr. Bond.

Rec^d. April 8th.

6. ENCLOSURE IN NO. 5.

I. New Hampshire. Portsmouth is the most considerable port:—as the trade of this State is of very little consequence the duties of an agent would be trifling.

II. Massachusetts Bay. Boston is the material port: formerly a very great trade was carried on from this port;—at present it is much reduced tho' it deserves the notice of Government.

III. Rhode Island Newport and Providence are the ports in this State; at one of which an agent should be placed: the trade is very inconsiderable

IV. Connecticut New London is the chief port,—the trade there is of little consequence.

V. New York The city of New York is the great port and is a place of extensive trade;—from its particular situation it will always command its proportion of the commerce of N. America

VI. New Jersey Perth Amboy is one of the ports of this State—a place of little trade—from its contiguity to New York, one agent might superintend both.

Burlington is another port in New Jersey, situated on the Delaware distant 20 miles from Philadelphia; as the trade is of little or no consequence (being carried on in craft) it might be annexed to Philadelphia

Salem another port of New Jersey almost opposite Newcastle upon Delaware as it is a place of little trade it might be united to the agency of Newcastle

VII. Pennsylvania Philadelphia is a port of great trade; here the duties of an agent would be important

VIII. Delaware State Newcastle and Wilmington are the ports of this State;—the latter has some trade, the former scarcely any: they are close together and one agency might do for both, with Salem in New Jersey annexed to them.

IX. Maryland Baltimore is the great port of this State, a considerable trade is carried on from there. An agent should reside there.

X. Virginia There are many ports in this State and the commerce is extensive:—Norfolk seems to be calculated for the residence of an agent; the duty of the office there will be considerable.

XI. N. Carolina Edinton, Newbern and Wilmington are the ports in this State; Newbern as the most central would be the fit residence of an agent, the commerce of this State is by no means extensive.

XII. S. Carolina Charles Town is a port of considerable trade; in the particular situation of this State the duty of an agent would be important.

XIII. Georgia Savannah is the material port in this State:—but its trade is of little consequence; and the duty of an agent would be trifling.

Endorsed. List of Ports in U. S. A.

In Mr. Bond's Feb. 21st. 1787.

7. TO LORD CARMARTHEN (COPY) ENCLOSED IN NO. 5.

My Lord

In several conversations I have lately had with Mr. Fraser we have had occasion to mention the present situation of the Mediterranean passes and to consider by what possible precaution the indirect practices now prevailing may be prevented.

The necessity of maintaining the good understanding now subsisting between this court and the Barbary Governments is very obvious: the effects of any jealousy or misunderstanding on their part might be attended with consequences very detrimental to the trading interests of the nation and very fatal to the freedom of many of our best and most useful subjects.

At different times infinite pains have been taken to regulate a matter of such national importance:—the proclamations and orders of council limiting the period of the continuance of certain passes and the mode of obtaining new ones in their stead were evidently framed for the purpose of defeating every

attempt to forge passes or at least to increase the difficulty of forging them, by frequently changing and varying the devices and forms of the passes.

The registry of passes by consuls and the indorsements they are directed to make upon the back of each pass were certainly pointed to these same objects:—the registry being intended to serve as a check, whereby Government might discover spurious passes and the indorsements of his Majesty's consuls being calculated to give fresh marks of authenticity to genuine passes.

The registry of passes on so great an extent of continent as that of N. America cannot be done with any precise certainty by consuls occupying districts composed of several States; especially when there happen to be some trading ports in almost every State.

The method of keeping an accurate registry being deemed a matter of much consequence, I trust your Lordship will excuse the liberty, I presume to take in suggesting to your Lordship the only practicable mode that occurs to me of carrying this regulation into effect, viz: the appointment of agents under the consuls in the ports of their respective districts, who might not only bear this great object, within their immediate view, but who might in the absence of the principal consuls, act as their deputies when the duties of the consuls required them to interpose; and who from time to time might communicate to his Majesty's ministers, information of such particular events, as in any degree affected the interests and welfare of this country.

It seems to me therefore with great deference to your Lordship to be, in some measure, expedient to vest a power in the consuls of districts to appoint such agents for such purposes, in the choice of whom great caution should be used to select men of character and integrity in whom a confidence could be placed, equal to the importance of the trust.

The salaries to be annexed to such appointments would of course be proportioned to the extent of the duty of each agency, but *no* very large salary could be expected as the business of an agent in the *most* considerable port in North America would be, by no means, irksome; besides, as the persons to be appointed to such agencies, ought to be such, as would be stationary in the port they are to superintend, they would, for the most part, have other objects of pursuit, and other means of subsistence not incompatible with the duties of their appointments.

If the general idea I have the honor of suggesting to your Lordship be approved, the several ports to which agents are appointed, will be a matter for future consideration. I conceived it incumbent upon me, my Lord, to make these observations, upon a subject of great national concern and to submit them to your Lordship's consideration.

I have the honor to be etc.

Middle Temple

Aug. 8. 1786

R^t. Hon. the Marquis of Carmarthen

Endorsed. Copy of a letter from M^r. Bond to the Marquis of Carmarthen. Aug. 8. 1786. In M^r. Bond's Feb 21st 1787.

S. TO LORD CARMARTHEN.

New York, May 1st. 1787.

My Lord

Having in vain attempted by letters to obtain the determination of the congress respecting my commissions, I found it expedient to come hither, my Lord, under a hope I should be able to accomplish by personal attendance what my correspondence with the secretary for foreign affairs¹ could not effectuate.

Upon my arrival here a few days since, my Lord, I waited upon Mr. Jay and received an assurance that he would take the earliest opportunity to submit my commissions to the consideration of the congress; but the meeting of that body is so irregular, that I cannot possibly judge whether I shall have it in my power, to transmit to your Lordship the result of their determination by this packet.

Every transaction in Congress, my Lord, that regards foreign affairs is conducted with great secrecy so that I have not yet learned with any degree of accuracy what the opinion of the members is, upon this subject: I have reason to think there have been some objections to the receiving of consuls, on the score of there being no commercial treaty existing with Gt. Britain; and it is very probable this circumstance would stand in the way of the recognition of my commissions, if there were not a palpable inconsistency in acknowledging a Consul-General, and rejecting consuls for particular departments.

¹ John Jay.

Appointments of this sort, my Lord, are viewed here, with a very jealous eye:—they are considered as having a tendency to abridge the little trade this country now enjoys, and which a strict attention to the commercial regulations of Gt. Britain must be the means of confining within more narrow limits.

It may be necessary your Lordship should be informed of the difficulties I have met with, in endeavoring to obtain a determination of the Congress, and of the uncertain footing upon which my commissions now stand, to prevent the progress of my further arrangements in the line of consuls or agents for districts which I understand were in the contemplation of Government and which as far as the nomination of agents went, I lately presumed to recommend to your Lordship as a matter of expedience.

I have now the honor to enclose to your Lordship a newspaper which contains a circular letter transmitted to the governors of the respective States by the Congress:¹ It manifests a disposition to remove every cause of complaint on the part of Gt. Britain and recommends a uniform acquiescence in the terms of the Treaty of Peace, which certainly, my Lord, in many instances have been most grossly violated.

The enclosed Acts of Assembly² point out the expediency of such a recommendation and plainly indicate the disposition of the States of Virginia and S. Carolina to avoid a compliance with what Justice Integrity and Good-faith, independent of the solemn stipulations of treaties so plainly enjoin, it seems therefore rather problematical whether those States will adopt the recommendation.

The Congress are well aware, my Lord, of the firm ground on which Government stands: it cannot be expected that Gt. Britain can comply with the terms of the treaty while the U. S. A. so far from fulfilling their positive engagements, are ever counteracting the stipulations of the Treaty, by municipal laws.³

From the recommendation of the Congress, my Lord, I fear

¹ Doubtless the letter agreed to in Congress on April 13, 1787, and given in the Secret Journals, Foreign Affairs, IV, 329-338; it urged the repeal of State laws repugnant to the treaty of 1783 with Great Britain. It is also given in Jour. Cong. IV, 735-738.

² Doubtless the reference is either to the statute of Virginia of October, 1785, ch. VII, "An act to impose additional tonnage on British vessels," Hening, XII, 32, or to that of October, 1783, on British debts, Hening, XI, 349. The act of South Carolina referred to is probably that of March 28, 1787, an extension of the stay law.

³ See A. C. McLaughlin, The Western Posts and the British Debts, in Annual Report of the American Historical Association for 1894.

little is to be expected; tho' nominally the great executive body of the continent, each individual State claims and exercises sovereign and independent rights over itself, consequently each State may adopt or reject whatever is consistent with local convenience, or interferes with particular advantages: there is a defect of energy in the Congress, they want means to enforce their requisition and tho' they claim "a general tho' limited sovereignty, for the general and national purposes specified in the confederation," yet, my Lord, each State may resist every federal measure, and the dissent of any one State may effectually mar the success of the most important recommendation; unless therefore the hands of the Congress be strengthened, by the enlargement of their powers and unless they be enabled to conduct the affairs of the Union, by a system of uniform measures, and are vested with the means of enforcing such measures, foreign powers can have no reliance upon the engagements of the Federal Government, nor can the Confederation exist.

I have the honour to be, my Lord,
Your Lordship's most faithful and
most obed: servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.
Endorsed. New York May 1st. 1787

Mr. Bond.

Rec^d. June 11th,

9. TO LORD CARMARTHEN.

Philadelphia. 14th May 1787.

My Lord

I have already in a former letter taken the liberty of suggesting to your Lordship, the stratagems used by the inhabitants of the United States, to elude the operations of the new Act of Navigation: the devices they have adopted are various, but none seem to have so dangerous a tendency as the prevailing practice of joint concerns in vessels entitled to the privileges of British Bottoms, which, by the connivance of British houses affords American traders the benefit of participating in those advantages, which the Act of Navigation meant to confine to British subjects alone.

My Lord there is much reason to believe many cases now exist, where British ships are owned jointly by British and

American traders; and, as long as oaths are treated with so much levity, it may be difficult to contrive a remedy to meet the mischief.

It might however excite some dread of discovery, in those who are engaged in such illicit practices, if encouragement were held out to such as might give information to Government, in cases where vessels having British registers, are jointly owned by British and American traders, and perhaps a clause of this nature added to the late Act¹ might have a good effect in checking this evil

Your Lordship will be best able to judge how far it may be fit to adopt this idea.

I have the honour to be, my Lord,

Your most faithful and obed. servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philadelphia, May 14th. 1787.

Mr. Bond.

Rec^d. 2nd. July.

10. TO LORD CARMARTHEN.

Philadelphia May. 15. 1787

My Lord

Since my arrival in America, I have been frequently applied to for relief by distressed British subjects, particularly sailors; I have already incurred some expense, my Lord, in administering to their immediate wants, and as the com^o. I have the honor to hold under the Crown subject me to constant applications of this sort, I must beg your Lordship's direction as to the extent of the advance I am to make to such as may be fit objects of the bounty of Government and to what description of people such bounty is to be applied

From the information with which the Consul-General has favored me on this point, I find the agent for the packets has power to send distressed British subjects to England on the packets, and that a settled allowance is made by the navy board² of 6^d. a day to seamen, to encourage them to return home. The distance between this place and New York being

¹ 26 Geo. III, c. 60.

² The Navy Board, abolished in 1832, was a board subordinate to that of the Lords Commissioners of the Admiralty, and was chiefly concerned with matters of pay and stores.

near 100 miles that allowance would certainly not be competent to the support of such as were under the necessity of travelling from hence, thither; especially if their strength did not allow of them going on foot; and as no mode of sending distressed British subjects from hence has been adopted, I beg leave to submit to your Lordship's consideration, the expediency of fixing such an allowance as may be adequate to the relief of proper objects, who may hereafter apply for assistance,—I have the honor to be, my Lord, your Lordship's

Most faithful and obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philadelphia May 15th. 1787

M^r. Bond.

Rec. 2nd July.

II. TO LORD CARMARTHEN.

Philadelphia May 16th. 1787.

My Lord

I have the honor to inform your Lordship, the Congress entered upon the consideration of my commissions, on the 3rd of May, and resolved to admit the commission I hold as consul but to suspend my recognition as commissary for commercial affairs until the powers and extent of this latter appointment should be settled and defined by Convention, between Gt. Britain and the U. S. A.¹

As far, my Lord, as I could collect from the conversation I had with the secretary for foreign affairs, the resolution formed by the Congress, on this occasion, resulted from a disposition to prevent any future differences and discussions that might arise from the exercise of my commission as Com^r. for com^l. affairs. In strictness it is conceived by the Congress, that consuls or agents in the com^l. line were not admissible until treaties of commerce took place, and there is a particular clause in all the treaties formed between the United States and foreign powers to admit consuls etc, under the limitations and restrictions contained in those treaties²:—this principle might have gone the length of rejecting both the

¹ See the resolves of Congress in Jour. Cong., IV, 741, 742; resolves and letter to J. Adams, Secret Journals, Foreign Affairs, IV, 343-345; Dipl. Corr. 1783-1789, VI, 20-25.

² Treaties with France, 1778, art. 29; with the Netherlands, 1782, art. 21; with Sweden, 1783, art. 26; with Prussia, 1785, art. 25. "Limitations to be provided by special agreements" would be more correct.

commissions I have the honor to hold: but as the powers of a consul are well-known and defined by the laws of Nations, the rule was relaxed in this instance, with respect to my commission as consul, and I shall be permitted to exercise the duties of that appointment as soon as the forms of proceeding admit of my being announced to the 5 States to which the commission extends.

The Comⁿ as com^y. for com^l. affairs being considered as new, and out of the ordinary course of things, the adjusting and defining the extent of the powers will be referred by Congress to the Minister of the United States in London,¹ and will, probably e'er long, be submitted by him to your Lordship's consideration:

I took pains, my Lord to explain to the Secretary for Foreign Affairs the objects which the commission as Com^y. for Com^l. affairs were particularly meant to embrace—but it seems necessary such objects should be defined thro' the medium of ministerial intervention however reasonable and just they may appear.

Your Lordship must well remember the grounds upon which this latter commission was recommended to the adoption of Government by a great body of the merchants of London engaged in the American trade:²—they had experienced the severity of existing laws throughout this continent, made, not only in direct contravention of the Treaty of Peace, but in violation of those contracts, which are universally deemed sacred among nations,—they knew too, my Lord, the relaxed situation of the Federal Government and found the recommendations of Congress, in cases when recommendations had been made, ineffectual and incompetent to the purpose of obtaining adequate relief: it was therefore, my Lord, deemed necessary that some person should be cloathed with the authority of Government to represent the existing causes of complaint to each State, in the hope of obtaining from the justice of the individual legislatures a repeal of those laws which militate against their interests, and thereby to facilitate the security of their extensive concerns.

As the recommendations of Congress, my Lord, have proved ineffectual to obtain a compliance even with the stipulations of treaties, this mode of application to the different States

¹ John Adams. Secret Journals, Foreign Affairs, IV, 344, 345.

² Perhaps that body from whose "Case and Memorial" extracts are given in Dipl. Corr. 1783-1789, v, 17-21.

seemed to be the only resort and such applications could alone be made under my second commission, as the duty of a consul is not deemed competent in matters of this sort: the suspension therefore of this commission, my Lord, puts by, for the present, the exertion of the only means from whence effectual relief could result:—but my Lord I presume to hope a conference with the American minister may place the reasonableness and expediency of this 2nd. commission in so conspicuous a point of view as to promote the immediate recognition of it.

I have the honor to be, your Lordship's

Most faithful and obedient servant

P. Bond.

The Rt. Hon: the Marquis of Carmarthen

Endorsed. Philadelphia June 16th.¹ 1787

Mr. Bond.

R: 2nd. July.

12. TO LORD CARMARTHEN.

Philadelphia May 17th. 1787.

My Lord,

Being conscious how much the revenue of Gt Britain has been defrauded by illicit practices and knowing how anxiously and how successfully the attention of his Majesty's ministers has been applied to correct the prevailing abuses, I conceive I cannot do a more essential service; than to endeavour to promote this great object of Government by attempting to discover the methods used to elude the payment of duties imposed upon such articles as apply to the commerce of the United States with Gt. Britain and Ireland: and, my Lord, I am the more solicitous to discover those methods, since they have a tendency to discourage every fair trader, and to divert the great means of remittance, from those channels in which they ought justly and naturally to flow.

Tobacco is one of the articles transported from the middle States to Europe: the heavy duty it bears,² encourages the practice of every artifice to avoid the payment of it and exposes the revenue to every possible deception.

I hope shortly my Lord to be in possession of papers, which will furnish a clew to government, by which it may be discov-

¹ For May 16.

² Sixteen pence a pound on American tobacco; Pitt this year reduced it to 15d.; *Statute of 27 Geo. III, c. 13.*

ered to what extent these frauds are practiced, and it is to be hoped measures may be devised effectually to defeat them.

In the meantime, my Lord, I beg leave to say it has been confidently asserted here, that in the year 1784, 5200 hds. of tobacco were cleared from the port of Philadelphia for Ireland, and in the next year (1785) 4700 hds. of tobacco were cleared from Philadelphia for Ireland. The duty on the export of tobacco in 1784 ought to have yielded a revenue of upwards of £300,000, and the export of 1785 ought to have yielded nearly that sum: the returns of the customs of Ireland will show how much of that revenue has been produced:—if a deficiency appears, it may be reasonably considered that a quantity of tobacco, equal to that deficiency has been run into that kingdom. The price given for tobacco here, my Lord, is of itself a convincing proof of this illicit traffic, and of the success with which it is conducted: Peterboro'¹ tobacco in Virginia sells so low as 22/6 Virgⁿ. curry: (dollars 6/) pr. cwt.—in Philadelphia that sort of tobacco sells from 40/ to 45/ Pennsylv^a. Curry: (dollars at 7/6) pr. cwt. there is a difference of near 100 p. cent in the price between this port and Virginia besides the addition of freight: but the saving of 16^d. duty upon each lb. of tobacco will amply compensate for the increase of expense and afford abundant profit to the adventurer.

But, my Lord, the Ministry does not stop here; the encouragement the Americans have met with in their trade to China has induced them to enter largely into this speculation; the number of ships already employed in that trade must overstock the American market; of course means will be used to establish a communication, not only with the W. India Islands but with Europe, to promote a ready and profitable sale for the excess of teas and piece goods, imported into this continent from China.

I shall endeavor, my Lord, to obtain accounts of the two cargoes already arrived, this spring, at New York and to transmit them to your Lordship as soon as possible.

I have the honor to be, my Lord,

Your Lordship's most faithful and obed: servant.

P. Bond

Rt. Hon. the Marquis of Carmarthen.

Endorsed Philadelphia, May 17th. 1787.

Mr. Bond.

R. 2nd. July.

¹ No doubt Petersburg, Va., is intended.

13. TO LORD CARMARTHEN.

Philadelphia June 3rd. 1787.

My Lord,

I have the honor to transmit to your Lordship a copy of the instrument, by which my commission as consul is recognized in the State of Pennsylvania and to inform your Lordship that commission has not yet been adopted by the other four States, to which it extends.¹

I trust, my Lord, I shall shortly be in possession of the determination of Government as to the appointment of agencies, which I took the liberty of suggesting to your Lordship in my letter of the 21st. Feb. as the most effectual mode of enforcing a strict observance of the commercial regulations.

It is impossible, my Lord, any single commission can superintend the different ports in a district of 3 or 4 hundred miles; in every one of which ports practices prevail, whereby the laws of trade are materially evaded;—and indeed my Lord, if the power of applying to the individual legislatures to remove those grievances, under which the trading part of Gt. Britain labor, (to which application my 2nd. commission was meant to extend), be not permitted, I should humbly presume, with great deference to your Lordship's judgement, it would be inexpedient to continue the appointments of consuls for districts; as the agencies of themselves will be competent to every purpose of essential superintendence: in the qualified manner in which my commission has been recognized by the State of Pennsylvania, my duty, as consul, can extend *no furthur*; and for my own part, my Lord, convenient as a medium here, for a few years, might be to me, I should be loth to enjoy an expensive appointment unless I saw a prospect of rendering beneficial assistance to Government; and of acquiring reputation from a faithful discharge of my duty.

I have the honor to be, my Lord, your Lordship's

Most faithful and obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philadelphia, June 3rd. 1787

Mr. Bond.

R. 3rd July

By a merchant ship.

¹ New York, New Jersey, Delaware, and Maryland.

14. TO WILLIAM FRASER.

Philadelphia June 10th. 1787

Sir

A copy of one of the enclosed papers was transmitted to you by a private ship from hence about 3 weeks ago, and the contents of the other paper have lately been disclosed to me.

As I find the duty upon tobacco in Ireland is not so high as in England,¹ my calculation in my letter to the Marquis of Carmarthen of the 17th. of May must have been in some degree erroneous: at any rate however the fraud committed upon the Revenue is enormous, and it seems fit Government should be fully apprized of the facts; as far as they come under my notice they shall be faithfully communicated; but it requires and general superintendence to guard against all the encroachments upon the regulations of trade, which prevail in the various ports upon this continent: and this induces me to hope the establishment of agencies will soon take place.

I am, Sir,

Your faithful and obed. servant

P. Bond

Wm. Frazer Esq.

Endorsed. Philadelphia, June 10th. 1787M^r Bond

15. ENCLOSURES IN NO. 14.

Philadelphia June 10. 1787

The Ship "Ann," Cap. Ramage sailed from hence in the winter, bound for Londonderry having on board 150 hds. of tobacco—which was landed *duty free*: when the ship reached the port of Londonderry she appeared to have nothing on board but a freight of staves.

The "Ann" sailed from Londonderry to the Baltic.

Philadelphia May 17. 1787

The Brigantine Penelope, sailed, lately from hence, having on board 132 hds. of tobacco:—cleared from [for?] Londonderry in Ireland—12 of these hds. were cut up in quarters and bound up in ropes, ready to sling on horses when they should be landed on the Irish coast.

¹ By the Irish statute 27 Geo. III, c. 5, the duty on American tobacco was 10d. a pound.

The old trick of double papers prevails,—in one set the real quantity of tobacco is inserted; in another set a less quantity: this is so contrived to guard against the chance of being boarded by Revenue Cutters before the smuggling is completed.

This trade is, for the most part, carried on in the winter; when the short days and bad weather favor the adventurer: it is said to be common now to insure the safe landing of a cargo (duty free) at 2 guineas per hhds so that the business in Ireland is reduced to a system.

The Penelope Captain Crawford sailed from hence about the 14th. inst. and goes consigned to McLaughlin and Co. in Londonderry.

16. TO LORD CARMARTHEN.

Philadelphia July 2nd. 1787

My Lord.

I lately informed your Lordship the Congress had adjourned, and it was probable they would not meet again till the event of the deliberations of the Convention now assembled here, was known. I have since learned some members of Congress are collected at New York and there seems a disposition to form a Congress for the purpose of expediting some matters of urgency.¹

Hitherto my Lord, I have not been officially informed of the recognition of my commission, as consul, in consequence of the resolve of Congress, by any State, but the State of Pennsylvania,² the proceedings of all public offices on this continent, are so languid, it is most probable I shall have to make another application to the Secretary for foreign affairs, to obtain a complete recognition of that commission; as it has hitherto been adopted but by one of the States to which it extends, I have purposely declined exercising any duty of that appointment, except in case of emergency, knowing how ineffectual any exertions on my part will be here, till a full arrangement is formed by Government for the different ports in America; indeed some investigations I am anxious to make, will call me from hence for a few weeks, and before I return, I trust I shall be honored with your Lordship's instructions upon the subject of agencies.

¹ After May 11, 1787, Congress had no quorum until July 6, when seven States assembled; Jour. Cong., iv, 748-751.

² See Pa. Colonial Records, xv, 215.

The deliberations of the Convention, my Lord, are conducted with vast secrecy; and nothing is known with accuracy but that their drift is to endeavour to form such a federal constitution, as will give energy and consequence to the union. Whether this is to be done by improving the old governments or by substituting new ones—whether by continuing a power in each State to regulate its internal policy, or to abolish all separate establishments, and to form one grand federal authority, is a matter of consideration which creates much doubt and animadversion.

The task in which this assembly is engaged, my Lord, is attended with no small difficulty: wise and discreet as their determinations *may* be, they have no power to enforce their measures—they *may* recommend such plans as may seem eligible but who are to ratify them? Thirteen different States each claiming and exercising sovereign and independent powers, with various forms of government—great mutual jealousies and interests evidently clashing and interfering with each other. Even in this crisis my Lord when the sober part of the continent looks up to the Convention to prescribe some mode competent to remove existing evils, there is not a complete delegation of the States in Convention—two of the thirteen are not represented, New Hampshire did appoint delegates, but as no fund was provided for their expenses and subsequently they declined attending—The Assembly of Rhode I positively refused to appoint, and when the motion was again lately agitated, it was negatived by a majority of 17 members.¹

It is plain my Lord, things cannot long remain as they are; there is an universal relaxation of laws and justice, and a total want of energy throughout the States.

In Mass^{ts}. Bay the governor's message to the assembly, of the 5th. of June represents the alarming situation and complexion of public affairs there, from the frequent incursions made into that State by the insurgents with an intention to plunder and carry off the friends of Government.—In some instances they had succeeded and it had become necessary to station detachments of the soldiery, in particular towns to guard the friends of the Government.²

In the State of Pennsylvania, where the administration of justice is upon a footing superior to most of the States and the

¹ June 11, 1787; R. I. Schedules.

² See Bradford's History of Massachusetts, II, 313.

police of the country tolerably regulated, a law lately passed directing the mode of selling and granting lands in the county of Luzerne:¹ this law was deemed oppressive, by persons who had claims on the lands, and, at a town meeting at Easton, in the county of Northampton, it was resolved the payment of taxes should be withheld till the obnoxious law should be repealed.

In a former letter, my Lord, I made some mention of a trade carried on between this country and China; and expressed my apprehension it might, e'er long, be extended and directed to such channels as might prove greatly detrimental to the Revenue and commerce of Gt Britain.

I have the honor to enclo-e to your Lordship a list of the vessels employed, and fitting for this trade, from the different ports of this continent, and also an amount [account?] of some of the cargoes which have arrived in the course of this Spring.

In the restricted state of the American trade it is natural for men of enterprize to engage in such speculations, as are open to them and which afford a prospect of profit: the China trade may not hitherto have been very productive to this country; most of the articles brought from thence are of an inferior quality, particularly the teas:²—It was at first thought, my Lord, the delays of the voyage, the necessary expense of the outfit the difficulty of making suitable remittances to obtain the proper investments, would soon have discouraged this undertaking:—but if one may judge from the present rage, it should seem as if new sources of profit appeared, and that the means of investment were facilitated so as to secure the future extension of the trade.

Independent of the ship which lately arrived here, and which it is said is to return to Canton, one house in Philadelphia lately fitted out a ship called the Alliance, one of the largest ships ever built in N. America, supposed to be nearly as large as a 50 gun ship.—This ship sailed from hence about a fortnight ago, said to be bound to Canton; tho' it is presumed at least an endeavour will be made, to open a communication, if not to enter the ports of India, where articles of more value and more certain profit, can be had, than those they have already dealt in.

A company of merchants in Philad^a. is at this time in a train

¹ Act of March 28, 1787; Dallas's Laws, II. 512. See Pickering's Pickering, II. 271.

² See Miss Gertrude S. Kimball's The East India Trade of Providence, 1787-1807, p. 16.

of being established to engage in this trade—considerable sums (upwards of 100000 dollars) are already subscribed, a ship of between 300 and 400 tons now on the stocks and nearly finished, is contracted for and will be ready to sail in the Autumn.

Hitherto the remittances made from hence my Lord, have consisted of dollars Ginseng and a small quantity of furs: the remittance of silver can now be depended upon as this trade and the vast quantity sent to England must soon drain the country of all its circulating specia which at this time depend [on] a precarious illicit commerce carried on with the Spaniards. Nothing very considerable can result from Ginseng as a remittance; tho' it is an article of general consumption, a small quantity will stock the markets: but my Lord the want of the means of remittance will be amply supplied by the encouragement given to this American trade by the European agents and factors who have already assisted in lading their vessels and have given considerable credit and made great advances to those who are engaged in it. To this assistance the Americans now look with a certainty of support, the agents and factors of the European companies counteract the restriction laid upon their remitting their earnings to their own countries in this way. They give a credit and confidence to the American traders upon the faith of getting their property thro' them, circuitous to Europe, and it is said here, my Lord, that a large sum was advanced at Canton at a moderate premium upon Bottomry on the ship Canton, Captain Truxton¹ lately arrived here.

The Americans, my Lord, at first apprehended every sort of impediment would have been thrown in their way by the European Factors and Agents; who it was supposed very naturally would have inveigled their seamen and have monopolized the fit articles of investment; but the very reverse has happened:—the Americans have deserved [derived] assistance and encouragement from the very quarter from whence they expected opposition, and do not fail to boast of the civility and kindness they have experienced.

The encouragement the Americans have met with will certainly induce them to prosecute this trade with much vigor; and to extend their views at least to an intercourse with those

¹ Thomas Truxton, afterwards captain U. S. N. Congress had granted the Canton a sea letter January 2, 1786; Jour. Cong. iv, 609, 610.

settlements from whence they can be furnished with valuable silk and cotton piece goods, of which they have hitherto had but a scanty supply: if they can contrive to make large investments in those rich articles which are in demand in Europe, and which lie in a small compass, they will not confine their speculations to an import into America merely adequate to the consumption of this country which two or three well-freighted vessels might furnish, but they will contemplate an illicit trade to Europe, particularly to Ireland, which is, perhaps, no inconsiderable part of their plan.

This country, my Lord, is so restricted by the regulations of trade of other nations that this traffic seems to be the only expedient they can adopt and so weak are the resources of the merchants *here*, that if an early check or restraint can be thrown in their way, either by thwarting their credit, or by withholding the articles suitable to their commerce, I am convinced they would never rally; and then, my Lord, they would be confined to their coasting trade and to an illicit communication with the Spaniards: These come, in a secret manner, into the ports of America, and bring specie to a large amount, in return for which they carry away printed linens, hosiery thread, tapes, boots, shoes, etc; the amount of specie furnished to America thro' this channel is enormous—at least 500,000 dollars were brought into this port last year; and within a few weeks lately, 60,000 dollars were lodged in the bank here, by the Spanish traders.

Many people, my Lord, well-disposed to the interest of Gt. Britain are of opinion the establishing a free port, in the Bahama Islands under proper regulations from whence the Spaniards could draw the supplies they want, would effectually divert this profitable commerce from hence, thither.

I have, my Lord, taken the liberty of submitting these matters to your Lordship's consideration: if my observations have not been pointed with sufficient accuracy to those objects, about which Government wishes to have precise intelligence, I shall be happy to receive your Ldp's instructions as to the investigations proper to be made; I shall endeavour to obtain the most satisfactory information in my power.—I have the honor to be, your Ldp's most faithful and obedient servant

P. Bond.

Rt. Hon: the Marquis of Carmarthen.

Endorsed. Philadelphia July 2nd. 1787

Mr. Bond. Rec^d. Aug. 4th. .

17. TO LORD CARMARTHEN.

Philadelphia June 10th. 1787.

My Lord

Since I had the honor of writing to your Lordship by the June packet, I find the resolve of Congress respecting my commissions¹ has been published in a newspaper *here*, which I now take the liberty of forwarding to your Ldp.

Before I left New York, my Lord, the Secretary for foreign affairs assured me he would communicate to me by letter the grounds upon which the Congress suspended the operation of my 2nd. commission, as far as their rules admitted of their being disclosed: but the Congress has adjourned for a time during the meeting of the Convention here;² and it is probable there is an intermission of all public business at New York; this may account, my Lord, for my not having been yet favored with this communication, tho' I presume that everything that passed in Congress upon the subject, has been transmitted to the American Minister.

As only one of the States to which my commission extends, has hitherto recognized that commission, I shall forbear entering into the duties of my comⁿ. here for a time: especially, my Lord, as I have some particular objects in view, the accomplishment of which must affect the commercial regulations of Gt. Britain and will I trust be deemed of public utility: and indeed, my Lord, untill a general appointment of agencies to the different ports takes place the important purpose of correcting the prevailing practices so detrimental to the British trade, must be very ineffectually answered.

I have the honor to be, my Lord, your Ldp's

Most faithful and most obedient servant

P. Bond.

Rt, Hon. the Marquis of Carmarthen
Endorsed, Philadelphia July 10th 1787

Mr. Bond,

Rec^d. July 28th. by a merchant ship

¹ The resolves of May 3; Jour. Cong., IV, 741, 742.

² Congress had no quorum from May 12 to July 5, inclusive; Journals, IV, 748-751.

18. TO LORD CARMARTHEN.

New York. Aug. 2nd. 1787.

My Lord

In my letter of the 2nd. of July I had the honor to inform your Ldp. that, as but one state had adopted my commission, as consul, in consequence of the resolve of Congress I thought it probable that I should have to make another application to the Secretary for foreign affairs to obtain the compleat recognition of my commission as consul, by all the States to which it extends.

Having had no further communication from any official authority, and being desirous to have this point settled, previous to my receiving your Ldp's instructions relative to the appointment of agents, I came hither a few days ago. I chose this time my Lord as it afforded me a prospect of developing the frauds prevailing in respect to forged passes.

I have the honor to enclose to your Ldp, my dispatches to the Lord's Comⁿ. of the admiralty, upon that subject; and I shall take the earliest opportunity to communicate to your Ldp. the event of my application to the Secretary for Foreign affairs respecting the general adoption of my comⁿ. by the five States which it comprehends.—

The convention of the U. S. A., my Lord have adjourned for a few days: a committee of five is left at Philad^a to digest and prepare certain matters to be laid before the whole body, when they reassemble;¹ and it is said a few weeks will discover to the world the result of their deliberations.

I have the honor to be, with sentiments of the greatest respect, my Lord, your Ldp's. most faithful and obedient servant.

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed. New York Aug 2nd. 1787M^r. Bond.R. 20th.

19. TO LORD CARMARTHEN.

New York. Sep. 2nd. 1787

My Lord

After waiting here a considerable time I have at length received an assurance from the Secretary for foreign affairs,

¹ The adjournment alluded to is that which was taken from July 26 to August 6. Journal, in Documentary History of the Constitution, 1, 112. The committee mentioned is that known in history as the Committee of Detail.

that the resolution of Congress adopting my commission as his Majesty's consul, is now transmitted to all the five States, and that I may proceed to the exercise of my duty, in those States to which that commission extends.

I was the more anxious to have this matter arranged, as I conceived it probable I might be honored with your Ldp's instructions (respecting the appointment of agents) by the July Mail.

The packet arrived on the 30th. of Aug: and as I have not been favored with any directions from your Ldp. on that subject, I mean to return immediately to Philadelphia.

Shortly after the last packet sailed from hence, my Lord, the Ship "Hope", Cap^t. Magee arrived here from China:¹ I have obtained an account of her cargo, at Wampo which I have the honor to enclose to your Ldp. I am in a train of procuring a copy of the return of this ship's cargo delivered in at the Custom House here, and was in hopes I should have been able to have forwarded it to your Ldp. by this conveyance, but all the public offices are become very secret and jealous and it is with difficulty any vouchers are obtained from them.

The enclosed return of the cargo of the ship, Empress of China, Cap^t. Green may be depended upon, as it came directly from the Custom House². It may probably differ from the amount of this ship's cargo, which I lately forwarded to your Lordship; as the one I then sent was taken from a letter from a merchant in this place to his friend in Philadelphia

The Americans, my Lord, are using every possible endeavour to render this trade as productive as possible; and to extend it to more valuable articles, than they have hitherto dealt in.

About the time the Hope left Canton Mr Shaw the American consul there was preparing to go to Bengal³ to open some communication for piece goods and such merchandize as may not only produce a good price here, but also supply the markets of Europe,—particularly Gt. Britain and Ireland.—

The letters I have the honor to enclose to your Ldp. directed to the Lords of the Admiralty and the Com: of the Customs

¹ Congress had granted the *Hope* a sea letter January 26, 1786; Jour. Cong. iv, 611.

² The *Empress of China*, Capt. John Green, was the first American vessel to sail directly to China. She sailed from New York February 22, 1784, and arrived there on her return May 11, 1785. An account of the voyage is given in a letter of Samuel Shaw, the supercargo, to Secretary Jay, May 19, in Dipl. Corr. 1783-1789, vii, 429-435. The returns mentioned above may relate to a later voyage.

³ Shaw was elected consul at Canton January 27, 1786; Jour. Cong. In January, 1787, he wrote to Jay that he intended to go to Bengal; but he was prevented. Dipl. Corr. 1783-1789, vii, 467, 471.

will discover to government some of the practices now carried on to elude the operation of the Acts of Trade—I have the honor to be your Ldp's. most faithful and most obed. servant
P. Bond.

The Rt. Hon. the Marquis of Carmarthen.

Endorsed. New York. Sep. 2nd. 1787

M^r. Bond. Rec^d. 3rd. Oct.

20. TO LORD CARMARTHEN.

Philadelphia Sep 20th. 1787

My Lord,

I have the honor to inform your Ldp. the meeting of the Convention of the United States closed on the 17th inst. and I now enclose to your Ldp. the Constitution of Government recommended to the consideration of Congress. As far as I can judge the sober and discreet part of the community approve of the plan in its present form, and when due consideration is paid to the democratic temper of the times, it is perhaps the best shape in which it could have been handed forth to the people.

I have also the honor to inform your Ldp. there are letters received here from Boston, which mention the French fleet's being ordered to return immediately from thence to France.

I have the honour to be, my Lord, your Ldp's. most faithful and obedient servant

P. Bond.

The Rt. Hon: the Marquis of Carmarthen

Endorsed, Philad^a. Sep. 20th. 1787.

M^r. Bond.

Rec^d 3rd Nov.

21. TO LORD CARMARTHEN.

Philadelphia Sep. 29. 1787.

My Lord

I had the honour of writing to your Ldp. on the 20th. inst. and then informed your Ldp. there were accounts from Boston which mentioned the French fleet's being ordered to return

immediately from thence to France. Since the date of my letter, I have learned a cutter arrived at Boston the 11th inst. supposed to be from France, in consequence of which the French fleet was immediately prepared for sea, and sailed four days afterwards viz. on the 15th. inst leaving a frigate behind to carry off two of the captains of frigates who had been here on a visit and had not reached Boston when the squadron sailed:—the destination of the squadron was kept a profound secret, and the only ground of conjecture, my Lord, that the cutter came from France was that some letters were received from France, about the 11th. inst. one in particular, from the Marquis de la Fayette.

I have had opportunities, my Lord, since the 1st. account reached this place, of writing to his majesty's governors at Jamaica Barbadoes, Dominica. St. Vincent and Antiqua to apprise them of the precipitate departure of this fleet.

The rumor of war, my Lord, has inspired the Americans with new spirits: they anticipate the benefits of a free trade, and already calculate upon the profits of being the carriers to all the belligerent powers.¹ Much as they may affect to have subdued their prejudices against England, their animosities still continue and are palpable upon every occasion:—tho' it is probable my Lord, this country would not take a decided part in a war, if such an event should happen, she would be ready, at all times to show preference to her "great and good ally": the ports of America would be very convenient to the fleets of France and the opportunities of harassing the W. India trade from hence would give their cruisers great advantages over our merchant ships—Your Lordship's discernment will immediately perceive the necessity of paying the strictest attention to every port of consequence on this Continent and of obtaining the most precise information of the arrival and departure of the fleets and cruisers of foreign powers which could be well arranged in the hands of a very few confidential persons.—

My last letter to your Lordship enclosed the Constitution of Government recommended to the Consideration of Congress by the Convention of the States which terminated on the 17th. inst.—Yesterday, my Lord, the Congress in which there was a

¹ War between France and England, on account of their relations to the parties in the Netherlands, seemed possible at this time. Lecky, *England in the Eighteenth Century*, v, 80, 81; *Malmesbury Correspondence*, II, 237-238.

full representation from 11 States—(1 member from Maryland, Rhode I unrepresented) the report of the Convention and their letter and resolutions were by an unanimous resolve ordered to be transmitted to the several States, for the purpose of being submitted to a Convention of each, conformable to the recommendation of the Convention: so that, as far as the power of Congress goes this amounts to a compleat adoption, on their part, of the new constitution.¹

Much, my Lord, as the discreet part of the citizens of America seem to approve of this new form of Government which (as I have heretofore observed to your Ldp. considering the democratic spirit of the times is perhaps the most eligible shape in which it could have been handed forth to the people, a faction has already appeared to throw obstacles in the way of its establishment.

The appointment of a Convention to deliberate upon the New Constitution, was the subject of debate in the assembly of the State yesterday morning:—The Constitutional party objected to the matters being then brought on, they expressed a wish to have time till the afternoon to make up their minds upon so important a subject, and moved to adjourn,—this was acceded to,—at the hour of meeting in the afternoon there was not a sufficient number of members assembled to form a House: the constitutional members did not attend and 19 in number refused to obey the summons of the speaker delivered by the serjeant at arms: this secession so enraged the inhabitants, that a body of respectable men assembled early this morning and made a very active search for the delinquent members:—having found two of them who were sufficient to form a house, they carried them to the Assembly and forced them into the house; the two members protested for a time against this act of violence:—they were referred to a legal remedy against the aggressors: the assembly then entered upon the business of the appointment of a Convention to determine upon the new constitution, which was carried unanimously and the delegates are to assemble in this city on the 3rd. Tuesday in November.²

The measure of force was in this crisis of public affairs deemed inevitable,—but the expedient is a dangerous one and

¹ Jour. Cong., iv, 782.

²See McMaster and Stone, Pennsylvania and the Federal Constitution, pp. 60-72.

may perhaps be retaliated upon some future occasion when the same discretion and moderate conduct may not prevail.

I have the honor to be, my Lord,

Your Lordship's most faithful and most obed. servant
P. Bond.

The Rt. Hon: the Marquis of Carmarthen

Endorsed. Philad^a. Sep. 29. 1787.

M^r. Bond.

Rec. Nov. 6th.

22. TO LORD CARMARTHEN.

Philadelphia Sep. 30. 1787

My Lord,

I returned to this place immediately after I wrote to your Ldp. by the Sep: packet and have entered upon my duties as consul here. Tho' I have not been honored with any communications from your Lordship since my arrival in America it gives me no small satisfaction to hear thro' the medium of my friends in England, that my letters respecting the affairs of this country have been approved by your Ldp. Exertions shall not be wanting on my part, my Lord, to promote the purposes for which I was appointed, tho' in the present manner of my recognition, the means of suitable representation are of course restricted—

I beg leave to represent to your Ldp. that I have incurred some expenses in the two journies, I have unavoidably made to New York, deeming it expedient to obtain a full recognition of my position as consul, previous to my being honored with your Ldp's instructions on the subject of agencies, and having found the proceedings of the Congress or rather of their officers so dilatory my personal attendance there became indispensable: I flatter myself thro' your Ldp's goodness these charges will be reimbursed, and that I shall obtain an allowance of a gross sum, to satisfy future contingencies, in the manner I am informed the consul for the Southern States and Dep^y. Com^y. for com^l. affairs has received his appointment:¹ and I trust your Lordship will not deem it unreasonable in me to hope I

¹ George Miller, whose commission was dated January 5, 1787, was on October 20 recognized by Congress as British consul for the Carolinas and Georgia. Jour. Cong., IV, 800, 801; Dipl. Corr. 1783-1789, VI, 36-38. See post, No. 27.

may be placed upon an equal footing at least, having the department of much the greatest extent; and in one appointment being the principal.¹

I have the honor to be, my lord, with sentiments of the greatest respect, your Ldp's

Most faithful and most obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philad^a. Sep. 30th. 1757.

Mr. Bond.

Rec. Nov. 6th.

23. TO WILLIAM FRAZER.

Philadelphia Oct. 1st. 1787

Sir

I am sensible how much your time is engrossed by very important engagements and impute my not having had the pleasure of hearing from you, to the pressure of public business: The letters I wrote to you and the papers I forwarded about the middle of May, were of such a nature, that I should have felt myself more at ease, if I had been apprized of the receipt of them by yourself, tho' I have lately been relieved by hearing from other quarters, they were safely delivered. But there is another motive which operates with me—besides the gratification of knowing that my letters get safe, it would be satisfactory to me to hear officially, that the particular drift of my communications were deemed useful, and approved by Government. Not being very conversant with matters of this sort, my inquiries may have been ill-applied and the effect of them fruitless. Hitherto they have been directed by my own judgment, merely, I may have pursued an erroneous plan and unless I receive the instructions of Government I may persist in improper investigations, when apt directions might make me make such as might be important:—I shall most faithfully observe the least hint that may be suggested; and every exertion shall be used to improve it.

I have already taken measures to obtain documents, to ascertain the impositions practiced upon the Revenue, to evade the payment of duties;—in the article of tobacco as I have already mentioned, the frauds are carried to an enormous length, by some of the traders from particular States:—the obtaining such

¹I. e., as commissary for commercial affairs.

documents will be attended with some expense, and the *mode* by which they are to be *procured* puts by every idea of exhibiting vouchers for the sums expended.

I state this matter to you as in some measure replying to the answer you were so obliging as to give M^r. Sneyd, on the subject of my expenditures, from which I am led to suppose a regular voucher would be expected for every sum charged; in the case I have alluded to this can not be *expected*, as you will easily perceive. I need only add that whatever I may advance, on the score of contingencies shall be managed with strict economy, and as often as it may be possible vouchers shall be transmitted or an affidavit of the justice of the charges annexed, if required.

I have taken the liberty of writing to my Lord Carmarthen, on the subject of expenses I have incurred on two journies to New York, which I could not avoid and which I deemed absolutely expedient for the purpose of being in readiness to meet his Ldp's instructions as to the appointment of agents, a matter which daily appears to me to require immediate attention: I have also presumed to solicit his Ldp's interference to have a gross sum allowed me for contingencies and to be placed upon a footing, in this respect with the Southern consul; the reasonableness of which application I hope will be admitted; especially when I assure you I have never received one farthing, as a fee of office, since my appointment; nor do I mean to make any charge hereafter, 'till I am positively authorized to do so. I observe his Majesty's consuls in the Med^a. and elsewhere constantly charge consulage; but as I had no instructions upon this point and as the Consul-General assured me he never received any fees of office, I chose to forego the emoluments which other consuls derive from their appointments, at least 'till the matter could be regulated in England—

The applications of distressed British subjects, particularly seamen, are the more irksome to me as my representations in their behalf have not hitherto been noticed: I have already made small advances in cases of extreme necessity, but having no positive rule to govern me, Humanity alone has directed the measure of the relief afforded to each particular object.—

I shall be extremely happy to hear from you and beg leave to assure you I am with great regard, Sir,

Yr. faithful and obed: servant

P. Bond.

William Frazer Esq.

Endorsed. Dec 1st. 1787

24. TO LORD CARMARTHEN.

Philadelphia Nov. 4. 1787.

My Lord,

I have the honor to transmit, to your Ldp, a letter to the Rt. Hon. the Lords Com^{rs}. of the Admiralty enclosing a registry of such vessels belonging to the subjects of His Majesty as have deposited Meditⁿ. passes with me, between the 6th. of Sep. and the 1st. of Oct. following and also a return of such vessels as have not produced passes.

I beg leave to represent to your Ldp the situation of several of the ports within my district, where there is no officer placed to superintend the trade carried on there: In one port, my Lord, particularly (Baltimore in Maryland) the traffic is very considerable and the opportunities to elude the regulations of trade must be frequent and practiced without restraint or the dread of discovery.

The severity of the approaching season has brought together, my Lord, a number of British subjects in great distress particularly seamen; who, one and all resort to me for relief;— as I have not yet been honored with your Ldp's instructions in this respect, the assistance I have afforded them has been merely a matter of discretion directed by the particular circumstances of each case.

The Congress, my Lord, have given Mr. Adams permission to leave London as soon after February next as he pleases; that month puts an end to the period of his appointment;¹ and I have reason to believe, my Lord, no minister will be sent from hence 'till England appoints an ambassador to the United States.

I have the honor to be, my Lord, your Ldp's. most faithful and obed: servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

25. TO LORD CARMARTHEN.

Philadelphia 20th. Nov 1787

My Lord,

I have the honor to enclose to your Ldp. the affidavit of two persons, natives of England who with great resolution, and no

¹ By resolve of Congress, October 5. 1787; Jour. Cong., iv., 786.

small personal risque purchased here and reshipped to Liverpool three machines for spinning cotton and a machine for carding cotton for spinning. These machines your Ldp. will find were clandestinely shipped from Liverpool to Philad^a. packed in Queen's ware crates and casks, to elude discovery:—Their utility in the manufacturing of cotton induced these men to endeavor to prevent their being established here, which they effectually accomplished by returning them to the country, from whence they were fraudulently exported.¹

This transaction, my Lord, has been much canvassed and greatly censured here. It has given birth to the introduction of an Act of Assembly to prevent the seducing artists to quit this State and the sending abroad models for manufactories²—the immediate necessity for such a bill has been warmly urged in the House of Assembly; and it is now in a train of being passed as soon as the forms of the House will admit; the urgency of the subject is assigned as a reason for passing the bill the same sessions in which it originates:—in ordinary cases, Acts of Assembly are published for consideration and referred to the discussion of a future session—Endeavors have been and certainly will be used, my Lord, to inveigle manufacturers from Gt. Britain and Ireland, and tho' from the smallness of their capitals, the people here may not be able suddenly, to engage in extensive manufactures, the very wants of the country will e'er long point to speculations of that sort; and many material articles may gradually advance towards perfection and interfere essentially with the manufactures of Gt. Britain—

The Society instituted here for the encouragement of manufactures and the useful arts are very anxious to detain every artist in the country, whose skill may have a tendency to promote the purposes of the institution.³

Lately, my Lord, this Society has offered to confer premiums on such persons as may exhibit the most useful engine to be moved by water, fire, etc. by which the ordinary labor of manufacturing cotton, wool, flax, or hemp may be saved—to such persons as shall raise and clean the greatest quantity of hemp, of flax and of cotton:—to such persons as shall exhibit the most approved set of specimens or patterns of printed linen

¹ A similar incident, contemporary with this, is related in Bagnall's *Textile Industries of the United States*, I, 75, and in White's *Slater*, p. 71.

² Probably the act of March 29, 1788; Dallas's *Laws*, II, 590.

³ For an account of this society, founded in 1787, see Bishop's *History of American Manufactures*, I, 404-411.

and cotton goods—for the best specimen of letter press, executed by types made in Pennsylvania,—for the best specimen of earthen-ware, approaching nearest to delf, white stone or queen's ware—for the greatest variety of flint glass ware—for the greatest quantity of glass bottles—for the best specimen of sheet glass—for the greatest quantity of pot ashes and pearl ashes, wool and bleached wax for discovering and producing the greatest variety of specimens of painters' colors drawn from the fossils and earths of the United States and for the greatest number of Smith's anvils equal to those imported from England—¹

I do not apprehend, my Lord, that any of the manufactures for which premiums are offered will be speedily brought to a State of Rivalship with those of Gt. Britain, but when matters of this sort are in agitation, it is fit to guard against an evil, which tho' at present in its infancy may by perseverance and management progressively arrive at such a pitch as to interfere essentially with the interests of the British manufacturers—

The persons, my Lord, who made the enclosed affidavit assured me they had every reason to believe that Joseph Hague therein mentioned was very lately at a place called Simmontly near Hayfield in Derbyshire.²

The ideas I had the honor to communicate to your Ldp. respecting the China trade have been confirmed by information I have had that it is now in contemplation to ship teas in casks covered with Indian corn etc from hence to the W. India Islands. This traffic will no doubt, my Lord, thro' some other medium of deception be extended to Gt. Britain and Ireland particularly to the latter.

Several vessels are about to sail from hence to Ireland, and the complexion of the owners justifies the apprehension that they will attempt every means to run teas as well as tobaccos into that country, Guernsey and Jersey too, my Lord, have been found to afford convenient store houses for the tobacco of Virginia and Maryland; and several vessels belonging to those islands have lately been laden with that article, for the purpose of sale to those who convey it clandestinely to England from thence.

I have communicated to some of his Majesty's governors in the W. Indies my apprehensions respecting the export of teas

¹ Bishop's History of American Manufactures, i, 406.

² In October, 1788, the society above mentioned gave a reward of £100 to John Hague of Alexandria, Va., for a carding machine. Bishop, i, 409. See post No. 30, ad fin.

etc, from hence to the islands, and should hope such illicit attempts may be frustrated.

Had I been honored, my Lord, with your Ldp's directions as to the assistance I am to afford to British subjects desiring to return home, I could have extended beneficial relief to some useful manufacturers who wish to revisit England;—at this time, my Lord, any supply on my part may incur the jealousy of the States, if not personal risque; and having no particular instructions, by which I am regulated, the measure, as well as the manner of relief must depend upon my own judgment, until I know your Ldp's decision upon this matter—I have the honor to be, my Lord, your Ldp's most faith: and most obed: servt.

P. Bond.

Rt. Hon: the Marquis of Carmarthen

Endorsed. Philad^a. Nov. 20. 1787—M^r. Bond—R. 12th. Jan: from M^r. Barclay.

26. TO LORD CARMARTHEN.

Philad^a. Dec. 29th. 1787.

My Lord,

I have the honor to enclose to your Ldp a letter for the Rt. Hon. the Lord's Com. of the admiralty, and another for the Hon. the Com. of the Customs forwarding ship's papers; and I am happy to inform your Ldp, that I have discovered a fraud practiced by some traders of this place, to evade the Acts of Navigation, by obtaining British papers, for a vessel, the property of subjects of the United States; the particulars of which I have communicated to the Lords of the Admiralty by this mail.—

Since I had the honor of writing to your Ldp. two ships have sailed from hence to China; one the *Asia*, Capt. Barry,¹ a fine new ship of about 320 tons—the other the *Canton* ship, Capt. Truxton of about 260 tons; the latter of which has already been one voyage.

The ships my Lord are chiefly laden with [] rum and other spirits, and British goods of particular kinds, suited to the China markets, most of these goods, my Lord, the too liberal faith of British merchants intrusted to dealers here, who are now speculating and sporting with the property

¹ Congress gave the *Asia* a sea letter February 1, 1788. Journals, iv, 806.

of their creditors and screening themselves under a most relaxed system of laws: There is some specie on board, my Lord, about 57000 dollars in the Asia and about 46000 dollars in the Canton but this article was not so easily obtainable as British goods; indeed it was found so scarce that many of the company interested in these ships found it extremely difficult to make up their respective quotas; even now, my Lord, the money and goods exported in these ships will not be adequate to the necessary investments in China, to render the voyage a productive one. Recourse will therefore be had to the borrowing on bottomry and respondentia Bonds, from those, who finding it difficult to send their fortunes home, adopt this circuitous mode of remittance; or are perhaps tempted by high premiums to incur an extraordinary risque.—I have heretofore, my Lord, given your Ldp. all the information I was possessed of, on this subject; and the languid manner in which the outfits of these ships have been made here confirms the opinion I presumed to offer to your Ldp, that a very little matter by way of check would perfectly unhinge this trade and completely derange all the plans of those engaged in it.

The ship called the "Grand Turk," Capt Derby sailed again from Salem in New England to the isle of France, on the 8th. inst.—¹

A small brigantine belonging to this port of about 110 tons burden sailed within these few days, hence for Batavia

I have the honor to enclose your Ldp. a direction respecting one of the persons who lately made the affidavit to prove the fraudulent shipping of manufacturing utensils and the decoying manufacturers from Gt. Britain and Ireland; I advanced him a small sum of money, and he is now on his way, with his family to Cork and Liverpool; if your Ldp. should think it proper to have him examined, he may probably furnish very material information respecting those who are engaged in this business—

I have the honor to be, my Lord, your Ldp's most faithful and obed: servant

P. Bond

The Rt. Hon; the Marquis of Carmarthen

Endorsed. Philad^a. Dec. 29th. 1787

Mr. Bond.

R. Jan; 29th.

¹ An account of her voyages will be found in Hunt's Merchant's Magazine, xxxvi, 165-168.

Henry Royle, callico-printer who lately made an affidavit (transmitted to Government) respecting the illegal shipping of manufacturing machines and the decoying manufacturers from Gt. Britain and Ireland, embarked on the 21st of December on board the ship *Cyrus*, Capt. W. Keith bound to Cork and Liverpool.

Henry Royles purpose is to get into Cheshire as soon as possible—there he may be heard of by applying to Thomas Kirschew, of Chadwick near Stockport in Cheshire, callico-printer,—or to Henry Wild, stone-mason in Stockport, who is his Father-in-Law.

Philad^a. Dec. 29th. 1787.

Endorsed. In Mr. Bond's Dec. 29th. 1787.

27. TO LORD CARMARTHEN.

New York Jan: 2nd. 1788

My Lord,

Finding a considerable murmur prevailed in Philad^a. respecting the manufacturing utensils exported from thence to Liverpool; and knowing, from the disposition of some traders there, whose illicit practices I was so fortunate as to discover, that every stratagem would be used to regain the ship's papers, I had detained from them, I was loth to entrust the dispatches I have now the honor to forward to your Ldp. by any common conveyance:—as no confidential opportunity offered, I came here in time my Lord, for the January Mail, and shall return to Philad^a. as soon as the packet sails.

I have the honor to inform your Ldp. that Mr Millar has lately favored me with a letter which mentions his having been received by the State of S. Carolina, as his Majesty's consul, and that the same has been announced to the subjects of that State by a notification under the hand and seal of the Lieut. Gov^r.¹

I have the honor to be, my Lord, your Ldp's most faithful and most obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed. New York, Jan 2nd. 1788

Mr. Bond.

R. 29th.

¹ See note at the end of No. 22.

28. TO LORD CARMARTHEN.

Philadelphia Feb. 3. 1788

My Lord

In my last letter from New York I had the honor to inform your Ldp. I went thither as the messenger of my own dispatches under an apprehension means would be found to prevent my communicating to government some under practices I had discovered, relative, as well to the seducing manufacturers from Gt. Britain, as to the obtaining British papers for an American vessel.

The event in some measure compensated for the journey I had taken at a very severe season as the irregularity of the Post Office here occasioned the delay of the Southern Mail which was left behind and forwarded from New York, a fortnight after the packet sailed by a merchant ship to London.

On the 28th. of Dec. my Lord, the ship "Jay", Capt. Randall¹ (formerly the "Hope" Capt. Magee of which ship I have already made mention to your Ldp.)² sailed from New York for Madeira and Canton; this vessel has on board a very few dollars and no other freight from New York except a small quantity of ginseng it being the intention of the owners to take in a cargo of wines at Madeira, to suit the China market.

On the 18th of Jan: my Lord, L'Aigrelle a French 40 gun ship arrived at New York having on board the Baron de Moutier, Minister Plenipoty from the Court of France to the United States.³

On the 22nd. of Jan: a sufficient number of the delegates from the different States were assembled at New York, to form a Congress; they accordingly chose a president and proceeded to business.⁴ Neither the Nov. or Dec. mail is yet arrived.

I have the honor to be, my Lord, your Ldp's.

Most faithful and most obedient servant

P. Bond.

The Rt. Hon: the Marquis of Carmarthen

Endorsed. Philad^a. Feb. 3rd. 1788

Mr. Bond.

R. 19th. March.

¹ See letter granted by Congress October 27, 1787, Journals, iv, 803.

² See No. 19.

³ The Count de Moutier had his public audience on the 25th. Jour. Cong., iv, 810.

⁴ Jour. Cong., iv, 806.

29. TO LORD CARMARTHEN.

Philadelphia Mar. 3. 1788

My Lord,

I have the honor to enclose to your Ldp a letter to the Rt. Hon. the Lords Com^{rs}. of the Admiralty containing a Mediterranean pass, the term for which it was granted being expired and the vessel having undergone a very considerable alteration since the pass was obtained, the master deposited it in my hands for the purpose of transmitting it to England.

The Convention of Massachusetts Bay, having ratified the federal constitution,¹ six States have now adopted it, every other State, my Lord, Rhode Island alone excepted has nominated a Convention, and there seems every prospect at present of a recognition of 12 states of the 13.

It will be a fortunate thing for this country and for those whose interests are connected with it to enjoy a system of Government whose energy may correct the present relaxed situation of the laws and restore public faith and private credit—

In some parts of America, my Lord, particularly in the Southern States, the rights of British subjects are most severely oppressed; and no means of immediate redress presents itself—

I take the liberty of forwarding to your Ldp, two American papers,—one (of the 14th. Jan. last) containing an act of assembly of Virginia passed in consequence of the recommendation of Congress to the different States to repeal all laws inconsistent with the treaty of peace,² the other (of the 29th. Jan: last) containing the opinion of the superior court of N. Carolina upon the great question of alienage.

The Act of the Legislature of Virginia, my Lord, too plainly evinces the disposition of that country to evade that article of the Treaty which provides for the mutual recovery and security of debts. What that State has done in that respect amounts to a nullity, as the condition upon which the Act is to take effect cannot possibly be complied with, the caution with which the amendment is passed affords but an unfavorable prospect to those whose interests are at stake.

¹ February 6.

² The act of December 12, 1787 (Hening, XII, 528) repealed the laws impeding the collection of British debts; but was not to go into effect till Great Britain gave up the Western posts and made compensation for the negroes taken away in 1782.

It would have been too great a *risque*, my Lord to have noted the condition which was to give operation to the Act upon the adoption of the recommendatory resolve of Congress, by all the other States of the Union; because they might *all* possibly adopt it;—a proviso therefore is substituted by way of amendment, which precludes all apprehension of inconvenience from the operation of the Act; for England, at least in the present state of public affairs here, can have no reliance upon the Faith of Treaties and can not in policy relinquish the only security left to compel the observance of solemn stipulations.—

The decision of the superior court of Carolina, my Lord, goes infinitely further than either the principles of law applied to the circumstances of the case, or the terms of the treaty will justify¹—Tho' an alien cannot hold real property, the term is improperly applied to the subjects of Gt. Britain, who were competent to hold lands before the Revolution—and it is a very harsh interpretation of the laws of alienage to say that the subjects of a common prince, possessed of a real property in a part of his dominions dismember'd from the Empire shall forfeit that property by reason of the Revolution which occasioned the dismemberment.—But the Treaty of Peace, my Lord, positively provides that no future confiscations shall be made and it is difficult to say to what the 6th article of the treaty applies, if it be not the security and confirmation of the title of lands held by British Subjects in the United States:—For my Lord, persons who had committed treason against the States were attainted and their lands of course forfeited from the period of committing the treason; which must have been antecedent to the Peace; and if every British subject possessed of lands in America forfeited those lands, upon the Declaration of Independence, the terms of the 6th article are vain and nugatory because there is no object existing to which it specifically applies.

My Lord, I have presumed to mention these things to your Lordship that Government may be informed how materially the Spirit and Meaning of the Treaty of Peace is violated and to suggest with great deference and respect the expediency of adopting some measures, which may tend to place the property

¹ Case of Bayard *et al.* v. Singleton, 1 Martin's North Carolina Reports, 42.

of British subjects upon some footing of certainty—I have the honor to be, my Lord

Your Ldp's most faithful and obed: servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed, Philad^a. Mar. 3rd 1788.

Mr. Bond

R. 29th.

30. TO LORD CARMARTHEN.

Philadelphia Mar. 30. 1788.

My Lord,

I beg leave to inform your Ldp. the recom^d. resolve of this congress was lately taken into consideration by a committee of the house of assembly of Pennsylvania; who reported thereon that there were no laws, in this State, repugnant to the Treaty of Peace:¹—While this matter was in agitation, one of the members of the council informed me, any suggestions I had to make on this subject would be received by the Council. Well knowing, my Lord, from the conversations I had with the Secretary for Foreign affairs, that in my character as consul, I was not deemed competent to make representations to the legislatures of the individual States and yet unwilling to lose this favorable opportunity of stating some points of considerable consequence to the interests of the British merchants I considered myself justified in availing myself of the disposition of the Council to receive any suggestions I might offer; intending to propose them rather in the shape of a private communication than of an official application:—For this purpose my Lord, I addressed a letter of the 7th of March to his Excellency Dr. Franklin, president of the State of Pennsylvania, a copy of which I have the honor to forward to your Ldp:—in consequence of which the council were pleased to fix the 12th of March to hear me on the subject of my letter:—I accordingly attended my Lord, and was favored with a very patient and attentive hearing:—and I have great satisfaction in informing your Ldp. that the disposition of the council seemed strongly inclined to promote every measure which

¹ March 3. 1788; American State Papers, Foreign Affairs, 1, 231.

affected national justice.—After I had stated those points which occurred to me as requiring particular reform, his Excell^y. the Pres^t. was pleased to request me to furnish him with any observations in writing, which I did with as much expedition as the nature of the thing would permit; I have now also the honor to enclose your Ldp a copy of those observations.¹—I trust, my Lord, some legislative interposition will follow, calculated to reach the extent of the grievances complained of.

I was the more anxious my Lord to endeavor to obtain an adoption of the recommendatory resolve in some shape or other by the legislature of Pennsylvania, because its consequence as one of the States of the union might inspire other States with an idea of the necessity of the adoption, besides, my Lord, as the original proviso of the law, brought into the assembly of Virginia restrained the adoption of the recom^y resolve 'till the other States of the union should pass similar laws,² it was natural to suppose individual States might have recourse to the same proviso, and the effect of the recom^y. resolve of Congress might be, if not defeated considerably delayed, 'till the adoption became uniform thro'out the States.

I have now my Lord the honor to enclose the Act of Assembly of Virginia,³ as it really passed the house, the condition upon which the operation of the law now depends is considerably changed. It is unnecessary for me to remark upon it, at this time, having lately presumed to offer my sentiments thereon to your Ldp. well knowing the just ground upon which Government delays the delivery of the posts stipulated to be given up by the Treaty of Peace, I consider the operation of this law as depending upon an impossible condition, so that the law is rendered a compleat nullity—

The state of Virginia, my Lord, in October 1779 passed a law for the protection and encouragement of the commerce of nations, acknowledging the independence of the U. S. A., which Act prescribed a mode of process, by which suits wherein foreigners were parties against subjects of the State should

¹ See Minutes of the Supreme Executive Council of Pennsylvania, xv, 408-410.

² The original resolution, adopted November 17, 1787, had this form; on December 1 it was modified to that which appears in the statute of December 12, summarized in a note to No. 29, above. See Miss Rowland's *George Mason*, II, 194-198, and the *Journals of the House of Delegates*.

³ See *Hening*, xii, 528.

be accelerated.¹ Lately, my Lord, one of the courts in Virginia determined that British subjects were equally comprehended within the provision of that act with subjects of other Empires, who had acknowledged the independence of the United States; as Gt. Britain had now, also, made that recognition the courts of that Commonwealth were open to British subjects on contracts made subsequent to the Treaty of Peace: at the same time two of the judges took occasion to observe, my Lord, that whenever the other question "How far the courts were open to British subjects on contracts made previous to the Peace," should come before them, they would give their opinion to the best of their abilities, unbiassed by party prejudice and uninfluenced by popular clamors.

This conduct of the court, my Lord, most probably gave birth to the Act passed Dec 31st. last, by which the advantage of proceeding in a summary way by foreigners agst. subjects of the State, is done away: This appeal, my Lord, most essentially affects the rights of the British merchants, and is most probably levelled at them, since their demands greatly surpass those of all other nations:—they are now, my Lord, in this Predicament—it is doubtful whether contracts made anterior to the Peace can be recovered at all, and those made after that event are subject to the common delays of the law, which are grievous and oppressive beyond description.

Some endeavors have lately been made in the assembly of S. Carolina to extend the periods described in the Instalment law of that State: by which law, my Lord, all debts contracted previous to the 1st Jan. 1787 were payable by annual proportions of 1/3^d., the first 3^d. payable on the 1st. March 1788.²—on the 21st of February the house of assembly resumed the consideration of the proposition for altering the installment law which was fortunately negatived, by a very large majority:³ This endeavor was followed my Lord by a bill brought into the house for the purpose of compelling creditors to take estates and property, seized in Execution, as payment for debts at a valuation and appraisement: but it is hoped, my Lord, this attempt will also be defeated.

¹ Ch. 40, Hening. x, 202.

² Act of March 28, 1787; Cooper, v. 36.

³ Such an act was, however, subsequently passed, November 4, 1788. Cooper, v. 88. It permitted the payment of such debts by fifths on March 25 of each year from 1789 to 1793, inclusive.

The adoption of the recommendatory resolve of Congress to repeal all the repugnant laws, has not yet taken place in S. Carolina, nor is it probable it will; a declaratory law has passed in New York¹—the assembly of both these states, has been sitting for some time.

A tender law, my Lord, has existed in the State of Massachusetts Bay which enables debtors to pay their debts in property at a valuation—this law being nearly expired a motion was lately made in the Senate to prolong it—but this motion was negatived, from hence my Lord, some degree of confidence results, that the legislators of that State are inspired with a due sense of the value and importance of public faith and the necessity of adopting a system of energy to rescue the country from the difficulties in which it is involved.

It must give cause of great concern to every humane mind to observe the opposition which is growing apace to the confederal constitution.

In this State, my Lord, petitions have been presented to the Assembly signed by a great number of people in the Western parts of Pennsylvania remonstrating against the Constitution proposed by the late federal convention for the government of the United States.²

In New Hampshire the State Convention met and adjourned, till June next, a step which is deemed very unfavorable to the adoption of the New Constitution—All the States in the Union have acceded to the measure of appointing Conventions to ratify the New Constitution except Rhode Island:—in that State the mode of ratification is singular—the freemen and freeholders are to convene in their respective towns in town meetings, assembled to deliberate and resolve by poll whether the Constitution shall be adopted or negatived.³

The legislature of this State, my Lord, have published an act for public consideration to recompense John Hague (one of the persons mentioned in an affidavit I had the honor to submit to your Ldp. in Nov. last) for introducing into this State a useful machine for carding cotton;⁴—Joseph Hague, I presume my Lord is still in England. About the 1st of this

¹ Presumably the act meant is that of March 21, 1788. Greenleaf's Laws, II, 200.

² McMaster and Stone, Pennsylvania and the Federal Constitution, p. 23.

³ R. I. Schedules, February 29, 1788.

⁴ There is a Pennsylvaniaian act of October 3, 1788, granting him £100.

month, my Lord, another ship, the "Jenny" Capt Thompson, sailed from New York for Canton, in China. This ship is about 300 tons burden.¹

I have the honor to be my Lord, your Ldp's
Most faithful and most obed: servant.

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

31. TO LORD CARMARTHEN.²

Philad^a April 22nd 1788

My Lord

As I find some merchants here have it in contemplation to ship wheat from hence to England, under a hope the Ports may be opened, when the cargoes arrive, I think it my duty to inform your Ldp. that the growth of wheat for several years past in most of the middle States has been injured greatly by an insect called the Hessian fly, whose ravages have been progressive and in some cases ruinous.

It seems at present, my Lord, quite uncertain where this destructive insect deposits its egg; but, from some experiments made here, it is most probable the egg is laid in the grain; as seed wheat steeped in a preparation of Elder Juice effectually secures the crop; from whence it is but reasonable to conclude that this process destroys the egg in the grain.

Tho' it is not probable the wheat of this country will be used as seed grain in England, the introduction of American wheat may be the means of communicating the insect to other grain, afterwards used as seed; and the consequences to the

¹ See letter granted February 11, Jour. Cong., IV. 808.

² From a paper by Dr. H. A. Hagen, in the *Canadian Entomologist*, Vol. xvii, pp. 81-93, it appears that this letter and Nos. 37, 39, and 44 were printed as Nos. 1, 22, 27, and 28, in a quarto pamphlet of 65 pages on the Hessian fly printed by the British Government in 1789, and entitled: "Proceedings of His Majesty's Most Honourable Council, and Information received respecting an Insect supposed to infest the Wheat of the Territories of the United States of America." The substance of this paper, including extracts from Bond's letters, is given in the third edition, 1797, and Dobson's edition, 1798, of the *Encyclopædia Britannica*, VIII, 489-495. An elaborate article on the history of the Hessian fly, by Dr. Asa Fitch, was printed in Vol. vi, of the *Transactions of the New York State Agricultural Society*, 1846, pp. 316-373; information contemporary with Bond's is to be found in the *American Museum*, Vols. I. IV. XI. See also the treatise on the Hessian fly by Prof. A. S. Packard in the *Third Report of the United States Entomological Commission*, 1883 (Forty-seventh Congress, second session, House Mis. Doc. No. 44), pp. 198-250, [3]-[49], and the article by C. V. Riley in the *Canadian Entomologist*, xx, 121-127.

agriculture of the Kingdom may be as fatal as they have proved to many farmers in the middle States of America.

I have the honor to be, my Lord

Yr. Ldp's

Most faithful

and obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed. Philad^a Ap: 22nd 1788

M^r Bond.

R. 26th May.

32. TO LORD CARMARTHEN.

Philad^a. May 5th 1788.

My Lord,

I have the honor to enclose to your Ldp a report of the Rt. Hon. the Lords Com^{rs}. of the Admiralty—

Since I had the honor of addressing your Ldp. last, the State of Maryland has by a very large majority adopted the new form of Government recommended by the Federal Convention,¹ so that now seven States have acceded both measure, Massachusetts Bay, Connecticut, New Jersey, Pennsylv^a Delaware, Maryland and Georgia, and it is presumed the number prescribed by the constitution to give it efficacy will shortly take place.—

Within a few weeks my Lord, the good ship Commerce Capt. Bell, arrived here from Madras—the manifest of the cargo has been concealed with great strictness, nor have I been able to ascertain the particular articles of the lading, by any means I could use, the original value as returned at the Custom House for which duties were [paid] amounted to about £50000 sterling about £30000 of which was, on account of the owners here; the rest of the cargo was made up from consignments from various persons in Madras who adopt this circuitous mode of getting their property to England, in preference to the more expensive one of a direct remittance. The cargo consists of cotton goods in various shapes,—muslins, calicoes etc, together with chintzes—silk handkerchiefs etc. etc. all of which are

¹ April 26.

now upon sale at a very low rate compared with the same sort of goods brought hither from England.

The captain and officers of the "Commerce" say they remained four months at Madras and speak in terms of gratitude of the respect and civility they met with from the English there—

I have the honor to enclose to your Ldp. a list of the owners of the "Jenny," Cap^t. Thompson, who lately sailed from New York, for Canton and also the particulars of her cargo and the expense of the whole investment of the ship.

The Americans engage eagerly in this trade as affording every prospect of productiveness.

I have the honor to be, my Lord, yr. Ldp's

Most faithful and obed: servant

P. Bond.

Rt. Hon: the Marquis of Carmarthen

Endorsed. Philad^a May 5th. 1788

Mr. Bond.

R. 25th. June.

33. TO LORD CARMARTHEN.

Philad^a June 28th. 1788

My Lord.

I have the honor to inform your Ldp. that accounts have been received here that the State of New Hampshire has adopted the Federal Constitution:¹—this being the 9th. State that has recognized the new Government it is presumed immediate measures will be taken to convene a Congress, in the mode prescribed therein. As no steps have hitherto been taken in consequence of the recent adoption of New Hampshire, it is yet uncertain where the 1st. federal establishment will be convened—but it is generally supposed this will be the place of meeting—

It is at this moment very uncertain, my Lord, whether Virginia and New York will adopt the New Constitution:—the Conventions of both these States are now sitting—it is presumed the majority of the former tho' but very small will be in favor of the adoption but the members returned to the Convention of the latter are chiefly against the new Government: It

¹ June 21.

is hoped however the proceedings of New Hampshire may have some effect to influence the conduct of Virginia and New York:—at any rate, my Lord, in the present circumstances of this country, it will require no short period of time to organize any form of Constitution which has for its object the government of such an extent of territory—where so many clashing interests and local prejudices prevail.

The wretchedness of the mass of people here occasioned by the reduced and precarious state of all property has inspired a spirit of emigration very detrimental to the consequence and increase of the United States: the settlement on the Mississippi draws off yearly a prodigious number of inhabitants and perhaps there never was a more favorable period, my Lord, to encourage the introduction of settlers into Canada from hence; to which country a number of sober well-disposed persons among the Quakers have already directed their views:—they would probably, my Lord, have carried their intentions into effect but that apprehensions prevailed among them that the French clergy were entitled to some contribution from the landholders in the nature of tithes; with which the religious principles of these people are at variance:—It was also conceived, my Lord, that the allotment of new lands was confined only to the frontier of Canada; and as these people are of a peaceable and quiet disposition, the locality of such a position might subject them to the attacks of an enemy whom they could not resist, and who, by availing themselves of this circumstance, might thereby, in case of war, gain a footing in the interior part of the province.

I have endeavored to dissipate these objections, my Lord, as far as my situation would justify my taking any part in a business of this nature;—but I beg leave to observe to your Ldp. I am convinced if favorable terms of settlement were held out from Canada a vast number of good and useful inhabitants might be drawn from hence thither.

I have the honor to be, my Lord, yr Ldp's most faithful and most obedt. servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed. Philad^a. June 28th. 1788

Mr. Bond.

R. Aug. 18th.

34. TO LORD CARMARTHEN.

Philad^a. Aug. 3rd. 1788

My Lord,

Within a few days the Convention of New York have ratified the federal Constitution, in a manner very different from what was generally expected.

The severity of party disputes ran very high and for a long time, my Lord, those who opposed the new Constitution, had a considerable majority:—a very sudden revolution took place in the minds of some of the members and the federal Government was at length adopted without amendment or condition.¹

In the course of the last month, my Lord, two vessels arrived at New York, one from Canton, the other from Madras: the cargoes of these vessels are valuable, tho' their burden is not great: they are both brigantines of about 150 tons each—the particulars of their cargoes I have not yet been able to obtain.—

I have the honor to be, my Lord, yr Ldp's

Most faithful and most obedient servant

P. Bond.

Rt. Hon: the Marquis of Carmarthen.

Endorsed. Philad^a. Sep. 3rd.² 1788

Mr. Bond.

R. 16th.

35. TO LORD CARMARTHEN.

Philad^a. Aug. 3rd. 1788

My Lord,

I beg leave to inform your Ldp, I have lately had some correspondence with Mr. Miller, the consul for the Southern States of America, respecting fees of office, of the propriety of demanding which, he wished to be informed.—

Soon after my recognition, as consul by the congress, I took the liberty of applying to your Ldp on that subject; and represented the general usage that prevailed, wherever his Majesty's consuls were established to charge and receive consular, and praying your Ldp's instructions thereon.

As I have not been honored with an answer to my representation, I was unable to give Mr. Miller any satisfaction as to

¹July 26.

²For August.

the objects of his inquiry; and tho' there were certain matters in the nature of certificates to foreign as well as British vessels for which fees had been charged anterior to my appointment, and to which I deemed myself justly entitled since the duty devolved upon me, I chose to forbear and have recommended it to Mr. Miller to forbear, taking fees of Office of any sort till your Ldp's. instructions were received.—

The expense of living here, my Lord, might of itself justify the expectation of being permitted to take the usual fees of Office if the invariable usage could not be offered in favor of the claim of consulage.

The charge, my Lord, would fall light upon individuals and would be a means of lessening to Government the expense of the inferior appointments when agents or vice-consuls for the different ports on this continent are nominated:—A measure, the expediency of which I have heretofore taken the liberty of suggesting to your Ldp's consideration, and which I had some reasons, previous to my leaving England, to suppose would have been speedily carried into effect.

In addition to what I have already remarked, I beg leave to observe to your Ldp. that I find a vice-consul is appointed for Georgia, which appointment, I presume will be confirmed by Government. As the office of consul to the five States to which I am nominated would essentially interfere with those duties which were the immediate objects of my mission here, I trust your Ldp. will approve the reasonableness of my expectation to be enabled to appoint deputies thro'out my department with such addition to the ordinary consulage, in the way of salary as your Ldp. may be pleased to think the nature of the respective appointments may require

The frauds that are practiced without a possibility of thorough detection, in those ports where no appointment exists fully confirm the expedience of a proper superintendence in all the ports of consequence upon this continent.

I have the honor to be my Lord, your Ldp's

Most faithful and most obedient servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed Philad^a. Sep. 3rd. 1788

Mr. Bond.

R. 16th. Sep:

36. TO LORD CARMARTHEN.

Philad^a. Sep. 2nd. 1788

My Lord

I have the honor to enclose your Ldp. a letter to the Rt. Hon. the Lords Com^{rs}. of the Admiralty containing a registry of Medit^a. passes to the 1st. of Aug. last. I beg leave to inform your Ldp. advices have been received here, of the rejection of the new form of government by the convention of North Carolina,¹ in which a very large majority prevailed to counteract those measures which are almost universally deemed essential to the existence of the United States: as however a competent number of the States had ratified the constitution to enable the present congress to put the new Government into operation, a committee was appointed to frame a proper act for that purpose; upon whose reports great debates arose as to the fixing the place of meeting of the first congress under the new establishment.² The interest and convenience of the different States drawing different ways occasioned no small heat and confusion, so that, at this moment this important point is not arranged; it is probable, my Lord, the appointing the place of meeting will lie over till a fresh appointment of delegates under the *old* form takes place, which will happen in the course of the next month: As so much altercation has taken place in the present Congress; it is not probable seven States will be found *therein*, to coincide in one opinion as to the place of meeting;—and, my Lord, until such a coincidence of sentiment prevails, this important question must remain undecided—

The assembly of the State of Pennsylv^a. meets this day; I trust my Lord in the course of the session, some regulations will take place upon those points I have had the honor to submit to the consideration of the Legislature: they appear to me my Lord most essentially to affect the interest of every British subject, whose property is at stake upon this Continent.

I have the honor to be my Lord, your Ldp's

Most faithful and obed^t. servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philad^a. Sep. 2nd. 1788.

Mr. Bond.

R. 4th. Oct.

¹ August 1.

² Debates of July 28, 30, August 4-6, 13, 26, Jour. Cong., IV, 839-849, 856, 857.

37. TO LORD CARMARTHEN.¹Philadelphia Oct. 1st. 1788

My Lord,

Immediately after I had the honor to receive your dispatches of the 26th. June, I made an excursion into the counties of Philad^a., Chester Lancaster Berks and Montgomery in this State and passed thro' a district of country, where the culture of wheat is much attended to and where husbandry is in as high a degree of perfection as in any part of this continent:— It was universally agreed by all the farmers, with whom I conversed that no insect of the description to which the Hessian fly answers, or even of the weevil kind has ever affected the wheat there:—Some few years ago a small worm not unlike an ant attacked the rye:—It confined itself to the root of the grain and was for a time troublesome and alarming:—but it did not continue long and has never since appeared.

It is very certain, my Lord, that the Hessian Fly had not till within these two years shown itself in any county of this state: Its progress having been from the N.E to the N. N: W. S and SW: the county of Bucks bounding on the River Delaware (which river separates the States of Penn^a. and New Jersey) was the first county in the State of Penn^a. that felt the inconveniences of this destructive insect; and there is now very conclusive reason to believe it has already made a progress and that within a few weeks many miles further to the South and S. West, it will be severely felt in some of the interior counties of this State by the destruction of the crops of next year.—

I have, my Lord, taken great pains to collect and examine all the papers published here on this interesting subject which your Ldp. will receive by this mail. I have also visited M^r. Cleaver and M^r. Jacobs the former of whom first discovered the fly in the county of Chester, the latter published the printed paper now sent, signed by him and M^r. Vaux.² I have also seen and conversed with many other intelligent men who have

¹ As to this letter, see the note to No. 31.

² The papers of Cleaver, Jacobs, and Vaux, together with that of Wadsworth mentioned below, are summarized in the third edition of the Encyclopedia Britannica, art. Hessian Fly. The account by Messrs. Vaux and Jacobs was printed in the Pennsylvania Packet of August 21, 1788, and is reprinted in the Third Report of the United States Entomological Commission (Forty-seventh Congress, second session, House Mis. Doc. 21), pp. [4], [5].

observed the destructive ravages of this fly: but my Lord, the result of the information I have received and of my own observation and of the experience of others has not furnished me with any satisfactory means of deciding whether this insect attacks the grain of the wheat and if so may be communicated by seeds or whether it is confined to the plant and straw alone and of course not to be communicated by seed. Your Ldp. will find this destructive insect was first discovered upon Long Island in the year 1779.¹ That island is in the State of New York; it is to the E or rather NE of those parts of New Jersey and Penn^a. in which the fly has appeared: and the S. SE and S.W of the State of Connecticut—Farmington in Conn^t. from whence Mr. Wadsworth dates his letter is about due N. from the centre of Long I.

This is certainly not the fly weevil described by Carter² in the 1st. vol: of the Am: philosop. transactions, since the fly weevil was never known to advance into Penn^a.; and I am convinced from the best information it never did; tho' it extended gradually from Carolina into Virginia Maryland and the Delaware State. The course of its progress was very different to that pursued by the Hessian fly;—Long I was indisputably the point of departure of the Hessian fly and indeed, my Lord, it is not very probable, or consistent with the natural order of things that an insect of that sort should have travelled such an extent of distance as the space between the Delaware State and Long I without marking the intermediate country with some of its ravages.

But my Lord there is a very essential difference as to the colour, form, and appearance of the one, and of the other: The Hessian fly is a small dark fly, with long thin black legs, clear transparent wings extending far beyond the body or the trunk, with small tho' perceptible horns or feelers projecting from the snout. Those I have seen appear in shape and size like a little fly that attacks cheese in this country, and which is very closely watched by the keepers of dairies here, as very productive of the worm or skippers which destroy cheese: and my Lord, it is a little remarkable that the worm produced from the egg of the Hessian Fly, of which I have seen numbers,

¹ The assertion that the insect was found in America before the Revolution seems to have been disproved by Prof. C. V. Riley in the *Canadian Entomologist*, xx, 121-127.

² Col. Landon Carter of Sabine Hall, Va., prominent in politics and agriculture; letter of October 18, 1768.

altho' rather thinner and longer bears a strong resemblance to the worm in cheese:—

The fly weevil as described by Carter is a brownish moth with little trunks or bodies something shorter than their wings.

The horns which evidently appear on the Hessian fly may be provided by nature as feelers to enable them to perforate hard grain as well as grain in a softer state; tho', my Lord, I have not yet seen any person who has perceived the egg-worm or fly in the grain of the wheat, or who has found any nit mucus or even dust in the dry straw in ricks or barns to induce a belief that the egg is there deposited after the harvest; one of the publications which I now enclose to your Ldp. goes so far as to favor the idea that the fly even perforates the seed and deposits its eggs therein. The publication I allude to, my Lord, is that signed a Landholder (No 9. F)¹ whose ideas have been condemned as tending to mislead others, but by no means confuted either by reason or experiment (No 8 C). An observation I made myself gave me some cause to apprehend the idea mentioned in the paper signed a landholder, was founded in fact:—on examining a barn in a county wherein the fly had not been known to injure the harvest, (tho' it has now certainly made its appearance there, within a few weeks) I observed in the flaws and apertures where the wood was decayed over which cobwebs were woven, several of those flies entangled in the webs, many of them dead, but some of them alive and struggling to disentangle themselves: from hence I concluded there was a propensity in the fly to get into the mow but whether for the purpose of mere shelter and nurture or with a view to deposit its eggs, I am yet at a loss to decide.

The information among the facts now transmitted to your Ldp.; No 1 and No. 2 compared with each other, carries some strength of suspicion that the fly may deposit its egg in the mow; for it is plain from Cleaver's observation that the flies died in great numbers about the time the grain in his garden was affected, and all the flies thrown from Pott's Rick² were either dead or torpid, still my Lord, the essential test by which the extension of the mischief to distant countries is to be decided is wanting, and no sort of discovery was then made by either of the persons above named that the egg was actually deposited either in the straw or in the grain in their mows.

¹ See Carey's American Museum, iv, 47 ff.

² Pott's statements may be found in the Encyclopaedia article mentioned in a preceding note.

The fly first appeared in the county of Chester in this State after a powerful N. E wind had prevailed for several days:—previous to which it had not been observed in that county or within 17 or 18 miles of the places where it has lately been discovered:—the wind was most likely the means of introducing the fly into that district of country and its violence and continuance expedited and extended the approach and progress of this insect.

Some, with whom I have conversed, my Lord, infer that the seed is not affected by the fly, because the first growth of the wheat is strong and wholesome, which they say would not be the case if the seed had been injured or impoverished by the insect before it was sown; but anyhow this mode of reasoning by no means by itself carries conclusiveness with me: it does not follow because some of the seed grain might be so eaten as to deprive it of all vegetative power and because some of the seed grain might be only partially injured that the grains partially hurt may not sprout in the field to some degree of strength and the grains which have escaped totally may not yield a full and ample produce, in short it does not follow that every grain is to be affected by the fly or that every grain which is affected is thereby deprived of all its vegetative quality:—the peas of this country are subject to a very ruinous worm,—many of the seed peas tho' worm eaten spring from the earth, in appearance healthy and vigorous but these fail essentially in productiveness.

It may be perfectly true that neither the egg worm or fly has been found deposited in the grain; but the works of Nature are so minute and its modes so inscrutable as to baffle every endeavor hitherto made to form a satisfactory conclusion, or even to inspire a reasonable conjecture. Conjecture on the subject, indeed my Lord, the means of attaining a thorough knowledge, are not common here, few are possessed of microscopes, or suitable instruments to assist in making the necessary discoveries; nor have I yet been able to procure anything [of] the sort, which would assist me in the investigation I have in contemplation.

Satisfactory as it would be to my feelings my Lord, to be able to say with precision, I apprehended no danger of extending this mischief by seed my duty urges me to declare I have not yet seen or heard any conclusive test by which I could decide a matter of such importance untill that test offers the

wisdom of guarding against so grievous a calamity, by all due caution must be evident: uncertain and inconclusive too as the researches have hitherto been, to fix whether the loss of crops is or is not imputable alone to the destruction of the plant, it is natural to presume there may be danger in suffering wheat straw to be landed from hence in England—a suggestion strengthened by the history given by the Americans of the origin of the Hessian fly which they assert with great earnestness was brought hither in the straw beds and baggage of the German troops employed in the late war.)

Thro' the medium of straw it is by no means impossible that the egg or the worm may be transported and any number of the insects conveyed to England, however small would soon by their rapid increase spread this alarming evil:—The warmth of a ship's hold would be very favorable not only to their being preserved but vivified.

It is too certain, my Lord, to admit of the least doubt, that in the countries upon this continent where this insect has appeared loss and destruction has followed: In some instances the farmers have been reduced to thin and wretched crops; in other instances the ravages have been so extensive as to make it necessary to plough up the fields, and to change the nature of the tillage.

The yellow bearded wheat, it is thought has and will resist the attacks of the fly; and is now generally used in seeding at this season, where it can be procured. Most of the grain of this year's harvest in such parts of this State as have not yet suffered by the fly is of a very wretched quality, and wet season caused much of it to grow in the sheaf, and a great deal suffered extremely by a severe blight.

In the course of the last spring, my Lord several cargoes of wheat were shipped from hence, for different parts of England under an expectation that the ports would be opened; or if that should not have happened to await orders to convey the cargoes to such good markets as might offer in Europe.

All the grain raised upon Long I. is known to be more or less affected by the fly:—the contiguity of that Island to New York induces the farmers to send most of their sale wheat thither;—a large portion of the wheat raised in East New Jersey also goes there for sale, some from that part of New Jersey and a great quantity of wheat raised in the Western province of New Jersey is brought to Philad^a in craft up and

down the Delaware:—the Eastern parts of New Jersey have for some years been infected by the fly, so that from the period of the first discovery on Long I. of the fly, in 1779, to the present moment, the cargoes shipped from New York to places beyond sea were composed of grain raised in a country where the insect had appeared:—and for the last 3 years such of the grain, raised in East New Jersey, and sent from this port was in the same predicament: and so was any grain raised within the last 2 years in the county of Bucks in this State and exported from hence: whether the ports of Gt. Britain have been open within the last 8 or 9 years, or, if open, what quantities of wheat have been imported from hence or from New York into Gt. Britain it is not in my power to ascertain here—

His Majesty's proclamation, prohibiting the importation of grain into Gt. Britain from America¹ has created some alarm and uneasiness in this State and will probably promote a more complete investigation of the manner of the fly's being propagated, its effects and the method of preventing its ravages and destruction.² In the contracted state of the commerce of this country, this alarm and uneasiness is very natural, but the precautions used by his Majesty to prevent the extension of so deadly a mischief to his kingdoms are also extremely natural, founded in the highest wisdom policy and humanity, dictated by principles of self preservation and exempt from the most distant imputation of severity, or unjustifiable caution.

Whatever further information I may be able to obtain shall be duly communicated to your Ldp; and if your Ldp. should think it expedient to order proper glasses and instruments to be sent with fit directions how to proceed in order to make the necessary discovery they shall be most carefully pursued and with that caution which the present jealousy of the country in a matter so essentially affecting its commerce requires. With sentiments of the most perfect respect, I have the honor to be, my Lord, your Ldp's most faith: and most obed: serv^t.

P. Bond.

The Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philad^a. Oct. 1st, 1788.

M^r. Bond.

R. Nov. 7th.

¹ Proclamation of June 25, 1788.

² In view of the King's proclamation, the Executive Council of Pennsylvania, September 1, 1788, requested the State Agricultural Society to investigate the matter. Colonial Records, xv, 523; Pa. Archives, xi, 527.

38. TO LORD CARMARTHEN.

Philadelphia Oct. 2nd. 1788

My Lord.

I have the honor to inform your Ldp. that the French fleet under the command of M. de Sanville arrived at Boston on the 22nd. day of August, consisting of two 74^s. Superbe and Achille, frigates, Proserpine, Fine, Mignione, Modeste and sloop Favorite:—their purpose is to remain there during the hurricane months.—

About the 20th. of Aug. my Lord, the ship Light Horse Capt. Nicholls sailed from Salem in New England, bound for China—

On the 17th. of this month the ship Alliance, Thos Read master arrived here from China:—I have the honor to enclose to your Ldp. a manifest of her cargo the value of which is computed to be little short of £100000 sterling: the teas are *said* to be the same in quality as those purchased this year by the B. East India Co.

This ship my Lord completed the voyage in about 15 months—it is asserted she passed the South cape of New Holland, and being again on the passage, to the Northward towards Canton between the Lat. of 7 and 4 degrees South, and 156 and 162 degrees E. Long: they discovered many islands the inhabitants of which were black;¹ and in Lat. 8° N Long: 160° E: they discovered what they call two new islands fertile and much cultivated,² the natives of which were brown, with straight black hair:—and Capt. Read being induced to think himself the 1st. discoverer has given these islands names, Morris I. and Alliance I, it will however, my Lord, very probably turn out, that these islands have already been observed among the great number of islands in those seas by other navigators, tho' perhaps 'till the present moment they were not favored with a name—

It is most probable, my Lord, the new Federal Constitution will be put in motion in the course of the spring:—the nature of the extensive duty, to which I shall have occasion to attend when the federal court is established will render my absence from hence indispensable and I therefore trust your Ldp. will be pleased to honor me with instructions as to the establishing

¹ Most probably the Solomon Islands, discovered in 1567, rediscovered in 1767.

² Probably Ponapi and one of its neighbors

deputies here and elsewhere within my district, to whom the superintendence of the different ports may be committed.

I have the honor to be, my Lord, your Ldp's most faithful and most obed: servant.

P. Bond.

Rt. Hon: the Marquis of Carmarthen.

Endorsed Philad^a. Oct. 2^{ud}. 1788

M^r. Bond.

R.

39. TO LORD CARMARTHEN¹

Philad^a. Nov. 3rd. 1788.

My Lord,

The very tedious passage of the August packet delayed your Ldp's despatches of the 6th. of Aug: to the 28th. Oct. on which day I received them.

The letter I had the honor of addressing your Ldp on the 1st. of Oct. by the mail of that month fully anticipated the correction of the error in the report made to your Ldp. respecting the Hessian fly, which is most certainly an insect of a very different nature from the flying weevil.² Little doubt exists my Lord that the flying weevil is destructive to the grain of the wheat itself, it perforates it in the rick, or barn, as well as in the field, before the grain becomes too hard to resist its attacks, and by devouring the substance of such of the grains as it attacks entirely or in part deprives them either wholly or partially of their vegetative quality—

The account given by Carter³ in the 1st. vol. of the American Philosop: transactions is deemed very accurate,—that insect however, as I have already informed your Ldp. travelled from the Carolinas northward into Virginia, Maryland and some parts of the Delaware State; but it never was known to have entered Pennsylv^a: or to have crossed the Delaware into the State of New Jersey. In the three Southern States above mentioned this insect is still found, but it is by no means so alarming or so destructive as the Hessian Fly: the admission of the weevil into barns and ricks being the mere effect of careless husbandry and even when this insect has got a footing

¹ See note to No. 31.

² With which Sir Joseph Banks had for a time identified it.

³ Col. Landon Carter of Sabine Hall, Va. Letter of October 18, 1768.

therein it is only necessary to sow an additional quantity of *that* grain, to make up for the deficiency of seed occasioned by the failure of those grains which are perforated by the weevil.

But I am told my Lord, there is a very different sort of insect in Maryland called "the Fly" which is probably also of the weevil kind:—this latter insect makes its way into the mow and bites the ends of the grains perceptibly; and no doubt deposits its egg in the *grain itself*, since it has been observed that wheat recently threshed and laid in a warm, dry, place will soon become covered with an extreme clammy crust, which binds the wheat or the surface together in such a way as to admit of its being lifted up in lumps:—but the wheat beneath will not be hurt to any considerable depth:—such is the quality of this fly, that if the hand be inserted into a heap infected by it, watery blisters are immediately raised upon it, and the farmers and slaves riding on bags of this infected wheat never fail to be severely blistered thereby—

This fly in the State of Maryland is called the Revolution fly by the friends of the Brit: Government; but from all I can learn it is not the same insect which originated on Long I. and is called the Hessian Fly (as a name of opprobrium) by those who favored the Revolution.

I have not my Lord, been able to find any publications in addition to those I have already had the honor of transmitting to your Ldp. except one (No 10.) which I now enclose. All the papers I have read on the subject of the Hessian fly are extremely inaccurate not to say contradictory; and I am convinced it is by no means a settled point at this moment, in what manner and place the eggs of the insects are deposited.

The policy my Lord which induced Government to open the ports being founded on appearance of a scarcity of corn, that evil may be remedied by the admission of flour, instead of grain, and tho' the countries from whence the flour is carried will have the advantage of the manufacture still that cannot be considered as an object when opposed, in the scale, to an evil of such immense magnitude as the introduction of so destructive an insect may occasion.

The ravages here, my Lord, are beyond all conception ruinous;—many farms have had the crops so compleatly cut off as to be left without bread, corn, or even seed corn—

I shall, my Lord, most punctually attend to your Ldp's

directions on this subject with all the care its importance requires

If the measure of confining the importation to flour alone should be adopted, great attention should be paid to the quality of the flour admitted into the British ports: an infinite deal of the wheat of the late harvest is of a very wretched quality, as I have already mentioned to your Ldp in my former letter; and stratagems will be practiced to give a vent to so essential a staple of the middle States of America—

With sentiments of the most perfect respect I have the honor to be my Lord, your Ldp's

Most faith: and most obed: servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed Philadelphia Nov. 3rd. 1788.

Mr. Bond.

R. 4th. Jan: 1789.

40. TO LORD CARMARTHEN.

Philad^a. Nov. 16th. 1788

My Lord,

I have the honor to enclose your Ldp. a duplicate of my letter of the Nov. Mail and of a recent publication on the subject, the Hessian fly. I also transmit to your Ldp. a report to the board of managers on the state of manufactures in this city;—and another publication on the same subject:—(American Museum for Oct. page 341)

Your Ldp. will perceive the scale upon which the manufacturing society have hitherto acted is a contracted one, they are essentially deficient in those main sinews of advancement, money, fit artificers, and fit utensils;—Still their exertions are made with great zeal and the improvements tho' small are progressive.

Endeavors have been and certainly will be used to decoy our manufacturers from Gt. Britain and Ireland and to procure such essential utensils as can be procured from thence alone:—Perhaps my Lord, human caution and vigilance are not equal to preventing the success of these endeavors entirely, but from the observations I have made, I think proper regulations might be imposed upon ships engaged in the traffic of carrying passengers, particularly from Ireland, which would

tend in a very great degree to correct these evils:—By throwing difficulties in the way of the trade and by reducing the profits perhaps this line of commerce so very oppressive in its nature and pernicious in its tendency might even eventually be destroyed.

The humanity with which Government has interposed in the regulation of the slave trade has excited even the admiration of our enemies:—Something of a similar sort, my Lord, extended to ships which convey passengers from Scotland and Ireland particularly, would be naturally and beneficially applied:—such a regulation would steer clear of a direct restraint upon the will of the subject to migrate; but would as effectually remedy the evil, by destroying the means of migration, under color of a humane provision for the comforts of those who are disposed to quit their native country—If the unfortunate Africans are fit objects of the humane provision of Government, our own fellow subjects may justly claim an equal measure of benevolent attention:—

The plan I now beg leave to submit to your Ldp's consideration is similar to the regulations of the African trade, with some additions to suit the peculiar nature of the case:

I have my Lord, often, heretofore, been witness of the severity experienced by redemptioners and indented servants brought hither from different parts of Europe; numbers crowded in small ships—provisions scarce and bad and the treatment oppressive and cruel.

I have great satisfaction, my Lord, in observing that the spirit of migration has of late years remitted exceedingly:—Still however numbers do arrive upon this continent annually; particularly from Ireland, and the phantoms of freedom and happiness under the new Constitution may tempt greater numbers to follow the example.

In point of policy my Lord, if the rage for emigration can be checked; it must operate as a great national benefit; but it will also be beneficial to numbers who quitting their homes from the force of delusive representations frequently discover when it is too late the misery in which they are involved.

The nature of this traffic in human flesh is this;—passengers who embark are either redemptioners or indented servants;—such as go under the name of redemptioners agree to have a time allowed them for the payment of their passage money, after their arrival, which payment redeems them from

their engagements:—but failing in this payment the redemptioners are then reduced to the plight of common indented servants, and, with them are sold, to discharge their passage money, for a term of years.—

It too often happens, my Lord, that the merchants and masters of ships, with a view of clearing their vessels immediately and to save the expenses of maintaining their unfortunate passengers deprive them of the hope of being redeemed by abridging this limited time, and before their friends can receive intimation of their arrival to interpose their relief, they are frequently hurried in droves, under the custody of severe and brutal drivers, (for these are the terms) into the back country to be disposed of as servants—

I was lately an eye-witness of a scene which interested me exceedingly, but I could administer little more than pity, my Lord, for, in me, any interposition would have been construed into an endeavor to discourage the spirit of migration in which the consequence of the United States is so essentially involved, as one means of increasing population.

The vessels engaged in the passenger trade are known very frequently to bring out implements of manufacturing—so that too great attention cannot be paid to these vessels; and every just means of preventing this traffic must be deemed expedient. With sentiments of the most perfect respect, I have the honor to be, my Lord, Your Ldp's, most faith: and most obed. ser't.

P. Bond.

Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philad^a. Nov. 16th. 1788

R. 17th. Jan:

Duplicate—one enclosure.

41. TO EVAN NEPEAN.¹

Philadelphia Nov. 16th. 1788

Dear Sir,

I am truly thankful to you for your friendly letter, and especially for the very obliging manner in which you hint the circumstances of a late introduction into Canada:—I shall pay

¹ Evan Nepean (1751–1822), afterwards secretary to the Admiralty, a baronet, and governor of Bombay, was from 1782 to 1789 Under-Secretary of State for the Home Department, and therefore succeeded temporarily to Fraser's work.

implicit attention to what is recommended as I most assuredly shall to anything my Ld: D.¹ may suggest:—to you however I may say in confidence that from a spirit so destitute of anything like enterprize as the M. de C.² there was little apprehension that the garrison of Quebec or the Govern^t. of Canada could be brought into jeopardy. He is one of those light airy flippant characters who go cheerily over the turnpike of life neither turning to the right or to the left but where pleasure calls them or where amusement can be gratified—Having been tormented with the heat of two summers in the middle States of America, to avoid a third he chose to explore the lakes and to have it in his power to talk of mountains rivers forests and cataracts to his astonished countrymen. In his route he visited Quebec and paid his respects at Head Quarters. I had been often pleased with the flippancy of his manners and disposition and I confess readily gave him a letter to my friend Lt Gov. Hope³ intending thereby to amuse him as much as I had been amused: but I shall carefully avoid every thing of the sort in future; I would not for a *wilderness* of French marquis give the most distant offence, and tho' it may not be in my power to discourage similar visits, I most certainly will endeavor to do it.

The introduction I had to my Ld. D. thro' your goodness has been succeeded by the most ready attention to the few communi: I have made to him officially;—I look up to him with a sort of reverence; I admire his integrity and his zeal; no man can possibly do higher honor and credit to his appointments. I waited but for an answer to some representations I made to Govern^t. respecting Canada to have entered into a correspondence with his Ldp. upon a very interesting subject (the distracted situation of the United States affords a most favorable opportunity to encourage migrations from hence into Canada)—a general promulgation of the terms and advantages of settlement seems essentially requisite to induce vast bodies of laborious sober people to remove into a country where they can enjoy once again the blessings of his Majesty's Govern^t.

¹ Dorchester.

² Marquis de Choppedelaine. Lord Dorchester, governor of Quebec, in a letter to Nepean of June 9, had mentioned the arrival at Quebec of this French nobleman, with letters of introduction from Bond and Sir John Temple. He declared that the state of Canada made such visits embarrassing, and asked that they be discouraged. Report on Canadian Archives, 1890, p. 208.

³ Gen. Henry Hope, grandson of the first Earl of Hopetoun, was lieutenant-governor of Quebec. He died in April, 1789.

and be exempt from those evils which a relaxed system of laws a ruined trade and oppressive taxes have brought upon them:—) the settlements of Kentucky and Muskingum have and will annually draw off vast bodies of the inhabitants from the Middle States, but these are and will be men of desperate fortunes who availing themselves of the facility of an establishment for their families and the shelter which new settlements always afford ag^t. creditors fly thither as to a sanctuary for protection. But there is a class of people in this country who with industry and the competent means of improvement are anxious to direct their speculations to another quarter:—they have observed the times growing daily worse and worse: the produce of their farms and of their labor is so limited and reduced in quantity, as well as price as to restrain them in the enjoyment of those comforts which habit has rendered essential:—with these disadvantages not a little aggravated by the pressure of taxes, they foresee the impossibility of raising their families respectably: they must change their position and quit the site their fathers first planted and improved; they can look neither to Kentucky nor Muskingum; for in neither place can they expect the protection of laws or safety against invasions; nor does the temper and disposition of the present inhabitants accord with their habits of conduct or modes of thinking: already has the country of Canada presented itself—some have explored it and many others may be induced to follow and accept the terms of colonization there held out. Most of the people I allude to are of the sect called Quakers:—at first the apprehension was general and even now it is by no means done away, that they would be liable to the payment of tithes—that military duties would be required of them and that the locality of their situation would subject them to the attacks of the Indians.—I made particular inquiry as to these facts while the Hon. M^r. Cochrane (Lord Dundonald's brother)¹ was here; and being convinced the apprehension was ill founded, I took the earliest opportunity to remove these obstacles from the minds of some of the leading quakers whose inclinations tended, I knew, thither, they having applied to me on the subject:—as I was circumstanced it was necessary to manage this business with infinite caution, it was a sort of treason against the consequence of the United States, whose jealousy increases

¹ I. e., one of the younger brothers of the ninth earl, and uncle of the tenth, the famous admiral.

with the confusion of the times: Hitherto I had had no direct authority from Government to interfere: Mr. Cochrane wished me to go to Canada to confer with my Lord Dorchester but unless I had been so instructed, it was impossible I could quit the duties of my office here: I however immediately wrote to the Secretary of State

It will be very important to have the terms of settlement not only fully explained, but promulgated thro' every channel as diffusely as possible, in the various newspapers in Gt. Britain etc. in the W. Indies in Canada and in Nova Scotia; thro' these channels the information will get fully abroad here: and when known and when the obstacles which arose from the fear of titles, from the apprehension of military duties and from the danger of attacks by the savages are generally removed, under the sanction of official authority, the benefits of a rapid migration thither will *follow rapidly*:—I presume you have seen Mr. Cochrane, he promised to wait upon the Secy's of State and I assured him I would cheerfully go to Canada or undertake whatever Govern. might direct to promote a very useful purpose—

I am rejoiced to observe prosecutions have been instituted to check the endeavors to seduce artificers from Gt. Britain and Ireland: I agree with you it is almost impossible to prevent it entirely but I am convinced a strict attention to the ships which carry passengers hither, (of which formerly there were numbers in this trade) would lead to the discovery of very indirect schemes practiced as well towards artificers as towards other unwary natives in decoying them from their country: They are annexed [?] with the prospect of wealth and happiness and find too late that when they left their homes the door of competence and comfort was shut against them for ever—

The migrations from Ireland hither have of late been much reduced.—I am well convinced scarcely an artificer of any sort can at this time meet a decent support: How far the expectations of a great and rising empire and growing dignity under the Federal Govern^t. may dazzle weak eyes and promote a fresh spirit of migration, is yet to be determined. I have taken the liberty of suggesting some modifications as to the manner of providing for passengers who are redemptioners or indented servants, which I think will have a good effect, and while such wise and humane provisions made for the

wretched natives of Africa [the] extension of similar regulations to relax the rigor of Egyptian taskmasters towards their white slaves will be deemed just and equal; I should be glad to have your opinion of this plan—You will perceive it is founded upon the principles by which the slave trade is to be regulated with some additional provisions to suit the particular nature of the case—the freedom of the English Constitution will not admit of any direct restraints upon the will of Brit: subjects to remove whithersoever they will; but fit restraints may with a real attention to the comfort of the parties be so *contrived* as to lessen the profit of those who exercise a traffic in human carcases and by lessening the profits discourage the trade effectually:—a matter of considerable consequence when viewed in a political light as everything must be which tends to check the spirit of migration.

Among several representations I have made I have pointed out the great difficulties which many reputable Artificers and other valuable subjects experience in this country; where failing in the expectation of employment and having expended the means of support they brought hither, are left destitute and distressed:—Numbers constantly apply to me to send them home:—the distance to New York and the charges of traveling from Falmouth¹ often discourage my attempting to send them by that route; and, in many instances I have been obliged to solicit the humanity of British Ship Masters to give some deserving objects a passage to the ports, most contiguous to their native places: This is quite a matter of courtesy—the power of sending distressed British seamen home in British vessels upon a certain allowance is confined to that class of men: but it might very aptly reach to all meritorious distressed subjects, and the provision made for seamen, if extended to other subjects would be but a small national expenditure, productive of a great national benefit;—for thus numbers would be reclaimed; and the story of their misery would deter others from engaging in similar adventures;—I might add too, that tho' I have never yet failed in any application I have made to the agent of the British packets to furnish distressed subjects with a passage in the packets, the adopting my recommendation is also a matter of courtesy on the part of the agent and cannot officially be required by me.—Upon this subject which

¹Falmouth, England, the center of the postal packet service.

is entirely of a public nature, I have hitherto been favored with no sort of instruction, and am often extremely at a loss how to act. Humanity has been the best beacon by which I could steer, but the frequency of applications and the frequency of relief will essentially abridge my own means of subsistence and such a burden would fall heavy upon an individual, which, as a national provision would not be felt:—a small sum annually might be excellently well applied by a due selection of fit objects whose labor and industry when reclaimed would amply compensate the expenditure.

Your letter gave me reason to expect some communications I had made to Govern^t. respecting the seduction of artificers would be acknowledged by the mail; but hitherto I have not been so fortunate; nor have I often been gratified in this respect, which I lament the more, when I consider the nature of the intelligence, I have from time to time communicated and the critical predicament in which I stand.

You have kindly given me leave to say something about myself, and as I have great reason to complain of total inattention to some representations I have made in my own behalf, I shall consider myself extremely obliged to you to obtain a satisfactory reply to my letters on the following points:—I was encouraged by Govern^t. to expect the nomination of agents or deputies, in my district, as well upon the ground of national policy as of relieving me in part from that constant duty which engages my whole time, I have urged the expediency of such a nomination—shortly I must inevitably be employed in effecting the purposes of my mission by due representations of the grievances under which the kings subjects labor in consequence of local regulations, inconsistent with the Faith of Treaties, or with private compacts. Either my duty as consul, or this important duty must be neglected:—I have applied for authority to name deputies and have pointed out the stations, but hitherto I have had no instructions in the matter. I have requested Govern^t. would annex a sum to my salary, by way of provision for contingent expenses, and in this respect to put me upon a footing with Mr Miller, who I am informed has a gross sum allowed for contingencies—but I have not succeeded in this application tho' my request is reasonable and tho' this is the only mode by which I can be compensated:—I can not make specific demands, the nature of my information and the mode of obtaining it will not admit of a charge upon paper; if a gross sum is allowed for contingencies, in one instance, it is

but just to allow it in my case; unless I am less deserving:— I feel however a consciousness of being unremitted in my duty, and I trust I shall be thought entitled to the same provision which has been made elsewhere, I ask no more.

I have more than once requested to know if consulage is of right due and may be demanded: I found this request upon the knowledge of a fact that fees of office are universally required by every consul in the Meditⁿ etc. who holds the King's commission. In my case I can see no reason why they should be dispensed with since the nature of the appointment subjects me to constant applications for assistance which can not be rendered elsewhere; much too, must be done, which is, in a manner, unconnected with official duty—yet hitherto I have received no fees of any kind:

The expenses of living are enormous as I am circumstanced: perhaps it is a misfortune to be the only commissioned officer here from England—for the same expenses are incurred as would attend the establishment of an officer of higher dignity, and they seem indispensable.

My friend Barclay¹ will converse with you on these points.— I rely upon your goodness to obtain some satisfaction thereon, with this assurance that notwithstanding the friendly professions you have favored me with, I shall be tender upon encroaching upon your time, or your kindness by future applications on my own behalf at least.

With sentiments of the most unfeigned regard, I am dear Sir
Your faith. and obed: servant

P. Bond.

Some little misunderstanding having arisen between the Consul-General and the agent for the packets, as to the latter's refusing to take charge of my letters, I could wish it were a matter of instruction to the agent to receive and hold all the letters sent by the mails to officers holding the King's commissions, subject to their particular direction as to the disposal of them—It will be very improper to trust particular letters to the post offices here, whose establishment is very irregular.

Evan Nepean Esq.

Endorsed. Philad^a. Nov. 16th. 1788.

M^r. P. Bond

¹ Perhaps Thomas Barclay, who became consul-general at New York in 1799, and whose correspondence was published in 1894.

42. TO LORD CARMARTHEN.

Philadelphia Dec. 2nd. 1788

My Lord,

In my last I had the honor to inform your Ldp. that some cargoes of wheat were about to be shipped from Maryland for Falmouth; they are to take advantage of the ports being opened, if that event should have happened, if not they are to wait for orders for a market.

The paper I have now the honor to enclose to your Ldp (of the 20th. Nov.) contains an Act lately passed in S. Carolina to regulate the payment and recovery of debts;—the limits of the different instalments for so distant a period as 5 years afford little hope to the British creditors of an eventual recovery of their large demands in that State:¹—How far municipal regulations so inconsistent with National Faith will become the subject of reform by the new Federal Constitution a little time, will now, discover.

There are now fitting out in this port and to sail before the ice sets in, three ships and a brigantine for the East India Trade; The supplies of the various articles of that trade which will be brought hither must considerably overstock the markets, and will so greatly exceed the necessary consumption on this continent, that a vent must be found elsewhere.—To the W. Indies, and Ireland, the illicit speculations of adventurers will be directed, and various stratagems and devices will be devised to elude the search of the officers of the Revenue; whose attention ought not to be confined to the mere exterior of casks and packages, but to a strict examination of their contents.

The teas lately imported into this port in the ship Alliance from China fall infinitely short in point of quality to the description given of them. They are vastly inferior to the teas imported by our E. I. Company: the black teas in particular are of a very ordinary sort, and are scarcely called for, at all;—indeed the whole cargo meets a very dull sale.

I have the honor to be my Lord, your Ldp's.,

Most faith: and obed. servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed Philad^a. Dec. 2nd. 1788

Mr. Bond.

R. 17th. Jan

¹ See ante. No. 30, and note.

43. TO LORD CARMARTHEN.

Philad^a. Jan. 4th. 1789.

My Lord,

I have the honor of forwarding to your Ldp., letters for the R^t. Hon. the Lords Comm^{rs} of the Admiralty and for the Hon: the Comm^{rs} of his Majesty's customs in England and in Scotland, enclosing ship's papers which have been deposited in my hands for the purpose of being transmitted.

The beneficial effects of the new regulations of trade my Lord can not perhaps be better manifested than by the returning British vessels, which constantly enter the ports of the United States; and almost wholly engross the carrying trade of this country:—In the course of the year 1788 no less than 215 sail of British vessels (whose tonnage amounted to upwards of 27000 tons) entered the single port of Philad^a;¹ and I should presume a proportionate number entered other large ports on this continent, particularly Charles Town and New York.

Tho' frauds are still practiced to evade these regulations, and will continue to be practiced as long as the temptation is so powerful, the use of false papers by vessels belonging to this port is by no means so common as heretofore: but some very loose practices prevail, my Lord, in the repairing British vessels, the comparative cheapness of timber and of work being strong inducements to evade the provisions of the new act of Navigation: In the article of repairs the Act seems open to evasion,—by confining the oath of the extent of the damage sustained, and the time of sustaining it to the master of the vessel alone; whereas by requiring the persons who are approved of as surveyors to make oath of their belief as to the probable time the damage was sustained, and the value of the repairs necessary for the safety of the vessel, the intention of the Act would be more likely to be effected.

Repairs may, by connivance with the persons who survey the vessel, be easily brought within the sum limited by the Act, or when the repairs are obviously of such an extent as to exceed in value the limited sum, the master then complies with the requisites prescribed by the Act by swearing the repairs necessary to be made were incurred in consequence of damage sustained in the *last* voyage:—the new Act as it now stands merely calls for this oath from the *master*;—the delivery in

¹A table by Bond, on this subject, is in Trade of Great Britain with the United States (Dept. State, 1888), pp. 62, 63.

writing of the particulars of the damage and the amount of the necessary repairs is all that is required of those who survey. Whereas if their returns were to be sanctioned by an oath on their part, they having neither convenience or interest to influence them it is more probable the real truth of the case would be ascertained, and undue collusions defeated.

Having reason to believe such collusions have been practiced here in repairing vessels whose damage has been the effect of gradual decay and not of recent injury (tho' I have not been able to discover the fraud with certainty) I take the liberty of suggesting these remarks to your Ldp's consideration, as a probable means of providing against future frauds. With sentiments of the most perfect respect, I have the honor to be, my Lord, your Ldp's

Most faith: and most obed: servant,

P. Bond.

The R^t. Hon. the Marquis of Carmarthen
Endorsed. Philad^a. Jan. 4th. 1789

M^r. Bond.

R. Feb. 4th.

44. TO LORD CARMARTHEN.¹

Philad^a. Jan. 20th. 1789

My Lord,

Since I had the honor of writing to your Ldp. in answer to your Ldp's directions to furnish Govern^t. with every possible information respecting the nature and progress of the insect called the Hessian fly I have made an excursion into the county of Bucks in this State and also into several of the counties of New Jersey where the ravages of the fly have been most severely felt upon almost every farm. In many places I was told, my Lord, the farmers hardly reaped a sufficiency to pay the expenses of reaping and in other places I found that some had ploughed up their wheat fields, and others had turned their cattle upon them, as every hope of a crop was totally destroyed.

I have not, my Lord, been able to collect any decided information which fixes the essential point how far this insect may be communicated by seed, it is a matter at this time quite

¹ It appears that this letter was printed as No. 28 in the parliamentary paper mentioned in a note to No. 31, above; its substance may be found in the encyclopedias there mentioned.

undecided here: nor have I heard or observed any conclusive reason to suppose the fly makes its way *generally* into barns and ricks:—a very intelligent farmer in the county of Bucks informed me it was the prevailing opinion there, and so I found it, that the fly did not either in the field or in the mow affect the grain of the wheat:—A neighbor of his in threshing the little wheat he saved last harvest, observed the fly rise from the straw in numbers, whenever the flail struck the straw— but tho' it was at first presumed the fly had insinuated itself into the mow for the purpose of depositing its egg in the grain or in the straw, no trace of the egg could be discovered from the appearance of any mucus or dust, either in the grain or on the straw, hence it was inferred all the mischief was done in the field.

I have felt myself, my Lord, very much at a loss what means to employ to obtain the requisite information upon this important subject:—In resorting to the leading men among the philosophical and agricultural societies here, I was aware in the sentiments they expressed, the interests of the country operated as a powerful bias. Any matter that affected so great a staple as wheat is, must essentially affect the agricultural and commercial part of the inhabitants, and these societies appear to have been conscious of the operation, which the fear of communicating the insect to distant countries would have upon the sale of their produce:—So it is, my Lord, with the better kind of farmers, who have had opportunities to investigate the subject and judgement enough to anticipate its consequences applied to the export of grain:—of this description is Mr. George Morgan whose investigations have been published with the report of the Agricultural Society, which I have already sent forward to your Ldp:¹—The alarm taken by this gentleman at the suggestions contained in one of the publications, that the insect might be communicated by seed—excited more alarm in my mind than any scrutiny I have made myself: very imperfect and inconclusive are all the experiments and observations already made; and very unsatisfactory must every opinion be till experiments with proper

¹ Col. George Morgan's letter was printed in the Pennsylvania Mercury of June 8, 1787, a supplementary letter from him in that of September 14. His statements may, it appears, be found in whole or in part in the parliamentary paper mentioned in the preceding note, being given as inclosures in a letter of Sir John Temple to Carmarthen, dated September 4, 1788. See also the Encyclopedia Britannica, third edition, and the Diary of Manasseh Cutler, I, 245, 246.

glasses and instruments, in judicious hands are made. What I have collected, my Lord, has been the result of examining plain intelligent artless farmers, who not anticipating the consequences of fixing the fact one way or other were governed in their declarations by truth alone—

The November mail is not yet arrived, by that conveyance, I flatter myself, I shall be informed the papers I forwarded to your Ldp on this subject have arrived in England in safety. With sentiments of perfect respect, I have the honor to be my Lord, your Ldp's. most faith. and most. obed. ser^t

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed. Philad^a. 17th. Jan. 1789

Mr. Bond.

45. TO LORD CARMARTHEN.

Philad^a. 19th. Feb. 1789.

My Lord,

I have the honor to inform your Ldp the Assembly of Penn^a. have lately passed an Act to enable foreigners to hold real estates, a copy of which I now enclose to your Ldp¹—The operation of this law in one respect will be of essential benefit; the British merchants have now an opportunity of securing their debts by taking land in discharge of them, where all other means of payment have failed—but my Lord, I well know this regulation will be used by needy and avaricious men to effect great deceptions in the sales of lands to foreigners. I have already mentioned to your Ldp. some practices upon unwary people in Gt. Britain, and Ireland, very successfully managed by the agents of extensive landholders in America, sent over with very flattering charts and descriptions to tempt purchasers, and to encourage migration. In consequence of the passing this act, a renewal of this baneful practice is now in contemplation, and every artifice and stratagem will be used to deceive purchasers and to decoy settlers to migrate from Europe—I have the honor to be my Lord, your Ldp's most faith: and most. obed^t. servant

P. Bond.

Rt. Hon. the Marquis of Carmarthen

Endorsed Philad^a. 19th. Feb. 1789

Mr. Bond.

¹Act of February 11, 1789.

46. TO LORD CARMARTHEN.

Philad^a. Ap: 29th. 1789

My Lord,

I have the honor to inform your Ldp the Senate and House of Representatives of the United States having formed their respective houses proceeded to examine the returns for president and vice-president—the choice has fallen upon General Washington as president, and upon Mr. Adams as vice-president, the former passed thro' this City a few days ago on his way to New York; and the latter was upon his way thither at the same time from New England;—so that the different branches of Govern^t. under the new system are now full.

The present State of the finances of this country, my Lord, has naturally excited the earliest attention of the House of Representatives to the regulating and improving the revenue of the United States, and the arrangements of the house have been pointed to the resources, which a general impost on all articles of importation, would effectually afford¹—

The necessity of immediate supplies renders the arrangement now in contemplation rather a system of revenue than a permanent plan of commercial regulation, and therefore whatever results from the exigency of the present moment, must be subject to great alteration and future reform—

I have the honor of enclosing your Ldp. a paper, which contains the debates of the House of representatives, and enumerates those articles which will be liable to duties in the United States—the different classes of vessels upon which a tonnage is to be imposed are also mentioned—

I am very sorry to observe that Mr. Madison who is allowed to be a gentleman of the first abilities in America, seems to be very ill-informed as to the present system of commercial intercourse between Gt. Britain and these States—and loses sight of the great and equitable principle of reciprocity, which should influence the present regulations:—He by no means adverts to that important consideration, that so great an indulgence has been granted by Gt. Britain to the United States, as to put their trade upon a footing with the most favored nations in Europe, our best and oldest allies. Since the sailing of the ship *Astraea* Capt. Magee, from Salem in New England to

¹Journal of the House of Representatives, April 11, 1789 et seq.

Batavia and Canton,¹ the ship *Union* Capt Ashmead sailed from this port for Canton (22nd Mar.)—this is but a small ship,—burden about 180 tons,—many very valuable ships are daily expected in different ports of this continent from the E. Indies—With sentiments of real respect, I have the honor to be, my Lord, your Ldp's most faith. and most obed. servant

P. Bond.

The Rt. Hon. the Marquis of Carmarthen.

Endorsed. Philad^a. Ap. 29th. 1789. Mr. Bond. R. 24th.

47. TO THE DUKE OF LEEDS.²

Philad^a 2nd June 1789.

My Lord,

I should not think myself justified in obtruding upon your Grace's time, if the subject of this letter were not confined chiefly to your Grace's knowledge, and will probably depend upon your Grace's explanation. The repeated instances I have experienced of your Grace's benevolence and love of justice induce me to hope I may still obtain relief in a matter which essentially affects my interest, and which thro' your Grace's former goodness, I had every reason to think was placed upon a clear and indisputable footing of security—

Previous to the final arrangements of my appointments under the Crown, I suggested to your Ldp. thro' Mr. Fraser the reasonableness of my being permitted to receive such atonement as might be allotted by Parliament, in compensation for my losses as an American sufferer, if such atonement were granted during my absence from England notwithstanding the continuance of my commissions:—to which your Grace was pleased fully to accede, and your Grace's sense of the stipulation was communicated to the Rt. Hon. the Lords of the Treasury on the 13th. Aug. 1786—

Since the Parliamentary arrangement has taken place, I am informed by my agent Mr. Sneyd that he had applied to the proper officer in the Treasury, who dispenses the allotments who deemed it necessary to submit my case to the Board of

¹ On this voyage, see Weeden, *Economic and Social History of New England*, p. 822, and Carey's *Life of Thomas Handasyd Perkins*, pp. 11-49. Perkins, afterwards founder of the Perkins Institution for the Blind, was supercargo of the *Astraea*.

² The Marquis of Carmarthen became Duke of Leeds on the death of his father, March 23, 1789.

Treasury, and their Ldps. had determined against my right of claim to any compensation for my loss as an American sufferer, during the continuance of my present appointments under his Majesty.

I beg leave to remark, my Lord, that the Commissions I have the honor to hold, were granted to me in consequence of the recommendation of a great body of the most respectable merchants in London trading hither, who conceiving the appointment of a professional man indispensable to the security of their very extensive property, were pleased to introduce me to your Grace's patronage, as a fit person to engage in this arduous duty:—in the execution of which, tho' my efforts have fallen short of my expectations, I am not conscious of having suffered the least intermission of zeal in those exertions, which seemed to me as essential to the attainment of the objects of my mission.

When I quitted my profession, my Lord, my income tho' not affluent was competent to all my wants and was increasing annually:—the appointments I accepted were uncertain as to their recognition, and precarious as to their duration; having relinquished my standing at the bar, the hope of resuming it at a future day was entirely at an end, and with it a fair prospect of at least a competent support:—the termination therefore of my appointments would reduce me to the bare allowance which the bounty of Govern^t. allotted to me in common with other suffering loyalists: these considerations evinced the expedience of stipulating the terms contained in your Grace's letter to the Treasury, which I had flattered myself were unquestionably adopted—and I humbly hope, my Lord, your sense of this transaction will still relieve me from the great inconvenience to which a conclusion, foreign to your Grace's benevolent and just intention might subject me—

My situation, my Lord, was a very particular one, indeed I may say it was singular.—I had a claim for compensation for my losses and I was also engaged in a profession growing annually more and more lucrative:—The appointments I fill, my Lord, were not granted in lieu of the intended compensation, but in consequence of the recommendation of the merchants of London who deemed me competent to watch over their interests:—your Grace was pleased to conceive the stipulation I made, under these circumstances reasonable; and I am convinced, my Lord, my expectations will be realized as soon as

your Grace's sentiments thereon are known by the Lords of the Treasury.

I should not have presumed to make this application to your Grace, if I could have pursued any other mode of obtaining that explanation which rests solely upon your Grace's knowledge, and I most humbly entreat your Grace will consider the occasion as some sort of excuse for this intrusion.—

With sentiments of the most perfect respect and gratitude, I have the honor to be my Lord, your Ldp's

Most faith: and most obed: servant

P. Bond.

His Grace the Duke of Leeds

Endorsed. Philad^a. June 2nd. 1789

Mr. Bond.

R. July 15th.

Private.

48. TO THE DUKE OF LEEDS.

Philad^a. June 2nd. 1789

My Lord,

In my letter of the 29th. April I had the honor to enclose to your Grace a draft of an Act of the United States enumerating those articles which would be liable to duty under the new arrangement. The Act has since undergone some modification and I have now the honor to enclose it to your Grace, in the form it passed the house of representatives on the 15th. of May.

The Act imposing a tonnage on vessels has not yet passed, some interesting debates have taken place thereon with respect to the fixing a discrimination favorable to vessels belonging to nations with whom the United States have established Treaties of Commerce—some being of opinion that any discrimination is highly impolitic while others contend seriously that a line of distinction ought to be drawn.

About the 20th. of May, my Lord, the "Chesapeake" Capt. O'Donnell from the East Indies arrived at Amboy in the State of New Jersey with a valuable cargo consisting of various productions and manufactures of the East, the particulars of which I have not yet been able to obtain. Many of these articles, it is said were collected at Madras, Bengal and Bombay; the master of this vessel speaks in terms of high respect of the civil treatment he received while he lay in the Ganges

I shall pay due regard to your Grace's instructions, and

endeavor to obtain the recognition of my commission as commissary for commercial affairs, as soon as possible: at present the new Congress is so much engaged in arranging a system of revenue, that I think it advisable to postpone my application for some little time.—

I beg leave to assure your Grace, I shall ever make it my first object to attend and promote the interests of his Majesty's subjects, conformable to the Treaty subsisting between the two countries—

I cannot restrain my warmest acknowledgements for your Grace's goodness in communicating the joyful tidings of his Majesty's perfect recovery, an event so auspicious as to excite the most heartfelt satisfaction in the breast of every subject who regards the welfare of his Majesty's dominions.¹

With the most unfeigned respect, I have the honor to be my Lord, your Grace's most faithful and most obed: servant

P. Bond.

His Grace the Duke of Leeds

Endorsed Philad^a. June 2nd. 1789

M^r. Bond.

R. July 15th.

49. TO THE DUKE OF LEEDS.

Philad^a. July 3rd. 1789

My Lord,

Since I had the honor of addressing your Grace, two ships the *Asia* and the *Canton* have arrived here from China; the particulars of the cargo of each I shall endeavor to procure and forward to your Grace by the next mail.

In these ships a very considerable quantity of raw silk was imported:—a ship called the *Amsterdam Packet*, Cap^t. Campbell has just sailed from hence for Amsterdam and a Brig^a. called the *Mary*, Cap^t. Lunt is about to sail for Dublin, in these vessels I am informed some of the raw silk is shipped—and from the known disposition of the owners it is more than probable that some of the "*Amsterdam Packet's*" cargo will find its way into Dover or Deal, and some of the *Mary's* cargo will be illicitly landed on the coast of Ireland.

¹ On March 10 formal announcement had been made to Parliament that the King, who had been deranged since October, had fully recovered. Lecky, *England in the Eighteenth Century*, v, 147.

The caution observed in these shipments my Lord baffles every attempt to obtain any precise information;— but my Lord as the quantity of India goods imported into America so far surpasses the ordinary consumption of the inhabitants, it is very clear that a vent is found to Europe, as well as to the W. India Is. for whatever articles do not command a ready sale here.

With sentiments of the highest respect, I have the honor to be my Lord, Your Grace's most faithful and most obed. servant

P. Bond.

His Grace the Duke of Leeds

Endorsed. Philad^a. July 3rd. 1789

Mr. Bond.

R. Aug. 31st.

50. TO THE DUKE OF LEEDS.

Philad^a. July 12th. 1789

My Lord

I have now the honor to enclose to your Grace a statement of the case lately decided in the court of Maryland which effectually determines the important point of alienage in which the interest of many British subjects is deeply involved.¹

In a former letter, my Lord, I took the liberty of mentioning a decision of a similar nature which had taken place in one of the courts of N. Carolina,² but as the judges of that country are by no means held in respectable point of view by the other States, I was in hopes the principle would not be extended upon this continent.

When the former situation of the two countries is considered, it may I presume, my Lord be said, with great propriety that this point is not comprehended under any of the general laws of nations—but it is more properly a question of equity, depending upon those feelings and that unerring law of Nature which is implanted in the hearts and ought to influence and govern the actions of men.

This is the case of the subjects of one country holding property which devolved to them legally, in a part of the

¹The case of Thomas Harrison's Representatives, in the Chancery Court of Maryland. See American State Papers, Foreign Affairs, i. 204, 233. The legislature redressed the hardship here spoken of by act of November, 1789, c. 24.

²See ante, No. 29.

territories of their common prince, afterwards dismembered from his Empire: When the property was acquired the subjects of England were not aliens as to America because the independence of America was not then recognized: the inhabitants of both countries were the subjects of England under the sanction and influence of one common law:—but my Lord, if the rigid rules of alienage could by any color of reasoning extend to this case, there are many substantial considerations which ought to influence the relaxation of those rules—

The terms of the Treaty secure the mutual enjoyment of rights, in the subjects of the two countries. The interest of both countries enforces the expediency of encouraging that spirit of conciliation which when the Blessings of Peace were restored should have prevailed universally—but above all a return of good offices, and a system of conduct upon the foundation of liberal reciprocity call for the dispensation of the same measure of justice towards the subjects of England, as to their rights here, which the citizens of America now enjoy, as to their rights in Gt. Britain. If, my Lord, by the force of natural allegiance every subject of Gt. Britain born previous to the Revolution in America possesses a personal capacity to purchase and to hold lands and to take by descent in every part of his Majesty's dominions and if according to the determinations of the American courts, a subject of England living there during the war but born before the troubles began is to be divested of his real estate and to be considered an alien enemy, every idea of reciprocity is at an end—the benefit being partial and not mutual: I am well aware my Lord that if both my commissions were recognized in their fullest scope by the United States my authority would not be deemed competent to represent a matter of this nature, and enable me to apply for some legislative interposition to correct this monstrous inconvenience, being perfectly foreign to any thing of a commercial kind:—I shall, however, as far as I consistently can, suggest the hardship of the case to some members of the Federal Representation at New York, and I flatter myself I shall be honored with your Grace's instructions as to the measures which ought to be pursued, and the channel thro' which the application for redress is to be made:—

The enclosed pamphlet relates to a question of great magnitude now depending in the courts of Maryland in which the

British merchants are materially interested.¹ The case, my Lord, is shortly this;—a few years previous to the Peace the State of Maryland passed a law² which gave a power to those who were indebted to British creditors to lodge paper money then reduced as low as forty for one, in the Treasury for the use of the creditors, and that such payment might be pleaded in bar to any actions for the recovery of the same debt—the question before the courts of Maryland arises in consequence of actions brought by British creditors to recover a debt which had been so paid into the Treasury. In one instance a verdict has been obtained subject to the opinion of the judges upon several points, the most material of which is whether the debt notwithstanding the payment into the Treasury was not revived by the Treaty of Peace.

If the British Cred^r. should fail in his remedy against the debtor, it would afford ground for an application to the State to account for the debt to the creditor: the object of the present publication which was succeeded by a very elaborate and inflamed argument at the Bar, seems to be the establishment of these points; the law which gave the power to pay the debt into the Treasury discharges the debtor,—and if the judgement of the Court is adverse to the creditor there being no existing debt, the State is exonerated from all claim whatever. By some accident the further argument of this weighty cause is postponed till October next. When decision takes place I shall avail myself of the first opportunity to transmit to your Grace all the information I can obtain on the subject—

The principles held forth in the enclosed pamphlet go to the direct violation of all national Faith, of every sentiment of honor and justice and breathe tenets very inconsistent with that conciliation between the two countries which it was hoped a few years would have accomplished—

With sentiments of the highest respect, I have the honor to be, my Lord, your Grace's most faithful and most obed. serv^t.

P. Bond.

His Grace the Duke of Leeds.

Endorsed. Philad^a. July 12th 1789

Mr. Bond.

R. Aug. 31st.

¹ The case here referred to is that of *Mildred v. Dorsey*; *American State Papers, Foreign Affairs*, i, 209.

² *Acts of 1780*, cc. 5, 45.

51. TO THE DUKE OF LEEDS.

Philad: July 13th. 1789.

My Lord,

I have had the honor to receive your Grace's despatches of the 5th. of May enclosing the form of a manifest drawn up by the Comm^{rs}. of the Customs to meet the regulations contained in the Act directing the mode of shipping tobacco¹—

I beg leave to inform your Grace, I have compared the form lately transmitted with one I had prepared and constantly used, and do not discover any essential difference—indeed my Lord I have had but few opportunities of attesting tobacco manifests, as very little is legally exported from hence: From all the navigable states [streams?] in Maryland and Virginia immense quantities of this article are annually shipped to Gt. Britain, but as there is no officer, upon the spot to superintend this important traffic, the manifests there are prepared by the masters and consignees, and sworn before a J. P., which will in some degree account for the errors and irregularities complained of by the Com^{rs}. of the Customs.

I have the honor to enclose your Grace a regular manifest of the cargo of the Canton Capt. Truxtun arrived here from China and also a sketch of the cargo of the Asia Capt. Barry, which is all I have been able to procure:—extreme caution is observed as to the disclosing papers of this sort which will account for the difficulty of procuring them—

The voyages of both these ships my Lord have been very unfavorable to the hopes of the owners who it is thought will bearly clear an interest upon their capital—the articles imported are of a very inferior quality, the teas particularly are infinitely below the standard of those imported into England by our East India Co.

The Import Bill as it has passed the legislature of the United States has undergone some alteration as your Grace will observe on perusing the copy I have the honor to enclose to you.² The Tonnage Bill will also be essentially altered and the article of discriminating as to foreign ships will be totally done away.—

Very severe strictures have been made here upon the regulations applied to the Importation of American wheat into Gt.

¹ Statute of 29 Geo. III, c. 68.

² Act of July 4. 1789.

Britain and very unjust and acrimonious censures have been thereupon [given] out against the officers of the Crown residing here—

It gives me great pleasure to inform your Grace that the severity of the last winter not only checked the advance but also the ravages of the destructive insect which has so much distressed the farmers in the middle States. It has advanced but a very little distance to the Southward and Westward and its ravages appear inconsiderable compared with those of former years—

I beg leave to congratulate your Grace and the nation upon the auspicious event which has taken place in the restoration of his Majesty's health—

I have the honor to be my Lord, your Ldp's most faithful and most obed: servant.

P. Bond.

His Grace the Duke of Leeds.

Endorsed. Philad^a. 13th. July, 1789.

Mr. Bond.

R. Aug. 31st.

52. TO THE DUKE OF LEEDS.

New York Aug 15th. 1789

My Lord,

I beg leave to inform your Grace that in consequence of the instructions contained in your Grace's dispatches of the 4th. Feb. and the 4th. of March, I repaired hither as soon as I found the public departments of the United States were in a train of being arranged and presented my commission as his Majesty's commissary for all commercial affairs for the recognition and approbation of the United States.

When I waited upon Mr. Jay the Sec: for Foreign affairs, he was pleased to enter into the objections I have already had the honor of communicating to your Grace: they turned chiefly upon the inconveniences which might arise from the adoption of a commission, until the nature and extent of the appointment was arranged by compact between the two nations, and the difficulty of ascertaining the privileges annexed to a delegation which, tho' known in the law of nations, had no particular privileges and immunities precisely defined thereby—The Secretary however expressed his readiness to present the Commission to the President General for adoption, and at the time

I delivered it, I deemed it expedient to explain, by letter, the nature and extent of the powers and the purposes of the appointment; a copy of which letter I take the liberty of enclosing to your Grace—

Fearing my Lord the motives which urged the former Congress might induce the Executive powers under the Federal Constitution to suspend the exercise of the commission of commissary, I took an opportunity of informing the Secretary how grievously oppressive this instalment law of S. Carolina, was to the traders with that country, and that I had been accurately informed, that the exigencies of that country, by no means called for such regulations; without considering the direct violation of that article of the Treaty, which stipulates the recovery of the full value, in sterling money, of all debts theretofore contracted:¹—I also took occasion my Lord, to mention the cruel and oppressive decision of the Court of Chancery of Maryland² upon the subject of alienage which, tho' perhaps conformable to the strict principles of the laws of alienage, was neither consistent with policy, humanity, or reciprocal justice. That a consideration of the former situation of the two countries then under the dominion of one common sovereign, if it could not serve to mitigate these rigid rules of law, would, I trusted, influence the legislature of the United States to interpose some just and equal regulation; which I presumed might with great propriety be expected, when it was known that the separation of the two countries had occasioned no deprivation of any right of holding or acquiring property in England, which the citizens of America held previous to the Separation:—I also suggested the expediency of passing a law to enable aliens to hold lands in America, which had already taken place in Penna.³

Tho' I was conscious, my Lord, in offering these remarks, I was travelling beyond the limits of any power delegated to me, by either of his Majesty's commissions, I could not refrain from making these communications which so essentially affected many subjects of the Crown, especially, my Lord, when upon the score of a reciprocal return of justice, the subjects of England were well founded in expecting the same measure of protection and security as to their property and interests in America, which has been uniformly extended to the citizens of

¹ Art. IV.

² See ante, No. 50.

³ See ante, No. 45.

the United States, by the dispensations of law in the Courts of England—

In answer to my observations, my Lord, the Secretary was pleased to say every effort was now making to put the new Government into motion, and that there was a flattering prospect of its proving efficient, that the different matters to which I alluded must speedily be objects of legislative Interposition:—that one extensive system of regulation must take place to operate as a uniform rule of conduct thro' out the United States; that such a system would naturally do away any local or partial institution, in the different States; and introduce a regular uniform course of decision under the jurisdiction of the Federal Courts, in all differences, as well between citizens of the different States as between foreigners and citizens of the United States generally:—The forms of office, my Lord require that the Commissions of officers from foreign courts should be presented to the Pres^t Gen^l who refers them to the Senate—so that some time must elapse before the sense of the New Government can be known as to the adoption or rejection of my Comⁿ as Com^y for Com^l. affairs—

With sentiments of the highest respect I have the honor to be my Lord, your Grace's

Most faithful and most obed; serv^t.

P. Bond.

His Grace the Duke of Leeds—

Endorsed. New York. Aug 25th. 1789

M^r. Bond.

R. 2nd. Oct.

53. TO SECRETARY JOHN JAY (ENCLOSED IN NO. 52).

Broad-Way 11th. Aug. 1789

Sir

I have now the honor to enclose the Comⁿ I hold as his Majesty's Com^y for all Com^l. affairs within the Dominions of the United States, which I am commanded by his Majesty to present for the approbation and recognition of the United States—

The Conversation you were pleased to indulge me with in regard to this Comⁿ, leads me to make some few observations which I flatter myself may have a tendency to remove the difficulties, as to its adoption, you so candidly expressed.—

The scope and intention of the appointment is best explained

by the title of the Comⁿ:—it implies a mere delegation to a Commissioner, for a particular purpose.

The Commercial intercourse between Gt. Britain and the United States having drawn much property hither belonging to the trading part of the nation, it was deemed expedient to appoint a special commission, thro' which representations should pass upon the various matters which had and might occur, from time to time:—and such was the purpose of the present appointment:—an appointment I conceive, Sir, with great deference perfectly compatible with that practice and with those rules, which prevail among nations to hear and reform well-founded grounds of complaint where the interests of the subjects of foreign countries are at stake.

From the very nature of the extensive commercial intercourse between Gt. Britain and the United States, frequent causes of representation have and must arise:—Suitable representations not only promote the purposes of explanation and redress, but have a tendency to maintain a good understanding:—I should therefore humbly hope no objection will now exist to the recognizing a Comⁿ which has singly for its object, the protection of the Rights and property of the subjects of the Kingdom, from whence the appointment is derived—

In answer to the objection founded upon the difficulty of defining the privileges annexed to the Comⁿ of Com^y I beg leave to remark, that the Laws of Nations annex a certain degree of protection to the officers of foreign Empires, from the period of their recognition:—in the present instance my Comⁿ as consul for a district, (which the United States have been pleased to adopt in a particular mode) involves in it that degree of protection and seems to dispense with the immediate necessity of defining the privileges of the appointment of Com^y. I take the liberty of suggesting this idea to obviate the objection you expressed upon the score of Privilege.

The interests of the Subjects of Gt. Britain are very materially connected with the United States, their importance induced his Majesty to establish a commission whose immediate powers should be pointed to the superintendence of those rights which are tolerated between nation and nation especially as far as they regard Com^l. objects—

Give me leave, Sir, to add the policy of Gt. Britain secures to the citizens of the United States speedy and ample relief in all matters which relate to their interests. The justice and

wisdom of the Federal Govern^t. afford a well-founded hope that an alternate return will prevail in cases which affect the claims of his Majesty's subjects sanctioned by private contracts and ratified by the positive stipulations of Treaties.

A system of conduct fixed upon the liberal foundation of a reciprocal intercourse and exchange of good offices, must be the source of mutual benefit to both countries—and under this full conviction I trust I may be permitted to express my unfeigned wish that such a system may be speedily and efficiently established—

With sentiments of perfect respect I have the honor to be Sir,

Your most obed. and most hble. ser^t.

P. Bond.

Hon. John Jay Esq. Sec: for Foreign Affairs

Endorsed. In M^r. Bond's 15th. Aug. 1789.

54. TO THE DUKE OF LEEDS.

New York. 15th. Aug. 1789.

My Lord,

I have now the honor to enclose to your Grace the bill which has lately passed the legislature of the United States to regulate the tonnage of vessels,¹ and am happy to find there is no particular discrimination detrimental to the commerce of Gt. Britain: In the original draught of this bill which I had the honor to forward to your Grace a very important discrimination was introduced—but it seems my Lord, the efforts of some, who considered it good policy to wage a commercial war between Britain and the United States, yielded to the sober discretion of those who thought a free intercourse with Gt. Britain very essential to the well-being of N. America, an agricultural country:—The Southern States my Lord especially who, having various staples which meet a ready and beneficial sale in Europe and the W. Indies, know and would soon feel the inconvenience of relying upon the vessels of the United States to transport their produce from hence—for they are neither competent in point of numbers nor will the regulations of trade admit them into our W. India Is whither different articles of provisions etc are now sent in Brit: bottoms from several of the United States in so great abundance.

¹ Act of July 20, 1789.

The restrictions which prevail as to the trade of this country with the Brit: W. India Is have been the source of great murmur and complaint and have furnished strong arguments to those who favor the idea of imposing rigid restraints upon the commerce of Gt. Britain, with the United States, the ostensible reason of suspending such restraints is the expectation that some relaxation of the navigation laws of England may take place, or at least as the new Govern^t seems to be in a train of being organized that an opening will be made to settle a commercial treaty with Gt. Britain wherein mutual concessions will be proposed and a system will be arranged upon the broad basis of equality and liberality.—One objection which heretofore existed to the entering into any com^l. treaty with America, seems wearing away apace: In the late unsettled state of the Union when each exercised individual rights of sovereignty, and adopted or rejected at discretion all public measures, there could be no assurance of realizing compacts with foreign powers,—now my Lord, there is an appearance of a regular establishment of Govern^t., and some prospect of efficiency—but there is a material point in the formation of a commercial treaty in which the rulers of this country are aware they are essentially defective, that defect is, however, glossed over by assuming facts of the Truth of which there is certainly some doubt—If Gt. Britain should be disposed to relax her acts of navigation, and permit the United States to partake in the carrying trade to the W. Indies under certain regulations, such an indulgence is not to be expected without some equivalent concession or return on the part of America: to discover that equivalent seems to be the difficulty.

It is said, my Lord, the trade with America is beneficial to England and unless American ships are suffered to bring the produce of America to our Islands, regulations must follow to exclude Brit; vessels entirely from carrying the produce of America out of the country: And when the people have once been convinced that endeavors have been made to fix a treaty of this sort and have failed, tho' the majority of this country now resist severe counter restrictions, they will then see the expediency of and promote immediately a total exclusion of Brit: vessels: Besides it is said that as America gives the preference to and consumes immense quantities of British manufactures, some indulgencies ought to be granted on this score especially as they would facilitate the means of remittance in discharge of debts contracted for Brit: goods.

Much, my Lord, as it is my wish to assist in promoting any plan that might be conducive to the facilitating remittances and diminishing that load of debt which the people of these States owe to the Brit. merchants, I am very far from thinking that advantage, if it would follow, would compensate for the general and extensive loss the commerce of Gt. Britain would suffer by permitting the vessels of America to partake of the carrying trade to our Islands—at present that trade must be monopolized by Brit. vessels—that monopoly extends to a double freight—to the freight of the cargo from hence and of the return cargo from the islands hither, the profits of which must be immense. But it is said this trade may be completely annihilated by regulations formed by the Govern^t. of the United States and it is more politic in Gt. Britain to suffer America to participate in this carrying trade than to lose it entirely.

It would be presumption in me, my Lord, to give a decided opinion upon a point of so much importance to the commerce of Gt. Britain—but as far as my observation goes, I do not conceive such counter regulations will be attempted: my ideas are formed upon the situation of a people overwhelmed with debt, embarrassed as to the means of payment by the State of agriculture which tho' now advancing considerably has for years past been conducted in a very limited and confined way, owing to the scarcity of labor and other inconveniences, consequent to a long and expensive war:—to their advancing agriculture the people look as their resource to disengage them from their present embarrassments, but the produce of the earth must have a vent to foreign countries, in order to secure a good price, and unless this vent be found, the different staples of N. America, must remain upon hand and perish; to the great loss, nay ruin of the farmer who will naturally revolt at those regulations which have subjected him to such distress: considerations of this sort will in point of policy influence the govern^t. of this country to avoid measures which may excite the complaints of the people and perhaps shake the foundation [of] their new Constitution—

As to the consumption of Brit. manufactures it is well known, my Lord, resort will be had to those countries from whence the wants of a people can be best supplied:—the unrivalled excellence of the Brit. manufactures so conveniently adapted to the accomodation of the people of America secures a prefer-

ence to Gt. Britain—but there is another point of convenience which the Brit: trade affords, not to be dispensed with by the traders of America, and which they cannot obtain elsewhere:—America must resort to that country which can give the most liberal credit:—in England that credit is best found, nor need we dread a rival in the trade while the wealth and punctuality of our traders, and the quality of our manufactures hold their ground: the wanton credits which have been given have involved many in distress, a seasonable restraint of credit will operate most beneficially and will cause a ready sale of the articles upon hand, and expedite remittances of course. The present views and objects of those who look forward to the arrangement of a Coml. treaty with England extend no further, my Lord, than to the opening of trade to the W. Indies [. . .] American vessels of a certain limited burden any indulgence of this sort would certainly divert the trade out of its present channel—the people of New England are an enterprising people, the number of their ports and the locality of their situation, favor the increase of seamen. They navigate their vessels frugally and their outfits are infinitely less expensive than the outfits of Brit: vessels. When once admitted to trade with the W. India Islands ship building which has lain dormant almost, and which was formerly a source of great profit to this country, would instantly be revived—America would soon monopolize the advantages of carrying; limited as to size the numbers of her vessels would be increased, and by increasing the numbers would supply the means of conveying all the produce of America, which is consumed in our islands, and that too at a much cheaper rate than any other nation could afford. But the enterprising spirit of the people of New England would as soon as they found the channels of profit open be exerted to the raising a maritime force which in case of a future war might operate very detrimentally to the interests of England. The trade to our islands would afford America a productive nursery for seamen, and at least diminish if not eventually annihilate *that* nursery, which the present commerce of Gt. Britain with the United States, affords in no slight degree.

I trust I shall meet your Grace's forgiveness mentioning many matters which have been the subjects of my former letters, but as some advances will probably be made e'er long to promote a commercial treaty between the two countries, I

conceive it to be my duty to recapitulate some observations I have already made and to suggest others which may be necessary for the information of Govern^t.

I am well assured my Lord, there is a majority in the different departments of the new Govern^t. favorable to a close connection with G^t. Britain and who will strive to promote it, still my Lord there is a very formidable French interest at work, which has and will employ every means of defeating such a connection and endeavor to create an influence in favor of that nation. * * *

Hitherto America has been rightly considered by the majority of her rulers, as an agricultural country; and they of course lean to that nation which can be most beneficial to them in the vent and consumption of their produce: the present regulations of the trade of France are infinitely more inconvenient to the commerce of the United States than the navigation Acts of England tho' the superior council of S. Domingo by a late regulation which probably originated in the difficulty of supplying that island from France have permitted the free importation in vessels of a certain size of flour, lumber, and a number of enumerated articles into some of the ports of that island for a period of 5 years; tho' this regulation extends to all foreign vessels of 60 tons burden and upwards yet from the contiguity of this island to the United States it will be particularly beneficial to the trade of America:—and the indulgence will strengthen the argument on the score of the gratitude America is said to owe to France, for the efforts made in her favor during the late war; which tho' founded singly in motives of national policy, have a considerable effect upon the minds of numbers, similar indulgencies on the part of England it is said might secure the assistance or at least the neutrality of the United States in case of a future war, for many are of opinion that in the present state of the commerce between Gt. Brit: and America, the latter would be very ready to avail herself of the naval and military force she may possess to assist our enemies, and not only to harrass our trade, but to attempt to gain the frontier posts, the holding of which is looked upon by this country with a very jealous eye.

Within these few days, my Lord, measures have been taken in the House of Representatives to establish a military force which passes under the name of providing a proper system of regulations for the militia of the United States. These meas-

ures originated in consequence of a message from the President-General to the House stating that the hostilities, that had been committed on the frontiers by several powerful tribes of Indians, required the immediate interposition of this Govern^t. to appoint commissioners to hold treaties—that the house would judge of the propriety of establishing Posts the better to secure peace and tranquility on the frontier, and to fix some uniform and effective system for the militia of the United States, by as early an attention as circumstances will permit, in order to take advantage of the military knowledge dessiminated thro' out the various States, by means of the many well-instructed officers and soldiers of the late army,—a resource which is daily diminishing by deaths and other causes ¹—

In my former letters, my Lord, I took the liberty of mentioning the strong disposition which prevailed in many people here, to settle in Canada: I think it more than probable the late scarcity of corn may have rather checked that spirit, but as the present harvest is very productive, I should hope the migration thither will soon be revived with an increase of numbers, it seems advisable to repeat and hold out the encouragement to settlers and to diffuse it as much as possible—

I had also the honor upon a former occasion, to suggest a plan for the regulating ships employed in bringing passengers from Gt. Brit: and Ireland. I am confident my Lord regulations of this sort would soon check a trade very oppressive to a number of valuable people, and very destructive to the interests of both kingdoms by draining them of many useful and laborious inhabitants—In the course of a few weeks past, three vessels arrived in the Delaware with passengers from Ireland. The ship, “Coningham” with 105, the Brig^a. “Havannah” with 90, and the ship “S. James” with 247. The passengers in the “S. James” from accounts I have received generally appear reputable and above the common class and have brought some property with them.—Other vessels with passengers have arrived lately, at Baltimore in Maryland, but I have not yet been informed of the number: This trade, my Lord, was for some time almost totally suspended, it is now again revived, and being so beneficial to the country and lucrative to those who are engaged in it will be carried on extensively, and with great spirit unless speedily corrected—

¹ Message of August 7, 1789.

Lately my Lord two other ships have arrived upon this continent from China—the “Gen^l. Washington,” Capt. Dennison at Providence in R. Island,¹ and the “Jenny,” Capt. Thompson at Amboy in New Jersey. I have the honor to be my Lord, your Grace’s most faith. and most obed: serv^t.

P. Bond.

His Grace the Duke of Leeds.

Endorsed New York Aug 15th 1789.

M^r. Bond.

R. 2nd Oct.

55. TO THE DUKE OF LEEDS.

Philadelphia 17th. Sep. 1789

My Lord

In my letter from New York of the 15th. Aug. I had the honor to inform your Grace that in consequence of your Grace’s instructions, I had repaired thither, as soon as I knew the public departments were in a train of being arranged, and presented my commission as his Majesty’s Com^y for all Com^l. affairs for the recognition, and approbation of the United States. I had then, also, the honor to transmit to your Grace a copy of the letter I addressed to the Secretary for Foreign affairs, at the time I delivered my Comⁿ as I deemed it expedient to explain in that mode the nature and extent of the powers and purposes of the appointment.

On the 24th of Aug my Lord, I received from the Secretary a letter of which the enclosed (No I.) is a copy; by which I was informed the reasons which influenced the decision of the late Congress on the subject of this comⁿ. appeared to the president to be well-founded:—

Tho’ the grounds of the original suspension were formerly explained to me by M^r. Jay, I conceived my Lord, it would be satisfactory to Govern^t. to have them officially communicated, and therefore expressed to that gentleman, my desire of having the reasons in writing, to which after some hesitation he acceded, and on the 26th. day of Aug. I received another letter, of which the enclosed (No 2) is a copy, stating the reasons which influenced the decision of the late Congress relative to my Comⁿ as Com^y etc. It seems my Lord, these reasons had been already communicated to M^r. Adams, the

¹ See Miss Gertrude S. Kimball’s *The East India Trade of Providence, 1787-1807*.

American Minister, while he was in England, and it was presumed he had explained them to your Grace—

In consequence of this determination, my Lord, the intended mode of making suitable representations to the Federal Govern^t is suspended and those important topics which so fatally affect the trading interest of Gt. Britain must remain undiscussed—

But my Lord, important as these interests are, I am extremely sorry to observe some other grounds of serious representation, have, and others probably will occur upon matters which essentially concern the lives and properties of his Majesty's subjects, in which no comⁿ now existing here is, or can be, deemed competent to interpose.

I have already, my Lord, had occasion to represent to your Grace several very pointed innovations of the Treaty of Peace and also some determinations in the Courts of Law in the different parts of this continent, which call for immediate interference, and immediate redress upon every principle of natural justice and reciprocal return.

Lately, my Lord, there have been some proceedings in a Criminal Court in New Jersey which brought the life of one of the King's subjects into jeopardy, and which seems to have been pursued with a degree of vindictive asperity very inconsistent with the dignity of justice.¹

I take the honor of enclosing the case (No. 3). I felt myself very much at a loss how to act in this matter; I knew, my Lord, the nature of my appointment did not extend to cases of this sort, and, of course, I anticipated the rejection of any representation I might have to offer but I was determined to interpose at all events, if it became necessary, as I should, in so doing, bring this prosecution into the view of the Federal Govern^t. and thereby effectually defeat the plea of ignorance of the transaction, if not promote an inquiry into the merits of the case: It happened fortunately, my Lord, that the proceedings at law opened a door to enable the unfortunate man to escape at a small expence, so that the necessity of a formal remonstrance was dispensed with. I mention this case, my Lord, in addition to those I have already suggested in the course of my former correspondence to show the particular hardships the subjects of England have and may labor under, for the want

¹ Doubtless the case of John Smith Hatfield, for which see American State Papers, Foreign Affairs, I, 210, 232.

of efficient means of bringing forward just causes of representation and I am convinced, my Lord, many things of great importance will remain unredressed 'till some official mode of communicating with the Govern^t. of this country be properly arranged: at the same time I beg leave to assure your Grace many of the members of the new Govern^t. profess a strong disposition to attend to and reform every just ground of complaint, and to encourage a system of mutual benefit and reciprocal good offices between the two countries—

With sentiments of the most perfect respect, I have the honor to be my Lord, your Grace's

Most faith: and most. obed: servant

P. Bond.

His Grace the Duke of Leeds.

Endorsed Philad^a. Sep. 17th. 1789.

Mr. Bond.

R. Nov. 1st.

56. TO THE DUKE OF LEEDS.

Philad^a. Sep. 21st. 1789.

My Lord,

I have the honor to inform your Grace that a fleet of French ships commanded by the Viscount de Pontieues Gien arrived at Boston from the W. Indies on the 4th. inst, after having touched at the mouth of York river, near the entrance of the Chesapeake:—the fleet consists of the following ships

L'Illustre (74) le V. de Pontieues Gien

Le Leopard (74) le Marq: de Gallisonier.

Frigates

L'Andromache (40) Mon^r Suzamet

Le Sensible (36) M. du Braye

L'Active (36) M. de Traversay

The purpose of this fleets coming here my Lord appears merely to avoid the hurricane season.

I have now the honor to enclose your Grace, an Act passed by the Congress of the United States to regulate the collection of duties imposed on goods etc. and tonnage; this Act¹ requires the register of every vessel to be lodged in the office of the Collector, and there remain until the vessel be cleared—
(fol. 14)

¹ Act of July 20, 1789.

This regulation, my Lord, may be productive of some inconvenience as the masters of British vessels are thereby deprived of the means of producing their registers to the consuls when required, and in case of sales to foreigners, frauds may be practiced in delivering the register to the purchasers, who may thereby avail themselves of the privileges of a British bottom.

I have the honor to be my Lord, your Grace's
Most faith: and most obed: servant.

P. Bond.

His Grace the Duke of Leeds.

Endorsed. Philad: Sep. 21st. 1789.

Mr. Bond.

R. Nov. 1st.

57. TO THE DUKE OF LEEDS.

Philad^a. 22nd. Sep. 1789.

My Lord,

I have had the honor to receive your Grace's dispatches of the 30th. of June by the Halifax Packet, which did not arrive at New York until the 14th. Inst. and is now to sail again so quickly that I have had scarcely time to peruse my correspondence upon the various subjects to which your Grace's letter alludes and to prepare a reference to enable me to bring my detached information into one view. I have the honor to enclose the reference to your Grace and must now content myself with touching very summarily upon those points to which I am [at] present competent to answer—and I beg leave to assure your Grace I shall with as much expedition as the importance of the inquiries will admit collect and transmit all the information I may be able to procure.

The Acts of the legislature of the United States, imposing duties and tonnage have been lately forwarded to your Grace; the impost of duties upon articles imported into the United States your Grace will perceive extends to those articles in whatever vessels the same may be imported with this single difference in favor of American vessels. "That a discount of 10 p. ct. on all the duties imposed is allowed on such goods etc as shall be imported in vessels built in the United States, and which shall be wholly the property of the citizens thereof, or in vessels built in foreign countries and on the 16th. day of

May 1789 wholly the property of citizens of the United States, and so continuing until the time of importation.”

The Act imposing duties on tonnage, my Lord, makes no discrimination as to the vessels of foreigners, whether they belong to nations with whom commercial treaties exist or to those with whom no such treaty is formed: all foreigners are upon an equal footing—

Vessels belonging wholly to citizens of the United States pay at the rate of 6 cents per ton (that is $\frac{6}{100}$ th parts of a dollar. Vessels hereafter to be built in the United States belonging wholly or in part to subjects of foreign powers pay at the rate of 30 cents per ton, all other vessels pay at the rate of 50 cents per ton.

Coasting vessels or those employed in the fisheries built in the United States and belonging to the citizens thereof shall whilst so employed pay tonnage but once a year—All *other* vessels employed coastwise on *each* entry pay 50 cents per ton:—

It is necessary to observe my Lord, that as all the States except Rhode I and N. Carolina are represented in the Federal Govern^t. the regulations of trade extend to the eleven States which at present compose the Union, and of course repeal every municipal regulation, heretofore made by the legislature of individual States the Revenue and trade of the country being now subject to the control of the Federal Govern^t. alone.—

It should seem therefore unnecessary to report upon any of the Acts of individual legislatures furthur than to ascertain the disposition heretofore prevailing in many of the States to discriminate very rigorously with respect to the commerce of Gt. Britain and in a manner very incompatible with every idea of mutual accommodation or reciprocal return for the indulgencies granted by Gt. Britain to the United States:—many of these municipal Acts are now in my possession and others may be had I presume without any great difficulty,—I shall endeavor to collect them as soon as possible.

The references I have the honor to enclose to your Grace will point to such parts of my correspondence as relate to laws in force in different States and to decisions of Courts of Law upon matters which affect the interests of Brit: subjects—I shall immediately set about classing them under proper heads

and distinguish the cases which turn upon legislative regulations, made since the peace contrary to the spirit of the Treaty; and the rules and decisions of courts of Justice upon the several topics of discussion which have occurred—

I shall as early as possible pay attention to your Grace's instructions upon those points which are contained under numbers 5, 6, 7, 8, 10, 11 and 12 in your Grace's letter of the 30th. of June, to which I can not at this time reply with any precision:—

I have already, my Lord written upon the subject of inquiry contained in No. 9 and am now more fully convinced the mode of regulation I had the honor to submit to your Grace's consideration in my letter alluded to in the enclosed reference would have a compleat effect in restraining for the present and finally annihilating a traffic which annually strips the nation of many of its valuable inhabitants; I shall hereafter have occasion to make furthur observations upon this subject, for the present it seems expedient to observe that few indented servants have been imported since the peace 'till the present year. In the course of which many hundreds have arrived in the Delaware from Ireland alone and more are expected. Some have been imported into Maryland but not in so great a proportion as into Pennsylv^a.

The trade is a lucrative one, my Lord, and will be pursued eagerly unless proper obstacles are thrown in the way which I humbly presume may be done upon principles perfectly consistent with the constitution; having in view so humane a purpose as the providing for the convenience and comfort of unwary emigrants so often seduced from their country by the force of artful and false suggestions—

The redemptioners, my Lord, (I mean such as pay their passage or are redeemed by their friends) pursue their own inclination and many of them in selecting settlements migrate no doubt to Kentucky and the Western Territory.—I should suppose there is no instance of any of these fixing themselves, immediately in Canada; but the indented servants, my Lord, are purchased for a certain term of years in the country into which they are imported; they pass the term of their servitude therein, and when that expires they for the most part continue laborers for years in the neighborhood where they have served, having no immediate means to enable them to settle lands or

to enable them to migrate to a distant country; the mere temporary loss of the labor of this description of people is an object of great consequence to any country but when it is considered that few of them ever return to their native land, the importance of their loss is immensely aggravated.

With sentiments of the most perfect respect, I have the honor to be, my Lord,

Your Grace's most faith: and most obed: sert.

P. Bond.

His Grace the Duke of Leeds

Endorsed. Philad^a. Sep. 22nd. 1789

M^r. Bond.

R. Nov. 1st.

58. TO THE DUKE OF LEEDS.

Philad^a. Oct. 29th. 1789.

My Lord,

The manner in which the enclosed information was communicated to me rendered me at first very cautious as to the credit I gave it:—as it seemed to be in some degree the effect of resentment I received it under an impression it might not be quite accurate;—the young man who gave the information, offered to swear to the truth of it; but this I put by because I apprehended he might have been subject to some undue influence; and because if I had treated the matter with too much solemnity, the means of detecting future attempts of a similar kind might have been evaded.—

The Story has been considerably strengthened, my Lord, by what has happened since the information was given me—The master of the ship being very anxious to get possession of Tiernay's regimentals applied to the mayor of Philad^a for a warrant to apprehend Ewing upon a charge of having stolen Tiernay's clothes; the mayor refused to grant the warrant upon the score of Ewing's youth but sent one of his officers to bring him before him;—a woman of the name of Stuart who had taken Ewing under her protection alarmed at this message brought the clothes to my house, and in my absence deposited them in the hands of a servant, and they are now in my possession:—upon Ewing's examination before the Mayor he positively insisted he had received the clothes in a fair exchange and refused to restore them:—this not being denied by Tiernay, the Mayor declined any further interference.

It is rather unfortunate my Lord, that in the course of the examination Ewing declared the clothes were deposited with me; this circumstance will probably deter Gwinn from returning to Ireland:

The facts as to the desertion of Tiernay may easily be traced, and, if found to be true will manifest the daring lengths to which the decoying his Majesty's subjects is carried and evince the necessity of exerting the utmost vigilance to discover future attempts.

With sentiments of the most perfect respect I have the honor to be, my Lord

Your Grace's most faith: and most. obed. sert.

P. Bond.

His Grace the Duke of Leeds.

Endorsed. Philad^a 29th Oct. 1789.

M^r. Bond.

R. 11. Dec:

Enclosed with this is, "The Information of Alexander Ewing aged 15 years, late of Dublin but now of Philadelphia."

59. TO THE DUKE OF LEEDS.

Philad^a. Nov. 10th. 1789.

My Lord,

In obedience to your Grace's commands contained in your Grace's letter of the 30th. of June, I have now the honor to transmit the best information I have been able to collect upon the different points to which my inquiries were to be directed; and where I have failed to satisfy with literal precision the terms of any point I have endeavored to substitute such information thereon as seemed calculated best, to meet the purpose of the Inquiry.

I have already had the honor to enclose to your Grace the Acts of the Legislature of the United States imposing duties and tonnage and now forward a summary thereof (No. 1 and No: 2¹) with a table of the duties and tonnage extracted from the acts for the convenience of the traders:

It may be necessary my Lord, now, to repeat an observation I have heretofore made, "That all the States except Rhode I

¹ The numbers, here transferred into the text from the margin of the original, refer to the inclosures at the end of this letter.

and N. Carolina being represented in the Federal Govern^t, the regulations of trade extend to the eleven states, which, at present compose the Union, being now subject to control of the Federal Govern^t. alone." And it is material to add, my Lord, that the state of Rhode I tho' not yet a member of the Union has adopted some of the regulations made by the Congress of the United States; and by an Act of this individual state, similar duties are to be levied and collected therein, upon all goods, wares and merchandises imported as are or may be ordered to be levied and collected upon similar goods by the legislature of the eleven confederated states¹:—this separate act of Rhode I makes no regulation as to tonnage

At this time therefore, my Lord, the duties upon goods etc imported into 12 of the American States are regulated by the Act of the Congress imposing duties—this act of the Congress extending to those States which compose the federal Union and being adopted by a municipal law of the State of Rhode I

N. Carolina it is presumed will soon come in the Union, the duties and tonnage of that State are still governed by its municipal laws—extracts of which are now forwarded to your Grace (No 6)—

The documents now sent and referred to fully satisfy the inquiries made in your Grace's letter upon the first three points—but as it seemed in some degree connected with the subject and marks the disposition heretofore prevalent in many of the States to discriminate with some sort of severity in respect to the commerce of Gt. Britain, and to keep out of sight the liberal com^l indulgencies granted by Gt. Britain to the United States, I have collected tables of the duties and tonnage existing in several of the United States previous to the interposition of the general import as now regulated by the Federal Legislature.²

These tables are contained in Nos. 3, 4, 5, 6, 7, 8 and relate to the States of New York, Pennsylv^a Maryland, Virginia, N and S. Carolina and Georgia. There were no duties or tonnage ever imposed in New Jersey or Delaware.

In answer to the forth article of your Grace's inquiries, I beg leave to observe that after the Peace, laws were made in many of the States to obstruct the recovery of debts due

¹ R. I. Schedules, May, 1789.

² See Willard C. Fisher, *American Trade Regulations before 1789*, in *Papers of the American Historical Association*, III, 467-493.

from the citizens of America to the subjects of great Britain: In some of the States direct restraint prevailed, for a period: in others the payment of interest for a number of years was restricted;—in some of the States tender laws existed whereby creditors were compelled to take real and personal property at a valuation and in others the paper money at its nominal value (emitted by local laws and depreciated at the time in some instances from 12 to 15 per ct. and in others from 30 to 40 per ct.) was made a legal tender and payment for all debts whereon suits were commenced for the recovery.

The direct violation of the Treaty of Peace in these different points was palpable, but the enormity of the regulations was highly aggravated by the consideration that in some parts of this continent a British creditor in common with every other creditor was compelled to take real property at a valuation in payment of his debt and in discharge of his debtor when in other parts of the continent where the question of alienage has been discussed, the Courts of Law and Equity have determined that a subject of Gt. Britain residing within the King's dominions at and after the declaration of Independence was not competent to hold or acquire real property within the United States—so that in fact, my Lord, a British creditor upon this principle was constrained to relinquish a substantial demand for this shadow of compensation or to wait for years upon the capricious and evasive disposition of his debtor (No. 22 and no: 25).

An abstract of most of the laws to which I allude was submitted to your Grace's consideration in two different memorials from the committee of merchants trading to America in the years 1785 and 1786¹—and this abstract seems to have been the foundation of your Grace's answer to the requisitions of Mr. Adams in Feb: 1786 in respect to the British posts occupied within the bounds of the country ceded to the United States by the Treaty of Peace.

In consequence of that answer, my Lord, the Congress in April 1787 addressed a circular letter to the governors of the respective States recommending to the different legislatures "to pass laws to repeal such acts or parts of acts as were repugnant to the Treaty of Peace between the United States and his Britannic Majesty and that the courts of law and

¹ Probably the extracts given in Dipl. Corr. 1783-1789, v., 17-21, are from one of these.

equity should be required in all cases and questions cognizable therein respectively and arising from or touching the said Treaty to decide and adjudge according to the true intent and meaning of the same."¹

The States of New Hampshire, Mass: Bay, Rhode I. Connecticut, New York, New Jersey Delaware, and Maryland have since passed laws complying with this requisition of Congress.²

The legislature of Penn^a resolved thereupon that no law of the State was in force repugnant to the Treaty of Peace or to any article thereof or that impeded counteracted or restrained the operation and execution thereof.³

The proceedings of the legislature of Virginia upon this recommendation, I have already transmitted to your Grace in my letter of the 3rd. of March 1788. An act passed to repeal all the laws of that State repugnant to the Treaty—but a proviso was inserted that the operation of the Law should not take effect until Gt. Britain had surrendered the frontier posts and made provision for restoring or compensating the owners of negroes taken in violation of the Treaty⁴ (See No. 10 foll: 11 abst: of Virg^a laws)

No public act of the legislatures of N and S. Carolina or Georgia has appeared in consequence of this recommendation—

In S. Carolina the repeal of the tender and valuation law was succeeded by an instalment act confining the portions of payments of debts and interest to one third annually—Had this Instalment Law been properly executed, such was the forbearance of the Brit: creditors that they would most willingly have waited the limited periods for the payment of their debts—but the 1st. and 2nd. instalments were never enforced and just as the third became due another Instalment Law passed extending the period of payment almost five years longer by annual portions of 1/5th. of the debt and interest. (No 11) And it is remarkable, my Lord, that this latter instalment law was passed subsequent to the New Federal Constitu-

¹ Letter agreed upon by Congress, April 13, 1787; Jour. Cong., iv, 735-738; Secret Journals, Foreign Affairs, iv, 329-338.

² The acts referred to are probably the following: New Hampshire, act of September 15, 1786; Massachusetts, act of April 30, 1787; Rhode Island, act of September, 1787; Connecticut, act of May, 1787; New York, act of February 22, 1788; Delaware, act of February 2, 1788; Maryland, act of May 14, 1787. New Jersey made the same declaration as that of Pennsylvania, next mentioned. American State Papers, Foreign Affairs, i, 231.

³ American State Papers, Foreign Affairs, i, 231; Resolve of March 3, 1788.

⁴ Act of December 12, 1787; Hening, xii, 528.

tion and originated in the House of Assembly of S. Carolina of which several of the then members had been delegates to the Federal Convention which formed the New Constitution.¹ By that Constitution it is prescribed that all treaties made or which should be made under the authority of the United States should be the supreme law of the land and that the judges in each state should be bound thereby—and every senator and representative of the United States, and the members of the State legislatures and all executive and judicial officers both of the United States and of the several states are to be bound by oath or affirmation to support that Constitution.

In Georgia for several years after the Peace the people conceived the State was still at war with England in consequence of an opinion delivered by the Chief Justice of that State, to this effect, that as there was no legislative act of the State of Georgia confirming the Treaty of Peace with Gt. Britain, war still continued between the two countries.²

An idea prevails my Lord, that the Courts of Law etc. in those States which have adopted the recommendatory resolve of Congress will make the Treaty of Peace the rule of decision and pay no regard to local laws which have been passed inconsistent therewith, at any rate the judiciary courts established under the authority of the New Constitution seem bound to pay due regard to the solemnity of treaties—

The question at present remains to be settled in the Court of Maryland (No. 18) where actions have been long depending which involve an immense deal of the property of Brit: merchants paid into the Treasury of the State in consequence of the act of Oct: 1780—The merits of the case I have already stated to your Grace in a former letter—(12th July 1789 see No. 23)

I have prepared an abstract of the Laws of Maryland (No. 9) which affect the rights of Brit: subjects and also of the laws of Virginia (No. 10) which have that tendency, and I also transmit to your Grace the late instalment law of S. Carolina—(No. 11.)

Upon the decision in Maryland now rests the recovery of interest upon Brit. debts in that state during the war. I have

¹ Act of November 4, 1788. See note to No. 30.

² The same assertion was made by Hammond, American State Papers, Foreign Affairs, 1, 196.

prepared for your Grace's inspection some of the leading determinations which have taken place in the Courts of Law of New York and Pennsylv^a (No. 13, 14, 15)—and I beg leave to observe that in no instance has the recovery of interest during the war upon simple contract debts or debts of a higher degree due from the citizens of *these* States to British Subjects been admitted. On the contrary the general scope of the conduct of the courts has been to direct juries to abate interest for seven and a half years, tho' the period of abatement has been decreased or diminished according to the circumstances of particular cases—In one single instance 6½ years interest only were deducted and these were both debts on specialities, but the general rule has been 7½ years deduction of interest.

The circumstance of an agents being upon the spot during some part of the war had some influence as to the measure of deduction in one case (*Osborne v. Miffins Ex^{rs} No. 14*) but in the other (*Hoare v. Allen No. 15*) the presence of the agent had a *contrary* operation, in the minds of the jury—the constant prevailing principle inculcated by the courts has been this—that as it was unlawful and unpolitic to strengthen the hands of the enemy the Congress of the United States had caused all communication with Gt. Britain to be cut off, and of course had restrained all remittances which could have had that effect; that it would have been criminal to have remitted debts during the war and as no man shall suffer for his obedience to the laws he shall not be answerable for interest while the laws of the land restrained him from remitting the principal.

There were not many British agents in America during the war and few chose to appear as such, because they might have been liable to receive payment of their debts when the paper money was depreciated 40, 50 and 60 for 1.

Conceiving my Lord that these determinations were expressly repugnant to the Terms of the Treaty of Peace and knowing what vast sums of money were involved in the consequences, I addressed a letter to the President of the executive power of Pennsylv^a in March 1788 a copy of which I did myself the honor to communicate to your Grace:—(No. 20.) I therein represented the expedience of a legislative interposition to regulate the claim of interest upon Brit: debts in conformity to the spirit of the Treaty and the terms of the original contract and to

¹ The reference is to the New York case of *Wm. Neate's Executors vs. Comfort Sands*, and to two Pennsylvanian cases: *Osborne vs. Miffin's Executors* and *Hoare vs. Allen*.

correct the decisions and directions of the Courts of Law upon this point. This letter my Lord was laid before the House of Assembly of Pennsylv^a and referred to a committee who never reported thereon.

The ground for the abatement of interest on Brit: debts, my Lord, applies to no other foreign debts—and in cases where the nature of the contract justified the demand of interest, the subjects of other foreign nations claiming debts here would certainly recover interest during the war; but few foreign contracts have come in question and in the course of the small traffic for merchandize with foreigners the usage does not seem to warrant the demand of interest—this usage is peculiar to Brit: debts. If the usage applied to other foreign debts the ground of decision would not extend to any but British debts because the communication with all other nations or at least with such as would receive the vessels of America was open during the war remittances to them were not restrained by any of the regulations of Congress—such remittances would not have “strengthened the hands of an enemy”. It is well-known my Lord that even during the war the manufactures of Gt. Britain were eagerly sought after by the Americans and obtained circuitously thro’ the neutral islands.—American agents were stationed there to receive them and to avail themselves of every opportunity of forwarding them to this continent. The faith of the Brit: merchants tho’ almost exhausted by repeated disappointments was still resorted to and credits were even *then* obtained which could not be had elsewhere.

I have forwarded a private law of Maryland and some other cases to your Grace (No. 12, 16, 17, 19, 20, 21.) which tho’ they do not immediately apply to the point of Inquiry appear to me to have been passed and decided in direct violation of the Treaty of Peace.

The establishment of judiciary courts under the New Constitution promises some relief in the controul of local laws which press hard upon the interests of the British creditors and in correcting a system of delay which has been highly oppressive:—indeed my Lord if a more summary mode of proceeding in the recovery of Brit: debts does not prevail the spirit of the Treaty of Peace can not be said to be fulfilled—some more expeditious mode seems essentially necessary to secure the debts already subsisting and to put the future com^l. intercourse

between the two countries upon any tolerable footing of certainty. It also seems indispensibly expedient for the safety of Brit: creditors that a general bill should pass the Federal Legislature to enable them to take and hold lands for the payment of debts—

As to the 5th article of inquiry contained in your Grace's letter from the observation I have myself made and from every information I can collect, the agriculture of the Middle and Southern States is certainly increasing at this time; tho' I do not conceive it has yet reached its level antecedent to the war.

During the troubles my Lord a number of useful labourers were taken from the pursuits of agriculture and employed as soldiers;—the diminution of useful labor occasioned a diminution of the crops and the farmer sustained a heavy loss thereby—but a very considerable discouragement to agriculture existed during the war, the intercourse with Europe and the W. Indies was so frequently obstructed by the cruizers that the farmer found no certain vent for his produce and fearful that the little he raised might perish on his hands he looked scarcely furthur than to the nurture of his family and became careless of cultivating more than their wants required:—many farmers too quitted their homes and engaged in military pursuits: this course of life promoted dissipation and inspired sentiments very incompatible with the humility of agricultural life:—Men who had commanded in the field could not suddenly brook a return to their former stations—the ruinous consequences of supineness dissipation and luxury were soon severely felt; numbers became involved in debt—their farms were impoverished and their farm houses fell into decay, so that upon the accession of peace those means which were formerly exerted for the purposes of tillage and improvement were appropriated to the discharge of old debts. (which had accumulated to a fearful size) and to the payment of taxes far exceeding those of former times.—These inconveniences are gradually wearing away—the eyes of the people seem now to be opened to their true interests—the prospect of an efficient government has greatly encouraged them industry has succeeded to idleness and husbandry appears to be in a progressive state—the crop of the last harvest was uncommonly great, the exports of the present year from this port and from New York, it is supposed will be equal to those of any former

years whatever, tho' perhaps upon an average calculation for several years to come it would not be found that the produce of this state at this rate of computation nearly equals what it was before the war.

The culture of the Southern States, my Lord, has experienced a material change. In Maryland and Virginia lands which were greatly exhausted in the culture of tobacco are now sown with grain, while in the Carolinas and Georgia the growth of tobacco is very much encouraged and from the strength of their grounds it promises to become a very important staple

Cotton also is much attended to and the climate and soil of the Southern States are deemed very propitious to the culture of this article.

The increase of exports for the last two or three years from Pennsylv^a and New York is certain; as far, therefore, my Lord as this Criterion is to be relied on the staples of these States are now advancing, but the general face of the country manifests it plainly, and if this test required aid it is confirmed by the observation of those most competent to judge; the universal opinion is that of late things are resuming their former tone, and if the demand in Europe should continue the exertions of the farmer will soon attain if not surpass the former state of agriculture—

The increase or decrease of the exports of particular states affords no absolute test of the increase or decrease of agriculture. One state may raise more and consume more than in former years, another state may raise less and consume less a third may raise more and consume less etc, which may be imputed to the increase of inhabitants or their diminution, to the change in the pursuits of men, and to the accession of numbers to or the desertion from towns and cities—

Circumstances too, my Lord, may vary the modes and channels thro' which the produce of particular states may find a vent for instance the back country of Pennsylv^a (which for some years was very rapidly settled) sends a great deal of its produce to Baltimore in Maryland, while the whole produce of the lately settled country back of New York and Connec^t centres in New York inevitably. The increase of exports from New York therefore may appear to advance in a much greater proportion than those of Pennsylv^a, but there is no test of the relative advance of the one State compared with the other; the real progress of agriculture is much more rapid in Pennsylv^a

than in New York and indeed it seems universally allowed that husbandry, in its general scope, is in a much more flourishing situation in Pennsylv: than in any other state on this continent.

In answer to the 6th point of your Grace's inquiries I have collected as accurate an account as I possibly could of the State of manufactures thro' out this continent and have endeavored to form some judgement upon the subject which I take the liberty of submitting to your Grace's consideration. (No. 22)—America must for a long time my Lord be under the necessity of purchasing and importing vast quantities of British or other European manufactures—the preference has and will be given to British manufactures, they are for the most part of the best quality and of course come cheapest to the consumer in the end. The credit too which the merchants of England allow to the American traders, is infinitely more liberal than any other nation upon earth can afford; in so much that many articles of foreign, European manufacture, calculated for the American market, are brought hither circuitously thro' England and English credit is resorted to as the immediate mode of payment for such foreign articles—

In a country, my Lord, so extensive as this continent with a sea-board frontary of 1500 miles in length and a Western limit hitherto undefined at present inhabited by scarcely more than 3,000,000 of people possessing a strong natural disposition to husbandry with a powerful propensity to migrate a series of centuries must elapse before this country will be peopled to such a degree as to make the encouragement of manufacture an object of necessary recourse: Agriculture will long continue the source from whence the mass of the people will draw their subsistence—It is the most familiar mode of employment and best adapted to the natural disposition of the inhabitants;—indeed as America is now circumstanced in point of territory, and in point of numbers no pursuit can be so generally productive and advantageous, as tillage,¹ and while the soil of America continues to be fruitful or new soils can be resorted to, when the old are exhausted, the progress of manufactures must of necessity be slow, they will be confined to articles which require little art, little labour and small capitals and even on this circumscribed scale will operate rather as a means of employing time otherwise uselessly consumed, than afford any just ground of apprehension on the score of com-

¹ See Thomas Cooper, *Some Information concerning America*, p. 71.

mercial rivalry, applied at least to the finer manufactures of Europe. Manufactures which require art, labor, and expence to any great extent of either, may be attempted but they will often fail for want of capitals and because the extensive capitals in Europe can afford their manufactures at a rate, vastly lower, than almost anything can be afforded for which is undertaken here.—

Where the raw material however can be taken from the earth and converted into an article of immediate use or speedy demand with little expence and art and where from the bulk or weight of the foreign manufacture, the expence which may attend the carriage is great, the American manufacturers will have the advantage of the European manufacturers, and in this line the Americans do and will succeed.

Under the description of articles of immediate use and speedy demand may be comprehended nails and coarse manufactures of iron, Tools which relate to husbandry, to architecture and which are used by most Handycraftsmen. Under the description of articles of heavy bulk or weight may be comprehended anvils, forge hammers, anchors and cast irons of various kinds for mills carriages and other purposes.

Nothing can better verify the truth of this remark, my Lord, than the encouragement given to artificers (in these particular lines) who migrate hither and the pains taken to seduce them from foreign countries, these in common with all handycraftsmen constantly get forward by a course of industry; while those whose occupations depend on luxury are soon obliged to quit their trades and resort to other modes of subsistence. This observation was made many years ago by a person well conversant with the situation prospect and real interests of America and is evinced by every day's experience—Most of the artificers, my Lord who have struck out new modes of manufacture here have migrated originally from Europe. If the line in which they engage, succeeds they persist in it, and communicate their art to the young people of the country,—if it fails, they resort to agriculture, and even in this respect may be said to add to the interests of the country, by adding to its population.

Many useful domestic manufactures, my Lord have lately been resumed in the Eastern and Middle States from motives of economy, formerly most families in the country raised a certain portion of the articles of their own domestic consump-

tion; but the same reasons which caused a decrease of tillage operated in some measure to lessen the quantity of home manufactures:—however within the last 2 or 3 years necessity has excited a spirit of economy, and many useful plans of Industry have been revived which had languished for years¹—considerable improvements have been made in the culture of flax and hemp—to the propagation of sheep also, some attention has been paid, but not with equal success, the climate of America not being propitious to the raising of sheep; what little wool is raised is of a very ordinary quality and can only be applied to the coarser manufactures and indeed, even lindseys made in England and all coarse woollens are sold here at a much lower price than the same sort of articles manufactured in America—nothing like the finer cloths have been attempted with anything like success. I have conversed with a person who is a good judge of the manufacture of cloth. He informed me the best he ever saw was a piece manufactured in some part of Long I. It was made of wool, rather tho' not much better than that of which cloth is made in England, of 4/—a yard value;—but in the plight in which he saw it, it could not have been worth more than 3/6 a yard at any cloth Hall in England; it was milled but not cropped, neither dressed or pressed. In skilful hands by the subsequent process of carding cropping and pressing it might have been made equal to the price of 4l—. The color was a bad grey, formed of a mixture of common black and white wool not well mixed or scribbled, or prepared with any care or skill. It has been very much doubted, my Lord whether the quantity of wool raised in America before the war would have supplied the inhabitants of the country with their winter stockings, at this time perhaps the quantity may be somewhat increased but it bears no sort of proportion to the wants of the people, and it seems very clear that America must always look to other countries for a supply of woollen manufactures.

The Act of Parliament which restrained the Export of hats from the British colonies and limited the number of apprentices to the trade² was a great drawback to the profit of the hatmakers, before the war, who from the then plentiful and easy supply of furs from the Northern and Western country might have carried on an extensive manufacture and have

¹ See Tench Coxe, View of the United States, pp. 259-270.

² Act of 1732.

exported large quantities of the finer sort of hats—The establishment of the Independence of America has taken off these restrictions but the difficulty of procuring furs prevents the extension of this manufacture so as to render it an article of export; very few hats and those of a finer sort, being made for exportation;—for low-priced hats resort is still had to England; and such is the scarcity of furs that commissions have actually now gone forward to London, to ship from thence Musquash skins, to supply the hatters here who feel the scarcity of furs very sensibly and anticipate still further inconveniences, if some mode of supply cannot be fallen upon:—a free communication with that part of the country, which is now comprehended within the Northern posts occupied by his Majesty's troops would facilitate the means of procuring large supplies of furs; the manufacture of hats in America would instantly be extended so as to become a profitable article of export, and more over an essential part of the fur trade would be thereby diverted out of its present channel and centre in the American markets. In like manner, my Lord, the same political event has extinguished the Parliamentary restraint upon slitting mills, many mills of that description have been erected within a few years to the great profit of the owners—the facility of obtaining bar irons and the great and immediate demand for the larger sort of nails has totally put an end to the importation of the sizes above 6^d—as they are called; the lesser sort which require more labor and more art and are not in so great demand are still imported from England—The naileries here are not carried on as extensively as they might be—there is a want of hands, parents are averse to placing their children to this sort of trade, and the most liberal offers of schooling, freedom dues, and other indulgencies have failed to obtain anything like the numbers required.

During the war, my Lord, necessity impelled the extension of the paper manufacture: which to a certain degree has been carried on to great profit—but the capital of the paper makers being but small must be employed in the mode that is most suddenly productive and least expensive—coarse paper and small-sized writing paper being easily made and most in demand the manufacture is chiefly confined to these species of paper. Post paper has been attempted in a small degree but neither demi nor imperial has yet been attempted—the reason

is the artificers are not sufficiently expert, there being a longer extent of mould than in the smaller sorts of paper, harder and nicer pressing is requisite more art, greater labor, and more expense would of course be required, if the paper makers were possessed of more ample means they would no doubt strike out into refinements and improvements to which a capital of 15. or £1600 curr^y ($\frac{4}{5}$ ^{ths} of which are expended in mills and buildings) is not competent.

I transmit to your Grace all the information I have been able to obtain upon the subject of manufactures. Nothing has hitherto been accomplished in this line but would [what] might reasonably have been expected from the natural productions and advantages of the country—As skilful artificers grow more numerous, as the capitals of those who engage in new schemes of improvement increase, and as the population of the country becomes more compact, the progress of manufactures will of course advance but as long as men find agriculture a more productive pursuit and are satisfied that one half of the expense of new enterprizes laid out in the culture and improvement of their farms, will turn to more certain profit husbandry will be pursued and manufactures will be treated as a secondary object of attention.

The situation of new England, my Lord, strongly marks the truth of this position—that country is very thickly settled, restrained as the people have been in their fisheries which was the only staple they possessed and that an adventitious one, they have resorted to such manufactures as are within the reach of their capitals—their extreme frugality and economy enable them to work cheaper and upon better terms than other people and already they supply the neighbouring states with several kinds of manufactures to the raising of which each state with proper industry is more or less competent, in some degree. There is a predilection, in the New England States among the farmers in favor of their own coarse linens, and every man in the country who can raise any article to supply his family takes a pride in its being worn, but this preference to domestic manufactures is only confined to the farmers, the people who live in towns still prefer and still wear European goods and British in preference to all others; nor is the use of articles of domestic manufacture extended far to the Southward of new England—In New York, New Jersey, Pennsylv^a and Delaware State, there is a good deal of domestic economy

and industry—but it does not reach the Southern States where the people trusting to the labor of their slaves to the goodness of their soil and the value of their staples indulge themselves with foreign manufactures of almost every description and think they are the best and cheapest they can use.

The scale of advancement in manufactures in New England therefore, my Lord, is not to be the measure of calculating the progress of manufactures in other States, nor is what is done there to be considered as fixing the character or pursuits of the bulk of the people of this extensive continent. The inhabitants of New England may be said to be a peculiar people—they have more public spirit more enterprize energy and activity of mind and body than their neighbors—these States are the most populous of the Union, and consequently labor there is cheaper than in any other part of the continent—luxuries are scarcely known among the farmers—they live frugally, the inhabitants of towns are moderate in their expenses—they subscribe with spirit to their public improvements, which employ the poor who would otherwise become a public charge, and they are punctual in paying their subscriptions so that their public institutions thrive while others are upon the decline: the cotton manufactory, for instance, in Beverley,¹ in Mass: Bay is carried on to advantage while the same sort of institution at Philad^a does not advance: the Manchester cotton goods are sold for 25 p. ct. less than the Philad^a cotton goods—it is true such have been the effects of the Treaty of Commerce between England and France that the cotton manufactures in England have lately reduced their prices from 12 to 15 per cent:—this has given a sensible check to the progress of the cotton manufactory at Philad^a; but it should seem as if this circumstance would also have affected that manufacture in New England; which has not been the case as it is imputable to the reasons I have assigned viz. the populousness of the country the cheapness of living, the consequent low price of labor and the enterprize, activity and punctuality of the people.

I have forwarded to your Grace a list of raw materials and natural productions which it is supposed this country can furnish and of such manufactures as are adapted to the resources of the country (No. 23) the list seems to have been prepared with an over-degree of zeal as there are few of the articles (x)

¹ Bagnall, History of the Textile Industries of the United States, 1, 89-100.

upon which the imposts under the late regulations amounts to a prohibition and many of those articles whereon heavy duties are imposed are real luxuries. The presumption therefore follows, my Lord, that of those articles which are not virtually prohibited by the late impost, there are not sufficient raised or manufactured in the country, for its ordinary consumption.

The growth of many raw materials in this list might be essentially enlarged: As far too as they do not interfere with our own interests, or clash with our Engagements to friendly European powers, it seems good policy to continue to encourage the importation of such raw materials from America into Gt. Britain as are essentially useful to the country either for the consumption of the people, the supply of the navy or the support and advancement of manufactures: And perhaps, my Lord, this is the only mode in which commercial indulgencies can be extended to the United States—no longer the colonies of England but precisely in the situation of aliens, in common with every other foreign nation:—This sort of encouragement is not only an indulgence to the United States, but it operates beneficially to the Interests of the Brit: merchants and to the trade of Gt. Britain: the raw materials of America are taken as an advantageous barter for the manufactures of Gt. Britain, whereby the amount of remittances is increased which would otherwise fall infinitely short of what it does: For, my Lord, with all the exertions of domestic and public manufactures, the wants of America must occasion a balance of trade greatly in favor of England; hitherto our merchants have sunk annually large sums of money, in consequence of their extensive credits, what they lose is detrimental to Great Britain and beneficial to America; the value of what is not paid for remains here of course, and is a saving to this country: I have never deemed the attention to manufactures, as America is circumstanced injurious to Gt. Britain; whatever is done is, and must continue, for a long time, upon a scale very small in proportion to the wants of the people; but whatever is done lessens by so much the demand from Gt. Britain and brings the means of payment nearer to the people—

Sufficient however appears to convince your Grace, that as towns and countries increase in population, resort *will* be had to manufactures; and due care will of course be used to prevent the decoying useful artificers and the procuring curious models and utensils which may in a series of years promote manufac-

tures to supply the wants of the people, in many important articles and to rival our own.

I have procured and now enclose a catalogue (No. 24) of plans and machines of mechanical apparatus collected by a person at Philad^a for a great proportion of which America is indebted to other countries—

The Congress have not yet held forth any bounties, premiums or other encouragements for promoting and increasing manufactures nor will the present state of the finances of the country justify the expectation that anything of this sort can be speedily done with any degree of liberality—what has been done upon this score seems confined to three States, Mass: Bay, Connec^t and Pennsylv^a. (No. 25.) I now forward to your Grace extracts from such of the laws of these three States as relate to bounties etc. with an account of the premiums published by the Pennsylv^a manufacturing society. The plan of that society and the report of the committee of manufactures.

In answer to the 7th. point of your Grace's inquiry I beg leave to observe that from the manner of conducting the American custom houses heretofore, it is scarcely possible at present to procure a particular account of the tonnage of each respective State: In many of the States no discrimination in the entry or clearance was made so as to distinguish their own vessels from those of other states, and in two of the states (New Jersey and Delaware) where duties and tonnage were not imposed, all vessels were entered and cleared promiscuously, without distinguishing the country to which they belonged, or even whether the vessels were foreign or American—In Maryland too, where there existed a discrimination, as to the duties and tonnages imposed on vessels of nations with whom no treaty of commerce existed, the return from the naval officers to the governor and council state the foreign tonnage generally, nor can a return distinguishing the vessels of different nations be had, without resorting to the former naval officers of the 9 districts into which that state was divided, but which have now undergone some change.

The returns of all the Custom Houses previous to the late federal arrangements were made to the executive depart^{ts}. of the States to which they belonged: In future my Lord, the returns will be made to the Federal Treasury from all the states which compose the Union—and as the new regulations require the vessels of each state to be registered in the State to which

they belong when the new registry is completed it will be an easy matter to know the tonnage of the individual states—

At this time therefore, my Lord, I can only communicate such circumstantial information as I have been able to collect relative to the tonnage of some of the States (No. 26, 27 and 28) but I shall exert every means in my power to obtain official documents upon the subject as soon as possible.

The account I transmit to your Grace (No. 31) of the number of ships now building is very accurate as to the 5 middle states which compose my district, what relates to other states I have collected from the opinions and observations of persons upon whom I could rely:—For a short time subsequent to the Peace, my Lord, shipbuilding went on rapidly in the Eastern and Middle States of America—but the restrictions upon the commerce of the country soon discouraged the merchants and the ship builders found themselves without employment. In Philad* where this business was carried on formerly to a prodigious extent, a very small proportion of the ship yards are even now occupied—and for a long time ships were so little in demand that some have been on the stocks 2 or 3 years without a purchaser—others were roofed in to secure them against the weather and in one instance a small vessel actually rotted upon the stocks:—the natural consequence of these discouragements was that the journeymen left or were dismissed from their employ and resorted to Nova Scotia and other parts of the King's dominions where they could earn their bread. The ship wrights for the most part became reduced and their stock of timber being once exhausted, they had no means of replacing it.—Within the last twelve months, my Lord, a combination of circumstances have prevailed to give some sort of relief to the artificers who were possessed of means to pursue their trades:—The prospect of an efficient government—the scarcity in Europe—large crops in America—the actual want of vessels to carry off the produce of the last year, all operated favorably, the extension of the China trade also had its effect, and we may throw into the scale, the discrimination made by the late Federal impost laws (No. 1), by which a discount of 10% is allowed upon the duties on goods and merchandize imported in vessels owned by the citizens of America—All these matters have lately drawn forth some exertions in the matter of ship building—the number of vessels now on the stocks seem in a train of being brought forward as fast as the scanty resources

of the ship builders and the reduced number of hands will admit, these are not soon or easily supplied so let the encouragement be what it may years must elapse before this useful employment will approach the conditions of profit and consequence it enjoyed antecedent to the war—nor is it at all improbable that a reduction of the prices of flour and wheat in Europe would at once check the present exertion and cause many of the vessels now on the stocks to be left dead weight upon the hands of the ship builders:—From all I have observed or can collect my opinion is that the general tonnage of the United States does not increase, but that the tonnage of New Hampshire, Mass. Bay, Pennsylv^a and Maryland has of late advanced and is now advancing in some degree and that the advance is the effect of adventitious circumstances, which may or may not continue:—In short, my Lord whatever tends to encourage the commerce of the country, will enlarge the tonnage of the country and whatever has a contrary operation will produce a contrary effect.

To the 8th. point of your Grace's inquiry the difficulty I have just stated as to the mode of conducting the customs equally applies, and the increase of business occasioned by the new regulations puts by for a time the possibility of obtaining any official information that will be fully satisfactory—but as I presume with great deference the object your Grace has in view is to ascertain in what proportions the carrying trade of America is distributed and how the relative proportion of that trade enjoyed by the subjects of Gt. Britain stands as well with respect to the citizens of the United States as with respect to the subjects of foreign nations, I now forward to your Grace several documents which apply to some of the most material ports within my district, and which as to them will place this matter in a very clear point of view.

The lists of British vessels which entered the port of Philad^a for 2 years viz. from the 5th Sep. 1787 to the 5th. Sep. 1788 and from the 5th. Sep. 1788 to the 5th. Sep. 1789. (No. 32) are taken from my own registry which I was enabled to keep in consequence of my notification to the masters of all Brit: vessels to deposit their registers as well as Medit^a passes in my hands which I did with a view to the safe custody of the papers. Until the late regulation took place this was uniformly done; but as the Federal Act for regulating the collection of the duties imposed by law on tonnage etc. (Act to regulate the

coll: of duties etc foll: 14) required the register of every vessel at the time of entry, to be lodged in the office of the collector there to remain until clearance, those vessels only which are possessed of Meditⁿ passes now make report at the Consul's office here, and I presume it is the same at New York and at Charles Town—The amount of the British tonnage employed out of the port of Philad^a from the 5th. Sep: 1787 to the 5th. Sep. 1788 by my calculation amounted to 23004 tons (No. 32) By the return from the Custom House the Brit: tonnage of the year 1788 amounted to 25380 tons. The variance is to be imputed to the different modes of admeasurement here and in England and to the difference of the dates when the two accounts begin and end—the periods not being precisely the same—The account of all the foreign tonnage in the port of Philad^a from the 15th. Aug. 1788 to the 15th. Aug. 1789 according to the Custom House books (No. 33) amounts to 37201 tons (American admeasurement):—according to my calculation the Brit: tonnage in the port of Philad^a from the 5th. Sep. 1788 to the 5th. Sep. 1789 amounted to 29372 tons (No. 32) (Brit: admeasurement (which is less than the American admeasurement about 12 p. ct.)—so that Gt. Britain enjoys full $\frac{4}{5}$ ^{ths} parts of *all the foreign carrying trade* from the port of Philad^a, and the quantity of Brit: tonnage engaged therein is within $\frac{1}{5}$ part of *all the American tonnage*, employed out of this port,—

The 3 tables (No. 34(1) 35(1) 36(1)) containing estimates of the exports from Philad^a in the year 1788 to the W. Indies to Europe and to the E. Indies to the United States and British and Spanish America furnish other important observations: the calculation of the number of tons requisite to export the articles contained in the two first of these tables (No. 34, 35) is made for the purpose of ascertaining what proportion of the exports from Philad^a to the W. Indies and to Europe in that year was carried in British vessels—

From the first table (No. 34(1)) it appears, my Lord, that the export to the W Indies made in Brit: vessels exceed the exports made in vessels of America combined with those of *all other nations* near 4000 tons:—The tonnage of the exports to the Brit: W. India I (whither the trade is confined *solely to our own vessels*) amounts to 16977 tons and the tonnage of the exports cleared generally for the W. Indies and for the foreign W. India Is. amounts only to 14109 tons of which 552 were in *Brit: bottoms*—so that deducting 552 tons from 14109 tons there

will remain only 13551 tons exported in American bottoms combined with those of all other nations, Gt. Britain excepted, and by adding 552 tons to 16977 tons it will appear that 17529 tons of British vessels were employed in the exports from hence to the W. India Is in the last year which exceeds *all the other tonnage American and foreign combined*, employed between Philad^a and the W. Indies, 3972 tons—this excess is the natural result of the restrictions laid upon the trade of America to our islands: While the restrictions continue the trade of Gt. Britain must enjoy an excess of benefit: but when relaxed, America will not only soon participate largely in the advantages of the commerce but eventually monopolize nearly the whole of it—This idea my Lord cannot be better confirmed than by resorting to the 2nd. table (No. 35(2)) containing the estimate of the exports from Philad^a to Europe etc in the year 1788,—It appears from thence that of the tonnage of the articles exported to Europe amounting to 25866 tons—only 6401 tons were exported in Brit: bottoms; the remainder amounting to 19465 tons were exported in the vessels of America and of the foreign nations of Europe—but *a large* proportion was in American bottoms: Hence my Lord we are furnished with this plain argument that if American bottoms engross so large a proportion of the exports of Europe (whither they are permitted to trade) in how much greater proportion would they soon carry the produce of this country to *our* W. India Is. (to which the United States lie so contiguous) if they were permitted to trade thither.—

The export to the E. Indies in the 2nd table (No. 35(2)) were almost entirely confined to American bottoms.

The 3rd table (No. 36(3)), exhibits nothing more than an estimate of the exports of Philad^a. to the different States of America and of the exports to British and Spanish America which were respectively made for the most part in the vessels belonging to the United States, to Gt. Britain and to Spain. The account of the Tonnage collected in the State of Maryland for the years 1786, 1787 and 1788 shews what proportion of their trade is carried on in foreign vessels and I have been confidently informed $\frac{9}{10}$ parts of the whole foreign trade of Maryland is engrossed by British vessels.

In that State as well as in Virginia the produce of the last years was uncommonly great, but the price of their staples (which were much wanted in Europe particularly their wheat and flour) kept very low merely by reason of the scarcity of

shipping to export them—a circumstance which excited great murmur among the planters who found themselves surrounded by plenty but destitute of the means of deriving advantage from it.

I have heretofore communicated to your Grace (a letter of the 15th Aug. 1789) the ideas contained by a certain class of people in the United States as to the expediency of counter restrictions upon the British trade unless a participation of the carrying trade to our W. India Is be permitted:—At the same time I took the liberty of suggesting to your Grace, the reasons which induced me to conceive no such counter restriction would be attempted—

The Southern States, my Lord rely absolutely for their subsistence upon the export of their staples which are valuable and much in demand; they own but few ships and many of them built during the war hastily and of bad materials; and as these states are circumstanced their tonnage cannot in the nature of things advance rapidly; they know they must rely upon Gt. Britain or upon the Eastern States as their carriers in a great degree:—There is an extreme jealousy between the Southern and the Eastern States—the people of Maryland and Virginia avow their preference to Gt. Britain, and do not hesitate to declare they had rather old England should enjoy the advantages of their trade than New England.

The Congress of the United States are taking measures to inform themselves of the tonnage owned by the respective states, of the means each state possesses of building and fitting out vessels of the comparative expence of building, fitting, and manning vessels here and in Europe etc, etc. This inquiry will no doubt be the ground work of their future commercial regulations. I have procured a letter (No. 41) from one of the collectors to a merchant, a copy of which I have now the honor to enclose to your Grace.

In answer to the 9th. point of your Grace's inquiry I have in former letters suggested my ideas of the necessity of counteracting by every just means the spirit of migration from Gt. Britain and Ireland hither—that spirit had for a time subsided a good deal, but now seems reviving fast—

The list of passengers I have now the honor to enclose to your Grace (No. 42) will justify the apprehension I formerly expressed—and so profitable is the passenger trade found to those who engage in it, that it will be eagerly pursued until

proper restrictions (which may tend to abridge the profits) take place which I humbly presume are very practicable—

The migrations hither since the Peace my Lord, have been much greater from Ireland than from all the other parts of Europe (No. 43)—of 25716 passengers (redemptioners and servants imported since the Peace into Pennsylv^a 1893 only were Germans—the rest consisted of Irish and a very few Scotch—of 2176 passengers already imported in the present year 114 only were Germans, the rest were all Irish—An almost total stop has been lately put to the migration hither from the Palatinate and other parts of Germany so that the few who now come hither from that country get into Holland by stealth and embark at Amsterdam and Rotterdam and these are a very ordinary sort of people.

I have not yet been able to obtain any account of the number of Irish passengers brought hither, for any given series of years before the war—but from my own recollection I know the number was great and I have been told that in one year above 6000 Irish were landed at Philad^a Wilmington and New Castle upon Delaware.

The laws existing before the Revolution required all the male German passengers of full age (as foreigners) to take and subscribe the oath of allegiance to the crown—and from the different entries in the Council books the enclosed list is taken. (No. 44.)

As to the condition and treatment of the passengers, my Lord, the legislature of Pennsylv^a well aware of the consequence of encouraging migrations hither from Europe as the most speedy and effectual mode of contributing to the settlement and of increasing the strength of the country from time to time passed very salutary laws to regulate this trade and to secure the good treatment of the passengers; but these laws were formerly too often evaded—numbers were crowded in small vessels destitute of proper room and accomodation and abridged of the necessary allowance of proper food; by which means the unfortunate emigrants not only suffered greatly but contagious diseases were often introduced into the province;—the terms too of paying the passage money were frequently departed from:—passengers who embarked as redemptioners, were hurried from on ship board before the limited time for their redemption was expired, and before their friends could have notice of their arrival to interpose their relief and rescue

them from servitude. Perhaps my Lord, no stronger proof can be offered of the wretched situation of these unhappy people than the lists of the different importations would afford. In the list of German passengers which I have carefully perused I observe several instances of upwards of 500 passengers imported in one vessel, this list as I have already remarked was confined prior to the war to *male* passengers of full age who were required to take the oaths of allegiance—so that allowing an additional third for women and children, there have been several instances of between 7 and 800 German passengers crowded in one vessel, and I should presume few of the vessels employed in this trade exceeded 250 or 300 tons burden:—The Irish vessels were exceedingly crowded before the War but lately the numbers in each vessel have been less, *only* because fewer passengers have offered.

Formerly my Lord, a large portion of the passengers from Ireland were redemptioners or indented servants, those who could not redeem themselves by paying their passage money within a limited time were then indented for a term of years to any master who would advance the price of their passages—those who came out as servants were indented in Ireland for so many years to the master or owner of the vessel and the original indenture was either assigned or a new one given upon their arrival in America to the first person who would pay the price demanded for their time. The laws of Pennsylv^a require certain freedom dues to be allowed by the master to the servant upon the expiration of the term of servitude. Lately my Lord few redemptioners or servants have arrived here from Ireland, the passengers from thence have been chiefly such as have paid their passage before they embarked; in this sort of trade there is very little risk and great profit, the passengers who have arrived in the Delaware this year from Ireland have been for the most part people in tolerable good plight with some property beforehand and who have come to settle as farmers or to engage as artificers in some branch of manufacture. A large embarkation of this description of passengers as well as of redemptioners and servants is expected in the course of next year.

It has been very common of late to publish testimonials from the passengers of the good treatment they have experienced on the voyage from the master.

The practice of bringing passengers hither my Lord inde-

pendent of every consideration as to their personal convenience or inconvenience is detrimental in many respects to Great Britain and profitable to America—as an essential means of extending the population of America it adds to her strength and it diminishes ours by abridging us of so many industrious subjects of the benefit of their increase and of their useful labor:—but above all my Lord, it facilitates the improvement of manufactures by the introduction of various sorts of useful and ingenious artificers. I beg leave to refer your Grace to my former letter upon this subject and to the mode of reform I then presumed to [offer to] your Grace's consideration—(1788 letter of 16th Nov:—No. 45)

Upon the 10th. point of your Grace's inquiry I am not competent to afford any precise or satisfactory reply. I have been informed that numbers of the inhabitants of the different states particularly the Eastern States and many from New York, New Jersey and Pennsylv^a have migrated into Canada and Nova Scotia—but in what numbers I have not been able to learn; tho' I presume accurate lists will be transmitted by his Majesty's governors on the spot:—nor am I acquainted with the terms and conditions upon which such emigrations are proposed or undertaken—nor do I believe my Lord that the terms or conditions are generally known in the United States—

Some very useful citizens have migrated into Canada from New Jersey and Pennsylv^a, and it has been hinted to me that there are many others ready to follow, if they were encouraged; the late scarcity in Canada gave some check to the disposition to migrate thither, but I am convinced it would soon revive if advantageous terms of settlement were promulgated and generally known;—A measure however which as it would be viewed with a very jealous eye by the United States requires very discreet and careful management—

The migrations to the country on the Mississippi, under the dominion of the court of Spain have been but few, nor do I presume, my Lord, they will increase rapidly, even if the Terms of settlement should be confirmed by that Court, which has not hitherto happened—

Upon the subject of the 11th. point of your Grace's inquiry, I have collected as many documents as I could to ascertain the population of individual states, as well as the population of the United States in general:—It seems universally agreed,

my Lord, that the estimate of the numbers of people in the United States was rather aggravated in the early statements of the Congress wherein the 13 colonies were said to contain 3,000,000 of people. And it is very much to be doubted whether the numbers even now are accurately defined (No. 46, 47):—The returns of a population of a State or of a country, my Lord, are very apt to vary according to the ends for which they are designed, if, for instance the return be intended as the foundation whereon to establish the quota of representatives in a municipal or federal assembly, the number of inhabitants will be greatly aggravated:—if on the contrary the object be to fix a quota of taxes or supplies the returns will be diminished because the quantum of the assessment will be graduated thereby—hence my Lord, little reliance is to be placed upon the different tables and calculations which at various times have been published:—assuming it however as a fact, my Lord, that some of the first statements of the Congress were tolerably accurate and that the table of population whereon the representation of the several states was arranged by the Federal Convention was formed upon nearly the same principles it is very plain the number of inhabitants has increased but little for the last 12 or 13 years: and there is good ground to presume that former estimates of the rate of increase of population were made wantonly and without due consideration of the subject:—It has been said, my Lord, the inhabitants of the United States doubled their numbers in 16 or 17 years with the adventitious addition of emigrants to the natural increase of the population of the country and in the ordinary course of increase independent of emigrants that the inhabitants doubled themselves in 25 or 26 years. From all I can collect, my Lord, I am led to conclude that the apparent rapidity of population now as well as in former years is and was confined to a few states whose local situation and extent of frontier unsettled country drew supplies of inhabitants from the more populous sister states: thus my Lord, New England, New Jersey, Delaware and Maryland having little or no frontier land of their own have supplied immense numbers of settlers to the frontier land of New York, Pennsylvania, Virginia, N. Carolina and Georgia, so what has added to the population of the latter has decreased that of the former states—(No. 49, 50)

From the statement of the number of taxables in Pennsylvania

(No. 49) in the years 1760, 1770 1779 and 1789 and of the aggregate number of the inhabitants of New York (No. 50) in the years 1756-1776-1786, it appears that these two states had infinitely more than doubled their numbers in the space of 30 years—whereas the neighbouring states of New Jersey, Delaware and Maryland having no unsettled frontier at all and being thereby deprived of the advantage of supply which the migration from other states affords have advanced very little, but on the contrary have been drained of numbers of their inhabitants who have contributed to the increase of other states. Pennsylv^a owes the rapidity of her increase in no small degree to the accession of emigrants from Europe: It is a reasonable presumption, my Lord, according to the calculation I have already stated that upwards of 53,000 German passengers, men, women and children were landed in Pennsylv^a in a period of 50 years—allowing then the number of Irish etc to amount only to $\frac{1}{4}$ ^d of the number of Germans it will be found that in that period Pennsylv^a was indebted to Europe for an increase of her population to an extent surpassing the whole number of taxable inhabitants in this state in the year 1786

There has been of late a vast drain of the inhabitants by migrations from the seaboard, to Vermont, the Genisee country the Western territory and Kentucke, (No. 49) but these migrations my Lord tho' they reduce the efficient strength of the country by dispersing a small stock of inhabitants over a greater extent of territory do not diminish the population of the United States; because these different settlements (whither the most copious migrations have been directed) are within the boundaries and considered as subject to the dominion of the United States: the numbers migrating annually to the great lakes and to other parts of America not under the government of the United States are few comparatively nor do these bear any proportion to the numbers brought annually into some of the States from foreign countries added to the natural increase by births in those states from whence the latter migrations have taken place.

Difficult as it is, my Lord to ascertain, with precision the population of each state, it seems the prevalling opinion of men of reflexion and observation that the *general* population of the United States is now increasing; in some infinitely more rapidly than in others for the reasons I have already assigned

(No. 51)—The loss of inhabitants occasioned by the war was immense perhaps little short of 100,000 men: numbers of the loyalists retired to Nova Scotia and Canada during and since the troubles, and others followed afterwards—these circumstances have occasioned a material deduction from the population of the United States: the diminution of so many inhabitants was of itself important—but infinitely more so when it is considered how such a number in a state of peace would have multiplied according to the common modes of computation.

It is very much doubted, my Lord, whether the United States have, even at this time reached the number of inhabitants contained in the 13 provinces before the war—the scale of settlement is very much enlarged, and the settlements being less compact taxes and assessments are collected with more difficulty and in some instances cannot be collected at all in large districts which are vastly burthensome and expensive to the States to which they belong, so that even supposing the United States as populous as the 13 provinces were, they are neither so formidable in point of efficient strength nor as competent to the purpose of supplies as the country then was.¹

In answer to the 12th and last point of inquiry contained in your Grace's letter I have collected (No. 52) the best accounts I could obtain of the situation of those who have migrated from the United States to the country on the Mississippi, subject to the crown of Spain as well as to those Western settlements which are comprehended within the boundaries of the United States.

No accurate information can be had here of the proceedings of those who have emigrated to the banks of the great lakes—Your Grace will perceive the settlements beyond the boundaries of the United States are small in comparison with those within their limits:—The Western territory was settled by an ordinance of the United States. Kentucke is within the state of Virginia, and the country called Vermont which grew from innovations upon the confines of New Hampshire, New York etc. is also within the bounds ceded to the United States; and will with Kentucke e're long become part of the Union.

There is a considerable jealousy existing between the States on the sea board and the Western Settlements: the government of the United States is conscious of the great inconveni-

¹The census of 1790 showed that there were many erroneous conclusions to these calculations, as likewise to those of Lord Sheffield.

ences attending the extent of their boundaries, which is an encouragement to migration and occasions the inevitable dispersion of population;—And tho' the necessities of the Congress compelled them to establish the Western territory as a fund from whence immediate supplies were to be drawn, yet, in a political view they see the expediency of discouraging every attempt which tends to diffuse the inhabitants of their dominion, and transfer population and consequent strength to a greater distance from the seat of government. On the other hand, my Lord, the inhabitants of the new Western Settlements consider themselves entitled to protection and encouragement from the United States in common with other subjects—Hitherto little has been held out to them and what has been done, has been with so sparing a hand that no perceptible benefit has resulted from it. They have complained of insults from the Spaniards, and of their unprotected situation against the repeated attacks of the Indian Nations—but no competent relief has hitherto been extended: Great murmurs have naturally been excited—and some of the leading men among the emigrants have freely declared they hold it fit to look up to that Government which can afford them the best protection and most secure means of advancement.

Nature, my Lord, seems to have pointed out a plain line of division between the Eastern and Western parts of this continent:—that wonderful range of mountains which runs between the Atlantic Ocean the river Mississippi and the lakes will probably one day or other be the line of partition when the Western country shall either have attained a degree of strength and population competent to a separate establishment or be driven to the expedient of seeking support from some other Empire more capable of contributing to its progress and protection.

I have now my Lord discussed every point of your Grace's inquiry with as much precision as the means of information within my reach admit. I have been involuntarily led into a tedious detail upon some of the points of inquiry by being obliged to supply the want of official documents by a reference to a variety of circumstances and by a desire to blend with this information as much of the detached observation I have already communicated to your Grace as related to these particular subjects.

With sentiments of the most perfect respect I have the honor to be, my Lord, your Graces most faithful and obed: sert.

P. Bond.

His Grace the Duke of Leeds.
Endorsed Philad^a Nov. 10th 1789.
Mr. Bond.
R. 3rd. Feb. 1790.

Enclosed are

- (1) "Summary of the Acts of the United States imposing duties and tonnage."
(5) { "Maryland Import Duties"
 "Virginia " " "
 " Tonnage"
(—) "North Carolina Import Duties"
(9) "Abstract of the laws of Maryland"
(10) " " " " " " Virginia"
(—) "Act for the benefit of the children of Major Andrew Leitch
(13) Case of William Neats Exors against Comfort Sands in the Supreme Court of the State of New York
(14) Case of Osborne v. Mifflins Ex^{ts} in the Supreme Court of Pennsylv^a
(16) Extract from Mr. Bond's address to the Prest. etc. of Pennsylv^a upon the subject of alienage
(17) Case of Thomas Harrison's representatives in the Chancery of Maryland
(19) Case of Bayard and Singleton in the Supreme Court of N. Carolina
(20) Extract from Mr. Bond's address to the Prest. etc. of Penn^a. on the subject of interest due on British debt.
(21) Case of John Smith Hetfield.
(22) Manufactures.
(23) List of raw materials etc which now are or may be readily furnished by the United States of America and of such articles and branches of manufactures and the useful arts as are best adapted to the resources and situation of this country, for home consumption and use and for exportation.
(25) Premiums bounties and encouragements
(31) Ship-building tonnage etc in and belonging to several of the U. S. A.
(32) List of British vessels and their tonnage which entered the Port of Philad^a the 5th Sep. 1787 to the 5th Sep. 1789.
(33) Tonnage collected in the Port of Philad^a in the years 1787, 1788, 1789.
(—) List of vessels which entered the Port of Philad^a from the 1st day of Jan. 1788 to the 1st day of Jan. 1789.
(37) Account of the tonnage of vessels arrived in the State of Maryland from the year 1786 to the year 1788.
(39) List of British vessels which entered the Port of Baltimore from the 1st day of Jan: to the 5th day of Oct. 1789. Also various other lists, of passengers and vessels.
(46) Quota of the Contribution of supplies as settled by Congress in July 1775 according to the number of inhabitants in each colony.

- (47) Different tables of the population of the United States.
 (49) Number of taxables in Penn^a in the years 1760, 1770, 1779, 1786
 (50) Number of inhabitants in New York in the years 1756, 1776, 1786.
 (51) Number of inhabitants in Rhode I and in Connecticut.

(22) MANUFACTURES.

New England.

In the 4 Eastern States viz. New Hampshire, Mass. Bay, Rhode I and Conne^t the people manufacture much larger quantities of woollens for their own use than they did before the war. The growth of flax and hemp has of late been very much encouraged in so much that in the article of course linen they not only supply themselves but export largely to the neighbouring states, above 40,000 yards of coarse New England linen have been sold in Philad^a within the last year: articles of cabinet ware and turnery are also made in some of these states for exportation, shoes to a large amount and some stockings are exported. Shovels, nail rods, nails, iron plates or castings and most of the coarser manufactures of iron are also made here.

Among the country people coarse linens in Mass. Bay of their own making are in such general use as to lessen the importation of checks and even of coarse Irish linens nearly $\frac{3}{4}$ ^d.

Pearl and Pot-ashes are made in great quantities thro' out these States.— There are several paper mills in New England.

There is a duck manufactory at Boston and another at Stratford in Conne^t carried on to great advantage.

A public cotton manufactory is established at Beverley and most of the farmers pay attention to the manufacturing of cotton in their families. All sorts of cotton goods in imitation of Manchester goods such as pillow fustians, Jeans, Jeanets, Veverets, and corduroys are brought to some degree of perfection at Beverley, the quantity made there and in private families has been so considerable as to diminish the exportation of these articles of the Manchester manufactures $\frac{1}{2}$ at least in these states.

Glass has been attempted at Hartfield [Hartford] and at Boston but the glass house at the latter failed and little progress has been made in the former.

The distilleries of rum are still carried on to a great extent in New England, and large quantities are exported to the neighbouring states.

Spinning Jeunys and carding machines from the English models are in great use and well made in Mass. Bay and in other parts of New England, as are wool and cotton cards so as to exclude all others. The manufactures in Hertford Norwich and other parts of New England are upon a better footing than in any part of this continent. Societies are there formed to employ the poor. In Hertford a considerable fund has been raised, as the poor people take away flax, hemp and wool, they pay the price of it and when they return it spun they are allowed a reasonable equivalent for their labor. If they are destitute of utensils they are provided with them by the societies upon giving securities (or depositing the price of the utensils) to restore them in a given time or when required.

A very large quantity of narrow cloth was made last year in Conne^t— some coatings others sheared.

Mills to express oils from flax seed and from other seed have lately been built in several places.

New York.

There is a manufacturing society also in this state. The principal manufactures at present are—nails—nail rods—bar iron hollow iron castings and various other iron castings, kettles, pots, stoves chimney backs etc. an inferior sort of earthen ware is also made here.

Sugar is refined to a large amount—there is a glass house in the neighbourhood of Albany, but little has been attempted in that line except in the making bottles in a thin green glass, some specimens of white glass have lately been produced but they are not well executed. Coarse woollens and some linens are made among the farmers but these fall infinitely short of their own consumption Cordage is made here to a considerable amount.

New Jersey.

The manufactures in N. Jersey made in private families are now increasing and the farmers in general pay infinitely more attention to domestic manufactures than they have done since the war. Coarse woollens and coarse linens are made in private families fit only for the use of servants and not in a quantity to supply even them.

There is a glasshouse at Woodbury upon an excellent construction: where green glass bottles are made in large quantities, some attempts have been made here to manufacture window glass but little has yet been done in this line: the white glass is of a very mean quality and they rely upon what broken flint glass they can procure to make their white glass: There are nail manufactories at Burlington and in other parts of this State. One at Burlington has 20 fire places; but they are by no means fully employed. The iron furnaces and forges in this state are very profitable—There are in New Jersey a steel work and a plating forge several furnaces bloomerics and fineries and one air furnace chiefly employed in casting kettles to make Pot ash and maple sugar, an article to which considerable attention has lately been paid: the sugar is extracted from the maple trees of which there are immense numbers in some parts of America, and it is presumed when the people get accustomed to the mode of preparing it that very large quantities may be supplied. The quality of sugar drawn from these trees has a good appearance.

The furnaces in New Jersey generally manufacture hollow iron castings and coarse castings for the W. India market.

Leather to a large amount is also made in this State so as to constitute an article of commerce, much profit is derived from the export of salt provisions which are excellent of their sort and may be called the staples of some of the towns.

Pennsylvania.

In this state also the farmers raise large quantities of flax and hemp and some wool: their domestic manufactures are of a coarser sort and seldom seen in cities and towns. Tow linens lindseys and some sort of coarse linens are attended to with more care and industry than formerly, and in some small quantities offered for sale. Thread and worsted stockings of a good quality are made in this state but by no means so cheap as those imported from G^t. Britain.

The manufactures of iron are carried on with great spirit, there are many furnaces forges and slitting mills extensively and profitably employed—

Pigs—coarse castings of various sorts—bar iron, nail rods, and nails of sizes above 6^d large flooring brads, deck and sheathing nails scythes, sickles shovels, spades, tire for carriages and wheel boxes are manufactured in great quantities:—so that the importation of large nails and cast iron is for the most part at an end.

Steel is also made here of a better quality than the common English steel—but not equal to Crawlays: the iron of America is well calculated for this species of manufacture which might and probably will, be very productively attended—at present the importation from Europe is reduced about $\frac{1}{2}$ —A considerable quantity of gun powder is made here.

In Philad^a there is a public cotton manufactory in which are employed numbers of carding machines and spinning Jennys made also after the English models: In the outset the promoters of this manufacture with the assistance of the Govern^t. and the faith of private subscriptions manufactured a large quantity of cotton goods such as jeans, velverets, fustians etc. but they are so much undersold by the importers of these articles from Manchester that the quantity manufactured has diminished essentially. Callico printing has been attempted but with no great success being confined entirely to the printing and what is wove in private families—Cotton machines for carding, spinning and twisting cotton are made here for sale—as are cotton and wool cards so as totally to do away the importation.

The manufacture of leather in Pennsylv^a. is very great, as is that of paper, of which so much is made as to prevent the importation of any but the finer sort such as thick Post demi and Imperial. There are above 25 paper mills in this State and the common sorts of paper are become articles of export to the other states Parchment and paste board are also made here of excellent qualities.

The sugar refining business has been carried on here to very beneficial advantage lately quantities of sugar have been brought hither from Hispaniola at so low a rate as to give the refiners a large profit, and they have been able to send refined sugar to advantage to the foreign islands and to the different states of America—This trade is a precarious one, subject in some respects to the will of the governor and may probably soon be at an end—but even if it should cease the Middle States of America (Pennsylv^a in particular) will be able to refine more than sufficient for their own use.

Porter might be brewed here to a very large amount; it is now confined to one house which will probably extend its trade as this liquor is in great demand, thro' the Southern States being sold at $\frac{1}{4}$ less than the London porter: the quality is vastly inferior even to the Bath or Bristol—tho' this is imputed to the porter's being used when it is too new. Other malt liquor is brewed here tolerably well. The strong sort is sent in some quantities to the Southern States.

The manufacture of tobacco carried on here is very large particularly in snuff in imitation of Scotch snuff; the consumption of which was of necessity encouraged during the war and being now by long use rendered habitual to the consumer its cheapness gives it the preference over imported snuff—Wrought tobacco for smoking and for chewing and snuff are exported to the different states and to the foreign islands from hence, to a large amount, and some snuff has been sent to England.

The manufacture of leather is of late years vastly improved here and is become an article of great export.

Pot ash and Pearl ash have become valuable articles of commerce.

Hats are made in Philad^a better than in any state of America; the importation of hats from England has of late been reduced, but if the scarcity of furs continues this article must be supplied from England in as large quantities as ever.

A chemist here has within a few years erected works where Sal. Ammoniac, hartshorne Spirits of Hartshorne Magnesia and Glauber Salts are made in great quantities and exported to advantage. He is possessed of a large capital and will probably engage in other enterprizes.

Delaware.

In this state as in the neighbouring State of Pennsylv^a the advancement of domestic manufactures is encouraged, attention is paid to the raising of hemp flax and wool but the articles manufactured bear no sort of proportion to the wants of the labouring part of the people. There are no public manufactures in these States, tho' lately an association of mechanics has taken place—a paper mill on the Brandy Wine is carried on to great profit—writing paper of an excellent quality is made here and as the promoters of this work are wealthy, they will endeavor to improve this manufacture as much as possible—they have lately received a supply of five paper makers from Ireland which they deem a valuable acquisition—

Southern States.

In the States of Maryland, Virginia, N. Carolina, S. Carolina and Georgia little regard is paid even to the advancement of domestic manufactures. Some little flax wool and hemp is raised in Maryland and Virginia for private use and some little cotton and wool is manufactured in the Carolinas by families in the country but there are no public institutions to encourage manufactures in any of these states, their soils are prolific, their staples are valuable, and the people of these states particularly Maryland and Virginia and S. Carolina gratify themselves in following European modes and in consuming European manufactures, particularly British.

A glass house at Fredericktown in Maryland was set on foot at a vast expence by a German Co: who being discouraged at the cost of the undertaking soon relinquished the pursuit: another company with a large capital has lately resumed this enterprize, they have also expended very large sums of money and make glass of different kinds to a very large amount. Their white glass if it may be so called, is of a very mean quality, vastly thick and heavy and full of specks; the window glass made there and sent for sale to Baltimore Philad^a etc is thick irregular and dim—

Distilling sugar refining and brewing are carried on to some advantage at Baltimore.

The iron of Maryland is of a very good quality; they export vast quantities of it in pigs, but the quantity of bar iron exported is but small in proportion; most of the forges being at a great distance from navigable waters—the coarser kinds of castings are also made at the different furnaces.

In S. Carolina and Georgia leather is manufactured and exported to other States.

Representation Table.

| | No. of inhab ^{ts} . | Quota of taxes in requis ^a of Congress | Mean propor- tion of votes | Pres- ent votes. |
|----------------------------|---------------------------------|--|-------------------------------------|------------------------|
| New Hamp:..... | 150000 | 76268 | 3 | 1 |
| Massac ^{ts} | 400000 | 324746 | 11 | 1 |
| Rhode I..... | 59670 | 46764 | 2 | 1 |
| Connect ^t | 192000 | 191135 | 6 | 1 |
| New York..... | 250000 | 185567 | 7 | 1 |
| " Jersey..... | 150000 | 120619 | 4 | 1 |
| Pennsyl ^a | 300000 | 296908 | 9 | 1 |
| Delaware..... | 50000 | 32475 | 1 | 1 |
| Maryland..... | 320000 | 204775 | 7 | 1 |
| Virginia..... | 650000 | 371136 | 14 | 1 |
| N. Carolina..... | 300000 | 157732 | 6 | 1 |
| S. "..... | 225000 | 139017 | 5 | 1 |
| Georgia..... | 56000 | 23288 | 1 | 1 |
| | 3, 102, 670 | 2, 170, 439 | 76 | 13 |

In order to place the disproportion of the late representation of the United States in a clear point of view the foregoing table was submitted to the public consideration.

Under the original regulation of the Federal Union each state had a vote so that Delaware with the least number of inhabitants was upon a footing with Virginia with the greatest number of inhabitants.

Different calculations of the number of inhabitants of the United States were made for the purpose of fixing the quota of representatives, under the new Constitution which was to be regulated by the proportion the inhabitants of the States bore to one another. However as the table differs so essentially from the accounts of the population of the United States obtained by the Federal Convention it is presumed they are inaccurate.

A 2nd Estimate of the no: of inhabitants in the respective states

| | |
|-----------------------------|--------|
| New Hampshire..... | 82200 |
| Mass. Bay..... | 350000 |
| Rhode I..... | 50400 |
| Connect ^t | 206000 |
| New York..... | 200000 |
| " Jersey..... | 130000 |
| Pennsylv ^a | 320000 |
| Delaware..... | 35000 |
| Maryland..... | 220700 |
| Virginia..... | 400000 |
| N. Carolina..... | 200000 |
| S. "..... | 170000 |
| Georgia..... | 25000 |

A 3rd Estimate of the no: of inhabitants in the respective states.

| | |
|----------------------------|----------|
| New Hampshire..... | 102, 000 |
| Mass. Bay..... | 360, 000 |
| Rhode I..... | 51, 896 |
| Connect ^t | 209, 150 |

| | |
|-----------------------------|----------|
| New York..... | 238, 897 |
| “ Jersey..... | 149, 435 |
| Pennsylv ^a | 360, 000 |
| Delaware..... | 37, 000 |
| Maryland..... | 253, 630 |
| Virginia..... | 567, 614 |
| N. Carolina..... | 270, 000 |
| S. “..... | 180, 000 |
| Georgia..... | 98, 000 |

The Number of inhabitants in the different States according to the most accurate accounts which could be obtained by the late Federal Convention—were as follows.

| | |
|---|----------|
| In New Hampshire..... | 102, 000 |
| “ Massachusetts..... | 360, 000 |
| “ Rhode I..... | 58, 000 |
| “ Connecticut..... | 202, 000 |
| “ New York..... | 238, 000 |
| “ “ Jersey..... | 138, 000 |
| “ Pensylv ^a | 360, 000 |
| “ Delaware..... | 37, 000 |
| “ Maryland..... | 218, 000 |
| (including $\frac{3}{4}$ of 80,000 negroes) | |
| In Virginia..... | 420, 000 |
| (including three-fifths of 280,000 negroes) | |
| In N. Carolina..... | 200, 000 |
| (including $\frac{3}{4}$ of 60000 negroes) | |
| In S. Carolina..... | 150, 000 |
| (including $\frac{3}{4}$ of 80000 negroes) | |
| In Georgia..... | 90, 000 |
| (including $\frac{3}{4}$ of 20000 negroes) | |

In forming the Scale of representation under the New Federal Constitution according to the proportion of inhabitants in each State 5 negroes were considered as equal to 3 whites.

60. TO THE DUKE OF LEEDS.

Philad^a. Nov. 22nd. 1789.

My Lord.

The enclosed numbers of the documents I have collected were by some accident omitted to be sent with the letter I had the honor to transmit to your Grace on the 10th. of this month. They compleat all the information I have yet been able to obtain upon the different articles of inquiry contained in your Grace's letter of the 30th. of last June

I could have wished my Lord the means of obtaining furthur

official information had been practicable—as in that case I might have given a literal reply to each individual point.

I have found considerable difficulty in procuring the few official documents, I now transmit to your Grace, the public officers are extremely jealous respecting the views of Gt. Britain towards this country and they uniformly discourage any investigations which relate to the commerce of America.

Many of the merchants who are well affected to the interests of Gt. Britain aware of this jealousy feel a difficulty in making any inquiries that may render them obnoxious to the people.

Being seldom at the seat of Government, my Lord, I have no opportunity of making fit inquiries from the deputies of the different states which a frequent intercourse with them could afford—

I am satisfied my Lord, I have been deficient in many explanations upon important points and that much more ought to be known and communicated than can be known by any means short of personal view, and minute examination. In the Eastern States particularly from whose population, industry and enterprising spirit more is to be apprehended than from all the other states combined.—

If it should meet your Grace's approbation I shall be ready in the course of the next Summer to undertake a journey into New England and even into Virginia if it should be deemed requisite to enable me to obtain the fullest information on various subjects which are now obscure and unexplored

Having thus acquired all the information which a personal inquiry and examination will enable me to obtain, I shall request your Grace's interposition to procure his Majesty's most gracious leave to permit me to return to England in the course of the summer following, as some private concerns of my own will require my presence there for a few months.

If however, my Lord, this application should at all interfere with the plans of Government, or with any useful measures I may be able to accomplish under your Grace's instructions, I shall be very willing to put by for another season any arrangement which may affect my own concerns.—

I shall hope to be honored with your Grace's reply to this proposal which may be beneficially carried into effect at a very small expence to Government.

If it should meet your Grace's approbation it will be necessary to make a suitable preparation early in the Spring

With sentiments of the most perfect respect, I have the honor to be, my Lord, your Grace's most faith. and most obed: ser^t.

P. Bond.

His Grace the Duke of Leeds.
Endorsed Philad^a 22nd. Nov. 1789.
Mr. Bond.
R. 3rd. Feb. 1790.

Enclosed in this letter:—

- (1) "References to former correspondence upon those points to which His Grace the Duke of Leed's letter of the 30th. June 1789 relates."
- (2) "S. Carolina Import Duties"
- (3) "Georgia Import Duties"
- (4) "The Genesee Country"
- (5) "Situation of the Western and other frontier settlements"

(4) The Genesee Country.

This country was formerly inhabited by the Seneca Indians—It now takes the name of the Genesee country from a river rising near the foot of the Allegheny Mts. and in a Northerly course discharging itself into Lake Ontario. This lake is the Northern boundary of this country, the Eastern boundary is a line drawn from the Pennsylv^a: line and running due North to lake Ontario;—Pennsylv^a is the Southern boundary and the Genesee river is the western.

There is a water communication from Canadague Lake which is in the centre of this country to Schenactidy with a very small interruption, the distance about 200 miles.

The Southern part of this country is about 160 miles from Philad^a.

The legislature of New York has lately directed a county to be laid out on the north side of Canadague Lake¹ and the migrations from the interior parts of that State—from the New England states from New Jersey and Pennsylv^a have been and still are very considerable.

The lands are extremely fertile and abound with good timber, there are great numbers of the sugar maple tree from whence it is presumed large quantities of sugar may be easily made.

This country being within the boundaries ceded to New York by the native Indians, is subject to the authority of that State.

61. TO THE DUKE OF LEEDS.

Philad^a. Dec. 28th. 1789.

My Lord,

The failure of the packet for the month of Dec. will occasion the delay of my dispatches to your Grace of the 10th Nov. which I have much cause to lament: there was no packet at

¹ Ontario County, erected January 27, 1789.

New York when the Dec. mail should have closed. The mail for Nov. arrived several days ago, and brought me your Grace's letter of the 4th. of Nov. to which I shall pay immediate attention. Great inconvenience has arisen to the merchants from the delays frequently arising from the packets touching at Halifax and I have been requested by some of the most considerable traders to represent that inconvenience to your Grace: It might be remedied by establishing two small vessels to run between Halifax and New York, which would be equal to the duty and would create no great expence:—any interruption of the intercourse between Gt. Britain and America is severely felt as the trade of this country has been considerably advanced within a few months by the largeness of the crops and the great demand in Europe—

The commissioners¹ appointed to treat with the Indians in Georgia returned towards the end of last month without making any satisfactory arrangements, furthur than the obtaining an assurance that hostilities should cease for the present, the ostensible reason for the failure of this negotiation is the very unreasonable demand made by M^rGillivray that certain free ports should be established in Georgia; to which the commissioners could not accede:—but it is more likely, my Lord, that the com^{rs} did not come up to the price of an effectual treaty, and that, upon this score, the Indians departed dissatisfied²—

The State of N. Carolina has acceded to the Federal Union³—

Lately my Lord two ships have sailed from hence for the E. Indies and a brigantine and schooner have cleared from [for] Falkland Is. by Canton. One ship has already sailed from New York for the E. Indies and another is almost ready to sail upon the same voyage.

I have the honor to be my Lord, your Grace's
Most faithful and obed^t servant

P. Bond.

His Grace the Duke of Leeds.

Endorsed. Philad: 28th. Dec 1789

Mr. Bond.

R. 3rd. Feb. 1790

¹ Lincoln, Humphreys, and Griffin. Negotiations at Rock Landing, September, 1789. American State Papers, Indian Affairs, 1, 65.

² American State Papers, Indian Affairs, 1, 65-80.

³ November 21, 1789.

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INTERCEPTED LETTERS TO THE DUKE DE MIREPOIX, 1756.

Before his resignation from the Commission, Dr. Douglas Brymner, Archivist of the Dominion of Canada, selected from the materials under his command the following letters, and had them copied for the Commission. The following introduction is due to him. The chairman of the Commission has appended a few footnotes. To him the letters appear to have been written by some one who had a fair but not an intimate knowledge of what was going on, who held no important command, and who, as the Earl of Halifax conjectures in No. 10 of the series, was an Irishman. It is important as well as interesting to observe what imperfect information the Newcastle Government had as to events, preparations, and conditions in America.

In the final struggle for supremacy on the northern part of this continent between Great Britain and her colonies on the one side and France on the other, which culminated in the conquest of Canada in 1760, the success in the first instance was largely on the side of the French. The defeat of Braddock and his death in 1755, the capture of Oswego in 1756, with the capture or destruction of the British fleet there, which gave the command of Lake Ontario to the French; these and subsequent events of a similar nature gave confidence to the French and led to the adhesion of the waiters on Providence who are always on the winning side. On both sides there were serious drawbacks to the vigorous prosecution of the war. On the side of the French there was the amazing corruption which prevailed, the robberies committed by all grades in the public service, robberies by which the officials, from Bigot, the intendant, downward, in every branch of the service accumulated immense fortunes. Such conduct was the rule with scarcely an exception, so that the success of the French troops in the field is almost wonderful. On the other side were divided councils, and generals in many cases far from efficient

in a style of warfare to which they were unaccustomed and against which they were therefore unable to take precautions. The difficulty of manning the navy was extreme, sailors deserting from ships of war and transports in crowds to man the privateers, the prize money being for New York alone not less than £200,000 sterling, and the sailors being harbored in the seaport towns by the inhabitants. It was only by the aid of the military that they could be secured in New York and that Sir Charles Hardy's fleet was able to sail from that port. Nor was this all that the British forces had to contend with, as Lord Loudoun, writing to Pitt in June, 1757, reported that the French received from all quarters information of every movement in the colonies. These and other facts give a greater color of probability to the authenticity of the intercepted letters addressed to the Duke de Mirepoix, although the identity of the writer could not be discovered.

In the letter dated the 12th of January, 1756, the writer states that he has no doubt of obtaining the services of Germans in the United States on behalf of the French, and this is confirmed by the statement of an Onondaga Indian made to Sir William Johnson, that the Germans of Burnetfield had sent by an Oneida to the French governor of Canada an offer of their services. In a letter from Capt. John Butler to Sir William Johnson, dated in March, 1757, the place from which this letter was sent is called the "Great Flatts," and it is said that Capt. Joost Petrie wrote the letter which was sent to Canada. In Wraxall's letter it is called German Flats; all three names, Burnetfield, Great Flatts, and German Flats, no doubt refer to the same place. The French neutrals, also, in Pennsylvania, evidently encouraged by the success of the French at the opening of the war, threatened that they would go to their countrymen in the back country, and that they would all join the French, as they looked on themselves as French subjects.

The efforts made to trace the writer of the letters addressed to the Duke de Mirepoix seem to have been unsuccessful, as, although indications were obtained, no proper means appear to have been taken to follow up the pursuit. The description by the writer of the letters of his own position was evidently given to mislead; otherwise there would have been no difficulty in discovering who he was.

Lord Loudoun was recalled, but his successor was most

unfortunate in his first operations. The first gleam of important success was the taking of Louisbourg in 1758. It is doubtful, however, whether that would have fallen so easily but for the effects of the nefarious conduct of Bigot and his confederates. Next year Niagara was taken, and in the same year Quebec fell; the commanders of both forces dying from their wounds—the one at the moment of victory, the other shortly after his defeat. In 1760 Montreal fell, and with it all Canada, removing from the colonies the black danger-cloud that had so long threatened them, and from which had so often proceeded dire effects on the lives, property, and persons of the unfortunate inhabitants—killed, scalped, or taken prisoners. The power of France in this country was broken, and the settlers and inhabitants of New England could now rest undisturbed by these attacks from the French and Indians to which they had been hitherto continually exposed.

The documents given here from the Canadian Archives are transcripts from those in the Public Record Office, London, where they form part of the series "America and West Indies" from volume 82 onward.

1. HENRY FOX¹ TO THE EARL OF LOUDOUN.²

Secret.]

Whitehall, May 7th 1756

My Lord,

I have the King's commands to acquaint your Lordship with what has been done, in consequence of Two very extraordinary intercepted Letters, from an unknown Person, in America, addressed to the Duc de Mirepoix; of the first Letter I inclose a Copy only, the Original being in the Hands of Colonel Webb; but you will find the second herewith as It was received.

Your Lordship will see by the inclosed Copies of the Earl of Halifax's, and my Letters to Sir Charles Hardy, Gov^r Shirley, and Colonel Webb, together with some papers therein refer'd to, the first steps that were taken here, in consequence of this Discovery:—But, since the Departure of Colonel Webb, a Duplicate of the second of these intercepted Letters, having been sent to Londonderry in Ireland, by a person, under the

¹ Henry Fox (1705-1774), father of Charles James Fox, was Secretary of State from November, 1755, to October, 1756.

² John Campbell, Earl of Loudoun (1705-1782), commissioned commander-in-chief in America, March 20, 1756.

Name of James Allen of Philadelphia, under cover of the inclosed letter to M^r Gamble of that place, and transmitted to me by the Duke of Devonshire, Lord Lieut of Ireland; I immediately desired His Grace would procure the Letters which I send inclosed, to Master Gamble, and M^r Redmond Cunningham, whereby your Lordship may probably be able to discover, by whom the said intercepted Letters were wrote; and will prosecute the Author, or Authors of them, there, or send them to England, as your Lordship shall think most advisable.

I am

H. Fox.

Endorsed:—Dra^t to the Earl of
Loudoun
May 7th 1756
Secret

2. "FILIUS GALLICÆ" TO THE DUKE DE MIREPOIX.¹

America Jan^y 6th 1756 N^o. 1

May it Please your Grace,

This may perhaps be somewhat surprising &c. but let it not offend your Grace, for in the Deepest Humility I beg leave to approach y^r G^c: and let me implore y^r G^{rs} patience to hear me, I shall not here presume to make an apology, as time not place 'll permitt; but hereafter, when I shall dare to Discover myself, and when I find this 'll be acceptable—I trust your goodness 'll excuse me; I doubt not but I shall find favour and protection with his Majesty, whose Paternal goodness to his subjects I am too sensible off—neither shall I here disclose my whole scheme; but only by hints and Insinuations give y^r Gr. a small Idea of my Designs; (in behalf of his most Christian Majesty agst the English) by w^{ch} y^r Gr. 'll see that what I am ab^t to undertake is easily accomplished—Therefore Let me earnestly beseech y^r Gr. to grant me y^r aid and assistance on this occasion, since the Honour and Glory of our Grand Monarch Lewis the fifteenth is concerned therein—; whose honour &c I shall always think myself justified in, to Defend, tho' I prove false to those who employ me agst his Majesty, or his Subjects and as I place my Confidence in y^r G^r and y^r G^r is the only Person in the world I now Disclose my tho^{ts} to, I rely

¹Mirepoix had been French ambassador in London, 1749-1755.

and earnestly entreat y^r G^r to keep this secret, for should it be discovered and get to the ears of the English; y^r G^r must be sensible what would be the consequence; for although I'm unknown to y^r G^r I am not so to the English I am well persuaded of y^r Grs: Interest at Court and Loyalty to His Majesty, and beg when y^r G^r has read these imperfect lines (if y^r G^r thinks fitt) to communicate 'em in a better Language to the Prime Minister and let me entreat y^r G^r: to pay a due regard to what I'm ab^t to write; tho' it be done in this ungenteele illiterate &c. a manner, and let not my honest and sincere intentions towards his Most Christian Majesty (the best of Kings) be disregarded, for want of a Proper Diction, and for want of properly addressing y^r G^r: for must confess I was not bred a scholar, but a soldier—and even am much hurried in writing this; but rely on y^r G^{rs} goodness to pardon me hereafter what I now do amiss, when y^r G^r: shall hear of the good effect of it. I take the liberty of writing to y^r G^r in English (as I've my reasons for it) not doubting, but y^r G^r is well acquainted with that Language—but if y^r G^r vouchsafes to write to me in Perticular, desire it might be in French, for I understand that Language well; and also most of the Indian Languages in this country,—before I finish this 'll give y^r G^r. proper Directions to me. I am obliged to write this with my own hand for dare not confide in any but shant dare to fix my name or place of abode &c—y^r G^r must doubtlessly be acquainted with North America, it's fine countries, vast extent &c. &c. the considerable advantage it'll be to the Power that conquers it, and y^r G^r must also 'ere this be acquainted with what has lately been transacted in this part of the world. I am looked on in these parts, a faithful true and Loyal Subject of King George, but confess to y^r G^r that my heart is and always was for his Most Christian Majesty, his religion and country. I've some time ago, been very ill used by the English Governours here have within these 15 days, been solicited to be at the head off a considerable army to be raised this Winter in Pensylvania Govern^t &c, to be ready by next spring, to march agst Fort Du Quesne on the Ohio &c^a: I shall take care to chuse out of the Germans, Irish &c^a such officers and men, as I know are of the true Roman Catholick faith and Dis-affected to the Govern^t. NB: even Ohio is a fine Country and worth contending for, it's yet mostly inhabited by Indians—Fort du Quesne is ab^t. 360 miles, back of Virginia and philadelphia, shall have a long march of it, Fort du Quesne is

much further from Canada, but it's by water down a river; I think it's about 900 miles—I would earnestly entreat y^r G^r to cause to be sent unto me proper letters of his Majestys apro- bation favour &c: to his People w^{ch} I might show to such of the army when on the March, as I know I shall prevail on; but desire such writings may be done in English and some of em in the German Tongue, as few people here understand the French Language, this I leave to y^r G^r: to order it as it should be, should also be glad y^r G^r's advice to me; and beg y^r G^r: would also order me a sum of money with his most Christian Majesty Impression on it, to Distribute among the soldiers and Indians (and to make presents to some great men) to gain them on my side and also ab^t one thousand swords to present to the Officers; it would greatly influence 'em I would not have y^r G^r imagine, I desire the least of what I now ask for, for my self; on the contrary I assure y^r G^r; that had I ability of myself only; my zeal, for my Royal Master is such that I would go thro' the whole without craving any assistance (or Perish in the attempt) confiding in his Majestys goodness to consider me here after—as I shall render a just acco^t of every- thing y^r G^r 'll be pleased to comitt to my care, so I expect his Majesty 'll be repaid the charge I now desire he may be put to.—The raising, cloathing and arming the army 'll be at the expence of the Different Governrs for whose service it's sup- posed I raise it—The money I ask for, is only to gain the army for his Majesty; (that all powerfull Metal gains all things) and if y^r Grace 'll be pleased to order it as I shall mention, it'll come safe to my hands, tho' I should be on the march or at Fort du Quesne, y^r G^r: may perhaps think it a risque to trust a man you don't know, and at such Distance but all the security I can at present give y^r G^r is only my word of honour, and can with a clear conscience assure y^r: G^r: that if you'll venture y^r G^r: 'll find it on a sure Bottom neither would I have y^r G^r. imagine that this writing may be the effect of a wild Brain &c^a because it's jumbled together in an odd manner—N. B: the raising this army is to be done very still and without noise, Least the news might reach Canada, and this serves my purpose best to chuse my men I also acquaint y^r G^r: that I am not to be ready to march till next May, by order of Gov^r. Shirley who is General- issimo of all the King's forces in these parts—and y^r G^r: may also depend, that I shall delay the march as long as possible, on purpose to hear from y^r G^r: I rely on y^r G^r: to send me

such Letters &c by the first English Vessels next spring, or fear I shant so easily be able to persuade the people: and when I have 'em shall send notice to the Commanding Officer at fort du Quesne of my Intentions and shall also send letters to Canada and urge them also to be ready. The armies of Gov^r. Shirley and General Johnson are Quartered this winter on the frontiers of New York (they consist of ab^t Eight thousand men) to be ready by next spring: when they'll be made up to 15 or 16 thousand, to march agst Crown Point Niagara &c^a. N. B: Shirleys army is intended agst. Niagara, and Johnsons agst Crown Point at the Distance of ab^t. 350 miles from each other; Shirleys army is now Quartered at Oswego ab^t. 260 miles above Albany, and Johnsons at Lake Sacrament, where they've built a strong fort since the defeat of that worthy Gentl^m. Mons^r. Le Baron de Diskau Many of Mons^r. Dieskau's soldiers, since the Defeat are gone over to the English— N. B. the roads to the above Camps are very far and Difficult, particularly to M^r Johnsons, w^{ch} is mostly by Land, so I doubt if they'll be able to carry their Provisions &c^a &c^a from Albany, so early as they expect ab^t 40 waggons went dayly Last summer from Albany to Johnsons Camp, and could only keep 'em in Provisions from hand to mouth, should the above armies not be prevented in their Intentions, I should be in very great pain for Canada. but am in hopes I shall be enabled to turn their force another way—They'll not be able to do any hurt there till ab^t. next June or July, as the season is late there, it being so far to the Northward: The late General Braddock's troops have been Drawn from the frontiers of Virginia &c^a to New York and have been sent from thence up to Albany to join Gen^l. Shirleys Regement at Oswego, (Albany lies ab^t 150 miles above New York up a very fine and Navigable River) since these troops have been drawn from thence, the Indians in his most Christian Majesty Inter^a: with those w^{ch} had been in the English Int^a before Braddock's defeat, have fallen on the frontiers of Virginia, Maryland, Pensylvania, Jersey's &c^a and Lay waste the Country, murder and scalp many of the people and carry away some captive. This is well pleasing to me, because it excites the Govern^t. the more earnest to raise the money and soldiers; (who are yet Disputing ab^t furnishing their Quotas of money) Phil^a has already granted sixty thousand pounds towards it, that City is much Divided, the Gov^r and assembly are at such varience, that their Disputes are to be transmitted to England—.

The Indians have advanced to ab^t 60 miles back of Phil^a. and burnt up whole villages; did they but know the condition Phil^a. is in at present they might do the same to that city; The armies of Shirley and Johnson, are also much Devided, striving, who shall get the most money and honour by the expedition, (This is according to the English Dispositiou) I coud wish they woud get by the ears, as I shoud the more easily execute my scheme—. I am assured of a Collonel, and 3 Capt^s Inter^s in Shirleys Regm^t provided I coud show them encouragement from home—. The Coll. informed me, in a letter that Gen^l Johnson had told him, he woud lay down his comm^s on acco^t of the Disputes between him and Shirley &c^a. (NB: General Johnson was borned in Ireland, and has not been in this Country above 20 years, but on acco^t of his geting in with the Irroquois (w^{ch} the English call the five Nations) and having great Inter^s with them, he is at this time thus promoted; he is a man of ab^t 40 years old, and has his seat in the Mohawk Country—. (N. B: The Gover^{rs} of Pensilvenia Jerseys &c^a have sent out several detachments 2 and 3 hundred men agst the Indians that enrageded (?) them as above mentioned, but the detachments have continually been repulsed and taken by them) The Gove^r of New York is also out with Shirley—. If their Disputes have no other good effect in my Behalf, it will however retard their expeditions—. All last summer Shirley's army was doing nothing else but repairing fort Oswego and building vessels of war to cruise on Lake Ontario; if that had been a french Army, it woud have taken Niagara (if it had been in the hands of the English) and what ever else it wanted—but the English are a most dilatory, indolent people, never in haste, but spend most of their time in drinking and jangling together—. They call themselves (forsooth) a free people; and indeed, I have found 'em so, for the meanest soldier has as much to say as his officer, there is no Govern^t among 'em—but let me not find fault with their Dila^{tor}iness and Indolence &c^a at present since it serves my purpose best, and 'll give time to have y^r Gr^a. answer; and I expect to hear from y^r Grace, before anything 'll be done here to his Majestys Prejudice and trust y^r Gr^r: 'll be as expeditious in sending to me as possible, as I've been in writing to y^r Gr^r:—had not Mons^r Dieskaw, (whose defeat I hope to revenge) come agst Johnson there woud 've been no battle faught Last summer; and had not the cannon, w^{ch} the English had and w^{ch}

the french Army was not apprehensive off, put the Canadians and Indians in confusion, in all probability, that worthy Gent^m must have beaten Johnson, for by what I could perceive, the English were struck with a panick, and were near ready to quit the field before that; and what ever the English may boast of Victory, I must say they behaved very ill, considering their advantages and numbers,—and can only impute it to a turn of good fortune in favor of the English, rather than conduct, and altho' the french were beaten, there was considerable more of the English killed in the action, than of the french—. I am credibly informed that the Indians, on the back parts of the countrys above mentioned are become very numerous; if these creatures had arms, and were properly Led forth, they might do great execution; I doubt not but I shall have 'em all with me next summer, provided I can shew them his Majestys letters &c^e wth I shall impatiently wait for—. but should I not have 'em by that time, I shall be obliged, much agst my will and conscience to fight agst my Bretheren the french and those Indians w^{ch} have forsaken the English Int^s since Braddocks Defeat must join me for their own safety—. If y^r Gr: should be dubious of the truth of what I here relate of things here, I beg leave to referr y^r Gr: to the late news papers from these parts to this Inst: wherein if y^r Gr: 'll find to agree with what I say (except my design agst the English)

This y^r Gr: may Look on as Idle, as news papers, contain often the Greatest falsities: but I assure y^r Gr: that whatever is therein related of things that happen in these parts, is fact, y^r Gr: may have s^d news papers of y^r correspondances, from London and Holland, as it woud not do to enclose 'em here, for I woud fain have this Packett as small as possible and even as it is, I find it Difficult to have it conveyed to y^r Gr: since y^r Gr:^s return from the British Court, on acco^t of the approaching war, with England and the perfidy of the English; and should this letter not get safe to y^r Gr: and I not hear from y^r Gr: in time, I should Despair of success, I intended to have sent this under cover to Mons^r. Dieskau's brother in Holland as I've no acquaintance there, but fearing least the name of Dieskau might create suspicion, I shall send it at a venture to some merch^t there and give it here to a friend (who'll not suspect the contents) to send it to New York to be forwarded from thence, and for fear of Miscarriage shall take a copy of it to send p another conveyance—. and now beg

leave to Inform y^r Gr: how, and in what manner to Direct and send to me. I shall appoint a friend to receive all such Letters &c^a as y^r Gr: 'll be pleased to order to me by the name of Pierre Fidel, and shall 've 'em immediately sent to me; this friend shall appoint another at New York, tho' they'll both be Ignorant what they contain; I should also acquaint y^r Gr: that there are great numbers of vessells that trade from these parts to Europe, peticularly to England and Holland (N.B: there is Packet boats to go constant from England to its American Collonies) I woud chuse to have what y^r Gr: wou'd be pleased to order to me come by the English vessells from Holland; (as there is to be a neutrality during a war with England, between his most Christian Majesty and the States Generals) I shoud think it the surest way; and woud chuse to have it come by Different vessells and not all in one Bottom. However, I leave it to y^r Gr: a wise and prudent conduct to order as y^r Gr: shall judge proper; as I doubt not but y^r Gr: has correspondences in both places that may be relyed on, but Let me pray y^r Gr: that it may be done privately without witness not to give any suspicion either there or here, and if I might take upon me to advise y^r Gr: It might be ordered among some Lawfull Merchandize and shiped, and the Masters of such Vessells can sign bills Lading to Deliver such goods to the s^d Pierre Fidel or his order—, I am told there are many vessells expected next spring from Holland to New York; I woud chuse to have 'em come to that Port, as t'woud be the safest—. there are also several expected from London to that Port—. Be pleased to Direct

To

M^r. Pierre Fidel
to be left at M^r. Romer's
Coffyhouse (untill asked for)
in New York.

If y^r Gr: Directs to M^r Pierre Fidel, as above said, y^r Gr: need not in the least doubt of its being safely conveyed to me.

I have been to New York to visit Mons^r Dieskau where he lies still Ill of his wounds, but is now Like to recover, he is in a good house, well attended and great care is taken of him (to the honour of the English be this said) he has his aid de Camp with him; Had that unhappy Gentl^m had the good fortune to have beaten Johnson's Army, he woud 'ere this have been in

possession of the City of Albany, and woud infallibly have cut off Shirley's army also as he coud prevent all supplys being sent thither, and by reinforcements he might have had from Canada &c^a he coud have strengthened himself there this winter, and by next spring sent Emissaries privately thro' the land to those who are of the true Roman Catholick faith of w^{ch} there are great numbers who dare not show their heads, and who I know wished and prayed for his success; many of whom since his confinement at New York have Desired to see him, but have not been permitted—he might also have sent to the negro Slaves (of w^{ch} there are some thousands) and promised them their freedom— he would have been joined by Multitudes,—and then have Issued his Proclamation in his Most Christian Majestys name, granting free liberty of conscience, Enjoyments of their Estates, Rights and Privileges &c^a &c^a as afore to those who woud only submitt to his Majestys Clemency and become his Subjects—. I doubt not but most of the herri-ticks would comply rather than lose their all, and perish, and by next summer he might have been in possession of New York (w^{ch} is ab^t the center of the British Dominions on the Continent) and afterwards it woud be no Difficult matter, if he was supplied with money &c^a from home, to make himself master of all the Jerseys, Pensylvenia &c^a and in consequence the English West Indias must fall, as they coud not long subsist without these provision Colonies—As woud also the Countries to the Eastward, as far as Boston &c^a:—but that unfortunate Gentleman was deceived in his Intelligences—neither was it in my Power to send him any as I did to Mons^r de Contrecoeur at fort du Quesue when Braddock was marching that way Mons^r Dumas in a letter conveyed to me p an English Indian afterwards returned me, his and Mons^r de Contrecoeurs thanks for the advice I had given them, and said the victory was in a great measure to it. N. B: Mess^{rs} de Beaujeu, Carneville and Dumas were Cupts that fought agst Braddock, the two former fell in Battle as Mons^r Dumas mentioned to me I well persuaded that did Mons^r Dieskau Know of my writing this he woud, if he were allowed to write, attest it with both his hands, I only mentioned it to him, that I had a letter to be forwarded to france and he immediately recommended me to his Bro^r assuring me he would forward it for me—it grieves me to see the poor french Inhabitants of Mines in Nova Scotia,¹ Dis-

¹The deported Acadians.

persed thro' all the English Collonies, w^{ch} the English have transported from thence. I beg y^r Gr^s. pardon for detaining y^r Gr: with this unlucky turn of Mons^r Dieskau &c^s, it was not my Intention when I first sat down to write to y^r Gr: but assure y^r Gr: that it woud've given me equal pleasure if that Gentlⁿ had succeeded, as if I had done it Myself.—And permit me now to say, I leave y^r Gr: to Judge what resistance they'll be able to make when they have so powerfull an Ennemy in the heart of their Country, unsuspected, unguarded and unprovided as they'll be to receive him—. I want not any troops to be sent me, (for here are men enough) but a sufficiency of money to hire them with—. And dare affirm, that half the sum w^{ch} was expended in transporting Mons^r Dieskau and his forces hither woud (in this way) conquer all North America for my Royal Master Lewis XV: and woud bring the English to terms with regard to Limitts here—. I wish y^r Gr: all blessing spiritual and temporal in the Ensuing New York, [sic] and wish success to his Majestys Arms, and am tho' unknown to y^r Gr: with all due reverence and respect, may it please y^r Grace

Your Graces most obedient, most
Hb^{le} and Most Devoted Serv^t

Filius Gallicae.

P. S. before I Close this I must hint to y^r Gr: that a few days ago, there has been at New York a Congress of the English Gover^s on the Continent,¹ they've not yet communicated the result of it to me; An Express will soon sail from thence for England—. It's not in my Power to explain myself here as I could wish to do, nor to write the whole situation of affairs here; for as said afore time nor place 'll permitt. hereafter hope to do it better and in more form—. but thus much I've only now been able to insinuate to y^r Gr: in hope of succeeding in my Designs, and in making myself in part Known to y^r Gr: that his Majesty may also know, he has (tho' unknown) a faithfull true and Loyall subject in these parts, and who with his Majestys' expects soon to drive all the English who will not submitt to his Majestys goodness; off the continent—. Therefore let me now at last move y^r Gr: by heaven and earth, not to Despise what I say but comply with my request—hereafter, I shall not prove so tedious, nor multiply words as I am now obliged to do.

The British Dominions, from Halifax to Georgia is computed

¹ The writer alludes, no doubt, to the council of war of December 12, 13, 1755.

a tab^t 2000 miles, it Lies in a circle adjoining the sea, with beautiful rivers running through, and fine Harbours, fitt for the Largest first rate Ships. a very plentiful Country of all things, but their Country Lies all open and Defenceless, and the People much alarmed and frightened at the Least acco^t of a french fleet on their Coast, because of their nakedness—The climate here; have found it much the same as in France; The Countrys w^{ch} Lye to the Westward and Southward have their springs very early and scarce any winter, but those w^{ch} Lye to the Northward have their springs late &c^a

N.B: there has latly been discovered in Jersey Govern^t several very good Copper mines, intermixt with silver.

an hour ago a Gentlⁿ arrived from New York, came to visit me, he said, it was reported there, that a french fleet, consisting of 17 men of war and transports with some Bomb Vessells, was arrived at Spanish river in Cape Breton, and ware landing their men &c^a the news was said to come via Boston, from S^t Peters in Newfoundland and from Halifax in Nova Scotia. this news I coud wish with all my heart to be true as the English fleet is sailed from thence for England—but I imagine it's only his Majestys fleet w^{ch} sailed down the river St. Lawrence Last fall, homeward bound, w^{ch} might have put in there.

Jan^y 7th

I am informed that M^r John de Neufville merch^t at Amsterdam does business for Gentlemen in New York I've concluded to send it to his care, as from New York by the name of George Spellings and shall pretend to him a recommendation from his friends there on purpose to have it immediately forwarded to y^r Gr: and shall desire him to let me Know by that name of its being sent to your Grace.

Jan^y 8th 1746 [1756]

The Post sets out this afternoon for New York, I shall Deliver this (under cover) to my friend here to be forwarded thither—

I said in my Letter I would not in the Least Discover myself, but thus much I'll now venture to intimate to y^r Gr: trusting that it'll abide only with y^r Gr: untill I have accomplished my Designs—. I was born'd, and all my relations Live, in old france in good repute and Loyall subjects to his Majesty; and assure y^r Gr: some of 'em not unworthy y^r Gr^s notice, and some of 'em not unknown to y^r Gr: as by a Letter I received some time ago from one of them. I intended at first to have sent this Letter under cover to him—but I have my reasons

for not doing it, besides I don't believe an English Capt^a woud deliver a Letter from on board his vessell, at this time, that was directed to France— I shall send y^r Gr: a few lines again next spring, in the best manner I can—but expect y^r Gr: 'll be doing for me in the Intrim and if I succeed in my attempt, (as I don't in the least doubt, if I am now granted what I require) I'll return home and Lay myself with gratitude at y^r Gr.'s feet, for I am tired of playing the prodigal, and Long to be home with my friends, and relations again from whom I have strayed these many years; but should not chuse to return to them but in honour—I shall be 38 years old nex August, am still a single man and most part of my Life has been spent in the service of the English, w^{ch} I have always faithfully Discharg'd but now again to be employed and fight agst my King and country I cant any more bear to think off; and yet shall be obliged to do it, for subsistance, as I've no other Dependance here, and no Estate at home I was sent near the close of the last war a commissioner to Canada, where seeing the confidence of the English placed in me, and hearing how much I was in the esteem of all sorts of People among them, and knowing my Principles and from whence I was it was there agreed upon, that if the English shoud at any time thereafter promote me to a general of an army agst them, that I shoud employ my whole force in behalf of his most christian Majesty, and write home ab^t it and I should be immediately assisted. This now is come to pass, contrary to my expectations; it's a fourtnight since I was appointed and am already confirmed (since the evasions of the french and Indians on their frontiers as afore mentioned,) and hope now to be enabled to put my scheme in execution as above said; and hope y^r Gr: 'll excuse me for making choice of y^r Gr: to write to, its not in my power at this time to acquaint the Gentlⁿ in Canada of what has happened to me, neither woud it avail any thing untill I had some assurance of being assisted from home—. Y^r Gr: may perhaps hereafter accuse me of perfidy and Ingratitude to the English, and a person not fit to be trusted; to w^{ch} I beg leave to answer y^r Gr:; that as to Perfidy I have already intimated to y^r Gr: how my heart has always been disposed and coud at any time satisfy y^r Gr: to the contrary, and as to Ingratitude; if the English have given me commissions and promoted me to honours among them it was to serve their own purposes, and they've had my services for it w^{ch} they've never had reason to complain off; Besides I expect greater

prefferments, if I succeed, by his Majesty, and then I shall be among my own people and enjoy my religion freely, w^{ch} I have not dared to do, since I've been among the English, but must tamely bear to hear my religion King and country reflected on by Heriticks, and have never yet been in the Chapel at Phil^a for fear of giving suspicion. however I shall always retain a gratefull sence of the English civilities and good will toward me while they thought me their own, and intend to be kind to them—espetially those I have received great friendships from—. except some of their Gov^{rs} N.B: There is a reward of 700 p 8/8 offered by the Governt of Phi^a to any who shall bring the heads of Shingas, and Jacobs, two chiefs of the Delaware Indian Nation who have revolted from the English.¹ I shoud be very sorry to see their heads Bro^t. as they are my very good friends—. but am not in much concern about them as they'll not easily be taken. Most of the back Inhabitants of Phil^a Maryland &c^a are fled to the cities, and have left their Plantations a prey to the Indians.— The sight of one Indian 'll frighten and drive away a score of Englishmen—I must also acquaint y^r Gr: that it was the appearance of the Indians that frightened Braddocks men, and put his army in confusion.— here is a certain acco^t come yesterday from Halifax in Nova Scotia that some of King George's Soldiers who had strayed in the woods; were taken Prisoners by the french and Indians there; that the New England troops w^{ch} were hired to take Mines; were Quarreling with the Governor there, ab^t their pay, and because the Gov^r had not prepared vessells to carry them home according to promiss; that the New England troops, and the Kings troops were fighting with each other &c^a— N.B. I mention the Inroads of the Indians &c^a to Let y^r Gr see the Deplorable Condition most of the British Collonies are in at present, and how easily they may be at this time subdued.

A Mon Seigneur

Mon Seigneur Le Duc de Mirepoix

a

Paris

Copy

The original given to the
Earl of Loudoun.

¹Jacobs was killed about April 1; *Pa. Archives*, II, 612. Shingas survived; *ibid.*, III, 533.

3. "FILIUS GALLICÆ" TO THE DUKE DE MIREPOIX.

Jan^y 12th 1756

The Original I have sent under cover to Mr John de Neufville Merchant at Amsterdam to be forwarded from New York p. the Nightingale Man of War, which I heard was soon to sail the Express to London.

My Serjeants have within these 3 days Enlisted 600 men, my compli^m is to be 15000, and if I shou'd have occasion I believe I cou'd raise 50,000 in Pensilvania Government only, for there has been yearly vast numbers of Germans imported from Holland, who are very poor and wou'd be glad to do anything for a living as most of them are oblig'd to sell themselves to pay their passage thither, These people I am persuaded, it would be a matter of Indifference to them (if they were paid) whom they serv'd; whether the King of France or the King of England, and I know most of them would from principle rather choose to serve my Royal Master:

There has also been from time to Time, transported from England vast Numbers of Irish, to Virginia and Philadelphia for the Peopling The Kings Plantations Most of these are of the true Roman Catholick Faith.

There has also been continually transported from England to the above places, what they call convicts, for crimes committed there, for which they are Sold in Slavery for seven years—Some of these that I have happened to speak to, have profess'd the true Catholick Religion, but their Religion is much the same with most of the Hereticks in this Country, who (by what I can perceive) mind no other than that of getting Money; and may be hired to do anything.

We have an account here that a Body of Eleven hundred Indians had appeared at Goshen¹ and behav'd very insolently that all the Country thereabouts were in alarm, they were said to be Delawar Indians, who always had profes'd themselves friends to the English—But of late seem'd to be wavering.

Goshen is between New York and Albany up Hudsons River (call'd at New York the North River) back of the Highlands, on the other side the River with New York—at 60 miles from New York—N. B. We've had the Winter hitherto

¹See New York Colonial Documents, vii, 96.

very moderate almost evry day like Spring and can't hear of any snow being fall'n yet to the Northward.

Endorsed:—Copy of an Intercepted Letter—directed a Mon Seigneur. Mon Seigneur Le Duc de Mirepoix a Paris.

inclosing the long Letter herewith sent, to the sd. Duc de Mirepoix.—came from N. York. by a English Sloop.

The Original of this Letter was given to Col^d Webb.

4. "FILIUS GALLICÆ" TO THE DUKE DE MIREPOIX.

America March 1st 1756

May it please your Grace

I beg leave to refer your Grace to what I wrote y^r G^r: the 6th of Jan^y last which I sent under cover to M^r John de Neufville Merch^t at Amsterdam, and a copy to M^r Joshua Vaneck in London and now according to my Promise acquaint y^r G^r that I have since Levied 10,000 fine men, such as I woud have and shall soon have my compliment of 15,000. I have by the bye Intimated to my Aid de Camp and some of the officers something of what I wrote y^r G^r: and find, that If I am assisted as requested of y^r G^r: I shall gain my Point; But if I should not hear from y^r: G^r: by the 1st of next July, I shall conclude y^r: G^r: has not Digned me an answer and shan't for the future trouble y^r G^r: any more, but 'll content myself to end my Days in this Country, and Instead of being a friend to my King and Country, I shall be oblided to act agst both and become an Enemy to them but I trust and flatter myself that y^r G^r: 'll answer me and if y^r G^r: thinks me Worthy y^r G^r Corrispondence I woud now beg y^r G^rs. favour to Inform me how and in what manner to Direct for the future to y^r G^r: to whose care &c^a I must order my Letters &c^a to be forwarded to y^r G^r. for I have been strangely puzzled about sending these I have wrove to y^r G^r. and when I may again write to y^r G^r: it shall be in French w^{ch} is my own Language I woud also be Informed by y^r G^r: to whom it woud be proper for me hereafter to send an acco^t &c^a to of these parts &c^a in case y^r G^r should be absent &c^a

I am as afore

Your Grace's Most devoted Servant

Filius Gallicæ

P. S. I was informed that both my Letters w^{ch} were sent to New York was put aboard the Nightingale Man of War Bound to London (there being no other Vessell at the time Design'd for Europe) w^{ch} did not sail from the hook afore the 7th ult: The hook is twenty miles from New York Harbour from whence all their vessells put into Sea, I am not now under the Least Concern in case any of my Letters to y^r Gr: should be inspected; that it woud be a prejudice to me, for I am from my behaviour among the English here in that Vogue among them,—that I should not in the Least be suspected, But it would be Imagined that those Letters were forged by some Malicious Persons, to undermine me and I can easily deny them if they shoud come agst me as my name is not fixed and I in a great measure conterfieted a Different hand from what I naturally write, as I have already mentioned to y^r Gr. to whom I have under cover Directed them. In case they shoud not be come to y^r Gr^s. hands ere this, y^r Grace 'll hereby Know of whom to Demand them. In those Letters I gave y^r Gr: Proper Directions to me &c^a and beged y^r Gr: to be as expeditious to me as Possible and seem'd afear'd that I shoud not be able to hear from y^r Gr: in time,—but now Inform y^r:Gr: that y^r: Gr: 'll have time enough even after the receipt of this for here are not near Arms &c^a enough at present for the number of men I have already reased; and it's but Lately that they have been wrote for; as well from Holland as from England, w^{ch} don't expect 'll be here afore the 1st of next June. Your Grace must know that this army is not reased at the Expence of the Crown of Brittain, but at the Private Expence of the Different Governments to the Westward here,—who order and Direct everything about it themselves—and when ready as a Comp^{lt}. to M^r Shirley it is to be submitted to his order and Direction w^{ch} will agree with theirs,— But I hope it 'll be Governed by your Grace's orders and commands.

N. B. Pennsylvania is not immediately under the Crown of Britain but is a proprietary Government under Pen.

I beg yr: Gr: to send to me immediately, and I trust yr: Gr: 'll be sending to me all next summer, for on Receipt of the first Letters and sum of money from yr: Gr: I am so persuaded of success, that I shall look on all the Countries to the Westward as our own. I woud not have y^r Gr: be under any apprehensions of fear ou my acco^t from the armies of Shirley and Johnson, they being at so great a Distance from me—that I shall be Master of those Countries afore they can in the least

molest me, and they may be cut off afore they can come near me—Besides when I have what I have required of y^r Gr: I doubt not but I shall be able to Draw the greatest part of their armies over to me.

There has lately been three English men taken up who proved to be spies sent from Canada one of 'em was found Listing men among the Germans to send 'em off to fort du Quesne on the Ohio, they are put in Irons in Close Prison. If the Canadians did know what I am about they might spare themselves the trouble.

We've an acco^t here—that they are raising a great force and making great Preparations in Canada agst the English, and have built severall Vessells of force at Lake Ontario.

The French have built a fort not more than 40 Miles from Bethelhem—while the Indians were invading those Parts—there is a body of upwards of 3,000 Shawanese and Delaware &c^a Indians now in the French Interest w^{ch} make these Inroads—these Indians were formerly in the English Inter^s but since the Defeat of Braddock, they have taken up the hatchet agst them—(Bethelhem is a town settled by a People called here—the Moravian Brethern about 60 miles back of Phil^a) but the Cherokees who are very numerous and have never been conquered have entered into alliance with the English and choose (in great form) King George as their King and father—they have offerred me 1000 of their men to join me at the Ohio provided I woud take them in the Govern^{ts} pay: this I have mentioned to the Governiments—but they rather chuse that Gov^r Shirley shoud allow them the King's pay, I have accordingly Dispatched an officer with this message to Gov^r Shirley (who is now at his Govern^t at Boston) to know his pleasure ab^t it.

The Cherokee Indian Nation inhabit the Countries back of South Carolina. South Carolina is the place where most of the Vessells that are bound from these parts to Holland go to Load with rice.

I have heard that the Indians in his most christian Majesty's Inter^s have also made Inroads on the Western frontiers of Boston.

I have also heard that Mons^r Dieskau's Aid de Camp was sent over to England in the Nightingale Man of War but I fear he'll be more confined there so as not to be able to give any Intelligences of these Parts.

N. B. I mentioned to y^r Gr: on the cover of the copy, w^{ch} was sent to the care of M^r Joshua Vaneck, (the family of M^r Vaneck I was Introduced to when I first Left France and as I soon Left London for these Parts, I scarce knew any other there) of a body of 1100, Indians that appeared at Goshen;¹ a place between Albany and New York; that body has since been Quiet by a threat sent them from the Mohawks—I also on s^d cover mentioned to y^r Gr: the great number of Irish &c^a that have been transported from England to Virginia and Philadelphia for the better peopling of the King's plantations and also of the Vast number of Germans, that have been yearly imported from Holland, who are all very poor and are obliged to sell themselves to the Inhabitants to pay their Passage. Most of the above People are of the true Roman Catholick Religion and I am persuaded they wou'd rather (from principle) chuse to serve my Royal Master. I also mentioned to y^r Gr.: that most of the hereticks have minded no other Religion than that of getting money, &c^a &c^a and that I believed they might be hired to any thing; this I am now the more convinced off even among the best and richest of 'em—for being in club a few nights ago, where the Chief Topick was upon the Desolate Condition the British Collonies to the West ward were in at present, maney of 'em said, in good earnest that it woud be the same thing to them who was their King, whether the King of England or the King of France, provided they enjoyed their Estates they had here unmolested—I mention this &c^a to Let y^r Gr: see the Disposition of some of King George's subjects here, &c^a and what encouragement I have of success. but I fear I have again trespassed upon y^r Gr^a patience, and again assure y^r Gr: that it was not my Intention at first to draw this to such length and tho' I make so much time (w^{ch} is very agreeable to me) to write to y^r Gr. I am dayly so much hurried as to 've scarce Leisure to eat my meals—and now bid y^r Grace adieu untill I shall be blessed from y^r Grace, w^{ch} I do soon expect, for I doubt not but y^r Grace 'll be as ready to serve our grand monarch as myself.

3d

Copy

N. B. the 1st and 2^d of this date were Directed under cover to the same hands as the former, but Least they might not be immediatly forwarded to y^r Grace, I shall Deliver this Last

¹ See note to No. 3, supra.

copy to one of my officers, whom I can confide in, to be forwarded to any of his friends in Ireland.

Endorsed:—

A Mon Seigneur
Monseigneur Le Duc de Mirepoix

a

Paris

NB: the 1st and 2^d of this date w^{ch} were again sent to New York to be forwarded from thence, I have hear, were put aboard the Packet there, Bound to London.

5. "JAMES ALLEN" TO HENRY GAMBLE.

Copy
S^r

Philadelphia March 3^d 1756

Having neglected a conveyance I had from hence to Holland, and asking my Friend M^r Redmond Cunnyngham, if He Knew of any other Vessel for Europe, he informed me that there was one Lying ready at New York bound to Newry, and said, He would take Care to forward the Enclosed for me, But Master Gamble (who without Flattery is a pretty promising youth) desired me to send it to your care, assuring me, it would not be delayed with you, so I have made free to trouble you with it, requesting you would have it sent, P first opp^r and I shall send it to New York to have it put aboard s^d Vessel—. as this Letter to the Duke contains chiefly a complaint made for Injuries suffered by the french you'll greatly oblige the parties concerned, and it shall be acknowledged by,

Y^r unknown Hb^{le} Serv^t

James Allen

Directed
To

M^r Henry Gamble
at

Londonderry

Via New York

Endorsed:—Copy of a Letter from
James Allen to M^r Henry Gamble
Philadelphia March 3^d 1756

The Original of this Letter was given to the Earl of Loudoun.

6. "FILIUS GALLICÆ" TO THE DUKE DE MIREPOIX.

Copy

America March 19th 1756

May it please your Grace,

I ask your Grace's Pardon for troubling your Grace again when I said I wou'd not, but cannot omit acquainting your Gr: that I have disclosed in a great Measure what I have wrote to Your Grace to ten of my Officers who I know I could confide in, and We have all solemnly sworn to each other (in case my Request to your Grace be granted) not to sheath the Sword 'till all the Country to the Westward and South ward be the Property of His Most Christian Majesty. And as we are all sensible in an Enterprize of this Nature that We must either vanquish or perish in the attempt. We are prepared to meet whatever Fate may attend us in behalf of our King and Country—these Officers assure me that most of the Men they have listed are of the true Roman Catholick Religion and do not in the least doubt but that they'll very easily prevail with them to join them, but we shan't dare to trust them till We hear from your Gr: I wou'd still further request the favour of yr: Gr:, to cause to be sent immediately to The proper Passes from his most Christian Majesty for Liberty to pass thro any of his Dominions either by Sea or Land for Persons and Vessells, I shall have Occasion to employ. there may be Blanks left for their Names. I shall soon be in want of them.

I wou'd observe to yr: Gr: that the Armies of Shirley and Johnson will not be made up to the Number I at first mentioned nor near so soon ready. these generals are obliged to give large Bounties to the Men they now enlist—the New England Troops viz, w^{ch} last year only for a twelve month being sent home during the Winter Season will by no Means be prevailed upon to return and serve again this year, and many of their men have deserted since they've been in Quarters and altho' the Winter has been Exceeding moderate in these parts, there has been scarce nothing done towards the Expeditions to be carried on by said generals this year—they have but lately began to enlist men to compleat their compliment, and raize them very slowly. The Differences between the Different Governments there still subsist; and even in each City there are Parties against each other—I mention this again to let yr: Gr: see the delitoriness &c of the English here, and cou'd wish the Canadians were made sensible of it, the Governments

here to the Westward (notwithstanding the Defeat of Braddock last year, and Major Washington the year afore, and the Invasions on their Frontiers at present) seem to be much the same employed with the other Governments in scribbling one against another and often publickly in their Gazettes, but I don't find that any of their scandalous Disputes were inserted. They are so busied with each other that they leave every thing now with regard to the Army—they have highly applauded the Secrecy and Dispatch in which I have acted, for no mention is scarce made of my enlisting men—and the Printers have been strictly forbid to insert any thing about it in their Papers, least the French might hear of it, as the above mentioned defeats were chiefly owing to Intelligences the French had got, and must acquaint yr: Gr: that those Defeats are the cause in a great Measure of their exerting themselves thus at this time.

The Quakers of Philadelphia &c cheerfully contribute towards my raising men to free them and country from invasions of the french and Indians but will not, notwithstanding all the Calamities they have already suffered from the War be prevailed upon to have a proper Militia Act pretending it's against their Religion to bear arms (tho' the other Citizens have associated and formed a compleat Regiment) how easily is a country conquered when the People are thus infatuated, and while their Heads and Rulers Keep thus divided—there are some in the armies of Shirley and Johnson in my Interest, who are privately causing discontents among the soldiers—I have complained to the Philadelphia Assembly of Shirley and Dunbar &c having their recruiting Officers in Pensylvania to enlist their Men; at a time when we want them so much for the frontiers to the Westward &c. Since my last Letter to yr: Gr: most of the ablebodied Acadians, which have been transported from Nova Scotia and dispersed thro' out these Colonies have flocked to me, and enlisted under me, and this is approved of by the Governors, Oh! Blindness and Stupidity of the English to Imagine such men will fight their Battles who wou'd rather chuse to cut their Throats, but their confidence in me makes them thus careless at this time. My Officers to the Southward and here have enlisted 1800 Germans and Irish &c besides since my last, and now only lack about 2200 which I shall soon get—W^t a fair opportunity has his Majesty at this Time to gain whatever he pleases in America, w^{ch} if neglected will

be too late for me to influence the Soldiery, as I shall now be able to do, and it will never hereafter be in my Power to offer thus again, as I shall be obliged to destroy those Countries and People whose assistance wou'd otherwise be of great Service, and those Indians which are now so hearty in his Majesty's cause must join me for their own safety, for my Orders are to carry fire and Sword as far as I can go for which purpose I have chosen men (not such as Braddock brought over to be frightened and put in Confusion by the yellowing and hooping of the Indians) and must acquaint yr: Gr: that Shirley's and Johnson's Armies have also picked men, for altho' the English are jaugling together (which considerably delays and Injures their Expeditions) they wou'd seem as if they were determined now to do their utmost endeavours to drive the ffrench (if possible) out of America, that they may no more be under their Invasion and must say that were they heartily united they wou'd be considerably an Overmatch for the ffrench they are much more numerous, and have the best Countries, and much Wealth among them—I have at this Time considerable to communicate to y^r Gr: if I shou'd be assured of what I requested, but I'll content with what I have already intimated to y^r Gr: in hopes of being better able to do it hereafter—and now can thus far rest satisfied to my conscience that I have in part discharged my duty and affection to my King and Country and my Engagements at Canada and now assure y^r Gr: that these shall be my last Letters that yr: Gr: shall receive from me without your Grace's Commands, I woud observe to yr: Gr: that my last Letters to yr: Gr: were dated the 1st March, tho' they were writ the 20th ffeb^r for a peculiar Reason to myself, they were again immediately sent to New York (where I had heard were Vessells lying ready to sail for Europe) under cover to Messrs Joshua Vaneck in London and John Neufville at Amsterdam and were put aboard the packet boat w^{ch} sailed the next ——— for London, but these is written this Day, my first Letters sent last Jan^{ry} to y^r Gr: were also under cover to said Mess: Vaneck and de Neufville, and were put aboard the Nightingale Man of War, but did not with that Dispatch my last Letters did, for said Man of War lay waiting about 3 weeks for a Wind which is uncommon at that Time of the year, y^r Gr: will be pleased to observe that the chief of what I wrote is hints of my design upon the English, and to shew the great probability there is, and with how much ease his Majesty may

subdue them at this Time (which is the only thing needfull at present to write) and to induce your Gr: to cause me to be enabled thereto, I have wrote y^r Gr: nothing but plain Matters of fact, but must confess I can't so well explain myself this way as verbatim I inform'd y^r. Gr: at first that I was not designed a Scribler, but was bred to the Army, and if my writing is not so elegant and correct as it shou'd be, I trust your Grace's goodness will excuse me, for I dare not yet trust any to copy my Letters: I pray your Gr: notwithstanding the incorrectness of them to pay a due regard to what I have wrote and said I am

With all due deference and Respect to y^r Gr:
 your Grace's most obed^t.
 Humble Servant

Filius Gallicae

P. S. I have in my 1st Letters given y^r Gr: proper directions for me, and have since wrote y^r Gr: to whose care I had sent them, and if yr: Gr: will be pleased to direct

To

Mr Pierre Fidell
 to be left at Mr Roemers
 Coffee House (until asked for)
 in New York in America
 it will without fail come to my hand—

1st

Endorsed: Intercepted Letter to the
 Duc de Mirepoix
 March 19 1756

7. THE EARL OF HALIFAX¹ TO SIR CHARLES HARDY.²

Copy]

Grosvenor Square March 19, 1756

Sir Charles Hardy Bart }
 Governor of New York }

Dear Sir

This Letter, which I write to you upon a very particular occasion, shall be solely confined to it; and I will not mix any other Matter that may draw your attention from it.

¹ George Montague Dunk (1716-1771) earl of Halifax, afterwards Secretary of State, was from 1748 to 1761, with slight interruptions, President of the Board of Trade and Plantations.

² Sir Charles Hardy (1716-1780), afterwards admiral, served as governor of New York from September, 1755, to June, 1757.

The other day Mr Fox sent me an intercepted Letter, directed to the Duke of Mirepoix, the contents of which, upon a full consideration of them; appear to me of a very extraordinary Nature, and of the utmost Importance. The particulars of the Letter, as the Original will be put into your Hands by Col^o Webb, I will not enumerate, nor trouble you with my notion how the Treason may be best discover'd, as I have given my Thoughts thereon in a paper Col. Webb will deliver to you, you and He will make such Improvements upon my proposal for the Discovery of the Author of the anonymous Letter, as to your Judgements shall appear right and most conducive to His Majesty's Service—But whatever be the method you shall think proper to pursue, I would recommend to you to keep them as secret and entrusted to as few as possible.

The character of Peter Joncourt¹ in many respects seems to agree with the Description which the Author of the Letter gives of himself; But whether that description is a real or fictitious one is doubtful.

In many respects Lydius's² character agrees with it; in some it differs. But that Difference may be made with Design to elude Detection. How such a Fellow as Lydius came to be employ'd last year by Mr Shirley, is matter of astonishment!

What inclines me to think much more seriously of the anonymous Letter than I otherwise should do, is that almost every Fact mentioned in it is, either in the whole or in great part, true. The only circumstance of it that appeared new, was that a large Body of men was to be rais'd in Pennsylvania. But upon looking carefully over the Instructions sent by Mr Shirley to S^r W^m Johnson, when at Mount Johnson (a copy of which we have lately receiv'd from S^r William, and which I have likewise given to Col^o Webb) I find that particular confirm'd. It is wonderful however to me that Mr Shirley should have engaged in such a Plan without acquainting Government at home with it, or with the methods by which he purposes carrying it into Execution.

The Orders given for the Indians to march to the Ohio, to examine Fort du Quesne, to sound the Intentions of the French, and afterwards to return to Pennsylvania, to be join'd by a Body of Forces, are very mysterious, or at least very vague visionary and absurd.

¹ Peter de Joncourt was French interpreter to the Government of New York.

² John Henry Lydius, son of a Reformed pastor at Antwerp, had been agent of Massachusetts at Albany. Shirley made him a colonel of Indians, much to Sir William Johnson's disgust. See post, No. 8.

The Promise that their Wives and children shall be protected in a strong Place, when there is none I know of in those parts, but Fort du Quesne, is very strange to me.

If Orders have been given to raise Forces in Pennsylvania, you probably know of it, or (be they ever so secret) Gov^r Morris, I should imagine, must. If not, the state of Things is rotten indeed! Col^o Webb supersedes M^r Shirley's command, and has a Right to know, and I hope will know every order he has given and the names of every person he has employ'd in America in any shape or character whatever.

But as M^r Shirley is at some Distance and these Matters may not be so soon known by a Correspondence with him, I would strongly recommend to Col^o Webb and yourself, privately to get every Information you can with regard to every particular Measure taken and person employ'd.

You will observe in the Letter that a charge of Treason is laid upon three of His Majesty's Officers. I know none of them, and hope they are innocent. But as the clue is given, you and Col^o Webb will soon be able to form a judgement of them. One guilty person apprehended may and probably will discover more.

Thus I leave this matter with you, and should be infinitely uneasy if the Conduct of it was entrusted to any other Hands but yours and Col^o Webbs.—It may be nothing.—It may be an Artifice to draw a little money from France—It may be fraught with some other wicked Design.—But on the other hand, it may be a matter of the highest consequence to the Wellfare of America, the Safety of His Majestys Subjects, and the Honor and Success of his Arms.

I have never conceived the least suspicion of Disloyalty in those whom His Majesty has vested with command, as you will easily perceive by the other Letters Col^o Webb has in charge for you. But yet there are circumstances so strange with regard to this whole affair, that I hold it my indispensable Duty to recommend the whole of my observations to your most serious Consideration. But I must strictly enjoin you to look upon this Letter and the whole Transaction it alludes to, as matter of Secrecy between Col^o Webb, you and me. I am etc

Dunk Halifax.

P. S. M^r Pownall¹ informs me that one Baron Lake Augustin Davis² (a common Soldier in M^r Shirley's Regiment) was lately

¹ See post, No. 20.

² John Pownall was Secretary to the Board of Trade and Plantations.

taken up as a Spy. The particulars he relates concerning him are of an extraordinary nature and well worthy your attention.

Endorsed:—Copy of the Earl of Halifax's Letter to S^r Charles Hardy, Gov^r of New York dated 19 March 1756

S. EXTRACT OF A REPORT

Made by the Commissioners employed on the part of the Province of Pennsylvania at the Meeting at Albany in 1754.

M^r William Alexander of New York was kind enough to tell us, that M^r Woodbridge, who kept an Indian School at Stockbridge, in New England and two Connecticut Gentlemen, vizt.

Were in Town with Intent to negotiate a Purchase from the Indians for the Susquehannah Lands lying within the Latitude of the Connecticut Charter, in favour of some private Persons of that Government, and had with them a Thousand Pieces of Eight, and were busy, conferring with the Indians on this subject, at the House; and thro' the Means of M^r Lydius.

This Lydius¹ is an Inhabitant of Albany known to have abjured the Protestant Religion in Canada, and to be concerned in a Clandestine Trade with the Caghnawaga or French praying Indians, and suspected to carry on a Secret Correspondence with the Government of Canada; and, as M^r Alexander informed us, might not only have lucrative Views, in the Management of this Purchase, but a Design to sow Dissentions, as well between the Indian Nations, as between the Several Colonies, whose Lands lay within the Latitude of the Connecticut Charter.

Endorsed:—Extract of the Report made
by the Commissioners employed
on the Part of the Province of Pennsylvania
at the Meeting at Albany in 1754.

9. COLONEL DANIEL WEBB² TO HENRY FOX.

Portsmouth March 30th 1756

Sir,

In obedience to His Majesty's Commands which I have had the Honor to receive from you by Mitchel the Messenger, I shall proceed to Plimouth the moment the winds will permit, and shall endeavor to execute all things required of me to the best of my power and capacity.

¹ See the preceding letter.

² Colonel Webb was sent out to take the chief command from Shirley and hold it till the arrival of Abercrombie.

I have been also honored with two letters from you, and with a Copy of a second Intercept letter, and no pains shall be spared on my part to endeavor to discover the Author, and to bring whoever may be concerned to answer as they deserve for so bold and destructive an undertaking, the delay in the Messengers returning in proper time, was owing to my going a Saturday evening to the Ile of Wight, to take leave of a good old Aunt and some other relations, and the tempestiousness of the weather a Sunday that, prevented my Servants getting over with the Dispatches, altho' he had a struggle with the winds in the Notinghams long boat for near six hours, this whole day indeed was employed in writing a Copy of the first Intercepted Letter, which I have the honor to send by this Messenger, the Smallness of the writing and closeness of the lines have so strained my eyes, that if Mr P. F.'s was in my custody, few arguments would be necessary to persuade his dispatch.

I am with the greatest respect

Sir

Your most obedient and most humble Servant

Daniel Webb.

P. S. I beg pardon for having omitted to acknowledge the receipt of the extract of a letter from Pennsylvania

Indorsed:—Portsmouth

March 30th 1756

Colonel Webb

R^d 31st by Mytton

10. THE EARL OF HALIFAX TO SIR CHARLES HARDY.

Duplicate.

Grosv^r Square March the 31st 1756

Dear Sir

Colonel Webb, to whose care I have already committed two Packetts for you, (the last containing matter of the highest importance to His Majesty's Service) not being yet sailed, gives me an opportunity of acknowledging the Receipt of your Letter by Mr Pownall, and likewise that of the 23rd of February; for both which I desire you would accept my best thanks. I should not however have troubled you again so soon, but that I hold it requisite to embrace the first occasion of acquainting you with some new determinations of His Majestys Servants on the subject of the anonymous Letters lately intercepted.

I think I observed in my last to you, that I consider'd the first anonymous Letter more worthy attention on account of every particular contained in it being either in the whole, or in part true, excepting that of the large Bodies of men raising in Pennsylvania; which is now confirmed not only by the publick American Prints transmitted to England, but by a variety of private Letters, some of which I have seen. This has inclined Ministers to think more seriously of the matter, than they did before, and indeed they all agree in opinion with me, that there is Treason somewhere, and that the utmost expedition and diligence should be used in the detection of it; which from one particular circumstance in the last intercepted Letter will I hope prove matter of no difficulty: The author of it says, "that the Cherokees have made him an offer of some hundred men, and that he has transmitted that offer to General Shirley." Now, if it be no already, it may easily be known, to whom the Cherokees have made that offer, and by whom the offer was transmitted to M^r Shirley; Another Circumstance, which, if true, would lead to detection, is that of his Aid de Camp, which the Author mentions. I can't conceive that any one in Pennsylvania or Virginia (for from one of those provinces the Letters seem to have been wrote) is of a Character to have an Aid de Camp; but if there is, it must surely be known who that person is. Washington, I find, by private Letters is to command to the Westward, but I don't know it authentically, M^r Shirley never having acquainted us of his having appointed any body to such a Command, which to me appears very extraordinary. I know nothing of M^r Washington's character, but, that we have it under his own hand, that he loves the whistling of Bullets, and they say he behaved as bravely in Braddocks action, as if he really did.¹ From the phraseology of the Letters I think it very clear they were not wrote by a frenchman,

¹ Halifax is here amusing himself with a boyish expression in one of Washington's letters. Horace Walpole says (Memoirs of George the Second, i, 347): "In the express, which Major Washington dispatched on his preceding little victory (the skirmish with Jumonville) he concluded with these words, 'I heard the bullets whistle, and, believe me, there is something charming in the sound.' On hearing of this the King said sensibly, 'He would not say so, if he had been used to hear many.' However, this brave braggart learned to blush for his rhodomontade, and, desiring to serve General Braddock as aid-de-camp, acquitted himself nobly." Sparks, Washington, ii, 39, 40, denied that such a sentiment was uttered in any of Washington's letters that have been preserved; but he quotes from Gordon, ii, 203, the statement that when a gentleman in Cambridge asked the General about the matter, he answered, "If I said so, it was when I was young." The truth is, that the sentence occurs, exactly as quoted by Walpole, not in the official dispatch, but in a letter to Washington's brother, which was printed in the London Magazine, August, 1754, and which may be found in Ford's Writings of Washington, i, 89, 90.

as they pretend to be; and from certain words (tho' the Letters are in general well spelt) being spelt according to the Irish pronunciation I am apt to believe the Author of them an Irish man. M^r Pownall,¹ tho' his name should not be mentioned on the occasion, gives me reason to imagine that one Croghan is the man, and orders have been accordingly given by the Secretary of State for the apprehending him. The Letter however directed to Peter Fidel will be deposited at the New York Coffee House, and other measures recommended before followed.

No Suspicion at all attends M^r Shirley, but many particulars of the last years Transactions are highly disapproved, and I greatly dislike his present behaviour in his Province; fomenting disputes, promoting ineffectual Enquiries, and countenancing a paper-war against your Province are ill-adapted to the Complexion of the Times, and the Benefit of His Majesty's Service. Orders are given for his return to England as soon as possible, and the reason given for it is, that he may be consulted on Several matters relative to the King's Service in America.

It gives me great pleasure to hear your Province have come to so spirited Resolutions; but I am equally concerned and surprized to find that no steps were taken in 23 days after towards following so good an example in the four Governm^{ts} of New England.

I am happy in the thought of your chief Difficulties being removed by the late Permission given you to wave a part of your Instructions.—That Honour and Happiness may attend you in your Governm^t, will be the constant and sincere wish of Dear Sir,

Y^r most faithfull

and obedient humble Servant

Dunk Halifax

To His Excellency

Sir Charles Hardy.

Endorsed:—The Earl of Halifax's Letter to
His Excell^{cy} Sir Cha's Hardy.
Gov^r of New York.

DUPLICATE

Dated *March the 31st 1756*

¹ This might be Thomas Pownall, afterwards governor of Massachusetts, who was in England for a short time this spring; but it is more probably his brother John, secretary to the Board of Trade and Plantations. George Croghan, the Indian trader, was, I am assured, not the writer of the letters.

11. HENRY FOX TO COL. DANIEL WEBB.

Whitehall March 31st 1756.

Colonel Webb,
Secret.

Sir,

The King has commanded me to signify His Pleasure to you, that you should, immediately upon your arrival in North America, make the strictest Enquiry, in Conjunction with Sir Charles Hardy, into the Author, or Authors, of the Two anonymous Letters, lately intercepted from America, addressed to the Duc de Mirepoix, Copies of which have been already put into your Hands; and you will call to your assistance and admit to your Councils, such Governours of His Majesty's Provinces, or such other Persons, as you shall judge necessary upon this Occasion. It has been surmised here, that Mr George Croghan, a principal Trader, and employed in Indian affairs, in Pennsylvania, may possibly have been concerned in these Letters; you will, therefore, make particular Enquiry with regard to Him, and if you shall find there is just cause for this suspicion, you will secure Him, and all other suspected Persons, as soon as possible, and you will send all such Prisoners to England, with the Informations, Examinations, and material Evidences against them. I am to desire you to communicate this Letter, together with those Intercepted Letters, that make the subject of it, to Sir Charles Hardy, acquainting Him, that this is to be considered as an Instruction to Himself.

You will be pleased to return to me, by this messenger, the Blank Warrants I put into your Hands, before you left London, and likewise my Letter to Gov^r Shirley upon this subject, the same being, at present, unnecessary, and indeed improper.

I am &c^a

H. Fox

P. S.

I send you, under Flying Seal, my Letter to recall Governor Shirley

Endorsed:—March 31st 1756

By Blackmore to Plymouth

*Secret.*12. THE DUKE OF DEVONSHIRE¹ TO HENRY FOX (EXTRACT).

I have sent you, by this night's Post, a very extraordinary Letter, which came in a Merchant Ship to Newry, consigned

¹ William Cavendish (1720-1764), duke of Devonshire, was lord lieutenant of Ireland from March, 1755, to November, 1756, when he became First Lord of the Treasury.

to one M^r Gamble at Derry; He opened it, and then sent it to me; I at first thought it was a Counterfeit, as the Contents, at the Beginning, seemed very improbable, but It is so circumstantial, and so much knowledge of the Country contained in it, that I imagine It must be genuine; The Letter sign'd Allen, if you observe, you will, find to be the same, Hand Writing as the other; and He is thought to be a Popish Priest.

I have intercepted a Letter from Hatzell to Zobell, directed to Meister Josep Muller at M^r Brownell Shoemaker in Chequer Lane, Dublin: It is wrote partly in French, and some German in it; I have sent it to Dublin to be translated, and question whether It will be done time enough to send by this Night's Post; as soon as we can get to know His Person, I will take care to have Him seized, and all his Papers.

Endorsed:—Extract of a Letter from
the Duke of Devonshire
to M^r Fox

Carton April 10th 1756

13. HENRY FOX TO THE DUKE OF DEVONSHIRE.

Whitehall April 20th 1756

Duke of Devonshire

Secret.

My Lord

I received, yesterday, the Honor of your Grace's Letter of the 10th Inst, together with That to M^r Gamble of Londonderry, inclosing a very extraordinary one to the Duc de Mirepoix from America; and, in order to assist your Grace in your further Enquiry I have the King's Commands to acquaint you, with what has lately passed Here, concerning the same unknown Correspondent.

A Letter, dated America, the 6th of Jan^y, and another, the 1st of March last, having been intercepted Here, were lately brought to me; The Latter was in the same words with that your Grace has now transmitted; and Both these Letters, being of the most dangerous Nature, the King ordered me to give copies of them to Col^o Webb, who was then setting out to take the Command of His Majesty's Forces in America, and to suggest to Him the most probable means, that had occurred to the King's Servants Here, for the immediate Discovery of the Authors of them:—One Cap^t George Croghan,

an Intriguing, Disaffected Person, and Indian Trader, in Pennsylvania, was very much suspected, nor does the name of James Allen, (probably a Fictitious one) subscribing the Letter to M^r Gamble of Derry, remove the suspicion, there not being any considerable Person, as I am informed, in Philadelphia, of that name; But I beg your Grace will inform yourself, upon what Foundation He is thought to be a Popish Priest; Master Gamble being mentioned, in the Letter, to have desired It might be addressed to M^r Gamble of Derry, your Grace will endeavor to get from Him some account of that young Man, and of M^r Redmond Cunningham of Philadelphia, in case He is also known to Him, and if He will write a Letter or Letters to this Master Gamble, and M^r Cunningham, requiring them to acquaint the Bearer, who He was, that delivered to them, in Philadelphia, the Letter, directed to Him, at Derry, It may tend greatly to the Discovery of the Person concerned, and it is the King's Pleasure that your Grace should send me those Letters, and the Result of your Enquiries, by Express, that Lord Loudoun, who is still here, may be instructed accordingly.

I have the satisfaction to acquaint your Grace, that the King extremely approves your Diligence in Endeavouring to discover M^r Zobell, and in Examining His Correspondence; But indeed there is Reason to imagine, from Baron Hatzell's Letter to Him, that He is rather trying to get a Subsistence by some wild Chymical Undertaking, than by any Political Intrigue; nor does His having been formerly employed by the King of Prussia now give Reason for suspecting him; yet, It may not be improper for your Grace to continue your attention to His Correspondence, till His real Occupation and Designs are entirely cleared up

I am &c^a

H. Fox

P. S. The King has, this Day, signed the Instrument for your Grace's Leave of Absence, and the Appointment of the Lords Justices, Agreeable to your Recommendation, But It cannot be sent to you, till next Post, on account of the Stamp Office being shut, during the Holidays.

Endorsed:—Dra^t to the Duke of
Devonshire

April 20th 1756

Secret.

14. THE DUKE OF DEVONSHIRE TO HENRY FOX (EXTRACT).

I have this moment received your Letter of the 20th: I will endeavour to obey His Maj^{ty's} commands, with regard to M^r Gamble, with all the Expedition, and Punctuality in my Power.

Endorsed:—Extract of a Letter from
the Duke of Devonshire to
M^r Fox.
Dublin April 26th 1756

15. WILLIAM GAMBLE TO ROBERT GAMBLE.

Copy)

Dublin April 28th 1756D^r Cousⁿ

Your Father received a Letter from one James Allen of Philadelphia, covering a Letter to be forwarded to the Duke de Mirepoix; To this Allen He (your Father) is a stranger; but with Him you are well acquainted; therefore I intreat you will take the Bearer hereof to said Allen, that he may transact with him some Business.

I shall be very glad to hear soon and often from you, being,
D^r Bob, Your Affect^d Uncle

W^m Gamble

Directed

To

M^r Robert Gamble
at M^r Redm^d Coningham's Merch^t
in
Philadelphia.

Endorsed:—Copy of a Letter from M^r
W^m Gamble to M^r
Rob^t Gamble

Dublin April 28th 1756

The Original of this Letter was given to the Earl of Loudoun.

16. WILLIAM GAMBLE TO REDMOND CONYNGHAM.¹

Copy.

Dublin April 28th 1756

Sr.

In a Letter of the 4th Curr^t, which I received from my Brother Henry Gamble of Londonderry, He sent me Two Let-

¹ Redmond Conyngham, esq., of Letterkenny in Ireland (whose nephew became the Lord Chancellor Baron Plunket) came to Philadelphia in 1755, and was a member of the firm of J. M. Nesbit & Co. He returned to Ireland in 1767. *Pennsylvania Magazine*, vi, 18, 19.

ters, which he desired I should read, and consider well, as possibly they may be proper to lay before His Grace the Duke of Devonshire Lord Lieutenant of Ireland; I accordingly perused them carefully, and consulted some Gentlemen of Distinction and Judgement about them, and they agreed with me, that they ought to be laid before His Grace, which was accordingly done.

One of these Letters is from one James Allen of Philadelphia, Covering a Letter for the Duke of Mirepoix; which he begs of Him to forward; He acknowledges Himself a stranger to my Brother, but says He is well acquainted with you, and His son (whom he calls a promising youth) and on the recommendation of you Two, He has wrote to Him, and committed the care of forwarding the Letter to the Duke de Mirepoix; therefore It's reasonable to think that you and my Nephew (to whom I now write) are acquainted with said Allen; and as It's thought necessary to examine this man closely, in regard to his Inclosure, I now intreat your taking the Bearer hereof to said Allen, that he may be brought before proper people, who may pick from Him things of Consequence to the Country you live in. To a man of your Principles, I need not urge your Readiness to a Discovery of a very evil Intention in this Affair, because I am convinced you will go about it with the greatest alacrity. On this Head, or any other, I shall be glad to hear from you, being,

Dear Sr.

Your most Obed^t Serv^t.

W^m Gamble

Directed

To

Mr Redm^d Coningham, Merch^t

in

Philadelphia

Endorsed:—Copy of a Letter from M^r

W^m Gamble to M^r

Redm^d Coningham

Dublin April 28th 1756

The Original of this Letter was given to the Earl of Loudoun.

17. THE DUKE OF DEVONSHIRE TO HENRY FOX (EXTRACT).

I send you a copy of another Letter from the same Person to the D. de Mirepoix: M^r Gamble at Derry opened it, and sent only a Copy; I have wrote for the Original, and desired, that, if any more Letters come, He would send them to me unopened.

Endorsed:—Extract of a Letter from the
Duke of Devonshire to M^r Fox
Dublin May 5th 1756

18. THE EARL OF HALIFAX TO HENRY FOX.

Bushey Park¹

May the 9th 1756

Dear Sir

I am obliged to you for the sight of the last intercepted Letter transmitted to you by his Grace the Duke of Devonshire in his Letter of the 3^d of May, which I this day received at Bushey; and will trouble you with a few Remarks I have made on it, necessary for My Lord Loudoun's Information, tho' very probably you have already made the same.

I think we had so many data in the former Letters, that it wou'd not have been possible for the author to Escape Detection, but in the last there are some very remarkable ones.

In the first Place he says he has communicated the Plan of his Treachery to ten of his Officers, by which (if true) it appears that he must have the command of a Regiment at least.

He says the said ten Officers assure him that most of the men they have enlisted are Roman Catholicks; upon which I would submit to you whether it woud not be right to recommend to Lord Loudoun to send an officer or two whom he can trust to Examine into the Character of the men enlisted by the ten Officers under the Author's Command, and to dismiss such as are known or strongly suspected to be Papists.

He says the Governments to the Westward have highly applauded the Secrecy and Dispatch with which he has enlisted men, it will be easily known whom the Governors to the Westward have so applauded, and who has been authorised to raise men in their Governments.

He tells the Duke of Mirepoix that the Quakers in Pennsylvania have given their consent to his raising men there; by

¹ The Earl of Halifax was ranger of Bushey Park from 1739 to 1771.

which the Doubt we were in concerning the Province in which the Gentleman was employ'd in raising men is cleared up.

If he has complained, as he says he has, to the Assembly of Pennsylvania of Shirley and Dunbar's officers raising Recruits in that Province, when they are wanted for the Service to the Westward, it will be very easily known who the Gentleman is who has made these Complaints to the Assembly.

if he has already raised, as he says he has, 1800 men, Germans and Irish, and expects soon to have 2000 more, he must be of a Character and Authority not to be mistaken.

If most of the able bodied Acadians as he assures the Duke of Mirepoix, have flocked to him, I submit it to you whether My Lord Loudoun should not be directed to make diligent Enquiry into the matter, and immediately discharge them from his Majesty's Service. And as he likewise says that some in Shirley and Johnson's Army are in his Interest, and are now privately fomenting Discontents among the Soldiers, I would submit to you whether My Lord Loudoun should not have an Hint to be in an Extraordinary manner watchful on this Head.

I have but one other remark to make, and that is on his saying he is order'd to carry Fire and Sword as far as he can; which, if true, seems to intimate pretty clearly that he is to have the Command of the Expedition.

In the Letters you sent me the other Day Mr Shirley tells you that Mr Sharpe Governor of Maryland is to Command the Western Expedition.

I send you these Remarks as short as I can because I would not take up more of your Time than is necessary and am

Dear Sir

Your Most Faithfull
and Obeient Humb^l Servant

Dunk Halifax

Endorsed:—E. of Halifax

May 9, 1756

To be sent to Lord Loudoun

19. COLONEL DANIEL WEBB TO HENRY FOX.

New York June 17th 1756

Sir,

Having sailed in the Gen^l Wall Packet from Falmouth the 13th of April, and having had a passage of eight weeks, I did not arrive here till the 7th inst; but immediately on my arrival

forwarded by express, the Dispatches I had the Honour to be charged with for General Shirley, to Albany, where he has been for about a month, I at the same time informed him of my intention to proceed thither in five or six days, his expecting to see me so soon, has probably been the cause I have not yet heard from him, or it may be for want of opportunity as there is no post established betwixt this place and that, all letters going by the Sloops that so frequently pass and repass. I should have proceeded according to my first intentions if a ship from Carolina had not assured us of having seen the fleet from Plimouth fifty Leagues from the Coast and becalmed, and his intelligence has seemingly proved true, by the arrival yesterday of Major Genl Abercrombie¹ and all the transports excepting one with two Companys of the Highland Regt, which was seperated in a hard gale ten days ago, another ship with five Companys of that Regt was seperated at the same time, but she is come into the mouth of the river this morning.

The Harriot Packet that took up the Germain Commission and non Commission Officers at Dover, arrived the day before the transports, and were on the point of proceeding to Pensilvania under the care of Major Rutherford, when we had an account of Genl Abercrombies being Anchored at the entrance of this harbour.

On my communicating the intercepted letters to Sir Charles Hardy, he was very much surprised, and equally pusled, and is still at a loss what to conclude on the whole, and will give a fuller account by the Packet which he proposes to Dispatch for England a Monday next the 21st instant, than it would be prudent to trust by a common merchant ship, I shall trouble you with a Duplicate by the Packet, in order to have a double chance of y^r receiving it the sooner, this is the first ship for England since my arrival,

I have the Honor to be
with the greatest esteem, Sir,
your most obedient and
most humble servant

Dan^l Webb.

Mr Fox

Indorsed:—New York

June 17th 1756

Col^l Webb

R^d July 26th

¹ Abercrombie was to take the chief command from Webb and to hold it till the arrival of Loudoun.

20. THE EARL OF LOUDOUN TO HENRY FOX (EXTRACT).

I have not had it in my Power to do anything about the Intercepted Letters; before I arrived M^r Webb had talked that affair over with Sir Charles Hardy, but they could find nothing from any lights it gave them, nor could I on my first arrival, but lately I find from M^r Cragon, that there were some People in Pensilvania, who were going off to the French, and some of them were stopt; but this scene lies in Pensilvania, and as some of the People, I am informed were brought before Magistrates, it must be known both to M^r Shirley and Governor Morris, so you certainly must have had accounts of it, since I left London.

I do not chuse to make a noise till I have further lights, but the moment I can get to Pensilvania, I will endeavour to bring to light, whatever I can come at in this affair.

I find Barron Leake &c &c¹ who was a soldier in Major General Shirley's Regiment, was taken up in Jersey, and Papers and Plans found on him, and Commissions, but was discharged, as a Soldier on Furlough in M^r Shirley's Regiment, he went then back to Pensilvania, and I have never been able to learn, whether he went to the Regiment at Oswego, or deserted, but when we come to make an Enquiry, into the affairs of that Regiment, I shall endeavour to find this out."

Extract of a letter from the Earl of Loudoun to The Right Hon^{ble} Henry Fox.

Dated Albany Oct^r 3^d 1756

21. THE EARL OF LOUDOUN TO HENRY FOX.

New York January 4th 1757

Sir,

I have the honor of your Letter of October 2^d, by the Packet, in which you acquaint me, that His Majesty had been pleased, to Order Major General O'Farrell's Regiment, and the twenty four additional Companies from Ireland, to New York. I have prepared Quarters for them here, and in the Villages on Long Island, and in this Neighbourhood.

I shall immediately on their Arrival, compleat Major General O'Farrell's Regiment, to one thousand Men, and altho' I have reason to Imagine, that the three Regiments in Nova Scotia,

¹ See postscript to No. 7, ante.

are very near compleat, if not quite so, as by their returns to me of the 1st of October, they wanted but two hundred and eighty two men to compleat them to the numbers expected; and one Regiment there Has since that, received one Hundred Men, and a great many Recruits gone to the other Regiments the numbers of which I do not exactly know, but after enquiring of Captain Coterell, who is Secretary to the Province, at present here, for the Recovery of his Health, I shall reserve for those Regiments three hundred men, and shall send them to Halifax as soon as I can with safety; the remainder shall divide among the Troops here, according as I find them, when they arrive.

Last night, one of the Transports was off the Land and got a Pilote on board; as it blew very hard off the Land, she could not get in; but I do not apprehend any danger; the People in the pilote boat acquaint me, that they told them, they had parted from the Fleet about ten days ago, and that they had two hundred and Fifty soldiers aboard, which was all he could hear.

On the first of this month we got Intelligence from a Merchant in New York, that a Gentleman at Philadelphia, in the Coffee House, about a fortnight ago enquired if there was a Letter at the Post Office here directed for Pierre Fidel, and on being told there was, said he wished he would forward it to him, as the Gentleman for whom it was directed, is now on the Frontiers. the Merchant did not know the Man, but says, he was dressed like an Officer, and thinks he is a Stranger. This Intelligence came to Sir Charles Hardy, and on Sunday morning I sent off Colonel Stanwix, and the Merchant to point out the Man, with Orders, if he is still there, to secure him and his Papers, and all such Persons as appear, either from examining him, or from his Papers, to be engaged with him.

Before the Information arrived, Mr Webb was going to Philadelphia, to take command of the Troops, and to enquire after an Account, I mentioned to you in a former Letter, I had of a number of Men, that had assembled and marched off, to join the Enemy, that they had been pursued and taken; but I do not find, that any one was ever punished for this, or that it has ever been reported to the Government at home; but Mr Webb has been so much out of order, for ten days, that it was not in his Power, to undertake the journey. I hope Colonel Stanwix may be there this night, tho' the snow is very deep,

all over the Country, which makes Travelling very tedious at present.

On the 5th at night, the Transport I mentioned above, arrived here; she proves to be the Baltimore; Colonel Rolls is on board, by whom I am informed, they sailed from Cork November 6th, and parted with the Fleet on the 18th, in a hard Gale of Wind, before they reached the Western Islands; they have in her, one hundred and Seventy Eight Soldiers, and acquaints me, that the whole amount to Seventeen hundred. They have taken in their Voiage, the S^t Vincent, of Bourdeaux, and retook the Muscovy belonging to London, coming from Jamaica, and bound to London.

I shall mention nothing of the drafts, till I see them, and when Colonel Prevost arrives, who has the different returns of them, from their Regiment, I shall send you a proper return of their numbers, and what they are.

As I must set out on Saturday Morning for Boston I shall only add, that I am most impatient to know, how the General plan I proposed for next Campaign is approved of, because, according to the plan that is to be executed, the preparations must be made, and will be extremely different for different Plans.

I have the honor to be, with the greatest Respect.

Sir,

Your Most Obedient and
Most Humble Servant

Loudoun

The Right Hon^{ble} Henry Fox

Endorsed:—New York, Jan^y 4th 1757

Earl of Loudoun

R Feb^y 11th

22. THE EARL OF LOUDOUN TO HENRY FOX (EXTRACT).

“Last night, I had a Letter from Colonel Stanwix, dated Philadelphia, January 10th, by which I find, the Person he went in search of, had not then appeared; that he was still in Search after him, privately:”

Extract of a letter from the Earl of Loudoun to the Right Hon^{ble} Henry Fox

Dated Boston Jan^y 25th 1757.

23. THE EARL OF LOUDOUN TO HENRY FOX (EXTRACT).

“When I was at Pensilvania, I found the French Neutrals there, had been very mutinous, and had threatened to leave the Women and Children, and go over and join the French in the back Country. They sent me a Memorial in French setting forth their Grievances; I returned it, and said I could receive no Memorial from the Kings Subjects but in English, on which they had a general Meeting, at which they determined, they would give no Memorial but in French, and as I am informed, they come to this resolution, from looking on themselves entirely as French Subjects.

Captain Cotterell, who is Secretary for the Province of Nova Scotia, and is in this Country for the recovery of his Health, found among those Neutrals, one who had been a Spie of Colonel Cornwallis,¹ and afterwards of Governor Lawrence,² who he tells me had behaved well, both in giving accounts of what those People were doing, and in bringing them Intelligence of the Situation and Strength of the French Forts, and in particular of Beausejour: by this man I learnt, that there were five principal leading men among them, who stir up all the disturbance these People make in Pensilvania, and who persuade them to go and join the Enemy, and who prevent them from Submitting to any regulation made in the Country, and to allow their Children to be put out to work.

On finding this to be the case, I thought it necessary for me, to prevent as far as I possibly could, such a Junction to the Enemy; On which I secured those five ringleaders, and put them on board Captain Falkinghams Ship, the Sutherland, in order to his carrying them to England, to be disposed of as His Majestys Servants shall think proper: but I must inform you, that if they are turned loose, they will directly return, and continue to raise all the disturbance in their Power; therefore it appears to me, that the Safest way of keeping them, would be to Employ them as Sailors on board Ships of War.”

“In a former Letter I acquainted you of the Intelligence we had received, of a Person at Philadelphia, enquiring for the Letter directed to Pierre Fidel, and the steps taken to discover and apprehend him; that miscarried, and we could never dis-

¹ Edward Cornwallis (1713-1776), afterwards general (brother of the archbishop and uncle of the famous marquis), was governor of Nova Scotia from 1749 to 1752.

² Col. Charles Lawrence governed Nova Scotia from 1753 to 1760.

cover, who the Person was that made the enquiry, or what is become of him.

By the Indian Intelligence, from Sir William Johnson enclosed, you will see, that there are reports, of the People at the German Flatts negotiating with the French; They are there at a great distance, and still more disobedient to Government, than those that live nearer; but as yet we have not been able, to fix on any of them with certainty: Ensign Wendel, who is named there, came to me a few days before this Intelligence arrived, and threw up his half pay, rather than run the risk of being employed again as an officer: On this Intelligence, I sent immediately and secured him and his Papers, and was in hopes by him, both to have discovered what there was in that correspondence, and likewise to have got some lights, into the affairs mentioned in the intercepted Letters.

When he arrived, Sir Charles Hardy, Major General Abercromby and I, searched his Papers, but nothing appeared. I then acquainted him, of our having discover'd his correspondence last Summer with the enemy, from the German Flatts; and likewise of his Correspondence and Engagements the year before.

He immediately acquainted us with the Letter he writ, which was to a Cousin of his, Ensign Schuyler, who was taken Prisoner at Oswego, telling him, that all his friends were well, and employed building a Fort; told us of the Indian he gave it to, who was going to Canada from the Indians, which agrees with the Information; Said he was sorry if that gave offense; That he writ the Letter at the Table, in the Place where he Messed with several other Officers of the Regiment there.—As this seem'd to be an Imprudence, arising from Ignorance, and nothing further appearing against him, we have dismissed him."

Extracts from a letter from the Earl of Loudoun to the Right Hon^{ble} William Pitt

Dated New York, April 25th 1757.

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LETTERS OF STEPHEN HIGGINSON, 1783-1804.

Stephen Higginson¹ was born in Salem, Mass., in December, 1743. He was a descendant of Rev. Francis Higginson, one of the original ministers of the Salem church and one of the most prominent of the first generation of Puritan divines in New England. Stephen's father, who bore the same name, was member from Salem in the General Court in 1759, 1760, and 1761, and was afterwards judge of the court of common pleas. Stephen the second was educated in the schools of Salem, and was then bred a merchant in the counting-room of "Deacon Smith" of Boston. Marrying at 21, he immediately became a supercargo and navigator, voyaging to England, Spain, etc., partly on his own account and partly on the account of others. This occupation he followed until the outbreak of the Revolution. He had considerable acquaintance and standing in England. Happening to be in that country in 1774, he was examined by a committee of the House of Commons on the subject of American fisheries and some other colonial matter.²

On Higginson's return to America he was arrested at Marblehead on account of false reports of his answers given in this examination, but having kept copies of his replies he was able to clear himself to the general satisfaction. In the first part of the ensuing war he was engaged in privateering. In 1778 he removed to Boston and entered into a mercantile partnership with Jonathan Jackson, which continued till about 1791. Early in 1782 he was elected to the legislature of the State as one of the members for Boston. His aptitude for public affairs, his sagacity, and firmness, caused him to be presently chosen to represent the State in Congress, along with Samuel Holten, Samuel Osgood, and Nathaniel Gorham. Higginson's election took place on October 24, 1782. He was chosen to serve for

¹ Beside the printed sources to which reference is made, this brief outline of Higginson's life is based on a MS. report (written by the late Waldo Higginson, esq., and kindly communicated by Col. T. W. Higginson) of information given by Higginson's nephew, John Lowell, and upon an account of his life by the same nephew printed in the Boston Daily Advertiser of November 23, 1828.

² The examination will be found in Force's American Archives, Fourth Series, 1, 1645-1648.

one year from the first Monday in November in that year, but he did not appear in Congress until February 27, 1783.¹

From this time until September 20 of the same year his name occurs frequently in the Journals of Congress, at Philadelphia and at Princeton.² He took an active part in its deliberations, and served on some important committees, chiefly those having to do with the finances of the Confederation. He voted for the half-pay compromise. Alone with Hamilton and the Rhode Island members he voted against the impost of 1783, probably for the reasons given in one of the letters³ which follow. He is found frequently acting with Hamilton, as he did in later years. On the other hand, he was strongly hostile to Robert Morris, and is found voting in favor of every suggested investigation of his department.⁴

In September Mr. Higginson left Congress and returned to Boston. In February, 1784, when the Massachusetts Bank was established, he became one of its first directors. From this time till his death he was chiefly devoted to commerce. He was one of the ablest and most eminent of the Boston merchants of his day, and at one time is supposed to have been worth \$400,000. Though in 1790 he sustained heavy losses,⁵ he continued in the main successful. Although after his retirement from Congress he seldom held public office, he was conspicuously interested and influential in public affairs, and was the trusted adviser of statesmen and politicians. He was one of the chief leaders of the Massachusetts Federalists, and a member of the so-called "Essex Junto." Having taken an active part in the election of James Bowdoin as governor in the spring of 1786,⁶ he became one of his principal advisers in dealing with the Shays Rebellion, the successful suppression of which was largely due to his exertions.⁷ He was chosen a delegate to the Annapolis convention, but, like the other delegates from Massachusetts, he did not attend. When preparations were making for the State convention to consider the

¹ Journals of Congress, IV, 168.

² *Ibid.*, IV, 168-274, *passim*.

³ No. 9, *post*.

⁴ Letter No. 1, *post*, and the letters of April, 1783, January, 1784, and January 27, 1784, listed first, third, and fourth on the first page of the Calendar, respectively (p. 709). Mr. Lowell, in the memorandum already mentioned, says that his uncle, S. A. Storror, of Vermont, told him that Madison used to speak of Higginson in the highest terms.

⁵ See letter No. 20, *post*.

⁶ Amory, *Life of Sullivan*, I, 202, says that Higginson first appeared as "Laco" in the *Centinel* in this canvass.

⁷ Sullivan, *Public Men*, 391, says he took a military command at this time.

Constitution of 1787 his name appeared upon the first list of nominees from Boston, but it was subsequently dropped.¹ In January and February, 1789, he contributed to the *Columbian Centinel*, the leading Federal newspaper of Boston, a series of able but bitter articles, over the signature of "Laco," in which he opposed the reelection of Governor John Hancock and endeavored to show that he had wavered discredibly in the crises of 1776 and 1788. The essays of "Laco" obtained much fame at the time, and were reprinted in 1789 as a pamphlet, and again, as a thin volume, in 1857.² Higginson made many other contributions to the political controversies of his day, and has been supposed to be the author of *An Examination of the Treaty of Amity, Commerce and Navigation between the United States and Great Britain*, * * * by Cato.³ In 1797 he was among those prominently mentioned in connection with the office of governor in succession to Samuel Adams. When the Navy Department was organized in 1798 he was made its agent in Boston, but was dismissed when Jefferson came into power.⁴ In 1800 he built a country house at Brookline, where he subsequently resided.⁵

Among the earlier replies to the circulars sent out by the Commission was one from Col. Thomas Wentworth Higginson. The chairman suggested to him that the Commission make a collection of the letters of his ancestor, relating to public affairs. Acceding to this suggestion, Colonel Higginson kindly furnished copies of the letters to Nathan Dane embodied in the following collection, and used his good offices with the Massachusetts Historical Society, who most readily consented to the use by the Commission of such letters of Higginson as are among the Pickering Papers in their collection. The present volume is, it will be seen, indebted in the highest degree to this society. With similar kindness, the New England Historic Genealogical Society permitted an examination of the

¹ Amory's Sullivan, I, 221.

² Boston, 1789, 39 pp., New York, 1857, 68 pp., in a small edition bearing the title "Ten Chapters in the Life of John Hancock." Loring, *Hundred Boston Orators*, p. 110, tells the story that a group of the Boston draymen, who were sturdy partisans of Hancock, trained a parrot to shout after Higginson, as he walked down State street, "Hurrah for Hancock! Down with Laco!"

³ New York, 1795, 96 pp. This should not be confounded with *Observations on Jay's Treaty*, by Cato, reprinted in Carey's *American Remembrancer*, which attacks the treaty and which Hamilton occasionally answers in "Camillus."

⁴ Amory's Sullivan, II, 54. Sullivan's *Public Men*, 393.

⁵ A description of his life there is given in Frothingham's *Life of William Henry Channing*, a grandson of Higginson.

Knox Papers in their library, and the use of such materials as might be selected. Mr. Charles Francis Adams most generously afforded every facility for the inspection and use of such letters of Higginson as might be found among the letter-books of John Adams. For one letter to John Adams found among the Jefferson Papers in the Department of State, and for several derived from the Hamilton Papers there, the Commission are indebted to the unfailing kindness of S. M. Hamilton, esq., of the Bureau of Rolls and Library. Unfruitful search has been made in several other collections of Federalist correspondence. Appeal was also made to noted collectors of autographs of members of the Continental Congress. Kind responses were made to these inquiries. Though most of the letters so obtained were letters of business, not falling within the scope of the present collection, it is believed that few letters in it will be found more interesting than those kindly furnished by Charles Roberts, esq., of Philadelphia, and by the Hon. John Boyd Thacher of Albany, the letters numbered 48 and 51 in the present collection—when they are combined with the letters to Pickering numbered 49 and 50. Individually they might not be thought important or interesting. When brought together from their widely separated repositories, they show a curious transaction—the high Federalist of the “Essex Junto” selling arms to the Virginia arsenal of 1799, built, as John Randolph years afterwards publicly declared, for the protection of the State from those Federal encroachments against which the Virginia resolutions of 1798 were directed; or, if this is not effected, showing his correspondent how they can be sent to Toussaint L'Ouverture with great profit, and with the connivance of the Government, while the Secretary of State is assured that his Federalist friend has concluded not to send them thither.

As a number of Higginson's letters have already been published, the editor has inserted a calendar of these and of those herewith printed, that the student may obtain in a single chronological series a conspectus of the whole. Taken together, these fifty-seven letters, with those heretofore printed, cover somewhat evenly the history of their author and of his political connections from the close of the Revolutionary war till after the accession of Jefferson.

The reasons for printing these letters will, it is hoped, be apparent to the reader. They are the letters, during a highly

interesting period of our history, of a man who, though usually in private life, had remarkable acuteness and sagacity in respect to public affairs; whose views regarding them were, on the whole, temperate and far-seeing, and who, because of these very qualities, was the trusted adviser of a remarkable group of men more closely engaged than he in the actual work of administration. His letters respecting the formation and adoption of the Constitution may be mentioned as especially displaying these gifts. Especial attention has been called, in the report of the Commission (p. 477) to the letter of February 8, 1787 (No. 9) which contains what is apparently the first suggestion that the Constitution should go into effect whenever it had been ratified by nine states. The sureness and serenity of his judgment was, indeed, much diminished by partisanship. The reputed author of "Laco" was never just to Hancock, to the anti-Federalists of 1788, or to the "Jacobins" of 1795 and 1798. But it is an important element in the value of these letters that they picture to us, in a manner that may fairly be called typical, the mind of a high New England Federalist of the merchant class. We see, long before 1793, the propension toward England and the distrust of France; long before 1789 the belief in paternal government and the aversion from democracy. We see from the time when war began in France the increasing bitterness of party feeling, the comforting identification of the Federalist party with "all good men," the growing belief that strong measures can alone save the country from Jacobinism, the final clinging to Hamilton and the cabinet when the inevitable break between them and Adams came—all the signs, in short, which mark the extreme New England member of that brilliant, invaluable, intolerant and finally intolerable party.

J. FRANKLIN JAMESON.

CALENDAR OF THE LETTERS OF STEPHEN HIGGINSON NOW OR
HERETOFORE PRINTED.

This calendar is intended to embrace in one chronological list (1) those letters of Stephen Higginson which have been printed heretofore, so far as such are known to the editor; (2) with italic titles, those printed in the ensuing pages of the present volume, with their numbers in this series; (3) in parentheses, those other letters of Higginson which are summarized in the Historical Index of the Pickering Papers, which constitutes Volume VIII of the sixth series of the Collections of the Massachusetts Historical Society.

- April, 1783. To Theophilus Parsons. In Parsons's Memoir of Theophilus Parsons, pp. 456-460.
- October 30, 1783. To Arthur Lee. No. 1 in the present series.
- January, 1784. To Samuel Osgood. Much of this letter is given in Osgood's reply, dated Annapolis, February 2, 1784, in the Proceedings of the Massachusetts Historical Society, v, 465-476.
- January 27, 1784. To Arthur Lee. In the Proceedings of the Massachusetts Historical Society, second series, VIII, 177-181.
- April, 1784. To an unknown correspondent. No. 2, post.
- August 8, 1785. To John Adams. No. 3, post.
- December 30, 1785. To John Adams. No. 4.
- July, 1786. To John Adams. No. 5.
- November 12, 1786. To Henry Knox. No. 6.
- November 25, 1786. To Henry Knox. No. 7.
- January 20, 1787. To Henry Knox. No. 8.
- February 8, 1787. To Henry Knox. No. 9.
- February 13, 1787. To Henry Knox. No. 10.
- March 3, 1787. To Nathan Dane. No. 11.
- May 6, 1787. To Nathan Dane. No. 12.
- June 3, 1787. To Nathan Dane. No. 13.
- June 16, 1787. To Nathan Dane. No. 14.
- May 22, 1788. To Nathan Dane. No. 15.
- January 17, 1789. To John Adams. No. 16.
- July 4, 1789. To John Adams. No. 17.
- August 10, 1789. To John Adams. No. 18.
- December 21, 1789. To John Adams. No. 19.
- March 1, 1790. To John Adams. No. 20.
- March 24, 1790. To John Adams. No. 21.
- April 7, 1790. To Henry Knox. No. 22.
- February 23, 1791. To Alexander Hamilton. No. 23.
(December 14, 1791.)
- December, 1792. To George Cabot. In Lodge's Life and Letters of George Cabot, pp. 51-55.
- April 10, 1793. To Alexander Hamilton. No. 24.
- April 21, 1793. To Alexander Hamilton. No. 25.
- July 26, 1793. To Alexander Hamilton. In Hamilton's Works, ed. Hamilton, v, 570.
- August 24, 1793. To Alexander Hamilton. Ibid., 577.
- June 17, 1794. To Alexander Hamilton. Ibid., 595.
- July 10, 1794. To Alexander Hamilton. Ibid., 599.
- July 12, 1794. To Alexander Hamilton. Ibid., 603.
- July 14, 1795. To Timothy Pickering. No. 26, post.
- August 3, 1795. To Timothy Pickering. In Pickering and Upham's Life of Timothy Pickering, III, 193.
- August 13, 1795. To Timothy Pickering. No. 27.
- August 16, 1795. To Timothy Pickering. No. 28.
- August 29, 1795. To Timothy Pickering. No. 29.
- September 21, 1795. To Timothy Pickering. No. 30.
- December 30, 1795. To Timothy Pickering. In Pickering and Upham's Pickering, III, 252.
(July 1, 1796.)

- (July 23, 1796.)
 (September 3, 1796.)
 (September 28, 1796.)
 (October 14, 1796.)
 (October 30, 1796.)
 December 9, 1796. To Alexander Hamilton. In *Hamilton's Works*, ed. Hamilton, vi, 185, and partially in *Hamilton's Republic*, vi, 575.
 January 12, 1797. To Alexander Hamilton. In *Hamilton's Works*, ed. Hamilton, vi, 191.
 (February 17, 1797.)
 March 25, 1797. To *Timothy Pickering*. No. 31, post.
 (April 20, 1797.)
 May 11, 1797. To *Timothy Pickering*. No. 32.
 (May 27, 1797.)
 (July 1, 1797.)
 (August 25, 1797.)
 (November 18, 1797.)
 (January 2, 1798.)
 (January 10, 1798.)
 February 13, 1798. To *Timothy Pickering*. No. 33.
 February 22, 1798. To *Timothy Pickering*. No. 34.
 (February 26, 1798.)
 March 16, 1798. To *Timothy Pickering*. No. 35.
 May 23, 1798. To *Timothy Pickering*. No. 36.
 (June 6, 1798.)
 June 9, 1798. To *Timothy Pickering*. No. 37.
 (June 11, 1798.)
 June 12, 1798. To *Timothy Pickering*. No. 38.
 June 19, 1798. To *Timothy Pickering*. No. 39.
 June 25, 1798. To *Timothy Pickering*. No. 40.
 June 26, 1798. To *Timothy Pickering*. No. 41.
 June 29, 1798. To Oliver Wolcott. In *Gibbs's Administrations of Washington and Adams*, II, 68.
 July 9, 11, 1798. To Oliver Wolcott. *Ibid.*, 70 (in part).
 July 13, 1798. To Oliver Wolcott. *Ibid.*, 71.
 September 11, 1798. To Oliver Wolcott. *Ibid.*, 107 (in part).
 September 23, 1798. To *Timothy Pickering*. No. 42, post.
 December 13, 1798. To Oliver Wolcott. In *Gibbs*, II, 177 (in part).
 January 1, 1799. To *Timothy Pickering*. No. 43.
 (January 20, 1799.)
 January 31, 1799. To *Timothy Pickering*. No. 44.
 February 14, 1799. To Oliver Wolcott. In *Gibbs*, II, 179.
 March 3, 1799. To *Timothy Pickering*. No. 45.
 March 29, 1799. To Oliver Wolcott. In *Gibbs*, II, 229.
 June 25, 1799. To Oliver Wolcott. In *Gibbs*, II, 243.
 (July 30, 1799.)
 August 7, 1799. To *Timothy Pickering*. No. 46.
 August 22, 1799. To *Timothy Pickering*. No. 47.
 September 12, 1799. To *Le Roy, Bayard, and McEvers*. No. 48.
 September 16, 1799. To Oliver Wolcott. In *Gibbs*, II, 262 (in part).

- September 20, 1799. *To Timothy Pickering.* No. 49.
 October 3, 1799. *To Timothy Pickering.* No. 50.
 October 17, 1799. *To Timothy Pickering.* No. 51.
 October 28, 1799. *To Le Roy, Bayard, and McEvers.* No. 52.
 November 24, 1799. *To Timothy Pickering.* No. 53.
 January 12, 1800. *To Timothy Pickering.* No. 54.
 April 16, 1800. *To Timothy Pickering.* No. 55.
 (December 18, 1801.)
 (October 12, 1803.)
 November 22, 1803. *To Timothy Pickering.* No. 56.
 (December 12, 1803.)
 February 15, 1804. *To Timothy Pickering.* No. 57.
 March 17, 1804. *To Timothy Pickering.* In Lodge's *Cabot*, p. 453; Adams's
New England Federalism, p. 361.
 February 13, 1805. *To Rev. John Pierce.* In the Proceedings of the
 Massachusetts Historical Society, second series, VIII, 175.
 (January 27, 1806.)
 (February 2, 1806.)

I. TO ARTHUR LEE¹ (Library of Harvard University).²

Boston [end of October?] 1783

D^r Sir

We are anxiously waiting to hear the choice of Congress for their temporary abode. Should their desire to conciliate carry them to Philadelphia, I fear they will not easily get from [? there] again, the Bayonet will not probably be used again to drive them out,³ and nothing short of the Bayonet, I suspect, will over-balance the many allurements, that will be thrown in the way of the members to retain them. The Legislature of this State, have adopted the Impost, nearly upon the principles of Congress, they are however not in a temper, favorable to Views [?] of the great man or his party.⁴ Their Jealousies and their Fears are roused, and they seem in earnest to have determined upon more Vigilance in future. Their Impost Act, [? is] accompanied with a Remonstrance to Congress and Instructions to their Delegates,⁵ they have complained of the

¹ At this time a member of the Continental Congress from Virginia.

² Arthur Lee Papers, vii, 118. This letter must have been written after October 28, 1783, and, apparently, before the news of the action of Congress on October 21 appointing Annapolis as its temporary place of meeting (*Journals*, iv, 302) had come to the writer's knowledge.

³ The reference is to the events of June 21, 1783, when Congress was insulted by mutinous Pennsylvania troops.

⁴ Act of October 20, 1783. The "great man" alluded to is Robert Morris, Superintendent of Finance.

⁵ Instructions of October 28, given in *Acts and Laws, 1782-1783 (1890)*, pp. 796-798.

Conduct of Congress, in swelling the number of the public creditors, and increasing the funded Debt, by transferring many large Debts, and a vast number of Creditors, from particular Funds or Taxes, which were appropriated to their use and which remain yet uncollected, to the funded Debt for their Security. this is considered here, as subverting the very first principles of public Credit, tending to ruin all faith in public promises and solemn appropriations, and in any point of View alarming. Their language therefore on this Subject, I am told, is very plain and manly, and sure I am, that if this line of Conduct should be pursued by Congress they will destroy the public Credit, much faster than the States can possibly establish it. if the public Creditors cannot depend, upon the solemn promises of Congress, upon the grants and appropriations of the States in obedience to the Requisitions of Congress, is it not very idle to talk so much, about public faith and national character &c? And yet, in their recommendations to the States, Congress have furnished us with three instances of the most wanton and flagrant breeches of public faith.¹ perhaps great good from similar Remonstrances from other States would result. Congress ought to know, that the same general principles should by them be attended to, as are found necessary in the Individual States. it is the opinion in this State, that your Treasury must be new arranged and the powers now vested in that office greatly abridged. Our Delegates are now instructed to urge for a new arrangement of that Department² and if two or three more States would give similar Instructions, I should expect that M^r F—r³ must give up the Reins and retire.

I find that the most scandalous Conduct has been practiced in the marine Department,⁴ very large Sums have expended upon the public Ships and then they (Congress) have been urged to sell them. the Ship Hague has had £3600 laid out upon her, and she completely fitted for the Sea, before she was put up for Sale. She sold for £3100 only, because eight days only was allowed for payment, the public therefore lose the Ship as She came in from Sea and £500 beside. nearly the same thing has happened as to the Bourbon, the public do not in that case get so much for the Ship as has been expended

¹ See Address, in Journals, IV, 194-197.

² Instructions of October 28, 1783.

³ Financier. Morris retired in November, 1784.

⁴ The Marine Department had been put under the charge of the Superintendent of Finance by vote of Congress on September 7, 1781. Journals, III, 665.

upon her since the Peace. the reason of all this is very plain, when we attend to the Terms of Sale, and the Persons who have purchased them. M^r Morris's Agents purchased both of these Ships, M^r Russell bought the Hague and M^r D. Parker the Bourbon. this conduct is so very extraordinary as to require a particular explanation. I left with M^r Hawkins, who was upon the Committee to inquire into the marine Department with me, a report, requiring the particular accounts of each Ship, showing the expenses each Voy^e or cruise, and the advantages that accrued to the public therefrom, with the time place and in whose hands the property has been deposited and how it has been disposed of. We got the papers necessary to report but two or three days before I came away, I drew up a Report and gave it to M^r Hawkins who promised to deliver it.¹ this information appears the more necessary as no Credit has been given for the Ships Cruises, though many Prizes have been sent into this [port] only and some valuable Ones, and 250,000 dollars are charged in two years to that Department. The Terms of Sale for Prizes as well as the Ships themselves, have [been] intentionally such, as to prevent private Gentlemen from buying any of them. the shortest credit has been refused to the first men in point of property, by which means, M^r M^e and his connexions have had them at their own price, but the public has had no Credit for them, nor do I suppose that they have been paid for to this day. That you may be able to make a successful opposition to the Junto is the most earnest Wish of your most hum^l. Servant
S. H.

It is here pretended that the Agent bought the Ship Hague, on account of her being sold so very low, for the public, but that on application to them, Congress had declined receiving her again, she therefore remains his and his employers ship at less than half her Value.

2. TO ——— (Adams MSS., Quincy).²

April 1784.

"We are as yet, totally destitute of any information upon which to found an Opinion, as to the Views of Britain with

¹ The Journals of Congress appear to contain no notice of this committee or of its report. Higginson seems to have left Congress on or soon after September 20. Benjamin Hawkins (1754-1816) was a member from North Carolina.

² This is a copy of portions of a letter of Higginson's apparently addressed to some American in Europe. The piece, as found among the papers of John Adams, bears the indorsement: "Mr. Higginson."

Respect to us, but I cannot but think, when reasoning upon general principles, that their System will be liberal and not restrictive, for it is clear that the extent of their carrying Trade, cannot be lessend but increased thereby—the number of ships which in the first case they will employ in the Tobacco Rice, and Lumber Trades, will very greatly exceed those which we shall in any case ever employ in carring freights from the W. I. to London, or from any one part of that Empire to another; They sail, their Ships, especially from the northern, and western parts of England, as cheap or cheaper than we ever did or can, and we always found that their vessels did and could take freights lower than we could afford to—nor can any instance be pointed out where we, when a part of the Empire, interfered with them in the carrying Trade, except in the W. I. Trade. in that case we did it, not because the freights, considered merely as such, were profitable to us, but it was an easy mode of remitting, and proved as cheap a way of getting our Ships home for sale as any—very few Vessels therefore, except such as were to be sold in London went from hence to take freights in the W. I. from London, I do not recollect more than four or five in a year that ever did it, and they very soon found it did not answer.—The great danger therefore that would result to Britain from suspending the navigation Act, which was calculated for securing their carrying Trade, with respect to us is ideal only. the suspension of it must I think be greatly in their favor, since they can have no good right to expect that they will long enjoy a free share in Our carrying Trade without it. The States are already alarmed at the restrictions of Britain and they certainly will unite in excluding the British from our Ports, in that case, though they agree on no other point—this any One who attends to the feelings of men and of States in such cases and who knows also the exceeding great pains that are taken by the [French]¹ and their adherents who are very numerous and influential, will readily believe—But the British will not only gain an increase of their carring Trade, by adopting a liberal System with respect to us, they will by opening a commercial intercourse on such principles revive old habits, call forth former feelings and attachments, and lay the foundation for an alliance, that will in any future Rupture between them and [France],² give them a very great advantage, if not

¹The words French and France are obliterated whenever they occur in this piece.

²Obliterated in original.

a decided superiority—every circumstance is in their favour at present, they now have it in their power, to Attach us to themselves by the surest Ties, those of Interest and Inclination—the [French]¹ see this clearly, they dread the connexion, and will avail themselves of every Event to prevent it, or guard against the Effects of it, in case they cannot prevent it. The Interest of [France]¹ is in this as in almost every other supposeable Case in direct opposition to that of Britain, their Conduct shows clearly that they understand their own Interest and they are exceedingly pleased to find, that the inattention of the British and the folly and credulity of the Americans, are leading them both into the Snare which they have laid for them. They eagerly seize every opportunity to make us believe, that the British still retain their Rancour against America, still have their Eye upon us for Conquest, and a mole Hill by their Industry and ingenuity is soon converted into a Mountain. Seeing and knowing this, as all who attend to the matter and understand the relative Interests of the Parties must do, will it not be very extraordinary if Britain and America should be so misled as to give up their great and most substantial Interests, or to mistake the path which leads to their establishment—[France],¹ fearfull of our forming such a connexion, has used every possible means to divide Us, to excite Jealousies and Animosities between the States and different parts of the same State, to draw off our attention from those arrangements which would give us stability and lead to an extension of our Commerce with Britain—witness the Opposition to the ratification of the Preliminaries or rather provisional Treaty, the attempt to reprehend our ministers, who made it, the great fermentation excited by the commutation of the Officers, the institution of the Cincinnati the Quarrel now existing between N: York and Vermont; the opposition to the Refugees and the obstructions to the adjustment of Treaties &c &c—She may have two views in all this—having found that while united and firm under our present Government every attempt to render us absolutely dependent upon and subservient to her Views has failed, she may wish by divisions &c to bring on us general confusion and convulsions, expecting that this may issue, in a form of Government much more favourable to her Views, and perhaps enable her to affect that which in every other way appeared impracticable—but should she fail in this,

¹Obliterated in original.

yet still she could not but derive advantage from throwing us into such a State—for if we must be independent, of her, and may hereafter throw our weight into her Opponents scale she must be desirous of rendering that weight as light as possible. I assure you that such is the situation of Things here and so great is that influence in almost every State, that I fully expect we shall fall into general Confusion, and perhaps undergo another Revolution, should this happen, [France]¹ will probably succeed in all her views, the Government will then become despotic and wholly dependent on that Court if any thing can prevent, it must be a revision of our Constitution and the establishment of an effective Government, convinced that none other can render us, either safe or happy; or We must have the assistance of Britain to enable us to withstand the Wiles of the &c—N. York and Vermont are now engaged in a very serious dispute, which I fear will end in a serious war; they have drawn Blood already, and both sides are raising Troops as if to shed much more—the other States and Congress look on as indifferent Spectators.—this State has determined to be an exact Neuter and let them fight it out, the Governor's proclamation has at least this appearance.² Now all this may be a part of the great system and I suspect it is so—the N. E. States must then take sides with Vermont. N. York may have assurance of help from [France],¹ and Congress be wheedled or bullied into a passive line of Conduct—this paltry dispute then, may be the means of involving the States in a civil War, and give a fair opening for the [French]¹ to introduce Troops and Ships into Our Country—should this happen Britain will and must assist Vermont and N. England, she will have another general War upon her hands or suffer the [French]¹ to render the States dependent upon themselves, and possibly attach them to the grand monarch as a part of his Empire when by a wise and political intervention she may now make us secure and connect our Interest with her own the States appear to be without any System or sense of their Situation and Congress is so very thin and divided that nothing can be expected from them, three fourths of the time they have not a house competent to the great business of the Nation—this is a disagreeable Picture, but it is a just One I think. whether it will be prudent to exhibit it to the

¹ Obliterated in original.

² Proclamation issued in accordance with the resolve of March 25, 1784, c. 203.

View of those on the other side of the Atlantic I know not—this must depend upon circumstances; if it will serve to rouse them to Exertions in Our favour it ought to be shown to them—I have had this View of our situation a long time, many are daily coming over to my Opinions, among which are some of our leading Politicians—[Sullivan]¹ I think is a fixed devotee to [France]² and is pushing forward the System with all his might—his influence in our House is great, and he does much mischief to our Cause—upon the whole our Situation is in my mind very precarious and alarming, while things appear as at present they do here” * * *

* * * “this imposition on our Oil will entirely check our whale Fishery, which was increasing most rapidly and it will set Our people raving mad—it is very hard that this State which has contributed more than them all, I had almost said, to establish our Independence should reap no One advantage therefrom in the way of Trade but on the contrary be very great Sufferers” * * *

“By late letters from Gerry³ and [obliterated] I learn that nothing decisive has yet been done by [Congress]⁴ for settling the commercial Treaties necessary for Us . . . the report which I made last Fall for empowering our Commissioners, jointly to form such Treaties,⁴ particularly with Britain has not yet been acted upon . . . the same report recommended the sending a Minister to the Court of Loudon, and arrangements were then made for appointing M^r [Adams],⁵ but having only from seven to nine States on the Floor, and the influence of *monsieur* being opposed to it, the Report has not been accepted—the same causes will I fear prevent any such appointment for a long time to come, but the British will not I hope decline entering into a temporary Regulation of our Trade with them,

¹James Sullivan was at this time a member for Boston in the Massachusetts House of Representatives. A line is drawn through this name.

²Obliterated in original.

³Elbridge Gerry was at this time a member for Massachusetts in the Continental Congress.

⁴September 29, 1783, a committee of five members of Congress, of whom Higginson was one, reported that the ministers of the United States in Europe should be instructed to secure commercial treaties. Another committee, then appointed, reported a draft of instructions, which was adopted, October 29. Secret Journals, Foreign Affairs, III, 401, 412-418.

⁵A line has been drawn through this name. Adams was not appointed till February 24, 1785.

because no one is commissioned to make a permanent Treaty; when they attend to their own Interest in this Respect and consider the cause of our neglect, they will find much allowance to be made and no ground for refusing to close with us, so far as our Situation will admit of our going at present.—another Committee has of late been appointed by Congress, on the same Subject, they have reported general principles for the direction of Our ministers in settling Treaties, but I consider the appointment and the report as intended purposely to delay.¹ The Treaty with Britain presses upon us with much greater weight than with any other Nation, Our trade for want of it is manifestly declining and may be entirely ruined; to connect it therefore with other matters vastly less important and include it in a Report which must on account of its complexity and extent take up much time, is to obstruct the adjustment if not entirely to defeat the measure—they have but a very small part of the time a house competent to such Business, nine States being necessary, and when nine or more States are present other matters are crowded so as to exclude all decisions or even deliberations on the Subject of the Treaties.—if [Mr Adams and Mr Jay]² were not in Europe, or the Commission proposed was for Dr F.³ alone, the matter would soon be determined, the reason on which the opposition is made would no longer exist, [France]⁴ would then be able to determine every point and the connexion between us and Britain would then rest upon such principles as she would approve—to me it is very evident that the greatest security we can at present obtain against the intentions of of [France],⁴ is to form a Convention with Britain on the most liberal principles, let it be as extensive and particular as possible, and to continue untill a permanent Treaty shall be formed—Our Commissioners if I remember right are empowered so as to form it, and are not restrained by any instructions as to the principles of it or the advantages to be given or received. in this way we may by gaining an extensive Trade on good Terms lead the French to urge for a permanent Treaty in hope of its being less liberal, and if not we shall then have some Rule by which our intercourse with Britain is to be governed and may under

¹ See Secret Journals, Foreign Affairs, III, 452-461, March 26, 1784, to April 2, when the report was recommitted.

² A line through these names.

³ Franklin.

⁴ Obliterated in original.

that Convention advance the Interest of both Countries—Mr Adams, when he is acquainted with the Real situation of things in this Country and knows the difficulties that attend the procuring the proper Commissions and Instructions from Congress will not feel any doubt about urging the adjustment of such Convention, but, seeing that it is the most and the best that can at present be done he will be anxiously solicitous to perfect it—The Commerce of the United States suffers much for want of it and that of this State in a more particular manner.” * * *

3. TO JOHN ADAMS¹ (Adams MSS., Quincy).

Boston August 8th 1785

Sir.—

Though I have not the honour of a personal acquaintance with you, I shall, at the desire of a number of the Gentlemen in Trade, take the liberty of stating to you briefly the situation of our Commerce, and of making a few observations relative thereto.—The importation of foreign merchandise into this State since the peace has so much exceeded the value of our exports, that our Cash has of necessity been exported in great quantities; and though we are now from that cause almost drained of Money, we have yet a very great Balance against us without any means of discharging it.—By the operation of the British Acts of navigation² we are deprived of a good part of the means of remitting which we formerly enjoyed, and the rest is by the effects of the same Acts rendered less extensive and beneficial than before; our Oil was formerly a good and valuable Article to remit direct to London, our N. E. Rum when exported to Newfoundland, Quebec and Nova Scotia furnished us with large Sums in Bills upon Britain, and our new ships when they obtained a freight in the British Islands for London and were there sold served very well as a remittance.—these several means of remitting with advantage to Europe we have lost, and they formed a large part of our former remittances—the principal part of our remaining means to remit is by our Fish to Spain and Portugal, and our Pot and Pearl Ashes to London &c., but the amount of these is far short of what it was before the War;

¹ At this time minister to Great Britain.

² I. e., as applied by the Orders in Council of July 2, 1783.

our Fishery is yet small though increasing, and the manufacture of Ashes is far short of its former importance—we have since the peace remitted very largely in Rice and Tobacco, perhaps more than in our own exports, but for want of Cash, without which no great quantities of these Articles can be purchased, we shall lose the benefit of exporting them; and when the little remains of our Cash shall be sent off there will be no rescourses left, but our Fish and Ashes, of remitting direct to Europe—how far those will go in paying our Debt to Britain you can Judge as well as any of us, many years will necessarily elapse before those Debts can be paid unless facilities are given us by Britain; and if the recovery of those Debts are an Object of importance, that nation ought to give it a proper weight when considering the Subject.

Britain will certainly consult her own Interest when forming a commercial connexion with us. to advance this will be her great Object in having any such connexion; but it is very material to her and to us that she is not misled by setting out upon wrong principles, She ought to be very certain of the effect of a restrictive system upon her supplies to us of her own Exports, and upon her carrying Trade, before she finally determines to persevere in it, for these are by the British considered as great pillars of their Commerce.

The amount of what we ever did or ever shall supply to such of the British ports as were once open but are now shut to us, and in these Articles which they once admitted but now exclude, can not bear any proportion in value or in the number of hands employed in preparing them for exportations, to the amount in value of the Articles we did formerly and should still continue to draw from the British, or to the number of their Subjects employed in preparing such Articles for exportation—this is evident because while a part of that Empire and all their ports were open to us, our Imports from Britain were equal to all our direct exports to every part of the Empire, to the proceeds of all our Fish to Spain Portugal &c., and to the whole of what we could by every circuitous mode in our power eventually lodge in Europe; and it is very certain that the value of the labour in British exports, taken collectively, constitute a much greater part of their whole value than in the American exports.—If then the Effect of their restrictive System should be to drive us to other Nations for our Supply of the same Articles as we used to receive from them, which can not

be doubted, they must be great Losers by perserving in it. nor will the influence of the same System upon the carrying Business be less against them, for when the States shall perceive that Britain means permanently to pursue a restrictive plan, they will from a principle of self preservation, unitedly, through Congress or otherwise, adopt a System of retaliation, and exclude them from carrying any American produce to market.—the number of tons of shipping which they did and may still employ in this Business, very much exceeds what we ever did or can employ in all those branches of Business we used to enjoy to their ports but are now deprived of, or than what the British can now employ in the same Business. the exact amount of neither can I now state to you, but I presume that upon a general View of the matter only every one who has any acquaintance with those branches of Trade must be convinced, that they will in such cases suffer as much in their carrying Trade as upon the Score of Supplies. the only ground upon which they can expect any advantage from restrictions upon our Trade in our ports is, our inability for want of union to make such regulations as will produce the effects mentioned, and this is the great reliance in Lord Sheffields plan,¹ how far they may with safety rely upon this, let their own past experience determine. we can not but hope and believe they will be as much deceived in this as in former instances.—

It is very essential to this State that our Oil should be admitted into England free or with a small Duty, that their Islands should be open to us and our Ships allowed to take freights, from thence for England and there be sold, that the Newfoundland and Quebec and Nova Scotia Trades be also allowed us, these are all very important to us.—to open their Islands without allowing our Rum &c. to go to N^land and Quebec will but in part relieve for as Molasses is the great import into this State from the West-Indias as the Sale of it here depends upon our having proper Markets for our Rum, and our present Trade to the W : I : furnishes as much Molasses as the Markets we now have for our Rum will support or take off, no great increase of our W : I : trade can arise from our having the former without the latter privilege.—the principal advantages that will in that case arise from the British Islands being open to us are, our having additional markets for our

¹ As set forth in his Observations on the Commerce of the American States, pp. 198-200, ed. of 1784.

Lumber Cattle and other provisions, and being able to make part of these with some of the Vessels that carry them answer as remittances to Britain, they never took off much of our Fish.—in this View of the matter the trade to N: Land and Quebec is very important also to our Cod-Fishery, since a great proportion of the Fish caught will ever be unfit for any other Market but the West Indies, and our exports to the Islands must depend upon our having markets for our Imports from hence.—

It is perhaps equally important to the British that their Fishery at N: Land should be supplied with Rum and provisions &c. from hence, or the French by having that advantage may very soon vie with if not supplant them in the Fishery; and when they shall be able to supply their own Islands they will by excluding us from them very much depress our Fishery and encourage their own. this would very greatly increase their naval strength and prove a great source of national wealth we seem to have a common interest with the British in checking the French Fishery, for as the great consumption of Fish in the West-Indies is in the french Islands, we both depend on their Islands for the Sale of a great part of our Fish, either directly or through the neutral Islands.—the British during the season for exporting from N: Land carry much more Fish to the W: I than their own Islands can take off, and are able then to undersell us; our best Sales of Fish are made when the Fish from N: Land is over, the Islands then depend almost wholly upon us for Fish, which is near about half the year—beside which, as the Fishery is important to the French as a naval power, it must be the interest of Britain to prevent its increase as much as possible; and we can not but wish them to remain dependent upon us for their Fish, which can not long be if their Fishery is suffered to increase.—The surest way perhaps of keeping under the french Fishery is, for us and the British unitedly to exert ourselves much to undersell them in the West-Indies; by this means they were formerly discouraged from pushing it, as their adventurers found that a certain and great loss attended the Business—but while the french draw their supplies from here, and the British receive none but from Europe, the latter can not afford their Fish lower than the former, the difference in the expence of carrying on the Fishery in the two cases is very great, nor can we much undersell them unless we can have new markets opened to us

for our Rum, so as to support the price of Molasses which is our principal import from the W: I.; for if we are to depend wholly upon the profit on our Sales in the W: I., which is now the case, it is clear that we must have a greater price for our exports or we can not pursue the Trade—

If anything beside can check the ardour of the french in pushing their Fishery, it must be the local and exposed situation of their Settlements, and the danger from thence of losing all their labour and expence, in case of a War before they shall have acquired such naval strength as to be able to protect them.

The Trade of Massachusetts is now at a very low Ebb and still declining, every branch of it is very much embarrassed and the Whale Fishery almost at an end, another season will probably finish it.—our people embarked with Spirit in this Fishery at the peace, they pushed it with great exertion and success the two seasons past; but being deprived of a Market that will support a living price they have in general quitted the Business already, the price of it has fallen from £35 to £24. this season for the best white Sperm: Oil.—many of our merchants and Politicians have great expectations from the late Acts of this State imposing heavy Duties upon foreign Vessels and Goods imported in them, others are fearful that none but disagreeable consequences can result from them, at best I think they are but an experiment and the effect very uncertain.¹—should like measures be adopted by the other States, or a number of them, it would evidence a union of Sentiment and a disposition to retaliate in the way of restrictions, that may induce the British though with reluctance to change their System as to America.—

There is another embarrassment upon our Trade which is the danger of Seizure by the Algerines, &c—Malaga, Alicant, Barcelona, Leghorn &c. are considerable Markets for Fish and other American produce and proper Salt for our Fishery is obtained cheaper at Lamat, Ivica and other ports in the Mediterranean than at any other places in Europe—we used to send Cargo's of Fish, Wheat, Flour and sometimes the West-India produce to those markets, and returned Salt, and this was as profitable to us as any part of our European Trade.—for want of a Treaty with those piratical States we are deprived of

¹ The reference is to the Massachusetts acts of July 10, 1783, ch. 12; July 1, 1784, ch. 13; and July 2, 1785, ch. 17.

carrying our own exports and those of the other States to these Markets, and we have now the mortification of seeing foreign ships profitably employed in bringing us Salt and taking away our Fish for these Markets, while our own vessels lay idle and we dare not send the[m] scarcely to Cadiz.—

I have lately had a proposition shewn to me, made by Mons^r Tourtille Sangrain the Providore for lighting Paris and the other Cities of France, for a Company here to contract for supplying him with 1000 Tons of our Whale Oil, and to receive the manufacturies and products of France in return; it came through the hands of the Marquis La Fayette who says, that what may be so shipped will be received into the ports of France free of Duties.¹—the Object appears to be, and we are informed it is, to divert our Trade from Britain, to open a new demand for the exports of France, and to habituate us to the use of their manufactures.—the Marquis says you are well acquainted with this Scheme and had a principal hand in forming it, if so, you will have made some use of their disposition to form such a connexion before this can reach you.—the proposal is such as will not readily be complied with in its present form, no price is fixed, but it is to depend upon the current price at the time and place of delivery, it may however be ripened into something soon that may be beneficial to the Contractors and to the Fishery.—should an arrangement take place for introducing our Oil into France it may give rise to Conventions for receiving our other exports, this will very naturally lead to our receiving their exports in return; and should France become a mart for our exports and we habituated to the use of their manufactures, the British may afterward repent their having refused a reasonable connexion with us, but they will then find it impossible perhaps to recover our trade.—The proposition for receiving our Oil is evidence that the French have such arrangements in View, as will tend to detach us still more from Britain and strengthen our connexion with them; and unless the policy of Britain shall alter, they will certainly see America much more intimately connected with France in politics and in commerce than she now is.—the British will judge whether this be an interesting consideration to them or not.—

Congress are not yet empowered to regulate Trade, nor have they any Funds given them for supporting the public Credit;

¹ See Dipl. Corr. 1783-1789, II, 466, 493, 494, III, 57.

so great is the Jealousy of the States and so excessive their attachment to local and partial interests, that there is no probability of their giving very soon to Congress the necessary powers for either purpose—nothing short of severe sufferings and sad experience will teach them the necessity of doing it.—even in this State no Funds can be raised for our own purposes but such as are drawn immediately from Commerce, and this Source is daily lessing.—our prospects therefore, as it relates both to our national Government and our Commerce, is far from being a bright one, and the most sanguin hopes we entertain of a change for the better is from your negotiations with Britain, if this fails, despair and discontent will very generally appear in our Seaport Towns.—That you may be so happy as in part, at the least, to relieve the Distresses of your fellow Citizens in Massachusetts by gaining some commercial advantages for them is the earnest Wish of

Sir

your very humble Servant.—

Stephen Higginson.¹

P. S: *Sir*.—

in the above Letter I have given you my own Sentiments upon the Subject of it with freedom, the few persons I have shown it to approve of them, but as I know they will by a certain description of men, dependents upon a foreign nation, be considered piratical if not savouring of Toryism, I wish to be kept out of sight. I the more readily offer them to you in confidence, as Mr. Jackson² has told me that you intimated a Wish to have such communications.—

S. H:

4. TO JOHN ADAMS (Adams MSS., Quincy).

Boston December 30, 1785.

Sir.

Your obliging Letter by Callahan I received, and thank you for the information it contained. The picture you give me of the British Cabinet, is no less humiliating and dangerous to them, than it is just—every circumstance that has come to our knowledge proves the description to be true; and so very cor-

¹ On August 24, a few days after this letter was written, Adams was using many of the same arguments in his first interview with Pitt.

² Jonathan Jackson (1743-1810), who was at this time Higginson's partner.

rupt have the leading men in that nation become, there is very little chance of their Affairs soon getting into a better State. But there are some instances of ill policy with respect to America, which can not rationally be imputed to the venality or selfishness of their Ministry, they seem rather to proceed from blindness and obstinacy—the interest of individuals does not appear to be involved in them, only so far, as they may be said to be interested in the national prosperity. Their disposition to cramp us in the Cod-Fishery, though it be clear, that as they depress ours they will increase the French Fishery, is an instance of that kind. They may wish to check our growth as a naval power, as it is possible, that with every precaution and by the wisest System of policy, they may not be able to prevent our employing that power to their hurt, at a future day—but they surely had much better take that chance, than by their own measures transfer that power from us to the French, since in this case they are sure of its being employed against them, till their subjection to France shall be effected.

The naval strength of the house of Bourbon was very much increased the last War. it is now about equal, as we suppose, to that of Britain; and from the impoverished and deranged state of the British Finances, there is every reason to imagine, that, if the French are equally attentive to their Marine for the coming as for the past ten years, they will exceed the British in the number and weight of their Ships. From their relative situation and Interests, it is clear, that the great Contest in future between those Nations will be for the dominion of the Sea; and a decided superiority on either side, will enable the one to give Law to the other. America, and particularly New England, will be a very important Ally in such a Contest—Our situation will enable those to whom we may attach ourselves, to operate with great advantage against their Enemy; and we can not fail of becoming of some weight as a naval power, though both France and Britain should unite to depress us. In such a Contest, I see not, but we shall have it in our power a few years hence, by throwing our weight into either Scale, to decide the Question. The experience of the last War will show of how much importance we shall be in a future one between France and Britain—having the advantage of our ports, our Supplies and our Men, the French, while much inferior to the British, were continually

gaining advantages at Sea, and with ease eluded their more powerful Enemy. of how much more importance must we be, when their naval force shall be nearly equal, and ours very much increased.—

But to ease the apprehensions of the British at our growing importance, it may be truly suggested to them, that the same Line of policy which would tend to increase our growth, would at the same time attach us closely to them, and secure our weight hereafter in their favour. were they to act liberally towards us, and cultivate an intimate friendly connexion, our language, habits, manners and feelings would unitedly and forcibly operate to produce a connexion still more intimate and important—they would probably lead to an Alliance offensive and defensive—at least, they would then have good ground to hope for it, though we perhaps ought rather to fear it. certain it is, that whatever may be our future political importance, every circumstance would then be in their favour, and nothing but their own bad policy could probably prevent their turning our weight to their own advantage. we shall surely be intimately connected with either France or Britain, and I believe we shall always be interested in their Disputes—A great variety of circumstances lead me to think this will be the case, though against our national interest, and from present appearances it is more likely to be with the former than the latter.—

There is one instance, at least, in which we are as much governed by our feelings and misled by our resentment, as the British; and we are acting as opposite to our Interest, as they can do to theirs—I mean with respect to the Refugees. The situation of those people at Shelburne &c. we know to be as forlorn and miserable, as can be imagined. destitute of all means of supplying themselves, and forsaken by the British, they are suffering both hunger and cold—and were the Doors once opened to them for admission those Settlements would soon be deserted. A Bill lately passed the lower house for admitting them according to the Treaty, but it stopped at the Senate, and is laid over to the next Session. The clamours of a few, who have plundered their Effects, and fear their admission lest a restoration should be the consequence, wrought upon the timid—and the zeal of some, who are keen in their resentments and rigid in their notions, went far to prevent its passing the upper house. what will be its fate the next Session is very uncertain—I hope their feelings will subside, and their

Judgements be less biassed, it may then have a chance of becoming a Law. The States do not yet seem prepared to take up this Question with Candour and upon right principles.—

You appear to be pleased with our Navigation Act,¹ and expect great advantages will result from it. I must confess, I have always had my doubts as to its effects, even upon the British; and I have no expectation that any of the Southern States will join us in a restraining system. Rhode-Island² and New-Hampshire have passed Laws full as severe with respect to the British as ours, and Connecticut appears to be disposed to fall in with the same measures. Pensilvania is about passing a Law to prevent the British, and all others, from being the Carriers of Foreign Imports, other, than their own, to her Markets—it is to apply alike to all Foreigners, and will not operate against the British more than others, only as they are more in the carrying Business than most Nations. As the great Object with the British in their dealing [with the] navigation Act is to increase and secure their carrying Trade, they may not view with indifference the intention of Pensilvania, as such an Act will prevent them from carrying the produce of that State for others. Could all the States be brought to adopt a System of restraint upon the British, or Congress be empowered to form a System for the whole, I have no doubt you would soon find the British disposed to relax—a serious calculation of loss and gain from restraining Systems on both sides, would certainly lead them to do it—but this, however desirable, I can not but consider as very uncertain.

Experience and Observation most clearly evince, that, in their habits, manners and commercial Interests, the southern and northern States are not only very dissimilar, but in many instances directly opposed. happy for America would it be, if their was a greater coincidence of Sentiment and Interest among them—then might we expect those national arrangements soon to take place, which appear so essential to our safety and happiness. The southern States are not and never can be the Carriers of their own produce, nor can they make any figure as naval powers. The northern States now are and ever will be great Navigators, and their naval force will ever much exceed that of the Southern. hence a Jealousy in the

¹ The act of June 23, 1785, as modified (against Great Britain) by the act of November 29, 1785.

² Act of October, 1785.

latter, grounded on a fear of the growing importance of the former—hence also it is the interest of the southern States to have foreigners of every description resort to their ports, without any restraint, to purchase and carry off their produce. this Jealousy Doctor Franklin contributed largely to excite by his public and private Letters in 1783—and this will lead the southern States to oppose the empowering Congress to regulate Trade; and if such power was given, their members in Congress would oppose any exercise of it, that would tend to prevent a free exportation of their produce.—These are among the insuperable difficulties, in my mind, which attend some of our national Concerns; and I very much fear they will eventually prevent those Arrangements, which are necessary to render our union permanent and happy. I have seen this opposition and Jealousy operate too frequently and forcibly, to expect, that we shall easily unite or harmonise on such Questions—and, to me, they appear too well founded to suppose, that the southern States will soon lose the impression. how these difficulties are to be removed, if they do exist, or what will probably result from them to the union, are important and difficult Questions. perhaps nothing less than an apprehension of common danger will induce the States, to attend less to their separate and more to the general Interest in such Cases; but, however plain it may appear to the real politician, it is not easy in the moment of peace to impress upon the public mind, an apprehension of danger from such interested principles; or to show, that the individual Interests of the States can not be permanently secured, till those of the Union shall first be established on a firm and equitable Basis.—

Our Cod-Fishery has very much increased this year, and the quantity of Fish caught has been great for the number of Vessels employed.—Fish has been in much demand all the season from the number of Foreigners who came after it, the price of course has been high—another year we shall make a great figure in this Fishery.—Our whale-Fishery has dwindled very much, one year more under the same circumstances would finish it. The Bounty granted the last Session by Government, will in some degree support this valuable branch of Business, and may serve to check the disposition of our Fisherman to enter into the service of the Nova-Scotians.¹ So great

¹ By resolve of November 28, 1785, bounties ranging from £2 to £5 a ton were voted to be paid for whale oil taken by Massachusetts citizens in Massachusetts vessels.

were the sufferings of that class of men from the reduced price of their Oil, and so great the inducements held out to them from Nova-Scotia, that a large proportion of them at Nantucket and Cape-Cod had actually made arrangements for removing their Families—a few months delay more to afford them relief, and they would have been irrecoverably lost to Massachusetts. but, they are now saved, at least for the present.¹

The granting this Bounty was a well timed instance of sound policy—by it we not only retain a numerous and valuable set of men, but it is an evidence that we know and attend to our Interest as a State—it shows that notwithstanding our losses and expences during the War, we have still such resources, as enable us to support with dignity our Government, and to apply large Sums as Bounties to open new, or to extend old branches of Commerce.—

The manufacture of Pot and Pearl Ashes was almost suspended during the War, and many of the works were converted to other uses or suffered to decay—it has again been revived, and the quantity manufactured the last year was very large, though not equal to what it was before the War—As our Ashes is preferred in England and Ireland to any that is made in Europe, and always obtains a better price, we may reasonably expect to see this Branch of Business, extended as far, as the European Markets will support it—There are some other Manufactures that may be pushed with advantage in this Country, which will either furnish us with means of paying for such Imports as we need, or will render part of our present importations no longer necessary.—of this kind is the manufacture of Nails, which, being pursued by our Farmers in the Winter Season, whose time for want of some such employment is, during that part of the year, lost both to themselves and the public, the whole value of the labour, or near it, will be saved to the Country. the manufacture of Mens, Womens and Childrens Shoes, Boots, Sadlers Wares, Wool-Cards, various kind of coarse Woollens and Iron Wares, these and many others may also be reckoned as profitable employments for our Country people in the Winter. We already export very considerable quantities of some of these Articles to the southern

¹Early in 1785 certain Nantucket Quakers proposed to separate the island from Massachusetts, and to make it either neutral or British. If this were impossible, they proposed to emigrate to Nova Scotia, and some of them did so, encouraged by Governor Parr. But the Secretary of State, Lord Sydney, strongly expressed to Parr his disapproval. These facts have recently been brought to light by Dr. Brynner. Report on Canadian Archives for 1894, pp. xviii, xix, 433-435, 437, 441.

States, and the West-Indies will soon, I expect, take off some of them, when we shall have brought them to higher perfection in the workmanship.—the British, by depriving us of a good part, of our former means of remittance, have obliged us to desist from importing several kinds of their manufactures; and have created a disposition to discontinue the use of those Articles, or to manufacture them ourselves—to their ill policy in this respect shall we be indebted, for the establishment of the nailing Business, and such other branches of manufacture, as our Farmers can pursue with advantage in the Winter Season. Lynn will furnish us with Shoes, Hingham and Bridgewater with Nails &c. &c.—To increase our manufactures has become the rage of the day—this disposition is undoubtedly a right one, it should be the business of the Government to encourage it, and at the same time to direct it to proper Objects—otherwise an ill judged or blind zeal may put us upon attempts to which we are incompetent, or by urging us to grasp at too many Objects at once, prevent our excelling or being able to pursue any of them with advantage. It is undoubtedly true that, from local or other circumstances, almost every Country has its proper and peculiar Objects of manufacture and Commerce; such as it can pursue with more advantage than other nations, and more to its own benefit than can be derived from any other pursuit—To fix the attention of the people to these Objects, to make the most of their disposition to engage in manufactures by giving it a proper direction, is the duty and should be the attention of Government. It would not be more absurd for a man to aim at manufacturing everything, that he wanted to use in his own Family, instead of pursuing his proper Business which he well understands; than for a Nation to think of raising or manufacturing within itself, every Article that is either necessary or convenient. The absurdity of this Idea will be greatly increased when applied to a commercial people, as the attempting to practice upon it, would be in effect to attempt the destruction of all Commerce; for it is by the exchange only of superflous Articles between Nations, that Commerce can be supported, or rather it is this exchange which constitutes Commerce.

The exportation of our Country produce, such as Pork, Butter and Cheese &c.—has been very much increased, and we have a fair prospect of vying with, if not in a good degree to supplant, the Irish in the West-Indies and other Markets. Some late Laws regulating the packing of Beef &c., when exported,

will be of great use if duly executed. Some of these Articles, have been sent even to the Cape of good Hope, and were found there to answer very well.—Could we be brought to confine our importations to Articles of necessity, or even of convenience, we should have the balance of Trade with Europe in our favour another year—but so strong are the habits of excess and dissipation, which were contracted during the War, that time and our necessities only can root them out. Our Exports this year to Pensilvania, Virginia and Carolina have exceeded our Imports from thence; and have been nearly equal to what we have consumed, and what we have exported in a circuitous Trade of their produce—the consequence has been highly beneficial to us, by saving the money which we used to send to those States, and extending the culture or manufacture of those Articles which they take from us.—

Our Government has become very respectable, much more so than that of any of our Sister States; and the people now generally conceive, that it is their Interest to increase its Energy—this Sentiment seems to be a popular one—it should be encouraged both by precept and example, as great public benefits will certainly result from it. The character of Massachusetts stands high, and is rising; even in money matters, we are much more liberal than our neighbors—as a proof of this, I now inclose you a report made the last Session, which is calculated not only to provide amply for the Interest on the States Debt, but to reduce the principal—this report, I have strong hopes will be adopted the next Session, it being the general Sentiment, that we can and ought gradually to reduce the Debt.—if spirited measures are taken to effect this, it will give Massachusetts additional weight in Europe and America; even the British, with all their prejudice, must learn to view us with some degree of respect.

You will naturally observe that I now give you a different View of Affairs, from that in my last Letter—I then confined myself to our mercantile situation, and as we stand related to Europe, and particularly to Britain. Those who have imported largely from the British are generally in distressed circumstances, they have incurred Debts they never will be able to discharge—many failures have already happened, and many more must happen. the distresses of those people must, and will, be communicated to others who are connected with them in Business; and this connexion is so extensive, as to

affect a great part of those who are engaged in Trade. But these things, however painful for the present; will eventually produce the most lasting and extensive benefits to the State—by reviving habits of industry and economy—and by teaching us, that to be easy and independent in our circumstances, we must confine our expences within reasonable Bounds.—I have written freely to you, too much so perhaps on some points, was it to any other person. when your more important Avocations will permit, you will much gratify me by such communications on these Subjects, as you may think proper to give.—With my respects to M^{rs} Adams and her Daughter, and my best Wishes for your health and success in negociation, I have the honor to be very respectfully Sir

Your most huml. Servant—

Mr. Jackson acknowledges the receipt of M^r Adams' very obliging Letter of the 1st Oct^b and of Miss Adams polite Cover to it, both which merited a more particular acknowledgement than the present—M^r Adams will please to present Mr Jackson's most affectionate Compliments to M^{rs}. Adams and Miss Adams—and to accept the same himself with the compliments of the Season wishing them many happy returns of the like.

Boston Jany 1786.

5. TO JOHN ADAMS (Adams MSS., Quincy).

Boston July 1786.

Sir:

Your obliging Letter of 18 Feby—I duly received. to me it is extraordinary, that having a common Interest in a commercial View, and a Rival in France equally dangerous to both, no Arrangements can be made between us and the British for our mutual safety and advantage. it is not uncommon for Individuals to sacrifice their Interest to gratify their resentment; but it does not often happen that States, especially such as have had long experience in the School of politics, are so much led away by resentful feelings. it must surely be much against their national Interest and Character, for the British to suffer the most important national advantages to be transferred from themselves to the French, when possessed of the means of preventing it with the greatest Ease.—It is very unfortunate for this State, that the narrow policy of Britain so much affects

our two Fisheries, which are our principal support. take these Staples from us, and the Commerce of Massachusetts will sink to almost nothing. there is no State in the Union which suffers in any degree equal to this from the restrictions of Britain; these sufferings may however eventually produce great Good, by checking habits of luxury and dissipation, and teaching us the necessity of cultivating those of an opposite nature—we shall learn by experience that to be independent and happy, we must be industrious and frugal.—The Act for regulating the Trade of foreigners in our ports, which passed the last year, was adopted with great Coolness and met with much Opposition from Country Gentlemen. And finding that the States have not generally adopted similar restrictions, and that Rhode-Island and Hampshire¹ have repealed their Acts of Navigation, our Court have this Session suspended ours.² I have ever approved of the general principle of that Act, and wished that the Object of it might be attained; but convinced that many of the States would not be disposed to make a general restraining System and persuaded that partial restrictions could not produce the desired effect upon the Conduct of Britain, I at first doubted the propriety of the measure. But as no great Evil can result from its continuance till the Fall, to prevent the appearance of versatility, to keep up by our example the attention of the States to the Subject, and to enjoy the credit of having taken the lead, in case the commercial Convention which is to be held in September³ should recommend its being made a general System, I should not have gone so far as to suspend it.—

The ostensible object of that Convention is the regulation of Commerce; but when I consider the men who are deputed from New-York, Pennsylvania and Virginia, and the source from whence the proposition was made, I am strongly inclined to think political Objects are intended to be combined with commercial, if they do not principally engross their Attention. there will be from New-Yorke Mr. Duane, Mr Hamilton, Mr Chancellor Livingstone. from Pennsylvania Mr. Robert Morris, Mr Fitzsimmons, Mr George Clymer from Virginia Mr Randolph, Mr. Madison, Judge Jones, and several others from

¹ By act of February, 1786, the Rhode Island navigation act was suspended until Connecticut should pass one.

² By act of July 5, 1786. Massachusetts suspended her navigation act till the other States should pass similar statutes.

³ The Annapolis convention; Higginson was chosen as a delegate, but declined to attend.

those States of like political principles and characters.¹ the Measure appears to have originated in Virginia and with Mr Maddison. the Men I have mentioned are all of them esteemed great Aristocrats, and their Constituents know that such is their Character—few of them have been in the commercial line, nor is it probable they know or care much about commercial Objects.—

As this State from the nature and variety of its Trade, is more likely to be affected by general commercial Arrangements, than any other of the States, some persons have been appointed to represent it in the proposed Convention; they are Mr Lowell, Mr Dana, Mr Gerry, Mr Theo: Parsons, Mr. George Cabot, Mr Sullivan and myself.² If it be practicable to effect a general regulation of Trade, and to harmonise the apparently variant Interests of the States, it will probably be done by the Convention.—I shall be very happy to have it effected, as we may then make an impression upon the British favorable to our Views; but this I rather hope than expect.—If the British are not blind to their own Interests, or unduly wedded to their own Opinions, they will seriously view the Arrangements of France to supply us with their Manufactures and receive our Oil and Ashes in return—the Object of the proposed Convention, and the disposition in their States from which it results, ought also to engage their attention.—

Mr Barrett has returned from France with a Contract for Oil, which can not be complied with.³ the terms might do should the price of Oil remain here as at present; but that can not probably be the case.—the British by reducing the duty in their ports, might immediately produce a great increase of the price here; and principles of policy would lead them perhaps to do it, as they wish no doubt to prevent such a Connection between us and France. But the present price can not long remain; as it is insufficient to support the Fishery for any length of time, unless we should have more than common success in getting Oil. It must from some cause or other be

¹Those who actually attended from New York were Hamilton and Egbert Benson; from Pennsylvania, Tench Coxe; from Virginia, Randolph, Madison, and St. George Tucker.

²John Lowell, Francis Dana, Elbridge Gerry, Theophilus Parsons, George Cabot. James Sullivan. None attended.

³Nathaniel Barrett had gone to Paris in the preceding winter, to obtain a large contract for the delivery of whale oil to France, to be admitted free of duty and to be paid for largely with French manufactures. Governor Bowdoin wrote to Adams, January 12, expressing the hope that this might pave the way for commercial reciprocity. Adams's Writings, VIII, 364, 389, 414; Dipl. Corr. 1783-1789, II, 468, III, 57, 78.

rendered more valuable to those who take it, or the quantity taken will diminish in a few years to nothing.—If the French are really desirous of such an intercourse, they must leave the Business free from the Embarrassments of such Contracts. it is now our Interest to carry our Oil to their ports, even though we must receive their Exports in return; and while that is the case, we shall certainly repair thither for a Market—but if any new Event turns up, that shall open a better Market, we shall cease to supply them with Oil. few Men can be found so adventurous, as to enter into a Contract like that of M^r Barrett has brought Over, there are too many Contingencies which may render it ruinous to whoever may engage in it; and should any be so hardy as to do it, the French could not in the case I beforementioned depend on a permanent Supply. Those who contracted with them might persist in their Endeavours to comply with their Contract to their own ruin, but the supply must inevitably fail, or greater encouragement be given. I wish the French may open their ports to receive our Oil, on terms at least as good as those stated in M^r Barrett's Contract; it would have a happy effect on our Whale Fishery. this is however not to be expected, the influence of their own Company at S^t John, S^t L will probably be against it, beside the opposition it may meet with from other Quarters—

Our Cod-Fishery has not been so successful this year as the last, the first Fares were very small in general, and as the Fish then caught is much more valuable than that taken at other Seasons, it will materially affect the years Work.

As the British are extremely vigilant to discover any improprieties in our Conduct, and when they find any, are industrious in heightening them by colourings of their own, I now inclose you the original papers of a Case in which their Officers in Dominica have acted a part so mean and base, so repugnant to every Idea of liberality or Justice, as I think will much exceed every thing that has happened in this Country. the papers are genuine and official, their authenticity can not be denied, and there is nothing in the Cap^{ts} or Mates depositions. taken since their return, that much militates with the official papers. these papers may be of some use to you, they will at least show as great an eagerness to injure on their parts, as we have ever discovered. should there be any complaint of the Seizure of a Vessel in Martha's Vineyard belonging to Stanton Hazard, I can say that it was for a real breach of our

Acts of Trade; though it would have savoured of ill nature, had it not been done by the Owners of this same Sch^r Edgar-Town from resentment, and by way of retaliation. Cap^t Hazard had put on board his Vessel at New-London a parcel of Rum, and a quantity of Sperm-Oil purchased at Newport, which was going to Nova-Scotia for the purpose of saving the Duty, and receiving the Bounty in England. the Cap^t at the Vineyard purchased a Whale Boat to carry with him to Nova-Scotia, that he might appear like a whale-man, and he sold some Rum to pay for her. by our Acts he forfeited his Vessel and Cargo for selling Goods without entering and by taking our Manufactures on board a British Vessel. having had the adjustment of this matter for one of the Owners of the Oil, we came to the knowledge of the facts.—

Large quantities of Oil have been purchased here and sent to Nova-Scotia, their shipped for England, and the Duty and Bounty both saved to the Shippers. vast quantities of Lumber &c have also been bought in the eastern parts of the State, and shipped to the West-Indies as the produce of Nova Scotia. it is in this way that M^r Brook Watson¹ and others have imposed upon the British Ministry; and this is one of the Evils that resulted from our Navigation Act. the force of our Government is not sufficient, to prevent our people from supplying the British, just at the Boundaries between us and them. they take the lumber from Massachusetts, and lade it in Nova-Scotia; it is of course cleared from thence, and has the appearance of being the produce of that province. this kind of Trade has much increased, since the Navigation Act excluded the British from our ports—our eastern people say they must do it or starve, and defy our Government to prevent them. while this and other ports were opened to them, and the British were allowed to take our exports from hence, they preferred generally taking their Cargo's here, for they could buy cheaper and make payment easier; and it was not then so easy for them to pass off our lumber &c. in the W: I: as the produce of Nova-Scotia, nor could the Ministry in that case have been so easily deceived.—

By the accounts which our Fishermen give, the French have very much increased their Cod-Fishery this year—those of

¹ Brook Watson (1735-1807), formerly a merchant in Boston, and afterwards lord mayor of London and a baronet, was at this time sheriff of London and, I believe, agent of Nova Scotia in England.

ours who have Fished on the Banks of Newfoundland say, they never saw so many French Vessels on the Banks, not even before the War.—

There is a late regulation of the French, which requires, that such of our Vessels as are intended for their Islands, shall take Certificates from their Consuls or Agents here. the reason assigned is, to ascertain the Flag, and prevent their Subjects in the Islands from injury, by making advances to those who may assume the American Flag for the purpose of gaining a Credit. this does not appear to me to be even a good ostensible reason. I have no Idea that our reputation for solidity or punctuality is better than that of the British, I should be much gratified if I could believe it to be equal to that of any Europeans, even with our good Allies. but it is not the course or custom of the Island Business, for advances to be made by the French either to us or the British; it is much more frequent that we leave property behind in their Islands; there are but very few instances in which advances have been asked for by us, and still fewer in which they have been made.—their Object may be to prevent the British under the American Flag, supplying their Islands in any degree with Fish; or it may be to strengthen the Idea of their partiality to and fondness for us, in permitting us to carry our Fish &c. to their Islands; and perhaps the measure may be adapted to effect both these purposes.—

I like very well your Idea of promoting a more general intercourse between us and the French in the commercial way. there are many Articles, we may draw from them with advantage, and they might beneficially receive some of our Exports, were they once accustomed to the use of them. Such an intercourse, or the appearance of its taking place might also stimulate the British to act with more liberality toward us— But I have seen such striking proofs of the superiority of the French in political Arrangements, we have such strong Evidence of their desire to create a weighty influence in this Country, by conferring or appearing to confer particular Obligations upon us as a people and by exciting in us a sense of gratitude for their favours and patronage, and fixing in us habits of obedience and implicit reliance upon their friendly intentions respecting us, that I confess myself inclined to examine critically the design and tendency of all their measures.—

It is in my mind safest to be quite independent of all Nations in Europe. we must make the most we can of them all, and when opportunity offers play one off against another. the present seems to be a good opening to do this in the way you suggest. perhaps the surest way of bringing the British to terms is, to appear fond of an intimate connexion with France, and determined to increase our Commerce with her. But with their knowlege and address, the Effect may become much more extensive, and perhaps of a different nature from that we intended. The sanguine warmth, and the incaution which ever attends the inexperience of youth, may throw us into the Arms of France before we are aware of it. the regulation above alluded to may be a part of their System, calculated to prepare our minds for distant measures and Events, and adapted to create in us a strong sense of obligation, if not of our dependence upon them.—

In our Treaty of Alliance made with them in 1778, they purposely introduced an Article, which was intended not to have any operation, or to appear of any importance, till the time of adjusting the terms when peace should arrive.¹ it was constructed to give them the right of determining, whether our Independence should by the Treaty of Peace be explicitly acknowledged, or be only implicitly admitted and guarrantied by themselves. you and M^r Jay best know, how they were deprived of the advantage they expected to derive from the article. When therefore we attempt to practice a political finesse with a Nation, so very extensive in their Views, and so subtile in their measures as the French, it must be done with the greatest caution. having a full knowledge of the Subject, and entering into thir most distant intentions, you can assume an appearance of intimate friendship without danger. few men however for want of information and knowledge of the World can do this, still less the body of a people like ours. Much time, and many favorable circumstances are necessary to make impressions on the public mind, and when effected, it is not easy to erase them. we have now, as a people, strong prepossessions in favour of the French, and against the British. every little circumstance is made the most of, to increase our fondness for and dependence upon the one, and to rouse our resentment against the other. political Considerations may

¹ The reference is to Art. XII. of the treaty of February 6, 1778.

make these kind of prejudices useful to a certain degree, but there is in my mind danger of their being carried too far. from an undue attachment to, and reliance upon the one, we may be in danger of future political Embarrassments; or by indulging too far our resentment against the other Nation, we may precipitate ourselves into a War. the nature of our individual Governments effectually prevent our practising any refinements in politics: and the federal one has not yet acquired any Energy, it has scarcely the form or appearance of a Government. Our general Court have this Session passed an Act granting to Congress the supplementary Aid, required by the System of March 1783¹—the Impost was before granted—but as the latter is expected to yield enough to pay the Interest on the foreign Debt, the former is to be paid only in facilities, or Certificates of Interest due to the Holders. this is short of the recommendation of Congress, and it is making in effect a difference between the foreign and domestic Creditor; the former will receive the full Sum due in Specie, the latter will have nothing but paper which will much depreciate. as there is in reason no distinction between them, the necessity of the case alone is urged in support of the difference made; they tell you that they are disposed, but have not Ability to pay both according to Contract.—But even this can not be obtained from all the States, and I very much doubt whether the System of March ever becomes an operative one. it is not the desire of all the States to have any System adopted, that shall take from them any portion of their property; nor is it in my mind probable, they will permit such an one to operate, till such Events shall overtake them, as may probably prevent its answering the intended purpose, that of increasing the dignity and energy of the federal government, and establishing the public Credit.

The habits of indolence and dissipation contracted during the War, are very much against our making a right improvement of the advantages we have in possession. the people at large have for several years lived in a manner much more expensive and luxurious, than they have Ability to support. and their Ideas can not now be brought to comport, with their real situation and means of living. hence, there is nothing they now so much dread, as the parting with any portion of

¹ Act of July 5, 1786, granting the supplementary aid to Congress, conditionally upon similar action by the other States.

that property, the whole of which they feel to be incompetent to satisfy their Desires. this is an Evil it is true, which will work its own Cure; and was there force in our Government to compel the payment of Taxes, the Cure might be accelerated. but in our situation, without Energy and without any Funds beside what may be drawn from the people by Taxes, it is a serious and important Question, whether our Government may not get unhinged, and a revolution take place, before the Cure be effected, and the people at large discover, that to secure their liberties and the great bulk of their property a certain portion of the latter must be parted with. we appear to be verging fast to a Crisis. A change of Ideas and measures must soon happen, either from conviction or from necessity; when it does take place, I hope it will be for the better; it will then behove every man of property and influence to aim at giving the Tide a right direction.—

From the complexion of your last Letters, we have no great prospect of obtaining any relief from Britain, nor any security against the Barbary Corsairs. reports have often appeared in the papers, that buoyed up the hopes of those who had no better sources of information. should any thing new turn up, I will thank you to give me such information as you may think proper.

With due respect I have the honour to be your

Excellency's very humbl Servant.—

Stephen Higginson.

6. TO HENRY KNOX¹ (New England Historic Genealogical Society).²

Boston Nov. 12, 1786

My dear Sir

Your Letter 22^d ult: by Capt. Worth I rec^d. the measures proper, upon the view of a War with the *Indians* and the consequent requisition of Congress, obtained very speedily and with more ease than I expected. you have in this case taken the best ground. the money wanted for the men will, I trust, be soon raised. the Treasurer has just opened his Loan; and though monied men, like others, are more ready at profession than action, yet, I think their feelings and a regard to their beloved property will induce them to furnish what is imme-

¹ Knox was at this time Secretary of War.

² Knox MSS., Vol. xix, p. 50.

diately wanted.¹—The present moment is very favorable to the forming further and necessary Arrangements, for increasing the dignity and energy of Government. what has been done, must be used as a Stock upon which the best Fruits are to be ingrafted. the public mind is now in a fit State, and will shortly I think become more so, to come forward with a System competent to the great purpose of all Civil Arrangements, that of promoting and securing the happiness of Society. as far as I can be caudmine² to a right improvement of this disposition, so very favorable an opening shall not be lost.—I saw Capt. Worth but a moment, I intended a private moment with him, but I was by many inconvenient circumstances deprived of it. I love to know what passes in the World, but I had at this moment rather not appear to know it.—I will inform you how things go on and shall be gratified by any proper communications. With respect I have the honour
to be Sir your very hum^l Serv^t

S: H:—

P S shall I pray you to forward the inclosed to Princeton—

7. TO HENRY KNOX (New England Historic Genealogical Society).³

Boston Nov. 25: 1786

D Sir

Since I last wrote you the Loan for raising the men to oppose the Indians has been opened. for several days it laboured excessively, and I began to fear, that every Effort to rouse their feelings would not have induced Our monied men to subscribe their names. there are times, when, the circulation is brisk and the pulse beat high, that such persons may be led on to manly vigorous conduct, at others and in the general they are very cautious, if not timid. when you was here, the former was the case with Our wealthy Citizens, and they would then at once have filled up the Loan now called for; but so much time elapsed before the proper previous Arrangements were perfected, that their feelings subsided, and their habit of caution and of doubting returned. in this State of mind were they, when the Loan was opened; but impertunity aided by

¹See Bowdoin's message of October 27 and the legislative resolves of October 30, in Acts (1893), pp. 948, 949, 374-376. Under pretense of an Indian war, Congress proceeded to raise men in New England to aid in repressing insurrection. Journals, IV, 714.

²Sic. Probably the reading should be "can contribute to."

³Knox MSS., Vol. XIX, p. 68.

some alarming reports of Shays¹ being on the march in force, has put them in motion; and we shall, I think, in a few days have the money wanted for enlisting the men.—the inclosed newspaper will inform you, if you were before ignorant of the doings of Our general Court; and you will feel not a little mortified, I presume, to find, that They have so much contributed to increase the infection prevailing in Our Back Counties.² Their conduct the last Session will tend much to prepare the public mind, for transferring power from the individual Governments to the federal, and may facilitate those measures which We esteem essential to Our public happiness.—I am often disposed to think that We shall, in despite of Our folly and timidity, become a respectable people. when from the Vices and Follies of Our Rulers We seem to be in danger of Anarchy, some new Event turns up to avert the Evil, and show us the necessity of abridging the power of the States to controul or impede the measures of the Union. I never saw so great change in the public mind, on any occasion, as has lately appeared in this State as to the expediency of increasing the powers of Congress, not merely as to commercial Objects, but generally. by the next Summer I expect We shall here be prepared for any thing that is wise and fitting.—Congress should be making the necessary Arrangements for improving this disposition, when sufficiently increased, to right and valuable purposes. they must be prepared not only to support a proper force in the field, but to consolidate the Several Governments into One, general and efficient. but I am going too fast. Adieu—

Yours &c—

S: Higginson

P S will you be kind enough to forward the inclosed Letter and papers—

S. TO HENRY KNOX (New England Historic Genealogical Society).³

Boston Jan^y 20, 1787

D Sir

I informed you in my last that Our Gentry had lost those feelings which led them to promise so liberally to advance for

¹ Daniel Shays, the rebel, who had already become conspicuous as leader of the insurgents at Springfield court-house, September 26-29.

² The writer refers to a series of acts intended to placate the insurgents.

³ Knox MSS., Vol. xix, p. 130.

raising the men for Coll Jackson.¹ at that time and for some time since I had very little hope of getting any thing like enough for the purpose. But a new Event, has again roused them, and by seising on the lucky moment I hope enough has been subscribed to provide for Gen^l Lincolns expedition and to compleat the other Object.² this expedition hit their fancy, it has raised their Spirits, they have subscribed in this and other Towns upwards of 20,000 dollars, a Sum sufficient I concieve for both Objects—for Lincoln means to, and will, draw a good part of his Supplies from the Country Towns, which will increase the Surpluss for Jacksons use.—Gen^l Lincoln marched off this morning with the men from hence, he will have in the field about 5000 men, and he has liberty to call out as many more as he pleases. his Orders are very extensive, his powers great. Government have at last come out with spirit; and I now hope to see an end put to that seditious temper which has so long disgraced us. the Insurgents and their Abbettors are on the Wing, many have already taken their flight to the near States, some We are told to that of New York. circular Letters are going out to the States requesting that measures may be taken for apprehending and sending back such of the Seditious as take shelter in them. you may have an opp'y perhaps to forward such measures in York. If we can manage the Gen^l Court and bring them to right measures at their approaching Session, massachusetts may recover her former and proper Station among the States in the Union. but I fear they may prove more difficult to manage than the Insurgents without Doors. to affect it however must be Our great Object, every One must contribute his mite. the feelings of the people in the Country are generally favorable. at the call of Government more than two thirds of Worcester and Hampshire turned out with a good spirit. men in the Country have taken their Sides, and the friends of Government in the most seditious Towns now venture to talk with firmness and in a manly tone.—Should this Spirit pervade the other States, it will give rise to Sentiments favorable to the Union. the moment must be seised by Congress &c—We must make the most of it whilst the fire burns, it will not be durable perhaps.—for particulars as to the expe-

¹ Col. Henry Jackson was to command the Federal troops to be raised in Massachusetts.

² Governor Bowdoin called out 4,400 troops, early in January, and put them under the command of Gen. Benjamin Lincoln, to suppress the insurrection. Bowdoin's message of February 3, 1787, and Minot's History of the Insurrections, p. 93.

dition &c, I must refer you to the Letters of your other friends and the papers. Adieu

I am yours respectfully

S: Higginson

9. TO HENRY KNOX (*New England Historic Genealogical Society.*)¹

Boston, February 8th, 1787.

Gen. H. Knox

Dear Sir.

Your Letter of 28th last Month I have received, and am pleased to find that your Sentiments and my own are so exactly coincident as to the Subject of it; and there is so good a prospect of a general Convention in May, as you have represented. As early as '83, while I was at Congress, I pressed upon Mr. Maddison and others the Idea of a special Convention, for the purpose of revising the Confederation, and increasing the powers of the Union;² the obtaining of which, we all agreed to be essential to our national dignity and happiness. But they were as much opposed to this Idea, as I was to the measures they were then pursuing, to effect, as they said, the same thing. They have, however, now adopted the Idea, and have come forward with a proposition to attempt practising upon it.

It is an agreed, and, as I conceive, a clear point, that the Confederation is incompetent to the purposes for which it was established, the managing the Affairs of the Union. Powers delineated on paper cannot alone be sufficient, the Union must not only have the right to make Laws and requisitions, but it must have the power also of compelling obedience thereto, otherwise our federal Constitution will be a mere dead letter. to delegate rights to Congress, and at the same time to withhold from them the means of exercising those rights, is trifling and absurd, the powers of the Union must be increased, and those of the States individually must be abridged; they cannot both be perfectly sovereign and independent at the same time; the federal must have power to control the individual Governments of the States, in some points at least:—and unless the

¹ Knox MSS., Vol. xix, p. 157.

² In the Madison Papers, p. 430, Higginson is reported, April 1, 1783, as supporting Hamilton's argument in favor of a general convention; Madison was at that time chiefly engaged in the project for securing a Federal revenue.

States shall soon consent to part with some of their rights as Sovereign States, they will very soon be involved in one general scene of disorder and distress.

The Government of the Union must be the result of deliberation and choice, or of necessity and chance. By an early adoption of a liberal and extensive system of Government, we may secure to ourselves and posterity every rational felicity; and by wisely conceding a part of our separate independency, and concentrating our Views to the Union, we may avert these public Calamities, which now threaten the dissolution of the Governments of the several States, and which may eventually involve them in all the horrors of a civil War. But in order to this, our present federal Government must be critically examined, and the causes of the indifference or opposition of some of the States in the Union to federal measures be well understood, or we never shall be able precisely to determine wherein it is deficient nor discover the true and proper remedies to be applied.—Should this enquiry be attempted by Congress, they must necessarily be subject to frequent interruptions; and being deputed by the States with other Views, and for other purposes, we may reasonably presume they will never all of them be thoroughly fitted for such an enquiry. But if they were subject to no interruptions from the pressure of other Business, and were in every respect equal to any other set of men that can be deputed for the purpose; still no representation on the subject from Congress to the States, will ever have the same weight, as from a well appointed and special Convention. When a man who is to exercise them, asks for additional powers, especially of the legislative and executive kind, we naturally suppose that a lust of domination may have led him to ask for more than is absolutely necessary, or than may comport with the public safety and happiness. from this Jealousy, so natural to Man, we may expect an opposition to the most clear and judicious recommendations from Congress, for increasing the powers of the Union. These are weighty objections in my mind to attempting an increase of those powers thro' the medium of Congress; but none of them will apply in an equal, if in any degree, to a special Convention.

There are men in the several States of first rate abilities, who cannot be persuaded to go to Congress, or to engage permanently in public life; but they may be prevailed on to enter

upon so important and special a Business, as the forming a new federal Constitution:—the collective wisdom of a special Convention, may probably therefore be greater than that of Congress. But were all other things exactly equal [from] their having no other object to attend to, and their being free from those local attachments, those partial views, which more or fewer of the members of Congress will ever have, the subject would probably be more liberally and ably discussed in such a Convention. And as its Members would generally return to private life, and, in common with others, be subject to the operation of that system of Government, which they may have agreed to recommend; the people at large will have the fullest assurance, that no greater powers can be recommended by such persons, then they shall think absolutely necessary for the safety and happiness of the State.—

From these observations you will easily perceive, that I am quite of your Sentiment, and in favour of the proposed Convention.—The report of their grand Committee to Congress the last Summer, on this subject,¹ is, in my mind, far short of the object—their proposed Amendments can not effect a radical Cure—the powers of Congress will still be upon paper only, and no efficiency to the Union can result from it, was their report to be adopted.

This State entered into the measure of appointing a general Convention the last year with much readiness; but the Sentiments delivered to the two houses by Mr. King and Mr. Dane, have produced a great change in the disposition of the members.² Those Gentlemen, I fancy, have now different Ideas of the matter, and will not now think there is so great a resemblance between our County Conventions, in their views and principles, and that proposed to be held at Philadelphia in May, as they then thought, nor will they now imagine the same danger can result to the Union from the latter, as our experience has proved was justly apprehended from the former to this Commonwealth.—I hope that the two houses will this Session come into the measure, and appoint Delegates; but I

¹ Report of a grand committee raised on motion of Charles Pinckney, for suggesting amendments to the Articles of Confederation. See Bancroft, *History of the Constitution*, i, 260-263.

² On October 19, 1786, Rufus King, and on November 9, 1786, Nathan Dane, both then members of the Continental Congress from Massachusetts, appeared before the State legislature and opposed the projected convention, arguing that Congress was the proper body to do the work intended. *Writings of Rufus King*, i, 144-146.

have some doubts, whether they can so soon be brought off from the sentiments they have imbibed from Mr. King and Mr. Dane.

If a delegation should take place, Mr. King will probably be in it, was I to nominate, I should write thus "King, Lowell, Dana, Parsons and Gerry." Mr. Jackson, Mr. Cabot and others if they would engage might be added, or substituted in case of failure. As to myself I am out of the question, having neither qualities nor leisure for the Business.¹

Should there be a general Convention in May, and they proceed to form a federal Constitution, I wish to have them empowered to perfect the system, and give it immediate operation, if nine states in Convention shall agree to it, without a reference to Congress, or their Constituents²—for much time must otherwise be lost, and perhaps such a difference of Sentiment may arise, as to the report, as may entirely defeat the object. Next to this, I should prefer having their report referred to Congress, and if there approved of by nine States, they to be authorized to give it immediate operation. But I fear the States cannot be brought to either of these points; their several legislatures perhaps have not a right to delegate such powers, either to Congress, or to the general Convention; and if they had the right, so fond are they of retaining power in their own hands, and of having every thing appear to originate with, or proceed from themselves, that I doubt much whether they could be brought to the exercise of it. To refer the doings of the Convention to the several Legislatures for adoption, would be to hazard the object, as much perhaps, as to recur to the people at large. Men who are vested with such powers, as are the Legislatures in the several States, will not readily consent to a transfer of any part of their own rights to others. Such bodies of men are always jealous of the power of others, especially of such as are above, and can in any instance or degree controul them; and though they may be subject to annual Elections, they do, while in office, feel strongly for the importance of that Body of which they are members:—besides which, many of them consider themselves not only as Candidates for a future election, but as having in

¹ The delegates actually chosen were Dana, Gerry, Gorham, King, and Strong. Dana did not attend.

² The editor supposes this to have been the earliest suggestion of this method of procedure.

their own hands the sure means of retaining their seats as long as they please; with such men, this principle will operate proportionably stronger. If the reference should be made to the people at large throughout the Union what can be expected, considering their discordant views and interests, but a diversity and opposition of Sentiment, that can not be done away and which must in all probability prevent their agreeing upon any general system of Government. The most probable way in my mind, of meeting with Success, would be to have special State Conventions appointed, to whom the report of the general Convention should be referred, and they be directed to report to Congress their dissent or approbation therefor, and if nine of those State Conventions shall report in favour of the system, Congress shall be authorized thereupon, to declare it to be the federal Constitution of Government; and the States shall be compellable to conform to and govern themselves by it. This mode is, I think, most likely to be adopted by the people in the several States, as it will give each of them a Voice in the revision of the doings of the general Convention, and it will avoid the difficulties which may probably attend a reference to Congress, to the several Legislatures, or to the people at large. And if Congress were now to recommend to the several States, to appoint Delegates to the general Convention, and to form their several State Conventions for considering the report of the general Convention, the whole Business might soon be in train for a speedy and happy issue; in this case, the people in the several States, to prevent any doubts or difficulties, might at their next elections authorize their several Legislatures, by special instructions, to make the appointments necessary to the purposes above stated.—

You will now Sir know my Sentiments on the question you proposed, they are given to you frankly, hastily and without much system. You will consider this Letter therefore, as the free communications of a friend, fitted only for your private inspection, and will attend to them not with the Eyes or feelings of a Critic I am persuaded.—

I have not now time to touch upon any other matters and must hastily though with much respect subscribe myself dear Sir

Your very hum'l Servant

Stephen Higginson.

10. TO HENRY KNOX (*New England Historic Genealogical Society.*)¹

Boston February 13th 1787.

D. Sir

By the last post I gave you my Sentiments as to the proposed Convention in May. the Idea of having State Conventions, for the purpose of revising the Doings of the general Convention, and of authorising Congress to declare the System reported by the general Convention, if approved of by Nine of the State Conventions, to be the Constitution of Government for the Union, may not only be new; but may appear to interfere with that Article in the Confederation, which provides that, "no alteration therein shall be made without the consent of all the States"² But will not that consent be virtually obtained, by the recommendation of Congress to the States to adopt this mode, as they are all supposed to be, at all times, represented in that Body? By the conformity of the States to such a recommendation, in appointing their seperate Conventions to revise the report of the general Convention; they will implicitly and clearly, if not in a sense explicitly consent to an alteration, and particularly such as may be agreed to by nine of those Conventions. The only object of their appointment, being an alteration in the federal Government; and the manner of doing it specifically stated by each of the States, in their commission to their Delegates to the general and particular Conventions, their consent to a change can not be denied. If then the States will make the appointments for the purposes proposed, will they not have all consented to the alteration, tho' nine only of the State Conventions should report in favour of it to Congress? And are you not more likely to obtain the consent of the States to an alteration, and to avoid the difficulties which must attend every other mode of attempting to gain their consent, to any precise, specific alterations, when it originates from a recommendation of Congress, and is perfected by Conventions specially and fully empowered by the States in the manner proposed? the consent of the States, or some of them, may possibly be obtained in this way when they may not intend it, and perhaps without their knowing it at the time; but having in any way gained it, and the Constitution reported being ratified by Congress, a small minority may then clamour or complain in vain. If there

¹Knox MSS., Vol. xix, p. 165.

²In Art. xiii.

be any direct mode of drawing the States into the adoption of a more efficient form of Government, will it not be more eligible to attempt an alteration by such means, rather than to hazard a direct appeal to their reason and Judgments. We are apt in political, as in other Views, to start at Objects, which at a distance, from their novelty alone, perhaps, may very much alarm us; but if we are imperceptibly brought to a more close and perfect vision of them, our fears and opposition subside, we become familiar with, and sometimes strongly attached to them. these observations occurred when writing the former Letter, but being then in haste I could not spare time to sub-join them.—

The expedition under Gen^l Lincoln has been very successful, the opposition to Government is at present prostrated; but the dissaffection is evidently much more deeply rooted, and extensive, than was apprehended; and when the Army shall be withdrawn, rebellion may again soon erect its daring Standards and openly defy our feeble Government. the continuation of our Army in the field, will not only consume the funds which have been furnished by a voluntary Loan, but will retard the enlistments of men into Jackson's Corps. these circumstances will much impede the perfecting of that body of men for the field; and as large Sums are necessary for supporting the militia, which can not be raised but in the way of Loan, I fear that the money wanted for cloathing the men of Jackson's Corps will not easily be obtained. Lincoln's expedition will be so much more tedious and expensive than we apprehended at first, as to call for all the Money that can be speedily raised by Loan, instead of leaving a good Sum, from what is already subscribed, for Jackson's use.—You will endeavour no doubt to draw strong Arguments from the insurrection in this State in favour of an efficient General Government for the Union. As all the States are at least equally exposed with this to such Commotions, and none of them are capable of the exertions we have made, they will have reason to fear the worst consequences to themselves, unless the Union shall have force enough to give the same effectual aid in a like case.—Those who now have the administration of Government in the several States and for the Union, must seize every opportunity to increase its energy and stability; or Insurgents will soon rise up, and take the reins from them. this consideration, which I take to be founded in truth, and the nature of things, should

guard those in office and power from an undue and ill timed modesty, as to the means to be used for increasing the powers of Government, and the manner of exercising them when acquired—

These are Sentiments too free and bold to be, as yet, very freely and generally held forth; but the time is coming, and every man in his sphere should contribute to accelerate its arrival, when they will be very popular and generally practiced upon. But, as it is yet at some distance, you will, I am persuaded, not too openly hand them out, even as those of another. I write you see in confidence. and I remain respectfully

Your hum^l Serv^t

Stephen Higginson.

11. TO NATHAN DANE¹ (In private possession).

Boston March 3 1787

Dear Sir

Your letter of 14 ultimo I received and thank you for the information it contains. the measure you there speak of, the Convention—in May, had been agreed to by our general Court, previous to their rec'ving the recommendation of Congress;² and they have this[sic] appointed Mr Dana, Mr King, Mr Gerry, Mr Strong and Mr Gorham for their delegates, and mean to commission them for the words of the recommendation. there were several other Candidates, and much division of sentiment appeared in both houses as to the persons to be elected.— Though this measure may not appear to be perfectly regular and conventions are not known any more in the form of the federal Government, than in that of this state; yet, I confess I am full in the Idea of its expediency, from a conviction, that there is no other mode that can give us any chance of obtaining a Government, capable of managing the affairs of the Union. it is to be sure far from being certain, whether such a Government can be established by means of the intended convention, or whether any advantage to the Union, will result from it. But as it is clear, in my mind; that we can not long exist under our present system; and that unless we soon

¹ Nathan Dane (1752-1835) was at this time a member for Massachusetts in the Continental Congress.

² Congress passed its resolution recommending the proposal on February 21. Journals. iv, 724. On February 22 the Massachusetts legislature resolved that delegates be sent. Writings of Rufus King, i, 204, 205.

acquire more force to the Union by some means or other, Insurgents will arise and eventually take the reins from us; I am for trying any measure that promises even a possibility of success. We must either brace up the powers of the Union to a degree capable of supporting and encouraging the affairs of the nation with dignity and energy, and this by an act of deliberation and choice or we shall inevitably be thrown into general confusion and convulsions, which will result in one or more Governments, established with the loss of much blood, violent and despotic in its nature, and the effect of necessity and chance. In this situation, when no other mode is suggested which affords even a gleam of hope, I am clearly of opinion that to decline a proposition of this kind, though the effect may be very uncertain, would be imprudent—for I cannot see that, in any event, the result of the Convention can be against us. If no system can there be advised to save us from confusion and distress, and we must take our chance for what may arise out of a general disorder, the sooner we are brought to a decision upon this point the better; it is surely uncomfortable to remain longer in our present situation, and the sooner and more rapidly disorder overtakes us, the shorter will its duration be and of less extent will probably be the political distress which will result. While we have any hope of warding off the evil by means of a convention, we shall not patiently submit to a temporary anarchy, nor propose to claim any advantages from a state of convulsion; but having tried the experiment and found that our National Government must arise out of necessity alone, and be the effect of confusion, we shall then give way to dire necessity, and with vigilance turn every event to a good purpose.—

The papers will have informed you of the doings of the Government—the Legislature have behaved well and conducted with spirit—they have adopted an energetic system of policy with respect to the rebels, perhaps in some instances they have carried their resentment too far. the rebellion appears to be in a good degree crushed, the force of the rebels is dispersed. But the seeds yet remain in the soil, the spirit of faction and rebellion is far from being subdued; nor can it be rooted out without the cooperation of the other N. E States—while our rebels can find a shelter in those States, they will not only retain this disposition themselves, but they will communicate it to the Citizens of those States, whose minds are

as prone to rebellion as ours, and from the same causes. the evil appears to me to arise naturally and necessarily out of our case. the people of the interior parts of these States have by far too much political knowledge and too strong a relish for unrestrained freedom, to be governed by our feeble system, and too little acquaintance with real sound policy or rational freedom and too little virtue to govern themselves. they have become too well acquainted with their own weight in the political scale, under such governments as ours and have too high a taste for luxury and dissipation, to sit down contented in their proper line, when they see others possessed of much more property than themselves. with these feelings and sentiments, they will not be quiet while such distinctions exist as to rank and property; and sensible of their own force, they will not rest easy till they possess the reins of Government, and have divided property with their betters, or they shall be compelled by force to submit to their proper stations and mode of living.

Which of these events are the most likely to happen, and how, is in my mind very uncertain. The end of this rebellion both as to the time and manner of it equally so of course.

I have not time to add, only to desire you to forward the inclosed letter and some news papers if you have any to spare to my son Nat. the next leisure hour I will write you again

Adieu yours &c

S Higginson

12. TO NATHAN DANE (In private possession).

Boston May 6 1787

Dear Sir

The last week my partner Mr Jackson wrote to Mr King desiring his and your opinions upon a Question that may prove important to us, also the sense of Congress and of Mr Otto¹ upon the same point. Viz—whether by the Treaty with France Americans are to be subjected to the Droit d'Aubaine in the French Islands, and whether a native of America by having resided abroad for several years loses his right of Citizenship and of course his right to exemption under that Treaty, from the operation of that Law of France. We suppose clearly that the exemption must have been intended by the Treaty to be as extensive as the law itself, or that wherever the Droit

¹Chargé d'affaires of France in America.

d'Aubaine operated in the Dominions of France the Americans might plead an exemption from it in virtue of the Treaty. The general term France we suppose from a subsequent clause in the same Article must mean the French Dominions, or there cannot be that reciprocity which the Article explicitly holds up—for a like exemption, it is there said, shall be made in all parts of the American Dominions with respect to french subjects. Perhaps the Droit d'Aubaine at the time of making the Treaty did not extend to their Colonies, and this may account for the general term France; but the spirit of the Treaty must extend the exemption with the Law, or the idea of reciprocity is done away. We had a large property in the hands of an American who lately died in Aux Cayes Hispaniola, a person who was born and educated in this town, but had resided abroad for a number of years, except the two last, preceding his death, or from summer 1784 to 1786, during which time he was here. the Government at Aux Cayes seized upon his effects, and the receivers of the Droit d'Aubaine claim his property. the Questions we have stated are to us therefore very important, and we may save or lose 20,000 dollars, perhaps as it may be determined. I will thank you to attend to the matter in concert with Mr King, to give him aid in procuring relief for us through Mr Otto, your secretary for foreign affairs, or Congress, and to give us your opinion upon the matter. By the last post we sent to Mr King a general narrative of our connexions there, by which you will see, that a series of very unfortunate events have involved us in a most unhappy situation, and that unless we can some how or other obtain relief we may suffer very much. If Mr King should go away before you have formed any decided opinion upon this matter, I must pray you to receive the papers from him and collect for us the information we have desired Mr King to procure. And if Mr Lowell and Mr Gorham¹ are with you to consult with them upon it. I must plead the magnitude of the object for my excuse in giving you this trouble. I have not now leisure nor do I feel in tune for entering upon politics. Will you be kind enough to forward the enclosed to Nat.

Adieu yours affy

S. Higginson

¹John Lowell (1743-1802), Higginson's brother-in-law, was at this time in New York attending a session of the Court of Appeals in Cases of Capture, of which he was a judge. Jameson, *Essays in Constitutional History*, p. 42. Nathaniel Gorham was on his way to the Philadelphia Convention.

P. S. If Mr. King should have gone to Phil^a before this reaches you and carried the papers with him you will oblige me to write him for them that you may collect the sense of Congress &c. If you have any doubts in the matter may it not be well for Mr. King to collect the sense of the convention on the matter. I mean of the Individuals. It is no very unimportant matter to our commerce with the Islands.

13. TO NATHAN DANE (In private possession).

Boston June 3. 1787

Dear Sir

Your letter of the 13 of last month I received and am much obliged by the attention of you and Mr King &c. to our affairs with Mr Wethered. We wish you may devise some mode in which Congress may be of service to us in that very unfortunate case; but as Mr Jackson is going soon to the Aux Cayes to pursue the matter in person, we should be glad to have your sentiments on the subject as early as you can with convenience. We have ourselves felt no great assurance of the friendly interposition of Mr. Marbois;¹ his attachment to America is not very great, and his regard to us personally perhaps is still less. the event of his influence in our favor in that Government is much against us; we must however make the best of it we can and desire as much assistance from our own Government as they can with propriety afford. We have now got through our election, except as to Counsellors, Mr H and Mr Cushing are our governors.² The house is very large and of a motley mixture; a great proportion of them perhaps 150 in number are new members sent expressly for the purpose of doing mischief, if not to overturn the Government. the Senate are better upon the whole than was feared; the people failed in many alterations they intended to have made and the house have sent up in general good men, so that we may now safely count upon 24 members of the Senate in all great national Questions—and if this body is not too much garbled in forming the Council they will prove a good check upon the

¹ François de Barbé-Marbois (1745-1837), who from 1779 to 1785 had been French secretary of legation and chargé des affaires in the United States, was at this time intendant of Santo Domingo; in 1803 he negotiated the Louisiana cession, of which he wrote a history.

² John Hancock, governor; Thomas Cushing, lieutenant-governor.

vices and follies of the other end of the house. As yet we cannot form a good Judgement of the real character of the house, but appearances hitherto are not much in their favor—our grand Convention at Phil^a will not effect any good purpose, I fear, not even to agree upon any general system of Government for the Union. Brother G——¹ I see was for going to Phil. as a member of the Convention he may perhaps be under the same influence. when our Court shall have opened their views I will take a leisure hour and give you my Ideas of them; I will thank you in return to inform me what appears in Congress on the Convention worth noticing. The enclosed letters I must pray you to forward with esteem I am Sir your very humble servant

Stephen Higginson²

14. TO NATHAN DANE (In private possession).

Boston June 16. 1787.

Dear Sir

I thank you for your sentiments upon the question of our being exempted in virtue of the treaty from the operation of the Droit d'Aubaine even in the French Islands. Your reasoning upon the construction of the treaty is clearly right, at least our opinions coincide; and I think we shall certainly have the decision of the Court of France in our favour, should the administration in Hispaniola determine it against us. Upon the question of citizenship I do not see that there can be much doubt. By the proofs I inclose you, you will see that Wethered was born in this Town; and though he resided abroad several years and married in Antigua, he never lost his right as a Citizen, and might have returned here whenever he pleased and claimed all the privileges of America, he never threw off his allegiance to his native Country, nor did ever assume an allegiance to any other Government by any special act of his own; on the contrary, when our contest with Britain came on, he so openly avowed his attachment and allegiance to this country, and disavowed it as to the British, that he was obliged to fly the Island of Antigua, and has since lost a large property principally on that ground, it appears farther, that

¹ Gerry or Gorham?

² To this letter Dane replied in a long letter dated New York, June 9, 1787, stating his belief that the word "France" in the passage of the treaty concerned might fairly be construed as including the French dominions outside of Europe.

he resided here near two years, paid Taxes here, sold his estate in Antigua and was preparing to remove his family from thence hither when he died. He never forfeited his citizenship by our Laws; and by the French laws it was contended, in the case of Mons. Longchamp,¹ that a french subject could not throw off his allegiance. If this question is not determined by the Law of nations, and no principle can there be found by which to decide it—if by our Laws he had not forfeited his right of citizenship, nor by his own act owed any special allegiance to any other Government, and by the Laws of France a subject cannot throw off his allegiance, I see not by what rule or upon what ground he can be declared to be not a Citizen of this State. If a man's own conduct or intention can have any weight in the case, Wethered certainly must be considered as one of our Citizens; for he not only declined taking the oath of allegiance to Britain, but took so active a part against that Government, that he was obliged to fly and leave both property and family behind. This question must be settled as the ground we are to take in pursuing the other. I have sent you all the evidence we at present have to this point, which we have collected to send to Aux Cayes. More may be obtained, particularly as to his opposition to the British if it is necessary from Antigua; but I can not think but what we have must be sufficient.—If you think with me upon this last point also, I wish you to obtain the sense of Congress upon it, by a resolution declaratory thereof, and directing their minister at the Court of Versailles to make a proper representation upon the subject—that should we find it necessary to apply to that Court for redress, Mr Jefferson may be prepared to press for their interference, and for such Edicts as may remove the like difficulty in future.² You are the best judge of the kind of application to be made to Congress and what to ask for; we wish you therefore to bring it before them in such manner as you may think best. Mr Jackson will soon go to Aux Cayes to close if possible the Business, if he could have the sense of Congress upon the matter to take with him, to show the officers there that we mean to apply to the Court if their decision

¹ One Charles Julian de Longchamps, in May, 1784, assaulted M. de Barbé-Marbois, chargé des affaires for France. See Journals of Congress, IV, 424, 430, 431; Bulletin of the New York Public Library, I, 106 (84).

² From Jefferson's letter to Short, August 26, 1790. Writings, ed. Ford, v. 234, it appears that the decision of the French Government had, up to that time, been contrary to the interpretation claimed by Higginson.

should render it necessary, it may make them much more cautious how they decide against us.—I am sorry that we are under a necessity of giving you so much trouble in this matter, but the magnitude of the object must apologize for it.—you will observe that the evidence enclosed is only the authenticated copies of original depositions, taken by a notary, as that officer is much better known among the french than our magistrates.—

Our general Court have been together more than 16 days.¹ in the Senate we have a large and firm majority of 20 out of 26 in favor of right measures, and in the house there is now a surer majority on the same side. No act has yet passed of any great moment except that for raising Troops to complete the Suppression of the rebellion. The inclosed paper will give this resolution and the yeas and nays.² There are a great number of very bad men in the house, open avowed Insurgents. There are also many very fine good men, from the upper Counties they are almost all such—the worst are from Worcester Bristol and Middlesex as usual, or rather the greater part of these last are from those Counties. Essex and Suffolk have furnished some Insurgents as you will see by the names.—I think Parsons Sedgewick³ &c will now manage them and prevent any very bad measures from passing over the house. The Rebels will be amazingly disappointed and their friends in the house are now very much crestfallen. The Convicts will be executed I now think,⁴ and the Convention may conduct better than we expected, it is very uncertain who will be elected members of Congress; if I recollect the present ones⁵ are all of them eligible. The parties have hardly yet got settled, nor is the system of policy for the year formed; but I will venture to predict things will go much better than we feared or the Rebels expected, and that the spirit of sedition will not another year be so popular a quality for political life, as it has been esteemed this Season. But in vain must be all our exertions

¹ The session began May 30, 1778.

² Resolve of June 15, 1787, Acts and Laws (1893), p. 677, 678; list of members, pp. 663–667.

³ Theophilus Parsons (1750–1813), afterwards chief justice of the State, was in this legislature a member of the house from Newburyport; Theodore Sedgewick (1746–1813), afterwards Speaker in the Sixth Congress, was a member from Stockbridge.

⁴ Of fourteen who had been condemned to death for treason, eight had now been pardoned; the rest had been reprieved till June 21. On the day on which this letter was written, they were again reprieved, till August 2. Minot, History of the Insurrections, pp. 171, 172, 187.

⁵ Nathaniel Gorham, Rufus King, Nathan Dane.

to brace up our own Government without we have a better federal System than the present. I wish this could as easily be made more dignified and energetic, as I think our own particular Government may be.—My expectations from the Convention are not great, though it must be admitted we shall probably never have more Wisdom and political Knowledge again collected, than they possess. They may draw the great outlines of a Government for the Union, much more respectable and efficient in its principles and structure than the present. they may harmonize well, and be themselves convinced that such a system is necessary to our safety and happiness as a nation. they may at their return to their respective States be diffusing the principles and reasons which satisfied themselves, and by degrees may in that way be preparing the public mind for its reception. But much time will be necessary to extend these impressions and much must be our suffering from the obvious weakness of the present system before competent powers will be delegated by the States. Sad experience alone will fully satisfy the body of this people that the Sovereignty of the Several States must in a degree be transferred to the Union and the people at large not so violently opposed to every degree of implicit obedience.

Adieu. I am Sir your obliged and affectionate friend

S Higginson

15. TO NATHAN DANE (In private possession).

Boston May 22 1788

Dear Sir

I received yours inclosing the french account. the regulations therein made and the liberty given us to visit their Settlements in Asia, are in my view well adapted to render their post at the Isle of France very important;¹ I see not why it may not become the Key to the Indies, and in a future War enable the french to annoy the British from there as they please. It will be the great deposit both for our exports and those of Asia and their ships will take on our exports to India and China, and bring back the articles we shall want in return. Such a trade which appears to me the probable effect of the

¹ Colonnè's arrêt of 1787, Art. XIII, giving Americans the privileges of subjects in Isle de France (Mauritius) and in French Asia. Dipl. Corr. 1783-1789, iii. 357.

regulations referred to, will prove beneficial both to us and them; but this State will derive much more benefit from it than all the others, having a much greater variety of valuable articles proper for that Country than they. For my own part, I was glad to see it; and I consider it as a fresh instance of the Superior policy of that nation, for they must I think gain by it in a few years the command of the English Trade to India. As to the other parts of the account, I do not think so much of them though the other regulations will be particularly beneficial to this State in the article of oil; and in all the others we as principal Carriers of Tobacco &c. shall have a full share of the advantages to be derived.—the Constitution I am convinced will be adopted, and the more I see and know of this people the more I am satisfied that it will alone save us from absolute ruin. the belief of its obtaining has very much assisted to check the licentious spirits in this State. from this and other causes our people have become cool and steady, the sober reason of thinking men now guides them, hence our elections have this year been wiser than we have known for several years. We shall have a better house, I repeat than we have known since the revolution. Insurgency is almost extirpated from the breasts even of the Inhabitants of Worcester County. Lincoln¹ failed of a choice at large by a very small number, about 200. he had a majority of votes I am told; but they were not returned in season. he failed by the base conduct of the friends of Adams,² or some of them; they published the most impudent lie I have ever known; and by it several Towns who would have been nearly unanimous for Lincoln were induced to vote for Adams. I mean that the friends of those two persons had met in this town and agreed to push wholly for the latter, as being the most popular and likely to succeed in opposition to Warren³. But Lincoln will be chosen by the two houses I think.⁴ federal measures will this year be popular; and some servile tools to the former Insurgents will have to tack about, if they mean to pursue their plan of rising to conspicuous stations by force of popularity—Mr. Hodgdon has not paid me the order for £100, nor set any time when he will do it. I wish you would write to him and press his doing

¹Gen. Benjamin Lincoln, candidate for lieutenant-governor.

²Samuel Adams, candidate of the opposite party.

³James Warren (1726-1808).

⁴Lincoln was so chosen.

it. pray what are you doing in Congress or like to do? Your Commissioners I see are appointed. I am so hurried that I can not add save that I am yours

With esteem

S Higginson

16. TO JOHN ADAMS¹ (Department of State).

Boston 17 Jan^r 1789

Sir

You may recollect that the Court of France by an edict, about 2 years since, opened a trade to the Americans to Mauritius and the french settlements in India, upon the same terms as their own subjects pursue it.² This permission we soon improved, and for two years past, many vessels have gone to Port Louis in the Isle of France from different parts of the Continent, with cargoes of the various exports from the Northern middle and Southern States. We there found a ready, and a good market for Beef, Pork, Butter and Flour, dried and pickled fish, wheat, Tobacco, Naval Stores &c. all the vessels from this State that have gone there, have carried those with some other small Articles. Those from the middle and Southern States have carried principally their own particular exports.—We have taken in return from thence Coffee, Pepper, Hides, Teas and the manufactures of India; and some of those articles have been again exported to Europe and the West Indies with advantage, as Coffee, Teas, pepper Spices and Nankins &c. As the articles we have carried to the Isle of France, have in a good degree been again exported from thence to the various markets in India &c. where a ready and extensive sale has been found for them; this trade would probably in a short time take off great quantities of our american exports, and give employ to a great number of our men and Ships. We find by calculation that not less than 3,000 tons of Shipping went to Mauritius the last year from America; and this year I think there will be more than 4,000 tons go there, besides those Ships that have been fitted out for China.—

From these facts, I think that a free trade to the Mauritius, as was at first granted, must be very important to America—for though the markets in India &c, which have rec^d our

¹At this time at home in Braintree.

²See note to preceding letter.

exports from thence may be open to us, generally, it is not easy for us at once to Supply them direct, nor till we shall have more knowledge of their navigation and trade—beside which the voyages to the Continent would be too long and tedious, for our common traders of small Capitals to pursue them; those to Mauritius are as much so, as the persons who have sent there can in general bear.—To have that or any other branch of trade so circumstanced that none but wealthy Individuals, or companies can pursue is not to be desired upon public principles.—But this trade to the Isle of France we are perhaps in danger of losing, or having it so restricted, as, in a good degree, to deprive us of the advantages we have been led to expect from it. The few french Merchants who reside there, have enjoyed exclusively the Supply of that market with some of the same articles which we carry there; and have generally engrossed to themselves the Crops of Coffee, as well as the India Exports, which have been there Sold, by this means they have commanded their own prices—both for their Supplies to their Planters and transient Traders, and for the produce &c exported from thence,—we have not only under-sold them in the articles we have carried; but by going over to Bourbon where the Coffee is raised, and contracting with the planters for what we wanted, we got it much cheaper than to have bought it at Port Louis, and taught the planters to make more of their crops than they had before done, and deprived the Merchants at Port Louis of a profit they used to make at the Planters expence.—These diminutions of the merchants gains, resulting from our trade, have made them and their coñexions at L'Orient very uneasy; and they have combined, we are told, to Suppress, or at least to restrain Our Trade at that market, by joint representations to the Court of France.—They have, indeed, already prevailed on the Commandant at Port Louis, to prevent our vessels from going to Bourbon to buy and take in Coffee; and we now have to take it from the Merchants at Port Louis, at the advanced price of 2½ to 3 Dollars # C'.—This restriction we might perhaps Support but Should we be liable to any additional ones of moment, we may be obliged to abandon the Trade.

If the french Government should not be misled by false representations, I cannot suppose they will subject us to any farther embarrassments; but on the contrary, by considering the subject in a national and Political view, they must be dis-

posed to encourage our Trade, to the Isle of France in particular, and give us all that freedom which they at first intended, and we enjoyed. The local situation of that Island is peculiarly favourable to annoy the British trade to India and China, and to protect their own. It may indeed be viewed as the Key to both the Chinese and Indian Seas from Europe—no Ship can pass from either of them, without being in a great degree subject to the Cruisers Stationed at the Isle of France; and if a free trade is permitted to us, they certainly will have every Supply, and every advantage for cruising upon the British from thence. that Island will certainly Soon become the Place of deposit for American, Chinese and Indian exports.—we Shall carry to them, all the various products of America, that will answer in those Seas, and shall want in return the produce and exports of the east.—our vessels will lodge the former, and take the latter in return. The french Ships, or the natives from the Continent will bring their exports and take ours away for other markets. Such a Trade will not only employ the french Ships in carrying our exports to other Markets from Mauritius, and in bringing theirs in return for us to take away; but very great advantages besides must be derived from it. It is impossible but the Settlement must, with such advantages, soon become very wealthy and important; it will certainly be resorted to by other Europeans, and all the various nations inhabiting the Shores in those Seas. It will in this way soon become the general Magazine for Naval Stores, and for provisions of every kind.—In a political view, no event can be more desirable It will enable the french to operate against the british in any future rupture with amazing advantage.—They will then have an important port filled, not only with provisions and military Stores, but with Active enterprizing and wealthy inhabitants.—

Should the immediate effect of our trade be to supplant, or even to ruin the few Merchants now residing at Port Louis, it would be of no moment in a national view, Since it must inevitably establish great numbers in their stead. But even this cannot happen, unless from their own folly and imprudence—for though they may be deprived, by means of our trade, of the profits on the business they before pursued; they certainly may avail themselves in common with others, of the many new openings for beneficial Commerce which result from it.—

It appears to me that the french Court acted with great wisdom and policy when they open'd those ports to us; and the same principles which induced them to do it, will retain their weight in favour of the measure, while the trade of Europe with India and China, and the relative Interests of France and Britain, in those Seas remain as they now are: and If I am not mistaken, as to the views and Interests of the french Court, upon this subject, there can be no doubt of M^r Jefferson being able to prevent any new restrictions upon our vessels, and to obtain for them the same liberty which they at first enjoyed.

With these sentiments, as to the importance of a free trade to those Seas, I thought it could not be improper to state to you the foregoing facts and observations. Should they have weight in your mind, you may perhaps advance the Interest of America by making some representation to M^r Jefferson on the subject.—

with much respect I have the honour to be Sir your very humble

Servant.—

Stephen Higginson

His Excellency John Adams Esq.¹

17. TO JOHN ADAMS: (Adams MSS., Quincy).

Boston July 4, 1789—

Sir

Since I had the honour of seeing you at your own house, I have been so unwell, and so much occupied with my private Business, when able to attend to it, that I have not had an opp^s of writing to you, as you requested and I engaged to do. Nor can I now do more than just to inform you, that, as the British are coming fast into their old practice, of taking from hence the rum necessary for their Factories upon the Coast of Guinea, a draw back on our rum exported to foreign markets is important to the Commerce of this State.³ more than 1200

¹ This letter, addressed to Adams, was sent by him to Jefferson in Paris; it is now found among the Jefferson Papers in the Department of State, series 2, Vol. 1, No. 62.

² At this time Vice-President of the United States.

³ The tariff bill as passed by the House, May 16, contained a provision for a drawback on rum exported; but the Senate struck it out, and the act passed without it, and was approved on the day on which this letter was written, July 4.

hhds. have this year been called for by them; and so fond are the Africans of this Spirit, that was it freed from the duty when exported thither, I have no doubt the British would soon take several thousands of hhds annually.—as Our molasses Trade is the main branch of Business in this State, and is really the chief support of Our Cod fishery, as well as necessary to several other important branches of Our Commerce, it is a point to have it as free as possible from unnecessary expences and embarrassments. the amount of Our export of rum to foreign markets may now be fairly estimated at 3000 hhds a year; and there can be no doubt of its soon amounting to twice or thrice that quantity if it was not loaded with the duty; for every market We now have for it abroad will be increasing in its use of and demand for it, unless the increase of the price prevents. two pence a gallon is no small Object in that Article, it is sufficient perhaps to secure to us permanently, or to deprive us wholly of the Supply to the markets alluded to.—it strikes me as very singular and unequal, that there should be a drawback generally upon Foreign Imports when re-exported, and none allowed upon a principal export of this State. If the former is admitted upon the principle of giving facility and extension to Commerce, will not the same reason apply as strongly in the latter case. it is true the former may affect the other States more than the latter, but if to load exports to foreign markets with duties, is anti commercial, if the principle be good, as a general One, it will not be objected that We shall principally be benefitted by it in this case. This would savour strong indeed of locality, and confirm the Idea here, that southern gentlemen are jealous of, and wish to restrain us in Our Trade.—If a drawback be refused on rum lest the Revenus be injured, the Objection will apply as forcibly, at least, to the general provision; for surely the former case is capable of as many good Checks, as in any One that occurs to me. the general allowance of drawbacks will give many openings, without great care is taken, to defraud the Revenus. a variety of deceptions may then be practised from the extent and complexity of the Objects; but here We have a single Article only to attend to, and this We can check in the hands of the Distillers who are few in number. I fear these hasty Observations may be too late, and perhaps not sufficiently clear and weighty to merit attention; but as I could not believe, till within a day or two, that a

drawback on Our rum could eventually be refused, I may be excused for not troubling you sooner on the subject, and it must be my apology for now doing it thus hastily.—

Should Congress appoint the inferior officers in the executive departments, and think it expedient to continue such in office as have conducted well, permit me to say that I think Mr. Joseph Hiller naval officer for Salem is one of the best in the State.¹ his integrity, accuracy and faculty of exerting rigidly the duties of his office without giving offence, are much greater than common. I am induced to say this of him, having been lately informed, that several in that Town have applied for the office, expecting the appointment will be made by Congress, who are by no means his equals for such a post.—

With the most respectful regards for your Lady and family, and most sincere wishes for your health and happiness, I have the honour to be Your Excellencys most humble

Servant—

Stephen Higginson.

18. TO JOHN ADAMS (Adams MSS., Quincy).

Boston, Aug^t 10, 1789.

Sir

I never yet have had occasion to solicit an appointment either for myself or my friends, nor do I love to interest myself in matters of the kind; but, when there is an appearance of danger from any proposed appointment, it seems to me to be the duty of every good Citizen to give such information as appears to be material. upon this ground only I shall now take the liberty of stating to you, some of the Evils which are here thought inevitable, should Mr Cushing, Our present chief Justice, be removed to the federal Bench;² a measure, which several Letters by the last post informs us, would probably be taken. you know, and every One acknowledges, his abilities and many good qualities; which render him a proper person for the Office referred to, and which makes him of the highest importance to this commonwealth in his present Station. Our present Bench are very respectable, They harmonize to an unusual degree,

¹ Joseph Hiller was on August 3, 1789, appointed collector of the port of Salem. Executive Journals of the Senate, 1, 9, 12.

² William Cushing (1733-1810), chief justice of the Superior Court of Massachusetts since 1777, was in 1789 appointed an associate justice of the Supreme Court of the United States, and remained upon that bench until his death.

They love and respect each other, and They are all federal. by means of these qualities Sentiments and union, they act with dignity and decission; and they form the greatest Barrier We have, by much, against popular frenzy, and the influence of popular Demagogues. Should that Bench be broken up, or much changed, it would probably give rise to more mischief, and would certainly give more pain to the good Citizens, to the friends of government than any thing that can happen. It is an Event which his Brethren, the Barr, and the best of our Citizens would deprecate exceedingly—for the certain consequence would be, the appointment of a man, with whom some, if not all the others would refuse to sit—at least such is the Opinion of all that I am acquainted with.¹—It is indeed an Event which the popular party here would much rejoice at, and which They have been labouring to bring about. They certainly wish much to derange that Bench, and to place on it some men of very opposite characters; and They sometime since intimated that it would happen ere long. But as no One conceived it in any degree probable, and every One supposed that M^r Lowell² would be the man, no measures have been taken to guard against it, and perhaps no information of this kind before given to you.—

I hope you may not consider this communication as improper or ill timed, I assure you that it's made upon public principles only. Though your particular friends, and the best men in this State are much alarmed at the Idea of such a change; yet it may happen, from various causes, that none of them may write to you upon this Subject.—M^r Cushing is in the highest estimation with every good man here, and but for the particular circumstances of the Case, They would wish him to be removed, if he desired it; which is doubted however by many. But as M^r Lowell is considered as equally qualified for the place with Mr. C.; and from the Office he before held has been viewed as the only fair Candidate³—and, as such great injury is considered as inevitable to the State from the removal of M^r Cushing, those who are the common friends of both the gentlemen,

¹The allusion is to James Sullivan, to whom indeed Hancock offered a seat on the bench. See Amory's Sullivan, i, 259.

²John Lowell (1743-1802), Higginson's brother-in-law. In 1789 President Washington appointed him United States district judge for the Massachusetts district, and he held that office till his death.

³Lowell had been, since December, 1782, a judge of the Court of Appeals in Cases of Capture.

and the best friends to government, and to those who administer it, would be much pleased at the appointment of the former, but would lament exceedingly that of the latter—

I have given you Sir freely and honestly what I suppose to be the general Sentiment of the most respectable men among us. you will pardon the freedom I have taken, and give credit and weight to the communication so far only as you think it merits.—I have wished to trouble you with some of my own Ideas as to revenue and commerce; but my time has been taken up by Journeying &c to recover my health, and my nerves are so weak that I write with much difficulty and labour—and this must apologise for the present hasty Scrawl not being copied.

please to present my own and Mrs. H^s respects to your lady &c.

With much respect I have the honour to be your Excellency very huml Servant

Stephen Higginson.

His Excellency John Adams Esq.

19. TO JOHN ADAMS (Adams MSS., Quincy).

Boston Dec^r 21.. 1789

Sir

I intended myself the honour of a little conversation with you, before you went to Congress, as to the trade of this State. We are suffering very much for want of a proper inspection of Our exports. that We now have, under the State Laws, is, as to most Articles, worse than none—it serves to conceal and encourage frauds of every kind in preparing Our exports for market. We surely can supplant Ireland in every open market, with Our Beef, pork and Butter; and We can vie with the British in the various kinds of pickled fish, at any foreign port, where We are admitted. in every instance, where the shipper has been personally attentive to have these Articles well put up, We have had the preference, both on account of the quality and price; but, very few of Our exporters are good Judges of those goods themselves, and fewer still can find time for such attention.—I know of no way of getting Our exports into good repute abroad, but by a strict inspection of them; and to effect this, there must be a System with a

H, Doc. 353—49

responsible man of good character and information at the head of it, in each State. let him be answerable to the Shipper who sustains any loss by having bad goods delivered him, that have passed inspection, or been branded by an inspector—let him have the power to appoint and remove persons under him, and oblige him to give large security when he enters into office.

He will then take care, that none but faithful men and such as can give him ample Security shall act under him. Every One then will feel a responsibility; and their interest will induce them all to do their duty. the fees which are now paid to no purpose by the Trade, are nearly sufficient for the purpose. Our exports are such as call for more than common care in filling them for market; but the attempts made by the State to regulate them have done more hurt than good. the Towns appoint such, and as many as they please, without any regard to character or qualifications; and We can hire, for the fees, the brands of many officers, or obtain their certificates for Goods which they have never seen.—Our Beef, pork, Butter, pot and pearl ashes, pickled fish of various kinds, flax seed and Lumber, constitute a large proportion of Our exports in value, as well as in bulk; and all these Articles require inspection.—

This must be made a responsible and a respectable department or nothing can be effected. Government can not find proper men in every Seaport in this State for inspectors but a good principal residing here can; nor can the trade bear the expence and loss of time, which must attend Our having only one place of inspection. every facility sh^d be given, and every expence saved to the exporter; but the regulation of exports should be such as will give safety and confidence to the Shipper, as to the quality, and tend to bring them into good repute abroad.—

I can not but consider your revenue System as very defective, without such a responsible man at the head of a large district. every petty Collector in our out ports now feels quite independent, having no One within 300 miles that can call his conduct in question; and I am sure that ten times the amount of the salary proper for such an Officer will this year be lost, for want of his influence care and inspection. But this defect I think will soon [be] remedied—it will be seen by so many, and the loss to the public will be so evident to all

who attend to the Subject, that I am persuaded Comptrollers or Inspectors of districts will be appointed.—I should think that one man of ability and activity—well acquainted with Our Commerce in all its branches might be sufficient for the N. E. States.—

We suffer very much in this State from the unequal trade We now have with the British. They take from us in Our Vessels, even in their home ports, only such articles as they can not do without; and in their Colonies They will not admit us with any thing, on any terms. Our Oil is loaded by them with an enormous duty when in their own bottoms, and prohibited in ours; and yet this is the best market We can find for the most valuable kind. We are totally deprived of the intercourse We had with their Islands, Newfoundland, Canada and Nova Scotia; They are not permitted to draw from us, even in their bottoms, the supplies They want, except in times of uncommon scarcity, or some particular articles, which They can no where else get without great trouble and expence. But they have nearly the same advantages in Our ports, They used to enjoy. other foreigners do but little interfere with them in carrying Our exports to market; and, they as yet can vie with us, and must have a large share in that branch, the tonnage &c notwithstanding. This inequality ought not to continue, but the difficulty is how to remove it. Should We at once adopt a resentful, restrictive System, the effect may be to increase the Evil. We may lose their markets for ashes flax seed and white Oil &c, which would injure the trade of this State very much, without gaining any thing to balance it; for we could not much profit by their being excluded Our carrying trade, as We now pursue that branch as far as We have the means, or think it for our interest. The Government of the Union has now so much the appearance of respectibility and efficiency, the British may be brought, perhaps, by wise and prudent measures to view it as meriting attention, and to have some respect for its movements and decisions. I should hope more from open and calm negotiation than retaliation.— If We exclude them as Carriers, We must tempt others by high freights to carry Our produce. the nothern States alone can not for a number of years carry off all the produce of America, unless the Business be made much more productive, to call our main efforts and attention that way; and this can not be done without causing a great alarm and much uneasi-

ness in the southern States.—the N E. States, and particularly this feel chiefly the weight of the British restrictions—the others never had much intercourse with Nova Scotia N Land or Canada; and their exports to Britain are not affected like Ours—as the carrying is a great Object with the British, We may gain somewhat by negotiation, as an equivalent for their enjoying it; and in this the southern States may feel and go along with us. But if We attempt in the first instance to restrain the British, Our southern friends may get alarmed, and leave us without support; and should We succeed in drawing them into Our Views, We may both be disappointed in the effect produced upon the British. I feel the necessity of having a more equal and reputable trade with the British; but I am not yet satisfied that We can either compel or conciliate them to more reciprocal terms—the latter however at present is, in my mind, more eligible and promising.—

I have taken the liberty of suggesting to you in a hasty manner these loose Ideas for your consideration. if they prove of no use, nor throw any new light upon the Subject, you will excuse the manner when assured that the intention is good.

With much respect I have the honour to be Sir your most hum^l serv^t

Stephen Higginson.

His Excell^y John Adams Esq.

20. TO JOHN ADAMS (Adams MSS., Quincy).

Boston March 1.. 1790

Sir

Since I had last the honour of writing to you, the vacancies in our supreme Court have been filled up; and the event has proved, that you knew better the character of our Chief than many of Us did, who expected different persons from those who have been appointed.¹ there was however, We are told, a severe struggle between his inclinations and his fears. certain it is, that one person of the profession counted upon a Seat

¹ Governor Hancock appointed Justice Sargent chief justice on Cushing's resignation. Justice David Sewall also resigning, to become United States district judge in Maine, Hancock filled these vacancies by appointing Robert Treat Paine and Nathan Cushing. For Adams's opinion of Hancock, strikingly and generously expressed, see his Writings, x, 259-261.

on that Bench; and it was a long time before he was reluctantly given up.¹

The report of the Secretary of the treasury has much engaged the attention of our Assembly, and of the people abroad.² it is very generally admired; and men of information, I find, grow more attached to it upon reflection. the rate of interest proposed, the assumption of the State Debts and adjustment of Accounts between the States and the Union, and the distinction made between foreign and domestic Creditors are very generally pleasing. there are some however both within and without doors, who would wish to embarrass the System. They use every exertion to create an opposition to it; but they have hitherto failed of making any impression, and will not be able, I trust, to urge the legislature to any disagreeable points. the acquisition of Mr. Dane,³ by a vacancy in the Senate, has given Them new hopes; and their Efforts will be renewed in the way of Amendments, if not by a remonstrance against assuming the State Debts. They mean, it is said, to create an opposition in the national Senate, upon whom they expect to make an impression, They being chosen by the state legislature. This mode of opposition, it is said, was recommended by Mr Lee;⁴ and to make it more efficacious will be systematically pursued in all the States to favour these Views. Mr Dane has reported an amendment, by which the Senators are to be chosen all at the same time in future, for the term of four years, and subject to a recall by an order from their Constituents. whether this will pass the two houses, appears very uncertain; but the principle of action, and the object in View is very apparent.— what may be the effect upon any of our members, should it pass, you will have an opp^s of observing; but every new evidence of the disposition from which such propositions originate, will certainly serve to strengthen the hands of the Union. by such conduct people are taught to look up to the federal Government, for safety and protection; and the importance of the state legislatures will be thereby lessened in the Eyes of the people.

My own Views and intentions, as to future life, have lately undergone a great change. I have the last year been so

¹ Sullivan is meant.

² Hamilton's report on the public credit, presented to Congress January 14, 1790.

³ Nathan Dane.

⁴ Richard Henry Lee, at this time a Senator from Virginia.

arranging my Business, as to be able to leave it whenever I pleased. with a property nearly equal to a support, I meant upon a future opening to have entered again into political life. But some recent losses, to the amount of [15,000 or 150,000]¹ dollars, to me very unexpected, have so diminished my Capital, that I must now abandon that Object. my time must in future be devoted to Business of a private and safe kind; or I must take some station in the executive branch of Government where I can derive, at least in part, my support from the public. two principal reasons have decided to a pursuit of the latter. I wish for a situation less confined and more active on account of my health, which is too slender already; and I am desirous of rescuing the property which remains to me, from the vicissitudes of my present Situation. with these impressions, I have decided to offer myself a Candidate for some new office, which I presume must soon be instituted in the Revenue. if it be decently respectable, and tolerably productive, I should gladly embrace it; for I am quite tired of the changes incident to my present situation, which no care or forecast of my own can guard me ag^t— That of Inspector, should Mr Hamiltons System obtain, would meet my Views.²—persuaded that nothing but proper qualifications, will determine your Voice in my favour, I shall urge no other consideration to engage you to aid me in the pursuit. But fancying myself, perhaps too fondly, qualified for such a Station under Government, I mean only to ask that so far as my private Views may comport with the public interest in your mind, I may enjoy your Support. you have some knowledge of me yourself; and I wish to have my principles and qualities fully known to you. I have no right to presume upon your personal friendship; this may be done only, perhaps, to a more intimate acquaintance, than I have the honour to claim. no man has been more decided in his opinion and conduct in favour of the new Government, when no Views of this kind existed in my mind; nor will any man labour officially more to promote its dignity and happiness, than I shall, under such an appointment.—

I have been considering the Secretarys proposal of new duties, and his mode of collecting Them.³ the amount of the duties, and the novelty and energy of the collection seemed rather alarming at first; but they are both necessary to the

¹ Unfortunately the reading is uncertain.

² Bill to prevent the exportation of goods not duly inspected; enacted April 3.

³ Hamilton's report on the public credit, communicated to Congress January 14, 1790.

object in view. to lessen the rate, will render the means incompetent to the End; and to abate of the vigour, proposed in his mode of collection, may entirely defeat the whole System. accustomed to Laws, weak in their principles and loose in their construction, and to modes of collection feeble and irregular, habits of Evasion have been here too generally contracted. it is idle to depend on the personal honour or patriotism of those who are to pay. firmness and force may be absolutely necessary to secure a due collection; They are the more so, because of the habits alluded to. the great difficulty is to have the System efficient without distressing Our trade, by drawing the Duty from the Importer before he can have received it from the retailer or consumer, or by establishing such Checks as will retard and obstruct Business. The former will increase an Evil now too generally felt, the want of capital; and, as the Bill now stands may create uneasiness. the latter can be obviated only by an attentive discharge of the inspectors duty, in giving every facility compatible with a regular collection, and consistent with the principles of the Bill. Should it be executed with attention and address, no injurious obstructions need take place; nor should I apprehend, in that case, any great clamour or uneasiness. very much will depend upon the executive Officers, especially in the outset.—

An excise Act is now before Our Assembly. the old One is to be repealed; and a new mode of collection is proposed, with some features taken from Mr Hamiltons plan, but not more efficient than the old One. Though Excises have become very unpopular here, from the inequality and iniquity which resulted from the operation of the old Act, there was a majority in both houses for taking up a new one.—Some urged it to provide in part for the interest on the Debts, others were zealous for it to pay off the Court, and defray other current expences. this produced a warm debate on the question of appropriation, which ended by applying it to the Debt with an ill grace. So much temper was excited, that There is yet some doubt whether it will obtain. but if it should, being appropriated to pay the interest on the Debt, it will fall of course when the Debts shall be assumed by Congress; and will prove to be no more a bar to a general excise.¹—I inclose you a paper containing a Speech

¹ The excise act of March 3, 1790, repealed the existing act, and appropriated the proceeds of the excise to the payment of interest on the State debt. On June 24 the legislature repealed this act in case the United States assumed that debt.

of Mr. Austins¹ in the Senate, which may serve to show you the spirit and the Views of a party, who are aided and supported by some of Our follies.—

With much real respect I have the honour to be Sir your very hum^l Servant—

Stephen Higginson.

P. S: I have since obtained a copy of Mr Dawes¹ report which I inclose you. it will give you some Idea of the feelings and Views of those people who are opposed to Government

21. TO JOHN ADAMS (Adams MSS., Quincy).

Boston Mar: 24,, 1790

Sir

Your obliging letter of the 14 instant I have received, and thank you for the friendly intentions you therein express. I did not mean to request any activity on your part, in the case alluded to; nor was I aware, that any expression I used would convey an Idea of that kind—the intention you intimate, is all I wish for, or should have tho't would have been proper for me to ask.—

It is cheering to me, to find you so well pleased with the disposition and measures of Government. it confirms me in my belief, that the Secretarys report² will be adopted in its leading essential principles; and that Our national Affairs will, by it, assume a new, and more promising appearance. you are certainly right in your Idea, that the opposition thereto has not the support of the people. Their Voice, in this State, is very obviously in favour of the proposed System—so much so, that Those who have laboured to create an opposition to it, are led to desist from any farther attempt, lest they should injure their own interest.—no great effect has been visible here from the report of M^r Dane and others, on the Subject of Amendments. it was not taken up in the Senate; but is now at rest in their files, to the no small mortification of the framers. the rate of interest proposed in the report—the exploding all intention of discriminating between the different classes of

¹ Benjamin Austin, jr. (1752-1820). probable author of the letters of "Honestus" and author of Constitutional Republicanism as opposed to Fallacious Republicanism, and Thomas Dawes (1731-1809) were at this time members of the State senate from Suffolk County.

² Hamilton's report on the public credit, with its proposals as to the Federal debt and the assumption of the State debts.

the Creditors—and the assumption of the State Debts, and the adjustment of their Accounts with the Union, do all meet the public approbation. not a man, that I hear of, ventures openly to condemn either of those principles. the public mind seems to be unusually tranquil, and pleased with the appearance, and intentions of the general Government. nothing will turn up, I hope, to disturb this placidity. Our State elections will take place without any contest, and will probably fall upon the same persons, in general, as the last year. if a change can be made in the Senate, without much of the electioneering Spirit being raised, it is to be desired. there were last year, in that branch, too many of the family of the *Honesti*;¹ and the insurgent spirit was often too visible in a majority of Them. The fears of the Assembly were much allayed, by an address from the new Atty general, in which he says he shall qualify himself to be the legal defender of the Sovereignty and independence of this State.² with such a defence, They must have been very unreasonably afraid, not to go home with quiet minds. it is a singular circumstance, that he and his brother³ are openly and avowedly pitted against each other, upon that point. James may plume himself upon his being the official, constitutional Guardian of the weak, against the ambition and pride of the mighty; and Jn^o is not less vain of being viewed, as the great protector of the natural right of the great fishes to eat up the little Ones whenever they can catch them.—

I am surprised to find so little apprehension, as to the new duties proposed upon Spirits &c. among the Importers. the high rates, with the novelty and the energy of the mode of collection, might naturally have excited a general alarm. But there seems to be a general disposition, to acquiesce in whatever may be necessary to the support of Government; and a belief, that no measures will be taken, bearing hard on the trade, without necessity. This surely is a favorable appearance. there are two points, which may possibly occasion a clamour, if care is not taken. Should the duties be drawn from the Importers before They shall have received Them from

¹ The reference is to a writer who in 1786, under the name of *Honestus* (probably Benjamin Austin, jr.), had an important part in discrediting the courts and so encouraging the Shays Rebellion.

² James Sullivan, who in 1790 succeeded Robert Treat Paine as attorney-general of Massachusetts.

³ Maj. Gen. John Sullivan of New Hampshire, who from 1789 to his death in 1795 was United States district judge in that State.

the consumer, or retailer, by the sale of the goods, uneasiness may arise. the monied capital of Our Traders is so small, that a compulsory advance of the duty to the Government, would embarrass their business, and create a very unfavorable impression. I have suggested to the Secretary this danger.— the other is, obstruction to business, for want of a constant attention of the executive Officers. the checks proposed by the Secretary appear to be necessary to a due collection of the duties. they will at times inevitably retard business, in the supply to Country Traders; but detention, which can not be avoided without hazarding the Object, must be submitted to. an extension of the delay from the inattention of the Officers, may be very injurious, and will be considered as a hardship; But this will depend very much on the appointments, and a strict requisition that they attend their duty. after some attention to the Subject, I am of the opinion, that the System proposed may be here executed without any difficulty, every accomodation being given to the trade, which the case will admit of.—

Important as the inspection of Our exports is to the trade, there is no chance of obtaining one under the laws of the State. that Business must undergo a thorough reform, and be put into the hands of a new and very different set of men, to answer any good purpose. while the appointments are made by the Towns, the legislature, or the Executive, there will be no responsibility nor proper characters in office. there never was greater venality and corruption, than has appeared in this branch. the trade have not only been subjected to the expense of the fees; but they have sustained heavy losses by the most shameless prostitution of the officers, and no man is sure of having even the kind of merchandize he wants, from the official evidence which attends the Article. Our inspectors are not only an expence without a benefit, but They are a snare to the ignorant and the Stranger, and have proved a curse to the commerce of the State.—

The Commerce and the fisheries of this State do yet labour, and can not flourish as they ought, till We get entirely rid of the habits of dissipation and expence contracted during the War. their influence upon those two branches are yet severely felt, by those, who are engaged in them; but time and necessity will bring us to use that industry and economy which is necessary to our thriving in any branch of Business. Those

who built Vessels soon after the peace, whether for the fishery, or foreign Trade, have suffered more by the reduction in their value, than their earnings will pay; and in the old Towns, the unusual profits from the fishery, the first years after the Peace, were consumed in expences, which They were formerly strangers to. But those, who live upon Cape Cod, and along the south Shore, who retained their old habits of industry and frugality, applied their gains to increase their Business. Those have very much extended their fishery, and will continue to thrive; while the others are declining, and will not recover, but by a change of manners, and a reduction of their expences.—

The great increase of the British and french fisheries, has tended much to check the growth of Ours. the aggregate quantity of their fisheries and Ours, the two last years, has been more than a full supply for all the markets; and the prices have naturally been lower, than either They, or We can well afford to sell at. But their loss has been very great compared with Ours. They have sunk a large part of their capital, while We, with proper economy, should have sunk only a part of Our usual profits. even the last year, the cod fishery on the south Shore was a living business; but in the old Towns, They took less fish, expended much more, and had little or nothing left to support their families. There is a strong probability, that this business will, from the causes mentioned, be in a good degree transferred from the north to the south Shore. This may be, in a national View of no great importance; but the Towns of M Head¹ and Gloucester &c may be much distressed, before they recover those habits, which alone can make them to be flourishing and happy.—We have so many advantages in this business over the Europeans who pursue it, that I have no fears of our eventually losing it. the fisheries of france and britain are so depressed, by their late losses, that They will not this year be pursued to the same extent. This may give new courage, and more profit to us in future, and the sufferings now complained of, may tend in their effects, to give us a more decided advantage in the business, than We before enjoyed.

The complaints, as to the want of encouragement to extend Our navigation, arise principally from the same ill habits. was

¹ I. e., Marblehead.

this business pursued with the same industry and frugality by us, which the Europeans practice, no new advantages need be given, by Government, to enable us to be the Carriers of Our produce to market. the carrying business ought not, upon principles of policy, to be more than equal to a decent support to those, who pursue it. all beyond this, must tend to check cultivation, or to load Our exports too much for the foreign markets.—I am very doubtful, whether any new advantages given to those branches, by bounties &c, would tend eventually to increase them; because, till Our expences of living and carrying on business, shall be reduced to the lowest practicable point, We can not derive the greatest possible advantage from them; and that reduction will not take place, but from necessity.

These Sentiments are not popular among mercantile men; but they are, in my mind, well founded, and will in the end be promotive of the true interest of the Country.—

I have ventured to give you these hasty Ideas, for your consideration, supposing that questions relative to those Subjects may be soon brought before you.—

With the highest respect and esteem I have the honour to subscribe myself your hum^l Servant.

Stephen Higginson.

P. S. you will excuse my not copying this letter, for want of time.

22. TO HENRY KNOX¹ (New England Historic Genealogical Society).

Boston April 7th 1790.

Sir

I received your obliging Letter by the last post, and thank you for your friendly intentions both as to me and my Son John. I had no expectation, nor did I even wish, that the established rules of rank &c should be infringed to benefit John. All I aimed at was to secure to him that grade, which he would obtain by a personal application, in virtue of his former Commission. if a company could in that way fall to his lot, it would be very agreeable; but if not, he must be content with a lower grade. The same post that handed me yours,

¹Secretary of War under the new Government.

²Knox MSS., Vol. xxvi, p. 25.

brought me also a letter from him, in which he requests me to apply for a Commission for him; having some how heard, that a new Corps was to be raised. All I wish is, that he may have as eligible a Station, as the rules in such cases will admit of.¹

The Sentiments you express, as to the future prospects of Our Country are very natural, when judging by the past, and reasoning from analogy. in that view of the Subject, there appears too much reason to fear yet farther fluctuations, if not changes, in the tempers, and dispositions of the people toward the Government of the Union. But it appears to me, that a general alteration in the habits and feelings of the people has taken place for the better; and that many new circumstances haven arisen; tending to increase the force and respectability of Government, and to give a strong impression of the necessity of its being supported.—Habits of industry and frugality are taking place of those of luxury and dissipation, more generally and with more celerity than I expected. it is a growing Idea, that the manners contracted during the War must be done away; and that every Class of Citizens must expect only to thrive by the means commonly successful in a time of peace.—With such Sentiments impressed on the minds of the body of the people, and the advantages they will derive soon from the System proposed by the Secretary of the treasury, and from some general commercial Arrangements, which may soon be expected, the situation of individuals will become more easy and eligible, and private happiness be more generally enjoyed. from the same causes, I expect, the Government will be gradually increas'g in its energy and dignity, and will daily extend its protection and blessings.—The public mind, to judge from this part of the Union, has kept pace with the times; and has been prepared, with wonderful success and facility, for new Events. there seems to be a general conviction, that the Union must be supported, as the alone Source of national Security; and that every burthen necessary to the Object must be cheerfully bourne.—If the Secretarys report should be adopted, Government will receive a very great addition of strength, by the joint support of all classes of public

¹ In a preceding letter (March 15, Knox MSS., Vol. xxv. p. 180) Higginson had asked for a captain's commission for his son John, aet. 23, who in 1787 was an ensign in Jackson's forces and had since been a master mariner. On March 4, 1791, John Higginson was appointed a lieutenant of infantry. Exec. Jour. Senate, 1, 83.

Creditors; and will soon be possessed, exclusively, of every source of revenue except direct taxation. this invidious resource will remain to the States, and, by its operation, will produce an affect favorable to the Union.—in short the Government of the Union seems now to have a fair prospect. its measures, contemplated, have national and right objects in view. they are marked strongly with wisdom and decision; and they will, in my opinion, if adopted with union, and executed with firmness and address, ensure permanent safety and happiness to this people.—Thus have I given you a concise and general view, of my present impressions, as to the affairs of the Union; and with that confidence, which one candid man ought to feel toward another.—had I more leisure, perhaps I should have been more explicit and extensive; but this rough sketch, which I can not copy or reduce to form, may serve to disclose my present Ideas.—

With Sentiments of respect I have the honour to be Sir your very hum^l Serv.

Stephen Higginson.

23. TO ALEXANDER HAMILTON¹ (Department of State).²

Boston Feby. 23rd 1791

Sir

For a long time I have not had the honour of writing to you, or receiving any Letters from you. being much occupied by my own private Business, and nothing very special occurring to me, which I thought very useful to you, may well account for the former; and I know you must have been too hard pressed, by the great Concerns of your Office, to have had any spare moments to devote to mere friendly communications. as the Excise System seems now to have passed, and out of the reach of opposition, it may be proper for me to inform you the present state of my mind, as to taking a Station in the executive part of it.³ this seems not only proper indeed, but a Duty, in consequence of my former communications to you upon this subject. The reasons, which then operated strongly with me, to wish for such an Office, have still an existence, though a less influence upon my mind. the mechanical effect of the Events, which I mentioned to you, has abated by time; and I think,

¹ Secretary of the Treasury.

² Hamilton Papers, Vol. 8, p. 118.

³ I. e., as supervisor of the excise in the Massachusetts district.

that a bare living from the Office, would be an ineligible exchange for my Business and prospects. from the disposition exhibited by the Legislature, and the popular Cry against a decent support for responsible Officers, it is very probable, that the allowance, whether made by them, or the Executive, will be less than I ought to accept.—Should the provision be 2000 dollars or more, I should wish to take the Office; but if it will be much less than that, I had rather take my chance in my present situation.—

As I before presumed upon your friendship, and was explicit in stating my Views, and requesting your influence to promote them, I hope you will permit me now to be equally open and candid.—

I know not, indeed, whether I am known as a Candidate, or whether my application to the President has been made. from general circumstances and hearing nothing of it, I rather suppose it has not been delivered.—If, when the arrangements are made, the allowances should not come up to my Ideas of eligibility, with respect to myself, I will thank you not to deliver my Letter to the President; or if that has been done, then to intimate my wish not to be a Candidate, and to assign the reasons. On the other hand, should the emoluments be equal to my Views, I should then like to be a Candidate, unless you should think some other one more likely to succeed.—

Under present circumstances, I see not but I must take the liberty of resting the matter upon the above principles; and from the past, there appears to be a necessity of my again coming forward. to be appointed with such a provision, as would induce me to decline, would give pain; and to abandon an Object, worthy of pursuit, and which might have been obtained, would not be a pleasing reflection.—

Mr Jackson¹ is, I hear, a Candidate for the Office referred to. he certainly has good qualities, and strong Claims; and I should not wish to stand in his way, where my own interest did not strongly urge to it. This consideration has also its weight with me, in communicating early my disposition to retire in the case I have stated.

And now let me congratulate [you] and the public upon the success of your measures and projections. I have not only felt

¹Jonathan Jackson, Higginson's former partner, now marshal of the United States district court. An interesting story of his appointment may be found in Amory's Sullivan, i. 249. Nathaniel Gorham received the appointment here discussed. Exec. Jour. Sen. i. 81.

a confidence in and predilection for them, from viewing them in connection with Their Source; but I do really think your System the best, if not the only one, which our Case would admit of, and competent to the Object.—Though the System has been mutilated, there still remain, I hope, enough of the leading efficient principles to give it Energy, and to ensure it success. time and opportunity must be seized to perfect such parts, as may by experience be found deficient.—

I have been led to suppose, that you have it in View, to establish deposits of Cash here and in York, at least, to exchange the notes of the proposed Banks, though it would not have been eligible perhaps to have avowed it in your Report. It strikes me as a point indispensable, without that, the notes will never answer all the purposes of money, or be equal to those of our own Bank. there is no other possible way, I suppose, of their gaining the entire confidence of the public, and without that their circulation will be limited indeed.—Discounts must be relied upon chiefly to get them abroad, and a full confidence is necessary to keep them circulating, after they are out; and to both these points, a competent deposit, most sacredly appropriated, is indispensable. if this be done our Bank will soon dwindle, and after while fall through; but if no such provision be made, it will prove, I fear, too successful a Rival in the discount Business, and may defeat your Views. These observations appear to me to be founded in Reason, and supported by experience; and I am induced to offer them to you, from an earnest wish, that the Bank, with the other parts of your System, may meet all the success, which they so justly merit.—

With much respect I have the honour to be Sir your most humble Servant

Stephen Higginson

P S: for want of time to copy, please to excuse the original Scrawl.—

24. TO ALEXANDER HAMILTON (Department of State).¹

Boston Apr 10th 1793

D^r Sir

France having declared War against Britain &c.² Questions may arise tending to involve Us in their disputes. I know indeed that attempts will be made to procure Aid to France

¹ Hamilton Papers, Vol. xx, p. 36.

² Against Great Britain and the Netherlands, February 1.

from Us, on the grounds of policy interest and obligation from Treaties &c. Such an attempt may be made through the medium of our Legislature in their May Session; and very round Assertions will be made which may not be easily refuted without more information than I find any one here at present possesses.

Are there any Articles existing between Us and France involving such an Obligation beside the 11 and 12 in the Treaty of Alliance?—have those Articles been in part or wholly done away since the Treaty was made and how?—do general guarantys like that in those articles, without any provision for specific Aid, imply or involve any obligation to give Aid?—If there be no political or moral obligation on Us to take a part, it is a pity We should not know it, and be able to convince every one of it.

Your Situation must have led you to examine those Questions; and if there will be no impropriety in doing it, I should request you to give me some information on this Subject.—it is important I think to prevent any general impressions, which may lead to a popular call to become Parties in European quarrels and I wish to know the true State of things, so as to meet assertions with facts, and to form Sentiments upon them.—

You will excuse this application if it has any appearance of impropriety in your mind, and will comply with the Request so far only as may appear proper.—

If the Executive could by proclamation inform the public on this Subject it would do great good, or prevent much mischief.—will not the Citizens be prohibited from taking any part under cover or openly? Some of our old Adventurers in privateering who are again reduced will require a tight Rein to prevent them.¹

I am with respect, Sir, your
hum Servant

Stephen Higginson

25. TO ALEXANDER HAMILTON (Department of State).²
Boston Apr 21st 1793

D^r Sir

The Event of a general War in Europe may give rise to some Questions which the Collectors will think necessary to be

¹ See also the letters of July 26 and August 24, 1793, Hamilton's Works, ed. Hamilton, v, 572, 577-580.

² Hamilton Papers, Vol. xx, p. 37.

referred to you for decision. I will state a case that may soon arise.—a Cargo of Sugars may be sent here from Hispaniola for Sale in an American Vessel. I may buy it and want to send it to market in the same Vessel without unlading or being at additional expence. But an Entry and Clearance from here will be desirable, as a collateral and strong Evidence of the property being neutral; it will be a new Security against detention, trouble and expence. every ground of suspicion as to the property being neutral is very much against us, and to be avoided if possible. now why may not an Entry be admitted in such case without unlading. in a bulky, heavy Cargo much expence may thereby be saved, and the Security wished for acquired without any injury or danger to the Revenue. the Duty on the Cargo and the drawback being equal, save the 1 P^c deducted, no loss to the public can arise, there being an actual exportation; and of this you will have the same Evidence as in other cases where drawback is claimed, and smuggling will be checked by the usual guards. there is indeed much more room for fraud in case of landing the Cargo, it being much easier to obtain a drawback on Goods not re-shipped, than to smuggle Goods out of a heavy Cargo. Why may not an Entry be made by the Inv^t. attested by the Importer, as is done in dry Goods? will there not be the same Check in both Cases? if the Oath of the Party is taken as to the amount, where Duties are to be paid, may it not be admitted where no Duties are expected, and no loss or injury can arise but from smuggling? And if the risk of smuggling is to prevent such an Entry, will it not operate as strongly against admitting Vessels to report and after laying some time to go away?—If the Letter of the Law be clearly against such an Entry, the Spirit of it may not be; and the general principle of giving facility to Trade, compatible with the interest and safety of the Revenues, pleads in favour of it. I am the more induced to state this to you, and to wish for a decision, because I may very probably wish to purchase a Cargo under these circumstances, and I shall certainly be glad to save the expences which must attend the unlading and relading, which will be great. But I shall prefer incurring that expence, rather [than] not have the Evidence wanted.—

With much haste I am respectfully

Sir your very hum. Serv^t.—

Stephen Higginson.

P S. The Vessel with my Guniron has not yet arrived and will exceed this month probably. I may land it under care of the Officer to reship, if nothing better, in another Vessel, the Vessel it is in can not be trusted any farther. She has been so torn and injured already.—perhaps it may in your mind be receivable and may be marked. the Officers will do nothing [1] know without your directions

[Address]

Honble Alex^r Hamilton, Esq.
Secretary of the Treasury
Philadelphia.

26. TO TIMOTHY PICKERING¹ (Massachusetts Historical Society).²

Boston, July 14, 1795.

D Sir

Before receipt of this you will have seen or heard of high doings in this Town relative to and against the Treaty with Britain. a number of resolutions were passed at our Town meeting containing objections to it, which were sent off by express, in hope, that the President may not have signed it, and if not that he will be deterred.³ These are their reasons and such their expectations:—

I presume that the Treaty is settled as the Senate recommended and gone on; but it may be consoling to the President to know, that this has been a Jacobin measure, disapproved by all good men, and not countenanced by any merchant of eminence, not by ten in all.—you will perceive this to have been the case, when informed, that the general vote of disapprobation was taken without reading or hearing the Treaty; even at the adjournment, after three days time to reflect, it was read only for forms sake, but not discussed previous to adopting [the] long objections to it. the objections will prove, that even the Committee who reprobated them knew nothing of the Subject, for most of them are grounded in ignorance of

¹ Secretary of War.

² Pickering Papers, Vol. 20, p. 18. An extract is printed in Pickering's Pickering, iii, 177.

³ Town meeting of July 13, adjourned from the 10th. See Twenty-seventh Report of the Record Commissioners of Boston, p. 265; Loring, Hundred Boston Orators, p. 307. The text of their resolutions is given in Carey's collection, Jay's Treaty, etc., pp. 156-160, Washington's reply in Carey's American Remembrancer, i, 39, and in Sullivan's Public Men, pp. 95, 96. A series of articles in the Centinel, narrating these disturbances, is said to have been written by Higginson; Amory & Sullivan, i, 301.

the relative situation of the two Countries, of their rights, and their present privileges held only by Sufferance, and dependent wholly upon the present existing state of things.—

Men of reputation would not attend the meeting, being opposed to the Towns taking up the subject, and believing it would end without any direct interference. They were left wholly to themselves, no attempt was made to counter act them, though nine merchants out [of] ten reprobated the procedure, and a large majority of the whole body [of] Citizens were averse to it.—Mr Franklin Bache¹ came on here with Masons Copy of the Treaty, with Burrs and Tazewells motions, and with a large collection of Lies, of Riots in Phil^a in New York &c, to create a flame here and to urge on our common people to excesses. all he could affect with the aid of our previous Incendiaries, you see in the Resolutions, which exhibit more of folly and absurdity than of dangerous influence. in one Week We shall be cool and composed here; and those who made and recommended the Treaty to the President will be called Patriots.

I am yours respectfully

S. Higginson.

27. TO TIMOTHY PICKERING (Massachusetts Historical Society).²

Boston, Aug. 13, 95.

D Sir

Your letter of 8 inst I received by post this day, and am very sorry, as well as surprised that the Treaty has been suspended to this time.³ I hope it is not known by the opposers of it, for they will exert every nerve, and use every means to increase the clamour against it, hoping to arrest and stop it from being ratified. if it is in the power of a handful of Jacobins to stop the measures of Government by making a

¹ Benjamin Franklin Bache (1769-1798) Franklin's grandson, who with William Duane edited the *Aurora*. He had been the first to print the text of Jay's treaty (July 1, 1795), having been supplied with a copy by Stevens Thomson Mason, Senator from Virginia. Bache was among the bitterest opponents of the treaty. Aaron Burr, Senator from New York, in secret session of June 22 had proposed that the treaty be postponed until the securing of certain modifications, specified in Exec. Jour. Senate, I, 183. Henry Tazewell, Senator from Virginia, also made adverse motions; Grigsby's *L. W. Tazewell*, p. 19. Their text is in Exec. Jour., I, 185, 186.

² Pickering Papers, Vol. 20, p. 28. Extracts from this letter are printed in Pickering's Pickering, III, 194, 195.

³ The treaty was ratified August 14. The reasons for delay may be seen in Washington's letters.

noise, I am sure its dignity and force must be less than nominal, and its existence and usefulness very precarious. when the expediency of a measure is clear to those who have the means of forming a right Judgment, and who are alone the regular constituted Judges of it, there can not be such a deference due to the popular Opinion, still less to a clamour only, which is known to originate in party spirit, and to have been produced by those whose object is to remove the man who stands in their way, or who are hired to advance the interest of some foreign Country at the expense of our own. in such cases those whose office it is to decide should rely upon an eventual support from the people, which will ever follow right conduct when the necessary information is given. Thus in the present case, instead of waiting to collect the popular Opinion to direct their conduct, our Rulers ought to have decided at once, as Their own Judgements dictated, and to have drawn to their support the opinion of the people by proper information. had the President ratified at once upon the recommendation of the Senate, and upon the appearance of a clamour, had addressed the people, stating the reasons for his doing it, there would now be no appearance of opposition. I wish he may yet do it though late.—

So far is intended for your own Eye [merely]—I am very sorry that any thing like a popular interference has taken place upon the Subject of the Treaty, or that the good Citisens must come forward in support of Government to counteract the intervention of the bad. such instances are dangerous, and will or may eventually bring every great national Question before the people for decision, to the destruction of our Constitution and Government. But since it has gone so far upon the Question of the Treaty, We shall send on to the President the Dissent, I mentioned in my last Letter, to the Town meeting,¹ and also the resolutions of our Chamber of Commerce in favor of the doings of the Senate, which are very full and strong. they will be got ready for next post. this may be mentioned in the mean time if it will give any consolation to the Merchants in Phil^a &c &c

The well informed in this Town are united, and all the steady

¹ A protest from two hundred merchants; see Pickering's Pickering, III. 194. See also Benjamin Austin's Constitutional Republicanism, pp. 9-13, for a different view. The text of the protest is in Carey's American Remembrancer, I, 126, 127; the resolutions of the Chamber of Commerce, with the President's reply, *ibid.*, I, 129, 130; II, 216.

good merchants are with them in favor of the Treaty; and in the Country, there is no appearance of uneasiness or opposition to the Treaty, though much pains has been taken to excite both. if the business was closed there would no appearance of opposition in one month, the only thing that keeps up their exertions is the hope the Jacobins entertain, that the Treaty is not ratified and that by a clamour they may prevent it being done.—

I shall be glad to have any explanation of the suspense of the Treaty, it has been supposed here to have been settled and far on its way to Europe, and the delay certainly will need some explanation to justify it with Those, who would not have believed from any less authority that it was possible yet to be suspended. I shall for the present keep it close from every one, even friends, as it would treble the efforts of the disorganizers if they knew it yet to be open.—

I am with respect yours &c

S: Higginson

At Salem They are quiet and united, approve of the Treaty generally, but wish not to have any meeting. At Newburyport they are also united and may express their approbation. At M' Head¹ and Cape Ann &c. they are all quiet and think very well of the Treaty. At portsmouth a protest is going on against their Town meeting which will be signed by all the best men and sent on to the President soon.

Our papers from here go by this post to the President which is more than I expected.

28. TO TIMOTHY PICKERING (Massachusetts Historical Society).²

Boston, Aug. 16th 1795.

D Sir

By the last post We sent on to the President our Dissent to the Doings of this Town, and the Resolutions of our Chamber of Commerce relative to the Treaty, the former with the names, the latter without. This will evidence most fully, that the disposition of the merchants here is not to reprobate, but to approve the conduct of the Executive on that Subject. The Resolutions of the Chamber are short but full, as much as They

¹ Marblehead.

² Pickering Papers, Vol. 20, p. 30.

can be; and I am satisfied, that they accord with the Sentiments of more than two thirds of the legal Voters, and $\frac{1}{3}$ of the steady men, heads of families &c, who will naturally form the public Opinion, or that of the Town.—

You know, that in a Town like this, upon a popular Subject, the minds of many may be suddenly agitated, by sudden and preconcerted addresses to their passions; and their feelings being once strongly excited, they are easily impelled to any absurd or improper conduct. it was a part of the plan of the Jacobin Leaders, to suffer no man at the late meeting to speak in opposition to their Views, or in defence of the Treaty. the same thing was evident at New York. this Subject being favorable to their Views, they meant to make a great Effort to embarass our Government, and to use knock down Arguments to check opposition, as appeared in New York. knowing this We determined not to attend our Town meeting. but to counteract them afterward, persuaded that the Treaty was finished and out of reach of influence, and convinced that We could correct the popular Opinion, if wrong and extensive impressions were made. in the first of these it seems We were mistaken, unfortunately I fear for our Country; the latter is now operating as We expected. one third at least of our Members of the Chamber, who have now voted with us, were at first misled; and perhaps a larger proportion of the Dissenters to doings of the Town meeting, were even warm in opposition to the Treaty. The truth is, the public mind was taken by surprise. The previous arrangements of the Jacobins were such, and so well formed, as to preclude all opp^y of opposing in this instance; and they relied upon a temporary Success equal to what they have experienced. But if the president has ratified and sent on the Treaty, and will address the people upon the Subject, for which They have given a good opening, I will hasard any thing that the conduct of the Executive will meet with full and general approbation; and that an appeal to them from him, will draw forth public and general expressions of their approbation.—

It will also check the french influence in our Country, and among the people more than any thing; and will collect again the feelings and attention of the people to the Executive, which is a desirable thing.—I say french influence, because I am convinced, that it is their policy and Agency that has produced the opposition to the Treaty, not on account of its tendency to

hurt them or us, but as it will be a strong barrier to prevent our being drawn into the War. whoever will recollect what has passed in America since Genet arrived, and will compare the characters that have appeared as active open agents in the different attempts to oppose the Executive, together with the concealed projectors and Abettors of the measures, which the Jacobins have pursued, can not long doubt the fact. having failed in their open attacks upon our Government, the french minister, the Consuls, and all who are in office under the french Government appear to be indifferent spectators of all that is now passing relative to the Treaty. But an attentive Observer will readily perceive, that all their influence is now exerted to excite an irritation, and to produce the greatest possible opposition to the Treaty. indeed if this did not appear upon a close examination, it must be presumed and ought equally to be guarded against, because the same interest, the same policy must make the french desirous of involving us with Them in the War; and their Ministers and agents have now the same general directions to effect it, that Genet had; the change of Ministers and of the manner of attempting it, is adapted to give them a better chance of Success.

In these sentiments, which I have deliberately formed upon the evidence I have seen and heard, as well as upon a View of the relative interests and pursuits of the French, I am confirmed by a Letter from John Q. Adams, our Resident at the Hague, lately received, in which he has given a clear and correct view of European politics, of the state and pursuits of the contending nations, and of the french more particularly. in that Letter he has stated what he conceives, from general principles and particular facts, from the policy of France and good information as to her Views, will be her conduct toward us, and particularly relative to the Treaty with Britain. he seems to foretell, with the appearance almost of inspiration, what would take place here upon this Subject, and at this time. I wish you to see that Letter, which contains much important information, and to show that he has taken a close and extensive View of European Affairs, which must aid much Those who will have to deliberate upon Subjects intimately connected with European policy. it was sent on to the President, you will find it with him or in the office, and will be pleased with an attentive perusal of it.—

I think the present moment a very critical One with Our Country, more so than any that has passed, if the Treaty is

not ratified. in that case indeed our Race will be finished, for we shall certainly be at War with Britain, and a sad division must take place among those in administration, who have been hitherto our defence, by their prudence and unanimity. in that Event, I will venture to predict, that the President and Senate are at open points, with Jay and Hamilton etc. on the side of the latter; and that the next session will give to the Jacobins the Reins without much struggle and without controul.—

I speak with much anxiety on this Subject, and I know that my Sentiments accord with those who have hitherto been viewed as among the most able and steady Supporters of our Government.

I am with much respect and esteem Sir your humb. Servt
Stephen Higginson.

29. TO TIMOTHY PICKERING¹ (Massachusetts Historical Society).²

Boston Aug. 29th 1795

D Sir

Your letter of 22 I received by last post. the account of Mr. Randolphs resignation We have by various channels, all of them attended with conjectures as to the cause, but none that give full satisfaction. I rather conjecture, upon comparing circumstances that it has resulted from some points relative to the appointment of J Rutlege to the office of chief Justice; and from the whole derive hopes he is not yet commissioned, in which case I presume he never will receive a Commission. it would be an unfortunate thing for the public, if [he] has been commissioned, as well as for himself; since, with the present public opinion as to his conduct and character, he never can have the confidence of the people, nor be confirmed by the President and Senate at the next Session of Congress.³

We have received the presidents answer, and are well satisfied with it.—at Newbury and Portsmouth they have stopped the progress of their approbation of the Treaty, and reproba-

¹ Acting, since Edmund Randolph's resignation, as Secretary of State.

² Pickering Papers, Vol. 20, p. 40.

³ The reasons for Randolph's retirement are now familiar. John Rutledge was appointed Chief Justice of the Supreme Court by President Washington on July 1. But on July 16 he had made a violent speech against Jay's treaty, and on December 15 the Senate rejected the nomination. Van Santvoord, *Lives of the Chief Justices*, pp. 179-187; *Exec. Jour. Sen.*, 1, 194-196. See also a letter of Ralph Izard, in *Charleston Year Book* for 1886, pp. 340, 341.

tion of the opposition to it, upon seeing the Presidents answer to this Towns objections, and hearing that it was ratified;—as though their objection was merely to influence the presidents decision.—I have written to a leading man in each place, stating other and more proper and important objects to induce them to come forward, and I expect they will do it. But it is really more difficult to excite the good Citizens to action and to direct their movements, than it is to meet openly and defeat the Jacobinical Attacks.

I often think that the Jacobin faction will get the administration of our Government into their hands ere long. the Citizens will get tired of being ever on the watch to guard against and counteract, because they individually feel no Stimulus like that of those, who are in pursuit of places, and whose hopes are founded upon a Revolution of measures if not of the Government. it is a kind of warfare to which we can see no end, as the source of it exists in the nature of our Government, and is fed by the prejudices and misapprehensions of the people, which can not be removed from the minds of the present generation. foreign intriguers will unite with the disaffected and disappointed, with Seekers after places, with ambitious popular Demagouges, and the vicious and corrupt of every class; and the combined influence of all these, stimulated by their passions or urged on by hopes of bettering their Situations, will prove too much for the feeble efforts of the other Citizens to support the constituted Authorities.—

I can say with certainty that the Opinions of our people are coming right faster than I expected, there is indeed now no open brawling Opposer of the Treaty to disturb our Streets, nor do I hear of new efforts to excite uneasiness among the people. for the present the faction seems to be depressed; but some new Event, some new instance of foolish or rascally conduct of British officers at Sea or on shore will again rouse them to exertion.

I wish ardently for a general peace in Europe to cut off the great sources, which feed our faction, and to secure us from the intriguing attempts of the Nations at War to draw us into their Vortex—

I will endeavor to obtain for you a copy of Jn^o Q. Adams's Letter, it is a usful Document, and will give you much light in the path you have to pursue.

I am with esteem Sir your hum Serv.—

Stephen Higginson.

30. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston, Sep. 21, 1795

D Sir

The papers mention your being transferred from the office of War to that of State, but no marks of authenticity. if it be so I congratulate you. We hear from Rhode Island that Mr. R:² the ex minister was detected in having received large sums from Fauchet to help on the cause—that this was discovered by some accounts of F^a captured by the British and conveyed to the President, was the cause of his sudden resignation and his journey to Newport to obtain from F: some aid to get rid of it, in which he failed. if this be true, and I have it through a channel which commands belief as to essentials, it may be very useful to know the facts and the amount, if there be not special reasons against it.—

You will have heard of the mobs here and at Portsmouth, and more perhaps than is true. these are a part of their means; and the Jacobins will use every mean they can to create opposition to the Treaty, to excite and extend a popular irritation against it, with a view to stimulate the State Legislatures to resolve against it, and to help the opposition in the lower house of Congress.—

Mr. L:³ at portsmouth has gone all lengths to support an opposition, and suppress all support to the President; but the effect will be the reverse of his expectation, and will operate his ruin in that State. We hear that several of the Ring Leaders there have been taken up; and the Governor⁴ has said with a becoming spirit, that he will order in a party of militia to keep the Town of Portsm. in order, if the discord be renewed. The last Centinel⁵ gives a fair account of the business there, and the object of the Rioters, which was to prevent those who differ from their Views &c from expressing their Sentiments. Our mobs also were intended only to intimidate, and prevent any further exertions in approbation of the Executive, and in Charlestown the same. This is a fair example of our Jacobins regard to equal rights &c. every man and every measure is in imitation of Robespierre. They are all Tyrants

¹ Pickering Papers, Vol. 20, p. 57.

² Edmund Randolph.

³ John Langdon, Senator from New Hampshire, 1789-1801.

⁴ John Taylor Gilman, governor of New Hampshire, 1794-1805.

⁵ The Columbian Centinel, the leading Federalist newspaper of Boston, edited by Maj. Benjamin Russell.

in their Views and feelings; and while they are declaiming at the Corners of the Streets in favor of equality and the rights of man, they are projecting violent measures to suppress all exercise of rights not devoted to their purposes.—

They derived great advantage from the delicacy and integrity of the friends to Government, while the Treaty was pending. They gave out to their Agents enough to prepare them for active opposition, while the others refused to communicate an Idea; and by this mean they were aided much in taking the public mind by surprise. The case of R^s defection would give us a great advantage in counter acting Them in their present measures, if it be as we hear; and as they have already too many advantages, and mean to try their Strength, it will be hasarding too much to conceal closely the business, if there be not very strong reasons indeed for doing it.—

Mr. Pynshons old adage is not bad, that “when you are eating with the Devil you must use a long Spoon.”—

We shall have a warm Winter of it most clearly, and the force apparatus will be fully tried. if We are not wanting to ourselves We shall surely crush them, it is their last effort—

I am yours respectfully

S: Higginson

31. TO TIMOTHY PICKERING¹ (Massachusetts Historical Society).²

Boston, Mar 25th 97

D Sir

The inclosed declaration made by Capt. Stover I am desired to forward to you.³ it will help to increase your file of complaints upon the subject of french depredations; and there are some circumstances in it which mark strongly the general license given by the french Government in Hispaniola to plunder our Citizens, and the extreme insolence with which their Cruisers exercise that power. Their ravages exceed much those of the British under the orders of Nov^r, which we thought intolerable; but they do not excite the same popular clamour. in the former case we were stunned with the noisy french partisans, who laboured incessantly to provoke the

¹ Secretary of State.

² Pickering Papers, Vol. 21, p. 69.

³ The case of the brig *Valeria* of Newburyport, seized off the Cuban coast by a French privateer in January, 1797, will be found set forth in a declaration by the master, Henry Stover, in *American State Papers*, Foreign Affairs, II, 44.

populace to some outrage or hostility; but now they are busied equally in soothing and paliating the popular irritation. in neither case the real sufferers have made much noise, they have borne their losses with wonderful firmness and constancy in both; and like good citizens, They in both cases they have relied upon the disposition and agency of our Government to obtain for them all the relief which can be produced.—But though there appears to be less clamour and tumult in the present than in the former case, I believe the public mind will be more strongly impressed by the french depredations; because from our connection with them and their professions, we had reason to expect better things from them.—in a national view indeed, were the losses to be sustained by the public, I should not lament the french depredations; I should consider our liberation from their influences, which will be the effect, as a cheap purchase of freedom from their yoke, and the amount of our losses by their captures as a moderate price for our political freedom. But individuals must suffer in an extreme degree, nor is their any mode of equalising the loss or giving them relief. their property taken by the french is lost to them for ever. the french have neither the disposition nor ability to make us compensation, as the British have done and will do. What then is to be done.—this is a tough question and a touchy one too. is it more disgraceful to suffer such Robberies from the french than the Algerines? to submit to the loss in both cases may be the cheapest; and no great honor can be derived from a War with such pirates in any case.—

We have scattered upwards of 200 of the inclosed pamphlets in this and the near states; and I am with much respect

Sir your hum Serv—

Stephen Higginson.

32. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

private.

Boston, May 11, 97

D Sir

I received your two Letters of last month, and am glad to find the Claim of Mr. Durivage is in so good train and so well supported. your observations as to Mr. D Happart are such as I expected, in the present state of things we must not trust

¹ Pickering Papers, Vol. 21, p. 115.

frenchmen of any Class, They are all Jacobins, and all that I have seen have acted the part of Spies. I tried to avoid giving him any introduction, on that ground, though he was really well recommended from Europe, but those people do not cease to importune, when coolly received, nor abandon their Object because of uncessful attempts to attain it.—

We are waiting anxiously for the meeting of Congress,¹ to know what will be recommended by the Executive, and what the temper of the house, that we may look forward and judge better of the prospect before us. if temporising and humiliating measures are adopted we are in my apprehension a ruined people, if we have any chance of remaining free and independent it must be only in a manly and firm conduct, it must be by a steady perseverance in the same System which has been pursued.—

I am sorry that at this critical moment we have lost the Aid of Strong Cabot and Ames &c, their weight in the Scale might have proved decisive.² Mr. Otis³ who succeeds Ames will not be his equal in any view, and it may be very uncertain in some cases how he will act. he is a seeker of office, his ambition has no bounds and whoever can offer him the best station for honor and profit will have him. at present he thinks, I believe, that his best chance is from the Government, and whilst he conceives his interest connected with and dependent upon Them, he will be on your side, saving such variations as he may think essential to his standing so fair with opposition, as to keep a way open to join them whenever he shall think it for his interest.—

I think it important and right to say this much to you, about Mr. O.; because his being elected by the friends to Government may otherwise give you too much confidence in him. it is true we united in supporting his election, because we could united in no other, and believing that his looking to Government for promotion would keep him in the main steady and right. if you can keep up his expectation, you may derive some Aid from him at times, as he has some popular talents; but he is not a man of much application, or a very strong mind, and of course can never be a good Stout Anchor.—

We have this day reports from Hamburg that Mr. Pinkney

¹ Congress was to meet in extra session on May 15.

² Caleb Strong and George Cabot had resigned from the Senate in 1796. Fisher Ames, a member of the House, declined to serve after the Fourth Congress.

³ Harrison Gray Otis (1765-1848), M. C. 1797-1801.

has been invited to return to France,¹ and that the Directory had about the first of April annulled their orders to capture our Vessels; but this news can not be true, no Event has arisen to produce such a change, nor can we expect such an one, till some serious reverse shall happen in Europe, or they get such advices from this Country as shall satisfy them that their present conduct towards us will eventually estrange their influences and interest in this Country. Mr. Woolcots Letter to Mr. C: which I have seen,² convinces me that the Executive will be firm and not tamely give up our honor or interest, but Congress may and will probably be averse to an open independent conduct. There are two questions upon which they will be much divided and will perplex the Executive, indeed there seems only to be a choice of difficulties or Evils in both of them; I mean a farther embassy to France, and the expediency of allowing our merchant Ships to arm for defense. Upon those points even our best men may indeed differ in opinion; but as to suspending our Treaty, stopping our Trade with Britain, laying a general Embargo, imposing new Taxes, or assuming a position of defense, there can not be a diversity of Sentiment among good men.—But I am out of my line, I find upon recollection. the truth is we feel so anxious upon the Subjects when they occur we know not where to stop. I shall however close with assurance of being respectfully yours etc.—

Stephen Higginson.

33. TO TIMOTHY PICKERING (Massachusetts Historical Society).³

Boston Feby 13th 1798

D Sir

I rec^d your Letter of 27, ult., inclosing an attack upon you, which will wound the Jacobin name and cause without injuring you. every such instance of their impudence and folly eventually has a good effect in favor of Government; and since it is only by such instances of their baseness and wickedness that Jacobinism can be made odious in the Eyes of the multitude, I rejoice when such occur.—I perceive by the debates in Congress upon the foreign relations, that the old Spirit yet exists—that every opening to attack and wound

¹ Charles Cotesworth Pickney, accredited as minister to the French Republic, had on February 3, 1797, been notified to leave France. The news which follows was erroneous.

² Letter of Oliver Wolcott, Secretary of the Treasury, to Cabot, printed in Lodge's Cabot, pp. 117, 118.

³ Pickering Papers, Vol. 22, p. 37.

the Executive will be seized; and that Nicholas &c¹ have been sorely greived by your Letters to Mr. Pinckney, and to the Chevalier.² they hate every man and every thing, that displays truth, and guards the minds of the people against their deceptions. if you will stand in the gap, and prevent those Rascals from mounting a breach, which They fancy they have made, you must expect to be the Object of their hatred and abuse, because you appear to Them to be the barrier which checks their progress, and defeats their Views. But you must and will persevere to encounter their malice, and remain firm in your station, unless you have changed with others in this day of change, which I do not beleive.—we have a new Edition of Scipios observations upon Munroe just coming out in a pamphlet which we mean to spread through our Country, that wherever the poison may extend the antidote may be at hand.³ A Vessel has this day arrived from Malaga, She sailed from there about the middle of Jan^r, having only 28 days passage. the Capt. says he saw an extract of a Letter from Paris to a merchant in Malaga dated Dec. 27, which stated, that Our Commissioners were then at Paris,⁴ but had not been received. This was all that related to us; and if it comports with my expectations, they will by degrees cool down in appearance after having treated us with all possible contempt and insult. The Captain says a change has been made in their Consulates in the Spanish ports, and that the new Officers appeared less inimical than their predecessors. the Sale of the french prizes in the Spanish ports was stopped by the new Consuls, and orders given to interrupt no Americans that had a Role d'Equipage; and thus the Pirates mean to sanction their past captures.

Wishing you as much comfort as time and circumstances will admit I remain respectfully your hum. Serv^t

Stephen Higginson.

¹ John Nicholas, member of the House from Virginia, whose principal speech on the Foreign Intercourse bill had been made on January 25; *Annals of Congress*, pp. 920-930.

² Charles Cotesworth Pinckney. The Chevalier de Yrujo, Spanish envoy, whose animated correspondence with Secretary Pickering, on the subject of the posts on the Mississippi, may be found in the appendix to the *Annals of Congress* for this session. The letter to Pinckney is that of January 16, 1797, reviewing our controversies with France. *American State Papers, Foreign Affairs*, 1, 559-667.

³ Monroe, on being recalled from his mission to France, published in vindication of his course a book entitled, *A View of the Conduct of the Executive, in the Foreign Affairs of the United States, connected with the Missions to the French Republic, during the Years 1794, '5 and '6.* (Philadelphia, 1797). A critique of this, entitled *Scipio's Reflections on Monroe's View*, which appeared soon after, is supposed to have been written by Uriah Tracy of Connecticut.

⁴ Pinckney, Marshall, and Gerry had in fact been in Paris since October.

34. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston, Feby 22 = 98.

D Sir

I yesterday saw a letter from Mr. Stoughton of New York to his brother here, both Spanish Consuls, informing him that the Court of Spain has ordered the posts to be given up, and the lines run &c according to Treaty; and the latter told me he had a copy of the order in Spanish.² he mentioned it not as a Secret to be kept close, but as what he was not authorized to make public. You may probably have received official or authentic accounts of the same; but as that may not be the case I give you this information to compare with other you may have received.—There is good reason to believe from attention to dates &c, that this order was produced by your answer to the Chevaliers address to the people last Spring, which reached Spain in August or Sept, and which exhibited such a View of the Subject, and such feeling, as might satisfy that Court They have pushed their opposition far enough.—we hope from this order, that Spain will not give the french possession of Louisana. if They intended doing it, and meant to forward the views of France, it seemed to be important to keep the ports from us, to keep up a fermentation in the back Country, and prevent our Government from making arrangements to strengthen its authority over the Inhabitants, or to facilitate its defensive operations against an attempt on that quarter to invade Our Country.—

I have been much diverted at a discussion here as to the propriety of celebrating M^r Washingtons birth day by a public Dinner as usual. by some it is opposed as being antirepublican, by others because he is now only a public Citisen, and others thought it improper and indelicate, and might hurt the presidents feelings. in short it has divided our friends more than any such question ever did before. my own opinion was that it would be improper, unless it was intended to keep the presidents birth day also, when it comes round. But in the present state of things, and whilst a french faction shall continue in our Country, so formidable and so ready to calumniate Mr. W: and Mr. A: with their friends and their measurs, it may be useful to notice them both in this and in every other

¹ Pickering Papers, Vol. 22, p. 44.

² Andrew Ellicott, the American commissioner, received notice of this order, from Governor Gayero de Lemos, at Natchez on January 10. Monette, History of the Mississippi Valley, 1, 531.

way, which will express strongly the respect of the people for their characters and their approbation of public measures. it may indeed be eligible to keep this custom up, though we may hereafter have a president less respected and celebrated, and though it may not appear to comport with the republican Ideas.—Although Mr. W: is out of office, yet he is still the object of Jacobin malice, for the System of policy which all good men approve, and which Mr. A: has with so much firmness and spirit supported, many were unwilling to drop at this moment all public expressions of their love and respect for him.—it has been decided upon this view of the question to keep up the notice of this day, and to be equally attentive to Mr. A. when his birth day arrives; and it will be here generally observed in the usual Stile.—

I mention this as an evidence of the proness there is among our friends to divide upon smaller points, and the difficulty there is to keep them united for want of system and discipline. in this respect the Jacobins have greatly the advantage.

We hear from Bordeaux that our envoys were in Paris the beginning of Jany, unnoticed by the Directory, and waiting new orders, or a new revolution in france favorable to their mission.—

from the debates in Congress respecting foreign intercourse and the beastly Lyon,¹ I have no hopes of any measures to increase the honor or security of our Country; and I feel thankful, that I have no share in public measures, while I rejoice that in the executive branch I see men who will check the follies of the weak, and suppress the attempts of the factious, as far as their power will extend.

Wishing you as much enjoyment as your situation and its duties will admit, I am respectfully your friend and very hum. serv.

Stephen Higginson.

35. TO TIMOTHY PICKERING (Massachusetts Historical Society).²

Boston Mar 16th 98

D Sir,

I recd. your Letter of 6th instant. upon inquiry of the Spanish Consul here I find that he has only an extract of Gayoso's Let-

¹ Mathew Lyon, Democratic member of Congress from Vermont, whose two fracas with Griswold, January 30, February 15, 1798 (the latter literally upon the floor of the House), had produced so great a scandal.

² Pickering Papers, Vol. 22, p. 80.

ter to Mr. Stoughton in New Yorke, and not a copy of the order to the Gov. from the King, as I understood him to have said at first. the Consul indeed now calls it the same thing. he believes such an order to have been received, and that the expressions in Gayoso's Letter to Mr. Stoughton in N York are taken from the order he has received; but this is only conjecture, and may be all deception. if the minister has made no official communication to you, we may presume he has received no regular information himself; and in that case the ground of suspicion is strong indeed.—

We have late accounts from France, which confirm the new Decree of the french to take all neutral Vessels with British goods.¹ They have besides declared England and Ireland to be in a state of blockade, (They should have added by their own Ships), and forbidden all neutrals from trading with Them.—you will receive from Mr. E Parsons a copy of a Letter from the Owner of the Vessel arrived at Gloucester which states farther, that the Directory have proposed a Decree, that all Vessels having papers with the Name of Our president, Mr. Adams, shall be good prise. This seems to be too silly and too impudent even for the french; but many here are inclined to believe it will pass.—

I believe the Rascals will force us into War, at any rate. They will compell Congress to own Vessels for the protection of our Coast, and to permit the merchants to Arm under regulations; but I hope small Vessels, and not Frigates, will [be] used to guard the Coast.—We shall certainly have a number of small Privateers upon our Coast to intercept the London Ships, and others from British ports; and to guard against Them, which will be our principal danger, as the British will convoy Our Vessels from their own Coasts, small Brig'ts of 14 or 16 guns with 50 or 60 men, will be much more efficacious than the Frigates. twenty such Brig'ts may be sent to Sea easier, and at less expense than one Frigate. They may be built and sent to Sea in six or eight weeks, with proper exertion; and when once fitted may be kept out the whole Season without trouble. but the Frigats will be extreme heavy work to man and get to sea. I doubt indeed their being got to Sea at all, under the present arrangements, and they are not half so good for that purpose when they are out as smaller Vessels

¹ Decree of January 18, 1798.

to guard against small privateers. our Naval arrangements require new arrangements to be effective.—

we shall soon know what we shall have to hope or fear from the European arrangements. I expect a new appearance soon; and I hope for a more agreeable One to us than the present.—

I am with much respect Sir yours &c—

Stephen Higginson.

36. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston May 23rd 98.

D Sir

I rec^d your Letter of 17th by yesterdays post, and one also from Mr. Wolcot upon the same Subject; and by the return post I wrote him, that altho' I am much pressed just now with my own business, yet on the present emergency I would attend to the Object proposed for a short period to prevent any loss of time when we are so much exposed for want of a few Ships.—

But from Mr Wolcots Letter to me and to Capt Seaver, I fear that the immediate protection of our Coast is not viewed as the primary object, as there seems to be an [in]tention to combine two objects which can not be expected to be found in Vessels now existing, I mean to get Vessels adapted to scour our Coasts, and protect our Trade against the small W. I: privateers, and at [the] same [time] capable of enduring Service, and fitted to form a part of our permanent navy. for the first object smaller Vessels, that sail very fast, capable of carrying 14 or 16 guns, and of lasting two or three Seasons, are much better than larger and stouter Ships, even at the same expense; and this part of the service is the most important and pressing for the moment.

two or three such Vessels may be found, which will come much cheaper than such ships as the Ganges and Washington;² and may be sent to sea very soon, and at little expense, compared with the others. But for Convoys, and to be retained for Sloops of War for a length of time, the Ganges &c must be taken. to unite the properties wanted for both objects, and

¹ Pickering Papers, Vol. 22. p. 173.

² The ship Ganges, of Philadelphia, had been bought by the Government from Willings and Francis, for \$58,000, some guns and military stores included; the ship George Washington, of Providence, had been bought of John Brown, without guns, for \$40,400. See American State Papers, Naval Affairs, 1, 59; and Miss G. S. Kimball's *East India Trade of Providence*, p. 30.

for any Service, they must be built and constructed for the purpose; but this will require time, which our present situation will not admit, our Commerce may be destroyed whilst we are in that way preparing for defense; and we must in the present emergency do the best we can with the Vessels existing in our ports.

was I at liberty to decide, I should immediately take up some of both descriptions; and in three weeks, three or four such might be got ready for Sea I presume, having smart active Commanders to attend to them, and procure the Seamen, of which we have a plenty. our frigate is a capital Ship, but it is to be feared she will remain in our port all the Season, the Sailors will not enter under officers whom they neither respect nor love; and there never was a Set in one Ship more deficient in those qualities, which in our situation are most requisite.¹ if Capt. Seaver² had the Constitution it is believed She would now be ready for Sea. I believe a change will be found necessary to get her out.—there is no doubt but the new Cutter which is building³ will prove an excellent Vessel to guard the Coast against these small W. I. pirates; but if she is given to the man who has the old One, She will be useless at best. he is too old and past all energy; and his feelings would dictate to him to aid the french in taking our Vessels rather than restrain. he is one of the most rancorous Jaco's we have, he has always been one, he can not be altered. he thinks it quite as meritorious now to curse the British, as it was in 76; and would much more chearfully join a french privateer in capturing a british Vessel than assist a british Cruiser in protecting an American, more especially if She belonged to an Aristocrat. he has all the feelings of 78, and can not discern the difference between our then and present situation, the British in his View are still our Enemies and the [French] our friends.—

If any Vessels are to be fitted out here with expedition, there must be general liberty to do the best with existing means, without recurring to Phil^a unless for an indispensable article which can not be found. Mr. Wolcott has given such

¹ The frigate Constitution, then nearly finished at Boston, was under the command of Capt. Samuel Nicholson (1742-1813), formerly lieutenant to John Paul Jones. He was an uncle of Mrs. Albert Gallatin.

² James Seaver, who was made commander of the Herald soon after.

³ The brig Pickering, which when completed was put under the command of Jonathan Chapman. American State Papers, Naval Affairs, 1, 58.

with respect to a Ship for Capt. Seaver, which is the only one as yet ordered to be purchased, an inquiry and report is all that is directed as to others.—as I have written too freely perhaps upon this business, some points at least, to be quoted, you will consider it as confidential; but you will soon hear more from others no doubt.—having desired Mr. Wolcot to communicate to you, I wish you to do the same to him, for I have not time to write to both; I really engage in this business as much to assist you and him, as upon any other motive, for I think you entitled to the aid of every one on whom you may call.—

Respectfully I am yours &c.

Stephen Higginson.

37. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston June 9th 98

D Sir

In my last Letter I gave you explicitly my opinion on the characters &c of the Officers of the Frigate, which I believe to be correct; and the more I reflect upon the Subject the more I see the necessity of caution in our naval appointments, or else the public ships will become the receptacles, and the public money the Support of those only, who for want of principle, of capacity, of reputation or of energy are incapable of getting their living in the common pursuits of life. such is literally and truly the case in the instance referred to; there is not a man appointed to the Frigate, except Prebble, who does not resort to the navy from a necessity arising from some of the causes stated.²—not one of them can find or has found employment in their respective professions adequate to their support, not even those who have none to provide for but themselves, which indeed is the case with all of these except the Capt, I believe. These are facts which Government ought to know, and which throw a shade over our Navy as far as they exist; but few men will say thus much upon the Subject, except in conversation, and in that way you will hear but one Sentiment, such as I have stated.

¹ Pickering Papers, Vol. 22, p. 202.

² Edward Preble, afterwards famous as a commodore, was first Lieutenant of the Constitution. The names of the other officers may be found in Exec. Jour. Senate, 1, 264, 268. Among them was Isaac Hull, whose history would seem to clear him from Higginson's strictures.

There is but one way that I see to check or avoid the Evil, and that is to appoint the Capts upon the evidence of particular and special recommendation or a personal knowledge of the reverse, and let them select their under Officers being responsible for their good conduct.—it is [not] to be presumed that the President can appoint to offices of this kind from his own knowledge of the characters, in general, and no dependence can be put upon common general recommendations; but the Cap^{ts} have every reason to select the best men for their Officers, when it is left for them to do it.—

I have not yet heard any thing from Mr. Wolcott as to the Capt &c for the Cutter. She is forward and will soon be ready; and we wait only for information or permission to send on a list of names for the several offices.—

Mr. Harpers intercourse Bill¹ does not go far enough, it ought prohibit foreign Vessels from taking away our exports, under Swedish, and Danish or other neutral Colonies to supply the french Colonies; They should be compelled to give ample Security not to carry them Supplies from the U. S. direct. A circuitous supply can not be prevented without a general Embargo, which would be a dangerous expedient.—I hope measures have been taken to effect a Treaty offensive and defensive with Britain, in case of War with France, which seems inevitable. Without this we may be left to contest with France alone, which I should much dread; for notwithstanding addresses and appearances, the french party is very strong yet in our Country; and new Events may very soon turn the Tide, and give them the ascendancy.—Mr. Dupont we learn is not to be received;² but the other Consuls yet remain, and all the secret agents of the Directory, who must be expelled before the party can be depressed permanently, such as Volney &c &c—³

The spirit firmness and decision of the President in his communications to Congress, his answers to Addresses &c, have raised the feeling of the people. Government must go

¹ The Foreign Intercourse bill, introduced by Robert Goodloe Harper of South Carolina on January 15, 1798, had become a law on March 19. The writer seems rather to refer to a bill to suspend commercial intercourse with France, which had been introduced by Sewall of Massachusetts on May 30, as the result of a resolution offered by Harper and passed on May 28.

² Victor Marie Du Pont de Nemours, French consul at Charleston, was promoted to be consul-general at New York, but President Adams refused him his exequatur, on account of the conduct of the French Directory toward the United States.

³ The celebrated Volney was in the United States from 1795 to 1799. The Alien Act, partly aimed at him, was now under discussion in Congress.

on, and give the tone by rising as the public mind is prepared to receive strong Sentiments.

A retrograde movement now would be very dangerous, we must progress to open and inveterate hostility or we are undone, unless the Directory choose to recede; and that perhaps may prove more hasardous to our Country than War, by leaving us exposed to all the french modes of seduction.—

The people in this quarter are not so much roused at present as in the Southern States—their ardour and patriotism are not easily excited. We must wait some new Event to call up their feelings, and urge them to exertions which our situation requires.—

Seditions, conspiracies, seductions, and all the Arts which the french use to fraternise and overturn nations, must be guarded against by strong and specific Acts of Congress.¹ You have already passed far the Rubicon, there can be no safety but in going forward, perhaps it may not be found even in that way; but a long pause, that shall damp the ardour, and give an opening for french intrigues to operate, will be dangerous indeed.—

This Letter is confidential, as you will at once see it ought to be. My feelings and Sentiments are expressed too freely and loosely to be exposed. to you I let them out without restraint, persuaded that with you they will remain, as intended, a friendly and private communication.

I am glad to learn that Mr. Stoddert² has accepted the office of Secy of the Navy; and I hope he will soon enter upon the duties, which are important indeed.—

We are making all possible dispatch with the Herald and the Cutter, which will soon be ready, perhaps before we get the appointments of the officers, and the general Arrangements, which must have been made for the navy. As yet we have no directions as to the number of men, marines, rations, stores Emoluments, uniforms &c. it is presumed that they are all to be the same as the Frigates; but we must not act upon our own presumptions, unless general direction is intended to be given in all those particulars.

Our merchant Vessels are arriving, but they have no commissions, nor any legal authority to defend others, nor to retake Americans in the hand of french cruisers. perhaps it is

¹ The Sedition bill was introduced in the Senate June 26, 1798.

² Benjamin Stoddert of Maryland.

not intended they should do any thing more than defend themselves; but why not retake captured Americans.

We shall want the Copper Bolts, spikes and Sheets &c for the new Ship ordered, to be sent us from New York. I have proposed to Mr. Wolcott a general order being given to the Store keeper in York to deliver whatever may be wanted here, and not there. We want pig iron, and copper &c, of which there is none here or in Portsm,¹ other articles may be wanted also which can not be purchased, but may be there useless at present. it may be well [to] improve what may be in the public stores, in places where there is no demand for them.

Respectfully I remain Sir yours &c,

Stephen Higginson.

38. TO TIMOTHY PICKERING (Massachusetts Historical Society).²

Boston June 12th 98

D Sir

Your letter of the 7th instant I this day received, and note what you say as to Capt. Nicholson and his ship &c. My last will have informed you that he is making much more progress in manning his Ship than was expected, he has now near 200 on board, and more are expected from the out ports; but the ship has not Officers to give to her a fair chance if she can be got to Sea, which I begin to think may take place. Capt N: is not intemperate that I have ever seen or heard of, he has exerted himself all he could to man and get out the ship. his defects are more natural than acquired, they consist in want of natural talents rather than vicious habits; he is neither a gentleman, nor a popular man with the sailors, as some rough men are; but I know of no criminal conduct or neglect, nor such a gross incapacity as would justify perhaps a dismissal from Office in the public opinion.

But I really wish he and some others of the old naval Officers had never been appointed. it was natural for Mr. Washingtons Eye to be upon them at first; but our navy in the revolutionary war was a bad school to educate good Officers in. I believe that the characters I sketched to you in a former Letter will give a correct view of the Officers of the Frigate here.

¹ Portsmouth, N. H., where the United States had a navy-yard.

² Pickering Papers, Vol. 22, p. 206.

Prebble and Beals¹ are the only men belonging to her, who appear to have any talents for the navy; and I should tremble for the issue should she meet a french Cruiser of equal force, though I am sure we have a great national superiority over them for naval operations.—

As to the Cutter² and the Herald, I have this day written freely to Mr. Wolcott about the appointments for them; and I am confirmed in the belief that the Service can not be promoted by them, unless They are officered in the way and by the men which I have mentioned. it is a wrong and dangerous Idea, that Ships are to be provided for men, to keep them in pay and give them a living. on the contrary men are to be sought for and appointed to the Ships who will render them useful and efficacious.—I hope however that appointments will soon be made for those Vessels, or the Captains allowed to select Officers for appointment, as we shall soon want all the Arrangements for dispatching them on a Cruise, every day lost is or may be important to our Commerce.—

No letters have been received from Mr. Wolcott requesting the Opinions of certain men as to Capt Nicholson. they may not perhaps be necessary; but if they do come you must not expect explicit answers from all the names mentioned. decision does not mark every mans character, still less such kind of responsibility as the appeal will appear to invoke. it is invidious, it is inconvenient, and sometimes it will incur difficulty to give explicit opinions upon such questions, which few men will care to hazard.

Capt Seaver has not had much experience in a naval war, he has seen very little actual Service; but he is supposed to possess all the requisites to form a very good Officer, such as Spirit, Judgement, prudence, firmness and a sense of character which urges to great and brilliant actions; and with these points a man soon becomes very eminent even in naval Combat, of which our late War gave us many proofs.—Seaver has a man ready to go as his first L^t who has seen service in our late War, and is considered as eminent in every respect; indeed the Herald will be as well appointed as any Vessel need be, if the list prepared will be accepted.—Chapman³ has been two years in the british navy, is well versed in the practical part

¹ Richard C. Beal of Massachusetts, third lieutenant of the Constitution.

² The Pickering.

³ Jonathan Chapman, appointed to command the Pickering, February 5, 1799.

of naval operations, and has all the requisites to make an excellent Officer.—

I am glad that Congress continue rising, they must keep on and adopt Mr Fosters motion for open War, it is the path of safety and honor, and nothing short of it will save our Country from being revolutionized.—

Wishing your labours may produce the good intended to our Country I remain respectfully your hum. serv.—

Stephen Higginson.

39. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston June 19th 98.

D Sir

I have received no Letter from you since my last. the inquiry you mentioned in your last as to Capts Nicholson and Williams² has been made; and I believe the result will nearly coincide with the Opinions I have expressed. this I presume from my own knowledge of the facts inquired into, and not from any information as to the Answers returned to the Queries of Mr. Wolcott.—it may be thought I was too free and full in what I have said as to the characters of the persons in questions; but I am sure that I expressed the public opinion which was to be heard every day in every Street. I suspect also that I have interfered with the Views of some with respect to the Cutter, but it is not uncommon for the public interest to clash with private Views*in such instances. My Views are and were wholly public as to that object. Others may have personal views which do not well accord with those of the public; but it is easy, I think, to perceive that the Cutter will be much more useful as Cruiser than as a Revenue tender; and that the degree of her usefulness will depend much upon her being well officered &c.

I find that there is yet a wicked and a vile Spirit, visible in Congress, which opposes every thing energetic and dignified; but it must be subdued or expelled. Sound policy and firm measures must not be impeded by Jacobin cant, or french intrigues—We must go through with the System or we shall return soon to a state worse than our former One.

We have late arrivals of well informed men from Paris who

¹ Pickering Papers, Vol. 22, p. 223.

² Thomas Williams of Virginia, captain, U. S. N.

inform us privately that the Directory thro' Tallyrant has effected a complete seperation of Mr. Gerry from his two Colleagues—that they were to leave Paris the 16 of Ap for Bord^x and he was to remain. this is an unpleasant truth, which your dispatches may or may not state.—

Mr. Appleton Our loan Officer is just going, perhaps gone. I have mentioned to Mr. Wolcott his son in law Mr. Thomas Perkins as the best man I know to succeed him, who would take though not solicit it in the usual mode of doing it.¹ he possesses every quality you would wish, and would be more acceptable to the people than any man I know.—

We have no intimation yet whether we may send on a list of names for the Heralds Officers. they are selected by the Capt ready to be sent, and it is time the appointments were made.—

I am respectfully Sir your Hum Serv. .

Stephen Higginson.

40. TO TIMOTHY PICKERING (Massachusetts Historical Society).²

Boston June 25th 98

D Sir

I mentioned to you in a former Letter that some passports had come from France [by] the young man, William Lee, who brought them in large packets to Genet, Bache,³ Munroe and Jefferson &c. He also had some at his own disposal, which he offered here. having a share given him in the benefit of the Adv^r he has gone to New York and Phila to dispose of them, perhaps on other french business. he is a weak and leaky young man, without firmness or prudence; and if he was hard pressed, every thing he knows may be extracted. I believe he has put off one of his protections here, as a ship has just been taken up by a person to load with Tobacco, with whom he expected to form a connection. a provisional One was indeed formed by a brother in Paris for extensive business. Lee may be gone to Virg. to see to the lading the Ship taken up.—the packets to Genet and Jefferson were large, and no doubt con-

¹ Nathaniel Appleton, appointed United States Commissioner of Loans on July 7, 1790, died this month. President Adams appointed Thomas Perkins in his place, June 30. Exec. Jour. Sen., i, 283.

² Pickering Papers, Vol. 22. p. 235.

³ Edmond Charles Genet, ex-minister from France, who had remained in America; Benjamin Franklin Bache of the Aurora. Regarding the affair of William Lee, see, further, Higginson's letters to Wolcott in Gibba, ii, 68, 70, 72.

tained some new Schemes of Talleyrands, a view of their contents would be very interesting, perhaps very useful.—

I was rather surprised when I saw my Son Johns name to the address to Munroe,¹ because I knew he meddled not with politics. he has no fondness for political inquiries or discussions. he loves better his private business and never mixed with politicians in France; but I supposed that the influence of the names and importunity of other Americans had drawn him into it.—

But I now know that he never saw the address, he did not even know when it was effected. Mr Tudor² and others applied to him to join in an Address, when it was first contemplated; he answered that he was not acquainted with Munroes official conduct, he had known very little of it, and would not therefore express any opinion about it nor join in any such Address. he never afterwards heard any thing about it, he did not know it was done till long after; and then knew nothing of its context.—what a Scoundrel Munroe must be to give Johns name to the public as among the addressors.—the same thing may be true with respect to others.

I am waiting anxiously to see the effect of Marshals communications.³ there can be no safety for us but in open and deadly war with france; without this the feelings and views of our people can not be extended to the point necessary to repel the poison of their principles already operating in our Country, which will operate our ruin if it be not expelled.—in haste I give you this confidential Scrawl and remain yours respectfully

T. Higginson.

41. TO TIMOTHY PICKERING (Massachusetts Historical Society).⁴

Boston June 26th 98

D Sir

I wrote you yesterday about the protections that came out by William Lee, and the other packets he brought for the Leaders

¹ Address of the Americans in Paris to Monroe on his departure, December 6, 1796. *Monroe's View*, pp. 401, 402.

² William Tudor the younger (1779-1830), afterwards founder of the *North American Review*, and author of the *Life of Otis*, was at this time in Paris on business. *Mass. Hist. Soc. Proc.*, 1, 429-433. His name stands second on the list of addressors in *Monroe's View*, p. 401.

³ John Marshall had just returned from the X. Y. Z. Mission, and his communications to the President had just been transmitted to Congress.

⁴ *Pickering Papers*, Vol. 22, p. 237.

of our Jacobin faction. I have since learnt that there were such packets for Jefferson, Munroe, Randolph, Genet, Baldwin, Burr, Bache, and several members of Congress.¹

They were seen on a Table in parson Freemans² parlour where Lee lodged, all of them sealed by Talleyrand, directed seperately to the number of 15 or more, and under the care of Lee.—

Some of them contained pamphlets written by E^d: Church in Paris or its vicinity, published in English, and abusing our Executive most infamously.³ one of the Covers being much chafed, a pamphlet was taken out and looked into. this was the day before Lee set out from hence, eight or nine days past.—

As Lee spent some days here to dispose of his passports, it is very probable he may do the same in New York; and as he means to deliver them in person, it is possible that there may be time to intercept the packets to Jefferson Munroe and Randolph, if it be an object and a good look be kept out for his arrival at Phila. possibly to take him at New York. to inspect those packets may lead to important discoveries; and it can not be wrong to do this or any such thing which may lead to detect Conspiracies.—these facts may be vouched here by good men if their be occasion for it to confront Lee, or any concerned.

I am Yours with respect

S: Higginson.

42. TO TIMOTHY PICKERING (Massachusetts Historical Society).⁴

Brooklyn Sunday Sep 23

D Sir

The President informs me, that he has sent to you a Copy of extracts of Letters from Halifax, containing a proposition from Admiral Vandeput to convoy our Vessels to Europe twice or thrice a year, provided Our Executive will apply to M^r Liston,⁵ and get him to recommend the Admirals doing it. copies of it were sent to me as President of the chamber of commerce, expecting I should convene the chamber to request the Execu-

¹ Edmund Randolph, ex-Secretary of State; Abraham Baldwin, M. C. from Georgia; Aaron Burr, at this time a member of the New York assembly; B. F. Bache, of the Aurora.

² James Freeman, minister of King's Chapel.

³ Most probably Edward Church's *The Dangerous Vice*, printed in 1789, and abusing John Adams.

⁴ Pickering papers, Vol. 23, p. 153.

⁵ Robert Liston (1742-1836) was minister to the United States from 1796 to 1802.

tive to make such an application to M^r Liston; but it struck me as being improper for the merchants to make such a request to the Executive, or for such an application to be made to M^r Liston. while we spurn at the Idea of becoming tributary to one nation, it would appear singular for our Government formally and practically to declare our dependence upon another, by soliciting its patronage, and protection of our Commerce. Such a measure would be derogatory to our Country, it would check our exertions to establish a navy, would damp the ardour of Our people, to own their Ships, and defend their own property and annoy the Enemy; and it would familiarise them to the Idea of inferiority and dependence, and would get them into the Habit of looking to the british navy and Government, instead of our own for protection.—

With these impressions I declined moving in the business, and yesterday I went with Mr. Cabot to see the President¹ respecting it, when I suggested to him my objections to the proposition. whilst we were conversing upon the Subject, Mr. Liston came in, and the President soon mentioned to him the Subject of our conversation; and at his request I stated to him the nature of the of the proposition, and made some general observations upon it. I observed, that we should be gratified by every new Evidence of a friendly disposition in the british nation and Government toward us; and that we should avail Ourselves of every opp^y to reciprocate such a disposition, and to confirm and extend a friendly intercourse, and seise every opening to secure our own and their property against a common Enemy—that it was evident that the Admirals proposition originated in such a disposition, and that if he would be so obliging, whenever a Convoy was decided on, for their own Trade, as to announce to us the time of its sailing through their Consul here, such of our merchants as Should then have Vessels bound to Europe might avail themselves of it.—

The application for a Convoy last fall from London was different. our Ships were then in the british ports, without the reach of our Government, and having neither authority nor means to arm; but here in our own ports, we ought to be viewed as under the care and protection of our own Government.—

Mr. Liston appeared to understand well the kind of aid we should wish to receive from the british navy; and he said he

¹ Adams was then at home in Quincy.

would write immediately to Adml. Vanderput, recommending him to adopt the mode which had been suggested.—

As by this interview and conversation with Mr. Liston, the business is understood to be so far arranged, as to secure the benefit of their Convoys without any formal application of Government, which should imply a dependence, I thought it might be convenient to you to be made early acquainted with it.—

I have now time only to add that I respectfully Sir, your hum Serv.

Stephen Higginson.

43. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Private

Boston Jan^r 1^o 99.

D Sir

I am desired by several good friends to Governm^t, such as Judge Dana,² Mr Cabot and others, to suggest to you the danger apprehended from the tender of Service made by Gen^l Hull³ and the Officers of his division, should it be by the President accepted of and confided in. it is a well known fact, that Hull and many of his Officers are of the most inveterate grade of Jacobins in this State, perhaps in the united States; and that it was their influence and exertions which has rechosen Varnum,⁴ and kept Middlesex in a high state of democratic fermentation. Nor is there any doubt of their being deep laid Schemes to defeat the measures of Governm^t, by assuming the garb of federalism, and enlisting into the public Service, with a view to acquire the Confidence of the President; and under his name and sanction to increase their influence with the people, and to have more and better means to poison their minds and excite opposition to the Executive.—When I say there is no doubt as to the views and designs of Hull and his associates being inimical to the Government, and that their

¹ Pickering Papers, Vol. 24, p. 1.

² Francis Dana, who from 1791 to 1806 was chief justice of Massachusetts.

³ Gen. William Hull, of the Massachusetts militia, the same who in 1812 surrendered Detroit. He at this time commanded the third division of the Massachusetts militia. The offer of their military services, which he and his division made to President Adams October 2, 1798, may be found, with Adams's reply, in *Revolutionary Services and Civil Life of Gen. William Hull*, pp. 263-266.

⁴ Col. Joseph B. Varnum, M. C. from Massachusetts, 1795-1811, and Speaker from 1807 to 1811.

proffered Services are intended to deceive, and derive Aid and influence from Office to assert their Views, I need only state to you, that all their measures have been concocted with Varnum, Sullivan, James Winthrop,¹ and such kind of men; that Sullivan and Hull have been the writers of their addresses, approved by Gerry, Jarvis and Eustis &c²—

It is considered as a great misfortune, that no pains were taken to frustrate their Views, by full information as to their characters and designs &c and so prevent their tender of Service being accepted; and it is hoped that it is not now too late to prevent Commissions being issued, for it will be a sad thing to have the military commands in the hands of men disposed to overturn rather than support our Government. it is here believed to be an essential part of the Jacobin System, to insert their devoted Agents into the military as well as the civil department, and it was at once suspected that such was the design of Gen^l Hull in his addresses and tenders of Service &c, from the known characters of the men and the whole course of their conduct.—

We have been much disappointed in the P.'s³ communications, we are afraid he has committed himself too far respecting his desire for peace, and the terms on which he would negotiate; and we fear, that all the necessary professions and promises will be made by the french, to place themselves upon the ground taken by the P.; from which he can not recede without incurring new imputations and hasarding popular clamours. it has been thought that we ought to become openly parties to the War, that we may also become parties to a general peace, and secure the guarranty of the European nations for our future peace and safety. As we now stand, a sudden peace may take place in which we shall have no voice, nor our interests or safety be at all attended to in adjusting the terms. I should wish even for a treaty with Britain during the war, and on terms that shall secure her friendship without any degree of dependence or humiliation, but I must close with saying, that much reliance is placed upon you and others of the Cabinet to guard against mistakes on one side,

¹ James Winthrop (1752-1821), judge of the Court of Common Pleas.

² Dr. Charles Jarvis is probably referred to; William Eustis (1758-1825), afterwards Secretary of War and governor of Massachusetts.

³ President's. The reference is probably to Adams's recent address at the opening of Congress, which, it is familiar, did not satisfy the extreme Federalists.

as against intrigue and diplomatic skill on the other, and that I wish your labours were less and your success more certain.—
respectfully I remain yours &c—

Stephen Higginson.

44. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Jan^y 31["] 99—

D Sir

I rec^d under cover from you a Gazette with your report on the *silly* communications of M^r Gerry, which instead of justifying his conduct serves only to strengthen the previous impression, and to *expose* more fully his vanity and folly.² his communication might well enough be entitled "the Envoy duped, or the folly of Gerryism," and yours I should stile "french perfidy displayed, or the Villain unmasked."—you have not only stripped off the Veil, but taken the Bishops³ hide with it, so as to leave him in a very exposed and sore situation.—

We shall have a large number of your report struck off to circulate in the form of a pamphlet, to instruct and amuse our Country brethren, who have not yet correct Ideas as to the late negociation, especially the part undertaken by Gerry alone. this Gent^l has got his money, which is no small consolation to him, and with it he may now amuse himself in the background, where his communications and your Strictures have fixed him for life, I think.—

A young man by the name of Phelps, who has been very conspicuous here for his military taste, and talents at discipline, and whose character I believe in every respect very good, has applied I am told for a Com^m in the Army, for which I believe him very well fitted;⁴ but I wish him not to exclude F: Cabot, about whom I before wrote you and Gen^l Hamilton, and who, I am told by Gen^l Lincoln, is also adapted to the military life, and whose habits &c are not the best for private business.—

¹ Pickering Papers, Vol. 24, p. 47.

² Gerry's correspondence with the French Government after the departure of his colleagues, together with Secretary Pickering's report upon the same, was laid before Congress on January 21.

³ Talleyrand, bishop of Autun.

⁴ Charles P. Phelps of Massachusetts was on March 2 nominated a lieutenant of infantry, U. S. A. Exec. Jour. Sen., 1, 322.

I long to hear that Congress has declared war with a manly tone against the french. it is the only measure which can guard us effectually from internal faction and french intrigue; and by it only can we acquire that situation at a general peace, which our interest and safety require; we must become a party to the War that we may be party in the general arrangements for a general peace.

I look to a few of you to effect this, for though many may accede to it, a few only will have firmness enough to propose and support the measure—

I am respectfully and truly yours &c

Stephen Higginson.

45. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Mar 3rd 99

D Sir

Since I wrote to you respecting the release of the Ship *Patern* and Cargo at *Hispa*, I have read the new intercourse Act,² in which I see no permission to grant a flag in a case like that; and am apprehensive that the President will not think himself authorised to do it, should he feel disposed to aid me in recovering that property; of which I am not without doubt. But if I am right in my construction of the new Act, is there no way in which I can derive Aid from the Government in recovering it, or in protecting it when recovered.—a Letter from the Spanish Minister to the Governor of *Portirico* may facilitate the release of it; and another from *M^r Liston* may serve to protect it from the British on the way hither. the former I shall endeavor to obtain through *M^r Stoughton*, the Spanish Consul here, uncertain as to the intercourse between you and the *Don*; the latter I presume will be granted you without hesitation, unless some objection presents, which has not occurred to me.—

We were much gratified last Evening to learn by post that the Senate have declined to confirm the *P. appointment* of *M^r Murray* to treat with the french *Tygars*.³

¹ Pickering Papers, Vol. 24, p. 156.

² Act of February 9, 1799, suspending commercial intercourse with France.

³ On February 18 Adams suddenly nominated *William Vans Murray* envoy to France. The Senate referred the nomination to a committee, and were apparently about to reject it, when Adams, on February 25, nominated *Ellsworth*, *Henry* and *Murray*.

Never were a people more surprised or grieved than we in this quarter were to hear of that nomination. there is not a Sound mind from Maine to Georgia that has not been shocked at it. it must have been an Act of feeling, of passion, and not of judgement, it will ruin his reputation in Europe, and destroy all confidence in him here, and it can not but injure the interest and character of our Country abroad, though the negative of the Senate will show that he only has been duped by the wiles of french diplomacy, and the folly of Gerry. the appearance abroad must be that of a division in the Government, which may create one among the people; and such an apprehension can not but lessen the confidence of European nations in our union and firmness of opposition to the views of France.—But I hope that you and Mr. Wolcott will not be influenced by the weakness and imprudence of the P:, so as to relax in your measures, or to retire from your stations. all who know him fear his Sallies, and look to his ministers to check and counteract in this and future, as well as in former instances; and it is the expectation of your friends, no less than their wishes, that you both remain where you are, for the present at least, to guard us against the follies of some [and] the machinations of others. I have given to Mr. Gore and Mr. King,¹ by a Vessel going to day for London, a short account of the shameful Event, of the negative of the Senate, and with some observations to enable them to prepare the british Cabinet for the odious tale which they must soon have of it.—

I was in hope to have heard from you as to an appointment for Mr F: Cabot,² so as to have written to him by this Vessel; but the P: may hear of such observations of mine and G: C^a as to make him inimical to the name and connections and prevent his assenting to any appointment for him.—

I am respectfully your hum Serv—

Stephen Higginson.

46. TO TIMOTHY PICKERING (Massachusetts Historical Society).³

Boston Aug^t 7th 1799

D Sir

We learn by an arrival at New York from London that a number of American Vessels were carried into England from

¹ Rufus King was at this time United States minister in London; Christopher Gore, afterwards governor of Massachusetts, was there as commissioner under Jay's treaty.

² No appointment was given to F. Cabot.

³ Pickering Papers, Vol. 25, p. 82.

Holland, upon Sir W^m Scots¹ new doctrine that Vessels which [lay] in an Enemies port before a blockade, but took in a Cargo after proclamation of the blockade, were and are as liable as those who entered after it, and I find one of mine is among the number. the account states that Mr. King had claimed the release of those Vessels, as having entered before the blockade, and being not liable for having done that, which was right and lawful when undertaken. it may be important for the Owners to know, whether it is probable our Government will accede to the ground of capture, or whether the property will be reclaimed with confidence of success in getting those Vessels liberated, against which nothing appears but this novel doctrine.—

The papers announce a suspension of the Commissioners progress at Phil^a, on account of constructions made by the british members, which the 6th Article does not warrant.² this also is alarming, as it may obstruct the treaty Com^a in London³ in their progress; at least M^r King and M^r Gore &c seemed to apprehend such an effect, when a former report was abroad of an obstruction at the Board in Phil^a—

And in their Letters on that subject they all agreed it would be much better to endeavor to remove the difficulty by discussion with M^r Liston, than by negotiations in London. They probably must have expressed the same Opinion in their Letters to you at that time, I mention it however lest their letters should have miscarried.—

the London papers by the Boyne contain an official account of Suvarrow's having defeated Moreau's Army with great slaughter, and taken him with three other generals and 6000 men prisoners, with all their Cannon and Stores &c.⁴ this will decide the fate of Italy, and affords a good prospect, that the conquered Countries will all be liberated this Season, which will contribute to our present safety; but I wish we were parties in the War, that we might take a respectable rank in negociations for peace, and acquire new and strong guarranties for our future tranquility.—I want our Country to become

¹ Sir William Scott, afterwards Lord Stowell, was judge of the High Court of Admiralty from 1798 to 1827. The decisions here alluded to are those rendered in the cases of the *Vrouw Judith* and the *Neptunus*, reported in 1 Robinson.

² Thomas Fitzsimons and James Innes, commissioners under Art. VI, of the Jay treaty.

³ Christopher Gore, with William Pinkney, commissioners under Art. VII, Exec. Jour. Sen., 1, 204, 205.

⁴ On April 27, 1799, Suvorof, commanding the Russians and Austrians in northern Italy, had defeated Moreau at Cassano, forcing the passage of the Adda, but Moreau was not captured.

a party, to command respect from the British, and to guard us against their domination, by good connections, and a respectable station, advantages which a timid temporising policy will lose. if by our conduct now, the British should be offended and learn to despise us, what can we expect hereafter from them but insult and injury. should the contest in Europe end in favour of the Allies, as we may now expect, They will no doubt mark with reprobation the conduct of those powers, which from meanness or timidity kept out of the struggle, though their interest was common. every feeling in nature, and every political consideration, will induce them to punish us for not engaging on their side; and the British and Russian Governments, will have ample means to indulge their resentment at our deserting their Cause, which was in fact ours also by interest and principle.—

With much respect I have the honour to be, Sir your hum
Servt—

Stephen Higginson.

47. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

private

Boston Aug^t 22nd 99

D Sir

I rec^d your Letter of 14 inst, and note that you had not before heard of the new doctrine set up by Sir W^m Scot. it is however true that he has officially declared that to be the true doctrine of the law of nations, which he should take for the rule of his decisions; and the British have now a number of American and other neutral Vessels in their ports, from Holland, waiting to be adjudicated upon his principle, some of which were laden three months before the blockade was declared, and all of them entered Holland before it took place, and were laden before they knew of it. I have one there myself.—It is evident from this and other facts, that the British and their Allies mean not to be tender toward Neutral Nations who shall decline making common cause with Them, and give Aid to their Enemies by traffic with them; and the Answer of Russia to our Minister proves, that we are to expect a marked contempt, for an appearance even of a disposition to preserve terms with France.²

¹ Pickering Papers. Vol. 25, p. 109.

² Rufus King, minister to England, had been charged to attempt negotiations with Russia. For the results, see his Writings, 1, 568, 590.

With such evidence before our Eyes, how are we to account for the P^s persisting to send on Envoys to treat with France, what can be expected from the Allies but resentment and depredations without bounds. if the mission goes on, I shall count upon fresh depredations to the amount of 50 millions of dollars, the result of which will be more clamour and ill humour than has before appeared. it will divide our own party, it will revive the french faction, it will open every door for the admission of french Emissaries and principles, it will ruin our Commerce and deprive us of our monied capital; and of course must leave us divided into rancorous and inveterate parties, both in the Government and among the people, and perhaps the people detached from their Government, without a Revenue or the means of raising One.—The characters and principles of the Envoys will prove no Security, for if their terms should be acceded to by the french, as they surely will, however high and firm they may be, how can They avoid a Treaty. to refuse a treaty upon our own terms, after the Envoys shall be in france and have declared their mission and its object is impossible. A treaty must therefore result from the mission; and a treaty on any terms with france, in the present state of things, will induce all the Evils I have mentioned, especially if the Allies pursue success till the conquered Countries shall all be recovered from france, which will probably happen this Season.—there is more passion, weakness and infatuation discovered in persisting in this fatal plan of his and Gerrys, than it was possible to believe either of them capable of; but the destinies of providence will have their course, and those men seem to be the chosen Agents to carry them into effect.—

If with their instructions you were to send him¹ a representation of the danger of the measure, which, in your station, may be not only proper but a duty, would it not arrest him for a time, and produce serious reflection, which might afford some sort of chance for delay at least.—

he has lately said in private conversation that “when he made the nomination of Murray, he did not suppose the people ripe for proper and decided measures. he believed there still remained a strong attachment to france, and her cause, such as required some farther attempt to restore peace and

¹ I. e., to the President, then at Quincy. Pickering in fact attempted to do this, indirectly, through Cabot.

firmness on his part, before they could be prepared to support measures, which he deemed necessary, and which must eventually be adopted; but that he had since been convinced the popular sentiment was against a treaty on any terms, and averse to any sort of connection with the present french System and Rulers." But how does this declaration comport with his being at the same moment engaged, in preparing an Embassy to make a treaty. strange man, whose words and actions are so often opposed, whose Opinions and conduct fluctuate with the gales of passion, and the feelings of the moment.—

respectfully I am yours

Stephen Higginson.

48. TO LEROY, BAYARD, AND McEVERS¹ (Possessed by Charles Roberts, Esq., Philadelphia).

Boston Sep. 12. 1799

Mess LeRoy Bayard
and McEvers—

Sirs

We have received your letter of 5th instant, and note that the arms recd. by the Prosper were on board a vessel for Richmond and that you had paid the freight of them from Hamburg \$498..33 but we hope that you will get information from Richmond before they go from you, whether they will be received, for the reasons assigned in our last. if any objection is made to the quality &c we had rather have the arms with you than in Richmond. indeed there will be less danger of objections when they know they are retained to hear how the parcel from Baltimore is received and approved.

We have insured the arms here from the port of entry to Richmond in whatever vessel they may go, as we are to deliver them there free of risk or expense at contract price.

The draft of James Voax on Wales and Field is paid and to your credit with us \$1035.. gr. also the 498..33 frt paid

¹ A mercantile firm in Philadelphia. It is evident from this letter that Mr. Higginson, high Federalist as he was, was engaged in supplying arms to the arsenal which the State of Virginia had instituted by a recent statute. Now John Randolph, in a speech in the House of Representatives, January 30, 1817, declared that the Virginia armory had certainly been erected to provide the Virginians with arms with which to resist Federal encroachments. It is true that John G. Jackson and James Pleasants, in the same debate, denied this. But at least Pleasants's remarks show that it was in 1798 the belief of Federalists, e. g., of Gen. Henry Lee.

We will endeavor to obtain for you the certificate in manner desired which will answer no doubt as heretofore. in the meantime the advertisement will go on daily in different papers to serve in case the other fails. nothing but the expence will be incurred which is no object.—

Our former letter will have given you our Ideas as to the claim of contribution by the Owners of the Prosper, but we are satisfied with the ground you have taken of doing as the government agents shall do respecting theirs—

We must apologize for the trouble given you about the arms which is more than we expected at first; and we have to thank you for your attention to them, and directing as to the remittances and remain Sirs

Your hum Ser

Stephen Higginson

P. S. The enclosed letter is a duplicate of the one we sent last which we will thank you to forward by a different vessel.

49. TO TIMOTHY PICKERING (*Massachusetts Historical Society*).¹

Private.

Boston Sept. 20th 99

Dr Sir:

I received your letter of the 12th instant and have reflected upon the subject; and I think that, with the aid of the Herald, and the permission of the Secretary of the navy, I can arrange to furnish Toussaint² with some arms, lead and flints.—I have a consignment of 4000 stands from Europe intended for the state of Virginia on Contract, according to a sample in the hands of the Executive. a part of them have been delivered at Richmond, 1320 Arms and 1536 Cartridge Boxes, which do not prove so well finished as the sample and are rejected, though confessedly very good and from one of the best factories in Prussia.³ the rest are on board the Acteon for new York, carried into England for inquiry, and may daily be expected at new York if not already there.

¹ Pickering MSS., Vol. 25, p. 179.

² The famous negro general Toussaint L'Ouverture.

³ J. G. Jackson, in the debate of January 30, 1817, speaks of European arms which the state of Virginia obtained from *Swann* of Boston about 1798, as having proved worthless; and the number he mentions is 4,000 stand.

Now I propose to take a small Brig, to go out with the Herald¹ as a Store Ship, to put on board some Bread &c which will be wanted by our Ships on the Hispaniola Station—to order round from new York the 2680 arms by the Acteon, to put part on board the Herald and part in the Brig, taking some of the Herald's Stores in the Brig to leave room and to have the Brig balasted with Lead which may be done without clearing it out; and in case the Acteon does not arrive in time to send the Arms here in time, the Herald and Brig^t may call off new York, and receive the Arms if they are there or if not go on to Hampton Roads where the other parcel may be ready to take in—or both parcels may be shipped in this way, if the Acteon be arrived as the Arms at Richmond will be ordered here, and probably those by the Acteon too. I can easily arrange so as to have one, if not both parcels shipped without any delay, should those by the Acteon not arrive at N. York in time to come here before the Herald will be ready, say 20 days hence. This kind of use of the Herald is necessary to cover the shipment as well as to convey the Articles safe to port; and by this arrangement we can effect the shipment without militating with the Laws. I must assume the appearance of doing this with the privity of the government and for their use; but it will not implicate the Executive in any branch or degree, or require any direction or Act from any one to execute. But I cannot venture to do this without an understanding with Mr. Stoddert. it is a use to be made of a public Ship, which as an agent I ought not to attempt without such an understanding, which may be conveyed satisfactorily to me through you, if it be thought eligible.

As yet no other safe and easy mode has occurred to me of effecting the Object; which is desirable and important in a public view; but for all I at present see, this mode may be adopted without involving any serious difficulty, it will indeed pass off without notice if well executed. But to attempt to smuggle the Articles and be detected would occasion much noise and discussion and it would render the supply very precarious without convoy and hasard much more clamour, than can possibly be excited in the proposed mode—in that indeed I see not how any can arise, nor even a suspicion as to the Object till after it shall be effected.—

¹ A United States vessel then at Boston.

I am without any directions yet from Mr. Stoddert on this business, will you see and arrange with him, and let me know the result.—

The subject of your other Letter of the 12th I shall revolve; but I fear no change of measures can be effected with the P: his decision seems to be unalterable, though opposed to his uniform language, and of Mrs. A. and his family connections, who all observe the same tone.—

I am with much respect yours sincerely

Stephen Higginson

Honble Timt Pickering Esq.

50. TO TIMOTHY PICKERING (*Massachusetts Historical Society*).¹

Boston Oct. 3rd 99.

D Sir

I received your several Letters of last month. your Opinion as to sending Arms &c to Hisp^a in the mode I suggested coincides with my own. upon reflection many objections occurred to render it ineligible, though to furnish Touissant² with the means to suppress Rigaut, appears evidently for the interest of our Country. I therefore have made no preparatory Arrangements for the object, and have given over all thoughts of doing anything myself in the business.—³

You will, before this reaches you, have seen the P:, or heard of his being on the road to Trenton, to do something decisive relative to the new mission to France. What he intends or how he feels appears to me doubtful. I learn however that the Letters &c received from you have impressed him deeply, and occasioned his sudden departure from home a month earlier than he intended, with appearances of Agitation and haste;⁴ and upon the whole which is known to me, it is probable he

¹ Pickering Papers, Vol. 25, p. 202.

² Toussaint L'Ouverture at this time was waging in Santo Domingo a fierce war against the French general André Rigaud.

³ Higginson had written to Pickering on September 20 the letter just given (No. 49, above). Pickering replies, September 27, that the scheme is impossible. While we wish Toussaint to obtain a supply, we can not implicate the Government of the United States. Pickering MSS., 12:113. In this present letter, Higginson seems to acquiesce. But the sense in which he uses the above words may be seen by an examination of No. 52, post, taken in connection with No. 48.

⁴ Adams's departure for Trenton, a month earlier than he had intended, seems rather to have been due to Stoddert's letters warning him of the intrigues of his Cabinet. What over his intentions, he sent off the mission to France soon after he reached Trenton.

means to canvass the Subject with his ministers, and will be ready to avail himself of the change in the Directory, and the apparent instability of things in France, to suspend the measure. This is indeed a slender Bridge to retreat upon, it is a Veil which every discerning Eye will at once penetrate, it will be a tacit confession that he has been wrong from the outset, and his friends right who have opposed, and been abused by him for their attempts to check him. in this case he will have a thorny path to tread back, a retreat to make more humiliating than he ever before made, without one consoling circumstance to alleviate his mortification, or cheer his own mind.— by quarrelling with and insulting his old friends, who disapproved of the measure, and attaching himself to Gerry, Hull and others of the Jacobin stamp, he has separated himself from those who have been his most firm and respectable Support; and by now suspending the odious business without any new light or important change in circumstances, which alone ought to have directed his Judgement, he will afford to the former a complete triumph, and will incur the resentment and abuse of the latter.—But what ever we may think of his conduct or his motives, every facility should be given him to affect the suspension, and every Straw furnished to him, which he fancies will tend to save his sinking reputation. let the mission be stayed upon any grounds, and under any pretences he may choose to adopt; for though much injury has already arisen from the attempt, both to himself and the Country, much may be saved which would result from the prosecution of it.—

Such at least are Our opinions in this quarter upon this unpleasant Subject; and we believe that yours will coincide with Ours and lead you to give every aid to the change we hope he will be desirous to make.—

With much respect I am truly yours &c—

Stephen Higginson.

51. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Oct. 17: 99

D Sir

Having heard that you retain your N E: taste for Salt fish, I send you by the Sloop federal George, Cap^t West a quintal done up in a matt with a tally marked with your initials, which I believe to be good. should you have before received a sup-

¹ Pickering Papers, Vol. 25, p. 234.

ply for your own use, you can dispose of it to Mr Wolcott or any friend who loves fish.—

I hope to hear that the P: has been induced to suspend the mission to France without day, if his feelings do not shut up the Avenues to conviction he surely will.¹—it may help to recover our lost reputation perhaps if the P: will exhibit in his Speech the same language and spirit as he uses in private Circles, where he uniformly professes to detest the french views and conduct, to have not the least confidence in their professions, which are intended only to amuse and deceive; and that he had no expectation of accomodation with them from the proposed mission, nor the belief that our safety or interest could be promoted by a Treaty.—if such are his Sentiments, how can he refuse to express them in his Speech, or decline to give up all Idea of the mission.—it is expected by some, and hoped by all that he will repair the breach as much as he can in this mauner; but I doubt whether his magnanimity is equal to the task, for it will involve concession which he will resist.—

in haste I have the honour to be Sir your hum Serv—
Stephen Higginson.

52. TO LE ROY, BAYARD, AND MCEVERS (Possessed by Hon. John Boyd Thacher, Albany. ²

Boston Oct^r 28, '99.

Mess^{rs} LeRoy Bayard and McEvers

Sirs

We have understood that Gen. Toussaint was in great want of Arms at Hisp^a, and had written to some people in America offering a great price for such as should be delivered to him there; and that our Government was desirous to have him supplied, though under the present laws no permit could be given to export them. this may be a good opening for Individuals to make a great hand by sending a parcel there for sale, which may be done by the connivance of our Government, though not by permission, and we know of no parcel of Arms obtainable for that purpose except those we have at Virg^a, and those expected in the Acteon, which must soon arrive.—If this opening be known with you, perhaps some of your enterprising Adventurers may incline to take those out in a fast sailing Vessel, to take in those by the Acteon, and

¹ On the day preceding, October 16, Adams had given his final instructions that the envoys should proceed.

² In connection with this letter, see Nos. 48, 49, and 50, and notes. What was not to be done directly might be done indirectly.

proceed to Hampton Roads and take those 1400 from Richmond. If your State does not want them, and any such Buyers appear, who are sure and safe men to pay in all Jan^r next, we would wait till then for the money; and in case you can sell to either, we wish you to order M^r Robert Pollard of Richmond to send you the 1400 in his care, unless he shall have agreed before with the Executive of Virg^a for them, or to deliver them at Hampton Roads as you may direct.—we have given similar directions to Conyngham Nesbitt and C^o of Phil^a, to David Stewart and Sons of Baltimore, and to M^r Pollard, either of whom is authorised to sell them conditionally, and to give orders to have those by the Acteon and those in Virg^a sent to such place as they may agree to deliver at, relying on its being done, if no previous sale be made by you or by Mr. Pollard for them. if therefore you can sell them at 11 dollars or upwards to your own or any other State, or to any Adventurers for Hisp^a etc, you will do it conditionally that no previous Sale be made by M^r Pollard, and will direct him to send those he has to you. on the other hand if M^r Pollard shall have sold them and direct them to be sent on to him you will forward them, or if he does not sell them, and our firms in Phil^a or Baltimore shall have sold them, and desire you to forward the Arms to them you will please to do it.—we have applied to all these sources to make Sale of the Arms, as we wish to get rid of them and finish the business as soon as we can; but our orders are intended to prevent any interference or embarrassment, by authorising so many to sell them, while we endeavour to secure a Sale.—will you please to inform us what prem^m will be asked on a good Brig^t from Russia to this port, expected by the middle of next month. Our Offices here have taken their usual amount on Goods on board her; and a friend wishes to insure about 5000 dollars he has late advice of being shipped unexpectedly by her.

With much esteem we are Sirs your hum Ser
Stephen Higginson and C^o

53. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Nov. 24th 99

D Sir

Having lately heard that you had never seen the inclosed pamphlet, and wished to see it, I send you this which has just

¹Pickering Papers, Vol. 25, p. 290.

come into my hands, through the same channel, with two others and the only Copies which I have heard of, one of which was sent to the President, the other is in some private hand, the latter I had the perusal of some months since¹—

I inclose you also a piece written by Jn^o Gardner, in Jn^o Russells paper, under his usual affected Signature of American Independence, supporting the mission to France upon ground taken from these Letters of Barlow, which is a miserable support indeed. the P soon fancied that he could use these Letters to justify his mission and he has put Gardner upon the attempt, and furnished him with the means. on the same ground he was desirous to have them reprinted here, and by his friends importuned the Editors of the Mercury till they agreed to do it, and announced their intention. this drew upon them several Attacks, among others an anonymous letter which They said was in Judge Danas hand writing, and which deterred them; and the public are now to be instructed and moulded to the P^s views by extracts from those Letters with Gardners comments.

But never was there a more barefaced trick, or a Snare worse covered; and yet the Directory have succeeded to intrap the P; and the country is now to be drawn after by the same toils, merely to keep him company, and lessen his defeat and disgrace.—

I am truly yours &c—

P. S The three Copies of these Letters which have appeared here all came directed to D^r Hopkins of Hartford and covered to a person here, who handed me this. you will perceive at once reading them that these Letters were intended to enforce the communications to Mr. Murray the whole forming a plan of the Directory, or Talleyrands to impress the P; and induce him to send Envoys, but in a manner which enabled them to avow or deny the whole as should best suit their purpose.— Our former Envoys were blamed by the P: for their intercourse with unauthorised Agents; but has he not committed himself in a like manner, and a greater degree, by adopting the suggestions of Pichon, Logan Barlow and Skipwith,² with-

¹Apparently the pamphlet called Joel Barlow to his Fellow Citizens of the United States of America: Letter I, On the System of Policy hitherto pursued by their Government, dated Paris, 4 March 1799.

²The references are to L. A. Pichon, French secretary of legation in Holland, who on April 12, 1799, had written to W. V. Murray unofficially expressing the good will of France toward him as envoy; to George Logan, afterwards Senator, a Philadelphia Quaker,

out any direct assurance from the proper Organ of that nation to Ours, which could not be denied or taken back—who would have believed that from such men as those aided by Gerry would, by their intrigues, and shallow artifices, have affected such a change in our system of policy, when the very means used, and the solicitude displayed for the success of their measures, ought to have excited distrust, and guarded the P: against their tricks—I send you a Copy of Barlows Letter to D. Hopkins which accompanied the pamphlet—Second thoughts are best, it is said, and I send you the original insted of the Copy of Barlows to Hopkins, it may be useful—but you will take care of it and keep the channel by which you get it out of sight, lest it may lead to the person from whom I have it.¹

Mr. Ames, Cabot and myself were at Jon^a Masons, where we had a free conversation with Otis, Lee of the Maine, and Gordon of N: H: on the subject of the late mission.² Otis professes to think of the measure as we have all done, he views it, he says, as an unfortunate injudicious One, tending to induce great Evils, and incapable of effecting any good; but he is evidently disposed to palliate and soften as much as possible, and will be found to be indecisive upon questions, which are expected to arise out of the Speech. he will deprecate and oppose anything like a disapprobation of the measure; but has pledged himself not to approve. he will be for avoiding both, and will pass unnoticed expressions which may call for attention, a conduct which will be construed into a tacit approbation, and incur the displeasure of the combined powers, while it divides the federalists and strengthens the Jacobins.—

Dexter I fear will take the same middle course, at least such is now his language.³—Mr. Lee appears to be more firm, and may get braced up at Phil^a so as to meet any question; but Gordon seems to be the most decided, and ready for any meas-

who in 1798 went to France on his own responsibility, to try to avert war between France and the United States; to Joel Barlow the poet and diplomatist, who, living the life of a literary man in Paris, attempted similar good offices; and to Fulwar Skipwith, whose resignation as United States consul-general in Paris Pickering had forced.

¹ Among the Pickering MSS., 25: 292, may be found a letter of Joel Barlow to Dr. Hopkins of Hartford, Conn. (Dr. Lemuel Hopkins the poet), dated April 12, 1799, and inclosing a pamphlet on Adams's Administration for republication in America. This is no doubt the letter here referred to.

² Fisher Ames; George Cabot; Jonathan Mason, Senator from Massachusetts 1800-1803; Harrison Gray Otis, Silas Lee, and William Gordon, members of the House in the Sixth Congress.

³ Samuel Dexter, Senator from Massachusetts 1799-1800.

ure which shall appear necessary to defeat the Mission, to lessen the Evils expected from it, and unite the federal party.—

This information may be of use to you; but I expect, that the Jacobins will revive animosity to Britain, and will find so many popular Strings to touch, as to frighten and detach the timid, time serving and wavering men, who have generally been with you.—I want to see how the Speech will touch the Subject of the mission. it will be difficult to avoid sharp points, but it must be touched.

54. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Jan^y 12th 1800

D Sir

Your Letter of Dec 23 I received, on the Subject of which I have as yet conversed only with M^r Cabot, having been confined a fortnight by a severe Cold.—we are at a loss how to alarm Otis with an apprehension of offending his Constituents and being dropped, or of exciting an opposition in the Senate of the U. S.; which would bar any promotion which his servility to the P: may procure, without creating a suspicion which may reach you and your friends. Those are the two strong means to be used to deter Otis, who can be restrained by no other consideration or principle; and who, for the sake of an additional vote, or the rise of one grade in the scale of promotion, would sell any and all parties or persons in succession till he reaches the top. Whoever trusts him will be betrayed.—

We know that the P: and his tools affect to believe, that a faction exists who aim at supplanting him, unless They are permitted to counsel and direct national measures; and they stile us the Essex Junto, with you at their head, who have drawn into their views many of the leading public men. But the P: can not himself believe this, though some of his dependents may. his views in promoting such absurd calumnies are to shield himself, for he well knows that Those, who are thus aspersed, are well acquainted with his defects, and are too honest and independent to sacrifice their own feelings and sentiments to hide his weaknesses, which he will indulge, or to gratify his Vanity, which has no bounds. it is by such humiliation alone, that you can preserve terms with him; and

¹ Pickering Papers, Vol. 26, p. 15.

you must submit, or be at distant points with him, he will not, indeed he can not be complacent toward any man, who has any reputation or independence, or who will not ascribe to him all the honor and merit, which themselves or others may acquire.

Still however, terms, exterior at least, must be preserved for the present, and till some solid arrangement can be made to introduce another without convulsions, or hasarding the admission of Jefferson to the Chair, which it is not easy [to] effect. indeed I doubt much whether any change in the public Opinion will take place to favor the introduction of another; for his present conduct is of a very popular cast, pacific in appearance, though tending to destruction, and in its nature adapted to engage the timid, the wavering, the weak and the time serving Seekers openly on his side—to detach These, who are numerous, from the federal cause, and add Them to the opposition, will render the Jacobins too powerful and in the issue will leave all the sound independent men in the Shade. the public mind is now progressing to that point; and the french Successes, the british depredations, the suspension of the treaty commissioners &c &c all tend to hasten on a division which I fear is inevitable. The P: will alone be answerable for the result, which will ruin him, if not divide the Country, and render us eventually subject to french influence and intrigue. he has deserted his stable and efficient friends, and the federal system of policy, has divided and unbinged the public mind, which was before steady and sound; and he will eventually be the disgraced and mortified dupe to his own Jealousy and vanity, and to Jacobinic Artifice. for french policy will never support him in the Chair, nor will our Jacobins regard even appearances toward him, farther than is necessary to mislead and supplant him.—how strange is it, that his feelings and passions should so far rule him, as to conceal from his mind reflections like these, which ought to alarm him if but barely possible to be realized.—

Should the public Opinion appear to favor a change still I think Otis's opinion would prove to be correct. in the present State of things, no man would be appointed an Elector in this State, who would not throw away his Vote, or do anything else, which shall be thought necessary to secure M^r Adams; and on that Subject be governed by the Opinion of himself or his friends. if an attempt be made to affect a change, the two men you mention will run better than any others I know of,

and we should be well guarded with them in the Chairs;¹ but I fear it will be difficult if not hasardous to attempt it, unless very thorough Arrangements indeed can be made. personal feelings and interest, local attachment, and many other paltry considerations will have much influence in this State to defeat an attempt to put Mr A: aside. Even the Jacobins would unite to reprobate such a measure, the more effectually to seperate between him and those, who have heretofore been his principal Support.—

Gen^l Lincoln has gone to Phil^a, summoned as we believe to consult about changes contemplated in the Army; but it is said he is taken sick on the Road, where he may perhaps terminate his Journey. Should he get on he will play cunning, but will Join in anything to get rid of Hamilton.

I inclose you Judge Minots Eulogy, which is admired by most, though it must wound One at least.²

I am yours respectfully—

Stephen Higginson.

55. TO TIMOTHY PICKERING (Massachusetts Historical Society).³

Boston Apr 16th 1800

D Sir

A Vessel has just arrived from London with Letters and papers to march 5th, by her I learn that Mr Gore and Sam^l Cabot were to sail about the same time in the Arabella Packet for New York. my Letters do not mention the object of their Voyage; but I conjecture, that it was tho't eligible for Gore to have an opp^y of making communications to the Executive, which may be important, relative to our Affairs in Europe. This may be done, under the appearance of visiting his friends during the suspense of the Commission; and Cabots accompanying him will favour that appearing to be the Object.—it may be useful to see Gore before he sees the President, that he may know how things are with you, and how far he may go without making unfavorable impressions.—

¹ Pickering, in a letter of December 23, 1799 (Pickering MSS., 12: 371), had suggested Oliver Ellsworth and C. C. Pinckney as candidates for the Federalist electors in the election of 1800.

² Eulogy on George Washington. * * * pronounced before the Inhabitants of the Town of Boston, January 9th, 1800, by George Richards Minot, at that time chief justice of the Court of Common Pleas. An attentive perusal does not show the writer of this note anyone who could be wounded as above stated; certainly not Adams.

³ Pickering Papers, Vol. 26, p. 85.

We have no political news by this Vessel, except that the Russians were returning to the Rhine, the points of difference between the two Emperors having been settled.

Our election has been very interesting, Gerry has been run beyond all expectation, he follows Strong very close, and at times has led him; but I believe Stroug will be elected by the people, though not by a large majority.¹ much has been done by holding up Gerry as the friend of Adams and of peace, as well as of the people and the rights of man. the P^s patronage has been indeed very efficacious, and his friends have been in favour of Gerry. it is however true that the Jacobin influence is rising, and has been ever since the mission to France was determined on; and it will continue to progress, till, by the means they now use, that, or the french party get the ascendancy, if a Treaty be made with France their ascendancy will be sure. Mr. Otis gives out, since his return, that he shall resign his Seat this Season, from whence I conclude he expects an opening in France, under the expected Treaty, when he is to receive his reward by an appointment.—

You may recollect that I sent you the condemnation of the Ship Barbara by the french Consular Court at Cadis. copies of her case I learn were sent by our Consul to Mr. Humphreys,² to reclaim the property; and he stated [it] on ground which I had not before thought of, her being taken by the combined fleets. by our treaty with Spain, it was the duty of the Ships to have protected the Barbara, had she been bound to any other than a Spanish port, and surely much more so when going to Alicant.—I also sent you Cap^t Marsh's protest for the detention of the Ship Pattern and her Cargo, by the Governor of Porto Rico, after being acquitted by the french Court of Admiralty at S^t Domingo. respecting this case, I have since learnt that the Governor shelters himself under the pretext of an opposite decree at Guadaloupe, which was an infamous deception. the fact was, the french Agent at Porto Rico recieved from the Commissioners at Guadaloupe, a number of blank decrees all signed and countersigned in due form, as though a real trial had been had, and a regular decree issued

¹ Caleb Strong, who had been a member of the Convention of 1787 and Senator from Massachusetts from 1789 to 1797, was chosen governor this spring by 19,630 votes, 19,530 being necessary to a choice. Austin's Life of Elbridge Gerry, II. 302. Strong was governor from 1800 to 1807, and from 1812 to 1816.

² Col. David Humphreys (1752-1818), aid-de-camp to Washington, minister to Portugal, 1791-1796, to Spain 1796-1802.

from the Court at Guadaloupe, to be filled up and used as occasion required. it was under cover of one of these false decrees, that the Pattern and other Vessels have been detained by the Porto Rico Governor, although he well knows that no documents relative to her case had ever been at Guadaloupe but were in the Court at St. Domingo. These may form strong Items in some future Settlement with Spain, I do not however expect any benefit to myself from either case.—

I am respectfully and truly Sir your hum Serv.

Stephen Higginson.

55. TO TIMOTHY PICKERING,¹ (Massachusetts Historical Society).²

Boston Nov. 22nd 1803.

D Sir

I have received your two letters of 22 and 28th of last month, and thank you for the information they give. the latter I have shown to M^r Cabot and a few other select friends, because your Ideas as to the Conventions with France now before Congress³ accord exactly with Ours, and confirm the Opinion we had before entertained of their tendency and effect. it is very evident that our wise Administration have got into a difficulty, by their haste to get possession of New Orleans and the Louisiana territory, in a peaceful and popular manner,—should their present measures succeed, they may render the acquisition popular by their Acts and deceit; but it must again be purchased or defended at a great expence, within a few years, unless European Events shall incapacitate both France and Spain, to set up and support their claims with an alarming force.

The Virginia faction have certainly formed a deliberate plan to govern and depress New England; and this eagerness to extend our territory and create new States is an essential part of it. at present They have New York, Jersey and Pensilvania with Them; but the permanent interest, and the old habits of those States, and perhaps of Maryland too, are against a continuance of their present union of views and pursuits. That faction will endeavor therefore to secure a majority, when

¹ Senator from Massachusetts.

² Pickering Papers, Vol. 26, p. 333.

³ The Louisiana treaty, and the accompanying conventions with France, were laid before the Senate on October 17, 1803. Exec. Jour. Sen., 1, 449.

those States shall separate from Them, by introducing new States, formed and raised up in their school, and devoted to their Views and pursuits.

The experience of our revolutionary War taught the Virginia Lordlings a mortifying and alarming truth. They saw in the course of it, that in the nothern States lay the strength of the nation, that They possessed more means both for offence and defeuce than the Southern—that N. E could furnish more money and Ships beyond what they before had any Idea of; and They found also that in talents even we exceeded Them. the effects of this discovery were visible in Jefferson Madison &c; and from the peace to this time, it has been their main object, to depress the nothern States, to secure the influence and safety of the south.

Since the new Constitution the course of things has strengthened those impressions; and the distribution of the funded Debt has shown more fully the poverty of the Southern in money. having the command of men money and Ships, the nothern and middle States will not long submit to the domination of the Southern; but will resume their proper influence in the Union, or break from Them.

Whilst therefore we continue our enterprises with Success, the Virginians must fear the loss of their present ascendancy, if we remain united, or apprehend danger in case of seperation; and I fancy that in every movement, I see their Views constantly fixed upon our depression, as a main object. And the eagerness with which They press the completion of Mr. Livingstons Conventions, the terms of them relative to the admission of the Inhabitants of the territory purchased into the Union, the preference given to the french and Spanish Trade, which will in effect exclude us from the commerce of that Country for twelve years,¹ seem to be adapted if not intended to check the growth and influence of the nothern and middle States.—

If such are really the Views of the Leaders of that faction, They must be opposed with vigour and firmness; but how can this be done with success, whilst the democratic Mania is so generally extending even in this State and Connecticut. the measures of Mr Jefferson now in operation are popular and fascinating, those relative to Louisana will be approved by the people, perhaps by our Legislature openly and expressly. in the present state of things what can be done; and yet it

¹ Arts. III and VII of the Louisiana treaty of April 30, 1803.

seems as if something should be attempted to check the tide of Jacobinism.—

I fear we are growing worse rather than better even in this State. the Jacobins now act with so much union and system, they will and they do gain ground. they have all the bad passions and principles in man to work with. it is a contest of Vice against Virtue, and poverty against property, which is an unequal contest, the issue must be in favour of the former, unless important Events in Europe, occasion a speedy turn to support the latter.—

We shall be glad to learn how you get on, and to have such information as may be important and given with propriety.

With best wishes for your health and happiness

I am very truly your friend and hum Serv

S: Higginson

57. TO TIMOTHY PICKERING (Massachusetts Historical Society).¹

Boston Feb^y 15th 1804.

D Sir

I received your letters of Jan^y 6 to 16th, which I have been prevented from answering sooner by sickness.—

I have shewn your Letter to Mess^{rs} Cabot, Ames, T: Parsons, Judge Dana, and a number of your friends beside, who agree in Opinion, that you have been correct in Sentiment and conduct, and that your Colleague² has acted like himself. I inclose you a note from Dana and another from Ames, which will give you a just view of the Opinions of your friends on the subject of your Letter³.—

Mr. A: will continue to be, as was expected, very erratic in his Opinions and movements. like a Kite without a Tail, he will be violent and constant in his attempts to rise; but like that, he will be impelled by every eddy Wind, and will pitch on one side and on the other, as the popular Currents may happen to strike, without soaring to his intended point. his views are ambitious, even to the Chair of State; but his conflicting passions will lead him astray, and prevent his rising. he looks constantly to the object of his wishes; but his pride

¹ Pickering Papers, Vol. 27, p. 57.

² John Quincy Adams. Senator from Massachusetts, 1803-1808.

³ Letter of Pickering to Higginson, January 16, 1804 (Pickering MSS., 14: 89), relating to a diversity of opinion between him and J. Q. Adams on the subject of Louisiana. The letters of Dana and Ames are also among the Pickering MSS. (27: 59, 60).

and vanity never permit him to use steadily the means necessary to attain the end. his dispositions feelings and habits are those of a very high toned Aristocrat; but, in the present state of things, he must rise by the democratic Ladder, or not make any progress in his pursuit.—with such Views and feelings &c, it is very natural for him at one time to court the Virginia democrats, to endeavour to conciliate his virtuous brethren of Louisiana; and at another to separate from, and perhaps affront both. to shew his independence he will beside be often misled by his visionary scheme of building up a third and independent party, to controul both the federalists and democrats, both of which he affects to believe are equally wrong. with this strange unixture of passion, and visionary schemes, unchecked by common sense, and practical discretion derived from experience and a knowlege of the world, you must not expect a steady coincidence of opinion, and union as to the object and manner of pursuit, although you may appear to agree in your leading principles of Action.—

Democracy is certainly gaining ground, and the leaders in the different States seem to have their directions from head quarters as to the line of march, the Judiciaries in the sound States are an offensive barrier to their Views, and are to be changed or set aside. we see movements here evidently aimed at our supreme bench, in which I think They will eventually succeed. Dana Sewell and Sedgwick ¹ will be driven from the bench, and perhaps some attempts made to follow the examples of Jersey and Pensilvania,² in providing Substitutes from the lower classes.

The discriminating Amendment has been rejected here, but it will obtain I fear in S^o Carolina, and secure the Virginia influence for another four years at least.³ I see no chance at present of checking Mr. J: in his progress. the best and perhaps all that can be done with advantage and safety, is to oppose his measures in their outset, to show by discussion their

¹ Francis Dana, chief justice of the Supreme Judicial Court, Samuel Sewall and Theodore Sedgwick, associate justices.

² The Democrats of the New Jersey legislature had just elected to a seat on the supreme bench William Pennington, a young man not yet fully admitted to the bar; Elmer's Reminiscences, p. 167. The Democrats of Pennsylvania had impeached four of their judges in 1803.

³ The Twelfth Amendment, altering the procedure in electing the President and Vice-President, was, on September 25, 1804, officially declared to have been ratified by three-fourths of the States. Documentary History of the Constitution, II, 451. At the date of this letter at least five States had ratified it. Ibid., 411-429.

evil tendency, and to bear full testimony against them by yeas and nays on record. having done this, we must await Events, and profit by them as they arise to run down and to root out their Jacobin principles.—

There is one measure proposed, which I think They will not dare to go through with, I mean the proposed Bill for protecting our Seamen, for it will amount to an act of hostility. the british Gov^t will never submit to the insolent terms which it holds up as our rights; we should not, tame as we are to french insults, acquiesce in a similar assumption in the french to a right of taking our Seamen in our own ports into their Service, and retaining them by force. this measure from the impudence and ignorance in which it seems to have originated, must have come from S: Smith.—

Wishing as much health and satisfaction as your present situation will admit of, I am very truly yours &c.

Stephen Higginson.

DIARY OF EDWARD HOOKER, 1805-1808.

Edward Hooker, the writer of this diary, was born at Farmington, Conn., April 27, 1785.¹ He was the youngest child of Col. Noadiah Hooker, a Revolutionary officer, and a direct descendant in the fifth generation from the Rev. Thomas Hooker, the first minister of the First Church at Hartford, celebrated for his share in the founding of the colony of Connecticut. Edward Hooker was descended from Thomas Hooker's son, the Rev. Samuel Hooker, who was settled over the Congregational Church in Farmington in 1660, and died there in 1697, after a pastorate of thirty-seven years. Our diarist was graduated at Yale College in 1805, and immediately went to Columbia, S. C., where his elder brother, John Hooker, was engaged in the successful practice of law. It was Edward Hooker's intention to study law with his brother and to settle in the South. After a period of teaching in the academy at Cambridge, S. C., he was invited to a tutorship in the South Carolina College at Columbia, which he accepted, pursuing at the same time his legal studies with his brother. After about two years he accepted an invitation to a tutorship in Yale College, in which he spent about three years. In the spring of 1812 he was married to Elizabeth Daggett, a daughter of Henry Daggett, a merchant and prominent citizen of New Haven. He then, yielding to the urgent request of his parents, gave up the profession of the law, and settled down in Farmington to take care of them, and to manage their estate. The rest of his life was spent in the management of this farm. For a few years he prepared boys for college. He died May 15, 1846. He was for many years a deacon in the Congregational Church at Farmington, and was marked by public spirit and philanthropy. He left three children—one daughter, Eliza, who became the wife of the Hon. Francis Gillette of Hartford, United States Senator from Connecticut; and two sons, John Hooker, a lawyer at Hartford, who married Isabella, the daughter of Rev. Lyman Beecher; and Commander

¹ For the following facts relating to his life the editor is indebted to his son, John Hooker, esq., of Hartford, Conn.

Edward Hooker, United States Navy, retired, now living in Brooklyn, N. Y.

For many years it was Mr. Hooker's habit to keep a detailed journal or diary. The series originally consisted of twenty-eight paper-covered books, about $8\frac{1}{2}$ by 7 inches, each consisting of about forty-eight pages. These were written, apparently daily, in a fine hand. Nos. 1, 2, and 3 were copied into two thicker and more substantial volumes, with some amplification of phrases, but, it would seem, with little if any other change. The series now, therefore, contains no No. 3. It begins with Commencement Day, September 11, 1805, and with the writer's graduation in a class which included Thomas H. Gallaudet, the founder of deaf-mute instruction in America; Heman Humphrey, afterwards president of Amherst College; and Gardiner Spring. Not long after, October 19, the young graduate set sail for Charleston, S. C., and proceeded thence to Columbia. The record of his experiences in the South, chiefly in South Carolina, during a period of three years, is to be found in Nos. 1, 2, 4, 5, 6, 7, 8, and 9 of this journal, and the following extracts are made from these volumes. For permission to copy and to use these extracts, the Commission is indebted to the kindness of John Hooker, esq., of Hartford, Conn., the son of the diarist.

As only a body of extracts from this voluminous diary could be presented, the editor has felt obliged, with much regret, to omit almost entirely the highly interesting portions which exhibit, in minute detail and apparently with much fidelity, the social life of South Carolina in these years. It seemed to him that, while every good picture of Southern life and manners is of value to historical students, there is a greater abundance of such portraiture than of printed documents illustrating the political history of South Carolina during the period in question. These three years are a part of a period of transition, during which the State was developing from the Federalist South Carolina of 1788 into the better known South Carolina of 1832. The process is one of extraordinary interest, and might well receive far more attention than has hitherto been bestowed upon it.

Not too much illumination of South Carolina history must be expected from the journal of a boy of 20 or 23. Not only was Hooker youthful, but he was prone to look at things and men from the special point of view of the old-fashioned college

tutor, prone to overestimate the importance of the minutiae of pronunciation, excessively interested in rhetoric and gesture. He had some measure, too, of New England censoriousness. Yet on the whole he is a candid and an intelligent observer. His mind was more mature than is usual at his age. He was of a social and affectionate nature, which inclined him before long to take a genial view of characters and customs which at first were strange to his grave and somewhat formal mind. But that which perhaps will most recommend his narrative as interesting to the modern reader is the opportunity which his residence at Columbia gave him to observe the external course of South Carolina politics and legislation at the capital of the State. It is not known to the editor that just such a picture of men and affairs at the State-house during those three years is elsewhere accessible. Especial attention should be called to the record of debates on the slave trade.

The diarist's description of Charleston and Beaufort and their society has been omitted, though with much regret, from a conviction that other descriptions of these things are, after all, obtainable. In the main, the extracts relate to days passed at Columbia. The most extensive exceptions to this statement occur in the case of a short tour in the mountainous parts of South Carolina and in the case of that portion of the final homeward journey in which Mr. Hooker writes of Raleigh, Richmond, Mount Vernon, and Washington.

J. FRANKLIN JAMESON.

EXTRACTS FROM THE DIARY.

[Mr. Hooker rode up from Charleston to Columbia with Col. Wade Hampton.]

November 1th, [1805]. * * * Crossing,¹ I entered the district of Richland of which the shire town, (and probably the only town in it) is Columbia.² Caesar³ pointed out to me the State House which was just visible through the trees, about two miles forward. I was pleased with the hope of soon finishing my journey; but yet did not feel in very high spirits. A thousand anxious thoughts crowded into my mind. I could

¹ The Congaree River.

² Founded as a new capital in 1790. Columbia had now about 500 white inhabitants.

³ Servant of Colonel Hampton, with whom the journey from Charleston had been made.

not avoid reflecting on my past situation, views and schemes, and the change which might be made in the future prospects and events of my life, by the simple determination to come into this region,—a change perhaps for the better,—perhaps for the worse. However I had not time to indulge very long in my reverie, before I found the woods breaking away on both sides, and an entirely new scene opening upon my view. A neat, handsome little town, on an elevated tract of ground, commanding on the west and south a view of 8 or 10 miles, and shrouded on the east and north by immense forests of pine, On coming up the hills of sand from Grauby, I found myself at the head of Richardson Street, which is the principal one in the town, running north and south. To me however, it appeared to run east and west, and I was totally unable to realize that I was coming in on the south, and not on the east. I drove to Mr. Chapman's boarding house (opposite the State house) where brother J.¹ on his departure for the circuit, had made arrangements for my accommodation; * * *

* * * About sunset the Governor of the State,² with his suite arrived in town from the Upper Country. They are dressed in military uniform, and make a gay appearance. He is out on a military tour; being required by the laws, to be present, with the Adjutant General, at all the regimental reviews. The Adjutant General has about 1200 dollars, and each of the Brigade Inspectors about 220 dollars a year for their services. * * *

[Nov. 5.] * * * Col. Hampton³ called on me just before dinner, and invited me to come down some time before long, and make him a visit at his seat, a few miles below Columbia. Mr. Hammond⁴ also called on me, and brought with him Mr. Hanford another of the Tutors of College.

Col. Hampton, I find, is considered by every body about here a very singular man;—one of a million. The leading traits of his character are boldness and originality of scheme, remarkable foresight in the judicious selection of means for the accomplishment of this scheme, and undaunted perseverance

¹ John Hooker, Yale College 1796, elder brother of Edward, now a lawyer in Columbia. See O'Neall, Bench and Bar of South Carolina, II, 247, 248.

² Paul Hamilton, governor of South Carolina 1804-1806, Secretary of the Navy 1809-1813.

³ Col. Wade Hampton (1754-1835), M. C. 1795-1797, 1803-1805, afterwards noted as a general in the war of 1812; grandfather of the Gen. Wade Hampton of the civil war.

⁴ Presumably Elisha Hammond (Dartmouth, 1802), who for a brief period was professor of languages in the college, and who was the father of Governor and Senator James H. Hammond.

in the application of these means. In his conversations with me, during our journey, he had a great deal to say about energy of character, and enterprize: and well he might: for he himself furnishes a striking lesson of what may be effected by such a spirit;—having by means of it, risen to an eminence in property, station and information that astonishes every one who knows the small beginnings with which he started on the career of active life. He was born in Virginia: His father's family was large and without much property: so that the Colonel with his brothers, was brought up to labor in the field; and was almost entirely without the advantages of even a common school education. By the time he was thirty years old, or before, he commanded an intrepid regiment of cavalry, that distinguished itself at the battle of Eutaw Springs,¹ and performed various other important services during the revolution. Some time after the war, he was for several years high sheriff of the large District of Camden, including several counties. Since then he has been two or three times elected a member of Congress. By various ways, some honest, and some, it is said, dishonest he has acquired an immense estate in land and negroes, which, if report be true, yields him an annual income of more than Fifty thousand dollars. He seems to have availed himself of every opportunity to acquire knowledge: and is able to converse with ease and spirit, on most subjects that are agitated in most companies. His acquaintance with good authors is very considerable; but he seems to have mostly read those who are characterized by justness of thought, rather than by beauty of language. His language is more than ordinarily pure, forcible, clear and concise,—and he is said to have acquired it, much more by strict attention to the conversation and writings of well educated men, than to the study of grammatical and rhetorical rules. In his conversation, he sometimes in the midst of a sentence, hesitates for a word; but to one who is acquainted with him, this produces no unpleasant sensation; a perfect confidence being felt, that the word, whenever it does come, will compensate, by its peculiar aptness, for all the delay which it has occasioned. For the tinsel of language he entertains a sovereign contempt;—and he has no mercy upon those who speak in a harmonious, studied style without good sense: Indeed he is disposed, he says, to consider style as of very inferior, or no importance. He calls Mr. Elliott

¹ September 8, 1781.

of Vermont¹ a speaker of the above description, and thinks him, literally, an impertinent fool. Dr. Eustis² he thinks a very sensible and handsome speaker. Mr. R. Griswold,³ he speaks highly of, and considers him one of the first rate speakers.

As a man, Col. Hampton has some qualities that interest us, but I should think him deficient in that tender and amiable sensibility, which, more than anything else, makes us love our fellow creatures. People relate some things about his dealings with his brothers, which though not uncommon, in the case of worldly men, who are without any ties of consanguinity or affection, are, in the case of brothers, to say the least, very unkind. However, some of his brothers' children have experienced from him considerable liberality. In his politics, he is, I hardly know what. He appears to set very little value on names, and to discover very little of that prejudiced feeling, which, now a days, is so apt to accompany the mention of any particular denomination of parties. He is called a republican: yet he certainly has many notions and sentiments which are more characteristic of federalism. And he does not hesitate to condemn, openly, and unequivocally some measures of the republican party. I have heard related an anecdote, which strikingly exhibits his wish to be candid, and his indignation at the prevailing practice of blending every interest in society with party politics, and forcing everything to bend to what is called "republicanism" or "federalism" according as these or those political opinions happen to predominate in any section of the country. The Board of Trustees to the State College recently established in this town,⁴ had occasion last year to make an appointment to the Presidency of the institution. The two candidates most talked of were President Maxcy of Rhode Island⁵ and the Rev. Dr. M'Calla of the low country.⁶ Several of the Trustees were violent partizans: and among

¹ James Elliott (1770-1839), a Federalist Member of Congress from Vermont 1803-1809.

² Dr. William Eustis (1753-1825), Member of Congress 1801-1805, 1820-1823, Secretary of War 1807-1813, governor of Massachusetts 1823-1825.

³ Roger Griswold of Connecticut (1762-1812), Member of Congress 1795-1805, governor of Connecticut 1811-1812.

⁴ The College of South Carolina, chartered December 19, 1801, in which Mr. Hooker was subsequently a tutor.

⁵ Jonathan Maxcy (1768-1820), acting president of Rhode Island College (now Brown University) 1792-1797, president 1797-1802, president of Union College 1802-1804, of the South Carolina College 1804-1820. Life by Romeo Elton.

⁶ Dr. Daniel McCalla (1748-1809) who from 1788 until his death was pastor of the Congregational Church at Wappetaw, S. C. Life by Hollingshead.

the rest Chancellor James;¹ who, just before the election came on, met Col. Hampton in the street, and began the following conversation.—“Well Colonel, have you made up your mind yet? *Col. H.* I have thought over the subject considerably; but I am still open to conviction. *Chancellor.* Well sir, I'll tell you what 'tis. We must have a republican at the head of our College, or all is lost: We would a great deal better have done nothing about it. *Colonel.* Indeed, this is presenting the subject in a new point of view. I had not myself considered it in this light before. But are you sure that your man is one of this description? *Chancellor.* Dr. M'Calla is, I am sure, a man that can be depended on—a man of known—of tried republicanism. He isn't one of your still sort;—afraid to speak his sentiments; but he comes out boldly and takes a decided part on our side of politics. I am sure you'll think it better to take him than to send away to New England for a man whom we don't know. *Colonel.* But are you sure that Dr. M'Calla is a republican—Are you sure that he can be depended on? *Chancellor.* Yes. I have it from the best authority, that he is a staunch Jeffersonian republican. *Colonel.* Then, sir, depend upon it, he does not have my vote. I want none of your staunch republicans at the head of our college:—nor your staunch Federalists neither. Our object is of a totally different nature. I know of no necessary connection between party politics and literature; and till a candidate presents some better recommendation for the office than staunch republicanism I shall employ my influence to keep him out of it.” On the subject of the tendency of our political institutions, Col. Hampton told me he was inclined to think, the fears of leading characters in the northern States, such as Gov. Strong, Gov. Treadwell, Mr. Tracy, Dr. Dwight² and the clergy in general, that the turbulent spirit of the people might lead to licentiousness, were not without foundation:—that he himself had also thought it might affect and weaken the government;—but then he believed there was more of the turbulent, licentious, fractious spirit in the common people of the northern States than of the southern. He mentioned his tour to the north a few years since, and the incivilities he

¹ William D. James, a chancellor of the Court of Equity from 1802 to 1824, and a judge of the Court of Appeals from 1824 to 1828. O'Neill, Bench and Bar of South Carolina, I, 236-240.

² Caleb Strong, at this time governor of Massachusetts; John Treadwell, at this time lieutenant-governor, afterwards governor of Connecticut; Uriah Tracy, Senator from Connecticut; Timothy Dwight, president of Yale College from 1795 to 1817.

met with from the low bred people. He thought there was more civility to strangers, to gentlemen riding in their carriages, more submission to the laws, and respect of authority in the south.—In his religious opinions, the Colonel is thought to be rather loose: Indeed he has sometimes, rather in pleasantry, when asked about his creed, called himself "*a loose christian.*"—Our conversation, while on the road last Sunday morning, turning on religion, the Colonel told me he did not believe there was a tenth part of the number of deists in this State that there is in Connecticut: for that rigidity and illiberality on the subject which prevails there disgusts many with the Christian system. As for himself, he said he only wished to come in, like the rest, for his share, in the general dispensation of God's blessings, such as an ordinary share of health, the use of the earth, the seasons &c. but he should never ask any particular blessings and favors; for he did not suppose that would make any difference about obtaining them:—if it would, says he, the system of Gods dealing with men would be a system of favoritism.—This "*powowing*" says he, may be of some use to the individual: it may preserve in him a humble spirit that will help to keep his passions subdued; and thus be of real service: but it can have no other effect. He believed that we are just what our Creator designed us to be, and not that man had fallen from his original state of goodness, and thus disappointed the Deity and thwarted his designs. Of course, what Moses says about man's fall and the doctrine of original sin, he believed to be a vile fabrication. He should not puzzle himself about the intricacies of theology, for he was fixed on certain principles, and he trusted himself to his maker for the result of the matter. He believed in a future state of rewards and punishments.

Possibly, however, the Colonel was not sincere in all this, for finding that I very much disagreed with him on the subject, he afterwards told one of the officers of the college that I belonged to the "*true school*" for he had sounded me, on the road, as we were travelling together.

As to his moral conduct, it appears to be, and it is said to be outwardly correct, so far as it respects the prevailing vices of the country. He does not get drunk;—he despises gambling as a mean and pernicious employment;—he speaks with much abhorrence of the prevailing lasciviousness of the young. He is however accused of great frauds in land speculation, and of

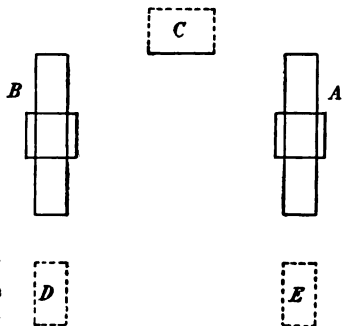
violating a law of the State which existed a few years ago, by privately bringing in negro slaves from North-Carolina.

One of the principal maxims of Col. Hampton's life and which he strongly recommended to me has been to *Consider everything certain which is possible*. He thinks it an all-important maxim for a young man to adopt, when setting out in the world, and one, which, if steadily adhered to, will make the common discouragements of life dwindle into insignificance, and enable him to do wonders in his day.—He despises noticing little complaints of body or trifles of any kind,—and believes that diseases are often produced merely by giving way to small indispositions. When diseases of a really serious nature are about to attack one, they are preceded by certain symptoms; these symptoms may be easily known, and should be early attended to.

On our journey we had considerable conversation about the different systems of settlement that prevail in the Northern and Southern States. The Colonel is very fond of retired life—that is, a retired life in the strictest sense of the word. He wishes to be two or three miles at least from any neighbors. He utterly disapproves of the custom of farmers in Connecticut who for the sake of society, cluster together into villages and hamlets, instead of setting their habitations in the midst of their lands, where they can manage them to the greatest advantage. He thinks the tendency of these village settlements is to make people more contracted, less hospitable and less friendly. If he has a friend, he says he don't want him to be a near neighbor: he should be sure to lose his friendship; for there would be some difficulty about fences, damages, things borrowed, or something to disturb harmony.

Colonel H's personal appearance is not very striking. Stature not over middling. Dresses in good clothes, but has nothing showy about him. A great enemy to finery, and treats it with marked contempt. There is nothing commanding or peculiarly dignified in his appearance; though he has an easy and becoming dignity of manners. He appears to much the best advantage when mounted; being an unusually expert horseman. When standing, and especially if engaged in conversation, he is very apt to rest on one leg, and to throw out the other so far as to give him a stooping posture; while at the same time his arms are placed *akimbo*, and his eyes cast on the ground.

November 6th. (Wednesday) This forenoon, I called on Mr. Hanford, and with him took a view of the college buildings which are erecting, on a pleasant rise of ground about $\frac{1}{4}$ of a mile southeast of the State House. The place though so near the center of the town is however very reclusive; there being no houses around, and even the lands being uncleared and covered with lofty pines, and wild shrubs. The plan is to have two buildings of perhaps 160 feet in length each, facing each other at the distance of 160 feet apart. At right angles to these, and facing the area inclosed between them, it is proposed to place the President's house; and afterwards, as occasion may require, other buildings, such as the dining hall and professors houses are expected to be built fronting each other, and ranging in a line with the first mentioned long buildings. The buildings A and B are erected, and A is finished except the central part, which is however advanced so far as to be capable of use. The central parts are designed for the Chapel, Library, Philosophical Chamber, Recitation Rooms, &c.—the wings are designed for scholars' mansion rooms—C is the site of the President's house, D the place for a dining hall, E for a Professor's house perhaps. That part of the work



which is done is in a handsome, though not all in a durable stile. The chapel occupies the two lower stories of the central building on the right, and is in a beautiful style of workmanship both within and without. The Library room above is supported by four stately Tuscan columns, which rise from the area of the chapel with considerable majesty, and give to the room an appearance of grandeur. The galleries are supported by a row of smaller pillars. The room is nearly or quite square. The pulpit is surrounded by a semi-octagonal stage, on the right and left sides of which are steps leading to the officers' seats and thence are other steps to the pulpit. The upper tiers of windows are semi-circular at top, as in Episcopal churches and have some neat ornamental work about them. The stage, pulpit, staircases, bannisters, seats, &c. are all painted white, and make, now, a very chaste and pretty appearance; but I question if they will long remain so. There are

but a few seats, and these are so arranged near the outside of the room, as to leave a large area in the centre, on the sides and in front of the stage. The wings are three stories high, and are divided into 12 mansion rooms each, and 24 bedrooms. The bedrooms are directly back of the large rooms; and the arrangement is such as to be very convenient for ventilation—a circumstance very necessary to be attended to in this warm climate.

The munificence of the legislature towards this institution has been very honorable. They first granted 50,000 dollars out of the public treasury for the two long buildings. They have granted several thousands for books and instruments, and they are to appropriate a considerable sum annually for its constant support.¹ The College was opened for the reception of students some months ago. The number, I believe, is about 30. They board together with the tutors at a private house. * * *

Saturday Nov. 9th. * * * P. M. Walked up to the College about 4 o'clock, and visited the Library with Mr. Hammond. The room is very spacious, airy and handsome. About 5000 volumes have been purchased but not more than 3000 have yet arrived. Many of these have an elegant appearance; but it is thought the selection was not made very judiciously. It was made by a Committee of gentlemen in Charleston; of whom Judge Johnson² of the Federal Court was a principal one. There seems to be an undue proportion of modern works—many of them of the ephemeral class. There are large piles of periodical works, such as the Gentleman's Magazine, European Magazine, Annual Register, and others of no more solid worth than these. Some handsome editions of the Greek and Latin Classics and translations—A few books written in the Oriental languages. * * *

Nov. 10th. (Sunday). * * * There are no meetings regularly held here on the Sabbath except by the Methodists. They are peculiarly engaged on the subject of religion, and, I find, give considerable displeasure to some of the Columbians by their noisy zeal. At evening, Mr. Egan³ and Dr. Brazier called

¹ Reports bound with the Acts of 1807 show an annual appropriation of \$6,000 by the legislature, besides expenditures of \$8,000 on the president's house and \$4,400 for other purposes. In 1805-1806, \$11,390 were paid out for the college.

² William Johnson, associate justice of the Supreme Court of the United States 1804-1834.

³ Thomas Henry Egan, law partner of John Hooker. See O'Neill, *Bench and Bar of South Carolina*, II, 231, 232.

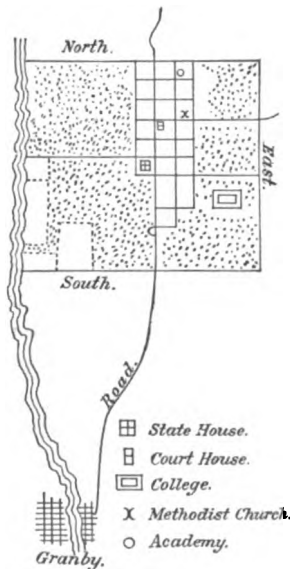
on me; and with Miss Mary-Ann Chapman³ we attended one of their meetings. The order of the exercises did not differ much from that of Congregational meetings. The singing was much better than I expected it would be. The lines were read by the preacher and sung by the audience alternately. Most and perhaps all the singers sung the same part. If there was any bass, it was so small as to be overwhelmed by the burst of melodious sounds from the men, and women, in the gallery and below, promiscuously engaged in the same part. This was something new to me. It struck my fancy very much, and made a most agreeable impression. From the account which has been given me of Methodist meetings, I had expected to witness more indecorum, and irregularity. Some groans were made; though I did not think they were very natural ones. The preaching did not entirely please me. A great part of the sermon was certainly bordering on extravagance. I was glad to see the preacher warm, as every preacher should be: but I was sorry to see his warmth not in the least tempered by judgment. Whether repeating the text, quoting scripture, stating the heads of his discourse reasoning, or addressing the passions, it was all one uninterrupted current of affected pathos and monotonous roar. Even between the different heads of discourse, he had no more stop or intermission of voice than between connected sentences—nor between different sentences had he hardly any thing more than common pauses. There was a closing prayer by another preacher (a Mr. Moore) which was excellent and well delivered. The audience appeared well dressed and respectable. I saw nothing like levity exhibited by any body present. The house was filled with people. All those who were in the gallery were blacks. The inhabitants speak highly of the Rev. Mr. Dunlap, an ordained Presbyterian minister of this place who died summer before last. He was an able and good man;—and was educated at Winnsborough Academy or College (as it is called) a little seminary about 30 miles north. He depended on no contract, but voluntary contribution for his support, which for the first two or three years was liberal, but gradually died away; so that he at length left preaching and taught an academy. He was also appointed Clerk of the Senate, and from the emoluments of that office derived a good subsistence.

Monday Nov. 11th. The township of Columbia is not large; being only two miles square. This territory is laid out into

³ Afterwards married to John Hooker.

lots and streets; but not more than one third of the streets are yet opened; and of those which are opened, several have not more than two or three buildings upon them. The State House is placed on an eminence directly in the center of the township, though very far from the center of the buildings. The principal street is Richardson Street which runs on the east side of the State House: although State Street which runs on the west side was designed, by the commissioners who planned the town, for the principal one. State Street is the central one: and the State House though made with two fronts was however so constructed as to present its handsomest front

to the west. Yet public choice has so far disregarded the original plan that State Street is, even to this time, to a considerable extent, overrun with bushes. That part of the town which is not put into open streets is, for the most part, a wilderness of pines. Now and then is seen a cultivated spot of a few acres which forms an exception. The State House is very large on the ground, but yet so low as to be entirely void of anything like just proportion. It has only two stories; and one of these is partly below the natural surface of the ground, and is of brick plastered over. The lower story is appropriated to the Treasurer's, Secretary's, and Surveyor General's offices. There are several



other rooms, which, as far as I can learn, are used for little else than lodging rooms for the goats that run loose about the streets, and which, as the doors are never shut, have at all times free access. The court house is a much handsomer building—of brick, two stories high. There is only one church in the town. The people think it "*a very neat, pretty building*"; but I am certain there is not a country parish in Connecticut, but would disdain not to build a better one, in case they were about to build at all. It is not more than one third as large as Farmington Church; has no steeple; and the inside is in a very coarse and unfinished state. It is not plastered—and the seats are merely movable benches placed promiscuously on the

floor. The pulpit and altar are finished and present a neat enough appearance. The same is true of the outside.—The houses generally are built of wood and many of them, though small, are pretty. These peculiarities distinguish them from Connecticut houses: They are generally narrower—having for the convenience of ventilation, only one tier of rooms. They are without cellars; being set up on blocks or stones considerably above the ground, and left open below the floors:—it being an opinion somewhat prevalent that cellars are unhealthy. They are unconnected with the kitchens. The chimneys are built and carried up, all the way, on the outside of the house.—The execution of all the work that I have noticed seems to me very different from that of Connecticut. Everything has a shackling, flimsy look—Joints are parting—Boards are coming off—Plastering is full of cracks and breaks.

The number of houses and stores in the town I should judge to be over an hundred.—The inhabitants have no special privileges at present except a power of making regulations concerning the streets public wells and market, through the agency of a committee who are stiled “Commissioners of the Streets.”¹ They are however expecting ere long to get from the legislature a charter of incorporation, which shall confer upon them the same powers with Camden and other little cities or boroughs.

Richardson Street and some others are lined, in part, with a beautiful tree called the Pride of India. In some few places a native pine is left standing, though they are every day diminishing in number. The inhabitants do not like them at all; and will not for a moment admit the idea that so cheap a tree as the pine which overruns their whole state can possibly contribute to the embellishment of a town. Hence they have commenced against them a “war of extermination”. Around the State House are left standing some lofty forest oaks which afford a grateful shade, and give the scenery a rural and a charming cast.

The citizens as far as I can learn have a great variety of character. This is naturally to be expected when it is remembered that they are of such various origin. A few only are native Carolinians: some are from Virginia; some from New England—Some from England, Scotland and Ireland; some from France: some from various countries of the German Empire.

¹ This was by an act of 1798. Columbia was incorporated by act of December 19, 1805.

The fashions of dress, differ in some trifling particulars only from the fashions now prevailing in Connecticut. Suwarrow boots are much less worn, both here and in Charleston. Ruffles are more in use both at the bosom and the hands. The dress throughout is in general not so loose as in Conn.—As to the ladies' fashions, I don't know what they were when I left Conn., and I have never observed what they are here, any further than to notice with satisfaction, that their dresses are not so immodestly cut and put on, as those of the Northern fashionables.

The vehicles used here are peculiar in their construction. They are called chairs—designed for one horse—most of them without any spring except what is in the elasticity of the Shafts (as the thills are here universally called). Some have what are called cradle springs, placed, one under each shaft. They are all made without tops, and finished in a very plain manner. They cost I believe about one hundred dollars. The harnesses are made in a corresponding style. I don't believe there is a top chaise, or a silver plated harness in the whole town.

There is very little verdure in the town; the soil being too dry and sandy to produce grass. Consequently the streets are very deficient in that life and freshness of appearance which usually prevails in the towns of New England.

The public burying ground is in a pleasant and retired spot, east of the town—surrounded on three sides by copses of native pines which serve to render it suitably solemn. It has however a neglected appearance, not being enclosed by a fence, except in particular spots that have palings around the graves of particular families. These palings are almost the only monuments. A very few graves have wooden ones carved and painted in resemblance of stone, with inscriptions; and one or two have stones. I suppose the scarcity either of free-stone or marble is the reason of their using wood; for no part of the State that I have yet seen gives the smallest indication of the existence of such substances. Indeed regular stones of any quality are extremely scarce here; so that even the foundations of houses and the walls of wells, that have any walls at all, are made of brick. * * *

Returned and went with Mr. Chapman into the State House. The Senate and Representative chamber though not magnificent, are finished in a better style than the exterior of the edifice would authorize one to expect. They are furnished

with handsome carpets, tables and chairs—with elegant maps of the U. S. and of each State in the Union—also of Europe and Asia—with a plan of Charleston and another of Columbia. The latter is executed with a pen in a very neat manner by a young Mr. Waring of this town who presented one to each house. The legislature in return made him a compliment of an hundred dollars.

There is considerable elegance, bordering on magnificence about the seats of the President of the Senate and Speaker of the House. The curtains for the windows, before which the chairs are placed on an elevated and commanding stand, are quite rich and beautiful to the eye. Those belonging to the seat of the former are of beautiful damask; were sent for to England and cost five hundred dollars.—In the Senate Chamber is a Legislative Library for the use of the members of both houses. It appears to have on the shelves, at present, about one hundred and fifty volumes. They consist to a considerable extent of Journals of the English Parliament, Journals of the U. S. Congress, and of some of the State legislatures and conventions, Acts of Congress, Statutes of the Several States, and political treatises. There is some history and some entertaining miscellany. Mr. C. tells me there is a considerable number of the books lost. Some being scattered about in town where the members have left them, and some being carried out of town. He says the legislature is very careless of the Library, doing very little more than to vote a supply of money occasionally to purchase books, which when purchased are often taken out without being charged, and retained for months and years without being demanded.

Observing, among the papers that lay scattered about the floor, several letters, I had the curiosity to pick up one. It proved to be a solicitation from a person in the low country to one of the members to lend him his vote and influence in procuring the Sherifalty of one of the districts. It appeared to me so much of a curiosity as to be worth transcribing. Except the date, signature and address it was in print, and in the following form:

James Richbourgh Esqr.

Colleton District Nov. 15th. 1804

Dr Sir

intending to offer myself a candidate for the office of Sheriff for Colleton District at the next session of the Legislature, I take the liberty of soliciting the favor of your vote and influence to promote my election to the said office.

I refer you and your friends to Captain Hamilton,¹ the Comptroller-general, for any information you may think proper to be acquainted with respecting me; also to Colonel Pinckney, member of the Legislature from this District.

I am, sir, respectfully

Your most obedient servant

WM OSWALD.

James Richbourngh Esqr.

Expressing my surprise that such a mode of obtaining promotion should be resorted to, I was informed that offices are rarely bestowed by the Legislature without solicitation; for the State being so large, and the people so scattered, it cannot otherwise be known, who are candidates—and without this knowledge it would be a chance if offices should be given to those who would accept of them.

Tuesday Nov. 12th. * * * Had some conversation with Mr. Chapman on the comparative merit of the poor laws in Connecticut and this State. He says that many of the regulations and usages existing on this subject in New England are despised by the Carolinians, who have a high sense of liberty. They think such regulations an abridgment of natural liberty, and wonder how a man can “get along” to live there with so many restrictions. The practice of warning a poor, idle man out of town to prevent expense is considered an unrighteous meddling with another’s concerns. In S. Carolina, as the poor are supported by the State altogether, no one town or county feels interested in sending them off, and an idle, worthless fellow is suffered to loiter about without having any questions asked, till, when a good opportunity presents, he perhaps steals a horse and rides off. The New England practice of placing an overseer over a man who squanders and dissipates his property, is condemned by the people here, who seem to think that as every man has a right to do what he pleases with his own, so the public have no right to interfere in his affairs.

Friday Nov. 15. Took a ride with brother in the forenoon down to the Granby ferry, and thence along by the side of the Congaree, two or three miles further. On an elevated second bank of the river, eight or ten rods from the water, on a pleasant spot, amid a grove of tall Lombardy poplars stands the house of Charles Pinckney, Esq. our minister at the Court of

¹ Paul Hamilton (1762-1816), comptroller 1799-1804, governor 1804-1806, Secretary of the Navy 1809-1813.

Madrid.¹ It is two large stories high, square, with a small portico in front, not very elegant, and in appearance rather ancient and neglected. An office of brick, with a cupola stands a few yards from the left end, among the trees. The appearance is solemn and gloomy—the mansion being shut up, and not a person to be seen, any where near. His plantation which lies on the river, above and below the house, is very valuable, but the estate has not been perfectly well managed during Mr. P's absence, and it is now, as it was indeed before his departure, very much embarrassed with debt. A heavy judgment was recovered against him not long since, and on the day of my arrival in Columbia, a number of his slaves were sold by the Sheriff to satisfy the execution.—Passing through Mr. P's, we rode about half a mile into Col. Hampton's plantation, which adjoins it below. Returned another way, and visited a cotton gin, about which a number of negroes were at work, very busily in cleaning the cotton from its seeds. I had no conception till now of the immense benefit produced to the Southern States by the invention of the ingenious Mr. Whitney of New Haven. The seeds adhere to the staple (as the woolly part or thread of the cotton is called) with a great deal of tenacity, and used formerly to be picked out by hand. Now, the gins of Mr. W. are in universal use. They are put in operation by a horse or by water. A first rate one, put in motion by two horses, and well attended by a man and two boys, will, it is said, clean as much in a day, as two thousand negroes can do, in the old way. If one quarter of this is true, the saving of labor must be prodigious.

Saturday Nov. 16th. * * * Enquiring the reason why European goods are sold so much higher in this state than at the Northward, I was informed that the merchants of Carolina are less punctual, and more frequently bankrupts—that the planters have money only once a year, viz. after selling their crops,—and of course the merchants trust a great deal; * * *

Sun. Nov. 17th. Brother J. with a number of other lawyers set out this morning for Winnsborough to attend the court which sits there to-morrow. They all started together in chairs; and, with their servants on horseback, behind, formed quite a

¹ Charles Pinckney (1758-1824) member of the Convention of 1787, governor of South Carolina 1789-1792, 1796-1798, 1806-1808, Senator 1797-1801, was envoy to Spain from 1802 to October, 1805.

procession.—It did not seem easy to reconcile all this noise and bustle of Sunday journeying, with my New-Eng^d principles. However, the Carolinians do not seem to be very scrupulous on this subject; and unfortunately they find too easy an excuse for the thing in the very laws of the land. These laws do not expressly authorize violations of the Sabbath; but they fairly invite such violations in various ways: Particularly in the appointment of public occasions, which are usually on Mondays. Thus the legislature begins its session on Monday. The college Commencement is assigned to Monday: and all the courts in the State are opened on Monday. In the assignment of court-time there is this further peculiarity: For the courts in the country, only one week each is allowed. Hence it frequently happens that the same judge and the same lawyers who are detained at one Court till Saturday night, are obliged, by this arrangement, to attend another court, 20, 30 or 40 miles distant, the next Monday Morning: and how to accomplish this, without encroaching on the Sabbath, might puzzle even an ingenious lawyer. * * *

Mon. Nov. 18. The sessions of the legislature and the Court of Common pleas both commence this day. The town of course assumes a busy appearance. Great numbers of people are flocking in; both men and women. There do not appear to be any circumstances of unusual parade attending the meeting of the legislature: but the members get together at the State House very leisurely, lounge about a while, and at length count their numbers. If a quorum is on the ground, the houses form themselves and send notice to each other and to the governor. If there is'nt a quorum, so much the better, as I should judge by the conduct of a number of the members, who appear to take more satisfaction in figuring about in the streets, and in the piazzas of their boarding houses, and in being looked upon as public men, than in the thought of being confined to the toil of public business. I am told it is not an uncommon thing for three or four days to elapse before the business of the session is begun.

I was not a little surprised by the novelty exhibited in the sitting of the court, and the concomitant circumstances. I had never felt any interest in the sessions of the courts at New Haven, nor looked forward to the time as to an event of any importance: indeed, I seldom used to know when a court of any grade was to be opened, until I heard the court-house

bell announcing that public business of some kind or other was to be attended to. With such feelings of indifference I had many times wondered at the interest excited among the people here, by the approach of court-time. "*Well sir, the court draws near*", one neighbor would observe to another a fortnight or three weeks beforehand. The reasons seem to be that courts are held but seldom, and continued but a short time; that more people are of course concerned in the proceedings—that more jury-men are called, and more court officers required to attend. The company that crowds into town also makes business for the boarding houses and taverns, and thus cause a *pecuniary* interest to be felt by a considerable number of the inhabitants.

This court is, I believe, known in law by the name of Court of Common Pleas. This title however, does not sufficiently designate its character, which would be better understood by calling it the Court of Common law, in opposition to Court of Equity; for it has as much the powers of the English Court of Kings Bench as of the Common pleas. Its jurisdiction is very extensive, including all criminal cases whatever, both small and great, and all civil cases which are beyond the jurisdiction of a justice of the peace; that is, cases of debt or assumpsit, in which the sum demanded does not exceed twelve dollars. It has also a power of deciding summarily, and without the intervention of a jury (unless one of the parties wish it) in cases where the demand is less than 75 dollars. In these summary processes as they are called, there is much less regard paid to legal formalities;—the parties may be examined on oath, and the judge has more latitude in deciding on equitable principles. A single judge holds this court. From his decision an appeal lies, on points of law, to the whole bench collected, consisting of six judges.

The courts here are attended with more ceremony than in Connecticut. The judge is dressed in a large, black, silk gown, and wears a band: and he is attended by the sheriff to and from the court. The lawyers also, while at the bar, are required by the rules of court to wear black coats and black gowns. The sheriff's deputy and six or eight constables are required to attend court. The latter are stationed in different parts of the house, with their long staves, to enforce good order and wait the commands of the judge. The business of the court is often preceded by a sermon; to defray the expence of

which, money is appropriated by law. I believe about 10 or 12 dollars are allowed for each sermon. For some reason or other, it was, at this time omitted.—Most of the forenoon was taken up in forming juries and calling cases. I was not a little amused with the oddness of many names that were called; particularly those of the German inhabitants; of whom there is a considerable number in this district. Some, whose names in the original German were rather awkward and harsh to an English ear, have, instead of softening them, and by some slight and unessential change adapting them to the English idiom, resorted to the singular expedient of translating them, and exchanging them for such English words as they most nearly signify. Such are the names of Turnip-seed and Schoon-maker.

The present occasion enabled me to learn something of the appearance, character, and manners of the great mass of the country people in these parts. The contrast between them and the Columbians is very striking. They are indeed a rude, unpolished race. They are, both men and women, almost without exception, dressed in coarse homespun cotton of a mixed color. There is nothing like fashion, taste or refinement about them. The women wore short loose-gowns and petticoats, and sun-bonnets of the same cloth. They were standing about in public places all day, gaping and staring at every body and every thing that was in any degree new to them. Some of the women had crying children in their arms. There were many girls of 18 or 20, who, with other women showed so little diffidence or sense of decency as to crowd up to the bar among the multitude, and even step up on the benches behind the lawyers to look over their shoulders. The street was full of bucksters' waggons and stalls as on public days in Connecticut.

Tues. Nov. 19. * * * The presiding judge is Thomas Waties, Esq. of Sumpter District.¹ He appears to be about fifty years old:—has much apparent meekness in his countenance, and exhibits, throughout, a dignified demeanor. Sitting himself, he gives his charges to the jury sitting. This, he does in plain, familiar terms; in a manner quite modest, and free from ostentation. Judge W. is thought to have a greater store of legal knowledge than any other judge on the bench:—but

¹Thomas Waties (1760-1828) was an associate judge of the Court of Appeals from 1785 to 1811, of the Court of Equity from 1811 to 1824, and of the law courts again from 1824 to 1828. O'Neill, *Bench and Bar of South Carolina*, 1, 43, 44.

some of the lawyers are unwilling to allow him full credit for candor.

Wedn. Nov. 20. Mr. Egan spoke nearly two hours in court:—appeared much engaged:—did not leave the case perfectly clear, but rather clouded by the multiplicity of his views and reasonings.—I suppose he felt as if his side was a precarious one. Mr. Nott¹ spoke about 20 minutes in reply. His method was clear; his language perspicuous and without the least embellishment:—his manner moderate, modest and unaffected.—Mr. N. is a native of Conn. and a graduate of Y. Coll. He once represented one of the upper districts of this state in Congress; but gave his constituents offence by voting for Burr in preference to Jefferson, and was from that time left out of civil office. The judge, in his charge to the jury alluded to Egan's long and intricate speech, intimating that there had been an unnecessary waste of time, and cautioned them against being led from the plain course of rectitude by what had been importunately and artfully urged by one of the counsel. The legislature have not yet made a quorum. * * *

Friday Nov. 22nd. The court finished its business last evening and adjourned. The time has been short yet much business has been accomplished. It is a common saying that the Carolinians are industrious in nothing but law business. Whatever might be the case as to the truth of the general remark, I was now convinced that the exception was properly made. The judge rarely adjourns the court for dinner, and he tolerates no delay on any account whatever. If a jury-man, or an officer of the court is not at his post in due season, he is reprimanded or fined. Two sets of jurymen are kept in readiness, so that as soon as one has retired to make a verdict, the other may begin to try a new cause. * * *

Saturday Nov. 23. * * * The senate made a quorum this morning. The other house, in order to do it, found it necessary to send out their messenger to request the attendance of such members as he might find scattered about the town. Among other places, he came to the office to find Mr. Egan. Egan was very busy just then in arranging some court papers, and not a little perplexed with the multiplicity of his avocations. “*Mr. Egan*” said the messenger “*the members present their compliments, and request the favor of your attendance at*

¹ Abraham Nott, Yale 1788, Member of Congress 1799–1801, afterwards (1810–1830) a law judge. O'Neall, ii, 121, 122.

the House". "I am very busily employed" said Egan: "I don't see how I can go". The messenger replied; "They want only one or two more to make a quorum, and they're very anxious to organise the House". "I can't help it", was the reply, "you must go to somebody else". "I fear they can't get a quorum without you". "Well, D—n the quorum—I tell you it's impossible for me to go over." Thus ended the Dialogue. However, they succeeded in collecting a sufficient number without him, and proceeded to business. Mr. W. C. Pinckney the standing speaker being absent, a new one was elected viz. Mr. Joseph Alston a beauish young man of about 28, from Georgetown.¹ A committee of three was sent out to inform him. They returned in a few minutes and in a ceremonious style conducted him to the desk and introduced him into the Speaker's chair. He entered the room draped in a long black silk gown, the Speaker's habit;² and after having taken the chair, rose and made a short speech of two minutes. He appeared at first considerably embarrassed; yet spoke pertinently. A considerable number of the members appear very young. Very few appear to be more than 50 years old. They differ very much in age, dialect, dress and manners. Some have showy and costly dress; but not a small number are plain, rustic sort of folk dressed in their own manufactures. Some speak like foreigners, as they probably are: Some have the polished language of the Charlestonians: and some the coarse and more blunt language of the mountaineers. The lower house (as is customary I understand) appointed a chaplain to perform divine service on Sundays, and by a large majority voted him 100 dills for his services. A few were opposed to the motion. One plain-looking old fellow with flapt hat and each hand in a pocket, got up hastily, and in rather an ill humored tone said "Let them that go to hear him put their hands in their pockets and pay him themselves." The house adjourned at noon, because it was found, in the midst of their business, that some members having gone off, a sufficient number was not left for a quorum. Thus ends a week of Carolina legislation! * * *

Tues. Nov. 26. Very busy all the morning in writing briefs and affidavits, in preparation for the Court of Appeals which begins its Session to-day. These briefs are concise statements

¹ Speaker throughout the time of Hooker's residence in Columbia.

² By a resolution passed this session, December 19, 1805, provision was made for the Speaker's wearing hereafter a gown of blue satin trimmed with white ermine.

of the cases carried up from a single judge's court to the full bench, and are in some respects a substitute for writs of error. Writs of error are not known in this state. These briefs are usually of such length as to fill half a sheet: and there must be as many copies of each one as there are judges on the bench.—After this went over to the State House. I am fond of resorting thither occasionally because it is a relaxation from the fatigue of writing, and because it affords me one of the best opportunities for learning the Carolinian character. It is not difficult to see that the Carolinians are fond of acting in public affairs—of figuring in debate—of having, or appearing to have an influence in measures of State. There are a great many of the members who can't sit easy, without having an agency in all that is doing. It is disgusting to see such ignorant men as some of them are continually putting in a word, making motions, or objecting to them; and all without any apparent reason except to make a noise and get notice. But it all passes well enough. Good patriotism! Sublime efforts in their country's cause! Perhaps they think with Sallust; "*Pulchrum est bene facere reipublicae; etiam bene dicere haud absurdum est*". Mr. John Taylor,¹ who represents the Election district of Saxe Gotha on the other side of the Congaree, but who lives in this town, was among the most sensible of those who spoke today. He argued about 10 or 12 minutes very earnestly against the propriety of allowing the Gov. to communicate his information to a committee of the House, instead of laying it before the House at large. He thought such an allowance would be an undue approximation towards an union of the Executive and legislative powers. His language was good; but he deviated in some measure from the point in question. Mr. Wm. Lowndes of Charleston,² a young man of perhaps 26, in a short, but very luminous speech replied; and was attended to by a remarkably silent house.

The members sit with their hats on; only taking them off when they rise to speak. Their number I imagine is not more than half as great as that of the lower house in Conn.³ Questions are decided not by holding up hands but by acclamation. * * *

¹ Major John Taylor (1770-1832), member of Congress 1807-1810, of the United States Senate 1810-1816, of Congress 1816-1817, governor of South Carolina 1826-1828.

² William Lowndes (1782-1822) afterwards famous as a prominent member of Congress 1811-1822, and noted from early youth for sagacity in public affairs.

³ Their number was 124.

Wedn. Nov. 27. Attended the Court of Appeals this forenoon. This Court is sometimes called the constitutional court; I suppose from the circumstances of its taking the constitution for its primary guide, and setting aside such decisions as are founded on unconstitutional Statutes for this is a right insisted on by this court, and one which has been within a short time, executed.¹ The judges are all dressed in black robes, wear bands, and make a venerable appearance. They sit with their hats on or off, as inclination or accident requires. Their names are Grimke and Bay of Charleston, Waties of Statesburg, Brevard of Camden, Trezevant of Charleston, and Wilds of Darlington district.² Mr. Wilds is very young: not over thirty two, it is said—and the most popular judge in the State.

Thurs. Nov. 28. Went into the Senate Chamber. The Senate appears rather more venerable than the other house; but there is not that striking difference, which I had expected to see; and which I had been accustomed to see between the two branches of the Conu. Legislature. A few of them appear very young, for so high a station—They are 36 in number, and sit in three concentric semicircles fronting the President.³ The Pres. wears a long light blue satin robe, edged with white fur. The members are for the most part quite ordinary men in point of talents, though they are men of property. A few are lawyers and physicians; but most of them are planters. The leading Senators are Mr. Ward (the Pres.) of Charleston, Col. Barnwell of Beaufort, Mr. Smith of Yorkville, Mr. Stark of this town, and Mr. Izard of Goose-Creek.⁴ In the lower house, Mr. Keating Simons, a lawyer of Charleston, Mr. W. Smith⁵ a lawyer also from the same place, Mr. Cochran the Intendant of the city, Mr. Henry Deas a merchant, Mr. David Deas, once a lawyer (both living in Charleston, but I believe representing some country place) Maj. John Taylor of Columbia, Mr. Eagen of Columbia, Mr. Evans, of Winnsborough and Speaker Alston are among the ablest men, but do not all take

¹ In *White v. Kendrick*, 1 Brevard 469, at the session next preceding this, April, 1805.

² John Faucheraud Grimké, Elibu Hall Bay, Thomas Waties, Joseph Brevard, Lewis C. Trezevant, Samuel Wilds. See O'Neall, Vol. I.

³ At this time, John Ward.

⁴ John Ward; Robert Barnwell (1762-1814); William Smith (1762-1840) judge 1808-1816, U. S. Senator 1817-1823, 1826-1830, the opponent of Calhoun; Robert Stark (1762-1830) state solicitor; further characterizations of most of these will be found later; lives of most of them are given in O'Neall's *Bench and Bar of South Carolina*.

⁵ William Loughton Smith (1758-1812) member of Congress 1789-1797, minister to Portugal and Spain.

an active part. The most active of these are Simons, Smith the two Taylors, the two Deas and Alston. There is another sett who are up very often, and although of inferior, and some of them even of contemptible talents, yet they are not without influence. Such are Col. Hill, a very old man from York, D. E. Huger (pronounced Hugee) from Georgetown, Mr. Johnson from Edgefield, Col. Mays from Cambridge, Maj. Miles from the neighborhood of Savannah, A. B. Stark from Granby, John Izard Wright from near Beaufort. Several of these are however, men of good sense, though not well educated, nor extensively informed.

Friday Nov. 29. * * * It is not an uncommon thing in this state for foreigners to be promoted to civil offices. Several are in the State legislature: and they have in several instances been sent to Congress. Mr. O'Brien Smith,¹ who is elected a member of Congress in Col. Hampton's stead is an Irish gentleman of great property in the low country. He is said to be very friendly and useful to any of his countrymen that apply to him, however mean their condition may be; and provided they conduct uprightly, and prove friendly to our government, he takes a pleasure in patronising them. He is tall, strait, portly and robust—genteel in appearance, and resembling considerably Col. David Humphreys of Conn.²

Sat. Nov. 30. * * * The Federal court sat today; but there being no causes before it, the two juries were immediately dismissed, without receiving any charge, and the court adjourned. Judge Bee attended.³ * * *

Mon. Dec. 2nd. The important question of the slave-trade came on today in the House of Representatives, in a Committee of the whole. The principal speakers on the subject were Simons, Speaker Alston, Miles, Taylor (of Pendleton) and Wright.⁴ Some others made occasional observations. Simons and Alston were for shutting the ports, the other three against it. The advocates for the prohibition did honor to themselves and their cause by their eloquence and the liberality and cor-

¹ Member of Congress, 1805-1807.

² Col. David Humphreys (1752-1818), aid-de-camp of Washington, minister to Portugal 1791-1796, to Spain 1796-1802.

³ Thomas Bee, judge of the United States District Court for the district of South Carolina.

⁴ By successive enactments, from 1787 to 1803, the importation of slaves into South Carolina had been prohibited. These laws were repealed December 17, 1803, and importation remained legal until January 1, 1808, when it became illegal by Act of Congress. Du Bois, *Suppression of the Slave Trade*, 229-240, 245. In four years 39,075 slaves were brought in at Charleston. *Charleston Year Book*, 1880, p. 263.

rectness of their principles. Maj. Taylor on the other side did as well as the nature of the cause would permit. Simons' language was choice and elegant, his expression clear and perspicuous, his gestures graceful and animated. But there is too much appearance of study in his whole manner. He dwelt a little on the true policy of the System, as it respects the money making part of it—much on the danger to be feared from the number of blacks in the country—much on the injustice and inhumanity of the traffic. He continued perhaps 20 minutes. There was a variety in his delivery that engaged attention: for he sometimes spoke very loud, and sometimes, particularly in ending his sentences, hardly raised his voice above a whisper. He had, in the course of his speech, several sudden exclamations which would have been more moving, had they been a little more natural. It was a very regular, well constructed, and elegant speech. I presume it was previously prepared, if not written at full length, for the occasion. Alston's speech appeared to me more like an extemporaneous one, though it is said by such as are acquainted with him, that he always, without exception, writes his speeches. He, like Simons, used notes; but did not recur to them so often; nor did he confine himself so much to method, nor avoid so scrupulously every expression not stamp'd with elegance: yet his arrangement was not bad, nor his language undignified. He did not, at first, speak with uncommon fluency: indeed he stammered a little: but when he became once fairly engaged, his words appeared to flow with the greatest ease. His figures and allusions, were eminently striking and beautiful, and his speech abounded with them. He dropped some excellent moral and political sentiments, quoted two or three texts of sublime morality from the scriptures, and with great vehemency and apparent sincerity urged the house to consult the dictates of justice, and humanity, in opposition to sordid interest. His manner of delivery was extremely good,—and his gestures forcible and expressive. He labored sometime, and with success, to shew that the increase of slaves tends to destroy that equality which is the basis of our republican institutions, and insisted that it is not only unjust to bring them in, but demonstrably injurious to the real interests of the State. In his argument was a fund of good sense and useful information. The utmost silence pervaded the house while he spoke thirty five or forty minutes. Mr. Alston is a short man, and rather

thick. Of a dark complexion—with thick, black hair and a formidable pair of whiskers that cover a great part of his face, and nearly meet, at the chin. His dress and demeanor are well deserving the name of *buckish*. When not in the legislative hall, he may be seen, as often as any where, about the stables, looking at fine horses, dressed in a short jockey like surtout or frock, and laced and tossed boots, with a segar in his mouth, and with much more of the “gig and tandem” levity, than of the austere virtues of a senatorial leader. Indeed he is one of the last persons that I should have picked out from the crowd of people in town, for a president of one branch of the legislature.

Major Miles is a fat-looking, but well built man of perhaps forty five, from Prince William parish, and cavalry officer in the militia, as I judge from his frequent motions, resolutions, talks &c. relative to that subject. He shows much of a vain, forward demeanor, and is pretty independent: but I have as yet seen no display of abilities by him, to justify his forwardness. In the present case he was evidently under disadvantages, by being enlisted on a bad side of the question. The resolution under consideration as drawn up by Mr. Alston was prefaced with several considerations, which Miles and some others could not get over: such as the inconsistency of the slave trade with the precepts of Christianity—with justice, humanity &c., and lastly with the true interest of the State. Miles was for considering the question only in the light last mentioned, and could not see the propriety of prefacing the resolve with considerations of religion, justice, and humanity: “for” says he “Nobody on this floor doubts that; and therefore we ought only to ask *“Is it for our interest to shut the ports?”* We did not come here to debate on what makes for or against religion, but what makes for or against the interest of our constituents].” He then attempted to shew that the smuggling of negroes would be the consequence of shutting the ports,—and that the upper country would not have equal privileges with the lower, if now, when they are fast becoming rich enough to buy slaves, they are prevented by the laws, while the lower country are already supplied. Maj. Taylor took a different and much less odious way: and exhibited in his argument considerable candor. He said he had once advocated the shutting of the ports, but he thought it impracticable now to prevent smuggling, without building some *revenue vessels*; and

as the general government would doubtless take up the subject after two years more he thought it best for the State to let the matter rest, and meanwhile give the upper country planters an opportunity, by purchasing more slaves, to be on a more equal footing with their fellow citizens in the lower country. He reasoned coolly and dispassionately, and addressed the understanding in plain, perspicuous, and handsome language; though there was too much monotony in his delivery. A majority of the house, I was gratified to find, were so much swayed by a sense of justice, as to pass the resolution.

Tues. Dec. 3rd. Attended the debates of the Senate part of the day, and had the pleasure of hearing Mr. John Ward, a lawyer of Charleston. A more pleasing speaker, I have rarely heard. When he is engaged in something which he has previously considered, and that he fully understands, there is nothing to diminish the pleasure of the hearer, unless it be the extreme slowness of his utterance. There is however nothing of that pain which is felt in attending to a speaker who is at a loss for words: for one soon learns that he has at command a rich stock of words, and ideas: and that the hesitancy which he discovers, is the result of deliberate good sense formed into a habit: for it does not take place in such parts of a sentence as are strictly connected, but only between the members of the sentences and between the sentences themselves. He speaks entirely in the Sheridanian dialect, which is, as far as I have observed, much the most common dialect of well educated Charlestonians.—Mr. W. is a small man—pleasant and facetious disposition—penetrating look—quick and graceful motion—dignified when in the chair of the Senate, but a little prone to levity when out of it. So able an orator as he is, it seems unfortunate that he should in any degree injure that influence which he might possess, by sometimes taking his side too hastily on an unimportant question, and speaking, though very beautifully, yet with too little judgment. Mr. W. was, till lately, President of the Senate, but being obliged to be absent a part of the time, resigned the chair, and was succeeded by Col. Robert Barnwell. Col. B. is a tall, portly, well built man of about sixty years—a man of singular gravity, and possessed of great influence in the Senate. Said to be an eminent orator, and a very religious character. An attempt was once made, though without any success, to debar him from holding a seat in the legislature on the ground of his being a preacher, because

he had one summer, while his minister was gone on a journey for his health, read the service in the church, and sometimes exhorted the audience. He resembles considerably Gen. Wyllys of Hartford.¹ Mr. Stark has a thundering, overbearing, positive manner of speaking resembling (except the squeaking part) in tone and delivery Henry R. Storrs.² * * *

Wedn. Dec. 4th. * * * The commencement exhibition of the newly instituted college in this place was held this evening. I attended it, and found considerable entertainment. The only junior the Sophomores and Freshmen, exhibited pieces, some selected and some composed by themselves. They consisted of one Latin and one Greek oration, Declamations, and Dialogues. Most of the subjects were trite and common, such as the benefits of education, the necessity of knowledge in a republic, the vanity of riches, pleasures, &c. as the means of happiness—but the performances were all decent, considering circumstances, and some of them very handsome in style, sentiment and delivery. Some of the Dialogues were replete with humor. Each of the performances was applauded by clapping hands and drumming with the feet.

Thurs. Dec. 5th. After spending an hour or two at the office this forenoon, went over to the Representative's chamber and heard Messrs David Deas (pronounced Days) Wm. Lowndes and Gist³ speak on the subject of Capt. Rowse's petition.⁴ Deas had a loud, vehement, overbearing manner of delivery, though his voice is not heavy, uses fewer gestures than most of the Speakers and takes very little pains to polish his language. He is however a pretty good speaker. I understand he is a lawyer of some note in Charleston, and represents one of the country parishes.

Lowndes has a very soft, mild voice, speaks low but very distinctly and clearly—has a remarkably, candid, sincere, unsuspecting manner of addressing himself to the house—a manner so engaging as to command an universal silence. He does not ornament his speech with flowers, and is altogether natural and unaffected. He gestures but very little, having other means

¹ Samuel Wyllys (1739-1823), general of militia, at this time secretary of the State of Connecticut.

² Henry R. Storrs (1787-1837), who had been in the class above Hooker at Yale, was a member of Congress from New York, 1819-1831.

³ Joseph Gist, member of the legislature 1803-1821, member of Congress, 1821-1827. O'Neill, II, 219.

⁴ See Acts of 1805, pp. 100-102. Rowse, being a senior captain in a militia regiment, claimed the right to draw lots with another captain for the vacant position of major.

to engage attention, viz, plain and intelligible, yet very choice language, good sense, concise thoughts and expressions, clear method, and a lucid illustration of the point which he attempts. He is not at all forward in the house, but when he does rise, invariably to some purpose, and exhibits some views of the subject which had been overlooked by others. Gist (pronounced Ghist) is a lawyer of some repute from the back country, who, though without any thing like polish of diction, commonly speaks to the purpose, and has considerable merit as a speaker. Deas and Gist were in favor of annulling the Governor's proceeding in the case of Capt. Rowse. Lowndes was against any legislative interference in the case. * * *

Frid. Dec. 6th. In the H. of R. today, Mr. Henry Deas of Charleston distinguished himself by an eloquent speech on Capt. Rowse's case. He was of opinion that it is a question determinable by a military tribunal, and one that the Legislature could not interfere with, on either ground, of right or policy. He was very animated, energetic, clear and concise. His gestures were very forcible, and not without expression, his language choice but not flowery—his voice loud and thundering. I think, I like his oratory better, considering all circumstances, than that of any one whom I have before heard. Mr. D. is said to be an uncommonly well informed legislator on questions of Banks, insurances, incorporations and subjects of that nature, but on questions in general does not often take an active part. Maj. Miles took a warm part in the debate in favor of Capt. Rowse. When the final vote was taken, a considerable majority appeared in favor of accepting the report of the Committee of the whole, which report was in favor of Rowse.

Sat. Dec. 7th. Assisted in making up judgments &c. at the office, till one o'clock:—then went into the senate and heard part of the debate on the subject of establishing free schools throughout the state.¹ The excellent Col. Barnwell, in a committee of the whole, spoke upon it with a great deal of good sense, good reasoning and eloquence. Indeed he is considered one of the greatest orators in the state. He has a heavy, sonorous voice which completely fills the room. It is somewhat rolling, and has in it something similar to Gov. Treadwell's of Connecticut, though more smooth and pleasant. His gestures are principally with extended arms, quite expressive

¹ The bill seems not to have passed.

and graceful, but not accompanied by so many flourishes as Alston's. His manner of speaking is extremely natural and engaging. With a dignified animation highly becoming such a man and such a cause, he argued for the extension of the means of education to every section of the country. You talk much, says he, of the importance of having courts of justice established in all parts of your land, that crimes may be *punished*: why not strike out the root of the evil by extending the means of education, that your children may learn to read the Bible, and be instructed in the great principles of morality, and thus crimes be prevented? Col. B. also proved himself a good statesman by the remarks he made on the resources of the State, and its ability now and in future to accomplish objects of the kind proposed. Like Dr. Dwight, he seemed to think that large bodies of men, such [as] a legislature for example, are the worst of money managers.—With such views, he moved to strike out of the bill a certain clause, in which the Legislature were about to give some minute directions about this State's share of the U. S. stock for the use of schools:—he insisting that in case the management of it should be left to the Comptroller General instead of the Legislature, the issue of the business would undoubtedly be advantageous; but that nothing could be more impolitic than for the legislature, through excess of jealousy or distrust, to undertake the management of such complicated money matters themselves. His motion was acceded to, though the bill itself, for some reason or other did not exactly suit the members. One or two attempts have formerly been made to accomplish this desirable object, but they have not succeeded. I cannot learn however, that the failures are owing to any hostility to the scheme: on the contrary, everybody seems to be in favor of it: but the difficulty of concentrating the views of the members in any one satisfactory plan has, more than any one thing else probably been the cause. The evils of a sparse population are in this respect now brought out to view, and the utility of such a system of settlement in towns and villages as prevails in New England is strikingly apparent. * * *

December 9th. Wrote very steadily in the office till two o'clock in the afternoon, when I felt quite fatigued enough to go into the State House for recreation. The Senate were debating on the Slave trade. Mr. Izard spoke with much ingenuity in favor of *keeping open the ports*. Though possess of much mercantile,

and geographical knowledge, and some literature, he cannot be called a good speaker. His language is proper and flows with sufficient ease; but like many other members, who are probably either foreigners, or else accustomed to associate with foreigners, he is not easily understood by one [unused] to such foreign dialects. His gestures are easy enough, but rather singular; and are usually made with arms not widely extended, by sometimes clasping the hands, and at other times by bringing the back of the right hand with a slap into the palm of the left. There is another peculiarity in his action. Every half minute he retreats back two or three steps from his chair (which he commonly places before him while speaking) and then after standing so a short time, with two or three sprightly and graceful steps advances again to his place. Occasionally, he takes his steps sideways instead of back and forth—These motions are not entirely agreeable, because not adapted to any good purpose, yet they appear to be the result of vehement feelings in the speaker, and not of affectation. When I went in, he was speaking on the question of interest; and attempting to shew that the scarcity of specie in the country is not owing to the Slave trade, but to the exportation of dollars to Great Britain, where a high premium is given for them to carry on the East India trade with, and also to the East India trade itself as carried on by Americans,—particularly the New Englanders. He spoke with some humor on the enterprise of the New Englanders in “sallying out from every little village where a boat of a few tons burthen, and that will hold five Yankeys can come up, and entering on East India voyages with a little ginseng to barter with, and the rest of the cargo in dollars.” In stating the inducements which exist for the exportation of specie thither, he observed that the population is so great in China, it cannot be increased—and public officers are appointed to go about the streets every morning, and bury or throw into the rivers the bodies of infants that have been cast out. This immense population makes the price of labor so very small that we in America and G. B. who are accustomed to such high wages and prices, can't have any conception of it. I have seen, says he, a black silk vest that any bean in the State would be proud to wear, sold in Canton for seven pence (12½ cents) and a complete suit of nankeen from head to shoulders sold for half a dollar.

Dec. 10th. Visited the Senate chamber this morning, and heard a debate on the constitutionality and propriety of having the judges of Equity and the judges of the Common pleas ex-officiis Trustees of the State College.¹ Mr. Izard made a handsome speech in favor of it—it was very luminous, full of good sense, and very creditable to himself. He animadverted very pointedly on the republicanism of those members who were for excluding from the government of the College this learned body of men, and having their places filled by nobody knows who, according to the caprice of the legislature in their quatriennial appointments—Mr. Ward also spoke on the subject, and insisted that not only the judges, but also the President of the College, should by all means belong, as a matter of course to the corporation. It gave me pleasure to hear the case of the college in my State brought up as a precedent for the latter measure. It is the case I believe, says Mr. Ward, in all the New England colleges, that the President, ex-officio, holds a seat in the Board. In Yale College, he is not only a member, but occasionally presides in the Board. I well remember, when I was at New Haven, that Dr. Dwight was considered next in rank to the governor, and in Mr. Trumbull's absence, presided in the Board of that College.

This day had been appointed for a military parade in town. There had been so much previous talk about it, that I was induced to expect something grand. Two regiments, one of infantry, and one of cavalry, had been ordered out but only about half the infantry, and only one company (20 or 25 in number) of the cavalry made their appearance on the ground. I presume the whole number did not exceed 230 men. To one accustomed to view the martial spirit of the Connecticut militia, their appearance was wretched beyond belief. The Governor, with his three aids and private Secretary, accompanied also by Gen. M'Pherson, reviewed the regiment. They were all richly dressed, handsomely mounted, and riding by with heads uncovered, made an august appearance. Two of the aids were Marshall Cochran the Intendant of Charleston,² and Col. Warren who having lost a leg at the battle of Germantown, was attended by a servant on horseback bearing his crutches. Adjutant Gen. Earle who is paid

¹ By act of December 14, 1805 (Acts of 1805, pp. 82-84) the judges of the common pleas were added to the board of trustees of the college.

² Charles B. Cochran was intendant of Charleston this year. Charleston Year Book, 1881, p. 369.

by the State for attending all the reviews, was on the ground from the beginning, to see the regiment formed. He then instructed the officers how to perform some evolutions, and assigned them their several posts. Exercised the regiment in marching, wheeling &c. and had the chief command. He is an excellent officer, and exhibits a handsome appearance. Bears the rank and title of Colonel. Col. Meyer (pronounced Myers) the Commandant of the Reg't. rode an indifferent horse appeared very awkward and evidently understood little or nothing about his business. He is such a simpleton that when once administering the oath in a sort of Court Martial, he read the whole form as it stands in the Statute Book including the Quaker proviso—thus “*You A. B. do solemnly swear (or affirm as the case may be) that the evidence you now give in, is true &c.*” Maj. Clifton appeared advantageously, though a clubfooted Major could not fail to strike an observer as an incongruity.—Maj. Sheppard rides an ordinary, steady old white horse, with a plain saddle, one girt and single bridle. No holsters, no saddle cloth, and no unusual apparatus about his steed. He is a pleasant featured young man of about 28 or 30—very modest and still on parade, makes no exertions, and probably knows little about military discipline. The Captains, four in number, were in regimentals, and with some of the subalterns appeared decently: but two or three of the Lieutenants or Ensigns had neither uniforms, nor arms. Another of the subalterns, had a gun, cartouch box and bayonet, but no part of the military dress. The Artillery men, about sixteen in number, with one brass field piece, were in uniform. Besides these there was not a foot soldier (save one or two, and they were probably serjeants or Corporals), in regimentals. The non-commissioned officers generally, were not only without military dress and insignia, but ordinarily, and some of them even meanly dressed. Several of them were without guns, and more without cartouch boxes. But the soldiers! O foul disgrace to a free republic! the soldiers seemed, literally, a herd of ragamuffins—Dressed for the most part, very meanly and as many as one in every eight or ten, without either gun, flint, cartouch box or any thing characteristic of a soldier—At least half of them with gun only. Some with a horn for powder slung under the arm, and a few with old rusty, mouldy cartouch boxes. Perhaps there was not a bright gun in the whole regiment. Col. Hutchinson and Maj. Goodwin of

the cavalry came on, but as their troops did not appear, they were merely spectators. They both appear respectably, the former like a veteran the other like a daring, fierce, undaunted son of Mars. After the review and manoeuvring were over, the governor and his suit dismounted, left their horses, and walked up to meet half way the Field and Company officers in front of the line. The Gov. then made a very sensible and pertinent address to them; not an eulogy or a compliment: but he regretted the want of military spirit and discipline which he perceived, and told them in plain terms that both officers and soldiers were censurably deficient. He addressed them seriously on the consequences of the undisciplined state of their troops in case of a war, and urged several considerations to stimulate them to exertions; such as their proximity to the seat of government, where they would be more noticed by the public &c. Col. Meyer, in the midst of this censure, undertook to put in a word by way of apology. Gov. Hamilton took no other notice of him than to turn his eye and say "I'm not to be interrupted"—then went on with his address. The Gov. is a middle sized and middle aged man, has a handsome demeanor, speaks with some ease, but not with the fluency of an orator. * * * In short the whole business was ridiculous in the extreme and disgraceful to freemen. The troop of horse had no music, and in the Reg't of foot there were only 4 or 5 drummers and one fife and half of those were negroes. The companies were dismissed about three o'clock P. M. I did not see that rioting, drunkenness, fighting and general irregularity through the remainder of the day, which from the nature of the case, and the representations I have often heard made, I had reason to expect. Indeed I walked almost the length of the main street, towards night, to observe how it was; and found myself greatly disappointed. I saw some firing, and some clusters of men where there was a little high talk, but no quarreling, and indeed nothing more than what is frequent in the Northern States.

Wedn. Dec. 11th. A resolution passed in the Senate of this State today, to prohibit the freemen (or electors as they are termed) from voting in more than one place.¹ I understand that serious abuses of the right of suffrage have been heretofore committed by persons who owned property in different

¹ This resolution passed the house the next day; Acts of 1805, p. 112.

districts and parishes, attending the elections in those different places, and exercising thereby an undue influence. By this means, the city of Charleston could gain an immense weight in the legislature: her citizens being accustomed to sally out and carry an election in several country parishes where the number of resident electors is small. The parish of St. Andrews is such an one: though containing only about fifty families, it sends three representatives and one senator to the General Assembly. In some parishes in the low country it is said the disproportion is still greater. The reason is, that the increase of wealth and the multiplication of negroes have diminished the white population. This was stated and explained by Simons and Alston in their speeches on the slave trade; thus: As one man grows wealthy and thereby increases his stock of negroes, he wants more land to employ them on: and being fully able, he bids a high price for his less opulent neighbor's plantation, who by selling advantageously here, can raise money enough to go into the back country, where he can be more on a level with the most forehanded, can get lands cheaper, and speculate or grow rich by industry as he pleases.

In the lower house, the bill for the abolition of the slave trade had a second reading, and was considered clause by clause. The minority appear chagrined that the bill meets with such encouragement, and they are constantly trying some side blow to defeat its object. It is worthy of remark that as a general rule, the members of the lower country have favored the prohibition, while those of the upper country have opposed it:—there are, however, exceptions both ways. Of those who were strenuous for the continuance of the abominable traffic it is strange that some were steady baptists, who least of all would be thought to favor slavery. The bill is almost entirely indebted for its progress thus far, to the patriotism, talents and highly honorable exertions of the Charleston Representation.

JOURNAL NO. 2. AT COLUMBIA, S. C.

Friday Dec. 13, 1805 After spending part of the day in the office went over to the State House. The second reading of the Bill on the Slave trade was attended to in the Senate. The bill having passed the lower house, the public feeling is excited about its event here. Mr. Smith, a lawyer from York District made a long and rather tedious speech of nearly two hours, against it. He is not fluent, nor does he use the hand-

somest language, but he in the course of his argument, gets out considerable that is to the purpose. Mr. Stark of this place also spoke at some length in favor of the importation, and to justify it, attempted to show, on the authority of some English traveller whose book he brought in and quoted that the common inhabitants of Russia, and other parts of Europe are in an abject state, and even as badly treated by their Superiors as our slaves are by their masters. He believed it, he said, a piece of humanity to bring them from Africa, because, there, when taken prisoners of war, they are sold and enslaved, or else tortured and killed. Mr. Izard also spoke the second time against the bill, and denied that the wars in Africa are instigated by white people in order to get slaves. No, said he, with emphasis, they are wars of fanaticism, wars arising on account of religion and enthusiasm (which are always the most bloody) and carried on by the Mahometans against the religions of all other persuasions in Africa. The question was taken on the 2nd which is the most important clause, and carried by 16 against 15. There is still room, however, at the final question, for the opposers of the bill who are a strong party, to make further resistance and perhaps overthrow it.

Saturday Dec. 11. Wrote a letter in the morning: then went to the State House and saw the ceremony of ratifying Acts;—to do which the House of Representatives preceded by their Speaker, walk into the Senate Chamber. Then, in presence of both houses, the Secretary of State, assisted by the Clerk of each house, affixes the great seal of the State to those bills which have passed through the requisite stages in regular course. The Speaker of each house next subscribes his name. This being done and the records of the proceedings being read by the Clerk of the Senate, the H. of Rep. retires in the same order.

In the course of the day, the final vote was taken in the Senate on the Bill for the abolition of the Slave trade. The principal debate being already over, little was said on it today, except by way of explanation: but the minds of the members being made up, all waited with anxiety for the event. The question was put by the President, and the Ayes and Noes taken; during which a peculiar solemnity pervaded the Senate room. In favor of the bill appeared the President (Col. Barnwell) and fourteen members. Against it were sixteen members. Of course it was lost by a majority of one. Much

joy was manifested by many. Some of the Senators even rose and reached across tables and over chairs to shake hands with each other, and pass congratulations on the event, the very moment it was ascertained. There was a great deal of smiling and much complacency also in the countenances of many of the members of the other house who had come in to be spectators, and of the audience generally. Horrid exhibition of Horrid Republicanism!

Sunday, Dec. 15. A riotous scene took place which made considerable disturbance. The Speaker of the H. of R. is said to have been a principal actor in it. He and several members of both houses together with some others went through the streets in high glee with a drum and fiddle; to *set the town to rights* as they term it. They went to the lodgings of a number of the members, and in case of their failing to rise and admit them voluntarily, broke down the doors of their rooms. * * *

Tues. Dec. 17th. * * * Had considerable of a chat this morning, with a Dr. Wilson one of the family boarders, who is a member from one of the low country parishes; but who by the plainness of his dress and manners seems more like one of the Mountain Members. From some remarks that fell from him, as well as from others with whom I have been in company, I find it is here considered a great thing to get in favor with the people, to acquire a kind of control over their minds and be looked up to by them as a leader. Speaking of the militia the Dr. said a military commission is a valuable thing, because the holder of it has such an opportunity to gain influence by being known to officers and soldiers! By a little remissness in the enforcing of the law and especially in the business of fines, he has a rare chance to gain favor. This, he said is the reason why so many Colonels and Majors are in the Legislature. Another man, and a man of influence too, conversing with me this evening on the different professions, thought he should prefer that of the physician to Law, because it is a popular profession and enables one to get acquainted with people and ingratiate himself in their favor. So natural it is for Carolinians to exhibit in their common conversation, their ruling passion, ambition. That lucrative and honorable places are a great object with the people, about here cannot fail to be evident to any one who is present during the session of the Assembly. Candidates for Sheriffalties, and other offices crowd into town, and wait for whole weeks

together at a great expence till the result is known; and they often send letters to every member soliciting his vote and interest. * * *

Thurs. Dec. 19. The town is in considerable alarm this afternoon. A rumor that began to circulate before noon has now towards evening received some confirmation, that a scheme of insurrection has been formed among the negroes on the other side of the river, a few miles above this place, in conjunction with a party below. Their plan is said to be to assault Granby and then come up and burn Columbia; first taking possession of the arms and ammunition deposited in the State House.

5 o'clock P. M. Capt. Fausts artillery-men are collected making cartridges and preparing to defend the town. The alarm is increasing, and yet nobody seems to know the true state of the case, or whether there be really any serious danger.

9 o'clock All is bustle and agitation this evening. Arms have been dealing out to the militia and others. Some are mounted on horseback, armed, and some are patrolling the streets on foot. The artillery-men have a field piece placed on the eminence in front of the State House and a fire built up in order to alarm the town in case of any emergency during the night. One negro who is suspected of being active in the plot has been committed to jail today, and the patrols have orders from the Gov. to take up every one seen out. One poor fellow, it is said, has just been shot dead by the patrols at the north end of the town, and several have been taken up. The town negroes are all in dreadful consternation about the event fearing I suppose that they shall perhaps be butchered by one party or the other in case their country brethren make the attempt.—Mrs. Chapman had occasion to send to the Bakers for bread at supper, and requested me to go with him as a protector. The innocent fellow, even then, was much afraid to venture into the streets; and kept so close behind me as to crowd upon me.

The Assembly have been sitting all this evening, and intend to finish all their business in order to adjourn finally.

Frid. Dec. 20. The night passed without any new alarm. The panic which seized some people is moderated, and all is quiet. Further news from above, however, proves that the alarm was not entirely causeless, but removes the dread of present danger: for whatever project the slaves may have

formed, they are now so intimidated, that nothing is to be feared from them. The negro who was killed last evening was on horseback following, at no great distance, his master; and as they had been out of town and not heard of the alarm, paid no regard to the patrol when hailed by him. It is said the Jury called to sit on his body have brought in a verdict of wilful murder.

The members and other gentlemen are leaving town in great numbers this morning. Some in hacks, many in chairs, a few in Phaetons, and a few on horseback.

P. M. The town is mostly cleared of its company and is becoming quite still and calm. It is indeed a calm after a storm; and it is really pleasurable to have once more such a season of tranquility. * * *

Saturday Dec. 21. * * * A court of Magistrates has been sitting for the examination of two suspicious negroes. One of them is said to have confessed being engaged in a Scheme of insurrection to be put into execution at Christmas time. * * *

[From December 24, 1805, to January 3, 1806, Mr. Hooker was occupied in a journey to Beaufort and back to Columbia.]

Feb. 9th. * * * We met also in the street a number of new negroes, some of whom had been in the country long enough to talk intelligibly. Their likely looks induced us to enter in to a talk with them. One of them, a very bright, handsome, lively youth of about sixteen, could talk well. He told us the circumstances of his being caught and enslaved, with as much composure as he would any common occurrence, not seeming to think of the injustice of the thing, nor to speak of it with indignation. He said his father and mother lived in Gola,¹ and he liked to live there himself. His appearance was manly, genteel and graceful, and such as indicated his having been bred in style. He told us that his Pa (as he called his father) was a Captain. He spoke of his master and his work as though all were right, and seemed not to know he had a right to be any thing but a slave. Another of them had his upper teeth cut or filed into sharp points. He could not talk with us, but as far as we could learn, they were designed to fight with and possibly he belonged to a Cannibal tribe.

I heard a fact this evening worthy of note relative to the sale of offices. Mr. Taylor, the Clerk of the Court for this District, has lately bargained with a Mr. Guigniard for the

¹ Angola on the west coast of Africa.

sale of his office for the sum of eight hundred dollars. I had the account from Mr. Egan who, being a member from the District, recommended the appointment to the Governor before it can be made and who had already been applied to for such recommendation. The office is said to be worth twelve hundred a year. I have before heard of offices being bartered for. A person of my acquaintance agreed with a candidate for the Sheriffalty of Lexington to procure him a number of votes in the Legislature for the consideration of a pretty valuable silver watch. * * *

Feb. 16. I had been applied to some time ago by the Trustees of the Cambridge Academy,¹ through the medium of Mr. North, to take the charge of their Seminary, whenever they should be ready to revive and put it in operation (it having been for some years neglected): and wishing to be present at their meeting on Tuesday, I set out for that place this forenoon, brother J. accompanying me. Rode 25 miles to Williams' tavern. We met there with Cowles Mead Esq. who was on his way home to Augusta, from Federal city, whither he had been as a member of Congress; but his election was disputed and decided against.² His journey to the Capital, however has not been in vain: for he has had conferred upon him the secretaryship of the Mississippi territory.³ He appears to be a young man of about thirty, of handsome talents. Converses with ease, fluency and propriety. Appears like a man of good moral and political principles, and exhibits in his conversation on political subjects a degree of candor not often discovered in politicians of this day. His deportment is genteel—but his style of appearance is plain. He travels in a sulkey—with one horse, unattended by a servant; and carries pistols. Mr. M. speaks highly of J. C. Smith of Conn.⁴ and considers him a very useful member of Congress. Mr. B. Bidwell⁵ he says is becoming conspicuous, and promises to be one of the most able men in the House. J. Randolph⁶ he

¹ Cambridge was a local but not a legal designation for the village which grew up around Fort Ninety-six. For the failure of the attempt to make this its legal name, see anecdote of J. C. Calhoun's father, in O'Neill, II, 283. For a description of the place and a history of the college, see post, February 27 and August 16. The Cambridge Association was incorporated by the last legislature; Acts of 1805.

² See Clarke and Hall's Contested Elections, 157-165, Spaulding v. Mead; and American State Papers, xx, 431-436.

³ January 20, 1806. Exec. Jour. Sen., II, 16.

⁴ John Cotton Smith (1765-1845), member of Congress from Connecticut, 1801-1806, governor 1813-1818.

⁵ Barnabas Bidwell of Massachusetts, member of Congress 1805-1807.

⁶ John Randolph of Roanoke.

thinks is fast losing his influence, and is even thought by some to be going over to the Federal side. He represents Mr. R. as one who is fond of having his own opinion prevail and can't endure to have it controverted. Mr. Wright of Maryland,¹ he represents as a passionate man, whose furious zeal on party subjects will always carry him to extremities, and prevent him from effecting any object that he wishes. * * *

Feb. 27th. * * * The town of Cambridge is nothing more than a snug little village of 15 or 20 houses and stores on the top of a small hill called Cambridge Hill. There is an area in the center of it, where stands an old brick Court House. At a little distance down the hill is the jail,—both in a neglected state. Just out of the village in a pleasant plain, quite retired from noise, is a two story brick building, which was erected for the President's House of the college; but which is now designed by the Trustees for the Academy building itself. As for the other college buildings, they were never any thing more than mere log-studies, temporarily thrown up, till better ones could be erected—and they are now in ruins. The Rev. Mr. Springer² from Princeton College was at the head of it; and under his direction the institution flourished. He was a presbyterian divine of great merit. * * * After him several persons had the charge of the Seminary, but it flourished less, and finally became quite neglected—in which state it has been for several years past. Though called a College in the Statute Book, yet no regular system of College education was ever established and no degrees were ever conferred. The famous Robert Goodloe Harper³ was once a student, and afterwards an assistant instructor here, pursuing at the same time the study of the law. The Village has seven stores and three taverns. Its appearance is not at all flourishing; and it is said to have been decaying, ever since the new judiciary arrangement, by which the courts were removed to Abbeville. The present town has been built anew since the war: the old town of Ninety Six (as it used to be called) having been destroyed by the British.

March 11. Met with my old neighbor and fellow voyager J. North of Farmington. Pleasant, facetious and good humored

¹ Robert Wright, Senator 1801-1806, member of Congress 1810-1817, 1821-1823.

² Rev. John Springer, Princeton 1775, tutor at Princeton 1775-1777, died 1798.

³ Robert Goodloe Harper (1765-1825), Federalist member of Congress from South Carolina 1795-1801, is perhaps best known by his "Observations on the dispute between the United States and France," printed in 1797. He was a Senator from Maryland from 1816 to 1821.

as usual. I find that a plain looking man whom I used to notice in the State House at Columbia, and of whom I made a memorandum in my journal of Nov. 23rd is a Col. Barkley Martin of a neighborhood just below here. Mr. L. assures me that he is an excellent man and a worthy member of the Baptist Church: and that his objection to voting the Chaplain a salary must have been an objection of religious principle, and not of infidelity, as I at the time supposed it might be. I recollect however, to have afterwards noticed the same man, uniformly attending the same Chaplain's preaching.

March 15. Finished the 1st vol. Blackstone, with Christian's notes.—The people about here talk a great deal about the famous Judge Burke,¹ who used to attend the Superior Court in Cambridge. He must by accounts have been a man of most singular humor: He was thought to be a good Judge of law, but so fond of fun, as to forget very often the awfulness of the place which he filled and turn the whole proceedings into a farce. He once pronounced sentence of death on a culprit and added at the close of it, "*but don't mind, my good fellow, it's only what we've all got to come to.*" "*I hope, said one of the lawyers, your honor don't mean that we've all got to be hung.*" "*No,*" replied the Judge, "*but we've all got to die, and it doesn't make much difference how.*" Somebody in a company where he was present was eulogizing some of the Carolina law characters. *Aye,* says Burke, in his dry Irish way, *Ye may talk as much as ye please of your Pinckney's for an argument and your Watieses for a special plea in bar; but 'fore G-d, for a Roman gladiator armed at all points, give me Pierpont Edwards.* He was fond of having lawyers come directly to the point and meet it with good common sense; and could not endure a parade of words about nothing, nor had he patience to listen to those subtle reasonings of some lawyers, which only seem to embarrass the jury, and render an intricate case additionally intricate. Gen. C. C. Pinckney² had been arguing before him a long time one day, when judge B. suddenly started from his seat, tucked up his robe, took his hat, and left the bench. The lawyer of course ceased, as usual in such cases. "*Go on*" Gen. Pinckney, *go on,* says the Judge, *you love*

¹ Edanus Burke (1743-1802) an Irishman, member of Congress, 1769-1791, was a common law judge from 1778 to 1799, and an equity judge from 1799 to 1802. His pamphlet against the Cincinnati is famous.

² Charles Cotesworth Pinckney (1746-1825), famous as envoy to France, 1796-1800, and as Federalist candidate for the Vice-Presidency in 1800 and for the Presidency in 1804 and 1808.

to hear yourself talk. Meanwhile, I'll go out, and take a —— and a peep at the Camel". (a camel was at that moment exhibiting for a show, in front of the Court House, among the people). Hence, "*peeping at the camel*", is to this day a bye word among the Carolina lawyers, for *going out on any occasion*.— He was a great enemy to everything like pomp, and though he would sometimes like the other Judges submit to be attended by a guard of constables, yet he was very apt to turn the thing into ridicule. Being once on the circuit and about to ride from one court to another, he was solicited by a company of horse that was out for exercise, to accept of them for an escort. After some excuses he consented. By the time he was ready it began to rain. Among the back country people, especially those who dont own a great coat it is not uncommon to wear a blanket and they sometimes cut a hole in the middle of it and put their head through for the sake of better protection from the rain. Burke in his tours among them, had seen this contrivance, and resolving on merriment, procured him a blanket and fixed in the same manner. The cavalry drew up at his door, received their charge and set off amidst an intolerable shower of rain, escorting towards the next county a thing which looked more like a Catawba Indian or even a baboon than a man of state. Mr. Burke was on very intimate terms with his brother Irishman, the Hon. O'Brien Smith of the present Congress, and used often when going on the circuit, to send to Mr. Smith for a horse to ride. Smith in pleasantry once sent him a valuable Jack-ass; not dreaming however that the Judge would make use of it. It was all very well however. The Judge mounted his Jack and began the circuit, but before he proceeded far, bargained him away for a horse of not one third the value. After three or four weeks, he came home from court, and sent home his neighbor Smith's horse without any explanation. Smith soon came over to see what had become of his favorite Jack. The Judge's first salutation was: 'Fore G-d, Mr. Smith, I reckon you'll learn, by next court time, not to send your Judge an ass to ride upon. A new court district was once established near the upper part of the State in a wild region, and it fell to Judge Burke to attend the first court. Not finding the way easily, as he drew near to the place, he asked a man to get into his chair with him and show him:—As the request was rather too peremptory to suit the free spirits of the mountaineers, the fellow saucily

refused. But 'fore G-d. said Burke, then we'll see whether the public interest must suffer for want of a pilot to the Judge, and springing out withall, he grappled the fellow neck and heels, laid him in his chair and forced him to point out the way. When he returned he was asked by a brother Judge how he liked the new county. Aye, says he, you sent me to administer justice, not among citizens but among beasts of prey. Their glaring eyeballs looked like vengeance and 'fore G— it wasn't any respect for their Judge that prevented them from coming at him; but it was this right hand, that ensured his safety. * * *

Thurs. April 4. * * * Witnessed a little piece of the Carolina policy in road and bridge matters. As long ago as my first coming to Cambridge, and I don't know how much longer, "*The Repairing of the Bridge over Henley Creek*" was in an advertisement offered "*to be let to the lowest bidder.*" Five or six planks would have made it passable, yet it remained unrepaired and impassable till yesterday, although on the public road to Augusta, and the creek being inconvenient for fording. * * *

April 10. This being "*tax day*", a multitude of people flocked into the village to pay their state taxes and also the direct tax of the U. S. which was laid by President Adams' Administration,¹ but which was never before collected in this State. I made particular enquiries about the reason of the delay, and could not learn that it was owing to any public aversion to the payment, but to several accidental circumstances, such as the death of some, and the failure of other officers concerned in the collection. This tax is laid on negro slaves as well as other objects. While we were at the tea table conversing about it, Mr. Lilly,² pointing to a boy that was waiting on the tables, said, "*There's a fellow that escaped this tax, by not being born so long ago as when it was laid.*" * * *

Sat. April 25. * * * Had the curiosity to attend Magistrate's Court, as they are called, held at the Tavern of Squire Lipscomb. They are usually held once a month, when all the causes that have occurred are brought together and decided. The justice and his constable prepared the proceedings, and both attend court. The parties come forward and state their own case, producing evidence to substantiate it. The justice

¹ Act of July 14, 1798.

² A Baptist minister with whom Mr. Hooker lived while at Cambridge.

then determines as he thinks equitable and right. There is very little form or ceremony about it, and attorneys never appear for the parties. * * *

Tues. April 29. Have noticed since my residence among the Carolinians, a great many peculiarities of phrase and pronunciation. Some of them are vulgarisms and some being a characteristic of their pursuits and manners are proper enough, and convey an idea with force. Thus sportsmen and from them the people at large have introduced in common use the word distance in form of an active verb. Example I shall wait for you only half an hour. Now return speedily; or, by — you'll be *distan'c'd*. The low country abounding with swamps, which often prove embarrassing to travellers, it has become common to say of one who has got into difficulty of any kind, He has got *swamp'd*. The Navigation term "*clear out*" is common and as often used, very expressive. Thus Mrs. L. the other day finding some of the negro children who had come into the piazza to play with the others, making an intolerable disturbance, stepped to the door and peremptorily ordered all hands to "*clear out*." The little negroes understood the commands and knew that their playthings were all to be removed and their departure to be final. Waggoners speak of being stall'd, when their wheels have got into a mud-hole too fast for their horses to extricate the load: and hence the term is sometimes applied to other cases, as for example to a school-boy, who is perplexed by an intricate question in arithmetic. To tote a thing means to carry it on the head: but it is sometimes applied to any lifting. *Carry* a horse to water is vulgarly used for *lead him to water*. *Crap* for crop. Even sensible men speak of their crap of cotton and crap of tobacco. *Hauling* wood and *hauling* fodder &c. is in general use for *getting* or *waggoning* wood &c. *Tackey* is universally applied to a mean horse. *By filly* is meant a mare—more especially a young one. *Cabin* is used for a log house or any poor mansion. *Raly* for *really*. *So help me* is an expression put by those who are not quite profane enough to annex the name of Deity, at the end of an affirmation which they wish to strengthen. The use of the word *like* is peculiar: Eg he acts just like he would if he were crazy. Instead of saying, I rode a little farther, the Carolinian says, I rode a *piece* farther. *Too* is used for a superlative—Eg. What a fine girl Miss W. is! She is *too* handsome. *Clever* for likely, learned, able, excellent. *Mighty* is in everybody's mouth, for *very*—also *powerful* for *big*

or *great*. *Very badly* is often used for *very much*: for which however, there is the authority of Horace: "*Cupis misere abire*". *I reckon* for *I believe*. *Cotch* for *caught* is very common. *Fotch* for *fetch* is in some use. *Yon* for *yonder*. *Good man* is often used for man of property, even without limiting the meaning to characteristic punctuality. "*All but*" is a favourite expression for almost Eg. We *all but* turned over. Did the horse throw him? *All but*. "*A heap*" is very awkwardly used in adverbial form for in a great degree. Thus: He likes it a heap.—"*Lie down*" is used for *going to bed* or retiring, and seems to be considered as a more refined phrase. The common introductory address to a Stranger is *Stranger*. Eg. Stranger, will you tell me which of these roads leads to Abbeville? For a term of calling, "*I say*" is usual. Thus, "*I say! Mr. H. are you going to the Post Office?*" When one calls loudly to another, the interjection O, is often inserted. Eg. Edmund! Edmund! O, Edmund! On the other hand, there are several expressions current among New Englanders, which appear equally odd to Carolinians: Such as a *stoop* for a *piazza*, a *stub* for a *stump*: a *keow* for a *cow*: *choars* for *little tasks*. Guess is a word, when used for believe, so confessedly Yankee. fied (as the Carolinians pretend) as to be made one principal criterion for determining who is a New Englander. * * *

Sat. May 23. * * * Capt. L.¹ was once a more public character than he is now, having been a member of the Legislature during the period which preceded the great change in politics throughout the Union. I suppose he was one of those influential citizens who were attached to Robert G. Harper,² and who did not afterwards join in the public denunciations against him. All who did not thus join were considered Federalists incorrigible—and to this day, in all electioneering campaigns throughout the old District of Ninety Six which Mr. Harper represented in Congress, there is no weapon with which a candidate can be more successfully annoyed by his opponent, than the public exhibition of him as "*one of Harper's men*." A mere Federalist is a *harmless creature*, compared with a Harperian Federalist.

[After this the writer was ill about a month.]

Wedn. July 2nd. * * * Great preparations are making for the celebration of Independence. The married gentlemen

¹ Livingston.

² See note on p. 884.

are to give a public dinner in the fields. I had quite a ceremonious invitation conveyed to me in a letter of the following form and address:

Mr. Hooker—Presid't of the
Cambridge Association College.

The Managers of a Barbacue given by the citizens of Cambridge and its vicinity, present their compliments to Mr. Hooker—Requesting him to favor them with his company on the fourth at Cambridge to participate of said Barbacue with sd citizens in commemoration of the fourth of July.

| | |
|-----------------------------|-------------|
| James Coleman. | } Managers. |
| Joseph Griffin. | |
| Toliver Bostick. | |
| William A. Douglass. | |
| Rich ^d Ringold. | |
| Tho ^s B. Waller. | |
| James Bullock. | |

Frid. July 4. A very fine morning. We began the celebration of Independence, in the Carolina way, this morning, by participating in a *flowing bowl* of Egg-Knogg, which Mrs L. had prepared: and soon after breakfast returned to the village, where, early in the day a large concourse of people was collected. About 11 o'clock the three companies of cavalry, artillery and Infantry were arranged and exercised by Brigade Major Butler, and reviewed by Maj. Gen. Butler, of Edgefield.¹ He appears pretty well on horseback, but exhibits far less dignity on foot. His dress is very plain: and his appearance throughout is more like that of an old Warrior (as I suppose he is) than of a mere parade officer. His rank in the militia is very high having under his command half the militia of the State, of which there are nine or ten brigades. He is at the same time a member of Congress. I did not however, at the dinner, when I was introduced to him, perceive in his honor any striking indications of greatness. He seems to be a man of sense and information, but not much polished and improved by education. The dinner was in a little thicket not far from the village, and consisted chiefly of roast beef and pork—cooked over fires that were kindled in a long trench dug in the ground, about a foot deep. About 200 dined together. The tables were served by negro slaves under the superintendence of the managers. What an incongruity! An Independence dinner for freemen and slaves to wait upon them. I couldn't keep the thought out of my mind, the whole time I was there feasting. Everything was well conducted except the toasts, the

¹ William Butler (1759-1821), major-general, member of Congress 1801-1813.

management of which was ridiculous enough. No notice was given when they were commenced, and they were drank by about a dozen at the head of the table, while the rest of the company were, some of them, eating, others talking and laughing and others sauntering about, without knowing of any toasts being drank, except by the sound of the cannon. Squire Lipscomb presided; but was too modest and inexperienced to keep the company attentive to what was going on. There appeared to be no partyism in any thing connected with the celebration. * * *

Frid. Aug. 1. Fine weather, as usual of late. Called in as I often do, and had some pleasant chat with Capt. Gowdy. He is an old inhabitant here and almost the only native citizen in the village or its neighborhood. He speaks highly of Col. Cruger¹ the British Commander here while the fort was in the possession of the enemy. Says he was a finished gentleman in all his conduct and treated the inhabitants with much civility, punishing his men for abuses committed and restoring to the owners plundered property. Some of his under officers were also civil—and all of them behaved with a gentleness that was much to their credit, when compared with the inhuman rapacity of the tory inhabitants. The siege of Ninety Six² is a favorite topic with the people in this vicinity. It is a pleasure to witness the animation that sparkles in their countenances, when in compliance with my request, they narrate the minute incidents of those trying times. Some of the striking particulars are these—the blockading of the British troops in the fort—the extension of a mine under the British works—the sallying out of a British force which in spite of a desperate resistance drove the Carolinians from the mine and surprised unawares the heroic fellows that were almost ready, under ground, to blow the whole garrison to destruction—the marching up of a pick'd company of valiants to haul down with hooks the bags of sand which lay on the top of the entrenchment, while muskets were incessantly blazing from behind them—the act of a courageous tory who notwithstanding the surrounding crowd of besiegers, galloped through and gained admittance at the gate, with advices of an approaching reinforcement.

Sat. Aug. 16. Warm but pleasant. Farenheit's Therm. 85°. Spent the P. M. at Capt. Gowdy's in examining the old archives

¹ Col. John Harris Cruger, loyalist commander at Ninety-six.

² In June, 1781.

of Cambridge College. Found them quite interesting. Some of the first characters in the State were among the Trustees: but it seems there used to be great difficulty in getting the Board together; and also in collecting the monies subscribed. The institution was founded soon after the war, recd a college charter in 1785—began to decline about 89 or 90 and to have fallen into almost total neglect about 1795 or 6. Great sums were subscribed which were never paid. One or two of the subscriptions were one hundred guineas. Mr. Dessaussure of Charleston¹ appears to have made great exertions in favor of the Seminary. * * *

Tues. Sept. 2. * * * The people about here begin to feel quite interested in the Congressional election. Much electioneering is often used on these occasions. The following will suffice to shew what means are sometimes used and what kind of people the electors must (in considerable numbers) be, since such reports are capable of gaining credit. Gen. Casey² of Newbury, who represents this District is an old soldier, and a respectable, though not a great man. A report is now circulating that he is in favor of a speedy and universal emancipation of the slaves—that a bill for that purpose was rejected in Congress at the last Session by only a small majority, and that it is all-important for slave holders therefore to withhold support from any man who is friendly to emancipation. A story was some years since circulated and believed that Mr. Hunter wished for a law obliging every man who owned fewer than 8 or 10 slaves and a certain quantity of land to give them up to those who had more. At the same time it was well known that Mr. Hunter³ had not that number. Yet he lost his election and Robert G. Harper was sent in his place. * * *

Sept. 6th. * * * Muster day for the three militia companies: of course much company and noise in the village. Electioneering for Cong. and the State Legislature is going on rapidly in this district. A person told me he had seen letters from a person to several voters, announcing himself a candidate, and soliciting their patronage and influence. To such a height does the fondness for office and power rise. Malicious statements and letters to the injury of Col. Colhoun and Ezek. Colhoun are now in circulation— Col. C. is an elderly gentleman

¹ Henry William De Saussure (1763-1839), afterwards a chancellor from 1808 to 1837, and famous in that capacity.

² Levi Casey, member of Congress 1803-1807.

³ John Hunter, member of Congress 1792-1795, Senator 1797-1798.

of much respectability and an elder in the Presbyterian Church near Vienna—Now in the State Senate, but a candidate for Cong. against Gen. Casey and Maj. Elmore. I hear a very good account given of the Colhoun family generally, as being firm friends to religion and good order. J. C. Calhoun¹ is a nephew of this Col. C. and son to old Patrick Calhoun another Presbyterian elder. The Rev. Mr. Waddel² is his brother in law—Indeed he is surrounded by religious relations, who had always calculated him for a minister and sent him to Yale College with that view. * * *

[On September 15, 1806, the diarist set out with his friend the Rev. Mr. Lilly for a tour of seventeen days, from Cambridge up into the Carolina mountains and back.]

Tues. Sept. 16. * * * We stopped at Old Mrs. Maxwell's a little beyond: * * * The family are of the most respectable class. Irish origin. Quite religious and of the Presbyterian denomination. House and furniture old and plain. Everything exhibits the appearance of order and industry. More books than usual on the shelves and these mostly religious. To this family belonged the Hon. Robert Maxwell, once a State Senator and afterwards High Sheriff of Washington District; who was basely assassinated a few years since by some of his ruffian enemies. The instigator, if not the principal agent in the horrid deed was a Dr. Kennedy of Georgia, brother to the Kennedy who married Miss Baldwin of New Haven. He was apprehended and imprisoned for trial, but broke jail and escaped, was taken again, but rescued by a band of desperadoes. Mrs. Maxwell, his mother, seems to be much affected in speaking of the circumstances. * * *

Thurs. Sept. 18. * * * This part of the state,³ is just now in a state of some agitation, on account of the approaching elections. It is curious to see how high is the popular tone on all such subjects.—A stranger would be led to think the fate of the United States depended on the choice which these people are about to make of Capt. Earle, or Col. Alston,⁴ or Dr. Hunter for a Congressman, neither of whom, nor the people who vote for them, are probably *valued a straw* at the seat of gov-

¹ John C. Calhoun was a college contemporary of Hooker's, graduating in the class above him (1804). There is, unfortunately, no other reference to him in the diary. His uncle, Col. Joseph Calhoun, was a member of Congress from 1807 to 1811.

² Rev. Moses Waddell prepared Calhoun for college.

³ Near Pickensville.

⁴ Elias Earle had represented this district in the Ninth Congress (1805-1807). Lemuel J. Alston, successful in this canvass, represented it in the Tenth.

ernment. We met with one of them this forenoon, at a spring where we stopped to drink, and suspecting from his look and demeanor that he was some candidate for public favor, on an electioneering campaign, soon discovered that his name is Earle. He was very civil in recommending to us what parts of the mountain to visit as most interesting and informing us where we could find accommodations, guides &c. From Reid's we rode towards the mountains which for some time have been presenting to our view, their awful summits, in all the rude majesty of nature. We had not proceeded two miles, when we heard issuing from the thick woods that crowned the bank of Woolenoy river, the shrill-sounding voice of the mountain preacher. It was now the middle of the afternoon. The good people of Woolenoy Valley had assembled at their meeting house, for public worship. We drew near and listened. Rarely have I felt so pleasingly solemn emotions. The strangeness of the place—the shady gloom of the forest, heightened the contrast with the delights of a beautiful sunny afternoon—the sacred silence of the scene, as though the oaks themselves were listening to the preacher—joined to a sort of veneration for the character of these, simple honest, inoffensive and I hope religious mountaineers,—all conspired to raise my tone of present feeling far above the usual standard.—We alighted and went in. Our entrance caused some interruption. Several rose to give us seats—some offered to take our hats—and all stared at us. Mr. Lilly was recognized by some of the congregation. I heard their whispers. I can't think of his name said one—I've heard him speak, said another—Yes, rejoined a third, he's one of the first preachers in the country. I, on my part, wondered no less than they. The congregation was truly a novelty. I had heard of the simple manners of the mountain people, but I had not expected to find simplicity itself out-simplified. Many folks, I am sure, would censure their appearance, as indecent. The women were mostly without stockings and shoes; while a *shirt* and petticoat composed their whole dress: but some, in addition to these, had (I suppose, *by way of superfluity and set-off*) a handkerchief spread over their shoulders and a man's hat on the head. Their cloths however, as well as their persons, were, without exception clean and neat. The appearance of the men was also remarkably simple: but it struck me less disagreeably than that of the women. They too were mostly barefooted, and,

(to use a common phraseology) in their shirt sleeves. The old adage, *as is the people, so is the priest*, was here exemplified; for Mr. Adams was likewise in his shirt sleeves. The sermon being ended, the preacher, who had perhaps seen Mr. L. before or else knew him by his dress and demeanor, to be a clerical brother,—observed that he was rejoiced to see in the house one of his brethren, from a distance, and should be glad if he would come up into the pulpit and add a word of exhortation to the people. Every eye was turned towards my friend, with eager expectation, when he rose from his seat, and modestly declined, alledging, by way of excuse, the fatigue of his journey. It pleased me much to see lying about the seats, a number of school books, but particularly Webster's Spelling Books. I could not have supposed before that they had found their way into these remote and obscure regions. After meeting, we accepted of a cordial invitation from Mr. Adams the preacher to ride home with him; he having, with some of his neighbors, promised to be our guide, tomorrow, in ascending Table Mountain. Crossing the Woolenoy, a few rods from the Church, we rode along the valley, parallel with the mountain range, about four miles and reached the humble mansion of the preacher an hour before sunset. It is on the most public road which leads through the valley—yet the road is very obscure, and the spot lonely. The house is a framed one—but has one story—comfortable size—furnished in a way and inhabited by a family exactly corresponding to the stile of the people, whose minister it belongs to. Our dinner was soon served up for us. It consisted of fresh pork and sweet potatoes cut up and set on in a large tin pan, without any bread or sauce, or any accompaniment, except salt. A chest not higher than our knees served for a table:—The end of another chest served for a seat for our kind host; while my fellow traveller and myself occupied the only chairs in the room. Having taken no food since morning our dinner relished well. We ate very heartily, and I have rarely perhaps never, made a meal with more satisfaction. After prayers, we retired early to a coarse but comfortable bed, which was furnished with curtains of a coarse sort of gauze.

Frid. Sept. 19. Mr. Adams is a young man of perhaps thirty-two—not much improved by information—nor much acquainted with any books except the bible—but accustomed to hard labour for his subsistence. His wife appears also like a

hard working woman—Both however, but especially the woman, are patient, obliging and hospitable to the last degree. They seem to estimate highly religion and religious people:—and they say they live among a religious community. Their proximity to the western country has probably tintured the religion of these mountaineers—who speak with animation of the wonders that have been done and are doing in Tennessee and the back parts of North Carolina. We yesterday fell in company with two preachers, who were about crossing the mountain to attend a great Camp Meeting on Pigeon river—and who were quite solicitous that we should extend our journey a little and go with them. * * *

[The diarist and Mr. Lilly and Mr. Adams ascend Table Mountain, and return to the Woolenoy.]

Sun. Sept. 21. * * * During the service a little event happened, such as I am fond of noting, as exhibiting traits in the manners and character of the people. Two candidates for public favor who were out on an electioneering tour, came into the church attended by two or three others. One was Col. Alston of whom I had heard much in these parts, and who was exerting all his energies to get a seat in Congress: the other was a kind of understrapper to him by the name of Toliver, who was so modest as not to ask for any thing higher than a seat in the State legislature. They were returning from a Barbacue which Alston had yesterday given to the people on twelve-mile-Creek, and it having been last night announced that he would attend church here the expectation of the mountaineers was of course excited: for of the various candidates, he was one in whose favor they were considerably prejudiced. When he came in, all was attention. Men, women and children gazed at some strange sight. From the Colonel's demeanor, a superficial observer would suppose he really came thither to worship God: but an adept in the science of human nature, would (if a Yankey) be apt to *guess* that he came to worship the people. He seemed to pay the strictest attention to the preacher, and to join fervently in the prayers; and after the hymn was read, he rose from his seat and joined in the singing; at which almost every other man in the house also rose, with an obsequiousness that disgusted me. Just before dismissing his congregation, I could not but smile to hear Mr. Dowther give notice "that *Old Father Roper's* funeral sermon would be preached" at a certain time and place. This plainness of speech is com-

mon to the Mountaineers, who often call one another of the same age by their christian names, and those who are older by the friendly appellation of father, uncle, or aunt.—A curious farce was played at the Church door after meeting. The candidates had stationed themselves conveniently, and were now very busy in saluting every man in the crowd, taking care to call by name as many as possible, and putting themselves on the terms of old acquaintance. Col. Alston was perfect master of the art, and played his game with so much adroitness as almost to persuade one that nobody could have a more cordial attachment to him, or feel a greater interest in his welfare:—but Toliver was much more awkward: and being necessitated to struggle against a more than ordinary share of clownish rusticity, he in attempting to be polite made most blundering work of it. Col Alston has seen Mr. Lilly formerly and was now quite exuberant in his attentions to him. Myself also he pretended to have seen at Cambridge—was overjoyed to meet with me now &c. &c. He might have seen me—perhaps passing in the street—or in some other situation; but confident I am that he never spoke to me—nor do I recollect ever hearing of such a man till within a short time. I presume it was merely a part of his electioneering system—or in plain terms a downright lie. His whole demeanor however was marked by such easy civility, as to gain the good will of all. He pressingly invited us to extend our journey into the District of Greenville, and to make his house our home for a few days. * * *

Mon. Sept. 22nd. * * * Approaching the village of Greenville, we pass in view of Chancellor Thomson's¹ beautiful seat—quite retired in the woods, about two miles from the Court House. Arrived at Col. Alston's about 12. His seat is without exception the most beautiful that I have seen in South Carolina. The mansion is on a commanding eminence which he calls *Prospect Hill*. Fronts the village of Greenville from which it is distant just six hundred yards; and to which there is a spacious and beautiful avenue leading formed by two rows of handsome sycamore trees planted twenty four feet apart—the avenue being 15 rods wide. In like manner another handsome avenue formed by cutting a passage through the woods leads from the north front of the house to the mountain

¹ Waddy Thompson, sr., a judge from 1805 to 1828.

road, about quarter of a mile in length. The cultivated grounds lie partly on the borders of the great avenue leading to the village and partly on the borders of Reedy river, south and west of the House. * * * Col. A. is as liberal in treating with liquors as any body, perhaps, yet not extravagant. Not aiming to shew his liberality by having the wine and brandy cover the table and floor in slops, nor leaving it standing about open, but on leaving the drinking room to go to dinner or elsewhere he carefully corks and sets up the decanter and bottles in the sideboard, himself.—After dinner, I took a pleasant walk to the village with Mr. Henderson, a young lawyer, who is half brother to Col. Alston. Introduced there to G. W. Earle Esq. the Clerk of the Court, and Capt. Cleveland, a merchant. The Court House is a decent two story building. The jail is three stories, large and handsome. The situation and aspect of the village is quite pretty and rural: the street covered with green grass and handsome trees growing here and there—but there is a want of good houses—the buildings being mostly of logs. About six dwelling houses, two or three shops and some other little buildings. The place is thought by many to be as healthy as any part of the United States. Not a seat of much business. The courts sit but twice a year and often finish their session in two or three days. Only one attorney, and law business dull. One or two physicians in or near the village; but their practice is mainly at the *Golden Grove*, a fertile but unhealthy settlement ten miles below. One clergyman within six or seven miles who preaches at the Court House once in three or four weeks. On our return, at tea time, we found a young Mr. Cleveland from Tuguloo settlement in Pendleton, and several others who had met Col. Alston to consult about the Electioneering matters. A social company spent the evening here. It was somewhat amusing to hear the various conversation on such topics. From what I have heard I learn that the great objections relied on in the Electioneering war are that Hunter is so good a physician that he can't be spared long enough to go to Congress—that Earle does not respect religion, for when he is on his electioneering campaigns instead of going into the church he stays out in the Shade with such as choose to stay and drink with him. and that Alston is a federalist and in favor of a stamp act and too rich a man! Alston too lays great stress on the objection that the others are not Speakers—and he tells a

story of their all three mounting a stump, and addressing a militia company a few days since at the request of the Captain who wished his soldiers to have an opportunity of judging on their respective merits. He at the same time repeats the speeches made by them severally, taking care to represent the others in a manner comical enough. The fact is Alston is flip-pant on every thing whether he understands it or not,—but unless he finds his seat in Congress on something better than his oratorical powers, he will have, I am sure, but little support from men of sense and discernment. * * *

Wedn. Sept. 24. * * * Henderson in the course of his pleasant chat related several anecdotes about his brother Alston's art in electioneering. Among other things he told me that the large family-bible which lies on the table in the keeping room was not bought till since he became a candidate for Congress, and was then got for the purpose of making a good impression on such as might call in. * * *

Thurs. Sept. 25. * * * Passed the time in a pleasant and instructive way. The general¹ converses with ease and perspicuity on all Congressional topics appears to possess much valuable information on the state of the country, and to be candid and independent—not a partisan, but acting from the result of his unbiased judgment. He is liberal in his sentiments—well versed in the knowledge of men and manners. Tall, stout, well built and of a military figure, quite grey and rather advanced in life. Perhaps sixty years old. He shewed me a tolerable likeness of himself, done in gold leaf by Amos Doolittle of New Haven—and several painted likenesses of his Congressional friends. He related also many interesting and pleasant anecdotes of Congress men and measures. He is well acquainted with Duane, the editor, of the Aurora; and thinks him a man of the most extensive information he ever knew. He says that with those whom he knows perfectly, he is very intimate, but quite reserved in talking to one whose name and character he does not well know. Those well acquainted with Duane often go to him for information on Congressional topics and he is never at a loss to explain to them any point or else direct them to some book that will place the subject in a clear view. Duane has always made it an object to know and he does perfectly well know the name, character and residence of every man in the United States who is anything of a public man, and can give you almost any information respecting them.

¹ Gen. Thomas Moore, member of Congress 1801-1813, 1815-1817.

Gen. M. speaks highly of J. C. Smith of Conn. as a candid, well informed and great statesman and of Griswold as a financier—Mr Bidwell and Mr. Randolph also he considers men of talents. * * *¹

Sat. Sept. 27. * * * We arrived at Greenville about 9 and after breakfast, rode to Pickensville 13 miles in company with Col. Alston and a young Mr. Lester. Forded the river Saluda in our way become by this time, a wide, but shallow, stream interrupted by rocks and considerably rapid. Arrived about noon. Quite a public day there. A regiment of cavalry paraded in the woods, made a martial appearance, but there was a coarseness and rusticity about them, characteristic of the country they inhabit. It is said the troops were called out in subserviency to electioneering purposes. Several hundreds of people came together: the houses and streets were thronged. The three candidates for Congress, Alston, Hunter and Earle were present electioneering with all their might—distributing whiskey, giving dinners, talking, and haranguing, their friends at the same time making similar exertions for them. Besides these, there was a number of Candidates for the Assembly. It was a singular scene of noise, blab and confusion. I placed myself on a flight of stairs where I could have a good view of the multitude, and there stood for some time an astonished spectator of a scene, the resemblance of which I had never before witnessed: a scene, ludicrous indeed when superficially observed, but a scene highly alarming, when viewed by one who considers at the same time what inroads are made upon the sacred right of suffrage. Handbills containing accusations of federalism against one, of abuse of public trust against another—of fraudulent speculations against a third—and numerous reports of a slanderous and scurrilous nature were freely circulated. Much drinking, swearing, cursing and threatening—but I saw no fighting. The minds of uninformed people were much agitated—and many well-meaning people were made to believe the national welfare was at stake and would be determined by the issue of this back-woods election. Dr. Hunter conducted with most dignity, or rather with the least indignity on this disgraceful occasion—confining himself to a room in the tavern, and not mixing with the multitude in the street—Alston fought for proselytes and adherents in the street; but took them into the

¹ John Cotton Smith, Roger Griswold, Barnabas Bidwell, John Randolph. See previous notes.

bar-room to treat them but Earle *who loved the people more than any of them*, had his grog bench in the middle of the street and presided over the whiskey jugs himself. Standing behind it like a shop boy behind his counter, and dealing out to any one who would honor him so much as to come up and partake of his *liberality*.

Earle is the present member. I wish it were possible for Dana¹ to see him in his present capacity, that he might give him a true send off at the seat of government, and sure I am that his honor Capt. Earle would have hereafter very little ambition to shew his head in Congress Hall. I was introduced to a number of Strangers on this occasion—among the rest to Chancellor Thomson and Mr. Andrew Pickens. The Chancellor is a sleek, beauish young man of about thirty—whose dress and general appearance as illy accorded with my notions of a Judge's gravity as the active part which he was taking in this electioneering squabble accorded with my notions of a Judge's impartiality. He treated me very politely and invited me to visit him at his house. Mr. Pickens is a worthy young gentleman of about twenty-six, son to old Gen. Pickens² who figured in the revolution. He graduated at R. I. College and has lately been admitted to the bar. He is respectable, well informed, has the character of being sternly virtuous, and upright—and is a man of abilities—but his mien is rather authoritative—and he is so independent in opinion as to appear somewhat dogmatic. I was gratified to meet with at least one man who came hither not to *gull* nor to be *gulled*, but like myself to observe mankind—and who could so readily and so feelingly deplore the abuses of freedom which it is becoming so common to commit. Towards night I left this scene of clamor and confusion and disgrace, which seemed likely to continue through the night, and rode nine or ten miles on my way to Pendleton. Very few houses on this road, and the land unpromising in appearance. Found good accommodations, at the house of Mr. Johnson, where I again met with Mr. Pickens. My host proved to be a worthy young man and in his and Mr. P.'s company I spent the evening agreeably.

Sun. Sept. 28th. * * * Rode on to Pendleton Court House before breakfast, leaving Mr. P. behind, having prom-

¹ Samuel W. Dana (1760-1830) member of Congress from Connecticut.

² General Andrew Pickens (1739-1817) was conspicuous for his services in the southern campaigns of the revolution. His son, Andrew Pickens, who was graduated at Rhode Island College in 1801, was governor of South Carolina, 1816 to 1818.

ised to meet him again at church today and thence accompany him home: for he had invited me to spend two or three days with him. Pendleton village is pleasantly scattered over a cluster of little stony hills, and is laid out in four squares—has ten or twelve good houses (some of which are large and handsome) a strong stone goal, and an old Court House. * * * Mr. P. introduced me to his consort an accomplished young lady who is a step-daughter of the Rev. Mr. M'Elheny:—and agreeably to my engagement, I accompanied them home. They live in the old family mansion—the general his father having removed to a farm at the foot of the mountains 15 or 20 miles distant. The house stands on a high and prominent bank of the river Seneca, w^h after coming boldly up to the foot of the hill at the end of the house, turns suddenly back, and then circuiting round about half a mile in front of the house forms a large and beautiful tract of fertile low grounds in full view. It was on this spot of intervale, that the famous treaty of Hopewell was formerly made between Gen. Pickens on the part of the State, and the powerful tribe of Cherokee Indians,¹—The house is two stories high—has an oldish appearance—furniture decent not elegant—table well furnished—Mr. P. asks a blessing at table (sitting) with much decency—a practice more common than I feared it was for a considerable time after my coming into Carolina. I observe it in many families of respectability in the upper country—even in those where no particular pretensions to religion are made. * * *

Mon. Sept. 29. * * * After breakfast Mrs. Pickens entertained me with a number of fine turns on her piano-forte, accompanied by her voice. It was a species of entertainment that I had little expected to find among the *unrefined people of the upper country*, and therefore the pleasure was doubly exquisite. Mrs. P. informs me there are two piano's besides her own, in Pendleton. After this, rode with Mr. P. into his low grounds, and saw a beautiful meadow of red grass and white clover which every year affords him a great quantity of hay. About six acres of it. It is the only meadows I have seen in South Carolina. He is much like a New England farmer in having a large barn filled with hay and grain—in working oxen, in cultivating apple-trees, and he says he intends to get still more into that way, and to be less intent on cotton and other money-making crops. * * *

¹ Treaty of November 28, 1785, negotiated for the United States by Pickens and three others.

Wedn. Oct. 1, 1806. * * * I came home [to Cambridge] in excellent health and with a fine stock of good spirits—and I brought with me some corrected notions of the Mountain people, who have not unfrequently been represented as intolerably savage in their manners—I have met with as pleasing instances of genuine politeness and courtesy and behavior among them as in any country parts of the State: and I have reason to believe the proportion of well bred people near the mountains is as great as any where else. * * *

Wedn. Dec. 31. Met with 2 or 3 Kentucky horse drovers in the village and being anxious to learn the feelings of that class of people respecting Col. Burr's projects in the west, I easily scraped a sort of Yankey acquaintance with them. One of them who was just from Frankfort where some of the operations have lately undergone public scrutiny told me he thought Burr a d—d good fellow, and had many friends. Once said he I used to think him proud, but I am much disappointed and find him a clever, affable good natured fellow. * * *

[Having been called to a tutorship in the South Carolina College at Columbia, Hooker left Cambridge March 3, 1807, and on March 6 began his service as tutor.]

JOURNAL NO. 4.

Sat. April 18th [1807]. * * * The Ct. adjourned about $\frac{1}{2}$ past 10. It appears to me that courts here are in a much greater habit of expediting business than in Conn: 2 juries being kept by here, that as soon as one case is submitted to one jury, and they have retired, another may be immediately begun with another jury. Sometimes the latter jury goes out before the other comes in: when the Judge improves the time in hearing motions and doing that kind of business which may be done without a jury.—Judge Trezevant¹ who held this court is extremely industrious and indefatigable.—He appears to be about 36 or 7 years old is very thin and reduced, low in health and been in a consumptive, declining way several years. Still he goes into court at 9 in the Morn'g, and sits frequently till 8 or 9 in the evening without leaving his seat more than once throughout the day: once this week and only once he discharged the court about an hour and half for dinner.—He is very rigid in adhering to the rules of Court and the general rules of law and will by no means vary from them without the

¹ Lewis C. Trezevant (1770-1808) judge from 1800 to 1808.

most extraordinary and forcible reasons: very precise too about order, not suffering any the least unnecessary noise: and often reprimanding the sheriff if he does not see order kept and decorum observed. His charges to the Jury are very short, clear and illustrative and usually given with an appearance of great impartiality. He is sometimes displeasing by being so authoritative: frequently stopping the attorneys and making them sit down or take a different course of argument. * * *

Sat. July 4th. * * * The exercises [in the college chapel] were the singing of one Ode, one psalm tune and 1 National song, a Prayer by President Maxcy¹ and an oration by myself,—and they took up about an hour and half.—After meeting the several dining parties retired to their several retreats. A social party of between 20 and 30 citizens dined at Mr. Chapman's:—amongst whom were Col. Taylor, The Intendant and other town officers, the Pres. Profrs and Tutors of the College and several State officers, together with the sheriff and clerk of the District. Much harmony and good humor prevailed; The toasts were moral, patriotic, and free from party spirit.—There was one singular circumstance I observed in making out the toasts which might seem to denote an inconsistency in the republicanism of some people. The Hon. J. Taylor (a Mem. of Congress) The Treasurer and Surveyor General of the State together with myself were appointed a Committee by the Pres. of the Board to draw up a sett of Toasts. We all of us proposed such as occurred to us; and I after proposing several which were accepted, suggested the following viz:—"The principles of rational liberty—May the blissful period ere long arrive when they shall prevail throughout the habitable globe." I, in proposing it, had in view the other nations of the world in general, without once recollecting the circumstance of slavery in our own country. Taylor took it up and looking it over a little seemed at first to find no fault, but all at once spoke out; "O this will never do! Why 'twill include our cursed black ones," or words to that effect. I replied "Really I did not think of those in making out the sentiment. However I suppose there is none of us but would wish it to extend even to them at some period or other." Here all paused a little: When the Sur. Gen. said "I hope it may not be till we are gone." Says I, Well if the

¹ Jonathan Maxcy: see note 5 on p. 847.

words "ere long" are objectionable we can omit them and substitute others. Taylor said the toast would not be an acceptable one at the Table, so we concluded to drop it. * * *

Mon. July 6th. Very hot.—News arrived last night of the insolent attack of the British frigate Leopard upon our Frigate Chesapeake.¹ Today the minds of people are greatly roused and Col. Hampton has been about proposing to have a meeting of the citizens on Wedn. to enter into some resolutions on the subject. * * *

Wedn. July 8th. Excessively hot.—A meeting of the citizens of Columbia and some from Granby assembled at the State House at 12 o'clock to consider the subject of a late British aggression. But though a pretty large number flocked in at first, there appeared to be a great degree of coolness and indifference, considering the serious nature of the subject; for some soon went out before the business progressed and a great many before it was finished; and little or nothing was said by anybody. Mr. Stark went up into the Speaker's desk and informed the people of the subject of the meeting and nominated Col. Taylor Chairman. Maj. Clifton was then nominated Sec^y when after waiting a long time to get ink and paper, Mr. Stark read the account of the Chesapeake and Leopard from the Charleston Courier and then having made a very short comment, nominated Mr. Wade Hampton, Mr. Nott² and Mr. Thos Taylor a Committee to draw up a sett of resolutions expressive of the sense of the meeting, and also an address to the Pres. of the U. S. A. * * *

Sat. July 11th. * * * Attended the town meeting at 11 o'clock where several resolutions were reported by the Committee and agreed to by the citizens after some debate. There appeared to be more feeling and interest than in the last meeting. * * *

Sun. August 9th. * * * Col. H. [Hampton] is now very open in favor of what he calls "Hamilton's System"; viz an energetic system. A large navy, display of power and conquest. True says he to Brazier and myself A navy will cost money, but we must make up for the expense by conquering some of the W. India islands any one or two of which will bring us in wealth enough in a year or two to pay for a navy. He would not conquer he says to admit them to equal rights with ourselves, but

¹ June 22, 1807. ² Abraham Nott (1767-1830), Yale College 1787, judge 1810-1830.

to "make slaves" of them. Colonize and make them productive of wealth. He acknowledges his opinions are directly opposed to what they once were, for he used to execrate Hamilton's politics and to start at the suggestion of any expensive measures:—Says he we have witnessed two glaring examples which make against our principles. Our principles that we have been contending for are Democracy or something as near to it as we can get. The first is that of the French people who by endeavoring to get a government of a popular kind have fallen into a cruel despotism. The next is that the majesty of our nation has been and may at any time be outrageously insulted by any little d—d British frigate and yet we can't help it. * * *

Thurs. Aug. 27th. Pleasant but warmer than of late. A military day and the town busy. A Company of Cavalry out and All the officers of the foot regiment. A good deal of drinking and some squabbling. 2 persons at Greens at Dinner were for hurling their chairs, knives &c at each other, but were prevented. The people about here seem very fond of being military characters, but still do not enter into the proper spirit of it. One man who has been Capt. of the troop and regularly resigned 2 or 3 years ago entered the same company again today as a private soldier. The Lt. Gov. of the State actually attended the meeting of the officers of the Regt today as a Capt. I am told, and does in fact command a company of common militia, in which there is not perhaps one man except officers equipped and uniformed. * * *

Thurs. Sept. 24th. Fine weather. Mr. Kennard tells me there are about 300 voters in the District (Richland) and among these he does not believe that there are 30 or at most 40 of them who are in tolerable circumstances (that is, with say, 100 acres of land and one negro to work on it) but on the contrary are very poor and very ignorant, generally lazy and often drunken. * * *

Frid. Oct. 2nd. Rather warm and foggy. Saw today a drove of 21 newly imported Africans pass by with 2 men who were on horse back. They were all dressed in red jackets and blue trowsers, and most of them walked Indian file. Poor fellows! they gazed about on the houses and people as they passed through the street, and did not seem to be dissatisfied. They did not know, I suppose, what they were coming to. Saw today an account of Y. Coll. Commencement. It seems there were 60 Bachelors and 25 masters one D. D. and one L. L. D.

Sat. Oct. 3rd. Cloudy and pleasant. Maj. Clifton had last week inserted in the papers a public notice headed with the words "Grand Parade"; ordering out his Battalion for military exercise: accordingly, 4 companies of infantry and one of artillery making about 160 or 70 men appeared before the State House at 10 o'clock. A number in every company were without guns, all were without bayonets and two-thirds without cartridge boxes. One company at first appeared to have only one officer and he had neither gun, sword, epaulette, boots nor anything more than a common overseer not even a military coat nor so much as a stick in his hand: After a while a Capt. came and exercised them from a "Steubens exercise" reading out the words with an affected drawling tone like an awkward schoolboy. However after the battalion was formed they appeared better than I expected and performed most of the evolutions, except marching, with tolerable propriety for this country. After a short intermission at noon, the Battalion was exercised an hour or so and then drawn up in a solid column to hear a spirited and truly military harangue from Maj. Clifton on the subject of the call from the President for a quota of militia. He exhorted them to be bold in their country's cause, to disdain a draft, and voluntarily offer their services to government. His address was about 8 or 10 minutes long: then giving them a minute or two to reflect on it, spread them out in a line and ordered the drums to beat along in front from one end of the Batt'n to the other. When every man, both officers and soldiers stepped out 8 paces in front as a token of their offering (except 4 or 5 who as I afterwards heard were not enrolled members of the companies). The spectacle would have been truly pleasing if the men had all been equipt or even provided with guns only, but as many were not, it was so far too much of a burlesque on the thing to be entirely pleasing. There was a good deal of joy expressed and a number of cheers given by all the Batt'n and spectators. After dismissal, a number of persons, not obliged to do duty came up to the officers and offered their services also. Each of these was raised up on the shoulders of the crowd amid the huzzas of the multitude.—A good deal of noise lasted most of the night. * * *

Tues. Nov. 17th. Damp and rainy, cold and uncomfortable as yesterday. Four of us today sent in a written request to Judge Bay¹ to assign the law students a convenient seat in the Court

¹ Elihu Hall Bay (1754-1838), a judge from 1791 to 1838, and author of Bay's Reports.

Hall, which he did very readily and told the Sheriff to allow us to occupy the corner near the Judge's seat and at the end of the Jury's. The Judge got provoked at the talking and moving about in Court this forenoon and ordered the Sh'ff to take into custody whoever he should find talking. Rives went to the crowd near the door and brought up to the Judge a well dressed, civil man who had been talking lightly, and the Judge, after a severe reprimand ordered him to jail. At night application was made for his discharge but Bay would not grant it. I thought the whole looked like oppression and Mr. Scott said if a judge in Virginia should do so, he would be torn in pieces:—He said if he should send him to prison he would not hesitate to kill him, and, as it is, would call him a rascal, if it should come his way. He thought it sufficient ground for an impeachment.

Wedn. Nov. 18th. Cold, but clear and pleasant. This forenoon the man imprisoned for talking was brought into court and the Judge after another short lecture and admonition told him he might be at liberty on paying the jailor his fees.

JOURNAL NO. 5. S. CAR. COLLEGE.

Sun. Nov. 22nd. Fine day. Columbia now begins to assume a gay and lively appearance. Legislators, Lawyers and Judges begin to flock in. * * *

Frid. Nov. 27th. * * * Attended court in the A. M. and heard E. Pearson¹ examined for the bar. The Exⁿ did not last more than 5 or 6 minutes. The questions were few and of a general nature, though various and unconnected. Such as "What are the great divisions of Law? Ans. Rights of Persons and Rights of Things. What are the foundations of actions? Ans. Torts and contracts. What is the first step in an action? Ans. Writ. 2nd. ? Decⁿ. Suppose a special plea is put in by Def. what must the P'ff do? Ans. Reply to it. What does our Municipal law consist of? Ans. Writ. and unwritten. What is the Written? Acts of Assembly and Congress. * * *

Frid. Dec. 4th. Very rainy and unpleasant. The legislature is at present very busy in the impeachment of a Col. Doyley of Charleston late Treasurer. The Senate forms the Court and sits with the chairs and tables turned round the contrary way from what is usual, and the members mostly wear hats. The four solicitors who are the Senate's advisers in matters of

¹ Philip Edward Pearson, afterward State solicitor.

law sit in their black gowns at a semicircular table near the President. The Managers on the part of the House of R. and the counsel for the respondent also wear gowns. The Managers are Mess. Gist, Simmons, and Drayton.¹ The Counsel Mess. Nott (from Connecticut) and Maj. Ch. Goodwin (from England). Nott has been speaking today two hours or more, principally on the law points which are involved. He contends that an impeachment must be brought while the officer is in power or not at all; and Col. D. has been out of office several years. He is accused of wasting or misapplying 10,000 dollars of the public treasure. * * *

Mon. Dec. 7th. Commencement Day.—Weather delightful.

The exercises of the day began between 11 and 12 o'clock. The pieces were few but tolerably good. There were 5 regular graduates besides 2 Bachelors from Yale C. and 1 master, from Rh. Island College. The music was instrumental and very good; the performers being 4 or 5 of the best in the state. The degrees were conferred with considerable form. The President came down from the pulpit and addressed the Trustees briefly in Latin and introduced the candidates. Then took an arm-chair which stood a little forward on the stage and I took another Chair at his left-hand holding a handsome gilt duodecimo volume of French. They came on by 2 and 2. The Pres. addressed them in Latin sitting. Then presented the book; which they held while he said another sentence, and then returned to me. They being then Bachelors, the President rose from his seat and acknowledged them as such, in Latin. Then they retired and 2 others came on. The Pres't then pronounced *a degree conferred* on one of the class who was absent, and on one Master—a Mr. King of Darlington. He then went back to the pulpit and pronounced the Honorary degree of L.L. D. conferred on J. Drayton, Esq. of Charleston and D. D. on the Rev. Messrs Furman and Percy of Charleston, Waddel of Vienna and Alexander of York.² After this the graduates went out on the stage before the pulpit and the

¹ Keating L. Simons (1775-1819) and William Drayton (1776-1846), leaders of the Charleston bar.

² John Drayton (1766-1822) was governor of South Carolina, 1800-1802, 1808-1810, and author of a View of South Carolina and other books. Richard Furman (1755-1825) was for thirty-seven years minister of the First Baptist Church in Charleston. William Percy (1744-1819), an English clergyman of the Countess of Huntingdon's connexion, was assistant in St. Philip's and St. Michael's churches, Charleston, 1805-1810. Moses Waddell (1770-1810), a Presbyterian clergyman, brother-in-law of Calhoun, was at this time head of a famous classical school at Willington, near Vienna, S. C. Joseph Alexander (d. 1808) Princeton 1760, was a Presbyterian minister at Bullock's Creek, York County.

Pres. made them a handsome parting address of about 15 or 20 minutes. The Valedictory followed and music closed the exercises. * * *

Frid. Dec. 11th. Warm and pleasant. Attended the debates of the legislature in the P. M. Mr. Speaker Alston made an elegant speech of about $\frac{3}{4}$ hour in a Com. of the whole on the inequality of the representation. His speech was evidently a studied one, and in one or two places rather stiff, affected and unnatural. However, it was on the whole one of the most elegant things I ever heard in my life: the product of much reading and observation and exhibiting great fertility of imagination. * * *

Mon. Dec. 14th. * * * Then went to Mr. Chapman where I heard Governor Drayton play a few tunes admirably on the piano forte. Then went to the Representatives Chamber where I heard the Rev. Mr. Weems a famous preacher, author, book-seller &c.¹ preach an eloquent extempore sermon on Love to neighbors &c. He seemed to think love the sum and essence of Christianity, and this a physical affection, attainable by all. It is said he always preaches in the same strain.

Tues. Dec. 15th. Very warm. Was today introduced to Mr. Witherspoon, a pleasant mild-looking and polite member from Williamsburg—to Dr. Blythe of Georgetown and to Dr. Jameison of Orangeburg. The Senate yesterday rejected unanimously the Bill to vest the power of licenses &c. in the Trustees of Coll. also the Duelling Bill and the Equity Bill. How much time is lost in laboring business in one house for the other house to *knock up*. The Bill respecting licenses easily passed the H. of R. and was thought absolutely necessary to prevent dissipation among the Collegians. But the Senate is much weaker in talents and information than the House.

Wedn. Dec. 16th. Very pure and pleasant air.—A. M. attended the impeachment of Col. Doyley. * * *

Thurs. Dec. 17th. Fine weather.—This afternoon attended the impeachment. In the eve. attended the Senior Exhibition in the Chapel and after that went again to the State House and heard Mr. Drayton's closing argument on the part of the state against Doyley. He is a young man of perhaps 27 a soft mild speaker; somewhat flowery and pretty luminous. About half past 10 the Yeas and Nays were taken and he was found guilty unanimously on the first Article and by more than two

¹The famous Mason L. Weems, author of the "cherry-tree" life of Washington.

thirds of the Senators on the two others. The Senate then directed the Managers to inform their house of the result thus far; and deferred pronouncing sentence till the H. of R. should request it. * * *

Frid. Dec. 18th. Fine weather.—At 12 oc. the Senate at the request of the H. of R. pronounced sentence on Col D'Oyley. The H. of R. came in and stood round. The Clerk of Senate called each member of Sen. by name, and then each rose and gave his opinion of the punishment that ought to be inflicted, most of them at the same time laying their hand on their breast. The majority were for having him disqualified to hold any office of honor, trust or profit under the state for five years; which sentence was accordingly pronounced by Mr. Smith the President.¹ * * *

[During a college vacation the diarist made a short trip to Augusta, Ga.]

Thurs. Jan. 7th. [1808]. Some rain. Wet and cold uncomfortable weather. Sat an hour or so in the Treasury Office with Mr. Haile. Mr. H. says the Treas'r is obliged to give bond for about 30,000 Dollars; and yet there is often in the Treas' 40 or 50 and sometimes 60,000 Dollars.—He says the taxes from the Upper Division do not bring in so much as this Treasury is called to pay out, by considerable and he is obliged to bring up money from the Charleston Treasury.² * * *

Tues. March 22nd. * * * At 4 o'clock rode out with Brother J. and returning we agreed to reckon up the number of dwelling houses in Columbia;—calling those dwelling houses which families reside in or designed for such use. So we rode through Richardson and two or three other streets and counted them. The result was one hundred and twelve: viz on Richardson or the Main street 52. On the different streets east of Main street 46. On the streets west, or between the Main street and river 19. I suppose about five or six new ones are building which we did not count. * * *

Mon. April 18th. Very clear and cold. Otherwise fine weather. Attended Court today. Judge Wilds³ presided. He is quite young; I believe 32 or 3; but yet has a good deal of dignity and is notwithstanding very conciliating. The

¹ William Smith.

² The State had two treasuries, one at Charleston, one at Columbia. In the year October 1, 1806–October 1, 1807, the low-country treasurer took in \$441,725 and paid out \$307,660, while the upper-country treasurer took in \$60,533 and paid out \$68,918. Report in Acts of 1807.

³ Samuel Wilds (1775–1810), judge since 1804.

juries at this Court both grand and petit, were I think composed of more enlightened men than I have ever seen them before. The Foreman of the Grand Jury was John G. Guignard Esq. The Foreman of 1 pet. jury was Dan'l Faust Esq. Of the other Col. W. Hampton. I am told he said today it was the first time he ever served on a jury in his life. The lawyers who spoke today were Egan, Hooker, Stark and Clifton. Egan appeared better than ever to me. He is really a Rhetorician. He is figurative and he shews the Scholar. His delivery is easy and his words mellifluent. * * *

NO. 9. JOURNAL. S. C. COLLEGE.

Sunday Nov. 13th. * * * F.¹ tells me that Mr. Cheves² an eminent lawyer and legislator of Charleston (now about 30 years old) was never blest with advantages of education and only went to a womans school a few months, until when past 20 he went to somebody a little while to assist him in learning Mathematics, but was a mere shop boy in his father's shop in King street, but having got some taste for reading he resolved to study law, and set in. Afterwards he learned other things and now can comment with propriety upon many of the Classics, understands Math. and Nat. Phil. is an admirable logician and excellent moralist. * * *

[Being called to a tutorship in Yale College, Mr. Hooker had resigned his position at Columbia. On November 23, 1808, he set out for New Haven.]

Tues. Nov. 29th. * * * About Cape Fear river I understand that people are mostly Presbyterians. On the creeks along this Side and towards Raleigh, the Baptists are most numerous. About Raleigh there are a good many Methodists. Most of the people on this road seem much to dislike the Embargo and say it is "ruination." They raise but little cotton. Those near the river make considerable tar and pitch, boards, staves and shingles to carry down. I saw about 40 barrels of tar lying on the bank of C. Fear river. They raise some tobacco also, but generally the land is quite too poor to enrich the people. Even on the rivers of these parts there are not such rich and extensive bottoms as on the S. Car. rivers.— After breakfast rode on (in the rain mostly) fifteen miles to Raleigh and stopped at Peter Casso's near the State House

¹ J. M. Felder of Orangeburg, a former fellow-student of the diarist.

² Langdon Cheves (1776-1857), afterward eminent as a Congressman and as president of the Bank of the United States.

about three o'clock. Warmed, drank some Apple brandy and immediately sat down to a various dinner but ate only Chicken pye, sweet potatoe pye and drank some excellent cyder.—Raleigh looks very neat and pretty as you enter it from the South. Mostly on one wide street. Houses generally small, neat and white, though there are a number of little ordinary rough unpainted shops and cabins. There may be fifty houses and stores. The State House is a very handsome building, far superior to that of the South State. It stands in the centre of the street in a large open Square of many acres with beautiful copses of pine and other trees which give the place a very rural, charming appearance. The edifice is of brick, painted and pencilled. 2 large stories high Square but parallelogrammic: 9 windows in length and about 3 in breadth: a door and small piazza on each of the four Sides—the lower part open except the corners where are offices.¹ The houses, as houses had adjourned, but each house was doing business in the Committee way. The Repr^s were engaged in considering petitions for divorces. I was astonished to see how lightly they regarded the subject. One was a petition for Divorce from the Man and Wife both. The argument for it was, that the leg. some years ago had allowed them to divide the property and now their happiness would be promoted by dissolution of the contract. One member said the Man lived in habits of adultery and perhaps the woman too might follow wrong habits. Both could marry to suit their minds and it was better then to do away their offenses by divorcing and permitting them to marry. They did not seem to investigate subjects deeply nor enter into the spirit and true principles of the case. Recruiting advances tolerably here. About 30 have enlisted. Two or three papers are printed here. One (The Star) a literary paper of some merit. In a piece on the lit. character of N. Car. four names are mentioned as models of American genius and talents viz: Rush, Dwite, Henry and another perhaps [Barlow] Washington.² It was written by an observing foreigner. He says that the Pres. of the N. C. Univ. is a man of talents, but as little animation and energy as he ever witnessed. The Academies with few exceptions have illiterate teachers and the reason is that here, as

¹ A picture of this State House may be seen in the American Historical Register for May, 1897, p. 183.

² The name of Barlow is erased in the MS., and that of Washington written above.

well as in all the States, men engaged in the business of education are not liberally compensated. There is said to be a good Academy in this town. Some embroidery work of a pretty neat style over Casso's fireplace denotes also that the education of young ladies is not neglected. * * *

Wedn. Nov. 30th. * * * Soon after my arrival¹ I sent my name to Mr. M. Dickinson² the principal of the Academy, who graduated at Yale one year before me. Dickinson soon came, took tea with me at Hill's. Spent 2 or 3 hours pleasantly; when we walked to his academy, a pleasant building on the hill about $\frac{1}{4}$ m. from the Village of Louisburg. We staid at his room about an hour, drank porter, read, talked and walked back to Hill's. L. is in a hilly part of the country has perhaps a dozen houses and 2 or 3 stores and mills on Tar river about as large as Farmington R. The shire town of Franklin Co. The County was named after Dr. F. and the village after Louis XVI at the time Dr. F. as our agent in the revolution went to F. and obtained supplies from the French. The river was thought (and still is thought by Mr. Dickinson) capable of being rendered navigable up here for boats at the time the town was built. The ground being hilly and the current bold, it would suit well for manufactures. Neuse River which I crossed about 12 or 15 miles back is a much larger stream. The Tar is navigable to Tarborough 50 m. below this. From 10 m. beyond Raleigh and onward this way the soil is more stony, the roads less even and the land better, though the greatest part is still barren. Old worn-out fields in abundance present a dreary decaying aspect. Mr. D. has acquired a very decent little estate since he first came here 4 years ago. He thinks himself worth between six and seven thousand dollars. The first year he had about seven hundred dollars—the next, the avails of his school 1000 Dlls—the next they amounted to 1500 and the last year to 1200. Besides this too he pays an Usher (Mayhew from Wms Col.)³ 300 Dlls. But he has improved opportunities to speculate by lending say 600 Dlls cash to a young Sportsman and taking a Bond for 1000. Till lately he owned a house and farm of more than three hundred acres, six slaves, and a quantity of stock, as horses, sheep and cattle. Lately he sold his land for 4000 Dlls which was one thousand more than it cost him. He now keeps a Gig, two horses and a servant or two and designs in

¹ At Louisburg, 32 miles from Raleigh.

² Matthew Dickinson, Yale College 1804, died 1809.

³ Davis H. Mayhew (1783-1822), Williams College 1805.

the spring to visit Conn *in this style*. Dickinson says literature is much respected in these parts and literary men revered. The first year he came when he had no property and nothing to recommend him but his books and his education, he received flattering testimonies of respect and was treated with equal civility as at present. When in Raleigh Gov. Turner¹ sent him a polite note inviting him to dinner with the British Consul, the Judge of the Fed. C. and several characters of eminence to all of whom he was introduced and by all of whom treated with respect. He says men of information and liberality respect literary men from principle and the rest of the community see in literary characters something so superior to themselves that they are impelled to homage. D. has had at times 90 students in his Academy. 20 or 30 or more as large and as old as himself. 20 once came at a time from the Univ. of N. C. having conceived disgust at the Monitorial law, imposing an oath on all by turns to act the part of spies on each other's conduct. He has taught all branches taught in colleges, except Conick Sec^m. As to the learned professions, here in the middle country Mr. D. speaks thus. That of Theology is at low ebb, there being no preachers of education. He has never seen one Presⁿ clergyman in the state except Mr. Caldwell P. of N. C. Univ.² All are Baptists and Methodists and very unlearned and in low estimation in Socy although perhaps very good men. There are many professors of religion, though mostly in humble life. There are however some exceptions. Some rich and honorable Sincere Christians, down below Louisburg. A wide field is open for the production of good by enlightened clergymen. In the law, there are some brilliant characters of education: Some good lawyers of superficial and limited educations, who appear very well but whose want of depth is discoverable to minute observers. Many mere pettifoggers who don't appear to any advantage. Many of the lawyers have been through a Latin course as they term it, i. e., as much latin as is read at Coll., have studied geography, Eng. G. Arithmetic and perhaps paid some attention to Rhetoric, and may be a little to Logic and then turned into the Law. In N. C. there are some very thorough bred and able physicians, especially in the Low country. But the greatest part are without good educations and many

¹ James Turner (1766-1824), governor of North Carolina 1802-1805, United States Senator 1805-1816.

² Dr. Joseph Caldwell (1775-1835), Princeton 1791.

are mere quacks. It is a common thing after reading a little latin and a few other things to go to Phil. a winter or two and then enter the practice. The education of ladies is not neglected. Good academies for them are in Salem, Raleigh, Warrenton and some other places. Mr. D. thinks the women have much quickness of apprehension and when refined by education as many of them in wealthy families, now a days are, they appear very advantageously. About Louisburg are many young ladies, *who touch the lyre most charmingly*. They understand music, painting and embroidery. Many young ladies from N. C. are sent to Bethlehem in Penn. and some to the Seaport towns.—I enquired of Mr. D. and Mr. Hill about the State of the University. Mr. H. gave me this Statement. The Legislature in former times invested it with all the escheated property of the State. A small part of it only was appropriated by the Board of Trustees. A few years ago the Pres. the Professors and the Tutors were Federalists. The first graduates for 2 or 3 years (at the least the likeliest scholars of them) were likewise federalists. In a short course of time a number of these graduates obtained seats in the Legislature and discovered talents that the rude, illiterate mass of old members either envied or feared. Under the ostensible motive of discouraging Federalism in the College (but really as Mr. H. says for fear of losing their influence in the Leg^{re}) these old members carried a measure for taking away from the Univ. all the escheated property that had not yet been appropriated. For two or three years this was a subject of altercation in the Leg^{re} till finally about two or three years ago, the good sense of a part triumphed over the prejudices of the rest and got the law repealed which took away the property; so that now it is the truth that the institution does possess it.—But the best property it has consists in donation of individuals. One citizen¹ left by will 50,000 acres of good land in Tennessee. This might be rented, but not sold till 3 or 4 years after his death, when the Trustees might, if they should see fit, sell one-third. Afterwards another third and so on. Not being settled it brought nothing by rent: Soon it may be sold, or perhaps is, in part and will therefore be of great Service. At present the Coll. has a Pres. one Prof. one Tutor.² Students

¹ Gov. Benjamin Smith (1750-1829), by gift in 1789, not by will; 20,000 acres, it is generally said.

² Dr. Joseph Caldwell, Professor Andrew Rhea, Gavin Hogg.

about 40. It is patronized by the State. The Pres. has other support than the tuition money. * * *

Thurs. Dec. 1st. * * * In this¹ county lives Mr. Macon² (pronounced here Meeken) a member of cong. and quite a favourite of this people. Also (in Warrenton Village) Senator Turner, formerly Gov. of N. C., and Judge Hall of the Sup. Court and Judge Baker. It is a very respectable, well informed county and has produced a number of eminent characters. There is at W. and for a long time has been one of the most flourishing Academies in the State. Warrenton is 55 m. from Raleigh, 25 from Louisburg and 85 from Petersburg (Vir.). The people in these parts trade almost entirely with Petersburg; of course the Virginians have many debts here. Now sales by Exⁿ are suspended in V. the Virginians push for their debts here and very much worry the N. Carolinians, who want such a law here to protect them. Gov. Wms.³ thought it improper to call the Leg^{re} for that purpose last summer although petitioned to do it, by many. His refusal gave offence and a few days ago the Leg^{re} removed him and elected Judge Stone. A year ago they removed Gov. Alexander of Meclenburg⁴ and put in Wms. * * *

Mon. Dec. 5th. * * * R.⁵ appears beautifully as you approach and view it from the Hills a mile distant. The Capitol towers preeminent and appears gigantic indeed among the other buildings. The side of the Hill from the river up to the top seems covered with clusters of buildings—Remote from the centre on the right and left a mile or two and at still greater distances handsome seats crown the top and sides of the mountain scattered here and there. Above you hear the roaring of the waters and see its white sheets here and there between the rocks and islands. Below a calmer scene invites you to look at the shipping which lies clustered in a bason or bend of the river. As you come up you pass through Manchester, a separate corporation on this side the river. Then crossing the very long toll bridge at the foot of the falls you enter one of the most beautiful cities on the continent. R. as I viewed it a mile or two off appears more like some of the drafts of European cities, particularly those on the Banks of the Rhine than any I had

¹ Warren.

² Nathaniel Macon, Congressman, Speaker, Senator.

³ Benjamin Williams (1754-1814), governor 1799-1802, 1807-1808.

⁴ Dr. Nathaniel Alexander (1756-1808), governor 1805-1807.

⁵ Richmond, Va.

ever seen. Walked up a very steep hill indeed and visited the Capitol soon after my arrival. The House of Delegates had just met, chosen Mr. Hugh Nelson of Albemarle¹ their Speaker and were proceeding to Business. It seemed the most dignified body I ever beheld. The room was spacious and very elegant. The members in elliptical seats and around the Speakers chair. All with very few exceptions were well dressed and easy and graceful in deportment. Many young, mostly middle-aged and few or none quite old. Many spoke shortly and with ease grace and composure on the returns of elections from Amherst Co. Adj'd about one. Visited the Fed. Court with Micah Goodwin of Columbia, S. C. whom Capt. Scott found for me in the Capitol. Judge Marshall Ch. J. of the U. S. a most venerable looking personage of about 50 presided. Heard Mr. Wickham (one of Burr's counsel) speak in rather a colloquial discussion with the Ch. J. Saw Mr. Wirt, the famous orator in Col. Burr's case. A most beautiful, fair, elegant man of apparently 32. He is the reputed illegitimate son of old Peter Carns of Georgia and "*unquestionably the author of the letters called the British Spy*" as people here think. Ed. Randolph was here too—older than any, more plain in dress and somewhat venerable.² Gen. Mason perhaps one of Washington's Aids. Visited the Arsenal; a stupendous work indeed! Straight with the street in front and 2 stories high. A tower in the middle and at the ends. Circular in the rear. Saw some elegant Cannon and Bombs. Some of the Brass Cannon were French and German and Swiss 32 pounders, perhaps 10 or 12 f. long and weighing it is said 10,000 lbs, requiring 10 lbs powder. About 70 men only are now employed here. It is a state institution but far superior in extent and elegance to the U. S. Arsenal at Harper's Ferry. Thence visited the Penitentiary and was politely waited on around all its parts by Mr. Carter a very decent young gentleman employed there. The Criminals are 126—of various trades especially iron and leather. The guards are A Corporal and 6 privates at 6 Dlls per month. The Building presents a straight front with a central tower and wings of a towering kind terminating behind in a Semi-circle. 3 stories high—The 2 lower ones workshops—the upper ones, places of confinement at night.—6 or 8 often work and

¹ Hugh Nelson (1768-1836), member of Congress 1811-1823, minister to Spain 1823-1824.

² John Wickham, William Wirt, Peter Carnes of the South Carolina and Georgia bar, Edmund Randolph, formerly Secretary of State.

sleep together without being fettered. They are not so rigorously restrained as at the Pen^y of Conn. Punishments are whipping or Solitary Confinement at the discretion of the Keeper. Visited the Canal and the beautiful bason that it terminates in, of 4 or five acres.—Here the Upper Country boats come and land their cargoes; there are no locks to let them down lower. Much coal is brought down from 12 or 14 m. above. It is the only fuel used in the city. * * *

Thurs. Dec. 8th. * * * Saw here¹ Mr. Winston a young lawyer who resides at Hanover C. H., who had just come from Mount Vernon 9 m. distant, and told me it was only 2 or 3 m. out of the way in going to Alexandria:—So I resolved to go round that way and improve the only probable opportunity in my life to see the mansion where resided and the tomb where lies the Saviour of my country:—but not being acquainted and having no letters of introduction to Judge Washington² I hesitated. Mr. Winston said it was very usual, he believed, for strangers to visit the place although similarly situated; that Judge W. was very complaisant and glad to treat them civilly. About 3 m. from Colchester, which is a small mean village, I turned off to the right, passed Gardners Mill 3 miles—Lewis' mill which belongs to the Vernon estate 1 m. and going on about 3 m. came in view of the Venerable Structure where our hero lived, flourished and died. My emotions in approaching the spot were singular. Here thought I, the greatest man the world ever saw often rode out to view his fields, visit the neighboring country and enjoy the beauties of nature. About $\frac{1}{4}$ mile from the mansion you enter a gate, pass through a pleasant grove of small, neat, well-trimmed oaks, follow the path in some parts straight in others winding among hills, at length ascend a tolerably steep hill and are present at the house. I told a servant to inform his master that a Stranger at the door wished to speak with him. Judge W. a slim, neat, sprightly man of about 40 came to the door. I told my name, object &c. and apologized for the intrusion. He, all politeness and civility, instantly made me easy on that score, begged to alight—asked me if I had dined—ordered a dinner—called for wine and shewed me every mark of attention. After sitting a few minutes and being introduced to two gentlemen

¹ At Colchester, Va.

² Bushrod Washington (1762-1829), associate justice of the Supreme Court of the United States 1798-1829.

who were playing backgammon by the fire, I requested to visit the domains. The Judge directed me to the gardens and the German gardener accompanied me through the 2 gardens to the Green Room &c., and to various places. Among others to the Vault where the general lies and to the new Vault where it is designed to have his corpse deposited. After looking round about $\frac{1}{2}$ hour I came to the "long and lofty portico where off the hero walked in all his glory" and with a telescope had a fine view of the Majestic Potomak—fort Warburton—the shipping &c. &c. When Judge Washington requested me to step in and take dinner. I did so and soon after mounted my horse and rode to Alexandria (16 m. from Colchester on the stage road and 19 this way) though very politely invited several times to tarry all night. In short Judge W. behaved very prettily and very genteelly. Easy and graceful in demeanor, not affected, but takes pleasure in pleasing others and making them happy. The Judge begged me to "make his best respects to Dr. Dwight"—said he knew him well and had a high regard for him. He has heard of me, it seems,—for when I mentioned to him that I had a brother in S. Carolina he asked me if my brother was not in the College at Columbia. * * *

Frid. Dec. 9th. * * * Crossed the creek which divides G. T.¹ from Washington and rode to Mr. O'Neal's boarding house where I took lodgings for a few days. About 11 o'clock after changing my clothes I walked $1\frac{1}{2}$ mile to the Capitol and with Mr. O'Neal entered the gallery of the Representatives Hall a most Superb room in the left wing of the Capitol, where a debate was proceeding on the Subject of empowering the Pres. to arm and equip 12 new revenue cutters. Mr. Blackley² was speaking at some length—pretty sensible, plain speaker, though from some defect in voice or fault in the Structure of the room I could not hear him distinctly. Mr. Sloan,³ a very droll looking old man of quakerish principles, dress and manners spoke a few words. He far exceeded my expectations,—loud, clear voice—language tolerably correct but very plain,—pronunciation rather vulgar, though not worse than many men's—pretty good common sense. The first resolution of a set of resolutions relative to our foreign relations next came on viz, that the U. S. cant consistently sub-

¹ Georgetown.

² William Blackledge of North Carolina.

³ James Sloan of New Jersey.

mit to the late edicts of G. B.—In this discussion the merits and demerits of the Embargo were introduced. Mr. D. R. Williams¹ of S. C. made a long harangue of 2 hours upon it—justifying the imposition and continuance of the Em^{so}. He recurred much to his notes,—hesitated some—drank water frequently. Began some sonorous and musical sentences which did not close equally well. Began some so long as to lose the connection of words and make bad grammar,—but nevertheless had a pretty eloquent speech and highly figurative language—expressed very fair, liberal, national and harmonious sentiments—expressed himself in many instances in very strong, emphatic language, and was by many people much complimented and much admired. I think though, he was hardly logical enough and rather too ungrammatical and incorrect to pass for a complete scholar. For “effect an insurance” he said “infect an insurance”—and committed a few other errors. The Rev. Mr. Culpepper² of N. C. spoke $\frac{1}{2}$ hour, plain man—but tolerably sensible—very far from ornamental language and frequently incorrect in grammar and pronunciation—Mr. Key³ (of Mar.) spoke 2 or 3 min. rather by way of reply—a very sweet, mellifluous speaker. He showed the scholar and the graceful orator. Mr. Newton of Vir.⁴ spoke tolerably well today, though very briefly. The House adj^d about 3. At 4 o’c we dined at O’Neals and rose about sunset. Several Southern members of wealth board here and yet are very temperate drinking no wine and very little or no spirits and sitting at table only about an hour. The dinner was a good one but not splendid.—Ham, Turkey, Chicken, roast beef, chicken pye, pudding, crackers and apples. Gen. Sumter, Gov. Milledge and Gen. Trigg of the Senate;⁵—Col. L. J. Alston, Mr. (Gen.) Blount (and his lady) of the House of R.⁶—Mons. Chevalier a Fr. Gent. of Virg. and 2 lads are the boarders. No liquor is provided but each one who wants applies to the landlord and it is procured for him. Each boarder has a separate room furnished and a bell to call a servant when wanted; one can call for a cold cut of victuals any time of day if wanted. After dinner walked about 2 m. to the Rom. Catholic Coll. in George

¹ Annals of Congress, 1808–1809, pp. 788–806, report David R. Williams’s speech.

² John Culpepper.

³ Philip Barton Key.

⁴ Thomas Newton, jr.

⁵ Thomas Sumter of South Carolina, John Milledge of Georgia, Abram Trigg, member of Congress, not Senator, from Virginia.

⁶ Lemuel J. Alston of South Carolina, Thomas Blount of North Carolina.

Town. There are 2 edifices—one is 3 stories high very long and spacious, with a chapel and about 3 or 4 School Rooms on the lower floor. On the 2nd floor an exhibition room in the middle and school rooms at each end. On the 3d floor is the Dormitory in the middle and rooms for the masters at each end. In the garrett is more room for a Dormitory if ever wanted. Mr. Boling one of the Prof^{rs} a single man of about 26 or 30 took me into the different apartments and gave me considerable information about the Seminary. There is a President, who superintends the whole but does nothing in teaching. 4 Professors 1 of Poetry and Syntax, 1 of Grammar, who also teaches the Mathematics—1 of Rudiments and 1 of Elements. None are admitted younger than 8 nor older than 14. They remain till they have finished the course and often longer. Several of the students are over 20 and 22 who have been here ever since they were 14. The class of Elements consists of those boys who first begin the Latin tongue. The class of Rudiments read authors of some repute and have their character explained, and they learn to imitate their style.—They also learn Geography. The next pursues the Mathematics and learns more of the nature and true principles of grammar. The fourth becomes Rhetoricians. There is a Prof. of Divinity whose business it is, as far as I learned, to instruct in Divinity those older and more advanced students who wish to acquire Theological knowledge. They rise at 6 in the winter and while washing &c something is read from the "Spiritual Book." Then they are required to attend in the chapel where, all kneeling, prayers are said. At $\frac{1}{4}$ past 8 in the evening they attend evening service and at $\frac{1}{2}$ past 8 all are required to retire to bed.—They all sleep in one room. The beds are all single, cot bedsteads the clothes all alike and like the curtains. There is a large frame like a single bed, divided into thirty snug apartments which are little alcoves with a curtain drawn before them. There are about 40 students—mostly professors of the Catholic religion. These are the proper Sons and favorites of the College, and are called Pensioners not because they are supported by the institution, for they are not;—they pay their own expenses. Protestant boys are admitted and a few of the present students are Protestants, but they do not sleep and eat with the Pensioners, but board out in town and are not intimately connected with the College. The Students all study in a room together under the constant inspection of a Professor. Mr.

B. took me to the room.—We stood at the door and all rose as we viewed them by candlelight. They always have an officer with them at recreation likewise. None are allowed even to walk out into town or any where else to trade or for any purpose without permission from the Principal, and if the Scholar is a young one he chooses some older, grave and experienced scholar for his companion and attendant, who goes with them to the shops and other places, as his guardian. The masters watch very vigilantly over the manners and morals of the youth; who rarely wish to act viciously, they being habituated to virtuous ways and influenced by the religious principles they profess. On Sunday they are required to attend service at the Church near by. They have one exhibition yearly, in August, which excites to much competition. The Coll. confers no degrees—Mr. B. did not seem to have accurate notions on the subject. The Seminary was founded on individuals' donations by a number of gentlemen associated for the purpose.—The Leg. have shown a willingness to patronize it on certain conditions relative to the unlimited admission of all Protestants, but the founders and friends thought it better to be independent and pursue their own way. The other building is 2 st. high square and appropriated to the instructors. It is common for a man on entering his son to signify to the President the sphere of life which he desires to move in, and then his course of education though not materially altered, has a turn given to it adapted to that sphere. The Pres. a worthy old man much beloved and respected yesterday died and is tomorrow to be buried.—Returned to my lodgings about 7 and went to bed. Expences today were Bill at the Ind. Queen, Alexa. for Horse at 3 qts grain &c. Lodg. and sling. 92—Martingale with steel hooks and buckles 1.50—Cake and gin .08—Hostler for cleaning bridle .08—Ferry at G. T. .12. Bounce and cake .09. = 2.80.

Sat. Dec. 10th. Weather a little warmer. Some rain in the Morn. Rose early and walked to G. T. market with Mr. O'Neal. Breakfasted on coffee, warm buck wheat cakes, chicken corn-cakes toast, broiled fresh pork &c. After breakfast set out for the Capitol with Mr. Chevalier and arrived before the H. of R. formed. About the time of proceeding to business, viz: eleven, Gen. Varnum the Speaker¹ rapped on the table and Mr. Brown a Baptist Clergⁿ the Chaplain of the House went into the

¹Joseph B. Varnum of Massachusetts.

Clerk's place fronting the Speaker's chair and addressed the throne of grace in a modest, appropriate, *republican* prayer of about 8 or 10 minutes, about half the members being in and observing great decorum and apparent seriousness. A few minutes after the Speaker took the chair of his own accord and looking round to see if a quorum were present, requested members to take their seats. No roll was called. The Cl. read over yesterday's proceedings and then the various business of the day was entered on; such as hearing reports of committees and presenting petitions—till at length the unfinished business of yesterday was introduced viz the resolution about Submission to the edicts of G. B. Mr. Cook of Mass.¹ a Rep. who voted for the embargo made a long, dry uninteresting speech of more than an hour; proposing some substitute for the embargo—A very handsome—neat, well-dressed man, but not a fluent speaker—tolerably good sense but no imagery. Nothing to embellish his Style and frequently ungrammatical. Mr. Jno. Randolph² made a few desultory remarks prefacing a motion of adjournment. I hardly ever in my life felt so interested in the speech of another, especially a speech of merely an accidental, careless nature. A person rose,—to appearances a boy of about 15 or 16—resembling in countenance young Martin of the S. C. College. A voice quite Shrill but very boyish and a look quite effeminate. I supposed it some newly elected and very young member who was not about to do much but observed that he rose and spoke with perfect composure and confidence. His figure and his voice much resembled those of my classmate Elliot. I asked who it was and was told J. Randolph. I was struck with astonishment. In one point of view I saw a tall slim boy who had all the time been sitting in a remote part of the house with his shoulders shrugged up and his light drab surtout closely buttoned up to his chin, a large pair of gloves or mittens on his hands, and his slim legs with white top boots thrown impolitely over the top of the next row of seats, as though he was a mere silent, indifferent spectator, or else perhaps too bashful to come forward in sight and take an active part. He got up and said he was fairly tired down with that discussion which had been so long protracted from day to day. Boldly and pointedly accused the Speaker of wandering from the subject, said the greatest part of the arguments had nothing to do with the sub-

¹ Orchard Cook.

² John Randolph of Roanoke.

ject, that the question of the merits of the Yazoo claim might with just as much propriety have been discussed as the merits of the Embargo, and as he did not wish the q. now taken because he knew of some members out of their seats who desired not to have it appear they were absent at the time, he would, though not in the habit of making that motion, now move for adjt.—In another point of view I saw a great Orator, Statesman, Scholar and man of genius, the first man in a great assembly of the Representatives of a great and free people—whose Sway has been extensive and whose influence is still considerable; whose fame is spread far and wide and sounded even beyond the Atlantic. These two impressions though apparently inconsistent, were made from the sight of the same man. His vote however was negatived by a small maj^y—Mr. Jackson¹ a republican merchant from R. Island read a speech of about $\frac{3}{4}$ hour setting forth the sufferings of the Eastern people and proposing to let the merchants arm vessels, and take off the Embargo. It was tolerably written for a mercantile character though it had a number of herebys, thereofs whereofs &c. and was read in a very clerical, drawling, monotonous tone,—*cleared* and all such words he would pronounce with the “ed” brought out full. The word “*it*” he would emphasize often at the end of sentences. In short he appeared like a very good respectable sensible man but not used to public life and habits of speaking. Age about 45 or 50, plain dark dress and good manners, modesty characterized him. Mr. Mumford² of the city of N. Y. replied to the remarks of an impudent young member from Vir. who had said the other day that the powdered headed gentry of the cities of the north might turn manufacturers and come round and take off the cotton of the South. Or even let them go to the plough—it would be no disgrace to them—they can be as respectable in that way as they can in commercial life.” Mr. M. seemed hurt at the observation of Gholson and thought him lacking in a spirit of liberality, harmony and conciliation. Mr. Livermore of Mass. or N. H.³ rose to Speak but a mot. for adjt was carried. Mr. Pitkin of Farmington⁴ came into the gallery to see me, invited me to his lodgings at Mr. Frost’s and also proposed to introduce me to the President on Mouday. Mr. Taylor⁵ of Columbia also came

¹ Richard Jackson.

² Gurdon S. Mumford.

³ Edward St. Loe Livermore of Massachusetts.

⁴ Timothy Pitkin, jr.

⁵ John Taylor.

up, chatted awhile and invited me to his mess at Mrs. Hamilton's to see Mrs Taylor and Miss Goodwin. The House adjd at 3.—Walked home with Mr. O'Neal and at 4 sat down to dine in a goose, duck, chicken pye, Boiled cornd beef, Roast fresh beef, hominy made of dry corn and beans boiled whole, sweet and Irish potatoes, custards, roast apples, crackers and butter with cheese preserves and cyder. Rose from table after sunset. Gen. Sumter is a still man at table—of genteel military manners, making now and then a very sensible remark. Gov. Milledge is more plain in dress and rude in manners. If a poor man and low station he might be thought ill mannerly. He took a piece of bread in his fingers, sopped in the gravy of the Roast Beef and ate it all at one mouthful though large enough for three. Afterwards there being a pretty large piece of quince on the plate of preserves and some sauce, he hauled the saucer near, took the quince in his thumb and finger and gormandized the whole at a bite. Gen. Trigg is more foppish in dress than any of them, powdered hair and silk stockings (or resembling them)—He talks some but less than Milledge, and not in so earnest, forward, dictatorial manner. Gen. Blount (pronounced Blunt) is a younger man—perhaps 35 or 40—pretty sensible and perspicuous and appropriate language—reads with much propriety, but is probably a violent partisan and strong in his prejudices. Col. Alston is full of polite airs and polite talk;—not a great man, but a pretty man. I once saw him in S. C. but did not now recognize him till I heard his name and he seems not to recollect me. Blount eulogized D. R. Williams speech and thought it transcendantly elegant. I was disposed to pay some respect to his judgment till being asked how Key spoke he said rather dull—for K in my estimation is the most musical, interesting, elegant Speaker that has risen. but Blount was led away by too much regard for the causes they severally espoused, and overlooked their eloquence abstractedly considered—Mr. Blount was in Cong. in Adams time when the direct tax was laid and said he voted for it expressly for the purpose of effecting a change of administration, knowing that the odium of the people could be awakened in no better way than by touching their interest. Mr. Milledge avowed the Same motive for his vote in that occasion saying that he knew it would lead the people to look into the causes of the measures and then they would perceive them built on false principles and having a wrong tendency. Gen. Trigg declared off and

said he uniformly perseveringly voted against the direct tax and other odious measures because he thought them wrong. At 6 p. m. attended the Bap. Ch. with Mr. O'Neal and Mr. Scott (a religious young man of literature who is writing something on the Types) and heard a very handsome discourse delivered by Mr. Graham a young Bap. Clergyman lately arrived from Scotland.—A considerable audience. Many persons of both sexes and of very decent dress and demeanor seemed very devout. Singing rather boisterous and not well regulated. Returned and took supper with Mr. O'Neal and his family. An old lady or two his relations from N. Jersey were here and one of them seemingly a Methodist attacked O'Neal on his falling off—for Mr. O'N. was once an earnest apparently sincere professor of religion and still regards it, but does not, I suppose think himself religious and has contracted some singular notions about the Scriptures and Christianity. He approves the New Test't but disbelieves many facts stated in the old. Mr. O'N. Says there are as many as 15 churches within 4 or 5 miles of here. Mr. O'N. tells me he spent 3 m. in N. J. last summer to defeat Sloan's reelection and succeeded, as also another member's; because they were active in attempting to remove the seat of Gov. to Phil.—He says he used to be the most "populous" man in that county and had Still many connexions, much acquaintance and considerable influence.

Sun. Dec. 11th * * * After service Mr. P. took me into various parts of the Capitol and explained them. He says the wing which is devoted to the H. of R. cost upwards of 300,000 Dlls. and that it is said by persons who have an opportunity to know, that there is not in Europe a room equally superb with the Representatives Chamber. It is elliptical—Surrounded with 22 or 24 Corinthian Columns—Shaded on all sides with red flannel curtains. The light comes in at top through the Sky lights, the glass of which is an inch thick and cost several (perhaps 10) dollars a pane. The Speakers Chair is very superb and surrounded with the richest scarlet and green velvets and gold fringe. It resembles more the trappings of royalty than the seat of republicanism. The windows have all rich scarlet curtains of velvet with yellow gold fringe and gilt frames. Rich carpets of a Turkey kind cover the floors. The seats are all stuffed and adapted to ease, the tables for the members are elegant cabinet work. * * *

Mon. Dec. 12th. Weather quite mild and pleasant. After breakfast walked to Mr. Pitkin's lodgings at Frost's. Went with him to the Capitol where he introduced me to Mr. Davenport of Conn. and Mr. Holmes of Vir.¹ Chairman of the Com. of Claims. Visited the Library, large and well composed—perhaps 2000 volumes. Attended the Senate. Mr. Clinton,² their President has a most grave, dignified and venerable appearance. The Senate Room is smaller and much less superb than the Representatives. Gen. Smith of Baltimore spoke in a masterly, strong, forcible and perspicuous manner on post roads. Mr. Giles said a few words. Strength and perspicuity without much gracefulness. Mr. Pickering, a grave old man spoke briefly in proposing an amendment. Thence went round towards the Hall of the H. of R. and the doors being closed I stood out eating fruit near the Capitol among the people, when who should accost me but my old worthy friend and classmate Elihu Spencer, who told me he had lived in Mr. Gallatin's family 10 or 12 weeks. We walked to the Navy Yard saw the Naval Monument to the memory of the Heroes of Tripoli. Saw multitudes of Ball, Bombshells and Cannon, Ships, Stores, rigging &c. Returned and heard Mr. Gardenier³ speak on the comparative merits of the past and present administration, with reference to the Embargo. He speaks very slowly but very correctly and has many nice and beautiful touches of painting in his oratory. He spoke very candidly, deliberately and interestingly. Dined on Goose, Fowl, Ham, Sausages and eggs &c. &c. Rode to George T. at Sunset. Returned Soon and spent the evening at my room with Mr. Spencer where we drank gin, ate apples and chatted most pleasantly until 9. At breakfast this morn the conversation happened to turn upon the employment of chaplains in Cong. Gen. Sumter and Gov. Milledge thought they had no business there. Gen. Blount and Gen. Trigg, thought it proper. Milledge said, in Monarchies such things were proper and consistent, but as we have determined that we have no church—no national religion, we ought not to have this semblance of it. Gen. Trigg said that true it is, we have no national church yet we have not discarded a God;—it is proper we have our

¹ John Davenport, jr.; David Holmes.

² George Clinton, Vice-President. The Senators whose names follow are Samuel Smith; William B. Giles of Virginia, Timothy Pickering of Massachusetts.

³ Barent Gardenier, member of Congress from New York.

minds directed to him, and therefore public prayers by a clergyman is proper. Gen. S. asked if we could not direct our minds to God ourselves without the aid of a preacher. Prayers are no doubt proper in certain places—but in a political body they are quite out of place. Gen. T. said we should not many of us, for a week together think of God without the aid of a clergyman. Gen. Blount insisted on its happy influence and tendency and quoted one of the letters of Miranda's expedition to show the effect which public devotion had on even rough seamen when ordered by Capt. Lewis and how much they lost confidence in Miranda, because he did not attend the prayers.¹ Milledge said that was all owing to a principle of fear.

Tues. Dec. 13th. Cold, windy morn.—Wrote a letter to Mr. Chapman.—Breakfasted at the usual hour viz about 9 or $\frac{1}{2}$ past and then walked to Mr. Smith's office² to turn the course of my papers to New Haven. Paid 3 Dolls in advance from Nov. 1, 1808 to Nov. 1, 1809. Smith is a sleek, nice little man of about 40. Somewhat bald. Windy weather, a little east of North.—About 12 o'clock Mounted my horse and started. Called at Mr. Gallatin's about $\frac{1}{2}$ hour to see Mr. Spencer. Drank some excellent *Liqueur* (a kind of cordial made in Philadelphia) saw Mr. G's likeness, chatted a while and rode on.

¹ See James Biggs's History of Don Francisco de Miranda's Expedition, Letter XIII, pp. 95, 96.

² Samuel H. Smith, editor of the National Intelligencer.

SELECTIONS FROM THE DRAPER COLLECTION IN THE POSSESSION OF THE STATE HISTORICAL SOCIETY OF WISCONSIN, TO ELUCIDATE THE PROPOSED FRENCH EXPEDITION UNDER GEORGE ROGERS CLARK AGAINST LOUISIANA, IN THE YEARS 1793-94.

D

INTRODUCTION.

The following documents, elucidating the projected expedition of Gen. George Rogers Clark, of Kentucky, against Louisiana, in the service of the French Republic, in the years 1793 and 1794, are selected, with some exceptions, from the Draper Collection of the State Historical Society of Wisconsin, at Madison. This collection has been freely opened to us by Mr. Reuben G. Thwaites, the secretary of the Society; for his generosity in affording us copies we are much indebted.

The collection was made by Dr. Lyman C. Draper, the founder and former secretary of this Society, in the half century preceding his death in 1891. A memoir by Mr. Thwaites describing Dr. Draper's methods of collecting manuscripts is published in the Wisconsin Historical Collections, XI; and a list of the manuscript volumes (about 400) was printed in the Annual Report of the same Society for 1894. On Dr. Draper's death, his collection passed by the terms of his will to this Society; and the estate was settled, and the papers definitively a part of its possessions in 1896. They are arranged and bound and, under certain conditions, are open for the use of investigators. The Draper Collection consists, for the most part, of hitherto unpublished documents, embracing letters, manuscript journals, memorandum books, military rosters, etc., representing material from nearly all the border heroes of the Middle West. These manuscripts Dr. Draper supplemented by a lifetime of letter writing and interviews with the pioneers or their descendants, and by making transcripts from other manuscript and newspaper collections. The library of the State Historical Society of Wisconsin, embracing this collection, and the library of Col. Reuben T. Durrett, at Louisville, Ky., constitute the main source for the history of the trans-Alleghany pioneers.

In selecting the following documents, the editor has drawn upon the manuscripts of the entire collection for illustrative annotations; but the George Rogers Clark Papers (Clark MSS.) and the Jonathan Clark Papers have furnished almost all of the manuscripts here printed.

The Clark MSS. were gathered from the following sources:

(1) The private papers and letters of George Rogers Clark, derived by Dr. Draper from Dr. John Croghan, of Louisville (Clark's nephew), and from Dr. John O'Fallon, of St. Louis (the son of Clark's brother-in-law, Dr. James O'Fallon). Dr. Croghan reclaimed the papers, at Draper's instance, from Charles Ripley, a lawyer of Louisville, who had obtained

them from Prof. Leonard Bliss, of Louisville, who seems to have secured them for the purpose of writing a biography, never completed.¹

(2) The De Pauw Papers. Dr. Draper comments on No. 73, 11 Clark MSS., 210: "The above² was the indorsed part of the wrapper around the De Pauw Papers, of which the following is a list, viz:

Shelby to De Pauw, Nov. 28, 1793 [No. 27].

Clark to De Pauw, Jan. 5, 1794 [No. 32].

Clark to De Pauw, Feb. 10, 1794 [No. 39].

Sam^l Fulton to De Pauw, March 18, 1794 [No. 42].

John Bradford to De Pauw, Dec. 19, 1793 [No. 28].

De Pauw's Address, about matters, 1793-4 [No. 73].

De Pauw, probably to the Citizen Minister, June 12, 1793 [No. 4].

Shelby to De Pauw, April 23, 1808" [No. 74].

He also notes on this document, No. 73, "Obtained among the J. D. Shane Papers. Purchased at sale in Cincinnati, Sept., 1864. L. C. D." Mr. N. De Pauw, of New Albany, Ind., writes, February 8, 1897, that shortly after the death of his great-grandfather, Charles De Pauw, his residence and papers were burned.

No. 4 (11 Clark MSS., 221) is indorsed by Draper as obtained from De Pauw's son, New Albany, Ind., with other De Pauw papers.

(3) The Jonathan Clark Papers, given to Dr. Draper by his son, Col. Isaac Clark.

(4) The Spanish archives, as cited in volumes 39 to 42 of the Clark MSS. These archives were examined for Dr. Draper, through the assistance of the American legation, and the selections copied, apparently in 1884. Most of them are indorsed "Arch.^o general central. Estado. Legajo 3897." Where this indorsement does not appear, the copyist has given the number of the letter included in the translated document. The translation of the Spanish has been made by W. F. Giese, A. M., assistant professor of Romance languages in the University of Wisconsin. The indices of the documents have in a few cases been omitted, where they afforded no assistance.

For the purpose of a fuller exhibit of the episode, some documents from other sources have been included. The Commission has been obliged to forego a complete publication, in this volume, of the material in the French archives on this project; but a preliminary investigation of this material has been made, and some of the very important results are shown in the Chronological Index and in the documents printed from the Archives du Ministère des Affaires Étrangères, Paris, cited by the series designation, as "États-Unis," "Espagne," and "Louisiane et Florides." There is still much material on the French relations with Louisiana in these archives. The French documents arrived after the other manuscripts were in press, and have been incorporated as far as space permitted.

Dr. Draper sometimes wrote indorsements on the back of the MSS., and occasionally on their face; but his handwriting is unmistakable, so that this does not lead to confusion.

¹ See Draper's canceled will of September 8, 1845, in possession of the State Historical Society of Wisconsin, and 1 Clark MSS.

² See note to No. 73.

The documents themselves must be allowed to present the details of the expedition. Briefly stated, the project was as follows: In the year 1793, soon after his arrival in the United States, Genet, the minister of France, set on foot an expedition against Louisiana, to consist of frontiersmen led by the former conqueror of the Illinois country, George Rogers Clark of Kentucky. Genet's agents and Clark, in Kentucky, actively undertook the procuring of supplies and boats, and attempted to interest the discontented Kentuckians in the scheme for securing the freedom of navigation of the Mississippi, by replacing Spain at the mouth of the river by the French Republic. The design of Genet included also an expedition, under Elijah Clark of Georgia, against the Floridas, both of the expeditions to be supported by the French fleet. But the United States prepared to prevent it, Genet failed to support the project by efficient organization and financial resources, and it collapsed upon his recall by the French Government. Some two hundred men only had been under arms, but many others awaited the call to active hostilities. It was a project which involved momentous issues, for it was nothing less than a part of the struggle to determine the possession of the Mississippi Basin. In one of its aspects the movement is a continuation of the efforts of the men of the Western waters to expel the Spanish power from the Gulf of Mexico—efforts which found later expression in the Mexican war and the attempts upon Cuba. In another of its aspects it was a phase of the repeated designs of France to recover her control of the province of Louisiana, for it is a mistake to think that this design dates from the efforts of Talleyrand and Napoleon in the years 1799 and 1800.

Considering the weakness of Spanish rule in Louisiana, the attitude of leading Westerners,¹ the excited feeling in the West against Spain and the Federal authorities, the expectation of statesmen like Jefferson that a war with Spain was inevitable, and the widespread sympathy for France in the United States, such a proposal was not without hope of success. The details of its inception and progress reveal the inchoate condition of national feeling in the West and the many hazards which beset our control of the Mississippi Valley.

The papers in the French archives,² and other evidence, show that various plans for the conquest of Louisiana were presented to the French authorities when the relations between France and Spain became strained after the French Revolution broke out; but the plan of the expedition here described seems to have been proposed by George Rogers Clark, who had at that time fallen into intemperance, and was embittered because of Virginia's neglect of his claims for services in the Revolution. In 1788 he had offered his services to Spain, in return for a land grant, and he was even more ready to expatriate himself for France. An expedition against Louisiana was contemplated by France as early as November, 1792;³ but the earliest document on the subject in the Draper Collection is Clark's proposal, apparently to the French minister to the United States, dated February 5, 1793. In his later correspondence with Genet, however, Clark

¹ See notes to No. 37.

² See the Chronological Index and the memorial of 1789 in Report of Canadian Archives for 1890, pp. 108-111.

³ See Nos. 1, 1a, 1b, 1c, 1d, 1e.

mentions a letter of February 2, 1793, to Genet, of which there is an abstract in the French archives.¹

In April of 1793 there were seditious movements in New Orleans which awakened the apprehensions of the governor,² and in one of these gatherings a Kentucky expedition was planned by Louisiana and Kentucky Frenchmen.³ On the arrival of Genet at Philadelphia in May, he found a convenient agent in the person of André Michaux, the French botanist. Michaux was at that time contemplating a visit to the West in behalf of the American Philosophical Society; Jefferson had in January, 1793, given instructions to him respecting the exploration which he was to undertake for this society across the continent by way of the Missouri. On July 5, Jefferson records that Genet, in an unofficial interview, informed him of his purpose to use Michaux as his agent for inducing Kentucky settlers to undertake the expedition, operating from the Spanish side of the Mississippi, with the design of making Louisiana an independent State, possessing commercial relations both to France and the United States.⁴ Jefferson, who was then Secretary of State, protested that such a violation of our neutrality would put a halter around the necks of those engaged in it; but expressed indifference as to what insurrections might be excited in Louisiana. At Genet's solicitation he gave Michaux a letter of introduction to Governor Shelby of Kentucky, modifying it at the minister's request, so that Michaux was represented not only as engaged in botanical inquiries, but also as possessing the good opinion of Genet, who had desired Jefferson to make Michaux known to Shelby. At this time Jefferson expected that the United States would soon be at war with Spain; and he may have deemed it wise, while formally protesting and preserving the neutrality of the United States, not to cut himself off from an acquaintance with Genet's designs against the Spanish colonies, particularly since the movement was represented as nothing more than a plan to give independence to the colony. Having reason to expect that France would attack the Spanish dependencies in America,⁵ Jefferson, with Washington's approval, had, on March 23, drafted instructions to our representatives in Spain not to sign any treaty guaranteeing her American colonies to Spain. Moreover, Jefferson's draft shows an expunged proposal to give this guaranty in return for a cession to us in Florida.⁶ Genet appears to have believed that Jefferson was privately satisfied with his plans.⁷ In his later references to Michaux, Jefferson represents his letter of introduction as referring to Michaux simply in his capacity as botanist; and in his *Memoir of Meriwether Lewis* (1813), he writes of Michaux's connection with the American Philosophical Society's proposed exploration as follows: "Mr. André Michaux, a professed botanist, author of '*Flora Boreali Americana*' and of the '*Histoire des Chesnes d'Amérique*,' offering his services they were accepted. He received his instruction, and when he reached Kentucky

¹ No. 2b.

² See No. 3.

³ See No. 4.

⁴ See Nos. 7 and 8, and Ford's *Jefferson's Writings*, i, 216; vi, 206, 245; *Jefferson's Works* (1854), ix, 200.

⁵ *Jefferson, Writings*, i, 216.

⁶ *Ibid.*, vi, 206.

⁷ No. 8b.

in the prosecution of his journey he was overtaken by an order from the minister of France, then at Philadelphia, to relinquish the expedition and to pursue elsewhere the botanical inquiries on which he was employed by that Government; and thus failed the second attempt for exploring that region."¹ While the Draper Collection furnishes only negative information on the matter of Jefferson's connection, it is believed that the other documents cited are of assistance in exhibiting Jefferson's relations to the project and Genet's impressions of him.

The correspondence between Michaux and Clark, the Spanish papers, and the De Pauw papers, cast light upon the personality of the other French agents sent by Genet into Kentucky and of the progress of the movement in Kentucky in the fall and winter of 1793-94. They reveal the insubstantial character of the preparations, also due to the lack of funds. Few Kentucky leaders, aside from Benjamin Logan, are connected by the correspondence with Clark's plans, and the former Spanish party, led by Wilkinson, does not join in this expedition. But Clark's later assertion that many people were committed to the expedition who only awaited the right moment for openly declaring themselves, has doubtless a basis of truth. The Tennessee leaders, like Robertson and Blount, are shown in the position of opposing the expedition. Governor St. Clair of the Northwest Territory, apprehended that it would be successful. Governor Shelby of Kentucky, after first doubting the existence of such a proposed expedition and assuring Jefferson of his opposition to it, later wrote his well-known letter of January 13, 1794, to Jefferson, doubting his own legal power to restrain the expedition. Shelby subsequently explained this letter by saying that he knew at the time that the expedition would collapse of itself without the use of force, and that his alarming letter was written in order to awaken the fears of the Federal authorities and thus to induce them to take more energetic measures to satisfy the Western demand for the free navigation of the Mississippi. These documents seem to support Shelby's explanation.

Genet's successor, Fauchet, terminated the expedition, March 6, 1794. The formal announcement was made known to Clark in April, and thenceforward the Draper material deals with the effort of Clark and his agent, Samuel Fulton, to secure a liquidation of accounts against France, first in Philadelphia, and then in Paris. Fulton's letters from Paris show us the impression produced by revolutionary France upon a frontiersman, and the statement of claims shows the slender financial basis of the expedition. Although admitted by the French Government, the claims were not paid, owing to a lack of formality in their certification.

The selections from the Spanish archives contain letters showing the receipt of information of the plan from one of Genet's agents who turned informer; the apprehensions of Governor Carondelet of Louisiana, and his arrangements with his subordinate, Governor Gayoso of Natchez, for defending the province against attack. The military condition of Louisiana is completely described in a communication of Carondelet to the Spanish Government, in November 24, 1794, which is published in the *American Historical Review* for April, 1897, pages 474-505. This military

¹ Compare with this statement, Nos. 8, 18, 22, 29. Jefferson was hardly candid in this matter.

statement, considered in connection with the plans of the promoters of the Kentucky expedition, is of great interest. The collection includes several letters containing the reports of informers, giving the Spanish governor satisfactory knowledge of the progress of the project. Limiting the selection of documents from the Spanish papers to the expedition itself, the editor has been obliged to exclude many important manuscripts in the collection, exhibiting Spain's efforts to detach Kentucky from the Union; her tortuous Indian policy; the advances made to Canadian authorities for a joint English and Spanish policy against the Americans; the evidences of Wilkinson's corrupt connection with Spain; and the measures which Carondelet took to hold the east bank of the Mississippi and to prevent the advance of the frontiersmen.

The French archives, in turn, allow us to perceive the desire of France to apply the revolutionary system to Louisiana, Florida, and Canada; the dissatisfaction with Genet's maladroit course, and the persistence of French designs on Louisiana after his recall.

The contemporaneous expedition of Elijah Clark from Georgia against West Florida, under Genet's patronage, finds little illustration in the Draper manuscripts, but references have been given in the Chronological Index to some of the authorities on the subject of this expedition.

George Rogers Clark's project failed, partly because of the active opposition of the Federal authorities, partly because of Genet's rashness and the failure of the French Government to support the plan with adequate system and financial resources, and partly, no doubt, because of Clark's infirmities and the conservative forces in the West itself. Nevertheless, if the plan had been more efficiently managed, it was not so chimerical as it now appears. The French designs on Louisiana by no means ceased with the failure of this expedition. Collet's¹ investigations into the military condition and the sentiments of the Mississippi Valley, undertaken in 1796, at the desire of Adet, the French minister to the United States, constitute a link between the project of Clark and the retrocession of Louisiana to Napoleon, and the French archives show a continuity of interest in the plan of regaining Louisiana from 1789 to 1800.

CHRONOLOGICAL INDEX TO DOCUMENTS RELATING TO THE PROJECTED FRENCH EXPEDITION OF GEORGE ROGERS CLARK AGAINST LOUISIANA.²

1792.

- [Date?] *Plan proposé pour faire une révolution dans la Louisiane.* Archives des Affaires Étrangères, Espagne, vol. 634, p. 201. No. 1.
- [Date?] *Observations du Cap. Imlay, traduites de l'Anglois.* Archives des Affaires Étrangères, Espagne, vol. 634, p. 202. No. 1a.
- [Date?] *Observations sur les plans ci-joints.* Archives des Affaires Étrangères, États-Unis, supplément, vol. 7, p. 8. See No. 1.

¹ Collet, *Journey in North America*. Paris, 1826; Jefferson, *Works* (1854), ix, 200; Perkins, *Annals of the West*, 456-458; Archives des Affaires Étrangères, États-Unis, vol. 46, pp. 65, 204; vol. 47, pp. 124, 130ff.

² MSS. now first printed are indicated by italics and series number. MS. not printed are marked MS.

- December. *MS. relatif aux instructions de Genet; mémoire pour servir d'instruction; supplément aux instructions.* Archives des Affaires Étrangères, États-Unis, vol. 36, pp. 483, 484, 496. Nos. 1c, 1d, 1e.
- December 31. Lebrun to Bourgoing regarding Short's mission. Archives des Affaires Étrangères, Espagne, vol. 634, p. 184. MS.

1793.

- January. Bourgoing to Lebrun. Arrival of Short at Madrid. Archives des Affaires Étrangères, Espagne, vol. 635, p. 33. MS.
- January. Jefferson's instructions to Michaux regarding his proposed transcontinental exploration for the American Philosophical Society. Ford's Jefferson's Writings, vi, 158.
- February 2. Clark to Genet. Proposing the expedition. Extract in Archives des Affaires Étrangères, États-Unis, vol. 37, p. 99. No. 2a. Compare Nos. 1 and 15.
- February 5. Clark to [French Minister.] Proposing the expedition. No. 2. [Date?] *Fragment of a plan for the expedition.* No. 2b.
- [February 17. Thomas Paine to O'Fallon. With reference to Clark's proposals. See note to No. 2.]
- February 20. Jefferson's minute of a conversation with Col. W. S. Smith, who left Paris November 9, 1792. Genet to be sent. Plans for an attack on Louisiana. Jefferson's Writings, i, 216.
- February 24. Lebrun to Genet. Alludes to emancipation of Louisiana. Archives des Affaires Étrangères, États-Unis, vol. 37, p. 132. MS.
- March 4. *Stephen Sayre, Beauport, Percyrat au Ministre des Affaires Étrangères.* Attempt to revolutionize Louisiana, etc. Archives des Affaires Étrangères, Espagne, vol. 635, p. 195. No. 1b.
- [March?] Considerations sur la Louisiane par Pierre Lyonnet. Archives des Affaires Étrangères, Espagne, vol. 635, pp. 316, 317. MS.
- March 23. Jefferson's draft of instructions to Carmichael and Short. France may offer independence to Spanish American colonies. United States should refuse to guaranty them to Spain. Approved by Washington. Jefferson's Writings, vi, 206; cf. 245.
- March 26. Millot to Citizen [?]. *Adresse ou presente le Cap^e Imlay, Americaine de Kentucky, sur l'expédition des Mississipi après conferencea vec Imlay; ou fissira un jour avec ministre pour avoir une conference generale sur ce sujet.* Archives des Affaires Étrangères, Espagne, vol. 635, doct. 295. Compare No. 3. MS.
- April 8. Genet lands in Charleston.
- April 22. Meeting of New Orleans conspirators, mentioned in No. 73.
- April 22. Washington's Proclamation of Neutrality. Richardson's Messages and Papers of the Presidents, i, 156.
- April 23. *Carondelet to Alcudia.* French disaffection in New Orleans. No. 3.
- June 12. *De Pauw to Genet.* Proposing an expedition against Louisiana. No. 4.
- June 19. Genet to Lebrun. Archives des Affaires Étrangères, États-Unis, vol. 37, p. 434. MS.
- June 24. *John Brown to Clark.* Introducing Michaux. No. 5.
- June 24. *John Brown to Shelby.* Introducing Michaux. No. 6.

- June 28. *Jefferson to Shelby*. Introducing Michaux. No. 7.
- June 28. *Jefferson to Monroe*. Opinion of the new French minister. Randall, *Jefferson*, II, 157.
- June 28. *Jefferson to Madison*. "Spain is so evidently picking a quarrel with us that we see a war absolutely inevitable with her." *Jefferson's Writings*, VI, 322.
- July 5. *Jefferson's minute of a conversation with Genet*, regarding the French expedition. No. 8.
- July 12. *Genet to Clark*. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 35. Compare No. 15. No. 8a.
- July 12. Carondelet reports the expulsion of sixty-eight French suspects from New Orleans. Draper Collection, 42 Clark MSS., p. 1. MS.
- July 25. *Genet to the minister*. Mission given to Genet to propagate the principles of liberty in Louisiana; speaks openly of the orders given him; Jefferson coincides. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 80. No. 8b.
- July 31. *Carondelet to Alcudia*. Critical state of Louisiana; intimations of a French expedition. No. 9.
- July 31. *Genet to minister*. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 111. MS.
- August 2. *Genet to minister*. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 115. MS.
- August 15. *Genet to minister*. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 182. MS.
- August 21. *Viar and Jaudenes to Carondelet*. Announcing a proposed French expedition against Louisiana. No. 10.
- August 27. *Viar and Jaudenes to Jefferson*. Announce the expedition. See Draper Collection, 41 Clark MSS., 203. Compare No. 13 and American State Papers, Foreign Relations, I, 455.
- August 29. *Jefferson to Viar and Jaudenes*. The President will restrain the expedition. Has sent the printed matter to the governor of Kentucky. (Compare American State Papers, Foreign Relations, I, 455), No. 13.
- August 29. *Jefferson to Shelby*. Giving information of the proposed expedition and desiring him to restrain it. Kentucky's interest against it. American State Papers, Foreign Relations, I, 455.
- September 16. *Wayne to O'Fallon*. Thanking him for his hints, and offering him the position of post physician. No. 11.
- September 17. Clark received Genet's letter of July 12, by Michaux; showing the latter's arrival in Kentucky before that date. See No. 15.
- [Date?] *St. Clair to Secretary of State*. The expedition likely to succeed. Michaux professes to be employed in scientific research by Jefferson. *St. Clair Papers*, II, 327.
- September 27. *Carondelet to Alcudia*. Indian alliances; Muscle Shoals settlement; William Clark's visit to Chickasaw Bluff; inhabitants well affected. Indians are Spain's best defense against American aggression. Draper Collection, 40 Clark MSS., 18. MS.
- [Date?] *Les Français libres à leurs frères de Louisiane, l'an 2 de la République Française*. Printed circular of 6 pages. See No. 23. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 91.

- October 1. *Pis-Gignouse to Spanish Ambassador to United States*. Informing him of the plan. No. 12.
- October 1. *Viar and Jaudenes to Las Casas*. Communicating the plan. No. 13.
- October 1. *Viar and Jaudenes to Las Casas*. Information regarding the expedition. No. 14.
- October (?). *Exposé succinct de la conduite de Genet dans les États-Unis de l'Amérique*. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 144. MS.
- October 2. *La Chaise, De Pauw, Mathurin, and Gignoux (Pis-Gignouse)*, the French agents, leave Philadelphia for Kentucky. *American State Papers, Foreign Relations*, 1, 455.
- October 3. *Clark to [Genet]*. Finds that the latter has adopted all his proposals of February 2. States his plans. No. 15.
- October 3. *Clark to [Michaux]*. The design generally known. No. 16.
- October 5. *Shelby to Jefferson*. Agrees that expedition should be prevented, but is persuaded that no such expedition is contemplated. *American State Papers, Foreign Relations*, 1, 455; compare Butler, Kentucky, 525.
- October 7. *Michaux to Clark*. Lexington merchants promise money. Mr. Brown approved the expedition. No. 17.
- October 7. *Genet's instructions to Michaux*. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 82. Nos. 8e, 8d.
- October 7. *Genet's authorization to Clark*. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 90. No. 8e.
- October 7. *Genet to Lebrun*. Number 13 A. Servant d'introduction à toute l'expédition. Archives des Affaires Étrangères, États-Unis, vol. 38, p. 402. MS.
- October 7. *Genet to minister*. 13 B. Correspondance de Genet avec le peuple américain. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 3. MS.
- October 7. *Genet to minister*. 21 B. New York. Sur les opérations que vont entreprendre les forces navales de la République et sur les moyens que "j'ai préparés pour mettre sous l'empire de la liberté les peuples de Canada, des Illinois et de la Louisiane." Archives des Affaires Étrangères, États-Unis, vol. 39, p. 79. No. 17a.
- October 10. *Michaux to Clark*. May have to have recourse to Philadelphia for money. No. 18.
- October 10. *Ministre des Affaires Étrangères to Morris*. Condemning Genet's conduct. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 148. MS.
- October 15. *Clark to Michaux*. Is appointing emisaries; with boats they could vex the enemy in less than four weeks. No. 19.
- October 16. *Extrait des registres des arrêtés du Comité de Salut Public de la Convention Nationale*. Commissioners to be sent to America in eight days to arrest Genet, Dupont, etc. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 159. MS.
- October 17. *Clark to Sullivan*. Regarding the boats. No. 20.
- October 24. *Carondelet to Alcedia*. Information of the expedition received from Viar and Jaudenes. No. 21.

- October 25. *Clark to Genet*. Michaux finds it necessary to see Genet; plans. No. 22.
- October 25. *Carondelet to Alcutia*. The Philadelphia Jacobin Society's address to the French of Louisiana. No. 23.
- October 26. *Montgomery to Clark*. Regarding a commission. McCollum will secure provisions by a hunt on the Ohio. No. 24.
- October 28. Treaty of Nogales (Walnut Hills). Reported by Gayoso and Carondelet, in Draper Collections, 42 Clark MSS, 120. MS.
- October 29. *Carondelet to Gayoso*. Information of the expedition, with comments. No. 25.
- November 6. *Carondelet to Alcutia*. Information regarding the expedition. No. 26.
- November 6. Jefferson to Shelby. Departure of the French agents, La Chaise, De Pauw, Mathurin, and [Pis-]Gignoux. Kentucky's surest dependence is on regular measures. American State Papers, Foreign Relations, I, 455.
- November 7. St. Clair to Shelby. Announcing the expedition. St. Clair Papers, II, 320. Compare St. Clair to the Secretary of War, I. c., 321, and to Secretary of State, I. c., 326.
- November 9. Secretary of War to Shelby. If peaceful measures ineffective, use force at expense of United States. American State Papers, Foreign Relations, I, 458.
- November 9. Secretary of War to St. Clair. To same effect as above. American State Papers, Foreign Relations, I, 458.
- November 15. Mémoire pour servir d'instructions aux Commissaires du Conseil Exécutif provisionnaire près les États-Unis, Fauchet, etc. Archives des Affaires Étrangères, États-Unis, vol. 39, p. 255. MS.
- [Date?] De Pauw to Shelby. Asking his official attitude toward the expedition, and desiring him to "participate some of these handbills to that noble society of democrats." See No. 27. Printed in Marshall, Kentucky, II, 100; Pitkin, United States, II, 380; Hall, Sketches of the West, II, 38.
- November 28. *Shelby to De Pauw*. The expedition is declared illegal by the Federal authorities, and he will take such action as his present situation obliges him. No. 27.
- December 6. Resolves of South Carolina house against Elijah Clarke's expedition against the Spaniards. American State Papers, Foreign Relations, I, 309, 311, 426, 459 ff. Compare citations by Roosevelt, Winning of the West, IV, 151, 193; McMaster, United States, II, 141-142; Stevens, Georgia, II, 401; Sherwood, Georgia Gazetteer; Ramsay, South Carolina, I, 207; Haywood, Tennessee (1823), 409; and Draper Collection, Clark MSS., letters of Carondelet to Alcutia, September 17, 1794, and September 1, 1795; and Draper Collection, Georgia, Alabama, and South Carolina Papers.
- December 7. Proclamation of St. Clair against the expedition. St. Clair Papers, II, 321.
- December 13. Address of the Democratic Society of Kentucky. Protesting against the unwillingness of the Federal Government to secure the navigation of the Mississippi, and proposing branch societies for correspondence with a view to uniting the Western country. Ameri-

- can State Papers, xx, Miscellaneous, 1, 929. A broadside is in the Draper Collection, 55 Clark MS. 7.
- December 19. *Bradford to De Pauw*. Declining to print Genet's address in the Kentucky Gazette. No. 28.
- December 23. *Gayoso to Carondelet*. Enclosing Mitchell's disclosures respecting the expedition and Clark's quarrel with O'Fallon. See No. 31.
- December 25. Genet to Jefferson. Has not authorized the collection of forces against Spain on territory of the United States, but has granted commissions to men who desired to go among the independent Indian tribes, ancient allies of France, to retaliate on the Spaniards and English. American State Papers, Foreign Relations, 1, 311.
- December 27. *Michaux to Clark*. From Philadelphia. Genet persists in the plan Clark proposed; but because of inability to use the navy, postpones it to spring. No. 29.
- December 28. Robertson to Portell. Informing this commandant at New Madrid of the expedition. See No. 36.
- December 31. Benj. Logan to Clark. Offering his services. No. 30.

1794.

- January 1. *Carondelet to Alcutia*. Fears for the safety of Louisiana and Santa Fé. Encloses Gayoso's letter of December 22 and 23, 1793, with Mitchell's disclosures. No. 31.
- January 5. *Clark to De Pauw*. Provisions to be furnished by February 20. No. 32.
- January 6. Wayne to Shelby. United States cavalry to be placed under the latter's orders to restrain the expedition. American State Papers, Foreign Relations, 1, 458.
- January 10. *R. Breckenridge to [Shelby]*. Somelittle stir in relation to the expedition, but no prospect of success. No. 33.
- January 11. *Clark's commission to Henry Lindsay*. No. 34.
- January 12. *Montgomery to Clark*. The stores at Clarkesville (Tennessee). No. 35.
- January 13. Shelby to Jefferson. Doubts legal power to prevent men from leaving Kentucky with arms in their hands. American State Papers, Foreign Relations, 1, 455. See his explanation of his policy in Butler, Kentucky (1836), 229, 524-531.
- January 15. Clark's commission to John Cochran as captain in the Fourth Regiment of Infantry. Draper Collection, 34 Clark, 52, from Colonel Durrett's library.
- January 15. Washington's message regarding the relations of Genet to the Spanish possessions. American State Papers, Foreign Relations, 1, 309.
- January 17. *Portell to Robertson*. Thanking the latter for his assurances of December 28, 1793. No. 36.
- January 18. *Blount to Robertson*. Against the expedition. No. 37.
- January 24. *Carondelet to [Alcutia]*. Advantage of the Indian treaty in view of the expedition. Montgomery's post at the mouth of the Ohio. Interior of Louisiana nothing to fear; but danger to St. Louis and Arkansas. No. 38.

- January. Clark's proclamation calling for volunteers for an expedition to free the Mississippi. Offers lands and plunder. *St. Clair Papers*, II, 321, citing *Centinel of Northwestern Territory of January 25, 1794*.
- February 10. *Clark to De Pauw*. Concerning provisions. No. 39.
- February 10. Shelby to Wayne. Not the smallest probability that such an enterprise will be attempted. Militia able and willing to suppress, if attempted. *Butler, Kentucky (1836)*, 524.
- February 10. Letter in *Maryland Journal*, March 12, 1794. Writer hopes to return by way of New Orleans with a canoe load of Southern silver.
- February 16. James Brown to Shelby. The enterprise has not money enough to succeed; unnecessary to act; impolitic to exercise questionable powers; good policy to arouse Federal apprehension. *Butler, Kentucky*, 528, 229. No. 40.
- February 18. *Gayoso to Alcutia*. Preparations at Natchez for defense. Complains of Carondelet. No. 41.
- February 23. *Greenup to Shelby*. From Philadelphia. Fauchet (Genet's successor) arrived last Friday and was introduced to the President, February 22. *Draper Collection*, 11 *Clark MSS*, 246. MS.
- March. Clark's men at the mouth of the Cumberland. See No. 48.
- March 6. Fauchet's orders in *Centinel of the Northwestern Territory*, revoking commissions and forbidding Frenchmen to violate United States neutrality. Mentioned in *Collins, Kentucky*, II, 113. Also given in *Archives des Affaires Étrangères, États-Unis*, vol. 40, p. 147. MS.
- March 18. *Fulton to De Pauw*. Asking him to be at home that they may discuss provisions. No. 42.
- March 20. *Carondelet to Alcutia*. Expedition by sea broken up; preparations on the river continue. Pusgignoux [sic], the informer, taken by Gayoso; his examination. No. 43.
- March 21. *Fulton to Clark*. Provisions. Michaux not dead; will be out April 15. Letter brought by La Chaise. No. 44.
- March 21. *Les Commissaires du Conseil Executif Provisoire près les États-Unis au Ministre des Affaires Étrangères*. *Archives des Aff. Étr., États-Unis*, vol. 40, p. 288. MS.
- March 26. President Washington's proclamation against the expedition. *Richardson, Messages and Papers of the Presidents*, I, 157.
- March 29. *Randolph to Shelby*. Inconsistency of Shelby's letters. The law in the case. Negotiations for free navigation progressing. Present French minister has disavowed expedition. *American State Papers, Foreign Relations*, I, 456.
- March 31. Extract from *Kentucky letter*, showing that Clark's agents were purchasing powder, etc. *American State Papers, Foreign Relations*, I, 458.
- March 31. Secretary of War to Wayne. Occupy Fort Massac to prevent the expedition. Proposed instructions. *American State Papers, Foreign Relations*, I, 458.
- April 3. Blount to Smith. The movement collapsed on recall of Genet. Roosevelt, *Winning of the West*, IV, 182, citing *Blount MSS*.
- April 8. A traveller leaving Kentucky about this date says that after having been suspended for lack of money, the expedition was reviving on receipt of funds and was openly advocated. *American State Papers, Foreign Relations*, I, 459.

- April 9. *Carondelet to Alcutia*. Danger of an expedition. Seagrove's speech to the Creeks. No. 45.
- April 11. Orders to suspend the expedition. See No. 66.
- April 11. *Simcoe to Carondelet*. From Miami Rapids. Replies to Carondelet's overtures. Draper Collection, 41 Clark MSS., 7. See No. 50. MS.
- April 13. *Les Commissaires du Conseil Executif Provisoire près les États-Unis au Ministre des Aff. Étr.* Archives des Aff. Étr., États-Unis, vol. 40, p. 384. Concerning Genet's accounts. Compare pages 386, 386, and 413 of same volume. MS.
- April 13. *Roulstone to Sevier*. From Knoxville (Tennessee). Expedition given over. Draper Collection, 54 Clark MSS., 5. MS.
- April 20. *Fulton left Louisville by Clark's orders after Fauchet's proclamation of countermand*. See No. 49.
- May. *La Chaise's farewell address to Democratic Society of Lexington*. Acted on by the society May 14. American State Papers, Miscellaneous, I, 931. Compare Marshall, Kentucky, II, 117.
- May 7. *Wayne's instructions to commandant of Fort Massac*. Enclosed in No. 67.
- May 20. President Washington's message against the expedition, with documents. American State Papers, Foreign Relations, I, 454.
- May 20. *Fauchet, Petry et Laforrest au Ministre des Aff. Étr.* Embarrassment of the commissioners respecting the expedition. Archives des Aff. Étr., États-Unis, vol. 41, p. 78; cf., p. 108.
- May 24. *Lexington resolutions and remonstrance*. On the Federal policy toward the West. No. 46.
- May 25. *William Clark to Jonathan Clark*. His connection with Wayne's operations. Spanish preparations against Clark's expedition. No. 47.
- May 28. *Letter from Newark to Pennsylvania Gazette, June 4, 1794*. Regarding Montgomery's fort at mouth of the Cumberland. No. 48.
- May 28. *Les Commissaires au Ministre des Aff. Étr.* Archives des Aff. Étr., États-Unis, vol. 41, p. 108. MS.
- May 31. *Carondelet to Alcutia*. He made peace with the Osages because of apprehension of their aiding Clark. Chouteau's fort. Draper Collection, 39 Clark MSS., 96. MS.
- June 5. Federal law to prevent expeditions from violating American neutrality. United States Statutes at Large, Third Congress, first session, chapter 50, 1794.
- July. *Fulton to Minister of France*. His accounts and connection with the expedition. No. 49.
- July 9. *Carondelet to [Alcutia]*. Desirability of reciprocal guaranty between London and Madrid. Simcoe's policy; Dorchester's speech to the Indians. No. 50.
- July 15. *Carondelet to [?]*. Statement of the deserter, James Shephard, respecting Wayne, Fort Massac, and its commandant, Major Doyle. Wilkinson mentioned. Draper Collection, 41 Clark MSS., 21.
- July 21. *Fulton to Clark*. Arrival in Philadelphia. Michaux has been five months in Charleston. No. 51.
- July 26. *Fulton to Clark*. La Chaise arrived yesterday. Fauchet says accounts will be paid; will go to present them to the National Convention. No. 52.

- July 30. *Carondelet to Alcudia*. Proposal to separate Kentucky from the Union. Suspension of duties to check Clark's project. No. 53.
- August 3. *Clark to Fulton*. In French; authorizing Fulton to represent him in France, and draw on him for 2,000 acres of land. (See No. 58.) No. 54.
- August 4. *Clark's claims against France*. Sworn to October 25, 1795. Other copies in French. (See Draper Collection, 55 Clark MSS., 19-22.) Nos. 55, 56.
- August 9. Val. Sevier to J. Sevier. Doyle with about eighty regulars at Fort Massac. Draper Collection, Kings Mountain MSS. xi. MS.
- August 26. *Fauchet to Clark*. Will pay expenses; salaries, etc., must be acted on by the French Government. No. 57.
- August 28. *Fulton to Clark*. Interviews with Fauchet. Has signed Clark's name to documents. No. 58.
- September 16. *Fauchet au Commissaire du Département des Relations Extérieures*. Introducing La Chaise and Fulton. (Compare Archives des Affaires Étrangères, États-Unis, vol. 41, p. 417.) No. 59.
- September 17. *Carondelet to Alcudia*. Elijah Clarke's expedition. Draper Collection, Clark MSS. MS.
- September 19. *Gayoso to Alcudia*. Protests against Carondelet's order to incite Indians against Fort Massac. Wayne broke up Montgomery's post. No. 60.
- October 23. Instructions pour le Ministre. Archives des Aff. Étr., États-Unis, vol. 42, p. 93. MS.
- November 8. *Fulton to Clark*. From Nantz. Safe arrival, thirty-three days from Philadelphia. No. 61.
- November 15. Governor Shelby's message to the Kentucky legislature. Regarding Clark's expedition. Butler, Kentucky, 524.
- November 22. La Commission d'Agriculture aux citoyens composent la Commission des relations extérieures. Enclosing a letter of Michaux. Archives des Aff. Étr., États-Unis, vol. 42, p. 295. MS.
- November 24. *Carondelet to Alcudia*. Details respecting fortifications and plan of defense of Louisiana. Published in American Historical Review, April, 1897. Draper Collection, 39 Clark MSS., 16-92.
- December 25. James Innes, messenger of the President, to inform Kentucky people of the state of negotiations regarding the Mississippi. American State Papers, Miscellaneous, 1, 926.

1795.

- January 25. Testimony of Robert Ashley, taken by order of Gayoso in relation to the expeditions of Elijah Clarke and George Rogers Clark. Tardiveau, the interpreter to Genet's agent. Claiborne, Mississippi, 152-153, note.
- January 30. *McCullom to Clark*. Enquiring about the situation. No. 62.
- February 13. *Fulton to Clark*. From Paris. Regarding claims and French affairs. No. 63.
- February 14. Rapport au Comité de Salut Public sur une petition de la Chaise. Concerning indemnity for La Chaise and Fulton. Archives des Aff. Étr., États-Unis, vol. 43, p. 191. Compare pp. 194, 318. MS.

- March 2. *Fulton to Clark*. From Paris. Regarding claims. Is to be lieutenant-colonel in the French cavalry. Can get no answer regarding renewal of expedition. No. 64.
- April 9. *Fulton to Clark*. In regard to claims and the plot of La Chaise against the West. No. 65.
- April 24. Letter from commissioners about Kentucky. Archives des Affaires Étrangères, États-Unis, vol. 43, pp. 445, 446. MS.
- May 1. *Commission for Land Forces to Fulton*. Claims will be paid to April 11, 1794. No. 66.
- September 25. Carondelet to Alcudia. A statement of the purposes to which the expenditure of \$294,562 was applied in the defence of Louisiana. Draper Collection, 41 Clark MSS., 198. MS.
- October 27. Pinckney signs the treaty with Spain, securing freedom of navigation of the Mississippi. Proclaimed August 2, 1796. Treaties and Conventions between the United States and Other Powers, 1776-1887, p. 1006.
- November 1. *Carondelet to Alcudia*. Wayne's complaints regarding Spanish occupation of Chickasaw Bluffs. No. 67.
- November 2. *Clark to Committee of Public Safety*. Fulton's return with news of ratification of Clark's actions by France. Desires to renew the expedition. No. 68.
- November 23. *Tardiveau to Clark*. Regarding his claims. No. 69

1796.

- March 16. Mémoire pour servir de développement à la partie des instructions du Gén. Perignon relatif à la rétrocession de la Louisiane à la France. Archives des Affaires Étrangères, Louisiane et Florides, vol. 7, p. 28.
- April 1. *Adet to Fulton*. Can not certify Clark's accounts. Michaux was empowered to do so. Genet's commission to Clark. (Compare Perkins, *Annals of the West*, 456, 458.) No. 70.
- April 4. *Fulton to Clark*. Interview at Philadelphia with Adet regarding claims. No. 71.
- April 19. Adet au Ministre des Relations Extérieures. Presents Fulton. Archives des Aff. Étr., États-Unis, vol. 45, p. 378. MS.
- October 21. Samuel Fulton au citoyen Lacroix, Ministre des Affaires Étrangères, respecting Louisiana. Archives des Affaires Étrangères, Louisiane et Florides, vol. 7, p. 44. MS.
- October 24. Mangourit à Delacroix. Concerning Michaux. Archives des Aff. Étr., États-Unis, vol. 46, p. 217; compare p. 341. MS.
- December 1. Ministre de la Marine au Ministre des Relations Extérieures. Clark's claims. Archives des Aff. Étr., États-Unis, vol. 46, p. 420. MS.

1797.

- January 18. Waldrhyu aux citoyens membres du Directoire Executif. Says as the committee has renewed Clark's commission he begs that his also may be renewed. Archives des Aff. Étr., États-Unis, vol. 47, pp. 112, 114, 246. MS.
- May 16. Fulton to minister. Concerning Clark's salary. Archives des Aff. Étr., États-Unis, vol. 47, p. 280. MS.

May 26. Rapport du Ministre des Relations Extérieures au Directoire Exécutif. Concerning Clark's claims. Archives des Aff. Étr., États-Unis, vol. 47, p. 305; compare pp. 358, 376. MS.

November 1. *T. Pickering to Noah Webster*. Regarding Clark's negotiations with Genet. Pickering Papers, VII, 412 (Mass. Historical Society). No. 71a.

1802.

December 27. *Fulton to Clark*. Attempts to hear from Clark. Claims unsettled for lack of formalities. Expects land grant in Louisiana. No. 72.

1808.

March 31. Resolutions of the house of representatives of Kentucky. Regarding Harry Innes, judge of the Federal district court; his relation to the expedition. John Brown's statement of his knowledge of the progress of the expedition and relation to Genet. American State Papers, Miscellaneous, 1, 922.

April 19. Report of Mr. Rowan to the House of Representatives of the United States in regard to Judge Innes. House Journal, Tenth Congress, 241, 245, and Butler, Kentucky, 531.

[Date?] *De Pauw's address*. No. 73.

April 23. *Shelby to De Pauw*. No. 74.

1812.

July 1. *Shelby to Hardin*. Explaining his policy regarding the expedition. Compare his address to the Freemen of Kentucky. Butler, Kentucky, 528-531.

I. PLAN FOR REVOLUTION IN LOUISIANA (ARCHIVES DES AFF. ÉTR.)¹

PLAN² PROPOSÉ POUR FAIRE UNE REVOLUTION DANS LA LOUISIANE.³

Pour bien envisager cette question intéressante, il faut la dépouiller entièrement du merveilleux—n'y voir que ce qu'elle présente réellement.

Embrasser tout à la fois le pays immense qui s'étend depuis le nouveau Mexique jusqu'au Chili pour y faire des révolutions, c'est vouloir perdre des réalités, pour s'occuper de Chimères. Sans doute ces immenses possessions ne resteront pas

¹ Espagne, vol. 634, folio 201.

² This is a draft and is indorsed, 1792.

³ The following observations (Archives des Aff. Étr., États-Unis, supplement, vol. 7, folio 8) are described by the copyist for the Commission as relating to the above document, and to Lyonnet's plan, which the Commission has not yet secured (Archives des Aff. Étr., Espagne, vol. 636, pp. 316, 317). The observations are indorsed: "fin 1792 et 4^e mois 1793."

OBSERVATIONS SUR LES PLANS CI-JOINTS

Il n'y a aucun doute que la révolution de la Louisiane ne soit facile et importante pour la France. Il est certain aussi que pour ne pas manquer cette campagne les mesures

toujours sous le joug Espagnol. Mais il ne depend pas de nous de les delivrer aujourd'hui.

La Louisiane promet des succès plus immediats, plus certains et peu dispendieux. Ces succès ne sont pas infailibles; mais très probables.

Pour mettre le Ministre en état d'en juger je vais lui soumettre en peu de mots les motifs de cette entreprise, de même qu'un aperçu des preparatifs à faire des moyens à employer, des dépenses et des raports politiques qui en resultent.

Je serai court, parceque les preuves des faits que j'avance se trouvent dans une Memoire dont la minute est ci jointe. Il est le fruit des recherches que j'ai faites pendant 5 ans. J'ai cru pouvoir engager notre ancien Gouvernement à negocier avec l'Espagne la retrocession de la Louisiane; mais les circonstances ne lui ont pas permis de s'en occuper.

MOTIFS DE L'ENTREPRISE.

1. L'importance de faire une diversion dans la Louisiane; d'allarmer l'Espagne sur la possession de ses Colonies occidentales, et d'y faire employer une partie de ses troupes pour garder le nouveau Mexique. Peut être 10000. hommes ne suffiroient ils pas pour assurer cette frontiere, lorsque la Louisiane sera libre.

2. La disposition des habitans, presque tous François ou Anglo Americains, ennemis jurés d'une poignée d'Espagnols qui à la verité ne les oppriment pas, mais genent leur industrie et leur commerce. Le resentiment qu'ils ont couservé de la maniere barbare dont l'Espagne a signalé sa prise de possession.

3. La faiblesse des garnisons, qui à la Nouvelle Orleans, à Natchès, et dans les autres forts se montent tout au plus à

doivent être prées san aucun delai. Les plans ci joints renferment plusieurs vues excellentes; mais j'observerai:

1°. qu'il est de la plus grande importance que les Etats unis n'ayent aucune part à cette operation.

2°. Que le Ministre de France seul doit être chargé de la comptabilité.

3°. Que parmi les cooperateurs nommés Lyonnet est celui qui joint à un caractère solide le plus de connoissance locales. Il a remis au C. Brissot un Memoire qui doit être communiqué au Ministre.

4°. Qu'on a oublié de faire mention des François établis sur le Scioto et dans d'autres parties de l'interieur des Etats Unis- la plupart resolu et excellens pour un coup de main.

5°. Qu'il ne faut pas encore penser au Mexique ni aux autres Colonies Espagnoles.

6°. Qu'avant de prendre un parti il faut avoir connoissance du Memoire de Lyonnet. Il y a trop longtems que Barlow et Sayre ont quitté les Etats unis pour avoir des idées exactes sur la situation actuelle des choses.

1500 hommes, commandés en partie par de François Creoles, et epars sur une surface d'environ 600 lieues en 30 differens postes. La nouvelle Orleans n'en a que 350.—les 3 quarts François.

4. Le caractere des habitans qui ressemble beaucoup à celui des Anglo Americains, ils sont robustes, entreprenans, bons chasseurs et amis de la liberté, d'ailleurs tous armés. Dès 1779, ils ont fait secretement des ouvertures au Ministre Plen. de France à Philadelphie pour nous engager à les soustraire au joug Espagnol. La nouvelle d'une revolution en France a fait chès eux la plus vive sensation. Il ne leur manque que l'assurance d'être protegés et ils se souleveront.

5. Rien de plus facile que la defense de la Louisiane par mer. En lisant dans le Memoire ci joint la description detaillée des bouches du Mississipi on se convaincra qu'il est impossible de prendre la nouv. Orleans contre le gré des habitans.—Par terre les Louisianois n'ont rien à craindre et la revolution faite il seroit impossible de la defaire.

6. L'utilité de cette revolution seroit très grande par le nombre de Corsaires qui sortant des bouches du Mississipi infesteroient toutes les côtes du Golphe.

MESURES PRELIMINAIRES À PRENDRE.

1. Envoyer à Philadelphie sous le plus grand secret 3. ou 4. hommes bien instruits, François, militaires parlant Anglois et connoissant le pays.—Parmi ceux qui se sont presentés Lyonnet est le plus habile et le plus sage. J'examinerai dans le dernier s'il faut adjoindre des Americains à cette Commission.

2. Envoyer de même par la voie de Philadelphie à la Nouv. Orleans un Emissaire intelligent et intimement lié avec les habitans, pour se concerter avec ceux qui lui paroîtront les plus propres à seconder nos vues.—J'ai déjà jetté les yeux sur un homme qui a été longtems à la Nouv. Orleans, qui peut y retourner sans donner le moindre ombrage et qui a un passeport Espagnol. Il est particulierement recomãnde par Lyonnet qui est son ami.—Il a l'avantage d'être très lié avec les habitans les plus patriotes.

3. Donner au Ministre Genet les pouvoirs nécessaires concernant l'emploi de ces Commissaires, le charger de toute la comptabilité de l'expédition et du choix des personnes qui doivent être adjointes à cette Mission.

4. Faire passer sur le champ au Kentucky, à la colonie de Marietta et à celle du Sicoto, et de Cumberland, des hommes capables d'inspirer aux habitans l'enthousiasme nécessaire pour se porter eux mêmes à une expedition, leur promettre la navigation illimitée du Mississipi qu'ils desirent avec impatience. Faire en sorte que le Gouvernement du Kentucky ne se compromette pas et que toute l'expedition n'ait l'air que d'un coup de filibustiers. Les habitans de ces pays sont avanturiers par principe et par habitude. Le g.^{al} Wilkinson, tres puissant dans le Kentucky est surtout l'homme qu'il faut s'attacher. Il seroit peut être l'homme le plus propre pour commander en chef.

5. Garder à Philadelphie le plus profond secret sur toutes ces operations.

MOYENS À EMPLOYER.

Arrivés à Philadelphie les Commissaires s'annonceroient comme chargés de faire des achats de terre au Kentucky et ailleurs. Ils se mettroient en relation avec les négocians qui leur donneroient des lettres de recommandation pour l'intérieur, de même que des lettres de credit. Ils auroient même un peu l'air aristocrate pour mieux tromper la surveillance du public.

Le même pretexte d'acheter des terres leur donneroit la facilité de se repandre et de traiter avec ceux qui leur seroient indiqués comme propres à l'entreprise dont il est question.

Ils rassembleroient en differens points sur l'Ohio 500. hommes bien determinés ils leur promettoient le pillage de la caisse royale à la nouv. Orleans des magasins du Roi et des batimens Espagnols, ils leur feroient esperer en outre en cas de succès des concessions considerables en terres. Pour couvrir l'objet de ces rassemblemens ils s'adresseroient aux nombreux chefs américains qui se trouvent dans ces contrées pour lever un corps de Volontaires destinés en apparence contre les Sauvages avec lesquels les Americains sont en guerre.

Tardiveau ou un autre negociant du pays, qui seroit dans le secret armeroit 8 ou 10 bateaux sous pretexte d'envoyer des farines et tabacs à la nouvelle Orleans. Pendant la guerre actuelle contre les Sauvages il paroitra tout simple de donner aux matelots des armes et munitions. Il faudra doubler le nombre des rameurs pour qu'ils puissent se relever de six heures en six heures et ainsi marcher jour et nuit.

Le Commandant en chef de l'expédition qui devrait être un Americain seroit muni de pleins pouvoirs de la Republique Francoise.

Il descendroit l'Ohio avec les précautions necessaires et s'empareroit du premier fort sur le Mississipi appelé *l'anse à la graisse* il trouveroit une 20.^e de canons propre a faciliter ses progrès ulterieurs.

Aux Natches et dans les contrees plus peuplées il repandroit au nom de la Rep. un manifeste en langue Francaise et Anglaise.

Par ce Manifeste il inviteroit les habitants a se former sans delai en assemblées primaires à declarer leur independance et à choisir des Magistrats.

L'Emissaire dont on a parlé dans le premier article auroit prevenu d'avance les hommes les plus influans et les mieux disposés. On les connoit facilement. On n'a qu'à s'adresser à ceux dont les parens ont été massacrés à cause de leur attachement pour la France. Le Commandant en chef sera autorisé à distribuer des brevets d'officiers. On se gardera bien de parler de reunion aux Louisianois on leur offrira la liberté et la protection de la France. Pour cet effet on donnera des pleins pouvoirs au Commandant en chef de conclure au nom de la Republique un traité d'alliance avec les Louisianois. On Previendra le Commandant de la Station au Cap de l'expédition projetée pour le mettre à même d'envoyer des secours, lorsqu'on lui en demandera.

Les principaux habitans de la nouv. Orleans recevraient indubitablement a bras ouverts leurs liberateurs et la reddition de cette ville mettroit fin à toute l'expédition.

DEPENSE

Il me paroît que la totalité des depenses de cette expédition n'excederoit pas la somme de 400000#, qui en cas de succès pourroient être prelevés sur la caisse royale à la Nouv. Orleans. Voici l'aperçu de ces depenses

| | |
|---|---------|
| Traitement des chefs de l'expédition environ | 30,000 |
| 8 à 10 gros bateaux de l'ohio dont chacun coute sur les lieux environ 6,000# ci | 60,000 |
| l'engagement et l'armement de 500 hommes, par aperçu . | 150,000 |
| approvisionnement | 20,000 |
| Depeuses divers et impreuves | 140,000 |
| | <hr/> |
| | 400,000 |

Les aprovisionnementens sont à tres bon marché dans le Kentucky et aux environs; on peut s'y procurer des fusils sabres et munitions de guerre mais peu de caons. D'ailleurs l'achat de ce dernier article donneroit des soupçons, il seroit plus avantageux de s'en procurer au fort de l'anse à la graisse qui est tres mal gardé.

MANQUE DE SUCCÈS.

Dans le cas où des revers impreuves empêcheroient la flotille de gagner la nouvelle Orleans, et de produire sur le champ une revolution, cette expedition n'en seroit pas moins utile en faisant une diversion. Nos 500 hommes pourroient s'établir sur la rive droite du Mississippi, s'y fortifier, repandre leurs principes et donner les plus grandes inquietudes à l'Espagne qui n'auroit pas le tems de prendre des mesures vigoureuses pour les chasser; en moins de 3. mois la Colonie seroit soulevée par l'activite de nos Missionaires

QUELLE DOIT ÊTRE NOTRE CONDUITE À L'EGARD DES ETATS UNIS?

Pour tout homme qui connoit la politique des Americains libres cette question est la plus difficile à ressoudre.

Faut-il metre dans notre secret les Chefs de cette Republique ou agir sans leur concours?

Les Louisianois voudront ils se reunir a la France ou aux Etats unis?

Est il de l'interet des Etats unis de les recevoir? Est il même de leur interèt de faciliter l'indépendance de la Louisiane?

Pouvons nous agir sur l'ohio sans compromettre la neutralité des Etats unis?

Toutes ces questions plus embarrassantes les unes que les autres sont liées à la premiere.

Pour y repondre il ne faut pas perdre de vue les observations suivantes.

Il y a dix ans que l'indépendance de la Louisiane auroit été considerée par les Americains comme infiniment desirable car alors les americains avoient encore l'enthousiasme de la liberté.

La jouissance les a rendus plus calmes, ils ne traitent plus la liberte en amants mais en maris, tout chés eux se calcule, se combine: la reflexion les guide bien, mais elle les glace.

Je sais que les hommes les plus instruits et les plus influans parmi eux bien loin de desirer l'indépendance de la Louisiane, ne font pas même des voeux pour la liberté de la navigation du Mississippi; en voici la raison.

La Nature a tracé les revolutions futures de l'Amerique Septentrionale. Tout le territoire des Etats unis depuis la mer jusqu'au Mississipi est coupé du Nord au Sud par de longues chaines de montagnes, qui renferment les sources d'une infinité de rivieres. dont les unes coulent vers le Mississipi, les autres vers la mer. La partie de l'Est est peuplée, celle de l'ouest ne l'est presque pas. Les climats des deux contrées offrent autant de differences qu'on en trouvera dans les interêts des habitans. Les uns dirigeront toutes leurs speculations vers la nouvelle Orleans qui sera leur unique debouché; les autres vers les villes etablies sur les bords de la Mer Atlantique

La rivalité qui en resultera sera fortifiée par l'identité des deurrées et des productions; de même que les Etats unis, les bords du Mississipi fournissent mais en plus grande perfection *du tabac, de l'indigo, des pelleteries, des munitions navales, des bois de construction, des planches des doures etc., des viandes salées, des cuirs, des suifs, des chevaux, du ris, du maïs, des legumes, des laines, du bled, de la soie, du chanvre* tous objets, dont la vente forme aujourd'hui la principale richesse des Etats unis.

On me dira que le Congrès a fait tout recement à Madrid des demarches pour obtenir la libre navigation du Mississipi. Mais ces demarches ne prouvent pas l'interêt qu'il y met. Elles prouvent seulement qu'il n'a pu se refuser aux instances du Kentucky qui forme aujourd'hui un quinzieme Etat et qui a fait de cette demande une condition tacite de son accession à la confederation.

Cette liberté de navigation et l'indépendance de la Louisiane entraineroient dans cette contrée une population immense aux depens des Etats unis. Par l'accroissement progressif de cette population la scission entre les Etats Atlantiques et ceux de l'Ouest sera inevitable. Les Americains le savent et font leur possible pour en reculer l'epoque.

Il me paroît d'après cela que le Ministre Genet ne peut mettre trop de reserve et de circonspection à l'execution de cette entreprise. a la verité il pourroit sonder adroitement les dispositions des Chefs du Gouvernement à l'égard d'une reunion de la Louisiane aux Etats unis, il pourroit en parler comme d'une chose purement desirable et disposer les esprits à recevoir avec satisfaction la nouvelle du succès de notre expedition.

Le Ministre Genet auroit soin de l'attribuer uniquement à l'inquietude des Emigrans Francois etablis sur le Scioto Il

engageroit le Gouvernement à desavouer l'entreprise dans le même sens à Londres et à Madrid pour ne pas compromettre la neutralité des Etats unis. Le Congres donneroit même des ordres aux cours de justice de sevir contre les chefs de cette invasion qui se trouvant a 500 lieues des Frontières des Etats unis n'auront rien à craindre de ces poursuites.

Il seroit complètement inutile de parler d'aucune reunion. Les Louisianois auroient conquis leur liberté et auroient soin de la defendre car les Etats unis ne peuvent et ne voudront leur donner aucun secours.

Il est d'autant plus instant de couvrir cette expedition du voile le plus epais que l'Espagne et l'Angleterre entretiennent à Philad^e. des Ministres tres vigilans et qui sur les moindres indices pourroient faire manquer l'expedition. D'apres ces motifs je ne conseillerois pas d'adjoindre à la commission les deux Americains qui se sont proposés. Tous deux sont hors d'etat de payer de leurs persones, condition indispensable dans une expedition de ce genre. Ils ont quitté l'Amerique depuis bien des annees et ils ne connoissent que tres superficiellement l'interieur des Etats unis. On pourroit leur dire que le Conseil craint de compromettre la neutralité des Etats unis et rejete le projet qui luy a été propose par eux

Il resulte de ces observations

1. que l'expedition proposée est d'une exécution facile et peu dispendieuse
2. qu'elle doit être entierement ignorée des Etats unis
3. Que pour ne donner aucun soupçon les cooperateurs doivent être trouves au Kentucky et dans les autres etablissemens de l'Ohio. Il y en a d'excellens et j'en donnerai les noms. au Kentucky le G.^{al} Wilkinson, Tardiveau¹ Brakenridge. Love, au Cumberland
4. Qu'on doit se borner à envoyer d'ici 3 ou 4 françois surs connoissant le local et ayant tout le courage, et toute la prudence nécessaire pour conduire cette operation.
5. Que l'un d'eux passera à la nouvelle Orleans comme Agent secret, pour y preparer les esprits
6. Que le chef de l'expedition sera autorisé a publier un Manifeste au nom de la Nation Française et a distribuer des brevets d'Officiers de differens grades.
7. Qu'il recevra les instructions nécessaires de ne commencer son operation que lorsque tous les moyens indiqués ci dessus

¹ See Nos. 30 and 69.

seront bien préparés et meme d'y renoncer lorsque les obstacles lui paroîtront invincibles. Car la bonne politique autant que l'humanité nous engagent à ne pas rendre les Louisianois victimes d'une insurrection manquée.

8. Que d'après cette precaution particulièrement recommandée au Chef la depense seroit ou infiniment bornée ou proportionnée au grand resultat que nous devons attendre de cette expedition

9. Que la question de la reunion aux Etats Unis doit dependre entierement des evenemens futures du voeu de Louisianois, et de notre situation respectivè après la paix

10. Que pour faire reussir cette expedition importante il faut s'en occuper sans le moindre delai.

1a. IMLAY'S OBSERVATIONS (ARCHIVES DES AFF. ÉTR.)¹

OBSERVATIONS DU CAP. IMLAY, TRADUITES DE L'ANGLAIS²

La distance de la Louisiane du theatre actuel de la guerre, dans laquelle la France fait des efforts aussi genereux contre les tyrans de l'Europe, paroît au premier abord devoir calmer l'ardeur de l'homme d'Etat qui pourroit compter sur une diversion faite dans cette partie eloignée du globe; mais quand on reflexit que l'Espagne considere ce pays comme la clef de ses possessions Americaines et de ses mines, où elle a inhumainement euseveli plusieurs millions de malheureux habitans, de ces reservoirs de sa richesse ideale qu'elle regarde comme le joyaux le plus inestimable de sa couronne, il est evident, que suivant les evenemens probables de la guerre, la prise de possession de la nouvelle Orleans produiroit les plus heureux effets par les raisons suivantes:

1°. Cet evenement engageroit son Ministre à augmenter considerablement ses forces en Amérique, parcequ'il ne pourroit apprecier completement les raisons pour lesquelles cette attaque auroit été faite. Il en resulteroit un embarras de plus pour ses finances et par une plus grande facilité de conclure au plutôt une paix avantageuse et même glorieuse; car les ressources et l'intrepidité des habitans de l'Ouest des Etats unis sont parfaitement connues de Don Diego de Gardoqui, ci devant Chargé des Affaires de l'Espagne à New York et aujourd'hui Ministre des finances. Il a assés de sagacité pour juger d'après le rapprochement de nos Colonies de la Louisiane que la chute de

¹ Espagne, vol. 634, no. 202.

² Endorsed, 1792.

l'Empire Espagnol en Amérique ne peut être retardée que par la plus grande vigilance de la part du Gouvernement.

2°. Comme l'embouchure du Mississipi seroit occupée au nom de la République Française, le commerce y trouveroit des avantages immenses par l'abondance des denrées de toutes especes que fourniront l'Ohio et le Mississipi aussitôt que leurs chaines seront rompues. Peut-être cette consideration n'est elle pas la moins importante quand on reflechit que tant que le systeme du commerce aura son influence dans les differens Etats de l'Europe, c'est par celui de la Louisiane que la France pourra subvenir principalement à la plupart de ses besoins artificiels.

3°. Il seroit facile d'armer des Corsaires à la nouvelle Orleans, ce port etant d'un accès très difficile pour les gros Vaisseaux; ces Corsaires par leur proximité à la route que prennent ordinairement les navires qui viennent du Continent meridional de l'Amérique et des Antilles feroient indubitablement le plus grand tort aux ennemis.

4°. Comme ce plan seroit executé par les Citoyens des Etats unis, il les entraineroit eventuellement dans la guerre actuelle; car je le dis franchement, comme pays libre les Etats unis devroient Vous aider dans les efforts genereux que Vous faites pour la liberté universelle contre le despotisme universel.

5°. Enfin ce plan pourroit être executé à très peu de frais et sans prejudicier en aucune maniere aux autres projets de la République. Quand on considere les suites avantageuses qui en resulteroient cette raison donneroit un nouveau poids aux argumens dont on s'est servi pour prouver l'utilité de l'entreprise.

1b. SAYRE, PEREYRAT AND BEAUPOILS TO MINISTER (ARCHIVES DES AFF. ÉTR.).¹

Citoyen Ministre

La guerre paraissant inevitable avec l'Espagne, les citoyens Sous-signés, proposent de nouveau un plan qu'ils ont déjà offert au Cit: Dumouriez, lorsqu'il etait Ministre des Affaires étrangères. Les circonstances ayant changé depuis, ils ont fait à ce plan les changemens qu'ils ont cru necessaires, ils le soumettent à vos lumieres.

¹ Espagne, vol. 635, no. 135. Endorsed 4. Mars 1793. 1^{re}. Division 14 Mars E. le 15. Mars. conficé par le Ministre de affaires étrangères auquel il faudra le remettre.

Ils savent qu'un General a presenté sur le même objet, des vues beaucoup plus etendues, mais qui ne peuvent s'exécuter qu'avec de grands moyens, une flotte et une armée formidables. Ils pensent que dans le moment present, en guerre avec l'Angleterre, la Hollande, et l'Espagne, la Republique ne saurait envoyer au loin une flotte assez formidable pour tenir tête à ces trois puissance maritimes, et que le plan qu'ils proposent est le seul praticable, parce qu'il ne demande aucun appareil de force, quoiqu'il ait pour but de s'emparer du Mexique, et de faire soulever l'Amerique du Sud. La Republique au reste, serait toujours à même de suivre le plan du General en question, lorsqu'elle le jugerait à propos: celui qu'on propose loin de lui etre nuisible, favoriserait au contraire les entreprises et les desseins ulterieurs qu'on pourrait former.

On observe en outre que quand bien même on ne pourrait effectuer que le soulèvement General de la Louisianne, ce serait une perte considerable pour l'Espagne, qui serait obligée d'envoyer en Amerique des vaisseaux et des troupes, pour couper cours a une revolte qui pourrait devenir Générale.

Il est un fait constant, c'est que ce n'est qu'avec la plus grande peine qu'on a empêché jusqu'aujourd'hui les habitans du Kentucky de forcer le passage du Mississippi, et qu'ils n'en ont été empêchés que par les promesses que la Cour d'Espagne réitere de tems à autres, d'accorder la libre navigation de ce fleuve. Et l'on observe que la plus grande partie des officiers et soldats qui ont combattu sous Washington, sont venus à la paix, s'établir au Kentucky.

On peut donc affirmer avec verité que ces habitans embraseraient avec joie l'occasion de se faire justice d'un côté; et de l'autre l'espoir de s'enrichir par une expedition qui offre autant de gloire que de profit.

Jamais entreprise d'une aussi grande importance, ne demanda, des moyens moins dispendieux; car les volontaires qui y prendraient part, non seulement n'auraient point de paye, mais encore ils viendraient tous armés et habillés a leurs dépens.

Il ne faudrait que vingt Batteaux, douze pieces de Canon, deux petits mortiers, les munitions necessaires, et des vivres pour deux mois pour trois mille hommes. A mesure que les batteaux seraient prêts on les ferait partir avec ordre de gagner les Isles du Mississippi où les hommes y vivraient du produit de la chasse et de la pêche, jusqu'à ce que tout l'armement fut achevé.

Les batteaux seraient construis au dessous des chutes de l'Ohio (la belle riviere) et conteraient environ *cinquante mille livres en argent*. En descendant le fleuve, on pourroit *s'emparer de la Nouvelle Orleans*, entreprise d'autant plus facile qu'il n'y aurait que les *employés du Gouvernement Espagnol* qui pussent *y mettre obstacle*, et qu'ils sont en TRES PETIT nombre: *les habitans de la Louisiane la plus part François* ou Americains *seraient plus portés à favoriser une invasion*, qu'à s'y opposer, tant ils detestent le despotisme Royal et Ecclesiastique

Mais si la prise de la N. O. ne paraissait pas un objet assez important, et que pour ne pas perdre du tems, on ne voulut pas s'en occuper; l'on pourroit sortir du Mississipi par la bouche du Sud-ouest d'on les courrens portent avec velocity, & malgré les navigateurs dans la baye de St. Bernard. Il est à observer que des la bouche du Sud-Onest excepte devant le lac de l'Assension, on trouve des bas fonds et une rangée de petites Isles, tout le long de la côte jusqu'à Tampico ou Panuco, Lat: 23^d /30^m. a quatre vingt lieues ou environ du Mexique.

Les vaisseaux de guerre d'un côté, ne pourraient attaquer la flotille, et le terrain etant noyé fort avant dans les terres, de l'autre, elle ne serait pas même decouverte: car ses hommes et ses armes seraient cachés: on la prendrait pour des barques en traite si elle était apperçu, et le lieu de la destination serait parfaitement ignoré jusqu'à Panuco. On pourrait, si on le voulait, aller débarquer beaucoup plus bas, et entrer dans les rivieres de Patiocque, de Tuspa, ou de St Pedro & St Pablo: mais comme par des relations publiques et particulieres, il est certain que les Indiens de la province DE PANUCO ont été récemment traités avec la plus grande severité par le gouvernement Espagnol, et qu'ils en conservent le plus vif repentiment, il serait plus judicieux de remonter la riviere Panuco, et de débarquer au milieu de eux. Il n'y a pas de doute qu'en leur offrant la Liberté et des moyens surs de vengeance, on ne parvint facilement à leur faire prendre les armes contre leurs tyrans. De là ou se porterait sur Mexico, qui probablement ne ferait pas tant de resistance quelle en fit lorsque F. Cortés l'attaqua.

Une observation importante, est qu'une pareille expedition, quoique faite sans le consentement des Etats Unis, serait regardée par l'Angleterre et l'Espagne de très mauvais oeil, et entrainerait infailliblement l'Amerique à prendre notre parti.

Il est notoire que les Anglais n'ont jamais cordialement pardonné aux Américains leur indépendance, et que ces derniers n'attendent que le moment favorable de se faire justice de l'infraction continuelle que les Anglais font aux traités, en retenant depuis la paix les postes qu'ils avaient stipulé de rendre. D'ailleurs les Américains savent que les Anglais sont les auteurs de *la guerre injuste que les Sauvages font dans ce moment ci aux Etats Unis.*

Au reste les citoyens Sous-signés pensent que le plus grand malheur qu'il puisse arriver de cette entreprise, serait de ne pouvoir que rembourser à la France les frais qu'elle aurait avancé

Apperçu des dépenses

| | |
|---|---------|
| Provisions pour trois mille hommes, pendant deux mois a 1# par jour | 180000# |
| Batteaux a peu près..... | 50000 |
| Presens aux Sauvages..... | 50000 |
| | <hr/> |
| | 280000# |
| Dix pieces de canon de 4 livres..... | |
| Deux de huit..... | |
| Deux mortiers..... | |
| Vingt canons de fer pour les bateaux..... | |
| Poudre boulets, etc..... | |

Ignorant la valeur réelle de ces articles en Amerique, il est impossible d'y fixer un prix.

L'envoyé de la Republique aurait pouvoir de tirer sur le tresor des Etats unis pour faire face à ces dépenses: ce qui ne compromettrait pas le secret de la modicité de la somme

Stephen Sayre
Pereyrat

Beaupois
Paris le 4. Mars l'an 2^d. de la Republique.

1c. GENET'S INSTRUCTIONS (ARCHIVES DES AFF. ÉTR.).¹

RELATIF AUX INSTRUCTIONS DE GENET.

Au Moment, où Genet fut envoyé² pour resider aupres du gouvernement des Etats unis d'Amérique tout anonçait une

¹ États-Unis, vol. 36, folio 483. Compare deceptive extracts in Genet and the Federal Government (Phila., 1793).

² Endorsed Genet est Parti en X^{bre} 1792. l'an 1^{er} de la Rep. fr.

rupture prochaine avec les Anglais et les Espagnols. et le Conseil executif pensa qu'il serait avantageux pour la France de tenter, sans blesser les américains, une diversion qui affaiblit, dans ces contrées, la puissance de l'Angleterre et de l'Espagne.

Il fut donc décidé que Genet chercherait à faire germer les principes de la révolution française dans la Louisiane, dans le Kentucky et dans les autres provinces qui avoisinent les États unis; qu'il y enverrait des agens, et qu'il ferait la dépense nécessaire pour la réussite de ce Projet, le conseil se rapportant là dessus à la Prudence et à la Loyauté de ce ministre; qu'il lui serait délivré un certain nombre de lettres de marque en blanc pour les délivrer aux Armateurs français ou américains, et un nombre de brevets d'officiers en blanc jusqu'au grade de Capitaine pour les donner aux chefs des Indiens qu'il déterminerait à prendre les armes contre les Ennemis de la France.

Id. GENET'S INSTRUCTIONS (ARCHIVES DES AFF. ÉTR.).¹

MÉMOIRE POUR SERVIR D'INSTRUCTION AU CITOYEN GENET ADJUDANT-GÉNÉRAL-COLONEL, ALLANT EN AMÉRIQUE EN QUALITÉ DE MINISTRE PLÉNIPOTENTIAIRE DE LA RÉPUBLIQUE FRANÇAISE PRÈS LE CONGRÈS DES ÉTATS UNIS.¹

Du X^{bre} 1792.

l'an 1^{er} de la République 1^{re}.

Le Civisme avec lequel le Citoyen Genet a rempli les différentes missions qui lui ont été confiées et son dévouement connu pour la cause de la liberté et de l'égalité ont déterminé le Conseil exécutif à le nommer Ministre Plénipotentiaire de la République française près le Congrès des États Unis de l'Amérique Septentrionale. Cette marque de confiance est d'autant plus flatteuse pour le Citoyen Genet que la Nation Française attache un grand prix aux liens qui l'unissent au Peuple Américain que l'Assemblée Nationale a manifesté le 2 Juin 1791 le desir de les resserrer de plus en plus et que le Corps Legislatif a chargé expressement le pouvoir Exécutif de faire négocier avec les États Unis un nouveau traité de commerce qui puisse multiplier entre les deux Nations des relations également avantageuses à l'une et à l'autre. Pénétré de la

¹ États Unis, vol. 36, folio 184.

² Endorsed X^{bre} 1792. No. 23. Instructions à Genet.

grandeur et de l'importance de cette négociation, le Conseil exécutif prescrit au Citoyen Genet de s'attacher à fortifier les Américains dans les Principes qui les ont engagés à s'unir à la France, de leur faire sentir qu'ils n'ont point d'allié plus naturel et plus disposé à les traiter en frères, que ces sentimens sont gravés dans le cœur de tous les Français éclairés sur les véritables intérêts de leur Patrie, et que si les deux Nations n'en ont point encore recueilli le fruit c'est par la faute du gouvernement que nous venons de détruire, c'est par la trahison liberticide du cabinet de Versailles. Ce fait est dévoilé aujourd'hui; le Conseil Exécutif s'est fait représenter les instructions données aux Prédécesseurs du Citoyen Genet en Amérique, et il y a vu avec indignation que dans le tems même où le bon Peuple d'Amérique nous exprimait sa reconnaissance de la manière la plus touchante et nous donnoit toute sorte de témoignage de son amitié, Vergennes et Montmorin pensoient qu'il convenoit à la France que les Etats Unis ne prissent point la consistance politique dont ils étoient susceptibles, parcequ'ils acquéreroient bientôt une force dont ils seroient probablement empressés d'abuser; en consequence ils enjoignoient l'un et l'autre aux Ministres de Louis XVI. auprès du Congrès de tenir la conduite la plus passive et de ne parler que des vœux personnels de ce Prince pour la prospérité des Etats Unis. Le même Machiavélisme avoit dirigé les opérations de la guerre pour l'indépendance; la même duplicité avoit présidé aux négociations de la paix. Les députés du Congrès avoient témoigné le desir que le Cabinet de Versailles favorisat la conquête des deux Florides, du Canada et de la Nouvelle Ecosse. Mais Louis et ses Ministres s'y refuserent constamment, regardant la possession de ces contrées par l'Espagne et par l'Angleterre *comme un principe utile* d'inquiétude et de vigilance pour les Américains. Après la paix cette jalousie inconséquente s'est convertie en dédain. Ce peuple pour lequel on prétendoit avoir pris les armes est devenu un objet de mépris pour la Cour; on a négligé de correspondre avec lui et par cette conduite criminelle on a donné aux Puissances, dont nous devons écarter l'influence en Amérique, des armes pour y combattre et détruire la notre.

C'est ainsi que les Administrateurs de l'ancien régime travailloient sourdement et de longue main à étouffer la liberté après avoir été forcés par le cri général de la Nation à favoriser

son developpement dans le nouveau monde; c'est ainsi qu'ils refroidissoient le Zèle, qu'ils relachent l'union des deux Peuples; c'est ainsi que par leur infame politique ils dégouttoient les Américains de l'alliance de la France et les rapprochoient eux mêmes de l'Angleterre.

Les Republicains qui ont remplacé ces vils supports du despotisme s'empressent de tracer au Citoyen Genet une route diamétralement opposée aux sentiers tortueux dans lesquels on a fait ramper ses Prédécesseurs. Le Conseil Exécutif fidèle à ses devoirs, soumis à la volonté du Peuple Français, autorise le Citoyen Genet à déclarer avec franchise et loyauté aux Ministres du Congrès que ceux de la République Française, rejetant loin d'eux tout ce qui tient à l'ancienne Diplomatie, au Régime fiscal, à la police réglementaire et à toutes ces entraves de la prospérité et de la richesse des Nations, ont applaudi aux ouvertures qui ont été faites au Citoyen Ternant tant par le Général Washington que par M. Jefferson sur les moyens de renouveler et de consolider nos liaisons commerciales en les fondant sur des principes d'une éternelle vérité; que le Consul Exécutif est disposé à entamer une négociation sur ces bases telles qu'elles sont rapportées dans la lettre ci jointe du Citoyen Ternant, et qu'il ne seroit même point éloigné de donner à ce Traité une latitude plus étendue en le convertissant en un pacte national dans lequel les deux Peuples confondroient leurs interets commerciaux avec leurs interets politiques et établiraient un concert intime pour favoriser sous tous les rapports l'extension de l'Empire de la Liberté, garantir la souveraineté des Peuples et punir les Puissances qui tiennent encore à un système Colonial et commercial exclusif en déclarant que les Vaisseaux de ces Puissances ne seront point reçus dans les ports des deux Nations contractantes. Ce pacte que le Peuple Français soutiendrait avec toute l'énergie qui le caractérise et dont il a déjà donné tant de preuves conduiroit rapidement à affranchir l'Amérique Espagnole, à ouvrir aux habitants du Kentucky la navigation du Mississipi, à délivrer nos anciens freres de la Louisiane du joug tyrannique de l'Espagne, et à reunir peut être à la Constellation Américaine la belle étoile du Canada. Quelque vaste que soit ce projet, il sera facile à exécuter si les Américains le veulent, et c'est à les en convaincre que le Citoyen Genet doit donner tous ses soins. Car, independamment des avantages que l'humanité en général retireroit du succès de cette négociation, nous avons dans ce

moment-ci un intérêt particulier à nous mettre en mesure d'agir efficacement contre l'Angleterre et l'Espagne, si, comme tout l'annonce ces Puissances nous attaquent en haine de nos principes. Les Ministres Anglais, au lieu de s'associer à la gloire de la France, au lieu de considérer que notre liberté, que celle des Peuples dont nous avons brisé les fers, assure à Jamais celle de leur Patrie, se laissent influencer par nos ennemis, par ceux de la Liberté des Peuples, et se liguent avec tous les tyrans qui conspirent contre la Cause que nous défendons. Les préparatifs militaires qui se font dans la Grande Bretagne deviennent de jour en jour plus sérieux; ils ont une grande connexion avec ceux de l'Espagne; l'intimité qui regne entre les Ministres de cette dernière Puissance et ceux de Saint James le prouve et dans cet état des choses nous devons mettre tout en œuvre pour ranimer le Zèle des Américains qui sont aussi intéressés que nous à faire avorter les desseins liberticides de George III., dont il est possible qu'ils soient l'objet. Leur salut dépend encore du notre et si nous succombions ils retomberaient tôt ou tard sous la verge de fer de la Grande Bretagne. Le Conseil Exécutif a lieu de croire que ces raisonnements, joints aux grands avantages commerciaux que nous sommes disposés à accorder aux Etats Unis, détermineront leur Gouvernement à adhérer à tout ce que le Citoyen Genet lui proposera de notre part.

Cependant comme il seroit possible que les rapports qui ont été faits au Congrès sur la situation de nos affaires intérieures, sur celle de notre Marine et de nos Finances et sur tous les orages dont nous sommes menacés, fissent suivre à ses Ministres dans la Négociation que le Citoyen Genet leur proposera d'entamer avec nous, une marche chancelante et timide, le Conseil Exécutif le charge, en attendant que le Gouvernement Américain se soit déterminé à faire cause commune avec nous, de prendre toutes les mesures que sa position comportera pour faire germer dans la Louisiane et dans les autres provinces de l'Amérique voisins des Etats Unis, les principes de la liberté et de l'indépendance. Les Kentukoïses qui brûlent depuis longtemps du désir légitime de jouir de la libre navigation du Mississippi, qui leur appartient de droit naturel et de droit positif, seconderont probablement ses efforts sans compromettre le Congrès. Le Conseil Exécutif autorise en conséquence le Citoyen Genet à entretenir des Agens dans le Kentucky, à en

envoyer également dans la Louisiane, et à faire les dépenses qu'il jugera convenables pour faciliter l'exécution de ce projet, le Conseil exécutif s'en rapportant sur cet objet à sa prudence et à sa loyauté.

Le Citoyen Genet prêterait le secours de ses bons offices à tous les Citoyens Français qui auront recours à lui et dont la conduite sera irréprochable. Mais le Conseil Exécutif entend que cette protection ne contrarie dans aucun cas les loix du pays et qu'elle ne s'étende pas sur des émigrés, sur des gens sans aveu, ou bannis de leur patrie, ou sur des citoyens qui tiendroient une conduite répréhensible.

Le Citoyen Genet évitera autant qu'il le pourra ces ridicules disputes qui ont tant occupé l'ancienne Diplomatie. Cependant comme il ne doit pas non plus souffrir que les représentans des autres Puissances prétendent enlever à la France devenue libre la préséance tout elle jouissoit sous son ancien régime, le Conseil Exécutif informe le Citoyen Genet pour son instruction de la conduite qu'il prescrira à tous les Ministres de la République française de tenir s'il s'élevoit des disputes touchant le Cérémonial entre eux et les représentans des autres Puissances.

L'intention du Conseil est que les Ministres de la Nation déclarent hautement que le Peuple français voit dans tous les Peuples des freres et des égaux, et qu'il désire écarter toute idée de suprématie et de préséance, mais que si quelque Etat méconnoissant la générosité de ses principes, prétendoit à quelque distinction particulière et se mettoit en mesure de les obtenir par des démarches directes ou indirectes, les Ministres du Peuple français réclameraient alors toutes les prérogatives dont a joui dans tous les tems la puissance Française, la Nation voulant que dans ce cas ses Ministres les défendent, bien assurés qu'Elle sauroit les faire respecter.

Quant au Cérémonial relatif à la première audience du Citoyen Genet, à la remise de ses lettres de créance et à ses communications avec le Gouvernement Américain, il se conformera à celui que le Congrès aura établi pour tout le Corps Diplomatique. Il n'y a, à cet égard, que les exceptions qui offensent; les Loix générales ne blessent personne.

Tels sont les objets politiques confiés au Zèle du Citoyen Genet. Il lui sera donné des Instructions particulières par le Conseil exécutif sur les affaires consulaires générales dont il sera chargé, sur les négociations relatives à la Liquidation de

la dette des Etats Unis, sur les approvisionnemens des Colonies, sur ceux dont les departemens de la Marine et de la guerre ont besoin et sur les négociations que le Citoyen Ternant a été chargé d'entamer avec les Etats Unis pour les engager à nous fournir des grains, des farines et des salaisous en déduction de leur dette.

Ce sera avec le Ministre des Affaires Etrangères que le Citoyen Genet correspondra sur ces différens objets et c'est de lui qu'il recevra tous les ordres de la Nation; ses rapports avec les autres Ministres n'auront trait qu'aux détails d'administration relatifs à leurs départemens respectifs, et il aura soin d'en donner une connoissance succincte au Ministre des Affaires Etrangères, afin que celui-ci ait toujours sous les yeux l'ensemble des opérations que suivent chez les étrangers les agens français.

1e. GENET'S INSTRUCTIONS (ARCHIVES DES AFF. ÉTR.).¹

SUPPLEMENT AUX INSTRUCTIONS DONNÉES AU CITOYEN GENET, MINISTRE PLÉNIPOTENTIAIRE DE LA REPUBLIQUE FRANÇAISE PRÈS DES ETATS UNIS DE L'AMERIQUE.²

Le Conseil exécutif désire qu'un nouveau traité fondé sur des bases plus étendues et plus fraternelles que ceux de 1778 puisse être conclu le plutôt possible, cependant comme il ne peut se dissimuler que dans la crise actuelle de l'Europe une négociation de cette nature pourra être sujette à beaucoup de retards soit par une suite des manœuvres secrètes du Ministre et des partisans Anglais à Philadelphie, soit par la timidité de plusieurs chefs de la République Américaine, que, malgré leur patriotisme connu ont toujours montré la plus forte aversion pour toutes les mesures qui pourraient déplaire à l'Angleterre.

Il a jugé convenable de tirer provisoirement parti des avantages qui pourront résulter des traités conclus, en attendant qu'un nouveau pacte, les définisse plus clairement et leur donne plus d'étendue.

Dans ces vues, que les circonstances actuelles rendent particulièrement importantes, il est expressement enjoint au Citoyen Genet de se pénétrer profondément du sens des deux traités conclus en 1778 et de veiller à l'exécution des articles

¹ États-Unis, vol. 36, folio 496.

² Indorsed. No. 23^{me} X^{bre} 1792 3.

qui sont favorables au commerce et à la navigation de la République. Il fera considérer aux Américains les engagements qui pourront leur paraître onéreux, comme le juste prix de l'indépendance que la Nation Française leur a acquise et plus il se montrera sévère sur ces points, plus il lui sera facile de les amener à conclure un nouveau traité.

Dans le cas très probable d'une guerre maritime, le Citoyen Genet employera tous les moyens qui sont en son pouvoir pour faire observer religieusement les articles 17, 21 et 22 du traité de commerce par lesquels les parties contractantes se sont engagées à admettre librement les prises faites par une des dites parties sur ses ennemis et ont renoncé à la faculté de permettre à leurs Citoyens de faire la course sous pavillon étranger contre les navires de leurs nations respectives et même d'admettre dans leurs ports des prises étrangères ou de conniver à l'armement ou à l'approvisionnement d'un Corsaire étranger. Ces articles sont d'autant plus importans dans les conjonctures actuelles, que le grand éloignement où se trouveraient les Corsaires Anglais de leurs ports et l'embarras des approvisionnemens rendraient leurs expéditions plus dispendieuses, le renvoi et la vente des prises plus précaire, tandis que nos bâtimens usant du droit des représailles, auraient à leur dispositions tous les ports des Etats unis et les provisions dont ils abondent. Il serait d'ailleurs à craindre que la facilité de faire dans les ports Américains des armemens Anglais ou prétendus Anglais, n'engageât beaucoup d'individus des Etats du Nord, remarquables par leur activité et leur hardiesse, à accepter des commissions Anglaises pour inquiéter et dépouiller notre commerce. Sans doute, ni le Congres, ni le Pouvoir exécutif des Etats unis n'approuveraient une conduite si peu analogue aux liaisons d'amitié et de bonne intelligence qui subsistent entre les deux nations, mais la grande extension du commerce Anglais dans l'Amérique libre, le nombre prodigieux de ses facteurs et des emissaires de George III, tous les moyens de corruption que leur donnent leur situation et leurs connaissances locales, rendraient ces expéditions d'autant plus fréquentes qu'il serait facile de tromper la surveillance du gouvernement par des armemens masqués. Il est donc particulièrement enjoint au Citoyen Genet, de faire surveiller par les Consuls et agens de commerce la conduite des Anglais dans les différens ports, d'insister rigoureusement sur l'exécution des articles 17, 21 et 22 du traité de 1778 et d'empêcher dans les ports Américains tout

armement en course, si ce n'est pour le compte de la Nation Française et l'admission d'aucun prise, autre que celles qui auraient été faites par les bâtimens de la République. Dans toutes les occasions il s'enoncera sur cet objet avec la dignité et l'énergie du Représentant d'un grand Peuple, qui en remplissant fidelement ses engagemens sait aussi faire respecter ses droits.

Lorsque les circonstances ameneront des négociations efficaces concernant un nouveau traité de commerce plus clairement énoncé que celui de 1778, et fondé sur des bases plus solides, le Citoyen Genêt ne perdra pas de vue de stipuler positivement et sans réserve la réciprocité de l'exemption de droit de tonnage eludée sous différens prétextes depuis plusieurs années par le Gouvernement Américain quoiqu' implicitement accordée par l'article 5 de ce même traité. L'exécution entière de cet article est de la plus grande importance pour donner plus de ressort à la marine marchande de la République et pour compenser la perte, qui resultera pour elle de l'admission libre des bâtimens Américains aux Antilles Françaises. Il sera facile au Citoyen Genêt de convaincre les Américains libres de l'utilité qui en resultera pour leur propre commerce en diminuant la trop grande influence des armateurs Anglais dans leurs ports et en réduisant la taxe enorme que les Etats unis ne cessent de payer à l'industrie Anglaise. La naturalisation respective des Citoyens Français et Américains à l'égard du commerce, proposée par M. Jefferson au C. Ternant et approuvée par le Conseil exécutif, rendra cette exemption du tonnage moins offensante pour les Puissances qui pourraient réclamer la participation aux mêmes faveurs en vertu de leurs traités, car le *casus fœderis* serait entièrement changé à leur égard.

La garantie réciproque des possessions des deux nations, imparfaitement stipulée dans l'article 11 du traité d'alliance de 1778, sera établie sur des principes généraux qui ont déjà été indiqués, et fera également une clause essentielle du nouveau traité qui sera proposé. En conséquence, le Conseil exécutif recommande spécialement au Citoyen Genêt de sonder de bonne heure les dispositions du Gouvernement américain sur cet objet et d'en faire une condition *sine qua non* du commerce libre des Antilles, si intéressant pour les Etats Unis. Il importe à la prospérité et à la tranquillité de la Nation Française, qu'un Peuple dont les ressources augmentent dans une progression incalculable et que la nature a placé si

près de nos riches Colonies soit intéressé par ses propres engagements à la conservation de ces isles. Le Citoyen Genêt trouvera d'autant moins de difficulté à faire goûter cette proposition dans les Etats unis, que le grand commerce qui en sera le prix les dédommagera d'avance des sacrifices, qu'ils pourront faire dans la suite, que les Américains libres ne peuvent ignorer la grande disproportion qu'il y a entre leurs moyens et ceux de la République Française et que pendant très long tems la garantie qu'on leur demande ne sera gueres plus que nominale pour eux, tandis qu'elle sera réelle de notre côté et que nous nous mettrons sans délai en mesure de la remplir en envoyant dans les ports Américains des forces suffisantes pour les mettre à l'abri de toute insulte et pour faciliter leurs communications avec nos isles et avec la France.

Dans le cours de ces différentes négociations qui intéressent également la sûreté et la prospérité des deux nations le Citoyen Genêt trouvera plusieurs coopérateurs zélés parmi les principaux officiers du Pouvoir exécutif et dans la chambre des Représentans; mais il usera de leurs lumières avec toute la mesure et la circonspection que les convenances politiques peuvent exiger. Le C. Ternant lui fera connaître les personnes qui mériteront principalement sa confiance. Pour assurer pleinement le succès de ses négociations et pour écarter des Etats unis toutes les insinuations perfides, si artificieusement répandues en Europe par les ennemis de la République, le Conseil exécutif enjoint spécialement au Citoyen Genêt de suivre scrupuleusement les formes établies pour les communications officielles entre le Gouvernement et les agens étrangers et de ne se permettre aucune démarche, ni aucun propos qui puisse donner ombrage aux Américains libres à l'égard de la constitution qu'ils se sont donnée et qui s'écarte dans plusieurs points des principes établis en France. Les emissaires et les partisans de George III., les émigrés de France et les réfugiés de S. Domingue, qui se trouvent en grand nombre dans les principales villes des Etats unis et qui les ont déjà infectées de leurs mensonges odieux ne manqueront pas de surveiller le Ministre de la République et de prêter à toutes ses démarches les intentions les plus révoltantes. Une conduite franche et loyale quant aux intérêts communs, mais mesurée et circonspecte quant aux affaires intérieures, pourra seule le mettre à l'abri des calomnieux et des malveillans. Le Conseil exécutif s'en rapporte à cet égard avec une confiance entière à la prudence, et à la modération connues du Citoyen Genêt.

Afin que rien ne retarde la conclusion des négociations du Citoyen Genet avec les Américains et qu'il ait en main tous les moyens qui pourront concourir au succès des soins qu'il se donnera pour servir la cause de la liberté, le Conseil lui a donné les pleins pouvoirs ci joints au moyen desquels il pourra arrêter provisoirement avec le Gouvernement de États unis, un nouveau traité de commerce et d'alliance, et il a autorisé le Ministre de la Marine à lui faire remettre un certain nombre de lettres de marque en blanc qu'il délivrera à des armateurs Français ou Américains. Le Ministre de la guerre lui remettra pareillement un certain nombre de brevets d'officiers en blanc, jusqu'au grade de Capitaine inclusivement, qu'il donnera aux Chefs Indiens qu'il déterminera s'il est possible à prendre les armes contre les ennemis de la France. Les Indiens, anciens amis de la nation Française attachent infiniment de prix aux titres militaires, et les Anglais ainsi que les Espagnols emploient ces moyens pour les faire entrer dans leurs intérêts.

2. CLARK TO [FRENCH MINISTER] (DRAPER COLLECTION).¹

Louisville (Falls of Ohio) Feby. 5, 1793

Sir,²

The contest in which the Republic of the French is actually involved, against almost all the Despots of Europe, is among the most awful, interesting and solemn, in all its consequences, that has ever arisen in the world. It is signally more so, than that which had lately exercised the virtue and prowess of these States, and involves in its success the triumph of civil and

¹ 55 Clark MSS., No. 1.

² George Rogers Clark is the well-known conqueror of the Illinois country, 1778-79. This letter, apparently a copy, or first draft, is without address, and is in the handwriting of Dr. James O'Fallon, Clark's brother-in-law. Dr. Draper indorsed it as "evidently addressed to the French minister to the United States, Charles E. Genet." It would be safer to say that it was written to the French minister to the United States, simply. In a letter of October 3, 1793 (No. 15), Clark mentions his letter to Genet of February 2, 1793; but this may have been to the minister rather than to the individual. (Compare No. 8b.) An abstract of this is in Archives des Aff. Étr., États-Unis, vol. 37, p. 99. No. 2a. Draper (34 Clark MSS., 52, 75) mentions a letter from Thomas Paine to O'Fallon, dated Passy, February 17, 1793, showing that Dr. O'Fallon had, prior to this, sometime in 1792, sent Clark's proposals through Paine to the French Government. I have not found this letter, but Draper describes it as conveying "the idea that Clark's application had gone through the medium of the French minister to the United States: at all events that the proposal had been laid before the Provisionary Executive Council of the Republic" and apparently but a very short time before the date of his letter." (Compare G. Morris, Diary, II, 15; Hamilton, Republic, VI, 44; and Gayoso to Carondelet, December 23, 1794, No. 31.) Col. W. S. Smith, who left Paris November 9, 1792, informed Jefferson, February

religious liberty over clerical bigotry, and the guiding oppressions of Kings and and of their cooperating Hierarchies in Church and State, throughout the Universe. The whole human race are deeply interested in the issue of this controversy; but with those who already feel or know anything of the rights of Man, it is a spectacle which between hope and fear about its success, must engage the attention of both head and heart, and with them influence every of the nobler passions.

The free citizens of America, whose liberty, equality and empire have been secured to them in a great measure, through the faithful and vigorous cooperation of the French nation with their own efforts, ought, from every principle of gratitude, (not to talk of other motives) to exhibit in a more especial manner those ingenuous symptoms of a heart-felt predilection and partiality for the cause of their brothers and first allies, the present citizens of the French Republic, which may designate a *wish* and *inclination* at least to assist them in their arduous struggle—could any occurring circumstance render such grateful aid both practicable and justifiable. This wish, this inclination, Sir, are actually as strong and vivid in my bosom, as they ever were for the cause of this my own native country, during the most critical periods of the last American war; and the means of *powerfully* assisting y^r country's cause, in the actual crisis of contest between it and Spain, are (I verily believe above any one private person on earth) actually in my power; if you and the free nation you represent will but concur in the project—by sanctioning my proceedings, duely commissioning me to that end, supplying me with some *small* resources by Letters of credit or cash, and suffering me to raise my own men in this Country, and to appoint them such officers as, I am sure, will execute the business with promptitude, secrecy and decision.

20, 1793, that the appointment of Genet had been determined upon, and said "that the ministers told him they meant to begin their attack at the mouth of the Missi. and to sweep along the bay of Mexico Southwardly, and that they would have no objns. to our incorporating into our govm't. the two Floridas." (Ford's Jefferson's Writings, 1, 216.) Under date of July 18, 1793, Jefferson says: "At a meeting at the Presid.'s genl. Knox tells us Govr. Blount (now in town) has informed him that when Mt. florence ws. in France, certn. members of the execve Council enquired of him what were the dispoens of Cumbld. settlemt. etc. towds Spain? Mt. florence. told them unfriendly. They then offd. him a comission. to embody troops there, to give him a quantity of blank commns. to be filled up by him making officers of the republic of France those who shd. command, and undertake to pay the expences. * * *." Genet arrived at Charleston April 8, 1793. His instructions were incompletely published in pamphlet form in correspondence of Genet and the Federal Government (Phila. 1793). Compare the MS. in Archives des Affaires Étrangères, États-Unis, vol. 36, pp. 483, 484, 486. See Nos. 1c, 1d, 1e.

I say secrecy; for until the blow is struck, the design of the expedition, or the expedition itself ought, by no means, to transpire. I can raise abundance of men in this western country—men as well American as French who have repeatedly fought, obtained Laurels, and never yet were met with a repuls under my command, men through whose courage, fidelity to their country and confidence in my arrangements, which never yet failed them of success, took the Illinois and Pos St. Vincennes from the Britons, saved St. Louis and the rest of Louisiana for the Spaniards, from that nation, humbled the whole Northern and Southern tribes of Indians (those in particular who are now so hostile and triumphant) to the very dust, preserved Kentucky, Cumberland, and the whole territory north west of the Ohio to the United States, and protected the western frontiers of Virginia and Pennsylvania from British and Indian depredations. These are not exaggerations. All America will concur with this my unexaggerated testimony in their favour, and these are the men, who, with me, will instantly expatriate ourselves (as the Law directs), and are ready to become citizens of the French Republic—if my proposals shall have been approved of.

Out of Kentucky, Cumberland, the settlement on Holston, the Wabash and the Illinois I can (by my name alone) raise 1500 brave men, or thereabouts—and the French at St. Louis and throughout the rest of Louisiana, together with the American Spanish Subjects at the Natchez would, I am sure of it, (for they all know me), flock to my Standard. These last would amount to, at least, as many more. With the first 1500 alone I can take the whole of Louisiana for France.¹ I would begin with St. Louis, a rich, large and populous town—and by placing only two or three Frigates within the Mississippi's mouth, (to guard against Spanish succours) I would engage to subdue New Orleans, and the rest of Louisiana. If farther aided, I would capture Pensacola; and if Santa Feè and the rest of New Mexico were objects—I know their strength and every avenue leading to them, for conquest. My intelligence is good, respecting all these places. I have been, ever since and during the last war, incessantly employed, with my Spiest in procuring this intelligence. When any opportunity offered, I had it uniformly in view, to give a vital blow to the Spaniards

¹ Compare the Spanish plan of defense, American Historical Review, April, 1897, p. 474.

in this quarter. All the routs, as well as the defenceless situation of those places are perfectly made known to me and I possess draughts of all their defences, and estimates of the greatest force which could oppose me. If France will be hearty and Secret in this business—my success borders on certainty. It will be humbling Spain in her vital parts, and by conquering New Mexico and Louisiana, that of all Spanish America, with its mines, may, soon after, be easily atchieved. The possession of New Orleans will secure to France the whole Fur, Tobacco and Flour trade of this western world, and a great consumption of her manufactures. The rout from St. Louis to Santa Feè is easy, and the places not very distant. Some of the first and best men in this western country will certainly accompany me. All we immediately want is money to procure provisions and ammunition for the conquest of St. Louis, or Upper Lonisiana. For our pay and gratifications in Land, (as we abandon our own here) we shall confide in the Justice and generosity of the great nation we shall serve, after our labours are over. To save congress from a rupture with Spain, on our accounts; we must first expatriate our selves, and become French citizens. This is our intention.

My country has proved notoriously ungrateful, for my Services,¹ and so forgetful of those succesful and almost unexampled enterprizes which gave it the whole of its territory on this side of the great mountains, as in this my very prime of life, to have neglected me. And yet, although I feel, I never shall resent. Since I relinquished my command over the western country, congress had not one successful campaign in it. The Indian tribes, from New Mexico to the Allegany mountains are my friends and could be brought to march under my banners—and why? because I was Just and dealt uprightly and manfully with them, while, by frequent defeats, I made them trouble. On receiving a reply of approbation from you, I shall instantly have myself expatriated; and so soon as Commissions for myself and my officers shall have been received, and due provision made for the expedition against St. Louis, I shall raise my men and proceed to action. I thirst for the opportunity, as being in possession of every means of intelligence.

As I conceive this communication of some importance, as well as the nature of yr reply, and the progress of our subse-

¹ He learned from his brother Jonathan of the failure of his claims against Virginia in November, 1792 (53 Clark MSS., 81). Compare his offer to take service under Spain, 1788 (33 Clark MSS., 134).

quent correspondence, which will be more particular; I would propose to y^r Excell^y that you wo'd employ an express, or some faithful hand, as the instrument of our intercourse. The Post is not safe. I anxiously wish to hear speedily from y^r Excell^y. Please have the inclosed transmitted to Mr. Payne. It is from a friend of his. I remain with profound respect,

Y^r Excellencies very humble and obed. Servt.

G. R. Clark,
Brigad^r. Gen^l.

2a. CLARK TO GENET (ARCHIVES DES AFF. ÉTR.).¹

EXTRAIT DE LA LETTRE² ECRITTE PAR LE GENERAL CLARKE AU CITOYEN GENET MINISTRE PLENIPOTENTIAIRE DE LA RÉPUBLIQUE FRANCAISE PRÈS LES ETATS UNIS. A LOUISVILLE PRÈS LES CHUTES DE L'OHIO LE 2^e FEVRIER 1793.

Le General clarke me donne connoissance du projet qu'il murit depuis longtems de s'emparer d'abord de la haute Louisiane et peu de tems après des bords du Mississipi jusqu'a la mer; ayant servi comme Colonel de l'Etat de Virginie dans la guerre de l'indépendance de l'amérique, et ensuite sous le même titre dans le bataillon des Illinois il a rendu à sa patrie des services importans, c'est à lui que l'amérique doit une nouvelle Province (Le Kentukey) établi à Louisville sur les bords de l'ohio, il est uniquement occupé depuis la paix du soin de connoitre les moyens du Gouvernement espagnol dans la louisiane et le mexique, le nombre d'hommes employés à leur defense, la situation des Forts, les arsenaux, les munitions de guerre, les divers moyens de Communication, la disposition des esprits surtout qu'il pense nous etre Favorable.

Projet du General Clarke de s'emparer de la haute Louisiane et ensuite des bords du Mississipi.

Legénéral Clarke a des amis dans différentes villes de la nouvelle espagne, qui l'instruisent de tout ce qui s'y passe et qui lui seront de la plus grande utilité pour un semblable projet.

Relations du Général Clarke dans la nouvelle Espagne.

Le général Clarke, connait parfaitement, les dispositions, les Forces et les moyens de rendre un grand nombre de nations indiennes favorables a ses projets: Il pense qu'avec 400 hommes Il pourra facilement chasser les agens de l'espagne de la haute louisiane et avec 800 exécuter la même opération sur la nouvelle Orleans.

Forces nécessaires pour affranchir la Louisiane du joug Espagnol.

¹ États-Unis, vol. 37, folio 99.

² Endorsed—4^e p^o j^o au N^o 21. B.

Il ne demande pour forces navales que deux ou trois frégates qui le soutiendraient du cote de la mer.

Le Général Clarke a sous la main des hommes très disposés, de bons soldats animés de bonnes intentions et remplis d'ardeur; il croit qu'avec une somme de 3000 livres sterlings, il pourra exécuter son projet.

Certifié véritable

Genet

2b. UNSIGNED AND UNADDRESSED¹ (DRAPER COLLECTION).²

as inconsiderate at least by powers situated more at ease. That people thus situated, are well affected to your interests, Some through principles of Freedom, and others by the principles above stated.

The means of obtaining that desirable object is partly in their power. Men, they have in plenty and daily get more; Men of a bold and enterprizing genius, inured to hardship, and the most of them with all the fatigues of War. Their Country has a Superabundancy of the necessaries of life; in consequence can easily spare the provisions necessary for such an undertaking. The only thing they want is Money to purchase such Warlike Stores as they must have, and are not to be procured by the ingenuity of the Country, and the necessary victualing, Stores as may not be had but by a fair purchase from private individuals. Had that necessary, that First support of War been supplied in time by the Minister of France, Long ago would Louisiana have been either a Free Republic within herself, or annexed to yours as one of your Departments.

That Country, in my opinion, can not be attacked with success from the Sea-Coast, as the entrance of the Mississippi is both narrow and of little depth, so as not to admit of large vessels; and even in that case, the Adventurer has to encounter an everlasting Strong Stream, and marshy grounds on both sides for upwards of two Weeks sailing, without being able to land his troops with any prospect of receiving any advantage from their landing.

But the prospect changes, if the forces, that will attack that province, pour forth from the upper parts of the Mississippi.

¹ This document is fragmentary, beginning as above, without signature and not in the handwriting of Clark or O'Fallon. Draper conjectures that its date is February 2, 1793. Compare the Spanish plan of defense, American Historical Review, April, 1897, p. 494, and Nos. 1, 1a, 1b, 4.

² 55 Clark MSS. No. 2.

The Spaniards hold but a few places of any strength on that river, and so situated that not one of them can withstand 500 men with proper management in the little army. St. Louis, situate near the mouth of the Missouri, is the most considerable, and is at best but a large fortification defended by a very few men; but as that place must fall, if the others below it are taken, I would not advise to lost time going up near 200 miles, when it would give no respite to the enemy below. The first fort is, *L'ance a la graisse*,¹ 60 miles South of the mouth of Ohio, on the right hand of the Mississippi; the Second at the Walnut Hills, called by the Spaniards, "*Nogals*"² on the left at the distance of about 500 miles and upwards; *Natchez*³ 150 miles below it, and 300 above New Orleans deserves next our notice. All the rest is not worth mentioning, except New Orleans itself.

The strength of the whole of those forts is directed against the river chiefly to protect their trade. By landing Men above them, and attacking them by land, they must inevitably surrender. *L'ance a la graisse*, *Nogales*, and *Natchez* have but twelve guns and a company of Sixty men each. *L'ance a la graisse* commands no part of the Country; *Nogales*⁴ is commanded by two advantageous hills wherefrom Musket-men may destroy every one in the fort; *Natchez*⁵ requires more circumspection, but may easily be taken by assault under cover of sundry little rises of ground which will favour the gradual advances of the men under the very Stockades of the fort where they are out of danger from the Big Guns, and have nothing to sustain but the first volley of the Musketry, which, to my knowledge, is very ill served.

After this cursory view of their upper forts, I want to explain what I mean by saying that 500 men with proper management could easily reduce all these forts, I might as well have said all the province of Louisiana, that immense Country is almost intirely settled by French, Dutch, and Americans. if the

¹ New Madrid. Collot (*Journey in North America*, Atlas, Paris, 1826) gives a plan of the fort in 1796 (plate 30).

² Vicksburg. See Collot, plate 32. Carondelet to Alcudia, September 25, 1795, says that Gayoso occupied Walnut Hills to make O'Fallon suspend his Yazoo Company invasion. See Haskins, *Yazoo Land Companies*, American Historical Association, v. 67 ff.

³ Collot, plate 34.

⁴ Compare No. 4, De Pauw to Genet, June 12, 1793. Collot's opinion coincided in this view.

⁵ Carondelet, January 18, 1794, proposed to the ministry to abandon Natchez, since it was commanded by neighboring heights and of no avail in emergency. He regarded Walnut Hills as the key to the province. Gayarre, *Louisiana under Spanish Dom.*, 329.

little army makes it a point to respect and not destroy wantonly the properties of those three classes of men (all of which unwillingly submit to the Spanish yoke) I am bold to say that their numbers will increase by every conquest, and that they may find themselves at the gates of New Orleans at least three or four Thousand Strong. The Two former classes have not yet forgot that they were either sold, or given away as slaves to Spain about 1763; that in consequence of their attachment to their mother Country, and of Their refusal to submit to the shameful surrender of all that was dear to them, their best Blood was bid to flow at every vein.

The Situation of New Orleans is such that it may be overflowed by cutting the causeway that defends it from the river; its buildings expose it to the fire of an enemy, being all of Cypress; But far from me Recommending those two dreadful extremities of War. It is not to conquer, to subdue into Servitude, but rather to make a Whole Nation free, and Shake them by the hand as freemen, that I would wish to attract your attention. Here every thing seems to insure success; the primary affection of the French and Dutch, the longing thirst after liberty of the Americans, the Destitution felt by every individual of their present Government and present Governor, all must give you hopes that they will receive you, either as Brethren in freedom, or as their Liberators from bondage.

To execute this, the Western people of America, who are deeply concerned in the event, wait for no more, desire no more from you, than an advance of money adequate to the Support of three or four Thousand men for at least Six months; and an assurance of their pay and Bounty, as they must inevitably renounce to their former prospects of present happiness, if they once are encouraged by you in this undertaking.

3. CARONDELET¹ TO ALCUDIA (DRAPER COLLECTION).²

The Governor of the provinces of Louisiana and West Florida writes that a certain Gregorio Remy, and Millot,³ who set

¹ Don Francisco Louis Hector, Baron de Carondelet, colonel of the royal armies, was promoted from the government of San Salvador, in the province of Guatimala, to the rank of governor and intendant of the provinces of Louisiana and West Florida, and entered on the duties of these offices on the first of January, 1792." Martin, Louisiana, II. 111. The duke de la Alcudia was first Secretary of State in Spain.

² 40 Clark MSS., p. 51 (Spanish Papers).

³ Compare Millot's letter of March 26, 1793, cited in Chronological Index.

out from that city the 14th of March for Bordeaux, according to his information, were charged with presenting a subscription signed by fifty individuals, offering a gift to the National Convention; he shows how important it would be for his own guidance, in case the war with France should break out, to know who they are, and he proposes means for learning this. He adds that others are intriguing to have a representation against him signed on account of the measures he has taken; he gives an account of such measures as he has taken and to which he believes he owes the tranquillity and peace of the province.

No. 7.—Secret.—Most Excellent Sir:—I have learned extrajudicially that a certain Gregorio Remy and a certain Millot who left here the 14th of March in the brigantine Hider Aly were charged with presenting to the National Convention a subscription signed by fifty individuals of this city and colony, who offer a gift to the Convention; and as it behoves the peace and safety of this vast province inhabited for the most part by French settlers, that it should be known who are the men that have ventured to take this step, which indicates the most signal ingratitude and ill-will, at a time when everything announces a rupture between Spain and France, I communicate it, in order that your Excellency may deign to employ some agent at Bordeaux and at Paris, who may observe the steps taken by the above-mentioned Remy, while I, on my side, will with all possible secrecy do all I can to learn who are the signers of this paper.

I have likewise been informed that some Frenchmen in this Capital are intriguing to induce the rest to sign a representation against me, which they wish to direct to his Majesty, complaining of the measures that I have taken during the last year to secure the city against any possible hostility or attack either from within or from without; they attribute to my distrust of their loyalty the building of forts, the reinforcement of the troops, and all the other precautions that I have taken. It is more than probable that those who have signed this representation are, and will prove to be, the same as have given their signatures for the gift to the National Convention. There should be at the head of the list the signatures of Pablo Segond, Pedro Sauv , Juan Landier, Ursino Durell, Juan Mercier, Estevan Burnel, Juan Bantista Mollerat, and other fanatical partisans of the New Republic; but there will not be found among those signatures those of any Regidor¹ nor of any

¹ A municipal officer.

Creole land-owner. The others are merchants, part of them recently established in the colony, who have come here imbued with those fatal maxims, and perhaps with the hope of arousing an insurrection here, while others keeping up a regular correspondence with their friends in France have allowed themselves to be deceived by the new opinions.

Your Excellency has been informed, by the secret communications which during the last year I have directed to the Ministry of State under your charge, of the motives that have impelled me to fortify this Capital, formerly exposed to the depredations and attacks of the Americans, Indians and negroes, from the upper part of the river, and of any enemy whatever from la Valiza. I may say, without flattering myself, that to this measure are due in great part the peace and security enjoyed by the province, both as regards the Americans who were threatening it with an army assembled on the Ohio, and as regards the ill-disposed and fanatical citizens in this Capital, whose intercourse with France fills it incessantly with restless and turbulent men infatuated with Liberty and Equality, and who are increased and renewed with every vessel that comes from the ports of France. I have, nevertheless, always sought to veil the measures taken for the security of this capital, by adducing the apprehension inspired by the Americans, whose preparations on the Ohio were publicly known in this city, while those measures that were taken in Illinois,¹ New Madrid, Nogales, Natchez, Movila,² and Tombeche were of the same nature as those undertaken in this city. Only a malevolent and ill-disposed spirit can therefore interpret their object as being unfavorable to these citizens.

It is plain that these people will employ every conceivable means to expel me from the province, or perhaps to rid themselves of me, for they know that I have the advantage of them, and that I find myself in a position to keep them in subjection under the dominion of his Majesty; but I may likewise assert that I enjoy the confidence of the good subjects of the king and consequently of the greater part of these citizens and of the inhabitants of the province; that the ill-disposed fear me and respect the Government; and that, provided his Majesty be satisfied and well served, I do not look to my own life, since I am firmly persuaded that his royal goodness will not abandon to misery the family of a vassal who despised the

¹ St. Louis.

² Mobile.

care of his own fortune to devote himself entirely to the conservation of one of the most important and in the present circumstance one of the most difficult to govern of his Majesty's provinces.

God, our Lord, guard your Excellency many years.—New Orleans, April 23rd, 1793.—To his Excellency—Baron de Carondelet—Seal—To his Excellency The Duke de la Alcudia.

San Ildefonso, Aug. 31, 1793—To the Governor of New Orleans—Under date of the 26th of last April, in no. 7, you give an account of the subscription which several individual had made in this city to offer a gift to the National Convention of France, and you tell of the suspicions that you entertained that these same persons, imbued with revolutionary opinions were intriguing to get a petition signed against you, adding that it would not be difficult to ascertain who they were. In view of all this, the King desires that, proceeding with the prudence required by the present circumstances of the province, you make every possible effort to discover and punish the rebellious and ill-disposed citizens—whereof I inform you by order of the king for your information and guidance.—God—

4. DE PAUW TO GENET (DRAPER COLLECTION).¹

Le 12 juin 1793.

citoyen ministre²

Vous trouveres peu etre mon procede un peu hardi que je prend la licence de vous ecrire ces pour avoir lhonneur de vous comuniquer mes Sentimens a legar du mississipie

comme je suis habitant du quintoc³ et que j'ay fait le voiage cinq fois du fort putt⁴ jusqua la nouvelle orleans et de la a philadelphi par mer

¹ 11 Clark MSS., p. 221 (De Pauw Papers).

² De Pauw is characterized in No. 12, under the name Delpeau. This appears to be the "petition" mentioned by De Pauw in No. 78. Dr. Draper indorsed it as obtained from De Pauw's son with other De Pauw papers; it appears to be a copy or first draft. Compare Nos. 1, 2, and 78 and American State Papers, Foreign Relations, i, 455. For maps and plans of forts mentioned here, see Collet, Journey in North America, Atlas, and Ellicott, Journal (Phila., 1803). Compare Nos. 2 and 78. Carondelet gives the military strength of these posts and his plan of defence in his long letter to Alcudia, November 24, 1794 (Draper Collection, 39 Clark MSS. p. 16). This was printed in American Historical Review, April, 1897, p. 474. Compare Martin, Louisiana, ii, 117, for the military condition of Louisiana in 1793, and Collet, Journey, for the condition in 1796.

³ Kentucky.

⁴ Fort Pitt.

ces pourquoi je vous donne une description de ce vaste pais et de ce voiage en abrege peur de vous enuier

pour prendre ce pais espagnole il faudroit ce prendre de la maniere suivante; premierement il est par aise de faire partir dix, quinze, ou vingt, home a la fois, sans etre armé disaut quil dont setablir sur l'ohio en tout le nombre de cinq ceus¹

il sera nécessaire d'avoir de bons commandant des jens de confiance sur la quel vous pouvez vous fier qui ne prendrons le commandement que lors quil seront rendue dans les chalands

cette expedition doit descendre dans le mois de novembre; puisque les eaux ne voulons pas permettre de descendre auparavant car au mois de janvier il seroit trop tard sachant que le eau L'ohio devient dangereux par les glase, ce qui mest arive dans un voiage, et que j'ai manquer de tout perdre si je n'avois pas decharge mes chalans quoique exposé au danger des sauvage mais le danger n'est pas grand lorsque lon est sous le pavillion francis entendu que les sauvage respect cette nation et abhore les espagnole

le premier poste espagnole est a cinquante mille de lembouchure de lohio en dicendant le mississippi, ou il ya un capitaine et 40 home un fort montant 10 piece de canon tous les habitans sont francois et americains quelque nations sauvage apelez les delaoure les chavanons et les loups plusieurs cheriquis² mais tous portez pour la france cette place cera renduee sans resistance lon est a batir un autre fort qui sera plus considerable sur le bayou qui est une petite riviere dans lendroit mais pas fini pour le present

il ya plusieurs poste audesu de lembouchure de lohio apele Saint louis et sainte genevieve appartenant au espagnole que nous seront obligez de laiser peur de menquer notre expedition en bas ces poste nous pas de defence que des soldats pour tenir le bon ord . . . et un commandant invalide

il ya un endroit au premier poste en bas de lembouchure de lohio que je me flaste de connoitre que je peux passer avec une barge sans etre vu du dit poste et qui tombe dans le fleuve quel que lieux plus bas du poste en sur fin de faire passer une barge pour faire areter tous ceus qui tentera voudront decendre pour porter des nouvelles de notre arrivee il seroit mesme sage de voyer la barge jusqua lembouchure du osak³ une riviere ve-

¹ Compare No. 2b.

² Delawares (?), Shawnees, Loups, and Cherokees.

³ Osage.

naut du ouest et tombe dans le fleuve il ya un poste a 12 lieux de lembouchure sur cette riviere qui a correspondance par terre avec la nouvelle madrid quoi que eloigne de 150 lieux de la nouve par terre il ya une ille a lembouchure des osak pour metre une barge a la bri de tout et dareter tous ceux qui seront expedies et il est impossible daller en bas par terre voyans que le chemin sont impratiquable par les inundations ces le seul moien dempecher les intelligence expediez par le commandant de la nouvelle madrid de notre arrivee et meme de celle de osak

il ya un poste apelle le noier terre haute distance et plus bas de osak de 80 lieux fortifie mais tres peu dabitans monté avec 30 piece De canon 100 home le plu grand parti francois le fort est dans la terre base et un petit fort bati sur une petite hauteur pour tenir 10 homes et 2 pieriez a 4 cens pas il ya 2 hauteur bien plus considerables que celle du petit fort qui pouvoient ext rminer les deux fort en tres peu de temps attendu qui sont tous deux decouverte et qui sont bati pour defendre le mississippi a 5 lieux au paravant darivier a ce poste il ya une riviere considerable apelez le yasau sortant du territoire des etats unies bien attendu 5 lieux par eau et un par terre il sera necessaire de descendre la troupe a lembouchure du jaso et prendre les espagnole par deriere

Ses nations sauvages voisine sont en guere avec les espagnole que lon apelle les chichasa et une partie des chakata quil ont mis oposition au espagnole de setablir a 160 mille du post noilly et les natchez et habité par des americains rendu espagnole mais contre coeur il ya deux fort assez considerable mais tous les habitans sont pres a ce revolter par des raisons qui mont comunique car le roi avoit pasé une declaration au habitans qui prendroit leur tabac pour 10 ans a raison de 8 piastre 3 escalins il ne leur a pas tenu parole ce qui a ruine le pais les habitans ayant envoye plusieurs ecris a kentucky pour leur assistance a cause de limpos mis sur les cytoiens de kentucky sur leur denrees par ses espagnole qui est 21 par 100 quinze par entrees et 6 pour sortir par laquelle il sont beaucoup outragez et il sont determinez d'avoir leur comerce du fleuve eux mesme si le congres les abandone a ce sujet il sera aise de faire descendre la troupe au bais pierre qui est a 20 mille audesu du fort du natchez qui est terre haute et peuplee

Du natchet jusque la nouvelle orleans ces habité le long de la riviere la plupart du chemin par des francois riche et oppu-

laus ayant grande quantite de negre ses habitans sont en general bons soldats et j'ateste quil mobien de fois comuniquer qui ferons tout leur possible de bouverser le gouvernement espagnole des preuve convingantes pouvent etre vuee par les papiers que lon a envoyes a lassemblee national a cette egard ¹

il ya 2 petits forts entre le natchez et la nouvelle orleans lun appelle le batton rouge et lautre le manchack qui ne doivent pas etre contez car il son sans forte la nouvelle orleans est fortifiez depuis un an mais des fortifications tres foibles et les habitans la plus par francois il est a esperer quil ne feront aucune resistance contre leur consitoyens il seroit aussi necessaire d avoir 2 frigade pour bloquer lembouchure du missisipi en celle fin que les batiments qui sont a la nouvelle orleans ne puisse pas sortir pour donner des nouvelle a la vane ² il faut ausi vous instruire citoien ministre quil ya 6 gallere montee avec 10 piece de canon chaque commande par monsieur rousseau un francois une barge avec une piece de canon de 24 les jens qui sont montez sur cette galere sont de jens condanez pour un certain temps laplus part du temps avec des fers au pieds et qui ne respire que pour leur liberte

il sera aussi necessaire davoir douze piece de canon comme sur le car magnole 2 mortier et bien plus d' arme que d'homme car je suis assure que les homme ne manqueront pas mais la plus grande de partie sont sans armes

il seroit aussi apropos de prendre un peu de marchandise pour faire des presens au nations sauvage lorsquils nous joindrons et pour vous distinguer lamour c'e ces nations sauvage il appellens les francois leur pere et il sont determinez de non pas conoitre dautre a cet egard plusieurs de leur chefs porte la medaille de louis 14 et refuse de porte la medaille de charles 4 par un respect pour la france

voici la facon de si prendre suivant mon opinion citoien ministre

je me chargerai de vous transporter les canons fusils ammunition et a redstone que persone ne sache vien dans des barils faits pour cela et mesme le voiturier ne sauront pas ce quil porte come je suis acoutume de prendre des marchandise tous les ans pour le kentucky

je vous procurai des chalans a raison dune gourde par pied en longeur ces adire que chalan de 40 pieds coutera 40 gourde et

¹ See No. 3.

² Havana!

couvert dans le marche une barge de 36 pieds qui coutera 36 pond argent de vous silyvaniee pour une avant garde.¹

montee ave 4 piece de canon et 30 rame

a legard de descendre la riviere jai un journal suffisans dan le quele sont marquée toute les difficultez les isle et tout ce qui est necessaire pour la navigation du fleuve et come j'ay fait le voyage cinq fois je vous servirai de pilote en mesme temps je me baterai en soldat et si toute fois mon service ne vous est pas agreable je vous donnerai mon journal pour vous en servir

enmeme tems je vous ofre citoien ministre de fournir la troupe avec des provisions depuis le jour de leur arivee dans les chalans jusqua definitif de cette expedition observation faite que je ne fournirai pas de pain mais de la farine chaque ordinaire pour a faire leur pain dans des petis cours de fer que lon aporte dans les chalans qui coute une gourde la piece a fort putt or a redstone

pour vous faire voir citoien ministre que mes attentions sont bien placez les provisions que je vous fournirai de jour de nostre depart du fort putt jusqua ce que l'expedition soit faite je ne vous demanderai pas le payement a present et en cas que notre expedition ne reuisse pas je sacrifierai mes depence et je ne vous chargerai rien

Conditions pour fournir les vivres bien attendu que je ne serai pas obligé de faire la distribution ce sera a vos fourrier de la faire la farine sera delivree par moi ou mon comis par baril a raison de 6 gourde par baril la viande fraische a raison de 5 gourde le cent et sera prise par quartier par le dit fourrier si toutefois je ne pouvais pas trouver de viande fraiche je fournirai de bonne viande salee au meme prix aussi du petit sale

je vous assure citoien minister que lon pourra assembler une partie de la troupe a fort putt et redstone et un grand nombre a gallipolis un etablissement sur loio par des francois comme j'ay peur de vous enuyer citoien ministre avec tout de propositions et peut etre contraire a vos attentions car je pourais vous dire beaucoup plus a ce sujet si vous dez aprouvez ma declaration a cette egard je vous prie de garde le segret mais si toute fois vous aprouvez mes sentimentre je me trouverai lhome le plus heureux sur la terre voyant que mon zele pourra etre utile a mes brave citoyens et d'etre la cause de procurer la liberte a ces braves francois que louis 14 a rendu come des

¹ Order of pages rearranged here. They seem bound in incorrect order in the MS. volume.

esclaves a une nation aussi barbare que ses espagnole pour la valeur de cinq millions.

il pouroit: des persone avoir en qui vous diront quil est possible de prendre la nouvelle orleans par mer mais je dis le contraire attendu quil ni a pas assez deau pour faire entrer de gros batimens a la ballize lembouchure du mississipi autre de ca le courant du fleuve est si rapide que sil ny a pas de gros vens les batimens sont quelque fois six semaine devant pouvoir arriver a la nouvelle orleans aussi le fort de plakamine est assez considerable en canons pour empecher les batimens de monter et cest la que les 6 gallere ce tiene en cas de besoin et cest une morasse au tour du dit fort et si lou vouloit aller par terre les chemins son impraticable.

je vous prie daigner citoien minister de me croire sincere et de disposer de moi si je peux vous etre utile sans oublier que je serai toujours pres a tout sacrifier a lhonneur et la gloir de cette brave nation francoise et je ne peux men pecher en signant de vous avouer que j'enchaîne mon ame au pied de ce digne etandar de la liberte et egalite jusqu'a la mort¹

5. BROWN TO CLARK² (DRAPER COLLECTION).³

Philad^a 24th June 1793.

Dear General

The Bearer of this Mr. Michaux⁴ about to visit Kentucky has requested a line of introduction to you which I

¹ On June 19, 1793, Genet wrote to the French minister Lebrun: "En attendant j'approvisionne les Antilles, j'excite les Canadiens à s'affranchir du joug de Ang^r; J'arme les Kentuckois, et je prépare par mer une expédition qui secondera leur descente dans la nouvelle Orleans." Archives des Aff. Étr., États-Unis, vol. 37, folio 434. See American Historical Review, Vol. III.

² Compare Michaux to Clark, October 7, 1793, No. 17, and October 10, 1793, No. 18. In American State Papers, xx, Misc. I, 931, J. Brown, Representative to Congress from Kentucky, the author of this letter, deposes in 1808: "Some time after Mr. Genet arrived at Philadelphia and during the continuance of the war between France and Spain, he informed this deponent that he had it in contemplation to raise an army to consist of recruits from Kentucky, Tennessee, the Creek and other Indian tribes, for the conquest of Louisiana in behalf of France. Shortly after he understood from one of the heads of departments that he was apprized of the project of Genet: that he was absent from Kentucky from the autumn of 1792 till about August 1795; and therefore has no personal knowledge of the progress of any agent of Genet in issuing commissions or enlisting men, but during that time he received letters from Kentucky containing information on that subject and without delay gave extracts of them to the then Secretary of State for the information of the President of the United States." Compare Butler, Kentucky, 528. See No. 8b.

³ 55 Clark MSS., No. 3.

⁴ André Michaux, author of *Histoire des Chesnes d'Amérique*. See Appleton's *Cyclopedia of American Biography*. Jefferson had given Michaux instructions in January regarding a proposed transcontinental exploration for the American Philosophical Society. See Coues, *Lewis and Clark Expedition*, I, xix-xx; Jefferson, *Writings*, vi, 158. See Nos. 8 and 8c.

give with the greater pleasure having been assured that he is a worthy Character and a man of Science. Mr. Michaux having devoted much of his time to the study of Botany has acquired considerable reputation in that line, and undertakes the Journey to the Westward from a desire to examine the plants and natural productions of that Country. Any assistance you may be so good as to afford him in accomplishing his views, or attentions which you may please to pay to him during his stay in Kentucky will be conferring a favor upon a man who deserves your confidence and will lay me under obligations which I shall at all times be happy to acknowledge.

I am with due consideration,
Y^r M^t Hbl. Serv^t

J. Brown.

Gen^l Clark.

[Superscription.] "General George R. Clark, Jefferson County, Kentucky. Hon^d by M^r Michaux."

6. BROWN TO SHELBY (DRAPER COLLECTION).¹

Philad^a 24th June 1793.

Dear Sir

Your well known hospitality and attention to Foreigners of respectability make the Bearer of this M^r Michaux very desirous of some introduction to your notice. If in yielding to his solicitations I have committed an impropriety I throw myself on your goodness for my pardon.

M^r Michaux is a Citizen of France and stands high in the confidence of the Minister of that Republic who now resides here. From long study and research he has acquired the reputation of being an able Botanist and visits Kentucky in the hope that among the plants and other productions of that Country hitherto unexplored by the skillful Naturalist, he may be able to make many discoveries as curious as useful to Society. Any civilities you may be pleased to shew him will not only confer an obligation upon Mr Michaux but also upon him who has the honor to be with sentiments of respect and esteem

Sir

Y^r M^o Hble Serv^t

J. Brown

Isaac Shelby Esq^r.

¹ 11 Clark MSS., p. 200.

7. JEFFERSON TO SHELBY (DEPARTMENT OF STATE).¹

Philadelphia June 28. 1793

The bearer hereof mr Michaud is a citizen of the French republic who has resided several years in the US. as the Conductor of a botanical establishment belonging to the French nation. he is a man of science and merit, and goes to Kentucky in pursuit of objects of Natural history and botany, to augment the literary acquirements of the two republicks. Mr. Genet the Minister of France here having expressed to me his esteem for mr Michaud and good opinion of him, and his wish that he should be made known to you, I take the liberty of recommending him to your notice, your counsels, and good offices. his character here persuades me that they will be worthily bestowed on him, and that your further knowlege of him will justify the liberty I take of making him known to you. this will the more need justification, as I have not the honor of being personally known to you myself. this circumstance however has not prevented my entertaining for you those sentiments of esteem and respect which your character is entitled to inspire, and which I beg leave to tender you, with sincere assurances of attachment and regard from Your Excellency's

Most obedt.

and most humble servt

Th Jefferson.²

H. E. Govr. Shelby.

8. JEFFERSON'S MINUTE OF CONVERSATION WITH GENET
(DEPARTMENT OF STATE).³

Mr. Genet ⁴ called on me, and read to me very rapidly instns he had prepared for Michaud who is going to Kentucky, an address to the inhab. of Louisiana, and another to those of

¹ Jefferson Papers, first series, Vol. 5, No. 163.

² Compare Ford's Jefferson's Writings, I, 235, 236; Jefferson's Works (1854), IX, 200; Coates's Lewis and Clark, I, pp. xix-xx; St. Clair Papers, II, 326, 327. See No. 8.

³ Jefferson Papers, fourth series, Vol. 3, No. 84.

⁴ This minute of Jefferson follows four brief entries, the first of which is dated July 5, 1793. It has been printed in Ford's Jefferson's Writings, I, 235-236, and less exactly in Hamilton, Republic, v, 395. See No. 8b. On August 15, Genet wrote to Lebrun, characterizing Jefferson as "homme doué de bonnes qualités, mais assez foible pour signer ce qu'il ne pense point et défendre officiellement des mesures qu'il condamne dans ses conversations et des écrits anonimes." Archives des Aff. Étr., vol. 88, folio 182.

Canada. in these papers it appears that besides encouraging those inhabitants to insurrection, he speaks of two generals at Kentuckey who have proposed to him to go and take N. Orleans if he vill furnish the exp. about £3000 sterl. he declines advancing it, but promises that sum ultimately for their expences, proposes that officers shall be commissd. by himself in Kentuckey and Louisiana, that they shall rendesvous *out of the territories of the US.* suppose in Louisiana, and there making up a battalion to be called the _____ of inhabitants of Louisiana and Kentuckey and getting vhat Indns. they could, to undertake the expedn against N. Orleans, and then Louisiana to be established into an independant state connected in commerce with France and the US. that two frigates shall go into the river Missisipi and cooperate against New Orleans—the address to Canada, vas to encourage them to shake off English yoke, to call Indians to their assistance, and to assure them of the friendly disposns of their neighbors of the US. he said he communicated these things to me, not as Secy. of state, but as mr Jeff. I told him that his enticing officers and souldiers from Kentuckey to go against Spain, vas really putting a halter about their necks, for that they vould assuredly be hung, if they commd. hostilities agt. a nation at peace with the US. that leaving out that article I did not care what insurrection should be excited in Louisiana, he had, about a fortnight ago sent me a comun for Michaud as Consul of France at Kentuckey, and desired an Exequatur. I told him this could not be given, that it was only in the *ports* of the US. they were entitled to Consuls, and that if France shd. have a consul at Kentuckey Engl. and Spain vould soon demand the same, and ve shd. have all our interior country filled vith foreign agents. he acquiesced and asked me to return the commission and his note, which I did. but he desired that I vould give Michaud a lrè of introduction for Govr. Shelby. I sent him one a day or two after. he now observes to me that in that letter I speak of him as a person of botanical and natural pursuits, but that he vished the Govr. to view him as something more, as a French citizen possessing his confidence. I took back the latter, and wrote another. see both.¹

¹ Mr. Allen, the Director of the Bureau of Rolls, etc., of the State Department kindly sends this document and Jefferson's letter to Shelby, June 28, 1793 (No. 7) and writes that this is the only one of the letters which appears to be in the Jefferson Papers.

Sa. GENET TO CLARK (ARCHIVES DES AFF. ÉTR.).¹

Philadelphia le 12 Juillet 1793
L'an 2^e. de la République Française

Lettre du Citoyen Genet ministre de la République Française
au Général Clarke.²

Citoyen Général

Un homme qui a donné des preuves de son amour pour la Liberté et de sa haine pour le despotisme ne devait pas s'adresser en vain au ministre de la République française. Général il est tems que les Americains libres de l'Ouest soient debarrassés d'un ennemie aussi injuste que méprisable.

Il est tems que nos concitoyens de la Louisiane les descendants des Français jouissent du bienfait de la liberté, que vont leur présenter leurs freres et leurs amis. C'est à vous, Général, que la direction de cette honorable mission est confiée vous pouvez vous couvrir de gloire et mériter la reconnaissance d'un grand nombre d'hommes que vous aurez délivrés de la Tyranie. J'ai adopté toutes les propositions renfermées dans la lettre que vous m'avez écrite le 2. février, et le citoyen Michaux qui vous remettra cette lettre sera chargé comme agent de la République Française, de la partie administrative de cette affaire. C'est un homme prudent, sûr, actif et intelligent ami de la Liberté et de l'Egalité. Vous vous concerterez avec lui et il vous donnera des instructions et des plans généraux qui lui ont été confiés.

Le Citoyen Michaux vous remettra aussi votre commission de Commandant en chef de l'armée indépendante et révolutionnaire du Mississipi.

Je vais écrire au Ministre des Affaires étrangères pour le prier de porter au Conseil la demande que vous me faites du grade de Marechal de camp des armées de la République Française et je ne doute point que cette récompense et d'autres plus importantes ne couronne vos succès.

Je ne me suis déterminé, Général, à entreprendre cette grande opération, qu'avec la certitude que loin d'être désapprouvée ici, elle y sera reçue avec plaisir. Allez donc en avant avec confiance et surmontez tous les obstacles pour parvenir à votre but.

p^r. Copie.

Genet.

¹ États-Unis, vol. 38, folio 35.

² Endorsed. 5^e p^{re} jointe au N^o 21. B.

Sb. GENET TO MINISTER (ARCHIVES DES AFF. ÉTR.).¹

Philadelphie le 25 Juillet 1793
L'an 2nd de la république Française

Le Ministre plénipotentiaire de la République Française au
Citoyen Ministre des Affaires étrangères.²

Le Conseil exécutif ayant prévu que le Gouvernement fédéral des Etats Unis n'embrasserait pas immédiatement avec toute la chaleur que nous pourrions desirer les grandes vues dont il m'a confié l'exécution, m'a chargé en attendant que le Peuple américain le force à faire cause commune avec nous de prendre toutes les mesures que ma position comporterait pour faire germer dans la Louisiane et dans les autres provinces de l'Amérique voisines des Etats unis les principes de la liberté et de l'indépendance.

A peine arrivé en Amérique débarqué à Charleston et me trouvant par la plus a portée d'avoir des renseignements. J'ai communiqué au brave général Moultrie Gouverneur de la Caroline le plan qui m'était tracé. Il m'a été facile de faire sentir à cet ami sincère de l'humanité l'avantage d'une pareille entreprise pour les Etats unis. Il a reconnu que si la Louisiane était libre les Américains seraient débarassés des guerres continuelles que leur font les indiens excités par l'Espagne.

Je laissai, en conséquence, de concert avec le Citoyen Mangourit³ Consul à Charleston, agen actif et intelligent des instructions au C. M. (voyés le N° 1^{er}) et j'envoyai un exprès par le desert au Kentukey pour sonder les dispositions des habitans et informer de mon arrivée un Général celebre le General Clarke connu par son devouement à la cause de la liberté universelle et par son desir d'affranchir la Louisiane du joug espagnol. En effet ce general est tellement penetré de ce projet qu'ayant été instruit de ma mission il m'avait écrit la lettre ci jointe N° 2 qui me fut remise à Philadelphie par mon

Mission donnée au C. Genet de propager les principes de liberté dans la Louisiane et autre Provinces voisines des Etats Unis.

Le C. Genet a communiqué au Général Moultrie le plan qui lui a été tracé pour rendre la liberté à une partie de l'Amérique.

Avantages qui résulteraient pour les Etats unis de la liberté de la Louisiane.

Le Général Clarke est disposé à seconder ce projet de tous ses moyens.

¹ États-Unis, vol. 38, folio 80.

² Endorsed—1^{re} jointe au N° 21. B. 1^{er} Rapport sur la Louisiane ou la Nouvelle Orléans.

³ On Mangourit's relations to the expedition, see Archives des Aff. Étr., États-Unis, Supplement, vol. 5, doct. 9.

predécesseur et qui renferme un plan bien conçu et des détails satisfaisans sur les moyens dont il peut disposer pour faire la conquête de la Louisiane.¹

Avant de me livrer entièrement à ces propositions je crus devoir m'assurer des dispositions du Gouvernement Américain et l'engager à s'unir à nous. Mr. Jefferson me parut sentir vivement l'utilité de ce projet mais il me déclara que les Etats unis avaient entamé des négociations avec l'Espagne à ce sujet

Raisons qui empêchent le Gouvernement des Etats unis de prendre part à ce projet.

qu'on lui demandait de donner aux Américains un entrepôt au dessous de la Nouvelle Orleans et que tant que cette Négociation ne serait point rompue la délicatesse des Etats unis ne leur permettait pas de prendre part à nos opérations, cependant

M. Jefferson est cependant d'avis d'une irruption des habitans du Kentucky dans la Nouvelle Orleans.

il me fit entendre qu'il pensait qu'une petite irruption spontanée des habitans de Kentucky dans la Nouvelle Orleans pouvait avancer les choses, il me mit en relation avec plusieurs députés du Kentucky et notamment avec

Mr. Brown qui pénétra de l'idée que son pays ne serait jamais florissant tant que la navigation du Mississippi ne serait pas libre à adopter nos plans avec autant d'enthousiasme qu'un Américain peut en manifester: Il m'a indiqué les moyens d'agir avec succès, m'a donné l'adresse de

Renseignemens fournis par M. Brown au C. Genet et bonnes disp^{os} de cet Américain.

beaucoup d'hommes surs, et m'a promis de faire servir toute son influence à la réussite de nos projets.

C'est dans ces circonstances, Citoyen Ministre, que j'ai reçu vos premières dépeches: j'y ai vu que vous ne perdiez pas de vue l'objet en question; que vous le regardiez toujours comme très important à réaliser: je me suis empressé de faire le choix d'un agent propre à diriger nos négociations sur les lieux mêmes; j'ai jetté les yeux sur le Citoyen Michaux Botaniste

Raisons qui ont décidé le C. Genet à employer le C. Michaux comme agent.

du Jardin national qui se disposait à entreprendre le voyage de la mer du Sud dans l'intention d'enrichir sa patrie de nouvelles découvertes. Le Citoyen Michaux est un homme

estimable à tous égards, jouissant ici d'une grande considération: Il est actif, circonspect, sur et attaché à la gloire de sa patrie: il parle Anglais, il connoit l'idiome et les mœurs des nations indiennes. c'était donc l'homme que je devais choisir d'autant mieux que habitué à voyager dans les derrières de

¹ Compare note to No. 2.

l'Amérique son départ ne pouvait être suspect à personne. Je lui communiquai en conséquence, le projet dont j'étais chargé il en a senti tous les avantages et malgré son amour pour l'indépendance il me promit de remplir cette mission avec le zèle le plus ardent

assuré de son entier dévouement je travaillai à des instructions que vous trouverez sous le N^o. 3. Je lui procurai des lettres de M^r. Jefferson et du Sénateur Brown pour le Gouverneur et pour les hommes les plus influens du Kentukey et afin que rien ne retardat cette entreprise je lui delivrai une lettre de credit qui l'autorise à tirer sur moi pour les sommes nécessaires à l'exécution du plan du Général Clarke et je lui donnai des pouvoirs, qui sont joints à la copie des instructions, à l'effet de conclure des alliances avec les Peuples indiens et les habitans de la nouvelle orléans d'après les principes les plus liberaux.

Je le chargeai de plus de delivrer des brevets aux chefs des Indiens et aux Citoyens qui auraient fait quelque action d'éclat: de faire parvenir à la nouvelle orléans l'adresse imprimée dont je joins ici plusieurs exemplaires

Muni de ces moyens le Citoyen Michaux s'est mis en route il y a quinze jours avec un officier et un sous officier d'artillerie qui lui serviront d'escorte pendant la route et qui seront tres utiles au général Clarke pour monter sa Légion qui portera, comme vous les verrez par les Instructions du Citoyen Michaux et par la lettre que J'ai écrite au General Clarke le titre de légion révolutionnaire et indépendante du Mississipi

Je crois, Citoyen Ministre, au succès de l'opération que nous allons entreprendre. Les habitans de la nouvelle Orleans brulent tous du desir de s'affranchir du Gouvernement espagnol. Ils sont indignés des persécutions aux quelles sont exposés ceux de leurs Citoyens qui se montrent attachés à la France et Amis de ses principes: Ils sont revoltés de l'insolence des gentilhommes espagnols encore plus plats que ceux qui pullulaient en France sous l'ancien régime et quoique le gouverneur allarmé de l'état de foiblesse et de fermentation ou se trouve la Colonie, paroisse s'adoucir depuis quelque tems, personne n'est abusé sur ses intentions dans un moment ou le danger auquel il se croit exposé lui a fait elever des batteries dirigées contre la ville

Je comptais envoyer l'Embuscade et la petite démocrate très jolie corvette de dix huit Canons prise par l'Embuscade, fermé actuellement par le Mississipi au moment ou les Kentu- La Cornelia depuis qu'elle a été prescrite sous son premier nom par le President. kois descendront mais aujourd'hui que les malheurs de St Domingue ont conduit ici l'escadre qui etait en station dans cette Colonie, avec le convoi destiné pour france; Il me semble que nous pourrions faire un usage bien avantageux de ces forces dont les Commissaires civils paroissent craindre le retour à la Colonie, En les envoyant à la même époque à la nouvelle Orleans et qu'en attendant nous pourrions les employer à detruire dans ces parages le commerce Anglais.

Je vais concerter ces grandes mesures avec les Chefs de nos forces navales, et vous pouvés etre persuadé que le patriotisme le plus pur presidera à toutes les decisions que je prendrai

Genet

Sc. MICHAUX' INSTRUCTIONS (ARCHIVES DES AFF. ÉTR.).¹

MÉMOIRE POUR SERVIR D'INSTRUCTIONS AU CITOYEN ANDRÉ MICHAUX AGENT DE LA RÉPUBLIQUE FRANÇAISE DANS L'ÉTAT DE KENTUCKEY ET SUR LE MISSISSIPI.²

Raisons qui déterminent à confier au C. Michaux la fonction d'agent de la République près les peuples du Kentuckey, de la Louisiane, et des Illinois. Votre patriotisme connu, citoyen, les talens qui vous distinguent et les connoissances précieuses que vous avez recueillies sur les peuples aborigènes du continent Septentrional de l'Amérique m'ont déterminé à vous confier la mission importante d'agent de la République Française auprès des peuples de Kentukey, de la Louisiane et des Illinois.

Je vous ai developpé dans les différents entretiens que j'ai eu avec vous, l'objet de cette Mission et la conduite que vous devez observer pour la remplir avec succès. Je vais aujourd'hui résumer en peu de mots tout ce que je vous ai confié à ce sujet et vous donner par la présente Instruction les autorisations dont vous avez besoin pour agir avec effet.

Mission donnée à C. Genet de faire germer les principes de liberté dans une partie de l'Amérique. Le Conseil executif, Citoyen, m'a chargé en attendant que le Gouvernement Américain se soit déterminé à faire cause commune avec nous de prendre toutes les mesures que ma position comporte pour faire germer dans la

¹ États-Unis, vol. 39, folio 82.

² Endorsed 2^e p^{ce} Jointe au No. 21 B. 7 Octobre, 1793. 16 vend^{ém} An 2.

Louisiane et dans les autres provinces de l'Amérique voisines des E. U. les principes de la liberté et de l'indépendance. Les Kentuckois qui brûlent depuis longtems du désir légitime de jouir de la libre navigation du Mississipi qui leur appartient de droit naturel et de droit positif, et sans laquelle la belle contrée qu'ils habitent serait condamnée à la stérilité, sont disposés à seconder nos vues. J'en ai la certitude, et la plupart de leurs représentans au Congres ne se dissimulent pas que les negociations entamées par le gouvernement fédéral avec l'Espagne pour obtenir de cette puissance l'ouverture du Mississipi ne conduiront à aucun résultat avantageux.

Ils sont d'autant plus fondés à reconaitre cette verité qu'ils n'ignorent point que le Gouvernement fédéral n'a point une grande propension à les faire jouir d'un débouché qui rendrait incessamment le Kentukey plus florissant et plus puissant qu'aucun autre membre de l'union. dans cet état de choses, Citoyen, l'intéret de la République, celui de l'humanité qui demande vengeance des Espagnols celui de nos freres de la Louisiane qui gemissent dans les fers de ces tyrans, exige que nous excitons les habitans du Kentukey à ne plus balancer à ouvrir eux mêmes de concert avec nous les bouches du Mississipi au commerce des deux mondes, et à commencer par cet acte de vigueur l'emancipation des Colonies Espagnoles Marchés immense dont les Américains seront les premiers à profiter. C'est à les entrainer dans cette carriere glorieuse, c'est à diriger leurs efforts de Maniere à ne point les compromettre vis-à-vis du Gouvernement fédéral tant qu'il n'aura point pris couleur, que vous devez donner tous vos soins. Vous trouverez dans le Général Clarke qui est à Louisville et dans le Général Logan qui n'en est pas éloigné des hommes disposés à tout entreprendre dans le sens que nous desirons, et c'est avec eux que je vous prescriis de concerter tous vos plans. Instruit je crois par sympathie du vœu de la République Française le General Clarke m'a fait trouver à mon arrivée ici une lettre dans laquelle il m'offre de lever un corps de 800 hommes et de marcher à la Conquête de la Louisiane pour y établir le vrai Culte de la liberté.

Il me demande une avance de 3,000 liv. pour lever Son Corps et il ne doute point du succès si deux Frégates seulement

Désir qu'ont les Kentuckois de jouir de la navigation du Mississipi qui leur appartient.

Apparences de l'innutilité des negociations entamées avec l'Espagne par le Gouvernement fédéral pour l'ouverture du Mississipi.

Injonction au C. Michaux de concerter tous ses plans avec les Généraux Clarke et Logan.

opèrent une diversion nécessaire à l'entrée du Mississippi pour contenir les troupes en Garnison à la Nouvelle Orléans, et fermer ce fleuve à l'ennemi.

Renseignemens à prendre avant que de fournir au Général Clarke les moyens pecuniaires et militaires qu'il demande.

Ce plan est hardi: il honore le zèle du Général Clarke mais avant de nous mettre en mesure de l'exécuter et de lui fournir les moyens pecuniaires et militaires qu'il demande il convient 1° de s'assurer des dispositions des habitans du Kentukey.

2° de constater l'efficacité des moyens personnels du General Clarke.

3° d'être bien assuré de l'époque à laquelle l'opération pourrait commencer.

4° de déterminer les bases d'après lesquelles nous entreprendrons de briser les fers des habitans de la Nouvelle Orléans.

But de la mission de C. Michaux.

Tous ces points ne peuvent être éclaircis que par vous sur les lieux et le dernier particulièrement doit être le resultat de conférences que vous aurez avec le Général Clarke et avec les principaux Citoyens Kentukoïis, qui soutiendront l'entreprise projetée.

La Prudence dans des circonstances moins impérieuses que celles où se trouve l'humanité dont nous défendons la cause exigerait que j'attendisse avant de faire aucune avance de fonds avant de prendre aucun engagement que vous m'eussiez fait un rapport circonstancié de votre Mission. Mais comme cette marche ralentirait infiniment l'opération je crois devoir vous donner plus de latitude et vous autoriser à avancer au

Autorisation donnée au C. Michaux d'avancer au G^l. Clarke jusqu'à la concurrence de 3,000 liv. et sous quelles conditions.

Général Clarke jusqu'à la concurrence de 3,000 liv. si vous jugez que les moyens dont il parle sont effectivement à sa disposition. et nous promettent quelque succès, et s'il s'engage ainsi que les chefs de l'entreprise à souscrire à la convention dont je joins ici le

projet. Aussi tot que cette convention sera signée vous m'en ferez passer un duplicata par un exprès et je ne perdrai pas un instant pour faire agir à l'époque convenue les forces navales dont vous aurez promis le concours. Afin que rien ne retarde la conclusion de votre Négociation si vous pouvez amener les

Pouvoirs donnés au C. Michaux et commissions qu'il est chargé de distribuer.

choses au but désiré je vous remets ci-joint 1° un pouvoir qui vous autorise à conclure provisoirement au nom de la République toutes les Conventions que vous jugerez convenables

soit avec les chefs de l'expédition soit avec les nations Indiennes que vous pourrez engager à suivre avec nous et à faire lever au nom de la R. F. hors du territoire des E. U. une Legion *Indépendante et Revolutionnaire* qui joindra à ces deux titres honorables celui du Mississipi. 2°. une Commission provisoire de Commandant Général de l'expédition pour le Général Clarke avec promesse de lui faire obtenir du Conseil de la République le grade de marechal de Camp. 3°. des brevets en blanc du Conseil exécutif pour les grades de Capitaine, de Lieutenant et de sous Lieutenant que vous delivrerez à des officiers Américains Indiens ou autres qui auront été choisis par le Commandant général pour servir dans la Légion Revolutionnaire et Indépendante dans les dites qualités.

4°. des Commissions provisoires en blanc de moi pour Conférer les grades de Colonel, de Lieutenant Colonel et d'adjudant général de la Légion aux officiers que le Commandant général vous proposera pour remplir ces places avec promesse de leur faire obtenir des Brevets du Conseil exécutif pour les mêmes grades dans l'armée française.

5° un grand nombre de commissions en blanc delivrées par moi sans désignation de grades et dont vous ferez l'usage que votre sagesse vous suggerera.

Je n'ai pas besoin de vous observer, Citoyen, que la République ne peut point pourvoir à toutes les dépenses relatives à cette expédition et qu'il est indispensable que les Kentuckois qui en retireront tout le fruit fassent quelques contributions pour en faciliter l'exécution. Afin de les y exciter vous aurez soin d'insérer dans les papiers publics des articles propres à leur démontrer les droits qu'ils ont à la libre navigation du Mississipi vous mettrez sous leurs yeux ces maximes extraites des délibérations du Conseil exécutif du 16, 9^{bre} 1792. " que le cours des fleuves est la propriété commune et inalienable des habitans de toutes les contrées arrosées par leurs eaux, qu'une nation ne saurait sans injustice prétendre au droit d'occuper exclusivement le canal d'une riviere et d'empêcher que les peuples voisins qui bordent les rivages Superieurs ne jouissent du même avantage qu'un tel droit est un monopol odieux qui n'a pu être établi que par la force ni consenti que par l'impuissance. qu'il est, conséquemment révoicable dans tous les momens et malgré

Nécessité que les Kentuckois fassent quelques contributions pour les frais de l'exped^{on} qui doit assurer la liberté du Mississipi.

toutes les Conventions parceque la nature ne reconnoit pas plus de peuples que d'individus privilégiés et que les droits de l'homme sont a jamais imprescriptibles. vous ne negligerez rien, citoyen, pour frapper les américains de ces puissantes considérations et pour les convaincre que leur gloire veut que leur intérêt exige qu'ils s'affranchissent des entraves diplomatiques qu'oppose à leurs vœux la marche timide du gouvernement fédéral en allant occuper la nouvelle orléans qui est presque sans défense et dont les habitans les attendent avec anxiété bien rassurés que lorsqu'ils en seront une fois maitres aucune force ne pourra les en déloger et que la France les soutiendra.

Nous ne pouvons point douter des bonnes dispositions des français de la Louisiane. vous tâcherez en conséquence d'établir des intelligences sûres avec eux pour leur faire connaître les dispositions de la République française en leur faveur, celle des habitans du territoire de l'Ouest et les grands avantages que leur procurera un changement de régime en ne cessant de les assurer que notre intention est de les laisser les maitres de s'organiser comme ils l'entendront, et que tout ce que nous leur demandons est de confondre leurs interets politiques et commerciaux avec les nôtres et avec ceux des Etats Unis, en un mot de nous traiter toujours en freres d'assimiler nos citoyens aux leurs en toute chose, et de se lier étroitement à nous pour résister à la ligue des tyrans contre les hommes libres.

Ces bases sont développées dans l'adresse ci jointe que vous ferez imprimer au Kentukey et que vous leur ferez parvenir de toutes parts.

vous donnerez aussi tous vos soins à cultiver l'amitié des Indiens à la gagner par quelques présents et à les engager à faire cause commune avec nous pour rendre à la liberté nos frères de la Louisiane.

Comme il est nécessaire, citoyen, pour la responsabilité des agens de la République que la partie de la comptabilité soit présentée avec ordre et clarté je joindrai à cette instruction generale une Instruction particuliere sur la manutention pécuniaire dont vous serez chargé et une autre sur la formation de la Legion Revolutionaire et Indépendante.

vous trouverez dans le Kentuckey beaucoup d'officiers vétérans mecontents de la conduite du gouvernement fédéral qui ne demanderont pas mieux que de s'enroler sous les etendards

de la liberté et dont le nombre sera très suffisant pour remplir toutes les places de la légion. Cependant comme les Américains en général n'excellent point dans la partie de l'artillerie je crois convenable de faire passer avec vous le citoyen Bayard officier d'artillerie et deux sous officiers d'artillerie qui se trouvent ici, que le Général Clarke emploiera utilement si l'expédition a lieu et qui dans tous les cas vous serviront d'escorte sur la route. Il y a ici d'autres officiers et sous officiers que je pourrai vous faire passer lorsqu'il en sera tems avec les Suplemens des Secours et des munitions.

Je n'ai pas besoin, citoyen, de vous recommander de me transmettre par toutes les occasions que vous pourrez trouver les rapports détaillés de vos opérations et des négociations que vous aurez entamées ainsi que des notions que vous pourrez recueillir Sur la situation politique de l'Espagne dans le nouveau monde et sur les moyens d'y étendre les principes de la liberté. De mon côté j'aurai joui de vous faire parvenir tous les avis et toutes les instructions qui pourront être utiles à vos Succès.

Je vous remettrai pour faciliter cette correspondance un chiffre particulier dont vous vous servirez quand vous aurez des choses secretes à me mander.

Genet.

sd. AUTHORIZATION TO MICHAUX (ARCHIVES DES AFF. ÉTR.)¹

COPIE DE L'AUTORISATION DONNÉE AU CITOYEN ANDRÉ MICHAUX PAR LE MINISTRE PLÉNIPOTENTIAIRE DE LA RÉPUBLIQUE FRANÇAISE PRÈS LES ETATS UNIS DE L'AMÉRIQUE.²

An nom de la République Française Nous Edmond Charles Genet Ministre plénipotentiaire de la République Française près les Etats Unis de l'Amérique du Nord, d'après les pouvoirs et les Instructions qui nous ont été donnés par le Conseil exécutif de la République Française nous autorisons le Citoyen André Michaux agent politique de la République Française à traiter avec les francais de la Louisiane et les peuples Indiennes à l'ouest du Mississipi à l'effet de rendre la liberté aux habitans de la nouvelle Orléans, autorisons également le Citoyen André Michaux à se concerter avec les Généraux

¹ États-Unis, vol. 39, folio 89.

² Endorsed 3^e p^o jointe au N^o 21. B. 7.8^{vo} 1793. 6 vend^o an 2^e.

Clarke et Logan dans le Kentukey sur les moyens de lever hors du territoire des Etats unis un Corps qui portera le titre de Legion revolutionnaire et Independante du Mississipi: nous le chargeons de l'emploi des Fonds qu'il confiera à ces officiers pour Faciliter l'entreprise. Nous l'autorisons à délivrer à la requisition du général qui sera chargé de l'expédition des commissions d'officiers revolutionnaires pour ceux qui auront par leurs talens, leur Courage, et leurs connoissances militaires merité cette recompense, comme aussi de conclure avec les peuples Français de la Louisiane et les Indiens des alliances fondées sur le veritable interet des Peuples et sur les principes liberaux adoptés par la République Française et détaillés dans les Instructions du Citoyen Michaux

Signé

Genet

8c. AUTHORIZATION TO CLARK (ARCHIVES DES AFF. ÉTR.).¹

AUTORISATION DONNÉE PAR LE MINISTRE PLÉNIPOTENTIAIRE DE LA
REPUBLICQUE FRANÇAISE AU GENERAL CLARKE.²

Autorisons le Major Général Clarke à prendre le commandement en chef de la Legion Indépendante et revolutionnaire du Mississipi de nommer à tous les emplois de ce corps, de l'armer, l'organiser et le diriger ainsi qu'il le Jugera convenable pour les interêts de la République française, et le plus grant Succès de la cause de la Liberté et de l'indépendance des Peuples.

Signé

Genet.

9. CARONDELET TO ALCUDIA (DRAPER COLLECTION).³

The Governor of Louisiana and West Florida, on account of the importance and possible consequences of the matter, advises that, owing to the withdrawal of the reinforcements that had come to that province from Havana, the garrison of the plaza scarcely amounts to 700 men; 921 being distributed in 21 detachments at considerable distances. For this reason he describes the critical state in which Louisiana is left, although it protects the rich possessions of New Spain into which the Americans are beginning to penetrate, forming at

¹ États-Unis, vol. 39, folio 90.² Endorsed 6^e p^e jointe au N^o 21. B. 7.8^{vo} 1793. 16. vend^e au 2.³ 40 Clark MSS., p. 114.

the present moment a settlement at las Barrancas de Margot,¹ for which reason he solicits the sending of at least three hundred men to complete the regiment and to put its third battalion on the same footing as the others.

No. 12—Secret—Most Excellent Sir:—Although what I am about to say would seem rather to interest the Ministry of War than that of State, yet I am persuaded that your Excellency can not view with indifference the loss of a province like Louisiana, which extends more than six-hundred leagues and protects the richest possessions of the Spaniards, into which the Americans are already beginning to penetrate; I feel it incumbent on me to make known to your Excellency that, owing to the withdrawal of the troops from Havana, this garrison scarcely amounts to 700 men, since 219 men are wanting to complete the regiment stationed here, and 920 are employed in 21 detachments distributed over more than 600 leagues, as shown in statement No. 1 enclosed.

Nevertheless, from the contents of the order of his Majesty of the 27th of last April, communicated by his Excellency the Minister of War, by virtue of which the reinforcements, consisting of 600 men, sent by the Captain-General of the Island of Cuba, withdrew from this Capital, it is to be inferred that his Majesty believes me to have at my disposition for the defense of this Plaza the permanent regiment mentioned above, since, among other things, the following is read in the order: And if, with the permanent regiment, the Spaniards who are there, and the other loyal settlers, it should prove impossible for him to quell the disturbance and preserve the whole province, let him make an effort to retire to Movila, or some other post, where he can maintain himself, until, in response to his appeal, succor can be sent from Havana.

I have represented to the Captain-General of these provinces the moral impossibility almost of my retreating to any point whatever, in case of a disaster, on account of the difficulties offered by the Misisipi, wherefore I prefer to bury myself under the mines of the redoubt of San Carlos which I

¹ Chickasaw Bluffs, near Memphis. See Collot, Journey, Atlas, plate 31. Sometimes called *Ecores* or *Exores a Margot*; compare Jefferson's letter of June 30, 1793, expressing ignorance of what was meant by *Ecores amargas*: Ford's Jefferson's Writings, vi, 335-336. See Carondelet to Alcudia, August 27, 1793, September 27, 1793, June 13, 1795, and September 25, 1795. (Clark MSS., Spanish Papers.) These exhibit the Spanish fears lest the Americans should occupy the post, and the Spanish negotiations with the Chickasaws, resulting in their own establishment. See No. 67.

have raised; likewise I have made it plain that he can not succor me in case of attack, since, aside from the difficulty of making known my situation, it is improbable that reinforcements could arrive in less than a month and a half, or two months, from Havana to this city. Assuming that I were to retreat to Movila, that plaza is not in condition to resist a lively attack protected by heavy artillery, which the enemies would bring with ease by way of the Lakes from this plaza to that fort.

The withdrawal of the Havana troops has caused less of a sensation than was to be expected in view of the condition of weakness to which we are reduced. I have sent to Havana *bajo partida de Registro* two French merchants of consideration who have for some time shown themselves ardent partisans of the French revolution, and I am inquiring into the origin of some mysterious assemblies and meetings,¹ which take place outside of the district of the city, and which are frequented by very suspicious individuals. It is whispered by some that within a few months the French will be here. For my part, I can affirm that if (which may God forbid) the arms of Spain and of her allies were to suffer any drawback, or if some four frigates were to present themselves here with 1200 French troops, there would arise a faction in this city in favor of the Convention which would cause great havoc and perhaps the loss of the province.

My small garrison and the faithful vassals of the king are resolved to achieve impossibilities and to die arms in hand; but unless the 300 men lacking to this regiment are sent from Spain by the end of the year we shall lose even this honorable consolation, since for the protection of the most necessary posts and for avoiding a surprise, the men remaining are hardly sufficient, as is shown by accompanying statement No. 2; while those previously received are of such a bad character that the prisons are continually filled, and but for the adoption of extreme penalties against the delinquents in these circumstances, two-thirds of the regiment would be in prison, and we should remain without any troops. To these important reasons must be added the fears inspired in us by the very disquieting movements of the Americans, set-

¹ Compare De Pauw's account of the meeting of April 20, 1793, No. 67. On July 12, Carondelet reported the expulsion of sixty-eight French suspects.

tled in the West, against whom I cannot oppose sufficient forces in case of any hostility from them.

I hope, therefore, that your Excellency will take into consideration, and will bring before his Majesty, the situation in which this province is placed, being exposed both to foreign and to domestic foes. Since the Minister of War can not have the same knowledge of it and of its political relations with the Americans and other nations as your Excellency, it is natural that he should give less attention to the communications directed to him by the Captain General. God, the Lord, guard your Excellency many years. New Orleans, July 31, 1793.—Excellent Sir—D—Baron de la Carondelet—Seal—
To his Excellency the Duke de la Alcudia.

10. VIAR AND JAUDENES TO CARONDELET (DRAPER COLLECTION).¹

Copy²—Dear Sir. The bearer intrusted with this had set sail a week ago, but was captured with his vessel and brought back to this port.

The fact that it was an American vessel and that the enemy could not find the Spanish papers nor any others that did not prove to be American property, and likewise the fact that the seizure was made by an armed privateer in the United States, has led this Government to take very serious steps and consequently this and other prizes of similar nature have been returned, and all the damages and prejudice caused are to be made good by the French.

I pass over all the hardships and ill-treatment suffered by Señor Barnabeu, in spite of the fact that he had the address to pass for an American and to conceal the papers he carried, since he can himself give you a more lively account of all this.

Another matter of the greatest importance again demands attention, concerning which our agent is likewise informed, in case of need.

It is the following: the minister of France, whose most extraordinary conduct has caused him to lose the good opinion

¹ 40 Clark MSS., 201 (Spanish Papers).

² Viar and Jaudenes, the Spanish commissioners at Philadelphia, informed Jefferson of an expedition projected by France against Louisiana August 27, 1793. On August 29 Jefferson replied that the President would restrain the expedition. American State Papers, Foreign Relations, I, 455. On the same day Jefferson informed Governor Shelby of Kentucky, desiring him to restrain the expedition, I. c.

of everybody, or almost everybody, is engaged in secretly seducing and recruiting by every means that offers, all the French, and others as well, to form an expedition against Louisiana, Providence and perhaps Canada, with two ships of seventy-four, and six or eight frigates, that compose the squadron, which came to this country from Goarico.

This will meet with endless obstacles and, we are persuaded, can not be effected, especially in view of the dissension in the squadron, whose general, Gambis, has been arrested by his own crew.

However, it is very important, in our opinion, that you be kept informed and fortify yourself on all sides; since the pervasivity of the French, scattered through the whole continent, gives much ground for apprehension.

Be likewise very circumspect whenever it is necessary to write us, since no flag is secure on these coasts.

We have not written on this occasion to the Captain General of Cuba, supposing that you will do so; but if an opportunity offers for direct communication, we will do so by cipher. God, our Lord, guard you many years.—Philadelphia, Aug. 21st, 1793—We kiss your hand—Joseph Jaudenes—Joseph Ignacio de Viar—To Baron de Carondelet—Baron de Carondelet—Seal.

11. WAYNE TO O'FALLON (DRAPER COLLECTION).¹

Head Quarters

Hobsons Choice 16th Sep^r 1793

Sir

I have the honor of acknowledging the receipt of your very polite letters of the 29th of May and sincerely thank you for the information and *Caution* with which you have been pleased to favor me.

Your long and intimate acquaintance with certain characters, added to your knowledge of the Human heart, must enable you to Judge well of men and measures, I therefore shall endeavour to profet from your friendly *hints*²—(some of your *rams* have already begun to shew their horns.)

¹ 54 Clark MSS., No. 23.

² Was this subsequent to O'Fallon's alleged quarrel with Clark? See No. 31.

Permit me now Sir to give you a summary account of the failure of the treaty of peace with the hostile tribes of Indians:

On the 11th Instant I received a short letter from the Commissioners, that the *war was to progress*—the Indians having refused every overture of peace. and the night before last a very confidential *emissary* arrived at this place thro' the wilderness directly from the rapids of the Miami of the Lake where he sat as an *Indian Chief* in their private Council, which continued from day to day for nearly two months, (without permitting the Commissioners to come nearer than the entrance of Detroit river at the N. W. end of Lake Erie), where they demanded that the Allegheny and Ohio rivers should be the boundary line, with *another claim* equally extravagant—and not within the power of the Commissioners to grant: the Indians therefore determined to Continue the War.

It is very evident, that the Indians were Stimulated to this decision by the Influence of the British—thro their Agent Col^o McKee who promised them the *powerful protection of the King their father* who wou'd never suffer them to be wronged.

The moment the treaty was broke up Col^o McKee furnished every warrior with Arms Ammunition and provision in abundance, and also promised to supply them with Clothing and every thing they wanted from time to time.

The Savages are to collect in force on or about the 25th Instant in order to strike

I have therefore called upon the *Mounted Volunteers* (not substitutes) to advance immediately

I am with respect and Esteem

Your Most Ob^t

and very

Hum^le Sert

Ant^r Wayne.

P. S. Should you incline, once more, for the army; the Post of Sen^r Physⁿ (Six dollars a day) is at y^r Service, if you join me Specialty

A. W.

proper Hand

Doct^r James O'Fallon

at

Louisville

19. PIS-GIGNOUSE¹ TO SPANISH AMBASSADOR (DRAPER COLLECTION)².No. 2.—Copy.³

To the Ambassador of Spain to the United States of America.

The interest that I take in the colony of Louisiana makes me take the decision of making known to you the project formed by *Sieur Genet*, ambassador of France to the United States of America, and to designate the persons chosen for its execution.

I have, therefore, the honor of naming to you *Sieurs La Chaisse*,⁴ *Charles Delpeau*,⁵ a native of Holland, long established at New Orleans, where he has his wife, his children and his property, as well as in various other neighboring places; *Sieur Mathurin*, a Master Carpenter, are the three men chosen and invested with authority for the expedition, which aims at nothing else than the destruction and devastation of the prosperity that reigns here. The means to be employed by them to succeed in this are as follows:

1st.—They are, by all possible means, to gain over the people who have been driven out of New Orleans, as well as the Americans living on the borders of this country.

2nd.—*Sieur Mathurin*, the carpenter, is to build carriages for the transportation of the artillery, which are to serve also to set fire to the vessels in the different ports of the country.

Sieur La Chaisse, when once he has prepared the minds of all, is to go at once to his family, which is composed of personnes of merit worthy of a more honorable kinsman than himself; he proposes to be presented by them to the governor of this city; to explain to him that he has been misled in following the spirit of the French revolution; that he has to-day absolutely changed; that he hopes still to find in his country the consideration that will be due to the conduct which he will observe there.

¹ Variouslly spelled, as *Pis-gignoux*, *Pus-Gignoux*, and *Gignoux*. See *American State Papers, Foreign Relations*, i, 455, and Nos. 14, 26, 43.

² 41 Clark MSS., p. 206 (Spanish Papers).

³ Inclosed in No. 26. The original is in French.

⁴ *Auguste de la Chaise*, a native of Louisiana and a grandson of the King's *Commissaire ordonnateur*. For his career, see *Gayarre, Louisiana, Spanish Dom.*, 341; *Martin, Louisiana*, ii, 123; *American State Papers, For. Rel.*, i, 455; *American State Papers, Misc.* i, 931; *Marshall, Kentucky*, ii, 117; Nos. 59, 65, 73 et passim.

⁵ See No. 73 et passim, and *American State Papers, Foreign Relations*, i, 455. In "Representative Men of Indiana," *Charles De Pauw* is said to have come over with *La Fayette*. His grandson was the benefactor of *De Pauw University, Indiana*.

I declare to you therefore, Monsieur l'Ambassadeur, that after these first measures have been carried out and when the minds of all have been well prepared both at home and abroad, Sieur La Chaisse, at the beginning of spring or sooner, if possible, is to organize the attack on the first posts of New Orleans, and when once these are taken, he is to fire with hot shot upon the city, as he has told me, and to bombard it in case he does not succeed in setting it on fire, or in case the inhabitants refuse to yield to his will. This, in brief, is all that he has communicated to me. I must add that he has the greatest desire of taking me along with him. I have communicated this project to persons of merit, who have strongly urged me to follow him everywhere, in order to undo his abominable plots. You see how great a sacrifice of my own safety and ease I make in adhering to the counsels that have been given me. I am able to submit to any sacrifice, and shall feel well rewarded for them if by my efforts I could preserve a country that has enjoyed peace hitherto.

Our departure is set for the day after tomorrow at latest: we are to go six miles from Philadelphia, and to continue our route by land as far as Kentucky; and there we are to embark for the Misisipi and the Ohio, where reside a large number of French and Americans, who have already promised to Sieur Delpeau to join him and his companions.

In setting out with Sieur La Chaisse and being liable, by a mistake that can not be foreseen, to be confounded with this man and his adherents, and consequently to be seriously compromised, I have the honor of soliciting from Monsieur l'Ambassadeur a letter mentioning and acknowledging the fact that I have revealed this conspiracy to him, and which I can make use of with the Governor of Louisiana, or other officers of the King of Spain, should it become necessary: without this letter which can alone prove that, far from having entered into such a plot, I have exposed it by a letter which I have signed and delivered into your hands, I declare that I will not set out, as I can not expose myself to being treated as an accomplice of such rascals.—Signed Pis Gignouse. New York, Oct. 1st 1793.—Pis-gignouse.—It is a copy signed by the informer.—Jaudenes.—Viar—Baron de Carondelet. Seal.

13. VIAR AND JAUDENES TO LAS CASAS (DRAPER COLLECTION).¹

No. 1—Copy.

Most Excellent Sir:

Dear Sir:

Appended copy will inform your Exc'y of the wicked plan against Louisiana which the Minister of France has organized, and which relates to what we have already some time ago communicated to the Governor of that Province.

We consider this as being of great magnitude especially if the French squadron now in this port co-operates, as we are assured, at the same time.

The latter has undoubtedly about 1500 men on board, volunteers, dragoons, and artillerymen; they have embarked several light cannon and carry seven small craft for making landings or navigating rivers.

All these circumstances and the fact that those mentioned in the paper cited have already departed, make it indispensably necessary to dispatch at once this notice to your Excellency by duplicate, making use of Captain José Covachicha and of Diego Murphy, of whose zeal, sincerity and attachment to our government we are thoroughly convinced and therefore request you to grant them your protection and favor.

These gentlemen will go on to New Orleans with your orders to the Governor of that place, if you judge it expedient, since with this view it has seemed to us prudent that they should touch at that city, and your Excellency will please communicate whatever he deems opportune to that Governor, as we do not write.

As regards the Americans we need have no fear, as you may infer from appended copy of letter² which the Minister of State wrote us in reply to the complaint we made against this same project, as soon as it began to transpire, and we shall now repeat the same to this Government.⁴

May your Exc'y rest assured that we are always on the alert to discover the wicked plots which our enemies are at every moment concocting here, and we will try to advise your Excel-

¹41 Clark MSS., p. 203 (Spanish Papers).

²Inclosed in No. 26. Las Casas was Captain-General of Cuba, with Louisiana under his jurisdiction.

³Jefferson's letter of August 29, 1793, of which a translation follows.

⁴See No. 12.

lency on time as well as the other heads of the possessions of the King against whom they are directed.

We repeat that we are at the disposition of your Exe'y and pray God to guard your Excellency many years.

New York, Oct. 1, 1793.—To his Excellency—We kiss your hand, etc—José Ignacio de Viar—José de Jaudenes—to his Excellency Don Luis de las Casas—Baron de Carondelet—Seal.

No. 3. Copy [Translated from the Spanish translation.]

Philadelphia, August 29, 1793.

Gentlemen:

I have given an account to the President of the United States of your letter of the 27th inst. and of the printed matter enclosed and am authorized to assure you that the President will employ all his power to restrain the citizens of the United States from an enterprise of the sort proposed in the paper mentioned, by preventing in general their sharing in any hostility by land or sea against the subjects of Spain or its dominions.

In conformity wherewith he has sent the printed matter to the Governor of Kentucky with instructions to watch with the strictest caution over any attempts that may be made there to incite the citizens of that state to take part in that enterprise or any other, making use of whatever means are in his power to prevent this.

I have the honor of being, sirs, with the greatest respect and esteem

Your most obedient servant

Thomas Jefferson.

To the Spanish agents.

14. JAUDENES AND VIAR TO LAS CASAS (DRAPER COLLECTION).¹

No. 4—Copy.²

Most Excellent Sir:

Dear Sir:

At the cost of a thousand difficulties we have succeeded in ascertaining, in addition to what has been reported, that the intention of the promoters is to attack fort Santa Margarita and some other posts of Louisiana and after preparing the

¹41 Clark MSS., p. 211 (Spanish Papers).

²Inclosed in No. 26.

peoples' minds to advise immediately this Minister of France, who is then to send at once the squadron with troops and other requisites for making the disembarcation.

The most efficacious means of opposing their evil designs, and the one which they fear most, would be for the Governor of Louisiana to send up the river a small armed boat to cruise at the mouth of the Ohio and its vicinity and to arrest them on descending the Misisipi.³

For this purpose the denunciator has given us the description of the two leaders and his own (which we send you appended) but despite them it will be expedient not to neglect detaining others, though not answering to the description, for fear the latter might not be correct or that the leaders were making use of others.

In case of being captured, the denunciator asks to be treated without distinction from the rest, until he is secure in the dominion of the king of Spain.

We shall immediately apply to this Government requesting that they be arrested, or at least restrained from seducing the minds of the Americans, and that the American Government coöperate with that of the province to prevent by its information the execution of their wicked plans.

The boat which we have hired for \$375 per month, and expenses in addition, may be used by your Exc'y to go to New Orleans if so please you, and at your return we will receive your orders here.

We are, we repeat, at the disposition of your Excellency, and we pray God to guard your Excellency many years.—New York, Oct. 1st, 1793.—Most Excellent Sir: We Kiss the hand of your Excellency,—your most obedient servants—José de Jaudenes—José Ignacio de Viar—to his Excellency Señor don Luis de las Casas.

P. S. The signature that we send in the present copy, and the one that will go with duplicate shortly, are the denunciator's own, who has written them in our presence.

The squadron leaves to-morrow to recover what the English have taken from them in Newfoundland, and, on returning, is to go to the mouth of the Misisipi for the end proposed.

The whole project has been confirmed to us from two or three sources.

Baron de Carondelet Seal

¹ See No. 12.

No. 5—Copy.

Most Excellent Sir:

Dear Sir.

We have promised the denunciator of this project that he shall be protected by the Governor of Louisiana, and have told him, on this supposition, to present himself instantly to the commandant of the first Spanish fort, who like the other commandants will have orders to receive and favor him; and we have likewise supplied him with the small sum, indicated in his receipt appended, to meet any expenses that he might incur.

He has also informed us that, according to his information, some of the commandants of posts in Louisiana have given indications of favoring the plan, as soon as put in operation, and that the Commissioners have enough money to gain people all along their route and to employ them in the execution of the project.

For this reason your Excellency will please take the proper steps to conceal matters from the commandants, until there is reason for trusting them, and likewise to protect this denunciator, but it will be well to be on your guard with him, until he is thoroughly known, as there is much to fear from any Frenchman.

God guard your Excellency as many years as we desire—
New Yorck, Oct. 1st 1793—Most Excellent Sir.—We Kiss the hand of your Excellency and remain your most grateful and obedient servants—José de Jandenes—José Ignacio de Viar.
Baron de Carondelet.—Seal.

15. CLARK TO GENET¹ (DRAPER COLLECTION).²

Louisville Oct. 3 1793

Sir

On the 17th of Sep^r Past I had the Honour of Receiving by the hand of Mr Micheaux your Litter of the 12th of July³ in answer to mine of the 2^d of Feb^r past.⁴

¹ "The following rough copies of letters, dated at Louisville, Ky., Oct^r 3d to 25th, 1793, inclusive, are in Gen. George R. Clark's handwriting, and are taken from the closing pages of a small orderly book of his campaigns of 1781-82, found among his papers or given me by Dr. John Croghan. They are reliable. I know them to be in Gen. Clark's handwriting." L. C. Draper, February 19, 1872.

² 11 Clark MSS., No. 202 (Orderly Book).

³ No. 8a.

⁴ No. 2a.

I find Sir that you have adobted all my propositions and also have apointed Citizen Michaux Political Agent for the intended Expitidion I am happy in this apointment as I have a Highest Idea of Mr Michaux abilities and Integrity.

had you fortunately have got my Letter in time and an emidete answer such such as you have I could have before this time in all probability Executed my first Project that of getting compleat Possession of the Mississippi as the friends of the people boath in that Cuntry and this was prepared and I had every information I wished for but at present the season being far advanced and I find an impossibility of keeping it a secret I of course shall in some Instance deviate from my first plan and act agreeable to Circumstancies I have no doubt but the greatest part of the Government of Louisiana will fall into our hands without a probability of the Spaniards ever [succoring?] of it and by proper conduct increas our force by making friends of the people There is no knowing whare our carear will stop this kind of Warefare is my Ellement I have served a long aprintship to it I ingage in it from the purest motives and have no doubt of success I will do the confidence you place in me Honour: Continue so to cherish that confidence support me and you will ere long hear of a flame kindled on the Mississippi that will not be easily Extinguished.

If a Fleet could cooperate with us in the Lower Louisiana it might and would be attended with great good Consequencies but I am at loss to point out a time when this Cooperation might take place perhaps in my next dispatch to you I can be more pointed

I find that I shall have to be very circumspect in my conduct while in this cuntry and guard against doing any thing that would injure the U States or giving offence to their Gov^t but in a few days after seting sail we shall be out of their Govermet I shall then be at liberty to give full scope to the authority of the Commission¹ you did me the Honour to send you also mentioned that you would write to the minister of Foreign affairs to obtain one more effective I shall expect it all favours will be received with Gratitude Mr Michaux is not with me at present we have had several Conferances on the subject of this business he already appears to have made himself acquainted with the business and I flatter my self that I shall find a Valuable assistant and Councillor in him the fund

¹ Compare No. 8e.

CORRESPONDENCE OF CLARK AND GENET. 1009

you have appropriated for the fitting out this Expedition may answer the present purpose but the future Expence will depend on the success of which I have no doubt of have none yourself I will surmount every obstacle and pave my way to Glory which is my object

I have the Honour to be
Sir yours with respect

Clark¹

16. CLARK TO [MICHAUX] (DRAPER COLLECTION).²

Louisville Oct. 3^d 1793

Sir

The inclosed is a Letter to M^r Jennet³ I send it open to you for your perusal that our Letters may be common you will pleased to seal it and inclose it with yours to the Minister I should have been glad to have heard from you but have not had that pleasure since you left this I find that we can get as many men as we please but it will be out of our power to keep our design a secret it is genl^y known already but I dont know that it will damage the Cause much I think the first thing to be done is to prepare Boats and provisions and before we attempt to raise men they we can get at any time our prospect appear much greater now than when you was hear I have not the least doubt of our success.

The bearer of this Letter Cap^{tn} I. Sullivan⁴ has proposed to superintend the building of our Boats and purchasing provision he is a good hand for the business it will be nessessary that he should have some money give security for just appropriation of the money to commence with, about two hundred dollars may do at first, if you can advance him that sum he will begin the business Imediately I hope you can get what money you want in Lexington without it our Scheams may be Ruined and for so fair a prospect to meet with any difficulty of that nature would be lamentable I should be glad to see you when convenient for you to come down the Gn in this Quartor would be glad to be acquainted with you

I am Sir y

G C

¹ This letter was written to Genet. See the next letter, No. 16.

² 11 Clark MSS., No. 205 (Orderly Book).

³ See the preceding letter, No. 15.

⁴ Expunged at the close of the letter are the words: "N B perhaps it might be well to give Cap^t Sullivan a commission of Quartermaster."

17. MICHAUX TO CLARK (DRAPER COLLECTION).¹

This 7 October, 1793.

Sir,

Since I had the pleasure to see you I have done nothing very important. Only I inquire for have money of many Merchants at Lexings and they promise to me as much as they could give me in the time. M. Brown² was very much informed of our affairs. He desire it could be effected.

I wish Sir you will be so kind to wrote to me by the first opportunity for I could receive your's answer before the next Post for Philadelphia.

I am with the greatest consideration and and respect
Sir

Your most obedient servant,

A. Michaux.³

[Superscription] "My direction: A. Michaux at M^{ter} Isham Prewitt, Jefferson County, Near Danville."

17a. GENET TO MINISTER (ARCHIVES DES AFF. ÉTR.).⁴New york Le 7. 8^{bre} 1793L'an 2^d de la République francaise⁵

Le Citoyen Genet ministre plénipotentiarie de la République Francaise près les Etats Unis de l'Amérique au ministre des affaires etrangeres.⁶

Citoyen Ministre

Le Conseil Exécutif de la plus grande des Républiques m'a chargé de travailler à l'affranchissement du nouveau monde, à la liberté de nos anciens freres les français qui habitent Le Canada, Le pays des Illinois La Louisianne.⁷ J'ai entrepris et

¹ 55 Clark MSS., No. 4.

² Probably John Brown, the Kentucky member of Congress. See Nos. 5, 6, 7, 8b, 18, and American State Papers, xx, Misc., 1, 931.

³ There has been pasted on the letter itself below the date line, a piece of paper containing in Michaux's handwriting the address: To General R. Clark, Louisville.

⁴ États-Unis, vol. 39, folio 79.

⁵ Endorsed 16 vend^{re} an 2 1^{re} Division. Reçu le 27 Brumaire Enreg. N° 215 Recu le dit jour.

⁶ N° 21. B. 11° Lettre Rapport Sur les opérations que vont Entreprendre les forces navales de la République et Sur les moyens que j'ai préparés pour mettre sous l'Empire de la liberté Les peuples du Canada des Illinois et de la Louisiane. [Indorsement.]

⁷ To Genet's letter of June 19, 1793, Lebrun, the minister, had replied, July 30, 1793, criticizing his attitude toward the federal government and warning him not to compromise

j'Executerai Seul ce vaste Projet, car je n'ai trouvé dans le Cabinet de Washington que des hommes froids et Incapables de saisir une aussi grande Idée. vous verrés par la Rapporte ci jointe sur la louisiane, sur le Canada Les mesures que j'ai prises pour Electrifier les habitants de Ces Contrées et les instruire de nos vües. Je n'ai point tardé à m'assurer quils Etoient prêts à secouer le joug odieux qui s'aggravait tous les jours Sur leurs Têtes, mais Sans la Certitude d'une force navale capable de les protéger; ils n'oseroient point briser leurs fers, on m'en avoit promise une, je ne la voyais point arriver. Je gemissais de Ce Contre temps désolant, lorsqu'un Evenement Imprévu et irreparable a fait refleuer dans les Ports des Etats Unis toutes les forces destinées à la defense de S^t Domingue. J'ai conçu l'idée de faire Servir à Cause de la liberté ces forces qui venoient d'en être le fléau, les plus grandes difficultés Se Sont offertes à mon zèle; Je les ai toutes surmontées, J'ai organisé l'armée la plus Indisciplinée, Je l'ai mis En état de tout Entreprendre dans un moment où nous sommes les maitres des mers d'Amérique, la premiere division Sous les ordres du Contre amiral Sercey composée de 2 vaisseaux de ligne, deux frégattes Est partie hier pour Le Nord ou elle va nous remettre En possession de S^t Pierre et Miquelon, détruire la Pêche des Anglais à Terre neuve, Sonder les dispositions des Acadiens, bruler s'il se peut halifax tandis que L'autre Composée de deux fregattes Et de plusieurs Corvettes, ira prendre En georgie les volontaires Americains avec lesquels elle fera La Conquête de la floride. En attendant que de Concert avec l'Escadre du Contre ami-

Froideur du cabinet de Washington pour l'exécution de ces projets.

Dispositions des Americains à secouer le joug.

Départ de la premiere division de l'Escadre pour reprendre S^t Pierre et Miquelon.

Mesures prises pour tirer parti de nos forces navales en s'emparant de la Floride et de la Louisiane.

the neutrality of the United States (Archives des Aff. Étr., États-Unis, vol. 38, folio 107). Genet wrote, July 31, 1793, to Lebrun concerning his reception (l. c., folio 111), and on August 2, 1793, again wrote to Lebrun of his plans against Canada and Louisiana (l. c., folio 155). On August 15, 1793, he wrote to the minister of the bad condition of the fleet, the need to organize a revolt of the blacks in San Domingo, and of the difficulties in the way of his plans, due to the system of neutrality of the "Fayetiste Washington," contrasting with this the feeling in Congress and among the people (l. c., folio 182). On October 7, 1793, he wrote at length concerning his mission, and on American politics, enclosing documentary exhibits (l. c., folio 402, and vol. 39, folio 3). In the same period (vol. 39, folio 144) the Archives des Aff. Étr. give an "Exposé succinct de la conduite du Citoyen Genet," pointing out the errors in his system—a judicious view of his whole proceedings. These documents arrived too late for insertion and will appear, together with the order for the arrest of Genet October 16, 1793 (l. c., folio 159), in the American Historical Review, Vol. III.

ral Sercey, elle aille détruire les Brigands de la Providence Et faire la Conquête de la louisiane. lisés mon premier Rapport sur la nouvelle orléans, les deux rapports qui m'ont été faite Sur le Canada, mes adresses aux Canadiens et aux habitants de la louisiane, mes Instructions au Contre amiral Sercey, celles que j'ai données au Citoyen Barré qui etoit destiné à protéger et a ravitailler St Pierre. Jettés Les yeux Sur les tableaux que Je vous Envoye de nos forces, tachés de m'en Expédier promptement d'autres, attendés le Succès et Compétés Sur mon Courage.

Genet.

18. MICHAUX TO CLARK (DRAPER COLLECTION).¹

Danville the 10th of October, 1793.

Sir

I wrote you some days ago but I am incertain if the Letter has been handed to you: If you think that we can determinates some thing in the course of this month I will set off after your's answer the 20th of this month.

As I have here one Person of confidence going to Philadelphia about the last of October I wish some thing about our's affairs could be concluded for that time. So you will oblige me sir if you can give me answer by this boy bearer before the 18th or 19th of this month.

Mr J. Brown spoke for me to some Merchants of Lexington They have all promised to advance to me so much money as possible, but as they are obliged to furnish for the march of the ar[my]² I must not depend on a large sum immediatly and in order to prevent that difficulty I shall be in the necessity to have recours to Philad^a.³

I am with the greatest Consideration,

Sir

Your most obedient servant,

A. Michaux.

G. R. Clark Major-General in the army of the French Republic.
[Superscription]. "General G. R. Clark, Brigadier Major General, Louisville."⁴

¹ 55 Clark MSS., No. 5.

² Wayne's?

³ Compare Nos. 29, 44, 73. Dr Pauw, on his arrival in Kentucky, in November, 1793, found that Michaux had left.

⁴ Pasted on the letter.

19. CLARK TO [MICHAUX] (DRAPER COLLECTION).¹

(1)

L V.² Oct 15th 93

Sir

I yesterday Rec^d yours of the 10 by your Messenger I find you had not Rec^d my packit by Cap Sullivan of the 3 ins^t the Litter you mention you wrote to me hath not come to hand

you will find by those Letters that that Cap^{tn} Sullivan will hand to you that I am confident of our sickess and the soner we get about the buseness the better, I have in those Let^{rs} Conveyed my Ideas fully and hope they correspond with yours the one to M^r Genet is open for your perutsall I every Day meet with Incouragement and am anchous for us to commence our operations I am puting my Machinery in motion and apointi.g Emisaries on every direction.

I am happy to find that you are [soon to get]³ some money from Lexington I hope Enough for emediate use, Boats are the first object (a few Hundred dollars will do to commence that business) without them we can do nothing had we one or two now ready we could Vex the Enemy in less than four weeks. Money is an object of the greatest Importance it will almost in sure our suckess no doubt but M^r Genet will be anctious to Honour your Draughts on him as he knows the necessity Let us fall to work we can do the business you will find by my Let^{rs} that I am in no doubt about it

I could wish for two Brass field pieces three pounders and one or two small mortars or Howitzers Balls shells &c could not you or M^r Jenet get some confidential person to bring them out this winter they may come out very secretly as they might be put into large Trunks of goods the Carriages we can get made hear if you think this can be done write to M^r Gennet for them if double the number mentioned if they can be conveniently sent the better

I am &c

Clark

P. S. before I inclosed the above Cap Sullivan returned with the Letters he had for you which I send by your boy, he was at danvill on the 13th Inst to J Clark not finding of you he brought the Letter back as he had orders to deliver them to you only I have imployed him superinted to build our Boats and money

¹11 Clark MSS., No. 205 (Orderly Book).²Louisville.³Words in brackets indistinct.

is this moment wanting I hope to have the pleasure of seeing you in a few Days if you can conveniently come as before

G R C.

I must send to you for a supply.¹

30. CLARK TO SULLIVAN (DRAPER COLLECTION)².

L V³ Oct^r. 17 93

Cap Sullivan

Sir as you are appointed and have ingaged to superintend the building of Boats purchasing provisions and other stores for the use of the French Republick I could wish you to loose no time in Executing the business having the whole compleat as soon as consistant will from time to time Receive nessessary Instructions from me pointing out what is wanting and you must take the most prudent measures to have it executed with all possible dispatch being exceedingly carefull to have all expences as low as possible keeping regular Vouchers for your Transactions for the defraying of which you will at nessessary periods Receive the money from myself or M^r Michaux What I wish to be emediatley done is to erect a yard at some convenient place on B Grass⁴ for the building of such B^{ts} as I shall direct, the Inclosed is F. of the Hulls of those In first want, I shall have such improvement and aditions made as you proceed as as shall be thought advantageous

I am &c

Cap^{tn} Sullivan

| | |
|-------------|------|
| 1 Boat Keel | 80 F |
| Beam | 18 |
| Hole | 7 |
| Keel | 70 |
| Beam | 16 |
| Hole | 6 |

to be strongly Built in the best manner

G. R. C.

¹The last two lines are difficult to decipher, and this reading is doubtful.

²11 Clark MSS., No. 207 (Orderly Book).

³Louisville.

⁴Bear Grass. Montgomery (No. 24) addressed Clark at Bear Grass, near Louisville, on October 26. Compare No. 33.

91. CARONDELET TO ALCUDIA (DRAPER COLLECTION).¹

Index of the secret letter sent on this date by the Colonel of the Royal Armies, Baron de Carondelet, Governor of the province of Louisiana and West Florida to his Excellency, the Duke de la Alcuia, first Secretary of State and *de su Despacho univ ersal*.

No. 19—With copy of the letter of the Envoys of the King at Philadelphia, he reports that the province is on the eve of being invaded by the French squadron anchored in that port, in which emergency, after notifying the Captain-General, he decides to employ the militia, upon which he can rely, and prepares actively to teach the enemy a lesson.

New Orleans, Oct. 24th, 1793—Baron de Carondelet—Seal—D.

No. 19—Secret—Most Excellent Sir.—The Envoys of the King have sent me by a special messenger the advices of which I enclose copy. I have at once communicated it to the Captain-General of these Provinces, so that, in view of the few men and means to which I am reduced, as I have written to your Excellency in secret communication No. 12, he may take the measures that he deems proper. But having subsequently received notice that the French squadron was at Philadelphia, ready to set sail the 7th of last September, and having well-grounded motives for believing that the expedition is directed against these provinces, I took whatever measures my authority admitted, determining to assemble the militia which I can rely on, and decidedly resolving to punish the temerity of the enemy, in spite of the weakness resulting from the withdrawal to Havana of the small reinforcement that came to this plaza; and I assure your Excellency, in the hope that you will be pleased to repeat the same to his Majesty, that I will sustain the honor of his arms to the last extremity—God, the Lord, guard your Excellency many years—New Orleans, Oct. 24th 1793.—Excellent Sir—Baron de Carondelet—Seal—To his Excellency the Duke de la Alcuia—[In the margin is found the following sign—D].

[Enclosed is Viar and Jaudenes to Carondelet, Aug. 21, 1793 See No. 10.]

¹40 Clark MSS., 201 (Spanish Papers).

22. CLARK TO GENET (DRAPER COLLECTION).¹L. V.² Oct 25 93

Sir

Since my last to you of the 3^d Ins^t M^r Michaux and my self have again confereed on various subjects respecting the intended enterprize we find it necessary that he should see you on the subject of money³ our affairs wear a glorious aspect at present excep that article the procuring a suffitient sum in this cuntry is doubtfull perhaps enough to commence the business may be got for the building off Boats which is the first object within five or six weeks they may be finished (if we can procure money) and imediately proceed to the post of New Madrid being certain of a number of men suffitient to reduce that place from thence to S^t Louis the Capital of the upper Louisiana which City being reduced is designed by us as the principal place of Independance in the upper Cuntry The affectionate conduct we may shew to those people may gain us many Friends on the mississippi and I expect will augment our little Army We shall then desend the River The Cuntry of the Natches will fall into our hands and we shall then determene in what manner to invest N Orleans if that place cannot be reduced we shall act according to circumstances and probably direct our course towards the frontiers of N Mexico which is not the distance as is Generally supposed M^r. Michaux has a list of some articles we shall want if they can be conveniently procured he can also resolve all your questions which will be much more satisfactory than any communication by Letters

I am &c

G R C

Mr. Genet

23. CARONDELET TO ALCUDIA (DRAPER COLLECTION).⁴

No 20.=Secret.=The Governor of Louisiana and West Florida sends a translation of a printed letter,⁵ which the Society of Jacobins of Philadelphia has directed to the French of the province of Louisiana, and he reports that he is taking the

¹ 11 Clark MSS., No. 207 (Orderly Book).

² Louisville.

³ Compare Jefferson's statement, Coates, Lewis and Clark, 1, xx.

⁴ 42 Clark MSS., p. 5 (Spanish Papers).

⁵ See Archives des Affaires Étrangères, États-Unis, Vol. 39, p. 91, and Gayarré, Louisiana under Spanish Dom., p. 337.

most active measures to prevent its introduction, which would have fatal consequences, not only there, but in the old inland provinces of New Spain.

Most Excellent Sir=A Society of Jacobins, established in Philadelphia, has attempted to extend its pernicious and atrocious ideas to this province, disturbing the peace which it enjoys by means of a printed circular letter of which I enclose a translation, and which, according to advices from the Ministers of the King at Philadelphia, the Society is trying to introduce into this Colony.

As soon as I received this notice, I took stringent measures, redoubling my diligence and activity in order to ward off the contagion of the pernicious ideas contained in this letter, which are destroying and consuming the unhappy kingdom of France. In fact, I have the satisfaction of announcing to your Excellency that, up to the present time, it does not appear to have penetrated into the province, although this could very easily be effected from the upper river, since our settlements are in close proximity to those of the Americans of the West. I shall continue, however, to seek to prevent its introduction, employing every means suggested by the most rigorous caution; since its diffusion in this province, inhabited in great part by French settlers, might have the most fatal consequences not only here but also in the old, inland provinces of the kingdom of New Spain.

God, our Lord, guard your Excellency many years.=New Orleans, Oct. 25th, 1793.=Most Excellent Sir=Baron de Carondelet=Seal=To his Excellency, the Duke de la Alcuia.

[The Spanish translation of the French document here inclosed, is rendered into English in Gayarre's Louisiana under Spanish Domination, 337.]

God, our Lord, guard your Excellency many years. New Orleans, Jan. 24, 1794=Most Excellent Sir=Baron de Carondelet=Seal=To his Excellency, the Duke de la Alcuia.=

[The following is appended]: April 13, 1794. Let our Envoys at Philadelphia be informed of all this, so that the states, being persuaded of the consideration and friendship with which, without prejudice to the common cause, we make our agreements with the Indian tribes, may consult the preservation of the same by preventing the designs of the French against our states, of which we have been informed by the

Governor of the provinces of Louisiana and Western Florida, and so that a treaty for security may be made, until that which is to consolidate our interests by establishing our boundaries is settled

24. MONTGOMERY¹ TO CLARK (DRAPER COLLECTION).²

Clarksville, 26th October, 1793.

D^r Gen^l.

I have received a letter from a friend of Mine in Kentucky Announcing that you had received a Commission from the National Assembly of France and that you had Accepted the Same. Together with a Number of Commissions Under your Command. I had the honour of Conversing with you when I was in Kentucky on the Subject, wherein I expressed a willingness to embark into the business with you provided I could be Honored with a Command under you and was happy enough to have your promise of favour. I have taken the priviledge to acquaint you that I have collected the sentiments of a number of the principle Inhabitants of this Country relative to the matter, and find that it will be in my power to raise Several Hundreds for your Service in a very short period of time. Now sir, I wish your answer to this by the first Oppertunity or at least by my friend M^r McCollam who has promised to Deliver this and be the bearer of any letters you will please to favour me with, he can also inuform you where to Direct your letters too. I wish to have your answer and directions in every respects as early as possible in order to know what to be at. Mr. McCollam wishes me to mention to you his intention of making a hunt on the Ohio, and if you have prospects of wanting provisions in any Short time he is willing to convert all his Hunt to your Service. he wishes to be guided by your opinion respecting the dangers of carrying provisions or property down the Mississippi. in this you will confer a Singular favour on me which I shall ever be anxious to return. I beg leave to mention to you that there are several old veteran officers residing in my part of the Country that are very willing to Serve in your Command under me provided you should think proper to leave it in my power to favour them, they may be exceedingly Serviceable in raising and Dessiplening troops. as I shall be in a Short time on the Ohio I shall be happy in

¹ See Nos. 35, 38, 46, 56.

² 55 Clark MSS., No. 6.

executing your orders respect^s boats going Down the river. Mr McCollam is a Gen^l in whom much confidence may be placed or I would not have risked a letter of this nature. Tho I assure you the matter has been made very public in this Country by reports from Kentucky. I send you health, and am with every Sentiment of Esteem D^r Gen^l

Your Ob^t Serv^t,

John Montgomery

Superscription. "Honble Gen^l Geo. R. Clark, Beargrass near Louisville. fav^d p^r Mr McCollam."

25. CARONDELET TO GAYOSO (DRAPER COLLECTION).¹

No. 6—Copy.²

Referring to denunciation made to His Majesty's Ministers to the United States, of which copy is annexed, containing also the information sent me that the projected French expedition was to set sail from New York on the 4th inst. *carrying small boats to make some disembarcation or for river navigation*, with the other news mentioned, viz. that that expedition will first go to Newfoundland to recover Miquelon, and afterwards will come to the mouth of the Misisipi; and again, that its destination is against Providence, or the island of San Domingo, etc, it has struck me that this denunciation might very well proceed from some one in the pay of Genet, the French Minister, for the purpose of deceiving us and of diverting our attention so as to induce us to withdraw part of our galleys which guard the entry of the Misisipi, and to send them to New Madrid, so that, profiting by the season still favorable for going up the river, as well as by the distance of our squadron, which perhaps is still in la Guaira, they may succeed in landing at la Valiza at the beginning of November without any risk, as Havana is utterly destitute of naval forces, and next in forcing the entry of the river and stationing themselves before the city, which they are confident of inducing to revolt by means of their partisan and secret understandings in the province; which the emissaries La Chaise, Depeau and Mathurin might perhaps increase with gifts and persuasions, since they may

¹41 Clark MSS., p. 215 (Spanish Papers).

²Inclosed in No. 26. Carondelet to Alcudia, November 6, 1793. Manuel Gayoso de Lemos was the Governor of Natchez. His portrait is in Claiborne, Mississippi.

already be at New Madrid. The insignificance of the author of the denunciation, strengthens me still more in this thought, since a man who is satisfied with thirty-two dollars for undertaking so long a journey on a business of this sort can not be of much account.¹

Considering, then, that we have nothing to fear on the upper river from the Americans, as evinced by the enclosed communication from Minister of State Jefferson;² but that it will be highly expedient, in case the emissaries mentioned should come down, to seize them before they can contaminate our settlements with their pernicious maxims, I have decided that you send one of the well armed galleys to meet them, cruising between Nogales and Akansas, which shall carefully inspect the flat-boats and barks it may meet, and imprison on board the emissaries mentioned, without allowing them to communicate with any one before arriving at Nogales, where you will send for them in a galley and without loss of time forward them in all security to this plaza. It is useless to add that the commandant of the galley shall seize all their papers and money, keeping them with the greatest care, to serve as evidences of their crime.

You will likewise send as soon as possible a canoe to New Madrid, with a letter for Gen. Wilkinson³ inclosing copy of Minister of State Jefferson's communication, recommending to him exact observance of the orders of Congress, and asking him to advise us promptly by safe messenger of whatever may be concocted, either in Kentucky or in Cumberland, contrary to the interests of Spain. As for myself, I will write to him in similar terms, by a boat about to leave for Philadelphia.

It being indispensable that you remain at Natchez to give attention to all that may happen on the upper river of an unusual character, you will send me the 300 carabineers whom I asked for, immediately, choosing among the 500 promised me the bravest and most skillful, and sending with them Minor or some other trustworthy man, with whom I can come to an understanding in all that relates to the maintenance and discipline of the corps; but it will be expedient that the men be on foot as they would otherwise be too costly and difficult to maintain at this season; with a cavalry company of 50 men, whom you may add, I shall have enough and hope that by the middle of December, at latest, all may return home.

¹ See No. 12.

² See American State Papers, Foreign Relations, 455.

³ See No. 1.

By the end of November I shall likewise be able to send up one or two galleys, which, with the one kept at Natchez and the two small galleys, can advance to the confluence of the Ohio and the Misisipi and oppose the hostile intents of the partisans of the French, in case they congregate in numbers on that river.

As the French squadron may arrive at la Valiza early in November i. e. between the 8th and 15th, and as the body of troops I expect from Natchez is the one on which I principally found my hope of being able to restrain the ill-intentioned in this Capital, in case the enemies force the entry of the river, I again recommend you the greatest haste in the preparing and sending of this body to the Capital, where all will be ready for their lodging.

God guard your Excellency many years. New Orleans, Oct. 29, 1793.—To Manuel Gayoso de Lemos—Baron de Carondelet—Seal.

26. CARONDELET TO ALCUDIA (DRAPER COLLECTION).¹

No. 20—Secret.

N. O. Nov. 6th 1793.

Baron de Carondelet Governor of the provinces of Louisiana and West Florida, with copies of three letters and two documents from the King's Ministers in Philadelphia, reports the sailing of the French squadron from New York to invade that province, whose inhabitants were to be instigated to rebellion at Lome by three emissaries who were to descend the Ohio as is known by the denunciation of one who accompanied them, in this connection, he reports the arrangements for sending down a re-enforcement from Natchez as shown by a letter to Manuel Gayoso de Lemos, of which copy is inclosed.

Dear Sir:

By accompanying documents 1, 2, 3, 4, 5 your Excellency will learn that the French expedition prepared at New York was ready to set sail on Oct. 4, and was first to recover what the English had taken from them in Newfoundland, and, on its return, to attack this colony by the mouths of the Mississippi.

The visible contradictions in these documents, the defective knowledge they show of the geography, seasons and winds of

¹ 41 Clark MSS., p. 201 (Spanish Papers).

this province; the fact that there is no such fort in the whole of it as Santa Margarita; the fact that if the expedition does not profit by the month of November in which the east winds prevail, the most propitious for going up the river, it will not be able to maintain itself on this coast without the greatest difficulty, on account of the fierce North winds that begin in Dec.; the baseness of the author of the denunciation, of which copy 2 follows, who receives from the King's Ministers a sum of 32 dollars for a journey of 600 leagues; everything persuades me either that the envoy Genet has spread the report of an approaching invasion of Louisiana to cover the true object of his operations, or that if it is to take place we shall have said expedition here at the beginning of the present month.

With this doubt, I have sent to the Governor of Natchez, Manuel Gayoso de Lemos, the letter of which copy 6 follows, and I am taking all the measures the country admits of, as well as the scanty forces that have remained in the province, in order to repel the enemy; for which I hope your the approbation of your Excellency and of His Majesty. God, our Lord, guard your Excellency many years. New Orleans, Nov. 6, 1793. Most Excellent Sir:—Baron de Carondelet.—Seal.—to his Excellency Duke de la Alcudia.

No. 1. Copy.

[See No. 13. Viar and Jaudenes to Las Casas, October 1, 1793.]

No. 2. Copy.

[See No. 12. Pis-Gignouse to the Spanish Minister, October 1, 1793.]

No. 3.

See No. 13. [Jefferson to the Spanish Commissioners, August 29, 1793.]

No. 4. Copy.

[See No. 14. Jaudenes and Viar to Las Casas, October 1, 1793.]

No. 5. Copy.

[See No. 14. The same, October, 1, 1793.]

No. 6. Copy.

[See No. 25. Carondelet to Gayoso, October 29, 1793.]

27. SHELBY TO DE PAUW (DRAPER COLLECTION).¹Frankford Nov^r 28th 1793

Sir.

I have just now received your favour of the 25th Ins^t in which you inform me of your being "dispatched with other French Gen^l to go on the Expedition of the Mississippi and that reports have reached you that I have positive orders to arrest all citizens that engage in that enterprise." I will just state to you what I have in charge from the Secretary of State at Philadelphia on that subject. Vizt. The Spanish Ministers residing at Phil^a have complained to the President of the United States that certain persons there are taking measures to excite the Inhabitants of Kentucky to join in an enterprise against the Spanish Dominions on the Mississippi, an[d for] me to be particularly attentive to any attempts of this kind among the Citizens of Kentucky, and that if I should have reason to believe any such interprise meditated, that I should put them on their gaurd, against the Consequences, as all Acts of Hostility committed by them on Nations at peace with the United States, are forbidden by the Laws, and will expose them to punishment, and that in every event I should take those legal measures necessary to prevent any such interprise." to this charge I must pay that attintion which my present situation oblidges me

I am Sir with respect

Your Most Obt. Servt

Isaac Shelby²

Citizen C Depauw

[Superscription]

Citizen Charles Depau^{an}

Knob-Lick

28. BRADFORD TO DE PAUW³ (DRAPER COLLECTION⁴).Lexington Dec^r 19th 1793

Sir

I rec^d yours with the address to the Inhabitants of Louisiana; and as sincere friend to the people of France, and as a

¹ 11 Clark MSS., No. 199 (De Pauw Papers).² This is apparently an answer to De Pauw's letter to Shelby, printed in Marshall, Kentucky, II, 100; Pitkin, History of United States, II, 380; Hall, Sketches of the West, II, 38.³ See No. 73. The address was Genet's.⁴ 11 Clark MSS., No. 209 (De Pauw Papers).

Citizen of the United States, must inform you that so much of said address, as declares "That the Republicans of the Western Country are ready¹ the Ohio and Mississippi", is inadmissible into the Kentucky Gazette; and I think if it was to be published it would excite opposition in the Executive of this State to the measure

Yrs

Jn^o Bradford²

M. De Paw.

[Superscription]

Citizen

Cha^a De Paw

Knoblic

Mercer

29. MICHAUX TO CLARK (DRAPER COLLECTION).³

Philadelphia the 27th December, 1793 the
2d year of the french Republic.

Dear General

Having arrived two weeks ago in this City I have seen several times M^r Genet Minister Plenipotentiary of the Republic. He charge me to inform you that he persist always in the execution of the Plan you have proposed to him, he has been much pleased with the particulars which I have related to him of your operations.⁴ The difficulty or rather the impossibility to cooperate a diversion with the navy, forces the Minister to delay those operations untill next Spring. The Squadron which was here at his dispositions has been sent to an other destination by the unhappy events in the french West Indies Islands. If we except this part of the French Empire where Aristocracy has displayed all its fury, the affairs of our Republic are every where in the most successfull situation. The execution is only delayed to execute it at a better opportunity. The Minister thinks to send you French volunteers as

¹ In the MS. above the word *ready* are, in pencil, the words *to go down*.

² Editor of the Kentucky Gazette. See No. 56, where the name of John Bradford occurs in a list of subscribers to the expedition.

³ 55 Clark MSS., No. 8.

⁴ Compare Jefferson's Memoir of Meriwether Lewis, in Coues, Lewis and Clark, vol. I, pp. xix-xx.

you have desired me to mention to him. He will soon write you more particularly notwithstanding the business he is throng with

I send you a Bill of Exchange of four hundred Dollars on M^r Morrison Md at Lexington which remain to me of the necessary purchases that I have made. You will please to take seventy Doll^{rs} of that sum every three month to give to the two artillery men humeau and Le Blanc for the Minister has recommended me not let those men wait for their salaries

As for the concern which you take to our success I sent the most certain account we have from Europe.

On the 10th September the armies of the Republic have completely routed and driven the English and hanoverians from before Dunkirk. Adolphe one of the sons of George III. is died of his wounds.

The troops of holland headed by the Prince of Orange have been cut to pieces on the 6th of October.

The Prince Saxe Cobourg at the head of 80 thousand and Gen. Clairfait with 30 thousand men have been beaten from the 14th to the 18th of October, driven from before Maubeuge, have crossed the Sambre river and retreat from the french territories with a loss of more than 8 thousand men.

The Spaniard in three different battles have lost baggage, Artillery, Military chest and they are in such situation that they will never be able to return in Spain. The french are now in Catalonia, etc.

The king of Sardainia has lost the $\frac{1}{3}$ of his dominions All the french vessels marchants in the sea ports are taken to land in England an Army of 180 thousand Mens.

The city of Lyons has been storm by the Republicans and 10 thousand Aristocrats put to the sword. All the insurrections in Brittany, La Vendée etc. are quelled.

By a late arrival from france has brought an account of the retaking of Toulon; Valancienne Conde retaken; Ostend taken and innumerable quantity of Provisions, Artillery, etc. etc. all the Troops under Duck of York taken prisonners, only himself escaped in a fishing Boat.

Finally George the III beging to speak of peace his tropps send to quell the insurrections in many parts have joined the people crying out out: No War. The Queen of france paid for her treasons of her head.

Please to send me advice of the Reception of the Bill of exchange under the cover or the french minister at Philadelphia.

Believe me

Dear General,

Your fellow Cit[izen]¹

A. Michau[x]

[Superscription]. General G. R. Clark, Louisville or falls of the Ohio. To the particular care of Col. Ts. Barber, Danville.

30. LOGAN TO CLARK² (DRAPER COLLECTION).³

Lincoln County, December the 31, 1793.

D^r Sir

If it appears to be the general opinion that the interest of this country requires that a spirited Enterprise be undertaken against the spanish posts on the Mississippi in order to carry this business in to effect I have once more offered my feeble aid knowing you are honoured with a commission from the Minister of france and is to be at the head of the business undertaken this expedition appears to be something in the dark, and I expect will remain so untill the return of M^r [Mashaw]⁴ I have had the pleasure to be in company with M^r Leshaj[es]⁵ who in my opinion has the appearance of a gentleman and enforms me he intends to see you in a few days you will please to favour me with a line on this business I have taken my leave of appointments in this state of the united states and do presume I am at liberty to go to any foreign country I pleas and intend so to do.

I am with every sentiment of esteem

Your most obedient and

humble servant,

Benjamin Logan.

[Superscription]. "To Major General George R. Clarck, Favour by M^r Lachase."⁶

¹ MS. torn.

² Dr. Draper (Notes, Vol. xviii, p. 158) reports a conversation in 1863 with General Logan's daughter (born in 1782) to the effect that about 1793 a Frenchman came to Logan with Tardivean as interpreter to secure his cooperation. See Nos. 69 and 1.

³ 55 Clark MSS., No. 9.

⁴ This word is in different ink, and apparently added by a later hand to fill a blank. The superscription seems to be in this hand.

⁵ Apparently the original was Leshases; the r being written over the s in different ink

⁶ Indorsed Jan^y 5th 1793 from Gen^l Logan by Col. Lachase.

31. CARONDELET TO ALCUDIA (DRAPER COLLECTION).¹

The Governor Intendant of the provinces of Louisiana and West Florida incloses an extract from a letter of Manuel Gayoso de Lemos, Governor of Natchez, showing that in Ohio there is preparing against that province an expedition of 5000 men, French and Americans, under the command of the American Brigadier Clark who has received a brevet of *Maréchal de Camp* from the French Convention; he shows that if the project is carried out upper Louisiana will infallibly be lost, and, considering its slight forces, lower Louisiana as well, unless some chance favor it, and he adds that the designs of the enemy extend to the interior Provinces of New Spain, since they propose to reach Santa Fé, in 22 days, as may indeed happen.

No. 23—Secret—Dear Sir:—

By enclosed extract No. 1 of letter sent me by the Governor of Natchez last Dec. 23, your Excellency will learn of the Expedition which is being prepared on the Ohio by the American Brigadier Clark, who has brevet of *Maréchal de Camp* from the French Convention, by Dr. O'Fallon, already proscribed by Congress at H. M's instances, on account of an enterprise of similar nature, a certain Depau la Chaise, a creole of this Province, at present in the service of France; Montgomery; Christy; Wayne, and various French and American officers, with the intention of attacking Louisiana next spring.

The report of Thomas Mitchel agrees with the news I have received from the Commandant at New Madrid as regards the arrival of the French officers at Louisville, and as to Clark having command of said expedition with Montgomery and other officers or important men of the United States.

If the project planned by the enemies is carried into effect, the whole of upper Louisiana from San Luis de Illinoia² as far as Nogales,³ that is, an extent of 380 leagues, will fall into the hands of the enemies in Spring, since the forces that can be collected for the defense of the forts of San Luis de Illinoia and of New Madrid do not amount to 90 men of regular troops and 200 militia; and even these can be but little trusted.

The project of the enemy is to profit by the artillery found in both forts to besiege Nogales next, and after taking it to

¹40 Clark MSS., p. 209 (Spanish Papers). ²St. Louis. ³Walnut Hills, Vicksburg.

fall upon this capital with all their forces and more than 40 pieces of cannon which they will have taken from us on the upper river.

If at the same time we have to face an attack by the mouths of the Misisipi as their papers announce, it is evident that all Louisiana will fall into their hands with the greatest rapidity and facility, since we can not count on more than 800 men of this permanent regiment to man so many points, since at present there are wanting 300 men to complete it; and, it being certain that few of the American inhabitants will side against an army composed of their countrymen, and as the French inhabitants will still less offer to take arms in our favor, both from their leaning toward France and because all their estates situated on the upper part of the river will remain undefended, when once Nogales and Natchez are lost, I shall have no other resource than an honorable surrender, or to perish in defense of the redoubt of San Carlos with my regular troops as I shall not find myself sufficiently in force to defend the Plaza.

The enemy extend their views much farther than the conquest of Louisiana, and hope soon to arrive at Santa Fé, having learned that they will not require more than 22 days to march from San Luis de Illinoia to that city of the interior Provinces; I do not doubt their success, if helped by the inhabitants of upper Louisiana, and their Indians, who are well affected toward the French.

These considerations had induced me, from the beginning of my government, to solicit that New Madrid should be fortified in a respectable manner, and that, a fourth Batallion being added to this permanent regiment, it should be garrisoned in this plaza, situated almost opposite the point where the Ohio empties into the Misisipi, providing from the same garrisons for San Luis¹, Santa Genoveva², and other posts above, which with the help of the Galleys would have sufficed to prevent the descent of that expedition to the Misisipi. This plan not having been adopted by the Corte, and having no reënforcements to hope for from Havana, I have no further hope than in the faults the enemy may commit and in accidents which may perhaps favor us.

The English of Canada might hold in check the enterprises of the enemy, by sending some troops to San Luis de Illinoia but the distance from the Capital to Michelimakinak, their

¹ St. Louis.

² St. Genoveve.

first settlement, which exceeds 800 leagues, leaves me little hope of obtaining in time the succors which I solicit from that commandant, only to have the consolation of having left no means untried for saving this Province which H. M. has confided to my care.

God, our Lord, guard your Excellency many years—New Orleans, Jan. 1, 1794, —Excellent Sir— Baron de Carondelet—Seal—to his Excellency Duke de la Alcudia.

No. 1—Extract from Letter of Colonel Manuel Gayoso de Lemos governor of the Plaza of Natchez.

Yesterday there went from here Mr. Midad Mitchel, but it did not seem to me expedient to make him a bearer of my reflexions on the news he has brought me, which I now communicate, repeating all he told me, so that your Excellency, confronting my report with the one he makes to you, may form some notion of his veracity.

He told me that, on his return from this Province, he had gone to Philadelphia, where he fell ill, and, fearing the maladies that were prevalent in that city, had gone to New York; that, in both cities, he frequented, as is his custom, the public gatherings where he became acquainted with many of the French and of their partisans, who knowing his talent offered him a Company of Infantry which he refused; that they subsequently offered him a Lientenancy in a war-vessel, which he likewise refused, which began to expose him to suspicion and was the reason of their being somewhat more reserved: nevertheless, he continued on terms of apparently intimate friendship with several of those interested in the expedition, by which conduct he learned the arrangements that were being made to attack this Province by la Valiza, and by the upper part of this river, all of which things he communicated successively to our Representatives, offering his services for whatever they might consider him useful, and notably for crossing the Western Country and coming to warn our Posts on this River of the peril threatening them; that Dupeau was the one in particular who made him known to the French minister and other men of influence among them, recommending him for the knowledge he had of this River and because he thought he would be ill disposed towards our interests, because he had been a prisoner in this Province, but that he always kept on good terms with them, for the purpose of being more useful

to us; that he especially formed an intimate connection with a certain Mallet, a man whom, on his descending the Mississippi at the beginning of this year, I detained here, and examined all his papers, because he seemed suspicious to me, but whom I allowed to pass as my fears did not appear founded; he is one of the men of most consideration in the expedition by sea, and Mitchel says that he is really a man of merit and the only one among those Frenchmen who acts like a gentleman

He said that our Representatives gave him a letter for the Spanish commandants on this River, the same which he left in the hands of Thomas Portell.

That as soon as he set out from New York he fell ill, which delayed his journey. He noted that all the Western country is in favor of the French side and does not heed the orders and provisions of the President, and that in particular the inhabitants of the American part of Illinois, and those of Cumberland, are ready to unite with the French, whose commissioners applied to General Clark to command the expedition, which is to consist of 5000 men; that O'Fallon is likewise one of those who employ themselves with most ardor in this enterprise, disposing their minds thereto with his writings, but that the one most determined on carrying out the undertaking is Depau, who has a commission of Captain and is the principal purveyor. Clark has taken the character of Maréchal de Camp and has blank commissions to distribute to those who offer to serve in the expedition. At Mitchel's departure from the falls of the Ohio where the expedition is preparing there were not as yet more than three Captains, as follows: Dupeau, William Christy, and a certain Waine, a relative of Cato West, an inhabitant of this District; that, besides, there are two French commissioners, whose names he is ignorant of, on account of the caution with which Dupeau has concealed them; however, he has seen one, who is of tall stature, and he knows he has two sons who are Officers in the Regiment of Louisiana, but I suppose that they may be militiamen.

They propose to build flat-boats in the place mentioned, the falls of the Ohio, for which they are already cutting timber; that one of these flat boats is to be very strongly built to carry artillery; that Dupeau has engaged to smuggle this artillery over the Allegheny Mts. carrying it in barrels as they are to

be very short brass cannon, and consequently of little execution, nevertheless they count on a good train of artillery which they will take in New Madrid and Illinois,¹ intending to attack the former, which Depau says he can take with 50 men, and thence by land Illinois itself; however, they fear they may lack horses for this enterprise.

The capital destined for this expedition is a million dollars, for which sum the Commissioners have given letters of exchange at Lexington on New York; but the holders of these Letters have only given a small quantity; having deferred making a further advance, because various persons of good judgment had advised them not to expose their capital, as it might happen that the Letters would not be paid, on account of which decision one of the French Commissioners started at once for New York, and until his return their arrangements will proceed with great slowness.—Dupeau is of the opinion that they ought to send at once an armed vessel to descend to the Misissipi and cruise there, detaining all the boats that might bring us news of their preparations; but this is not yet decided.

As soon as Clark accepted the proposals the French commissioners made him, he asked O'Fallon to write a French letter for him to the Minister Genet; he did so and was much applauded; after which the Minister named him *Maréchal de Camp* giving him the most ample powers and the principal direction of the Expedition. Clark, having gained this, and having all the power in his hands, began to despise O'Fallon, which has caused many dissensions among them, so much so that O'Fallon has parted from his wife, who has withdrawn to the house of Clark, her brother, and he, in resentment of this offense has maltreated O'Fallon, even going so far as to break his stick over his head, inflicting injuries from which he had not yet recovered at Mitchel's departure.

It results from this narrative that the expedition is decided on, composed of 5000 men; and that it is to start next spring; but this will require the concurrence of circumstances following: that the transportation of artillery be feasible; that the sum of a million dollars be realised; that the measures of the American Government be not sufficient to obstruct this enterprise; and that the differences of Clark and O'Fallon do not disharmonize it.

¹ St. Louis.

Mitchel has told me that the publications made by Clark to draw partisans, express the intention of going to invade Louisiana and Mexico and of plundering the Spaniards, the French Commissioners adding that they will not touch the persons or property of Frenchmen or Americans in this Province; that in general the lower class of the United States abhor the English, and is irritated against them, on account of the many captures made by their privateers, but that the public nowise occupies itself with us.

Manual Gayoso de Lemos, Baron de Carondelet.—Seal.

32. CLARK TO DE PAUW (DRAPER COLLECTION).¹

Louisville Jay. 5th 1794

Sir

By a conferance with Co^l Lachase I find that you are anxious to forward the views of the French Republick by making all the furnitures in your power, I of course think it my duty to inform you that on or before the 20th of February it might be to your advantage to have your stores at the Falls, as in all probability we shall descend the River by that time and wish to do Every thing in our power to accommodate M^r Delpour, and should be glad of a correspondence with you

I am S^r Y^r Very Hble Servt

G. R. Clark

[Superscription]

M^r Delpeaux

Merchant

Nob Lick

Col Lachaise

33. BRECKINRIDGE TO [SHELBY]² (DRAPER COLLECTION).³

Beargrass 10th Jan^y 1794.

Dear Sir

Inclosed I send you a copy of E. Shelbys entry—If Emmer-son's entry was made with Geo. May he has neglected to

¹ 11 Clark MSS., No. 240 (De Pauw Papers).

² The MS. bears no address, but Dr. Draper indorsed it as written to Shelby. Compare Shelby to Jefferson, January 13, 1794, and his later explanation: American State Papers, Foreign Relations, 1, 455; Butler, Kentucky, 229, 524-531. For significance of Beargrass, see Nos. 20, 24, 33.

³ 11 Clark MSS., No. 245.

Alphabet it—No such name as Ash Emmerson appears in any of his Indexes.—Tilly Emmerson has an Entry of 500 acres on the waters of Licking Creek on a Treasury Warrant, but as it does not correspond with your Memo. think it unnecessary to send a Copy.

We have nothing new in this quarter except that there is some little stir relative to the intended expedition against the Spanish Settlements on the Mississippi—A young man of this county, communicated a writing to me, the other day, on that subject without signature. It began with "Geo. R. Clark Esq^r Maj^r Gen^l in the Armies of France and Commander in Chief of the French Army on the Mississippi," and proceeded to instructions for recruiting men destined for that Service. This pompous title raises the expectations considerably, but when contrasted with the unhappy situation of the leader, and some French men about him, every Idea of carrying the scheme into execution droops.—I sincerely wish the French Republic success, but if that nation have any hopes, or our General Government any fears from this interprize, both will be disappointed, in my opinion.

A proclamation of S^t Clairs appeared at the Falls the other day forbidding the Citizens of the United States, North West of the Ohio, from engaging with Certain French men in that expedition, or committing any other act which might involve the United States in a war with the Spaniards, and to observe a strict neutrality towards all the belligerent powers.

Twelve or 14 men were defeated last Monday morning on their march to Post S^t Vincent, with the loss of about 150 Hogs, 25 or 30 Horses loaded with salt—luckily no lives were lost, altho the Indians fired on them about day break. I am D^r Sir your friend and Hble Serv^t

Ro Breckinridge

34. COMMISSION (DURRETT'S LIBRARY).

George Rogers Clark Major General in the Armies of France and Commander in chief of the French Revolutionary Legion on the Mississippi.¹

To Henry Lindsay; Know you that by the special confidence, reposed in your courage, ability, good conduct and fidelity,

¹ Furnished by the courtesy of Col. R. T. Durrett, Louisville. A similar commission, to John Cochran, January 15, 1794, appointing him captain in the fourth regiment of infantry, is in the Draper Collection, in a clipping from a newspaper, crediting it to Colonel Durrett's library.

and by the power invested in me by the Minister of France, do appoint you Captain in the Second Battalion of the Second Regiment, to serve in an expedition designed against the Spaniards of Louisiana and the Floridas by order of Citizen Genet, Minister Plenipotentiary of the French Republic. All persons whom it may concern are Requested to pay due attention to you as such.

Given under my hand at Louisville this Eleventh day of January, 1794—and in the second year of the French Republic one and indivisible.

G. R. Clark.

35. MONTGOMERY TO CLARK (DRAPER COLLECTION).¹

No. 2.

Clarksville, Jan^y 12, 1794.

D^r Gen^l.

The following are a true statement of the Military Stores on hand and furnished to the troops under my command (Viz^t) about 30^{lb} good powder, 117^{lb} Lead, 5 axes, 3 potts, between nineteen and Twenty Thousand Wight of Beef upwards of Eleven Hundred weight of Bear Meat about Seventy or Seventy four pair of Veneson Hams Some beef Tongues, one Large Flatt Bottomed Boat and four Perogues. 500 Bushels Corn and 10,000^{lbs} ² port,³ and much more if wanting all those articles you will perceive have been purchased on the Credit and faith of you and the French [na]tion⁴ with my exertions.⁵ It would be needless for me to say more. I am ruened if neglected. No more adieu.

John Montgomery.

N. B. I mentioned that I should leave this in 10 or 12 day but since have determined to watch the return of Cap^t White.

[Superscription]. "Major Gen^l Geo. R. Clark. Jan'y 17 95. Caⁿ Montgomery. [Indorsed] Jan'y 17, 94, Col. Montgomery.

¹ 55 Clark MSS., No. 10.

² Or perhaps w.

³ Pork?

⁴ Letters in brackets illegible.

⁵ Compare No. 24, notes.

36. PORTELL¹ TO [GEN. JAMES ROBERTSON] (ROBERTSON MSS.).²

Sir

Your favour of Dec 28th, was received last night, and must be acknowledged with thanks for the interesting information it conveys. I have never doubted but that the thinking people of Kentucky and Cumberland would discountenance any measure that tended to a breach of that happy harmony and good understanding that subsist between the two nations. I have seen with pleasure that the Supreme Executive of the United States of the State of Kentucky by their proclamation, had expressed their sense of the projects pursued by those who have adopted a system of hostile operations, as opposite to the peaceful disposition of their own government, as calculated to estrange ours from those moderate principles which it has been its constant study to maintain with neighboring nations. It is to be hoped that the majority of the American people will not tamely suffer a foreign Minister to exercise within their territory the powers of sovereignty, by issuing commissions and levying armies to be sent against a nation at peace with them. But should a few deluded people fall into the snares laid to entrap them, they must expect to find us not unprepared to receive them.

I have the pleasure to return Mrs. Robertson thanks for the compliments she has sent Mrs. Portel. She is lately gone down to New Orleans, but will inform her of it; and you may assure your lady that my wife will entertain a high sense of her attention.

I am very sincerely with esteem

Your most obedt humble servant

Thomas Portell

New Madrid Jany. 17th 1794.

P. S. I inclose you an order upon Dr. J. R. Waters whom I desire to satisfy you for the costs of suit against Tureot, and for all expenses to expresses whom you may send. The one who brings me your favour above is paid fifty hard Dollars and a blanket.

¹ Commandant at New Madrid. Compare No. 37. Furnished by the kindness of Prof. W. R. Garrett, Peabody Normal College, Nashville, Tenn.

² Vol. 1, letter No. 95.

37. BLOUNT TO ROBERTSON¹ (ROBERTSON MSS.).²

Knoxville, January 18th 1794

Sir,

Your letter inclosing those of the Baron D'Carondelet and Portel, were delivered me by Mr. Phillips, to whom I paid the Price, as by you stipulated. Your answer to those gentlemen meet my approbation. Inclosed you have a Copy of a letter from me, in answer to one which I received a few days past from Mr. Seagrove, dated at the Tuckabatchees December the 5th 1793.

The assurances contained in the letters of Mr. Seagrove and the Baron, warrant a Belief, that the Creeks will, in future, observe a most peaceful Conduct towards the United States, and in addition to what they have said on that head the Express informed me that the Spanish Agent, in the Creeks was doing and saying all he could to induce the Creeks, to be at peace, with the United States.

The Cherokees I have considered since June 1792, as influenced and directed, by the Creeks or Spaniards, or both I mean so far as to direct their National Conduct towards the United States, and sine both the Creeks and Spaniards are determined to observe a peaceful Conduct towards the United States, it will not be a violent Presumption to suppose the Cherokees will folow their example, and I now expect shortly to receive from them formal overtures of peace. These appearances do not teach the expectation, of very imminent danger, and it is in Proportion as that expectation is warranted that defensive Protection can be extended.

This leads to an alteration of my Order to you on that head of the 6th of December. You will sir in no one month, call into service, of the mounted Infantry or Cavalry, more than twenty noncommissioned and privates, to be commanded by a Cornet or Ensign, nor keep them on duty more than fifteen days. And should the present month pass without murders or Thefts by Indians, on the Indabitants of Mero District, you will in the month of Febroary order only a Sergeant and ten of this Description of Militia on duty. You are to understand the order of the 6th December in no other respects altered.

I am surprised and mortified at the information that a part of the Citizens of Mero District, who have so repeatedly com-

¹ Furnished by the kindness of Prof. W. R. Garrett, Nashville, Tenn. See No. 26.

² Vol. 1, letter No. 94.

plained, that a sufficient degree of defensive Protection is not extended to them, should be about to engage in an offensive War against their peaceful neighbors. Should these inconsiderate Persons actually carry their scheme so far into execution as to make an attempt to conquer West Florida, which is certainly all they can do, they will unquestionably involve the United States, in a general War, and lay themselves liable to heavy Pains and penalties, both pecuniary and corporal, in case they ever return to their injured Country..

It is Sir, the Duty of yourself, and every Officer of the Government, to discountenance, and prevent by all legal ways, and means, the execution of a Plan, so replete with bad consequences to every part of our common Country and Interest, particularly to your Infant District. This duty also extends to good Citizens so far as may be in their power in their respective situations. With what Propriety can I justify the extending defensive Protection, in any degree to a People, who are about to commence actually War, and thereby involve the United States in it against one of the most powerful Monarchies on Earth, without any pretence for so doing but that which would equally justify highway robbery, the ——¹ by a strong hand the Property of their People.

These Schemes must proceed from the Malignations no doubt of that Jacobin Incendiary Genet, which is reason sufficient to make every honest mind revolt at the very Idea.²

But should these unthinking men persevere in despite of such exertions as may be made to the contrary, and regardless of the Injuries into which they will certainly involve their Country, you will please take the earliest opportunity to inform me thereof. In the meantime I wish you to take such steps as may be in your power to obtain copies *literally* of some one or more of the Commissions, and forward such Copy or Copies to my Office, to the end that I may forward the same to President of the United States.

Judge McNairy and the attorney for the District, will I presume upon a knowledge or Information of the Intentions of these people, to violate the Peace of Government, take steps to prevent them from so doing.

¹ Expunged.

² Compare Blount's own English scheme: *Annals of Congress*, Fifth Congress, 1797-99, I, 498 et seq.; III, 2245 et seq.; Roosevelt, *Winning of the West*, IV, 212; McMaster, II, 285, 339-342. *Mass. Historical Collections*, sixth series, VIII, 44-45.

Since writing Mr. Seagrove, and forwarding him the order for the two Prisoners in your Possession, I am informed that one of them is a Cherokee, however you will deliver both to the Messenger he sends for them, and inform him of my mistake, to the end that he may explain it to the Creek Chiefs. And before their Departure from you, you will please cause them to be furnished each with a good suit of Indian Clothes, meaning a matchcoat, Flap, Leggins, Shirt, Binding and a Blanket.

This I consider as necessary to teach their Nations in case any Citizen of the Unites States should in future be captured by them, a return of good Treatment. I wish to hear the Chickasaw report of the meeting of the Southern Tribes with the Spaniards.

I am with sincere esteem,
Your obedicut Servant

Wm. Blouut

Brigadier General Robertson
Mcro District.

38. CARONDELET TO ALCUDIA (DRAPER COLLECTION).¹

No. 26—Private.

The Gov. of Louisiana and West Florida makes a report on the treaty at Nogales with the Cheraquis, Criks, Chactas and Chicachas on Oct. 28, of the preceding year, 1793.

Excellent Sir:

I direct to you accompauning report No. 1, relating to what passed at Nogales at the Congress of the four Indian Nations, Creeks, Cheroquis, Chactas and Chicachas, held for the conclusion of a treaty of reciprocal guaranty of H. M's possessions in these provinces and of those of these nations, which was signed Oct. 28 of last year.

In document No. 2 you will learn of the ratification of said treaty by the body of the Crik nation, and of the pacific intentions with which we have inspired them toward the United States, with the precise restriction that there shall be no innovation in their limits, until the end of the negociations begun at this Court in regard to the matter.

¹42 Clark MSS., 120 (Spanish Papers).

The advantages which result to Spain from this negociation are so obvious that, Upper Louisiana being threatened with an early invasion by a body being collected at the falls of the Ohio by the emissaries of the Convention, as I stated to you in secret report, dated Jan. 1st, we are able to avail ourselves of the nations mentioned, principally of the Cheraquies and Chicachas, to oppose their attempts; whereas we neither have troops to oppose to them, nor can count on the greater part of the Militia composed of Frenchmen; if the Indians remain loyal the enemies will have great difficulty in making progress in Louisiana; but if they succeed in detaching them from our side, as they hope to do by the trick they propose to employ which consists in sending emissaries to their Villages, showing them the Portrait of Louis XVI, and making them believe it is that of Louis XVII, whom they have reestablished on the throne, asking them to fight for him against the Spaniards, I do not believe that the King can keep Louisiana or at any rate that its total devastation can be prevented.

I hope that your Excellency, in view of the many obstacles it has been necessary to overcome in order to bring those nations to the conclusion of this treaty, will deign to ask H. M's approbation of the outlays which this Negociation has necessitated, and without which nothing can be obtained from the Indians, who give to words the value which the presents that accompany add to them.

God, our Lord, guard your Excellency many years. New Orleans, Jan. 24, 1794.—To his Excellency—Baron de Carondelet—Seal—To his Excellency the Duke de la Alcudia.¹

Without doubt you have been informed of the audacious plans of General Clark; I have just learned that a certain General Montgomery² of Cumberland had posted himself near the mouth of the Ohio with 200 men and had stopped all the boats which descended to New Orleans loaded with provisions.

I have certain proofs that this spark of sedition has already reached Kaskaskias and that the inhabitants of Post St. Vincent are preparing to join Colonel Clark. This invasion con-

¹ In the margin is the following: April 13, 1794—Let our representatives at Philadelphia be informed of all this, so that the states, being persuaded of the attention and friendship with which, without prejudice to the common cause, we make our agreements with the Indian Nations, may seek to further the same by avoiding the projects of the French, of which we have been informed by the Governor Intendant of the provinces of Louisiana and Western Florida, and may try to agree on a treaty of security while a treaty to fix our boundaries is being made for the consolidation of reciprocal interests.

² See Nos. 24, 35, 38, 48, 55, 56.

trary to all laws must, if it come to pass, produce the most fatal consequences; although the interior of Louisiana will have nothing to fear from a troop of bandits, without funds and incapable of any system, the people of San Luis and of Akansas can only oppose a feeble resistance to a multitude guided by the lust for pillage. I have had sent to the Minister of War as much information as I could obtain regarding the matter, but I fear that the Government can not take in time the proper measures for avoiding the peril, and that if you have not the power and the will to protect these settlements they will be victims doubtless of an illegal usurpation.

Baron de Carondelet—Seal.

39. CLARK TO DE PAUW (DRAPER COLLECTION).¹

Louisville Feby. 10th 1794

Sir

Since your last Letter by Gen^l Logan I have not herd of your success in your stores—the time now draws near, I am affraid that if you do not take advantage of the next rise² of the water, you may not reach this place not untill perhaps the summer, but Gen^l Logan is a good Judge in that case, I should be happy to see you as soon as possible with your stores at the Falls all would then be safe whare I should be glad to do you any service in my power and hope you would not have Long to tarry as we should soon move down the River

I am Sir yours with esteem

G R Clark

[Superscription]

M^r Delpore

Near the noblicks

40. JAS. BROWN³ TO SHELBY (BUTLER'S KENTUCKY).⁴

[16 February, 1794.]

“The information which has reached me since the date of my last letter, has induced me to accord with you in opinion

¹11 Clark MSS., No. 241 (De Pauw Papers).

²Perhaps *raise*.

³Secretary of State of Kentucky. Compare Nos. 6, 7, 8, 16, 17, 27, 33, and American State Papers, For. Rel., 1, 455, 458, and Butler's Kentucky (1836), 524–531. These citations to documents present Shelby's explanation of his letter to Jefferson, January 13, 1794 (American State Papers, Foreign Relations, 1, 455), as designed to stimulate the Federal authorities to demand the navigation of the Mississippi by arousing their fears. He affirms that he knew the expedition would fail.

⁴Page 229.

as to the result of that enterprise; and has fully convinced me that nothing less than a considerable supply of money will enable the promoters of it to effectuate their intentions. I therefore clearly concur with you in the sentiment that it would be, at present, *unnecessary* to take any active measures in the business; and if *unnecessary*, it would certainly be *impolitic* to exercise powers of so questionable a nature as those which the general government have adopted and now wish you to exert.

Indeed it appears to me that good policy will justify the Executive of this country, in discovering a certain degree of unwillingness to oppose the progress of an enterprise, which has for its object the free navigation of the Mississippi. In their deliberation on this interesting subject, Congress has uniformly acted under the influence of a local, unjust policy. Instead of consulting the interests of every part of the Union, they were once on the point of sacrificing all the western waters by an unnecessary surrender of their most invaluable right. Although that detestable plot could not be effected, yet our right is suspended and we are deprived of all the advantages which would result from the enjoyment of it. The secrecy with which the late negotiations are veiled, justifies a suspicion that some designs unfriendly to our interests yet exist and only wait a more favorable moment to be carried into effect. Congress therefore ought to know through every possible channel, that we are convinced of our wrongs, and conscious of our ability to redress them. Such information might call their attention to our situation, and give our interests a place in their political deliberations. These representations could not be made to government at a more favorable juncture. Mortified at finding that their conduct towards the powers at war has only served to offend their allies without soothing their enemies—and apprehensive that all their abject submissions may fail in procuring them peace with England and Spain, they may be alarmed at the idea of our detaching ourselves from the Union at so critical a period. I am therefore happy that, whilst you have expressed your devotion to the laws and constitution of the Union, you have reminded the government of what is due to us as a State, and that power ought not to be assumed for the punishment of those whose object is to do what government ought long ago to have done for us.¹

¹ Colonel Durrett of Louisville informs me that the original of this letter is in the Kentucky archives.

41. GAYOSO TO ALCUDIA (DRAPER COLLECTION).¹

The Governor of Natchez in a private non-official letter, represents to your Excellency the situation of Louisiana, his own situation, the approaching visit of Prince Edward of England to this province, and other matters which though important the maker of this résumé begs to be dispensed from detailing.

Secret. Most excellent sir:

Sir: I have always with particular care avoided occupying the attention of your Excellency, although I have had truly glorious occasions for doing so, since I have not only recently concluded a treaty at Nogales, but, during the disturbances in lower Louisiana, on receiving notice from the Governor of his critical position, owing to his being threatened with an invasion of Jacobins apparently in concert with some of the inhabitants of lower Louisiana, I was notified by him to come down with a body of volunteers from this government to secure and defend the capital. Three hundred and eighty trusty and resolute men at once set out, whose presence inspired terror in the vacillating citizens and kept them loyal, Baron de Carondelet assuring me that his chief reliance was in the volunteers I sent him. Your Excellency can judge of the situation at New Orleans, since in the vicinity the hymn of liberty was sung with the same ceremonies as are practiced in France, and with other disorders that would have had the most fatal consequences, if the above-mentioned inhabitants of lower Louisiana had not feared that I, with all those that are under my authority, should fall upon them, for I assure your Excellency that in this whole province the inhabitants of Natchez have offered the most worthy example of loyalty deserving of the particular consideration of his Majesty.

I was to accompany my volunteers, but, at the moment of departure, I received positive orders from Baron de Carondelet to remain here, as my presence was absolutely necessary here to attend to the defence of this province against an expedition of these same Jacobins from the upper part of the river.

I began to take my measures, having only one hundred and fifty soldiers to oppose to an expedition which Baron de Carondelet told me would perhaps be composed of five thousand men; but having the good fortune to possess the confidence and blind devotion of these settlers, all those who

¹ 39 Clark MSS., p. 112 (Spanish Papers).

remained here offered to follow me to Nogales to lay down their lives there in defence of that important post, in proof of the love and gratitude they cherish toward his Majesty, because they live so happily under his beneficent rule.

The attack by sea not coming to pass, while that by the upper river was confirmed, my volunteers returned from New Orleans, and I have continued to put the fort of Nogales in the most respectable state of defence, with no help from the capital other than the remote and impracticable hope which Baron de Carondelet gives me that, on my being attacked, he will come up to my help, since it is impossible that he should do this in less than a month and a half after he learns my situation; and in spite of all my representations, he has not granted me a single man for reinforcements, nor even boats for accomplishing the transportation of artillery and other objects to Nogales, which has obliged me to hire boats of very slight utility through having no others at my disposition.

Nevertheless, the loyalty of these citizens is such, that all have enlisted in a body called the volunteers of Natchez, and in a company of which I myself am captain, called the Royal Carlos, in order to satisfy thus the honorable ambition of these settlers. With them alone I assure your Excellency, begging you to please repeat the same to his Majesty, that I will defend the fort of Nogales and this whole district in case the enemy present himself, preventing him from descending to the capital of this province.

By my urgent persuasion I have induced Baron de Carondelet to send up a division of galleys to New Madrid to succor that post and that of Ilinoia.¹ This division has just arrived here, and as soon as it has rested, renewed its provisions and landed some powder and other munitions of slight importance, which Baron de Carondelet sends me, it will go on to its destination.

The object of this narration is to inform your Excellency in general as to the critical situation of this province, and as to my own in particular, since, although I have suffered continually many impediments from Baron de Carondelet, without ever feeling convinced that it was his intention to provoke me, I have at present well-grounded motives for believing so, since in these critical circumstances he has ordered me to inform the commandant of the post of Arkansas, who is not under my

¹ St. Louis.

jurisdiction but under his own, in what manner he should act and should retire to Nogales, even before being attacked. I gave orders to the commandant in question, to take all possible advantage of the favorable situation of his territory, and, in case it should prove impossible to resist, to retreat inland, not only because it would be very hazardous to abandon the country but because the retreat to Nogales is impracticable; I informed Baron de Carondelet of this instruction and he reiterates that I insist that the Commandant of Arkansas abandon his post and retreat to Nogales, whereas it would be more proper that he should communicate this order himself, instead of me, the commandant not being under my orders, while this is, moreover, contrary to the decorum of the arms and the interests of his Majesty.

The vexations I suffer from Baron de Carondelet are numberless, so that I fear that the service of the king may suffer, and I now decide to make it known to your Excellency because I foresee a complete confusion in our relations with the Indians, our allies, and fear that his Majesty may be compromised with the American States.

It is with the greatest repugnance that I take this step being forced to do so by a new event, which I have learned by mere chance, although through ignorance of it I should have compromised myself with a Prince of Great Britain.

Captain Pedro Rousseau, commandant of the division of galleys going up to New Madrid, has received a private letter from Baron Carondelet, informing him that it was probable that Prince Edward, son of the king of England, would come to this province, with a passport from him, accompanied by another person and disguised under the title of Adjutants of the Governor-general of Canada, adding that if in fact they did present themselves, he should furnish them a boat to go down to New Orleans. I learn likewise that he has furnished wines and other things to Rousseau for the entertainment of the prince.

To myself, the first Governor to be met by the prince, he has said nothing; so that in my destitute situation I could not have received him properly on his arrival in this province, though it seems strange that his Highness should not have solicited a passport from his Majesty.

I propose to borrow some money in order to receive His Highness with proper attention, and nothing further; and I intend

likewise not to leave his side during the whole time he spends in the district under my charge, because visitors of such rank do not travel without some important object, and I can not but add that I regret to see a prince enter this province without the permission of his Majesty.

I beg your Excellency not to make use of this communication further than to take cognizance of my situation, and not to the prejudice of Baron de Carondelet, unless he give cause for it.¹

I remain the most respectful and obedient servant of your Excellency praying the Lord to preserve your life many years. Natchez, Feb. 18, 1794. Most excellent Sir: I kiss the hand of your Excellency, your most devoted and faithful servant,—Manuel Gayoso de Lemos. Seal.—His Excellency the Duke de la Alcudia.

[In the margin of the preceding letter is the following note]:
 “June 21.—Let him be answered for his satisfaction and told in regard to the Baron that such orders have already been given as the distance and our situation permit, and that if Prince Edward should visit him he should be received with due attention but that he be not allowed to inform himself concerning the state of our affairs.

Aranjuez, July 2, 1794.

To the Governor of Nachez.

The king being informed of the contents of your secret letter of February 18th last, relative to the state of political affairs in the province of Louisiana, to the measures you have taken to defend it against the wicked projects of the Jacobins of Philadelphia, and to the visit which Prince Edward, son of the King of England, contemplated making to that province; his Majesty is well satisfied with the manner in which you have conducted yourself in all the circumstances reported, and his Majesty likewise approves that you should continually accompany Prince Edward, son of the King of England, during his stay in that province, and that you dexterously seek to prevent him from informing himself concerning the state of our affairs.

As to the affairs of Baron de Carondelet, such orders as the distance and our situation permit have already been given.

God etc.

¹Gayoso became Carondelet's successor in 1797.

42. FULTON¹ TO DE PAUW (DRAPER COLLECTION).²

Citizen Delpow,

By Gen^l Clark's Desire I Cald On you to See wht State your Provisions is [Which you]³ Have purchased for the Republick of France Your not ben at Hos disappointed me. I will Cal on you tomorrow pray stay at Home that I may See you

I am Sir yours

Sam^l Fulton

March 18th 1794.⁴

43. CARONDELET TO ALCUDIA (DRAPER COLLECTION).⁵

No. 29—Secret.

The Gov. of Louisiana and West Florida reports having arrested in that Province the man named Pusgignoux, who disclosed to the King's Representatives at Philadelphia⁶ the expedition projected by the French Minister Genet against this province; he tells what motives made him take this decision, expresses the intention of sending him to Havana, and announces the conduct he intends to observe in view of the declaration of said Pusgignoux of which he incloses copy.

Excellent Sir:—

As your Excellency is pleased to inform me in the Royal Order of Nov. 27 of last year, H. M's representatives at Philadelphia informed me of the expedition projected by the Minister of France in the United States against this province, by virtue of which I at once took all the measures allowed me by the scanty forces at my disposal: and although the expedition by sea has been frustrated and broken up by the confusion and disorder prevailing among the French, the same is not the case with the expedition that is to attack the province by the upper river; as they continue making their preparations on the Ohio; Pusgignoux has been sent thence to this Province, he being the same who disclosed this nefarious plan to the envoys at Philadelphia, as you must have been informed by them, and by my secret communication No. 21 of Nov. 6; and

¹ Compare note to No. 49.

² 11 Clark MSS., No. 243 (De Pauw Papers).

³ The words in brackets are doubtful in the text.

⁴ 1794 has been added or restored by another hand.

⁵ 42 Clark MSS., p. 132 (Spanish Papers).

⁶ See No. 12.

conformably to measures I had taken in advance he has been arrested on issuing from said Ohio river and conducted to Nogales, as I greatly suspected the sincerity of his conduct: the copy of the letter which I this day write to the Capt. Gen. and the secret declaration of Pusgignoux himself which is appended will be evidence to you of the imminent peril to which this Province is exposed, and will show my opinion of the information of said Pusgignoux, whom I will have sent as soon as possible to Havana, giving you information later of what progress I shall make by the investigations I intend to make on his arrival here which must take place within a few days.

God, our Lord, guard your Excellency many years.—New Orleans, March 20, 1794.—To his Excellency—Baron de Carondelet—Seal To his Excellency the Duke de la Alcudiva.

Translation.

Don Manuel Gayoso de Lemos Colonel in the royal armies, military and political Governor of the Plaza of Natchez and its district etc,—at fort Nogales on March 5, 1794, appeared before me Juan Pedro [Jean Pierre] Pusgignoux, a native of Cahors in Guercy, arrested on the Misisipi by H. M.'s small-galley la Flecha, and at present in one of the strongholds of this Post from whom I received the secret information following.

That Pablo Segond, le Blanc Senior who resides near New Orleans and whose sons are in the service, with a certain Brin, or a person of some similar name, are the heads of a revolution in New Orleans and in Lower Louisiana, that these individuals kept up a correspondence with the Ambassador of France in the United States of America, assuring him that all the French of Louisiana are patriots and only awaited the moment of attack to join with the troops of the Republic: that they offered money and other help: that the whole coast of Alemaues was patriotic: that they had only taken the oath of allegiance for their welfare; that they impatiently waited to see the province attacked in order to revolt: that he has seen at Philadelphia two young men from New Orleans, one named Saugnier¹ who wears the national cockade, and the son of M. Beauvais who, although he does not wear it, is as great a patriot as the other: both were to join Depaux and la Chaise,

¹Possibly Saugnier.

but were detained by a Philadelphia merchant named Le Maigre, living on Water Street; said le Maigre is a violent patriot and foremost in all the movements of the French in the United States; that all the retail dealers at New Orleans are patriots, that is republicans, ready to join those who come to the attack: that Fabrot is known as a patriot, and that at the passage of the expedition through Natchez they are to cry out to him *Fabrot, do not defend yourself, we know you are a patriot and no harm shall be done you.*

That the persons known under the name of Aristocrats beside the Governors and Commandants are Messrs. Bouligny, Grandpré, Fortier, Sarpy, all the rich merchants of the Capital, and many Captains of the Regiment: they have named particularly M. Rousseau as a brave officer who will defend himself; but said that they were sure of his second M. Duparc; among the Captains of the Regiment who have the reputation of zealous royalists is named in particular M. Beauregard: he adds that in general all the Provençals of New Orleans are favorable to the interests of the republic and disaffected towards the Spaniards.

That the attack planned from the upper part of the river was to be made, according to their convenience, at New Madrid, Santa Genoveva, or San Luis, afterwards at Nogales and Natchez, whence deputations shall be sent to Punta Cortada, Baton Rouge, and all remaining places where the French are found to rouse them to revolt; that they are to kill all the Spaniards and to distribute their possessions among the army; that at the moment of the attack Baron de Carondelet should be arrested by the people of New Orleans, though many of them are confided in by him; that they were to treat ignominiously the wives of the highest officials; that there are some who are trying to rouse the mulattoes to mutiny: that if at New Madrid they do not defend themselves it will be because Thomas Portell is disliked: that they believe that Santa Genoveva will be easily taken because there are many French there; that the commandant of Post Vincennes has offered cannons for the expedition of La Chaise and Dupeau: that there are spies throughout the province; that Madame la Chaise, the mother, is an ardent patriot: that she has written a letter to her son encouraging him to pursue the plan he had begun: that nothing further was said of the family except that la Chaise up the river was to write to his city brother for money: he adds that the allies of the family la Chaise are royalists

and are to be expelled from the province if the latter is taken by the republic; that M. le Blanc is so great a patriot, as well as his sons, that he is to be received in triumph and named Mayor of the City: he repeats also that he has heard it stated that M. Fabrot is a great friend of la Chaise.

Finally he declares that all that he has said, he has heard from la Chaise and Depeau who are the source of all his statements, and that he adds nothing.

Before signing he said also that M. Andrain of Fort Pill has comported himself very ill toward Spain because, his property being about to be sold, he paid his debts with the money received for filling his contract to furnish flour for these provinces, that he received in his house all the patriots that passed, and in his dinners drank toasts which declared his attachment to the revolution and his aversion to kings; that the brother of Tardiveau has a Colonel's commission in the projected expedition.

Manuel Gayoso de Lemos—Pisgignoux—M. Pisgignoux declares that remembering in his secret declaration to have mentioned one Brin as he thought he remembers now that the name is Bougaud.

Manuel Gayoso de Lemos—Baron de Carondelet—Seal.

Copy=Most Excellent Sir=Under date of the 13th of March of this year, the Governor of Natchez, Colonel Don Manuel Gayoso de Lemos, sends me a private declaration written in his own hand, of which copy is enclosed, and which obliges me to suspend my judgement concerning the intentions of Pisgignoux, its author, until I have made further investigation, which I shall do as soon as he reaches this capital.

In the meantime, I have resolved to keep him severed from all communication, until the moment of his departure for Havana, which I shall hasten as much as I can, and I think of having him accompanied by this same le Blanc, the father, first Adjutant-major¹ of this plaza, with the grade and pay of Captain, filling the place of Sergeant-major² of the corps on the coast of Alemanes; this le Blanc is the one whom Pisgignoux designates in his declaration as the chief of the conspiracy: he will also be accompanied by a Sergeant, in whom I have full confidence, and by some grenadiers who certainly will not let him escape.

I shall charge Pablo³ le Blanc, a man naturally cunning,

¹ Ayudante Mayor.

² Sargento Mayor.

³ Paul.

insinuating and clever, to seek during the voyage to gain the confidence of Pisgignoux, and on his arrival to instruct your Excellency of what he has elicited from him, which, confronted with the accompanying declaration, may perhaps render it possible for you to form a certain opinion both as to Pisgignoux and as to Pablo le Blanc, in whom I have hitherto observed nothing that could throw suspicion on his conduct or that of his five sons, all officers and cadets in the regiment stationed here, and among the best. Nevertheless, as nothing should be left to chance in a matter so serious, I have thought that, in charging him with the transfer of Pisgignoux into your hands, as a proof of my confidence, I should attain two ends: first, to remove him from the province (without the real motive being suspected, and without detriment to his reputation,) at the most critical moment, since, if the enemies are to make an attack, this must necessarily occur during the spring, so that this measure, in case the denunciation of Pisgignoux should prove to be true, must in part contravene their projects; secondly, if Pisgignoux is playing the part of a double spy and seeking to introduce himself into the province under the cloak of a zealous royalist, in order the better to dissimilate his evil designs, and concocting with the other Jacobins at Philadelphia the denunciations that he has made to the Governor of Natchez, and attempting to sow distrust and discord by means of calumnious accusations against the best officers, he will also fail to achieve this; for on the instant that he set foot in the province he was arrested and deprived of all communication, and I hope that in this case le Blanc will be able to elicit from him, during the voyage, some utterances that may throw light on his designs.

It is certain that the report of Pisgignoux accords with all that has passed or is passing in the province, and for that reason has much semblance of truth, but it is likewise true that it involves several men, known hitherto as good and zealous vassals of his Majesty, whose loyalty can not be condemned without further data.

The squadron of galleys, under command of Don Pedro Rousseau, had already passed Nogales at the beginning of this month, and will rapidly pursue its route to New Madrid. The second commandant, Don Guillermo Duparc, whom Pisgignoux also cites as a patriot, has been replaced some months ago by Don Francisco Langlois, officer of this battalion of militia at New Orleans, a brave man and a relative of Don

Pedro Rousseau. The third galley is commanded by Don Juan Barno y Ferrusola, a Catalan, guardian of the storehouse at the post of Nogales. Finally, the galleys, la Flecha and la Activa, are under the orders of Don Domingo Bouligny; so that we can rely on all these men to fulfil their duties well and faithfully.

As for Don Pedro Fabrot, former Captain of the permanent regiment, now detached to Natchez, I shall recall him to this place, under pretext of the indisposition he is suffering from, sending in his place Don Carlos Grandpré, who ranks as Lieutenant Colonel, and who is acting as Sergeant Major of the permanent regiment; or else the Captain of the same, Don Tomas Acosta. In this connection I can not but call to your Excellency's attention the fact that the vacant posts in this body numbering sixteen, there hardly remain enough officers for the daily service, and there are subalterns who are charged with the interests of two companies, which besides discouraging those interested and giving offence to their relatives, a large number of whom are colonists, and of the highest consideration in the province, is entirely opposed to the good discipline which I seek to maintain among the small number of troops that defend these vast provinces.

I expect Pisgignoux shortly, and will inform your Excellency of whatever he may declare in my presence.

God guard your Excellency many years—New Orleans, March 20, 1794—Baron de Carondelet— To his Excellency Don Luis de las Casas—Baron de Carondelet—Seal.

44. FULTON TO CLARK (DRAPER COLLECTION).¹

Danville, March 21st, 1794.

Citizen General

This Comes to Inform you that I Find things have a much better face here Since My arevle than they have this two months past. Agreeable to your request I Called on Depau to know Of him Concerning his provissions He Desires me to Inform you that he eaver Intended them For the expedition and Still Continues so he is Determined to send them To Louisville as soon as the Kentucky is Passable He has not the Qunntity we Generally Heard He has not more than 15

¹ 55 Clark MSS., No. 13.

thousand, w^t of Bacon, and 20 barrells of Flower 6000 w^t of Hogs Lard. I was yesterday with M^r W^m Thompson, he has about 400 barrells of Flower 1000 w^t of bacon which he Determines to Start by the first rise of the water He says it is at your Service, he will Call on you when he gets to Louiville he says All he wants is a sertenty that he will get Paid some time he will be glad to here From you he tells me he wishes to be one of our party he Can Get a good Compauny I have incoraged him much but he wishes To have a few Lines from your self I think It will answer a good end if you Can have an Opportunity, General Leshaise thinks It needless to Go to Philadelphia as Citizen Mitchieux is not Dead but is to be out by the 15th of aprill. M^r Tardivoo¹ will Inform you through what Chanel this news Come. I Start this Day for Lexington Where I will Continue to Do eavery thing In my power for the benifit of the enterprise. I think if you Get thompson's provisions It will be Sufficient for the preasent I will use my Indavour to Secure Some powder If to be had. I think I had best Continue In this Country until Depow Starts His provision I will make free to visit Col. M^cmullin, perhaps it might be well for you to wright to him. I Do not think It is much against us that Gen. * * *² Has Declined I think it will be nessece To push on your boat as Fast as posible You may rest assured I will Continue to Do eavry thing In my power.

I am as useal youres

Dear General

Sam^l Fulton.

[Superscription.] "Major Genneral George R. Clark. Hand by Gen. Leshaise."

45. CARONDELET TO ALCUDIA (DRAPER COLLECTION).³

Secret Letter No. 31.

New Orleans, April 9, 1794.

Baron Carondelet, political and military Governor of the provinces of Louisiana and West Florida, incloses copy of the translation of the letter of Don Luis Milfort, agent of this government in the Talapuche nation, which shows the weakness or the partiality of the United States toward the French.

¹ See Nos. 1, 30, and 69.

² This name was apparently torn off from the letter by the breaking of the seal.

³ 39 Clark MSS., p. 164.

At the same time he complains of the insolence with which the American agent, James Seagrove, spoke of the Spanish government in a general Assembly of the tribe.

Most Excellent Sir:

In support of what I write to your Excellency, in secret communication No. 30, dated April 9th of this year, regarding the nowise friendly sentiments of the settlements in the West of the United States toward us, I send a copy of the accompanying letter of Don Luis Milfort, our Agent in the Crik tribe, whom, in the absence of his Majesty's agent, Don Pedro Olivier, I have commissioned to watch the proceedings of the American agent, James Seagrove, and to see that nothing was done contrary to the interests of his Majesty until the arrival of Don Luis de Villiers, Colonel in the Militia, to replace the former, whose health did not permit him to continue in this position.

The insolence and contempt with which this same Seagrove spoke in public, to the chiefs of the Crik nation, of our Government; the fervor with which he sought to dissuade them from going to the plaza of Saint Augustine, whose Governor had asked our agent for a certain number of warriors to oppose to the French and the American bandits, who were to attack that plaza, as appears from the debate of the Legislature of South Carolina included in the same communication cited, No. 30; the audacity and falsehood with which he affirmed that the French were not organizing another body on the Ohio, although he nevertheless confessed that Kentucky and the other Western settlements were resolved to open the passage of the Misisipi by force of arms, in case the Spaniards persisted in refusing it to them; whereas Seagrove could not but know of the proclamation made by order of Congress against the Frenchmen Le Chaise, Depeau, Mathurin, Gignoux, and their followers, sent by the French minister to the Ohio to form an expedition against Louisiana; and must also have known that these men have a fortified post established in the territory of the United States, in the vicinity of the river Chawanon,¹ with garrison and flag of the French nation, a most unheard-of proceeding, contrary to all treaties of neutrality; the audacity with which he permitted the American flag to be hoisted and displayed, in the midst of a nation which has neither had nor recognized

¹ See Nos. 38, 48, 55, 56,

any other than the Spanish flag, since the treaty of Panzacola in the year 1784, and in spite of my own constant refusal of the request of the valiant nation of the Cheroquies to grant them the Spanish flag; the obstinacy with which he seeks to have the boundary line drawn between Georgia and the Crik nation, as agreed in the year 1790, contrary to the established rights of Spain, without being willing to await the decision of the plenipotentiaries of both powers meeting at Madrid; the bad faith with which he sought to alienate Milfort from the Spanish service, in various private conversations, in which, exaggerating the power of the pretended French republic, he insinuated that being a Frenchman he ought not to favor his enemies by inciting the Indians to march to the aid of Saint Augustine; finally the conformity of what Seagrove said to the Indians with the resolution of the Democratic Society of the State of Kentucky, the letter of the same and its representation to Congress, enclosed in No. 30 cited, make the conduct of this public Agent of Congress as reprehensible as the good-faith and intentions affected by the United States seem suspicious.

All that I have just said, and likewise the speech made by the President of Congress on the opening of the same, saying that the commerce with the Indian tribes ought to be carried on at the expense of the public treasury, show that the United States are determined to draw away all the Indian tribes from the friendship of Spain at any cost. It seems to me indispensable to undertake immediately a pecuniary war with them, that is, that making use of the same means on our side, his Majesty indemnify the English house of Panton for losses sustained for the purpose of competing with American wares; and that the appropriation for giving presents to the Indians be increased. In less than two or three years the United States will grow weary of extra expense having no fruitful results and which their situation will not permit them to continue.

In the contrary case, it is certain that these provinces will in a short time be ruined by the savages, and that the inhabitants will prefer union with their former country, or with the United States, resorting to the greatest extremities if necessary in order to achieve this, rather than be exposed at every moment to the danger of being murdered, robbed and devastated, without hope of receiving any protection from the Government; since, their homes being scattered along both sides

of the Misisipi and not united in villages, it is impossible for them to aid one another or to protect themselves by forts.

The present situation demands prompt and efficacious remedies: Kentucky and the remaining settlements in the West of the United States will not let pass their opportunity while Spain is engaged in war against France; the United States, without declaring themselves enemies, are going to levy the most destructive warfare against us by means of the Indians, who are already vacillating; the smallest expedition under the auspices of the convention is formidable on account of the favor it will find in the inclination of the inhabitants, who, considering the misfortunes that threaten this province, and the total lack of forces for its defense, in part are discouraged, in part are rejoiced in the hope of a change of Government and of the enjoyment of the advantages of absolutely free commerce. Our partisans are few and these are reduced to silence. If his Majesty does not decide to send immediately at least one full regiment, and to adopt with the Indians the plan that I propose, I do not consider that Louisiana can be retained; but we are all ready to defend it as far as our strength will permit, and to perish with honor if we must lose it.

God, our Lord, guard your Excellency many years.—New Orleans April 9th 1794.—To his Excellency:—Baron de Carondelet—Seal—To his Excellency the Duke de la Alcuia.

[Extract from Milfort's report of Seagrove's speech.]¹

“The Governor of Louisiana tells you moreover that some *sans cullots*, which is the same thing as men entirely naked, are to attack him from the Upper Misisipi. I assure you, my friends, that there is no such thing. Where have these *sans cullots* passed? They must have passed through the air to get there, for I assure you that through my country there has not passed a single one of these imaginary *sans cullots*”

“It is true, my friends, that if they do not leave the passage of the Misisipi free to us, we shall not be long in obtaining it by force. The inhabitants of Kentucky are resolved that if Congress does not obtain this permission they will take it for themselves. They are to send a boat down to the sea by this river, and if the Spaniards take this boat, or detain it in its passage, they will go to find out who has done so.”

¹ Only the portion of Milfort's letter bearing on the French project is here printed. The rest deals with details of Indian conferences.

"The Spaniards tell you to make peace, and at the same time they tell you that the people of Cumberland are to unite with the *sans cullots*, and that they will not obey the orders of Congress. I assure you that all this is false. These people are subject to a Governor sent by Congress and follow the orders that he gives them. It is true, my friends, that these people desire to unite with the others who live in those lands to obtain the navigation of the Misisipi, if it is refused them; but I can assure you that nothing has yet been done in this matter; and that the expedition of the *sans cullots* has been forged in the brain of the Governor of New Orleans and of the Governor of Saint Augustine. You may be assured of this, for many of your people who come from there are present here and say clearly that they have seen no trace whatever of the imaginary twenty thousand men, nor even a single soldier in the fort in which it is said that provisions have been accumulated for the army, and finally, they say that this post is abandoned."

"The Spaniards, my friends, desire to make you fall into a trap that would be your ruin. I have lived for years among them, and know them sufficiently to assure you that they are everywhere the same. All their Governors care for very little else than to make money. All the merchants have an understanding with them, and therefore during the last ten years you have paid your wares so dear."

46. LEXINGTON RESOLUTIONS (DRAPER COLLECTION).¹

Philadelphia, June 23:

"On Saturday the 24th of May, a numerous meeting of respectable citizens from different parts of Kentucky assembled at Lexington; and after taking into consideration the degraded and deserted situation of that country, both as to its commerce and protection; and coolly deliberating thereon, the following resolutions were adopted:

"Resolved,

"1. That the inhabitants west of the Apalachian mountains are entitled by nature and by stipulation, to the free and undisturbed navigation of the river Mississippi.

"2. That from the year 1783 until this time, the enjoyment of this right has been uniformly prevented by the Spaniards.

¹ Newspaper Extracts, vol. IV, 1794, part I, p. 40. Draper's transcript from Maryland Journal, June 25, 1794. Compare Archives des Aff. Étr., États-Unis, vol. 41, p. 104.

“3. That the general government, whose duty it was to have put us in possession of this right, have, either through design or mistaken policy, adopted no effectual measures for its attainment.

“4. That even the measures they have adopted, have been uniformly concealed from us, and veiled in mysterious secrecy.

“5. That civil liberty is prostituted, when the servants of the people are suffered to tell their masters, that communications which they may judge important, ought not to be intrusted to them.

“6. That we have a right to expect and demand, that Spain should be compelled immediately to acknowledge our rights, or that an end be put to all negotiations on that subject.

“7. That the injuries and insults done and offered by Great Britain to America, call loudly for redress; and that we will to the utmost of our abilities support the general government in any attempt to obtain redress.

“8. That as the voice of all Eastern America has now called on the President of the United States to demand that redress of Great Britain: western America has a right to expect and demand, that nothing shall be considered as a satisfaction, that does not completely remove their grievances; which have a stronger claim to satisfaction, both from their atrocity and continuance.

“9. That the recent appointment of the enemy of the Western country to negotiate with that nation, and the tame submission of the general government, when we alone were injured by Great Britain, make it highly necessary, that we should at this time state our just demands to the President and Congress.

“10. That the inhabitants of the Western Country have a right to demand, that their frontiers be protected by the general government, and that the total want of that protection which they now experience, is a grievance of the greatest magnitude.

“11. That the attainment and security of these our rights, is the common cause of the Western people, and that we will unite with them in any measures that may be most expedient for that purpose.

“12. Resolved, As our opinion, that measures ought immediately to be taken, to obtain the sense of the inhabitants of this State at large, that no doubt may be entertained of their opinions and determinations on these important subjects; that

we may be able when it shall be necessary to communicate as a state, with the other inhabitants of the Western Country.

“13. Resolved, That it be recommended to each county in this State, to appoint a committee to give and receive communications on these subjects; to call meetings of their counties; and when it may be judged expedient, to call upon the people to elect proper persons to represent them in Convention, for the purpose of deliberating on the steps which will be most expedient for the attainment and security of our just rights.

By direction and in behalf of the meeting of the citizens of the State of Kentucky.

George Muter, Chairman.

John Bradford, Clerk.

Attest

“Lexington, May 28, 1794.

To the President and Congress of the United States of America:

The Remonstrance of the Citizens of the Commonwealth of *Kentucky*, sheweth,

“That your Remonstrants have observed, with concern and indignation, the injuries and insults offered to the United States by the King of Great-Britain. He has violated in important parts, the treaty of peace, the observance of which might have obliterated the remembrance of former injuries. He has, by means of his agents, supplied arms, amunition, cloathing, and provisions to those merciless savages, who have so long ravaged the Western frontier of this State. He has interposed, unsolicited, and negotiated treaties for Portugal and Holland, with the piratical States, in order to turn the rapine of these African barbarians solely on the American commerce. His vessels of war, and the piratical vessels of his subjects, by his orders, in violation of the law of nations, have despoiled the commerce, and insulted the neutral flag of America. He has made no compensation for the property of citizens of these states, carried away by his troops contrary to treaty. And, that we might escape no species of injury which could be heaped on the weakest and most despicable of nations, he holds within the territory of the United States, in defiance of treaty and of right, forts, fortified and garrisoned by his armies.

“That these injuries and insults call loudly for redress, and that we will to the utmost of our abilities, and in any mode that can be devised, support the general government, in the

firmest and most effectual measures, to obtain full satisfaction for all our wrongs.

“That your remonstrants, and the other inhabitants of the United States west of the Alleghany and Apalachian mountains, are entitled by nature and stipulation to the free and undisturbed navigation of the River Mississippi; and that from the year 1783 to this day, they have been uniformly prevented, by the Spanish King, from exercising that right. Your remonstrants have observed with concern, that the general government, whose duty it was to have preserved that right, have used no effectual measures for its attainment. That even their tardy and ineffectual negotiations, have been veiled with the most mysterious secrecy. That that secrecy is a violation of the political rights of the citizen, as it declares, that the people are unfit to be entrusted with important facts relative to their rights, and that their servants may retain from them the knowledge of those facts. Eight years are surely sufficient for the discussion of the most doubtful and disputable claim; the right to the navigation of the Mississippi admits neither of doubt or dispute. Your remonstrants, therefore, conceive, that the negotiations have been unnecessarily lengthy, and they expect, that it be demanded, categorically, of the Spanish King, whether he will acknowledge the right of the citizens of the United States, to the free and uninterrupted navigation of the river Mississippi, and cause all obstructions, interruption, and hindrance, to the exercise of that right in future to be withdrawn and avoided, than an immediate answer thereto be required; and that such answer be the final period of all negotiations upon this subject.

“Your remonstrants further represent, that the encroachment of the Spaniards upon the territory of the United States is a striking and melancholy proof of the situation to which our country will be reduced, if a tame spirit should still continue to direct our councils.

“Your remonstrants join their voice to that of their fellow citizens in the Atlantic States, calling for satisfaction for injuries and insults offered to America, and they expect that such satisfaction shall extend to every injury and insult, done or offered, to any part of America by Great-Britain and Spain; and as the detention of the posts, and the interruption to the navigation of the Mississippi, are injuries and insults

of the greatest atrocity and of the longest duration, they require the most particular attention to those subjects.

“Your remonstrants declare, that it is the duty of the general government to protect the frontiers, and that the total want of protection, which is now experienced by every part of the Western frontier, is a grievance of the greatest magnitude and demands immediate redress.”

47. WILLIAM CLARK TO JONATHAN CLARK¹ (DRAPER COLLECTION).²

Greenville May 25th 1794.

Dear Sir

I have never yet had the honor of a line from you, tho think it my duty to wright to you by every Oppertunity. This is the fifth or Sixth letter that I have wrote to you, oftener I could not find an oppertunity, as I have been nearly $\frac{3}{4}$ of my time on Command's—I arrived, at this place, only three days ago, after a tegious command of five months, greater part of the time at Vincennes, and on the Wabash River it appears that all active and Laborious commands fall to me. This last com^d was not only Labor^s but I like to have starved. I was frozed up on the Wabash River 20 days, without a supply of Provisions, in the disagreeable sutuation, I had once more to depend on my Rifle for subsistants,—on my return met with no Dificuelty in assending the Ohio, my flank guard routed several small parties of Inds. from the River but killed none, after stayend some time at Fort Washington I was ordered, to escort 700 Packhorses on theire way to this place, ladinid with clothes and provisions for the army—I had under my Command about 60 infantry and 20 Dragoons—at about 18 miles advanced of F. Washington my advance Guard, consisting of one Corpl. and C infantry in front followed by 1 Serg^t 1 Corp^l and 15 Drag^s was attacked by about 60 Indians. The Dragoons charged, surported by the Infentrey of the advance—The firing lasted about 15 Minuts, untill I surported the Van Guard. with the remainder of the infintrey from the reare of the Convoy—at the sight of the reinforcement the Indians retreated in confusion, leaving behind them one killed 7 rifles, forty odd

¹ This letter is from Clark's younger brother, afterwards, with Lewis, the explorer of the Missouri-Columbia route to the Pacific.

² Jonathan Clark, MSS., No. 33.

Blankets and a quantity of Provisions etc etc. several Indians supposed to be killed and wounded, as they bled plentifully in several places, Our loss was 8 men killed, and 2 wounded.

In the confusion of the Packhorses, a few of them left the road and was mounted by Indians in their retreat.

My Merrit for my disposition and officer like conduct in the (mentioned) fray has not been sufficiently rewarded. (no cred^t for my disposition only for my surporting the front. Kissing goes by favor) An officer under my rank, a passenger who attempted to charge but found the Indians to numerous retreated and Received the Lorels of that day—I have made a small application for a Independant Core of Riflemen, if I get them shall continue in service; if not I will resigu—

I was offered to day the Adjutancy and Q^rMaster to the 4th SubLegion—I have refused to accept but a second application from the Adj^t Gen^l puts me to a stand—The movement of our army is uncertain, I feare it will not get further this summer if we have a forward move it will be with but a handfull of men, not exceeding 1200 men, and the means of transportation is tended with so much Dificulty, labour and expence, I fear we never get supplied in advance of their plans—Tho Gen^l Wayne says he will set out in a few day's change the rout and fall into the road that My Bro. George went in the yeare 1781. Should he Carry the design into affect I then should have some hopes as the Country is much better for Transportation both by land and water—I am sorry to inform you that here has been contending parties in this Contunement the whole winter past, and is not yet queld—I was at my fathers in March they ware all will—The expedition that was going against Louisiana, I believe has given out. The Spaniards is much allarmed; a Fort is now building at Massace neare the Mouth of Ohio by Order of the *President*—The Chickasaw Indians are often here, I have now under my charge 18 Chickasaw Warriors, they will set out in a few days to war against the Macmics Tribes—I hope you will favour me with a line when you can make it conven^t as I shall always be glad to here from you. Prey wright freely youre sentiments respecting any miss conduct that you may has hird of me, (Tho I think you have herd none).

By an express just arrived from Vincennes Gen^l Wayne as well as myself is informed othenthecenly¹ that Gen^l Simco

¹Authentically!

with 3^d Reg^t of Regulars, some Militia and a number of Indians are at Rogue Doe the Indians Towns neare the Mouth of Miami River with intention to oppose Genl Wayne The commanding officer likewise informs that the Spaniards have Reinforced the Garison of New Madrid (50 miles below Ohio) with 150 Regular Troops five Galleys each 60 men have all the Militia under pay with a vast number of Indians for the purpose of opposing Gen^l Clark in an expedition against their Country.

Prey excuse the state in which I wright I am now on Gen^l Waynes Guard, the first Guard I have mounted on this Ground. Owing to my having don the Staff duty in the SubLegion sence my joining, but duty is now so hard that the Greater part of the staff officers are Detailed for Guard Duty—please present my respectable compliments to My Sister, Bro. Edmund and friends I should have wrought to my Brother, but have no time at present

I remain Y^r Af^t Bro and Sinc^r
Ob^t Servent

Wm Clark

I am Lieut. in the 4th
Sublegion if you will address your letter to any garrison I shal get it.

[Superscription]

Mr P. Huskell will please to forward this letter
from Stanton

General Jonathan Clark
Spotsylvania
County
Virginia

Mr William Clark

May 25th 1794

Stanton; forwarded by Peter Hoiskell
Delivered To the Wyatt
do: Edmd: Clark

48. REPORTS ABOUT CLARK'S PARTY (DRAPER COLLECTION).¹

Newark, May 28, 1794. On Friday last arrived at this town a gentleman immediately from New Orleans, who descended the river Ohio and Mississippi to that place, as late as March

¹16 Draper's Notes, p. 224; from Pennsylvania Gazette June 4, 1794.

last, who informs that a body of Gen. Clark's party, to the number of twenty one¹ had collected at the mouth of Cumberland river, allotted as the place of rendezvous; their intentions were when a sufficient number should have collected, to proceed to Louisiana for the purpose of attacking that place, as has been mentioned in former accounts; but a sufficient number for this purpose not having been collected, and Clark not complying with his promise, viz. to compensate them for their services, they determined to stop, detain, and plunder all boats that should be found passing the river; this gentleman having been previously informed of their intentions, by using every precaution, passed them in the night unperceived, and proceeded on to Lance La Grace,² a Spanish settlement on the Mississippi, where he gave information to the Commandant of the designs of these ruffians. He immediately despatched a party of Chickasaw Indians, who fell upon them, killed three, wounded four and dispersed the remainder as he was informed by a gentleman who saw the affray shortly after at New Orleans.

49. FULTON TO FAUCHET (DRAPER COLLECTION).³

Cityan Samuel Fulton

I Samuel Fulton a Citizen of West Florady⁴ Do take this method to inform the Minister Of France my preasent situation for some years I had resided in west florady where I had ingrosed A Considerable property but when the Spaniards Proclaimed war against France, and wold have eavery man To take the oath of alleagance to the King of Spain I being of a republican principal refused to Do it And was ordered to leave their Dominions in ten Days without leave either to Dispose of my property or bring it of with me, my route from thence was through the Creek and Cherokee nation to Knoxville thare hearing of an expedition from Kentucky against the Spaniards by order of M^r Genett I being then in hopes of releaving some of my Destressed Fellow Cityans was happy to imbrace so good a Cause. And with Some letters of recommendations

¹ See Nos. 38, 45, 55, 56.

² New Madrid.

³ 55 Clark MSS., No. 15.

⁴ Fulton's antecedents are given in American State Papers, Indian Affairs, i. 463. Stricken out at the beginning of the letter printed above is this paragraph: "Samuel Fu'ton, A Citizen of Tensai West Florady and having resided there between three and Fore years under the protection of McGillvery Chief of the Creek nation." Fauchet, Genet's successor, was presented to the President, February, 1794.

from Governor Blount went forward to Kentucky to Joyn Genl Clark and Shortly after my arrival there he thought Fit to Give me the appointment of a Major In the Horse for that expedition and afterwards Reposeing Confidence in me Detacht me Sundry times throug the State of Kentucky in order to promote the business and precure Such nessecerys as we Should stand In need of. General Clark and Genl Lachais Boath being without money I bore my expenses out of my own private purse not Doubting but the republic of France wold repay all Such expencis.

I hope that Mr Fachtet will order my accounts as follows to be Paid and Grant me a free passage to France And a letter of recommendation to the Commity of Safety as I Claim myself a French Cityan and in want of assistance as it is not in my power to have Any Resorse to my owne property.

My accounts as thay are Stated I Do assure them To be just.

I am with eavery Sentiment of regard and Easteen your Humble Servant.

Saml Fulton.

1794

| Dr. The Republick of France To Samuel Fulton. | | £ | s | d |
|--|---|----|----|---|
| January 8 | To fifty Dollars, Paid on express to The Illinois in order to Sound the Inhabitants of that Country | 15 | 0 | 0 |
| From the 8 to the 28th | Detacht by Genl Clarks order to Lime Stone And Sundry other parts of Kentucky, the Amount of my expences During that rout | 6 | 5 | 6 |
| From the 28th untill March 15th. | My Expences at Louisville for self And Horse twenty five Dollars. | 7 | 10 | |
| 16 Returned the first of Aprill | Left Louisville by Genl Clarks orders To examine in what State the provissions That Delpau had purchased for the Republick of France was in and to indeavour To Secure a quantity more my expences During that Rout of 16 Days—fifteen Dollars. | 4 | 10 | |
| | My expences at Louisville from April the 1st untill the 20th for self and horse 12½ Dollars | 3 | 15 | |
| April 20th | Left Louisville by Genl Clarks orders, after the Receipt of Mr Fauchet's proclamation To Countermand all orders that had before Been Issued, my expences During that Rout of twelve Days 15½ Dollars. | 4 | 13 | |
| May 1st | My expences at Louisvill untill the 14 of may being fourteen Days 15 Dollars ½ | 4 | 11 | 6 |
| | The whole amount of my expences from the 14 of May untill my arivall in philidelpha | 13 | 18 | 3 |
| | | 60 | 0 | 3 |

[Endorsed: "a copy"]

50. CARONDELET TO [ALCUDIA] (DRAPER COLLECTION).¹

No. 38 Secret.

New Orleans, July 9, 1794.

Baron de Carondelet, political and military Governor of Louisiana and West Florida encloses reply of the chief Commandant of the Province of lower Canada, Mr. Sincoe;² he relates, with documents, the audacious project of the Americans to build a city in the very possessions of the King, and his fears of a rupture between the English and Americans, on which he gives his ideas.

Ex. Sir: I remit to your Excellency copy No. 1 of the reply received from the chief Commandant of Lower Canada, Mr. Sincoe, to the letter I sent him asking succors for our settlements in Illinois, should they be attacked by the French expedition which General Clark was arranging on the Ohio, as I informed your Excellency in secret letter No. 23, January 1st. From its contents it is plain how useful and advantageous for the defense of Louisiana and especially of Upper Louisiana would be an agreement between the Courts of London and Madrid of reciprocal guaranty between Canada and Louisiana with the stipulation that this comprise all the vast territory extending to the north of the Missouri and to the west of the Misisipi, which, according to the New York paper, The Diary or Evening Register of February 11 of this year, translation No. 2 annexed, the United States seem to desire to seize.

Having read at the same time in the Gaceta de Madrid of Friday March 7 a London article of January 17 as follows: The ground was, moreover, indicated for two other cities on the shores of the Potowmack and of the Misisipi. "—I must infer that this last one is the same of whose plan the New York paper mentioned above treats, wherefore it appeared to me expedient to make known to you that such settlement falls precisely in His Majesty's possessions, as in the very place designated for this city" at the confluence of the Misisipi and Misuri or near it (as they say) is situated on the N. shore of this last the village of San Carlos only three short leagues from the Misisipi and three from San Lu s de Illinois, the head of those settlements, whence the new Santa F  is reached in 24 days.

¹41 Clark MSS., p. 1 (Spanish Papers).

² Sincoe: His letter, of which a translation follows in the original, was of a general friendly nature, and is not printed here since its tenor is disclosed in the letter above given.

All the lands west of the Misisipi having always been recognized by the English themselves as dependencies of Spain, and the Misuri being in their midst, a River almost as mighty as the Misisipi of whose source we have yet no positive knowledge, though believed to be near the great rocky mountains, called black feet by the natives, which separate our settlements from the new Russian ones situated farther above California, i. e. above the bay of San Blas, as they infer, I do not see that the Americans have any right to make settlements in them, which would absorb ours in a few years, and would take from us the very productive trade in skins on the Misuri, the object for so long a time of English ambition; which would give them the trade of all savages on both shores of the Misuri, which we are beginning to explore, a company having formed for this object at San Luis, Ilihoa; and would open them a very easy road to the rich mines of California and the inner provinces, without these being able to oppose sufficient force against men able to run 200 leagues and to maintain themselves five or six months in the woods without other aid than their carabines and some corn-meal.

I do not doubt that in consideration of some privilege granted to the English for the fur-trade north of the Misuri, his Majesty may engage the London Court to the guaranty mentioned, in which case the United States would never dare to undertake an invasion of Louisiana by the Ohio, leaving in the wake of their expedition the powerful forces of Canada and the warlike Indian tribes dependent on the English, nor to attack Canada, their army being menaced in the rear by our savage nations, whom we can easily stir up to action by a sum of 100,000 of extra annual appropriation.

By the promise made to the tribes of the North by Lord Dorchester of which Governor Sincoe sent me a copy (enclosure No. 3) you will see the system pursued by the English toward the savages of the North; it is really the same as I have adopted toward ours, being very powerful means to employ against the Americans: this is the motive which engages the United States to make peace at any price with them, and the same reason should incite us to prevent this, which we can at any time bring about with a few thousands opportunely applied without the United States being able to complain of us; but I think that for our mutual advantage it is expedient that in matters relative to the war of the savages with the Americans, the Governor of Canada should have a secret

understanding with me, as it will be much easier then to combine and direct operations so as to cause the greatest damage to our neighbors.

I do not think that the plan proposed for the building of said city at the confluence of the Misisipi and the Misuri can be carried out during the coming autumn as they suppose, but if they attempt it I shall try to prevent it either with the Indians or the militia that can be gathered; making, before resorting to arms, the most efficacious and politic protests to the leaders; but those settlements being 500 leagues from the Capital, I can not but declare that all its force is only 300 militia and 50 men of this permanent regiment, from whom little and brief resistance can be expected, in case the English of Canada do not give them a hand, if His Majesty do not decide to send two of the regiments of the kingdom of New Spain in case of rupture as they cannot be sent from Europe.

God, our Lord, guard your Excellency many years—New Orleans, July 9, 1794.—To his Excellency—Baron de Carondelet—Seal.—To his Excellency the Duke de la Alcudia.

51. FULTON TO CLARK (DRAPER COLLECTION).¹

Philadelphia July 21th 1794.

Dear General

I arived here the 6th of this instant General Lashais and my self parted at Hawkins Court House I went to Knoxville and Staid ten Days, he persued on by the way of Richmond He has not yet arived here nor no word from him I feare Some unfore seen acciden has hapned him M^r Mitchaux has been in Charlestown this 5 Months, Tomorrow I am to have a Conference with M^r Fauchet I Doubt I Shall Get Nothing Done here How eaver I shall Do Eavery Thing In my power You shall here From me by the nex post as M^r January is Just Starting. I have inClosed a paper of the Latist accounts we have Here.

Dear General I Remain with eavry Sentiment of Regard and Easteem

Your Humble Servt.

Sam^l Fulton.

Gen^l G. R. Clark.

My best Compliments to the Famely.

¹55 Clark MSS., No. 18.

the 22nd.

this evening I have had a Conferince with M^r Fauchet He Says he Can Do nothing for us untill He receives orders from the National Convention. He Tels me he has rote for instructions Concerning the business. He begs that we will Collect the whole of our accounts and send them forward in one boddy with a memorial He makes no maner of Doubt but we will Be paid.

Adue

Sam^l Fulton.

G. R. Clark.

[Superscription.] "Gen^l George R. Clark, Near the Rapids of the Ohio. Kentucky. Hnd by M^r January.

52. FULTON TO CLARK (DRAPER COLLECTION).¹

Philadelphia, July 26th 1794.

Dear General

M^r Lachais arived here yester Day he wated on the Minister with me but nothing Can be Done. I find thare Is no other alternitive than to weight on the National Convention which I beleave I will Go with M^r Lachais we think to Set Saill in ten Days. Its my intention to Do eavry thing in my power for the best.

M^r Fauchet tells us that there is manner Of Doubt but we will be paid. He advises Me to Draw a memorial and present With our Demands, we are endeavouring To mak as Just a Statement as in our Power. I have McCullam's account the rest We Shall be oblig^d Gess at. we will make the best endeavours to State the business to your Satisfaction.

M^r Fauchet tells me that thare Is no manuer of Doubt but we may Renew the expedition by applying To the national Convention, and our Wish is to get thare as soon as possible. So as to make Some arrange ments This Fall, think me as true a Friend to the Cause as eaver. I have Refused an appointment In the Fedrel army which was Presented me by Gen^l Knox.

Theare Is nothing more here worth writeing to you mor than what I have wrote by M^r January. There inClose this Days paper which Contains the Circulating news of the City.

¹55 Clark MSS., No. 17.

I am Sir with eavery Sentiment of regard and easteem your
verry Humble Ser^{vt}

Sam^l Fulton.

My Best Compliments to the Famely Generally.

Adue, Dear General,

I am,

S^m Fulton.

General Lachais Desires to be remembered * * *¹ And
the family He will w ite you my the post on our return from
new York. We Start thare tomorrow.

Adue.

[Superscription.] "Major General George R. Clark, Near
the Rapids of the Ohio. Kentucky. IInd by M^r M^c Collum."

53. CARONDELET TO ALCUDIA (DRAPER COLLECTION).²

New Orleans, July 30, 1794.

The Brigadier, Baron de Carondelet, sends copy of the reso-
lutions taken at Lexington by the most respectable citizens of
Kentucky, regarding the free navigation of the Misisipi:³ he
represents the urgency of treating directly with the American
states of the West and of putting himself on a basis to resist
these, if they begin hostilities at the end of the year, in case
an amicable agreement is not made with them.

Excellent Sir:

Regarding the political relations of Spain with the United
States I send you accompanying copy of news received from
Kentucky relative to the navigation of the Misisipi. The cir-
cumstances are urgent, as I do not doubt that they will begin
hostilities at the end of the year, in case we have not then
made a friendly agreement.

If W——⁴ comes down at the end of November next, with
two or three men of the highest consideration to this capital,
as he promises, I will negociate a treaty with them whose
basis will be the separation of the Western States from the
Atlantic States, and the other conditions which I have pro-
posed to your Excellency in secret letter No. 36 of which I add

¹ One or two words torn out in the manuscript.

² 41 Clark MSS., p. 29 (Spanish Papers).

³ See No. 46.

⁴ Wilkinson? See No. 1.

duplicate, unless in the interim I receive other instructions from you to which I will conform blindly.

I do not suppose that the Captain General can send me the regiment of the kingdom of Mexico that I ask for; however, Your Excellency knows that negociations not backed by arms can not inspire the respect which would be given them by the sight of our forces, in the opinion of the Kentuckians, who would then come to doubt of the success of a war undertaken against the laws of the general federation without the consent of the Atlantic States.

You will see by what is happening what good reason I have had for suspending the execution of the Royal order regarding the reestablishment of the 15% duty on all products of Kentucky and other settlements of the West that come down to this Province by the Ohio; which would have hastened the hostile determinations of the same, inducing them perhaps to unite and help the French expedition of Gen. Clark which he tried to form on the Ohio, and which our partisans among the Kentuckians succeeded in dispersing.

God guard the life of your Excellency many years. New Orleans July 30, 1794. To his Excellency: Baron de Carondelet—Seal—To his Excellency the Duke de Alcudia.¹

54. CLARK TO FULTON² (DRAPER COLLECTION).³

Traduction

Louisville, 3 Août 1794.

Major Fulton

J'ai reçu la votre du 10 Juillet par laquelle vous m'informez que Citoyen Fauchet n'est point autorisé à régler les dépenses que nous avons faites pour soutenir les intérêts de la France dans ce pays, mais qu'il vous engage à vous adresser au comité de Salut Public—si vous pouvez obtenir assez de fonds pour vous frais de voyage, vous partirez avec le Général Lachaise pour France ou vous informerez le comité des Salut Public de ma situation—comptant sur les fonds que je devois recevoir du Ministre français selon sa promesse J'ai contracté des obligations pour le payment des comptes que je vous envoyé cy inclus.

Je me repose tellement sur la justice du Gouvernement Français que je ne doute nullement qu'il donnera des ordres de

¹ Spanish translation of the resolutions in No. 46 followed.

² The original of this letter was probably written by Fulton in Clark's name, as shown by Fulton to Clark, August 28, 1794. No. 58.

³ 55 Clark MSS., No. 18.

regler ces susdit comptes, et la presente vous tiens lieu de pouvoirs pour regler toute reclamations relative a l'expedition.

Je suis, cher Fulton avec consideration

Votre Sincere amy

Signe G. R. Clark.

Je vous ai écrit il y a 3 jours par Mr Hardin & Je vous disois que sy vous ne pouvoir obtenir d'argent pour vos frais de voyage vous fassiez traite sur moy pour 2000 acres de terre ou telle quantité que vous croiriez convenable.

J'accepterais votre traite

Adieu

Je Soussigné James Cole Mountflorenc¹ Chancelier du Consulat des États unis de L'Amerique à Paris, certifie que la piece ci dessus est une Traduction fidele d'une lettre en langue Américaine que m'a produit le Citoyen Fulton Chef d'Escadron du Service de la Republique française, en foi de quoi j'ai signé les presentes et j'ai apposé le Sceau des Consulat à Paris le 25 Ventos au 3me.

J. C. Mountflorenc.

55. CLARK'S CLAIMS (DRAPER COLLECTION).²

The Republic of France to General George Rogers Clark, Dr.³ For the expenses of the expedition orderer by Citizen Genet Minister plenepotentiary of the Republic of France at Philadelphia.

Paid to Hugh McCulum For Sundrys Delivered ⁴

| | D. | C. |
|---|------|-----|
| The Troops to the amount of..... | 1123 | 53½ |
| The Troops Stationed at the Mouth of Cumberland, 2 mo..... | 1346 | |
| To Capt. Irwin for provisions..... | 300 | |
| To a Boat Builder. Dissapointed..... | 100 | |
| To 2 boats at 150 Dollars each..... | 300 | |
| To the Different emmecereys Sent throw the Spanish Country. | 500 | |
| To Sundry express sent to the Ilenois and Cumberland..... | 200 | |
| To a Canon taken by the Spaniards..... | 300 | |
| To a boat and flower sent from Louisville..... | 150 | |
| Powder, ball etc to the amount of..... | 361 | 33½ |

Dols. 4, 680. 86½

¹ See Gilman, James Monroe, 204, and Ford's Jefferson, Writings 1, 245.

² 55 Clark MSS., 20.

³ On the preceding page of the MS. volume, is the same account certified by Clark, with the addition of 6 cents in the last item. Compare No. 56.

⁴ See Nos. 24, 25, 58, 62.

Louisville August the 3rd 1794.

Since which I have paid the expences of 2 French officers Sent
by Citizen Genet to Louisville..... 125
4680. 86½

Total Dol 4805 86½

I Do Certify the within account to be just

G. R. Clark.

This Day personally appeared before me, General George R. Clark and made oath according to Law that the above account as it Stands Stated is just. Given under my hand this 25 of October 1795.

Errors excepted.

Richard C. Anderson J. P.

56. CLARK'S CLAIMS (DRAPER COLLECTION).¹

La République Francaise doit Au General George Roger Clark pour
Raison d'une Expedition ordonnée par le Citoyen Genet Ministre Pleni-
potentiaire de la Republique française à Philadelphie

SCA VOIR

| | Dollars | Cts. |
|---|---------|------|
| Pour le Montant du Compte de Hugh McCollum à cause articles par lui fournis..... | 1123 | 53½ |
| a une Capttaine 1 lieutenant et 100 hommes ² pendant deux Mois | 1346 | |
| Au Cap ^t Erwin pour provisions delivrée aux troupes à Thomas January pour 2 habits a 150 ^D chaque..... | 300 | |
| Indemnité à un Constructeur de Batteaux du Poste St. Vincent | 100 | |
| aux differents Emissaires envoies sur le territoire Espagnol.. | 500 | |
| a plusieurs Couriers envoies aux Illinois et à Cumberland... | 200 | |
| un Canon de fonte pris par le Espagnols et les Sauvages..... | 300 | |
| un Batteau et 10 Barelz de farine aussi pris par L'Enemie et qui avaient été expediés de Louisville..... | 150 | |

Dollars ³ 4319 Dol 53½

Signé G. R. Clark

Louisville le 3 août 1794

Je Soussigné James Cole Mountfloreance Chancelier du Consulat des
États unis de L'Amérique à Paris certifie que la piece ci dessus est une
traduction fidelle d'une Compte en Langue Americaine qui m'a été produit
par le Citoyen Samuel Fulton Chef d'Escadron au Service de la Republi-
que française. En foi de quoi j'ai signé les presentes et j'ai apposé le
Sceau des Consulat à Paris le 25 Ventos an 3me.⁴

J. C. Mountfloreance.

¹ 55 Clark MSS., 21.² See Nos. 45, 48, 55, 60, 62.³ On the total, compare Nos. 55 and 64.⁴ March 15, 1795

CORRESPONDENCE OF CLARK AND GENET. 1073

No. 2

La Convention Nationale de la République française Doit à Hugh McCollum.

1793

le 10

Argent de Kentucky

| | | |
|-----------|---|------------------|
| Decembre. | 30,068 ^{lb} pesant de Boeuf, furnie à L'armee française à Big Eddy sur la rivière de Cumberland sur le commandement du Gen ^l George R. Clark a 2 ^d | £250—11s—4d |
| | 20½ Minots de Sel a 24 ^e | 24— 8 |
| | un grand Canot..... | 6— |
| | un plus petit idem..... | 3—12 |
| | 60 Barils pour Saler du Boeuf..... | 21— |
| | 40 Peaux de Boeuf..... | 12— |
| | un Batteau plat neuf..... | 6— |
| | Salaire de deux buvieriers employes 45 jours au Magazinage et Salaison du Boeuf se a 3/chaque | 13—10 |
| | | <hr/> £337— 1 —4 |

Laquelle somme de £337—1—4 Argent de Kentucky est égale a 1123 Dollars 53 Centiemes et un tun.

E. E.

Signé Hugh McCollum.

Recu les Articles ci dessus comme portes. au susdit Etat; je dis Recu Recu par Moi John Montgomery Colonel de la Legion Revolutionaire sur le Mississipi.

Veuill. z Payer le compte ei dessus

Signé G. R. Clark.

M. Genet cidevant Ministro de france.

Je Soussigné James Cole Mountflorencia Chancelier du Consulat du Etats unis de L'Amérique certifie que la Piece ci dessus est une traduction fidele d'un Compte en Langue Américaine que m'a produit le Citoyen Fulton Chef d'Escadron au Service de la Republique française, en foi de quoi j'ai signé les presents et j'ai apposé le Sceau du Consulat a Paris le 25 Ventos de l'an 3^{me}

J. C. Mountflorencia.

Copie.

Souscripteurs.¹ No. 3.

Argent de Kentucky.

| | | |
|--|--------------------------|------|
| G. Brackenridge..... | | £ 6— |
| Robert Barr paie en poudre..... | | 9 |
| James Trotter } | 50 lb. de poudre..... | 10 |
| Andrew Holmes } | | |
| Irwin et Bryon..... | 30 id ^m | 6 |
| Alexander et James Parker en poudre..... | | 7 |

¹ Compare American State Papers, Foreign Relations, I, 460.

| | | |
|---|--|----------|
| D. Caldwell et Comp ^{le} | 25 ^{lb} Poudre..... | 5 |
| Seitz..... | 30 ^{lb} id ^m | 6 |
| William Hughes..... | 50 ^{lb} id ^m | 10 |
| R. Patterson..... | 25 id ^m | 5 |
| | et en argent..... | 2— 8 |
| James H. Stewart..... | 20 id ^m | 4 |
| George Mansel..... | | 3 |
| John Bradford ¹ | | 3 |
| Isaac Ware..... | 12½ id ^m | 2—10 |
| Levi Todd..... | | 6 |
| McGregor..... | 25..... | 5 |
| Thos Todd..... | | 1—10 |
| Fred Lauman..... | 20..... | 4 |
| George Anderson..... | 12..... | 2— 8 |
| A. M ^c Silvain..... | 25..... | 5 |
| Rob ^t Holmes..... | | 7—12 |
| John Cock..... | 25..... | 5 |
| | | £108— 8— |

(Au dos)

Je Soussigné m'obligé moi et mes Heritiers de paier au Colonel Robert Patterson et M^r John Bradford au on avant le première Jour de Janvier 1795, la Somme d'argent et la quantité de poudre annexes aux nome Respectif d'autre part; les articles m'avaient été delivrés et prettes par ces Personnes sur ma Demand pour mon usage particulier—Signé ce 29 Mars 1794.

Signe Sam^l Fulton

Chargé de Procuration de George Rogers Clark.

Ateste par

Signé August W. Waldrhyn.

Je Soussigné James Cole Mountflorencia Chancelier du Consulat des Ftats unis de L'Amérique à Paris certifie que la piece cidessus est une copie fidelle d'une Piece d'Escriture en langue Américaine que m'a produit le Citoyon Fulton Chef D'Escadron au Service de la Republique française, en foi de quoi, j'ai signé les Presentes et j'ai appose le Sceau du Consulat a Paris le 25 Ventos au 3^{me}

J. C. Mountflorencia.

57. FAUCHET TO CLARK² (DRAPER COLLECTION).³

Philadelphie, le 9 Fructidor, l'an
2^{me} de la Republique Française une et
indivisible. (le 26 août 1794, vieux Style)

Joseph Fauchet Ministre Plenipotentiaire de la
Republique française [pres les États unis]⁴

¹ Editor of Kentucky Gazette? Note the absence of the names of the pro-Spanish party, such as Wilkinson, Sebastian, etc.

² Obtained by Dr. Draper from Pat. Joyea, Louisville, 1871.

³ 54 Clark MSS., No. 27.

⁴ MS. torn and partly illegible.

Au General G. R. Clark.

Monsieur,

Le Major Fulton m'a fait part des papiers dont vous l'aviez chargé etc. des lettres que vous lui avez écrites. J'y ai vu avec bien de la reconnaissance des nouvelles preuves de votre attachement à la cause et aux interests de la Republique française, et des sacrifices auxquels il vous a entraîné. Je regretterais Sincerement que ces Sacrifices vous occasionnasent quelque embarras, et dans la vue de vous convaincre de mes Sentimens à cet égard, je vais vous communiquer ce que mes instructions me permettent de faire relativement aux dépenses de l'expédition dont vous avez été chargé.

Je divise ces dépenses en deux Classes.

La 1^{re} concerne les deboursés et frais qu'ont occasionnés le Service de cette expédition, les fournitures faites aux divers rassemblemens et l'achat des munitions de guerre.

La Seconde consiste dans les dédommagemens appointemens et traitemens réclamés par les differents particuliers employés dans l'expédition.

Mes instructions m'autorisent à acquitter les dépenses de la 1^{re} Classe, pourvu qu'elles ayent été dument autorisées par le Ministre mon prédécesseur, et que les comptes en Soyent arrêtés et approuvés dans une forme réguliere, bien entendu que l'on défalquera de ces comptes la valeur des munitions ou fournitures qui Seront Susceptibles d'être revendues, ou qui l'auront été jusqu'a présent. Je vous engage donc, Monsieur, a me mettre à même de venir a votre Secours pour les débourses du geure que je viens de décrire, et qu'il me parait tres juste de rembourser.

Quant aux frais de la Seconde classe je ne suis autorisé a rien Statuer a cet égard, et je me vois obligé de demander en France des instructions particulières pour cet objet. Ce que je puis vous promettre, Monsieur, c'est d'appuyer avec chaleur la demande des Citoyens que leur zèle a engagés a prendre parti dans l'expédition et de ne rien negliger pour leur * * *¹ des indemnites raisonnables.

Je desirerais en conséquence que vous me fissiez parvenir un état Signé de vous, des Citoyens qui réclament des appointemens ou dédommagemens et de ce à quoi ils peuvent avoir droit. Je ferai passer cet état en France par la 1^{re} occasion

¹ Manuscript torn.

et je ne doute pas que la Republique Francaise a qui j'ai deja fait part en general des reclamations qui me paraisaient justes, ne les accueille favorablement.

Agréez, Monsieur, l'assurance de mon estime particuliere.
Jh. Fauchet.

[Superscription]

General G. R. Clark
•
Louisville,
Kentucky.

Forwarded by
Mr. D

58. FULTON TO CLARK (DRAPER COLLECTION).¹

Philadelphia August the 28th 1794.

Dear General

Since my Last by M^cCullam I have had Sundry Conferences with M^r Fauchet. I have used Eavery means in my power for to Induce him to Send you some money to releave your amediate wants. And to Grant me a passage to france and a Small sum Of money to Defray my expences as my needs are great Meeting with a Disappointment at Knoxville by the Abstinance of Governor Blount² and on my arival here To my Great mortification found boath my friends to be abstante and not yet returnd. I may have extended the Power you gave me too fare in order to Do the best for us Boath for I find there is an endespenceble needessity For me to go to france, I here send you a just Statement of my prosiedings I think you will not Condemn them as I found your Letter had not the Desired affect nor my Mission Suffissiently authenticated by you I made free To make use of your name. In the follow- ing maner In the first instant I Signd your name to a brevet of A Major in the Horse. Dated January the 7th 1794—which I hope you will record, as I have reason to think I sall Receive the Same appointmint in france if a mestake Schold take place it might Greatly ingure us boath. You reposed Confidence in me and you may be well asured That I will obtain the Desired object, or Die in the attempt. I leave you to go and See the Council in consiquence of my business.

¹55 Clark MSS., No. 23.

²See No. 37 and American State Papers, Indian Affairs, 1, 463.

Sir I must Conclude by Informing you you that he puts me of for 2 Days longer. It appear a Dificult matter to obtain apassage for feere of my being Detecked as an american my ententions are to run all risks if they will Let me go, I send you a coopy of a letter¹ that I wrott in your name adrest to my self that has been the first thing that has takeing me into Consideration, it is as follows in Substance Dated the 7th of July, Desiring me to go with Gen^l Lachais and Solisit the Minester for a Small Sum of Money to releive your amedate wants or otherwise you wold be obliged to sell Lands at a low price to to Descharge the emediate Demands for your haveing Confidence in the Republic of france that you had Given your own private obigation and that from the News that M^r Irwin brought you you expected I wold Get nothing Done at philidephia, but if I Cold posibly obtain money Suffissiant to Carry me to france that I wold Go and inform the national Convention of your Sitation, and if I cold obtain money on no other Terms that I had liberty to Draw on you for one thausan acres of land that you wold accept the bill this I was Certain that I might be Safe in Since that m^r fauchet has thought fit to write you. I have not yet got his Desiseve answer but promiss I Shall know on Saterday. I will write you by post In a few Days again. I inclose you this Days paper which has the latist europeau intilligence.

I hope it will be in my to Give you more Satisfaction

Dear Gen^l I am with eavery

Sentiment of regard and Humble Serv^t

Sam^l Fulton

G. R. Clark

My Complyments to the famely

Adue

Sam. Fulton.

[Superscription] "Gen^l George R. Clark. Louisville, Kentucky. Hnd by M^r litle."

¹Compare No. 54, of date August 3.

59. FAUCHET TO COMMISSIONER OF DEPARTMENT OF FOREIGN AFFAIRS (DRAPER COLLECTION).¹

Legation de Philadelphie

Particuliere.

Philadelphie le 30 Fructidor an

2^{me} de la republique une et indivisible.²Joseph Fauchet ministre Plenipotentiaire de la
Republique Francoise pres les Etats unis.Au Commissaire du Department des Relations
Exterieures

Citoyen,

Le Citoyen Auguste Lachaise venue de St Domingue dans ce Continent avec passe port de l'autorités constitués a été employé dès le mois d'octobre de l'année dernière par Genet a disposer dans le Kentucky l'attaque qu'il avoit projetée contre la Louisiane. Il paroît s'y être employé avec zele et est revenue de cette mission d'après les ordres de tout Suspendre que je lui ai fait passer Conformément à mes instructions. Comme ce Citoyen à acquis pendant son sejour dans les contrées de L'ouest de L'amerique et par ses entrevues avec les principaux personages de cette Partie des reseignements qui peuvent être utile au Comité de Salut Public, j'ai cru devoir le faire passer en france le plus promptement possible, Il s'y rend accompagné du Citoyen Fulton qui à demeuré Longtemps sur les frontiere de la Louisiaana, et qui m'a paru propre à donner aussi des lumières sur l'operation projetée par Genet et sur ses moyens d'Execution. Ce dernier est d'ailleurs chargé de la procuration du General G. R. Clark qui étoit a la tête de toute l'entreprise et qui reclamé des dedommagements. Il a été payé au Citoyen Lachaise Ses frais de voyage et de séjour dans le Kentucky, mais il n'a reçu en Amerique aucun traitement soit pour les fonctions qu'il exerçoit a St Domingue soit pour la mission particulière dont il a été chargé.

Salut et Fraternité

P. S. J'ai remis au Citoyen Lachaise un Paquet pour toi, je desire qu'il parvienne a bon portee.

Je sousigné James Cole Mountflorencia Chancelier du Consulat des États unis de L'Amérique à Paris, certifie que la Piece

¹ 55 Clark MSS., No. 14.² September 16, 1794. Compare the copy in the Archives des Affaires Étrangères, États Unis, vol. 41, p. 417.

ci déposé est une Copie fidelle d'une lettre originale que m'a produit le Citoyen Fulton Chef d'Escadron au service de la Republique Française; en foi de quoi j'ai signé les presents et j'ai apposé le Sceau de Consulat à Paris le 26 Ventos an 3^{me}.

J. C. Mountfloreence.

60. GAYOSO TO ALCUDIA (DRAPER COLLECTION).¹

Secret, No. 1.

The Governor of Natchez writes that he has received an order from Baron Carondelet, Governor of this province to excite the Chicasaw nation to expel the Anglo-Americans from Fort Masack on the waters of the Ohio. He exposes the impropriety of such conduct, since this fort was built to favor our cause at the solicitation of the representatives of His Majesty at Philadelphia; that hostilities committed by Indians at our instance would end the negociation pending between Kentucky and this province, lately renewed, by which Baron Carondelet has just paid 12000 dollars to General Wilkinson.

Sir; Although I have, to my own great prejudice, tried to avoid wearying the attention of your Excellency, with general details relating to this province, desiring to avoid interfering with the arrangements made by Baron Carondelet, having sufficient reasons for believing that such conduct might be disagreeable to him, I have been content simply to call his attention to the objections I conceived, but there now occurs a circumstance which may be productive of the most serious consequences, perhaps compromising our Court with the American States.

I have just received a secret communication from Baron Carondelet, Governor of this province, of which I subjoin copy no. 1 referring to an order of the Captain General of these provinces, of which I also inclose a copy no. 2. Their substance is an order to myself to excite the Chicasaws nation to reclaim the new post in which the Anglo-Americans have formed Fort Masack,² and that if necessary they should expel them by force, offering them arms and munitions therefor.

¹39 Clark MSS., p. 144 (Spanish Papers).

²See American State Papers, Foreign Relations, 1. 458; Collet, Journey, Atlas, plate 25. See also No. 67.

As the motive of the Anglo-Americans in building this fort is of a very special nature, I cannot but explain it to your Excellency.

At the end of the last year the French projected an expedition in Kentucky and on the waters of the Ohio, against this province, inducing the people of this county to unite with them. This plan was progressing actively, when the representatives of his Majesty in the U. S. appealed to the President complaining that such a proceeding should be tolerated and soliciting that he take the most efficacious measures for putting a stop to the illegal proceeding of the French in Kentucky and likewise of many of its own inhabitants even.

The President at once made the requisite provisions, giving the strictest orders to Kentucky for the purpose of destroying the projected expedition and in fact the provisions of the President were made public there, but the partiality of many fanatical partisans of the French still dominating, they disobeyed these orders, going so far in their audacity as to build a fort¹ at the mouth of the Cumberland river to hold back the boats that might come to trade in this province, which they in some cases did; learning which Gen'l Waine, in virtue of the orders of the President to break up the projected expedition, sent a detachment of his army to dislodge the rebels, which was done, setting at liberty a flat boat loaded with flour and biscuit sent by the Spanish Government to this province and detained there; and effectually to prevent similar disorders in the future, he ordered that said detachment should fortify itself six miles further below in the place mentioned, Masack, which being exposed to attacks from the Indians he has since reinforced with troops and artillery, consisting at present of a garrison of more than 200 men and perhaps 12 pieces of artillery. Before the formation of this post, General Wilkinson informed Baron Carondelet of this measure as the only one that could restrain the French faction in Kentucky.

It results therefore that the fort of Masack was established to favor our cause, in consequence of the solicitations of his Majesty's representatives.

At a time when Spain is engaged in so serious a war with France, and has in this province scarcely force enough to maintain in loyalty the inhabitants of French origin, it seems to me ill-advised to invite new enemies, which will be the sole

¹ See Nos. 45, 46, 55, 56.

consequence of inciting the Chicasaw nation against fort Masack, since there can be no hope of dislodging the Anglo-Americans there.

To this circumstance is added the fact that General Wilkinson recently has sent two confidential envoys proposing to Baron Carondelet to renew the old negotiation for establishing a connection between Kentucky and this province, which Baron de Carondelet has accepted, sending him 12000 dollars as a beginning of said negotiations since it is the only means of insuring the peace of this province, and even of the kingdom of Mexico, with many advantages which such an alliance offers.

Many individuals of the highest repute in Kentucky have likewise written me regarding this same subject, to which in general the sounder part of that country is favorable; but if they come to understand that the hostilities of the Chicachas, Creeks and Cherokees in Ohio are at our instigation I assure your Excellency that they will change their system, and instead of continuing their negotiation with us will become our most cruel enemies.

This very thing I have written to Baron de Carondelet; but in the event of his not heeding my well-founded reasons, I consider it my duty to inform your Excellency of these circumstances, as well as of the fact that the system which has for some time been pursued toward the Indian nations, our allies, has so disordered them, that I think that we can have no confidence in them, and that they will little by little go on embracing the cause of the American States to our irreparable loss.

Of all of which I inform your Excellency that you may make such dispositions as seem fitting.

I remain with the greatest respect at the disposition of your Excellency and pray God that he guard your important life many years. Natchez, September 19, 1794—Most Excellent Sir—Manuel Gayoso de Lemos

To his Excellency Duke de la Alcuia.

Copy No. 1. Secret.

Herewith I remit copy of the secret communication I have received from his Excellency the Captain General to the effect that, in his opinion, you should incite the Chicacha nation to reclaim the territory in which the new fort Masack has been

built, by a detachment of the army of General Wayne, making known to the Indians that this is a dissimulated mode of occupying the posts of Muscle Shoals and Ecores a Margot, through the facility which Masack affords the Americans for going down to these, either by the Misisipi, carrying all their artillery, munitions, provisions, and instruments necessary for erecting in a few days a fort as they did at Masack, whence they are not able to dislodge them with all their forces. You will promise them forthwith arms and ammunition for harassing the garrison of this fort, which probably will suffice with the incursions of the Cerokees and Creeks whom we will likewise attempt to render hostile to this post, to induce Congress to withdraw it.

As to the order contained in the same letter to oppose ourselves to the realization of the projected city at the confluence of the Misisipi and Misuri rivers, I have already in anticipation thereof directed to the Lieutenant Governor of Illinois the orders necessary and also to the commandant of the post of New Madrid, who will make all the opposition their small forces permit.

I am convinced you will manage this matter with your usual zeal and success; in the meantime, I on my side will try to do as much with the Creeks and Cheroquies who, as your Excellency knows, have been in the habit of committing hostile acts and extending their hunting expeditions as far as the Tenesi and Cumberland for some time.

God, our Lord, guard you many years—New Orleans, Aug. 20, 1794.—Baron de Carondelet.—Manuel Gayoso de Lemos.—Seal.

Copy—No. 2.

The secret communications of your Excellency nos 118, 119, 120 inform me of the steps taken by the Americans on the Ohio, the last making known the establishment of the detachment of the army of General Wayne near the Misisipi as you announced in your communication no. 18 of 28th of last June. This persuades me that the Americans are again seeking to execute their project of establishing themselves on the shores of the Misisipi which had been dropped since the efforts of James O'Fallon proved futile in 1791.

I need say nothing to you regarding the diligence with which you should try to oppose such a project by all possible means,

since you yourself know well the pernicious results that would ensue upon its success.

The Americans can not, I think, in any way pretend to the ownership of the lands on the banks of the Ohio in the vicinity of its confluence with the Misisipi, and it will be proper to interest in the most lively manner the Indian nations in question in defending their lands rigorously, helping them secretly, as long as this remains possible, according to the spirit of the royal orders which I communicated to you on March 5 and on June 16, 1794, and openly when this becomes inevitable, since the Government of the United States is already notified that His Majesty will sustain the Indians whenever they are treated in hostile fashion without being the aggressors and as the Americans can not but confess that it is no slight hostility to seize upon others' territory and establish and fortify themselves there, however much they may try to disguise this under the mask of their dissensions with other Indian nations.

I confide in the prudence and address you are credited with, to manage this matter with the greatest secrecy and to prolong this as much as possible; and as the end in view is of importance it will be necessary to pursue it even should it be perforce made ostensible, and in that case to lay before the American commandant the claims properly arising from the protectorate the king has declared to the Indians, announcing to him that they will be helped in the manner previously announced to Congress.

As regards the establishment of a city at the union of the Misisipi and Misuri rivers, of which project the chapter of the New York Gazette treats, of which you inclose a translation in your secret communication No. 119, although I consider this a chimera become more impracticable since the recent example, offered to those who might wish to embark in it, of the wreck of the enterprise of the Yazoo Companies; yet it is necessary to be attentive to anything of this importance, and you will no doubt have made dispositions to exercise the greatest vigilance; and as the boldest pretensions of the Americans in regard to their boundaries have never gone so far as to pass the Misisipi, no dispute can arise from our resistance to any settlement on the right bank of the Misisipi, which must be closely looked after for the expulsion of any individual who without the consent of the Government should establish himself there, however despicable his settlement may appear,

and for the same reason, if any attempt should be made to establish the projected city at the confluence of the rivers, it must be repulsed with open force, after first making the protests you indicate in your communication to the Duke de la Alcedia, provided always that the circumstances permit this without risk of the enemy establishing themselves too firmly in the post seized upon by them.

God guard you many years,—Havana, Aug. 5, 1794,—Luis de las Cacas.—to the Governor of Louisiana Baron de Carondelet.—Manuel Gayoso de Lemos.—Seal.

61. FULTON TO CLARK (DRAPER COLLECTION).¹

Nantz, November the 8th,² 1794.

Citizen General Geo. R. Clark

With pleasure I inform you of my Safe arival in this post in thirty three Days from Philadelphia we had a fortunate voyage, we ware well received By the municipallity Representative, and all others to whom It Concerned we have obtaind pasports to go to paris but it Is uncertain when we shall Set out as the Stages are all in requisition untill the 1st Day Dec^r How be eaver We have some thoughts of setting out in a few days on foot I can give you no accunts relative to our mission. There has avery great Change in the affares of the nation For the better since the execution of Roberspiere and his party, the Gulletines hav Dissappeard and a greater Degree of tranquillity prevaileing over the nation than Has been since the revolution—our armys are eavery whare victorious, in a late ingagement with the Spanards in the Pirenees, we have kiled and takein 10 thousand slaves, 50 peaces of Cannon and are now masters of the Selebrated forges Computd To worth 50 millions S^{tr}¹

Accounts arivd here yesterday that Mastrich is Surrenderd to Gen^l Gordon and that Cobintz is the possession of Gen^l Pichgrue eaver port in france are full of British Dutch and Spanish * * *³

You may rest asuered that I Shall Do eavery thing in my power to obtain indemnefycaction to you and all those that have sufferd by the Disappointment If we are not able to obtain a renuel of the expedition I shall Return early in the Spring and Settle myself some whare near you.

¹ 55 Clark MSS., No. 24.

² Possibly November the 7th.

³ Word illegible.

Pray Do not neglect the important Business that I wrote you in my last by M^r Dunlap Of Danvill

Adue my Dear Friend

I remain with eavery Sentiment of regard and easteem,
yours

Sam^l Fulton.

Major Gen^l

George R. Clark

Near Louisville.

Remember to give my Compliments to the Famely if you pleas.

With pleasure I add that we set out tomorrow too paris, 14th. adue.

[Superscription.] "Major Gen^l Ge^o R. Clark, Near Louisville, Kentucky.

62. McCULLOM¹ TO CLARK (DRAPER COLLECTION).²

D^r Sir

I take the Oppertunity by M^r Eastin of troubling you with these few lines hoping you'll do me the favour when Oppertunity permits of Writing to me to let me know if you had any late account from M^r Leghies³ or Major Fulton as I seem rather uneasy to hear from you, I hope you'll excuse my frèedom in beging the favour of a line or two by the first Oppertunity I am Dear Sir with Esteem

Your Very Humble Serv^t

Hugh McCullom.

Clerksville, Jan^y 30th 1795.

[Superscription.] "Gen^l Clarke, Near the falls of the Ohio, Kentuckey. Hand M^r Eastin."

63. FULTON TO CLARK (DRAPER COLLECTION).⁴

Paris Febury the 13th 1795.

My Dear Friend

I have taken upon my self to Lay in your Claimes against the Republuck of France with those of My owne, I have not yet got an answer but I flatter myself That I will obtain a sufficient indemnifyCation for our Expences and time, There is so

¹ See Nos. 24, 56. ² 55 Clark MSS., No. 26. ³ La Chaise (1). ⁴ 55 Clark MSS., No. 27.

much buissness to Do, and theyre moovements are so slow that I feere that they will tire my patince—but as you know that I am possess of a tolirable Share it may not be so easy Done.¹

I Do assure you in Confidence That the free navigation of the Mississipi will be obtaind either By Sword or by treaty, but I beleave by the former. If so I shall be able to inform you by the next opportunity If the Expedition be renewd I shall amediately Set out for Kentucky, If it is not, it is probable that I will not be with you before fall.

The armys of the Republick are eavery whare victorious, all Holland is now actuly in the hands of the republick and they have taken the whole of the Dutch Fleeat and a vast number of merchant men to the amount of twelve hundred Saile, a part of the french fleet has jist returnd to Brest and has braught with Them from the Britich Coast 107 Saile of merchant men Such Strokes as thos will soon Destroy the Comerce of thot Haughty nation by a gentleman late from London we Learn that the people of England are petitioning Theiré Lord and master for peace and say they must Have peace Let the terms be what the may. Pit Tells them that he will resign if they Can get any person That will undertake to make peace, for he says he is Certain that he Canot. there was yesterday a treaty Confirmed betweene the Repubelicans and the Duke of Tuscany, also a treaty is now holding at Ball with the King of Prusey. perfect peace and tranquility prevails In this Citty which is more than has eaver been since The Revolution untill since the Death of that monster Robertspierre They have 2 Days ago expeld the great marat from the Pantheon and Destroyd his effeges tourn Down his monuments—etc., etc., etc.

I have nothing more worth adding at Preasent only my best Compliments to all your Famely and my Freens in general.

Salute and Fraternity

Sam^l Fulton.

Gen^l G. R. Clark.

[Superscription.] Major General George R. Clark, Louisville, Kentucky.

¹ See Rapport au Comité de Saint Public (February 14, 1795), on the petition of La Chaise, asking indemnity for Fulton and himself, because of their part in the expedition, and La Chaise's letter to Peley (January 17, 1795). Archives des Aff. Étr., États-Unis, vol. 43, pp 191, 194. The commission report their deliberations to La Chaise, March 7, 1795 (id. p. 318).

64. FULTON TO CLARK (DRAPER COLLECTION).¹Paris, March the 2nd, 1795.²

My Dear Friend

I wrote you on the beginning on last month where in I mentioned the prospects I had of obtaining the Claimes I laid in on your behalf, and the rest of those that have made advances exclusive of your pay, Those Demanded 4,319, Dollars.³ 53 Cents and $\frac{1}{4}$ which ware the nearests facts that I Cold Collect,

my expectations of obtaining it is now much more flattering than before For in 3 Days I am to receive a Commission of a Lieut Colonel, in the Cavelry, baring date from the 7^h of January, 94, in consiquence of my being Ingaged in that Service.

I have not yet been able to get a Decissive answer wheather they will renew the Expedition or not I here some talks about a peace with Spain, Some Circomstancy that have Accird Since my arival here has Caused me to be Cautious how I mentioned the renewal of the Expedition they are Circumstances that Dose not permit me to trust to a Letter that has to travel At Least 5000 Legs through hostile Seeas and rival States, I will reserve them for a personal interview I hope you will mind to record the matters I before mentioned to you, as it may be attended with no Good If neglected.

Rist assured that I shall Do Eavery thing in my power for your intrest as well as my own.

there is no news from the armys since my Last, I begin to be D— d tired of Paris. adue

I remain Deare Gen^l, with eavery Sentiment of Regard and easteem yours

Sam^l Fulton.Gen^l G. R. C.

P. S. my kindest Respects to your worthey Father mother and Sisters, and a few of your Good neibours if it is not too much trouble.

Salute et Fraternity.

S. F.

[Superscription.] "Major General George R. Clark, Louisville, Kentucky."

¹ 55 Clark MSS., No. 28.

² The stamp on the letter shows that it reached Lexington October 2.

³ Compare Nos. 56 and 64.

65. FULTON TO CLARK (DRAPER COLLECTION).¹Paris april 9th 1795.

My Dear General

I wrote you on the 13 of February last Informing you of my arival here, and the prospects I Had in giting the Demands I laid in for you, since Which I have obtained the appointment of a Lientant Cololonel in the Cavelry of the F. R. and your matters Now ly before the Committy of Public Safety, which I expect they will Deteman² in a few Days.—I hope to our Satisfaction, you may rest assured that I am doing eavry Thing in my power to get you paid. My Dear Friend Do not think I have forgot you altho at the Distance of 1600 Leagues I will now Give you a small account of The proceedings of Lachaise³ on his arival at philedelphia he Concerted with Fauchet Laforce and others a verry Dangerous plan against the western Country, had they Succeeded it wold have brought ruin an our Country This I Disscoverd time anuf to Defeat his objects. I will Not enter in to a Detaile of the facts for it would sweel a Vollum therefore it must serve to a personal intervev It will serve to Convince you how Little Confidence theire Is to be put in people his Description.

Let this Sufce for the preasent I hope by the next opportunity to be able to give you amore Satisfactory account of affairs here.

Salute et Fraternity.

Sam^l Fulton.

L. C. C. F. R.

P. S. please give my Complymnts to worthy Father Mother and sisters, Col^o Anderson Major Croghan and my Worthy Friend Marstin, I hope to be with you by Christmas.

Adue

Gen^l G. R. Clark.

66. COMMISSION FOR LAND FORCES TO FULTON (DRAPER COLLECTION).⁴

A copy of the letter adress^d to the citⁿ Fulton Chief of a Squadron by the commission for the organization and movement of the land forces Dated 12th floreal [of the] 3^d year⁵ of the french republick.

¹55 Clark MSS., No. 30.
²Determine.

³Compare Nos. 59 and 73.
⁴55 Clark MSS., No. 31.

⁵May 1, 1795.

Citizen

The Commission lets you know that the comity of public Safety has sent back decided the report made to it by the s^d Commission on the 16 of Germinal¹ last Relative to the reclamations you have made in the name and authorized by the citⁿ Clark who was named by the ambassador of the French republick at the United States of America as commander in chief of an expedition against the spanish possessions of the Louisiane and of the two Florida's, for the payment both of the General's pay and that of other officers employed under his command, together with the other expenses he has been at for the success of the s^d expedition, wⁿ amounts to 4,680 Dollars 06 Cents and $\frac{3}{4}$ which sum at the rate of 5^l 10^s p^r Dollar amounts to 25,744^{ll}, 16^s in specie, exclusive of the pay of the Etat major and other officers, counting from the time they have been named untill the 11th of April 1794 at which time orders have been sent for suspending the expedition in question from which * * *² must be deducted when orders will be given the pay attributed to y^r post, which the commission has confirmed and for which it has paid you untill the 1st of floreal Pres^t.

The s. Decision annexd to the report implies that this reclamation (to have it admitted) must be justified by the order given to the Citⁿ Clark for the expedition, and other pieces certifying the sd expences.

“That you only produce a state of the expences certified by yourself alone, which should have been Sign^d by the french Ambassador.”

In Consequence of this decision it only remains for the commission to invite you to fulfill the s^d Dispositions, and when you furnish them with the result it will then eagerly concur to the success of Citⁿ Clark^s Demand.

Safety et Fraternity.

67. CARONDELET TO ALCUDIA (DRAPER COLLECTION).³

No. 62. Secret.

New Orleans Nov. 1, 1795.

Baron Carondelet Governor of the provinces of Louisiana and West Florida, transmitting the letter sent to the Captain

¹ April 5, 1795.

² Illegible.

³ Clark MSS., p. 105.

General of those provinces, reports with documents the complaint made by the General of the American army, Anthony Wayne, about the taking by us of the Barrancas de Margot, ceded by the Chicachas, and the answer of Colonel Manuel Gayoso de Lemos, to which he adds various reflexions.

Excellent Sir:

I direct on this day and date to the Captain General of these provinces the following:

"On Sept. 16 of this year arrived at New Madrid the lieutenant of the American troops Wm. Clark,¹ who came under flag of truce, and delivered to Colonel de Lemos, Governor of Natchez, the letter of which copy no. 1 follows with its two documents, concerning our taking of las Barrancas de Margot, or Chicaw Bluffs, as I told your Excellency in secret reports 56 and 60. The reply of the Governor is expressed with all possible moderation, and at the same time founded on incontestable principles; to which we must nevertheless add that the warlike nation of Chicachas, having put themselves under protection of Spain in 1784, i. e. at a time when the United States had not the slightest relations with them and perhaps did not even know their situation, the latter can hardly lay claim to the small territory which the same nation has ceded to us this summer by unanimous consent of all its chiefs; and that, quite on the contrary, Spain has well-founded motives for complaining of the illegitimate proceedings of the United States Congress which has concluded a treaty this year with some chiefs of the same nation, by which these have acknowledged that the Chickacha nation is under the protection of the United States; a treaty which cannot stand not having the sanction of all the chiefs, and as contrary to the harmony subsisting between the United States and Spain, as to the principles they have at various times alleged toward us; i. e. that each power should deal with the nations under its protection without interfering in the affairs of the rest."

"I do not doubt that this matter will be reduced to a simple negotiation between our Court and Congress, the more so as I have influenced the minds of our confidants in the United States of the West, by saying that that post will greatly facilitate the succors they may need in case of their separation from the Atlantic States, as well as our intimate correspondence with them; and as their discontent is daily growing with

¹ Compare No. 48.

the doings of Congress, for I am assured that another insurrection is fomenting in the four counties, much more formidable than the first, it is not probable that Kentucky and its adherents will commit any hostility against that establishment and especially if His Majesty concedes the passage of the flour which usually comes down to this place for the island of Cuba in Spanish boats, paying the usual duties at its passage through la Veliza, as we, this Intendant and I, have solicited, with all the more reason, justice and advantage to the vassals of the king and the people of Havana, as they will receive said flour for 10 or 12 dollars at most, while the United States now makes them pay at least 20, and with all the more prejudice to Spain as that commerce causes a terrible outflow of silver which would then remain in Louisiana and Cuba. If H. M. does not consent to our request, Louisiana will be greatly exposed to an invasion of the Kentuckians, and all hopes of connection with them will at once become futile. The moment is urgent since in February the products of Ohio begin to come down, which this province can no longer consume and, which must consequently be lost if their exportation is not permitted.

However, I shall watch all the movements which the army of General Wayne, reduced to about 800 men, may undertake, whereof W——¹ will punctually inform me, as I have just had a letter from him on this subject in which he assures me that he will be informed of all that may be done relative to the same object.

“The fort of San Fernando is in condition to resist an attack not sustained by artillery; this can with difficulty be brought against la Barrancas while we are masters of the navigation of the Misisipi by means of our galleys, but their maintenance is costly and our revenues can not meet so many expenses.”

I send this to your Excellency for your intelligence and government in whatever may apply to the pending negociation.

God, our Lord, guard your Excellency many years. New Orleans, Nov. 1, 1795.—To his Excellency—Baron de Carondelet—Seal. to his Excellency Duke de la Alcedia.

No. 1.²

Headquarters, Greenville, Sept. 10, 1795

Dear Sir:—

I have the honor of writing to you on a subject of the greatest importance, which may eventually concern the peace and happiness of our nations.

¹ Wilkinson (f).

²This inclosure was in its Spanish translation.

I have recently been informed directly that an armed force under your command, composed of several hundred Spanish troops and a number of galleys, had taken possession of the place called Chicasaw Clifts or Bluff situated on the East side of the Mississippi and within the territory of the United States of America, you having built a fort therein.

Although it appears by this relation that the fact is as reported, yet I am quite unable to believe, without greater and more certain evidence, that his Catholic Majesty authorizes a usurpation of this nature on the lands of the United States by any part of his armies, especially as he is at peace with the United States; and I have the frankness to declare to you that I do not know that there is war between the two nations, and that on the contrary the United States are disposed to preserve peace and harmony with all the powers of Europe, and with Spain especially.

As a convincing proof of this fact, I take the liberty of inclosing a printed proclamation of the President of the United States of America of March 24, 1794, together with an extract from the orders given by me to the commandant of fort Massac at the same time.

Hence it results that the last aggression (if as above reported) on the part of the Spanish Government has an alarming aspect, and makes it my duty, as Commander in Chief of the army of the United States to inquire by what principles, by what orders, and by what authority you have thus made usurpation in the territory of the United States and built a fort therein.

I must request therefore of you the favor of replying particularly to these questions by the bearer who is Lieutenant William Clark who comes under flag of truce.

I have the honor of being with the greatest esteem and respect

Your most obedient and humble servant

Anthony Wayne

to the General or commanding officer of the Spanish arms and troops on the western bank of the Misisipi

Baron de Carondelet—Seal.

No. 2.¹

Extract from the instructions given by Major-Gen. Anthony Wayne to the commandant of Fort Massac² on May 7, 1794.

You know that a number of lawless people living on the shores of the Ohio, affronting the national authority, have conceived the bold design of invading the Spanish territory. The atrocity of this attempt and its effects are manifest in the enclosed Proclamation of the President of the United States.

If they should persist in the same design or desire again to attempt it, and if any party present itself in the vicinity of that garrison, if you find yourself well informed that they are armed and prepared for war with the criminal intent reported in the Presidents Proclamation, you shall send them some person in whose veracity you can trust, and if he is a justice of the peace he will be the most appropriate messenger for making them comprehend their unlawful procedure and for preventing them from passing the fort at their risk; but if, in spite of the pacific efforts made to persuade them to abandon their criminal design, they still persist in trying to descend the Ohio, you must make use of all the military means in your power to prevent them. For which these instructions will serve you as sufficient justification, provided you have beforehand employed all the pacific steps first prescribed.

Baron de Carondelet. Seal.

No. 3.

[Washington's Proclamation of Mar. 24th, 1794.]³

No. 4.

On board the galiot, la Vigilante, before New Madrid, Oct. 2, 1795.

Dear Sir:—This evening at about 5 o'clock, Lieutenant William Clarck, delivered your Excellency's letter to me as chief commandant of H. M's forces in upper Louisiana to which I will reply fully.

I should much regret that anything in which I take part should for any motive or pretext disturb the harmony that subsists between our nations, the commanding officers of these

¹ This inclosure was in Spanish translation.

² Compare American State Papers, Foreign Relations, i, 458. This officer was Major Doyle. Compare Val. Sevier to J. Sevier, August 9, 1794, Draper Collection, Kings Mt. MSS., xi.

³ Richardson, Messages and Papers of the Presidents, i, 157.

provinces having no order nor instructions except to maintain this and if possible to reënforce and augment our friendship. Your Excellency does me the honor to enclose in your letter two testimonials of the most convincing nature, of the same desire on the part of the President of the United States and of your Excellency.

The threats of the French republicans living in the United States were the motive of the military preparations made last year in this province: these threats have been calmed for various reasons and especially by virtue of the religious adhesion of the President of the United States to the sacred treaty which binds our nations in the most sincere friendship.

There were among the French some inhabitants of the United States, who espoused their cause and likewise desired the success of the enterprise. I am positively informed that there are many people of this description who, to evade the laws of the executive power, keep themselves and live separate and at a distance. By a letter which has come into the hands of Baron de Carondelet, Governor General of this province, it was learned that a party of those people attempted under the American flag to surprise or deceive the credulity of the Chicacha Indians and in some way or other seize las Barrancas de Margot, whence they would probably have carried forward their hostile projects finding themselves at the middle of the Misisipi.

Thus the Governor General found himself obliged to take precautions against such an act. With this object he honored me with the command of the naval and land forces which annually cruise in upper Louisiana and arriving at las Barrancas I treated on the subject with the Chicacha nation and after a negociation which lasted about a month they met and ceded to his Catholic Majesty simply what is called Chicasaws Bluffs or Barrancas de Margot, which extend about six miles on the river Misisipi from the las Casas river to the Carondelet river, and at a distance of a half to a whole mile runs a little branch to which my name has been given and which serves as eastern boundary. This was done with the greatest solemnity, and the king of this nation came in person at the head of his warriors to ratify the cession. His Majesty was a few months ago informed of this action.

In consequence of the cession mentioned a fort has been built and regularly garrisoned in that place.

We have conceived that the land belonged to the Chicacha nation: the Indians are of the same opinion, as is recognized by the President of the United States of America, as we have seen likewise in a document which determines the boundaries between the Chicacha nation and the territory of the United States. For the same reason we have had no difficulty¹ in treating with them as a free nation. We have been very far from attempting to usurp the territory of a nation with which we find ourselves and desire to remain united in the closest friendship.

The above is the true and exact account of the reasons for my procedure: neither I nor the Governor General of this province seek to usurp the territory of the United States, and not for any pretext is it our intention to offend a nation with which we desire to live on the best terms.

I shall be glad if my reply satisfies you of the sincerity of my assertions, and have the honor of remaining with greatest respect and esteem

Your most obedient and humble servant, Manuel Gayoso de Lemos.—Baron de Carondelet—seal.

68. CLARK TO COMMITTEE OF PUBLIC SAFETY (DRAPER COLLECTION).²

The Committee of public safety
Citizens

Col^o Fulton hath arived with the satisfactory intelligence of your having Ratified the proceedings of M^r Genet and myself relative to the plan of an attac on the Governments of Louisiana and the two Floridas.

Had not the orders of Citizen Genet been countermanded by Citizen Fuchet these Countries would have long since been in possession of the Republick, Men we could have got in what numbers we chose—what was done was attended with some expence Col^o Fulton will present you with an acc^t of the Expencies that I have been at. he will also present to you a Return of the officers that have been very active in raising the force alluded to and deserve well of the Republick for their assiduity. Great numbers of other Genⁿ ware nominated and ready to come forward when called for. I think unnesisary to

¹ Or scruple, difficultad.

² 55 Clark MSS., No. 33.

inclose a Return of the Recruits as they ware (except one Company) never Calld to the field as Col. Fulton will fully explain to you.

The reason the officers send their Brevets is the hopes of a ratification. They hold themselves in readiness for any service that should be proposed to them.

The interest of the Republic in this detached Country was always considerable but the Irritation in America and the arival of Citizen Fulton with the information of the favorable point of view our late attempts met with bath rivited the affections of the body of the people to the interest of France and no opposition that would be made in this quarter could stop their Career ware they again to be put in Motion.

The peculiar situation of Kentucky is such that their only natural Door to Foreign Commerce is the Mississippi They despair of ever geting it opened through the mediation of the present American Ministry. This is not the only reason for their desire to assist France but a more powerfull one that of gratitude towards you and the Idea they possess of the rights of man.

I am Citizen yours
with esteem

G. R. C.

Louisville, Nov. 2^d, 1795.

69. TARDIVEAU¹ TO CLARK (DRAPER COLLECTION²).

Danville, 23^d Nov^r 1795.

Dear General,

Since my return from my unhappy tour down the river Mississippi, it has not been in my power to pay you a visit, and render you an accmpt of my different observations relative to the expedition which once entrusted to your care and management a few days after I was landed at New York I sent a Memorial containing those observations to the National Convention, the Substance of which you will find here annexed; I did not then call the attention of the french Republic to my Different losses, and the troubles and fatigues which I had undergone, expecting that Citizen Genet would take them into consideration, but I was unfortunate enough not to meet him

¹ Interpreter to Genet's agents, probably to La Chaise. See Claiborne, *Mississippi*, 153, note and Nos. 1 and 30, notes 1 and 3.

² 55 Clark MSS., No. 34.

and my circumstances forced me to return home as quick as possible, despairing of any future redress a few days ago, I was made to hope by M^r Fulton that if I presented to the French Republic an address certified by you, and containing my former expectations the various calamities which have attended me since, for my embarking in the service of the French in pursuance of the powers given you by their then Minister in America, I might expect a full compensation for what I have suffered heretofore, for which reason I send you my address to the French Republic that you may, upon its perusal, certify the Justice of my claim as you were my superior officer, and now are the only one in America fully sensible of my appointment in that business.

Your compliance with my request by next post, as I want to forward those papers by Citizen Fulton who is already on his way to France, will be a favor very gratefully acknowledged by
Yours forever

P. Tardiveau.

Remember my respects to your father and Mother, etc.
[Superscription.] "General Geo. R. Clark."

70. ADET¹ TO FULTON (DRAPER COLLECTION).²

Philadelphia 12th Germinal in the 4th year³
of the French republic one and indivisible.

The Minister Plenipotentiary of the French republic at the
United States to Colonel Fulton.
Citizen

I send you the papers that regard the reclamation of General Clark which you have directed to me together with your note of the 31 of March. It is impossible for me to certify the statement of the expenses of which I am totally ignorant. It is in their department where these expences were made that this scertificate of the statement should take place.

I would desire to be useful to so frank a Republican as General Clark. he obliged me to examine the cartons of the Citizen Genet, in which I have found the Minute of the Commission given to this general. But have met with nothing

¹ On Adet's Western relations, see Collot, *Journey* p. lii., and Jefferson, *Works*, (1854), ix, 200; Perkins, *Annals of the West*, 456-458, and *Archives des Aff. Étr., États-Unis*, vols. 44-47, passim.

² 55 Clark MSS., No. 37.

³ April 1, 1796.

relative to the expences of his expedition Except that the Citizen Michaux was empowered to procure and certify them.

If General Clarke, by the means of Citizen Michaux can establish the foundation of his reclamation I will adjoin with pleasure to the several proofs he has to furnish, the certificates, which the statement of the papers will admit of, as they will be presented to me.

P. A. Adet.

71. FULTON TO CLARK (DRAPER COLLECTION).¹

Philadelphia April the 4th 1796.

Dear General

I arrived here 15 Days ago from a Long And Dissagreeable jorney Which has much impared My Constitution, Co^l Walderhyn² arived here 8 Days Ago with the papers you Committed to his Charge, I have weighted on the Minister with them he has Returnd them with answer I here inclosed, I send you A Coopy of the accompt which I hope you will Indeavour to obtain the Certificates from Citizen Mitchaux and let them amediately be forwarded To the Minister here he will Send them to Me. I expect to Leave the Citty in 3 Days, for New York whare thare is vessels to Sail from amedeately For France, I will Call on Citizen Genet and try To get his Cirtificate which may perhaps answer the purpose, but for feare, be sure not to neglect the other, Citizen Adet is Desposed to Do eavery thing in his power for our benifit. He appears to be much pleased with Walderhyn and I think will give him a high Recommendation I am Doubtfull I Shall bee put too for money To bare my expences untill I be able to Reach Paris I fear I Shall be under the needesity of giving a Draft on you for 3 or 400 Dollars, if so I will Let you know in what maner and to whom If it be the Case I hope that you will not allow one to Sufer or the important buisness be Neglected.

Adue

I will write you again before I Leave the Citty as also from New York.

Salute et Fraternity.

Saml Fulton.

Major Gen^l G. R. Clark.

¹ 55 Clark MSS., No. 36.

² Walderhyn had been named "colonel commandant de la flotille" by Clark. See Archives des Aff. Étr., États-Unis, vol. 47, pp. 112, 246, 305.

71a. PICKERING TO N. WEBSTER¹ (MASSACHUSETTS HISTORICAL SOCIETY).²

Trenton Nov^r 1. 1797.

Sir,

I have this morning rec^d your letter of yesterday with the paper sent you by M^r King. I presume it is genuine. I have rec^d two copies of it from Gen^l Pinckney; and as the Gen^l forwarded several of his letters thro' M^r King, open for his perusal, I conclude he took the copy transmitted to you, which I now return. I have compared it with my copies—they all agree in the date of Gen^l Clarke's letter³ the 2^d Feb^r and as all of them were undoubtedly transcribed from one copy sent from Paris, the error may have been in this. One of Gen^l Pinckney's copies of Genet's letter is dated 12th July 1792 instead of 1793. Perhaps the Parisian copy might have le deux *d'avril* badly written, which then might easily be mistaken for *ferrier*. But if Genet arrived at *Charleston* not till March, how could Gen^l Clarke have heard of his arrival, and have written him so early as the 2^d even of April?—I ask another question—What could have induced Gen^l Clarke to open a correspondence with Genet at all?—In answer, I ask further, whether some secret French Agent was not employed before Genet's arrival, to tamper with the Western people relative to the conquest of Louisiana?—Or if there were no such overtures, may we not conjecture that the project originated with the Kentuckians, who had been so long weary of the yoke imposed by the Spaniards on the Mississippi, and that their resentment, their interest, and their attachment to the French, then so nearly universal in America, prompted them to suggest the idea to the *French minister* in Philadelphia as early as Feb^r 2^d 1793, and that this minister (Ternant) going out of office prior to its arrival, the letter fell, of course, into the hands of Genet, who would then naturally say "*que vous m'avez écrite*" ? Perhaps too, the letter was not directed to M^r Ternant, but generally to the *French Minister* in Philadelphia. Beyond a doubt, considering Genet's vivacity and eagerness, he would answer the letter with the least possible delay; hence I conclude that Clarke's letter did not reach him till the beginning of July; and hence that it was written to

¹ Secured by the courtesy of Mr. Samuel A. Green.

² Pickering Papers, p. 412.

³ Compare Nos. 14, 2, 8b and 15.

the *French Minister* without any knowledge of Genet; or the date has been miscopied and that it was not written in Feb^r or even in April, but at a later day.—The medium thro' which Genet's letter came to me, its stile, and the project itself which we know was fostered and in a train of execution, leave no room to doubt its authenticity.—The Col^o Fulton¹ of Kentucky, who has been long and repeatedly in Paris, has been soliciting the pay promised to Clarke and his officers.—What use should be made of this discovery is another question. As it relates to a measure so long since frustrated, I am inclined to think it neither necessary nor expedient to publish it.

I received last evening half a dozen copies from Havre, of the Observations concerning the American ship Juliana carried in there as a prize; and therefore return immediately the one you were so good as to send me.

I presumed the Treasury had given instructions about the rôle d'équipage in literal conformity with the terms of the rapport. I suppose nothing more can be done until Mr Wolcott's return to Philadelphia. I have been very unhappy that we so long omitted to prescribe the form of this rôle and give instructions to the Collectors; altho' I considered the want of a rôle d'équipage no more a just cause for condemnation, than the want of a sea-letter, on which some of the first condemnations took place in *France*, before their unprincipled government thought of the rôle d'équipage: and that other clear proofs of Neutral, and especially of American property, ought to be admitted in supplying the want of those two papers, the direct and important object of which, or rather of the Sea letter (for I do not agree that the part of the form of the passport in the English language, if the French is less definite, requires a rôle d'équipage to be on board) was to save our vessels from the delays and injuries arising from being turned out of their course, and carried into port.—As soon as Mr Wolcott returns we will see what has been prescribed; and if an amendment or addition appears necessary, give instructions accordingly.

I am, sir, very respectfully yours

Timothy Pickering.

Noah Webster jun. Esq

¹ See No. 49.

72. FULTON TO CLARK (DRAPER COLLECTION).¹New Orleans the 27 Decem^{br} 1802.Col^o S. Fulton To General G. R. Clark,

Dear General—

within these eighteen months I have written you near twenty Letters and from almost as many different quarters of the world without being able to obtaine a Single answer what conclusion to draw I am at a Law to know can it be possible that out of somany none Should Reach you, I have Long since heard that it has become a common practise to purline Letters out of the post office, probibly this has been the case—howbeever to prevent that I inclose some under cover to Major Croughan others to Col^o Anderson and some to M^r Madison none of them obtaind much political information, the principal object was to informe you of the State of our private Claimes² on Gov^{nt} which are yet unsettled principally for want of formallity in our accompts, howbeever it is to be hoped that they will grant me Lands in this Colony for the amount, agreeable to a Late demand I have made, after knowing the certitude of The Colonys being ceeded, I weight with great anxiety the arrival of the troops which are distined to take possession of the Colony we have heard here that for a certenty that the fleete was to Saile about the 1st Novemb^r in which case they will Shortly be here, it is General Victor who comes out as Captⁿ General and Governor of Louisiane the order from the King of Spain to Deliver up the Colony is arrived here and has been published, nothing is Said of the Floridas my intention is to weight here untill the arival of the troops after which god knows where I may be Destined, as I remaine Still at the Disposition of the govement write me to this place at all events to the care of M^r John Esten who takes charge of Sending you this, as soon any thing new happins I will write you untill which beleave me with Esteeme yours etc

S. Fulton.

P. S. have the goodness to Remember me to all your famely for whome I have the highest est eme.

Salut

[Superscription.] “General G. R. Clarck, Near Louisville, Kentucky.”

¹ 55 Clark MSS., No. 54.

² See Archives des Aff. Étr. États-Unis, supp. vol. 7, folio 44. and vol. 46, p. 420; vol. 47, p. 305.

73. DE PAUW'S STATEMENT¹ (DRAPER COLLECTION).²

my follow citizens I Considered as a duty Binding to the Bosom of ever man to refut alligations broght against one of our follow mortals, when the nesseary papers steel remain within the Bounds of our compas, wech I have the honor to loge with the honorable judge hinnis for his justification well otenticated an will apear in publec

puse and see what mr marshall says—let us hear then what the judge has sead as to laChas³ again mr charman a therd point the defence of the honorable judge is that he was not privy to this intrige of Lachase Whill in opration in this state

again to shew that the judge most have been privy to this intrige the object of wech ware war and dismemberment and and

I am sorrow that mr marshall should give it a different die, if he will perous the address to the Louisannins, it will appeis him better and prove to be a contrary line, it is well know that on the 2, of September 93 nither laChase, or the judge had any informations on the subject of the premedeted Expedition as laChase in the spring of that year was a privet soldier in the Body geard of Louis the 16 But that regiment Becoming trycherous to the people, and traded the national cocade under ther feet thy in part ware all cut to pises, but a fue on made there aschap such as laChase s⁴ lachase not Being a franchman steered to his natif land in the Spains dominions on the mississippi, the Vessel in wech he flyd stopped at St domingo (as is costomary for all franch Vessels to do) the injurection Braking out, with the people of colour—he got by change a Cap^t commission, in wilch rigemt those who appointed him, not knowing of his former transactions in franch, a fue mounths after his appointment, it was found out he did not posses in his Bosom a trou republican sentiments (he persived this) requested agoust the 12 same year a pas to go to his counrty, to recouever his healt (wech was not injured) altho is country then a war with franch, this was willingly granted

¹ This document was probably written in 1808, when Judge Harry Innes was examined with reference to his negotiations with Spain and France. See American State Papers, xx., Miscellaneous 1, 922; House Journal, Tenth Congress, 241, 285, Cf. No. 74. The superscription on the wrapper inclosing the De Pauw papers is as follows: "Charles De Paux's Papers. Mr. Allin after reading the inclosed is requested to return them to H. I." Dr. Draper conjectured that "H. I." was Harry Innes.

² 11 Clark MSS., p. 210.

³ See No. 12.

and he landed the 2 day of september at new york destitid of anything But a fue cloch, his two fiddels, also some assinnats so called, given to him, at his departure for his service, wiles Cap^t of wilch rejimens those assinnats ware as much respected, as the Virginie paper monny at the ind of the war the assinnats amonted to 375 dollars, for wech he could not get a dollar in cash at new yourk of the inhabitants, seeing his nessisits I Bought those assinnats for \$75 after he spok very disrespectfully of the franch republic, Being with genet that day I requested of him, of I had paid to much, for laChase pay he answered yes at this present conjonture of afferes, But it appears that you place more confidence in the republic then him, wech will be remembert—here my follow citezens j will prove that nether lachase dun in franch, nether the honorable Judge Innis in kentucky was equented with the plan then in agitation, nether genet nor any cetizens of the united states, at the time the plan was framed, wech was dun in new orlians april the 20 93 at a dinner geving in the house of Charles lubuise, jinning the house of daneil Clark¹ nouw a member of Congress from that place, and Clark Could not pas over without taking reflections on the subject, as even the cargo of my vessel had been consined to him that year and then lyiging at new orlians, and after the departure of my vessel some suspitions ware trounging out, at new orlians oud that occation, as I got the information at the mouft of the mississipe 105 milles Belou new orlians from admiral rousseau in the Spains service, it was also the day he told me that war was declared by Spaing against franch, and he gave me the nesseary cou-tion, as my vessel was then riding under a Spaings register the present of a Spaing register from the hands of the Baron de Carrandolet to my Cap^t Davis Webb had not been attended with the nessairy regulations, as all nations in with drawing the former register to take from her that privilage of being, an american Bottom weech saved me \$600 (droy de la Cavana) so called) of cours Being out of the rivir, I requested of the Cap^t the Spaing flag and register, and sunk them in the ocean, and we replaced the americans collors, and went on her former register called the schooner maria of new york, we meet the ambuscade franch fragate going, out weech had carred genet to Charlestoun Col^l John Blane of Lincoln and John Speed Esq of Bullet County ware presens they well ascertain the fact

¹Henry Adams, History of United States, III, 222 et passim.

of 48 passangers in the vessel not one nouw the plan then in agitation, not Even my Best of frinds nether genet or any cetizens in the united States, as I considered the plan a pecurious undertaking—having my famille then at new orlians, I was coutious of devulving any ting on the subject till my arrival at philidalphia, wheeh was in the Begining of june 93, on the 12 same mounth I adressed a petition¹ to genet and the plan of my ond composition, wheeh will be publesed as soon as translated with all the nesseary documents, the adress to the louisannians composed by genet and all the Letters of the correspondence and then let my follow citizens judge for themself of any traison or dismemberment was thereby premeditated

it would be will here to state to bring the matter more clar, the day I gave the petition to genet I meet with the honorable john Brun in genet office and I requested of him to know if he would visit Kentucky that fall he answerd in the negatiff, he well recollect the time I suppose

in July 93 after my petition being approved of by genet, mr michou was dispiched to Kentucky as an agent wheeh is well know in danville as he made his home at mr Cradieka, and some times at [j l ham]² proutte where he Broght with him some trunk and one Barrel of flints also in Lexington by the most of the marchands, as he had within a power from genet to Draw monny on cartain conditions, at my arrival in Kentucky in november 93 I meet at mays lick mason county James morrissou Esq and Bring that night together also Lachase, wheeh was amerre sifer in the Besseniss mr morrissou in the morning called me out of doors requested of me to know wheter I was about carrying dispatches to mr michaux, seeing he knowd something about the agent; spock on some of the Bessesness to him with candor, tole me mr michou had departed from Kentucky³ as he could get no monny of the marchands of Lexington on genet acount, I told him that I should fornish the nesseary founds to accomplis that object—accordinly I sold all my goods on hand by public vendue to make the nessessairy provisions—(and all perised on my hands) the adress to the Louisannins and the pettition will convence the world at large that it was not to desmember the union—But for the Louisannins to breck ther fathers from Spaing and thereby geve us a market clar of duty, and in retaliation

¹ No. 4.

² Illegible.

³ See Nos. 18 and 29.

receiving those necessary substances from us, it was agreed by them that such plan should take place, and by man of respectability in that country who where irritated against the Spains government

for Lachase being an agent is aronious as Genet would not place any confidence in him three days before our departure of New York I was with Genet and the consul in an appartement of s^d consul, when Lachase intered and desired to speak to me, when Genet told him to withdraw, that I was then Bussy with him, this was told in 93 when in Danville and I advertised some of his assertion then to be fals at Mr Strangs tavern, wheeh is well remembert by the gentilmans of that place—Be assured that Lachase was only to be Employed in the Expedition as an officer of a Low station, But general Clark made him a colonel, wheeh general Clark had in is power to do, Genet gave Lachase but Little monny to come with me and I had some of the Burding to pay for him, he also rod one of my horses and was willecom at my table gratis—it is a well knowing feet that he after I refused him Loans of monny he went to governor Schelby and requested a Loan of monny from him But could not get any, and told a number of puple he would Expose the gov for refusing is request, and is indibted to Mr John Warren Esq marchand in Danville tell this day nouw judge for yourself, if he had been dispiched by an ambassidor would he not had monny at Leest to procure the nesearys of live

remember also that he sayd he went back to Franch, No he went to St Domingo and returned from thence again to the United States, when he asserted in Linchester that he had been promoted in Franch where he had not been, with the titel of Brigadeir general when the consul of Philidalphia advertised that there was no such grade in the Franch Republic—this will convince you of all his willfull mistakes—it is trou after he laft Lexington the Last time he went to Franch the Franch government then being alterd under Expectation of Being whitewashed for his former transactions—But he has meet with the unhappy corcimstance of Lossing his Existance, by the parting of his head from his Body, by the galloutinne under the name of gonbo Lachase wheeh name he bor in Franch before by comming from the mississipie, wheeh is the name of a dich made in that country (Our) inds all Lachase Exploys

and recollect my follow citizens that at that period this plan was frimed genet and Lachase in franch or on there way to amarica only, 8 persons a new orleans knowing the plan, this impossible that the judge could have any intrige with La Chase when La Chase himself never noud the real fondation, and I dont but the judge never sporek a single word to La Chase I therefore Beg you to keep your verdick tell you see all the procedings publesed

probable some may say de pauw as made that petition¹ cens no in april 1804 I geve a copy to mr hertich then postmaster in danville as at that time I Expected to Leave the state for urope and can also been provin by a franch man residing in our parts

the adress from genet as been send by me by Express to mr john Brasford² Esq Lexington desember the 19 1793 wheeh I hope will not be denied by that gentlman and as remained from that time in is possession

C^h De Pauw

I Beg to be Excused of my incapacity in making my expressions more English knowing different Langages and not Being Equented with the one I now writ in geve it a simple cast I therefore hope that my follow citizens will grant a smale alouwens, as I assure them that the Englois Langage was unaquented to me when I arrived in Kentucky in 1782

Request shilby if he ded not refuse him monny

Request warren if he did not how him some monny nouw also if he ded not told him of wat the consul asserted in philidalphia of not being such grade and ded souw to him the parregraf

to ax hartich a testefication at the copy given to him 94

74. SHELBY TO DE PAUW (DRAPER COLLECTION).³

April 23^d 1808

Dear Sir

You can have the Cyder Ayl. that you Mention either with or with out the security you mention—the price of my best is 3/. p Gallon, and you can pay me at the time you state for any

¹ See No. 4.

² See No. 28.

³ 11 Clark MSS., No. 244 (De Pauw Papers).

quantity you want. should you conclude to take any you had better come and make choice of it yourself.

I am happy to hear that you have found any documents that will be of service to that good man—¹

Your Obedient friend

Isaac Shelby

[Superscription]

Mr Charles Depauw

Lincoln

¹ Compare No. 73.

XXII.—PUBLIC DOCUMENTS OF THE EARLY CONGRESSES.

By Gen. A. W. GREELY, U. S. Army.

**PUBLIC DOCUMENTS OF THE EARLY CONGRESSES, WITH SPÉCIAL
REFERENCE TO WASHINGTON'S ADMINISTRATIONS.**

*SUPPLEMENTED BY A BIBLIOGRAPHICAL LIST OF ALL OFFICIAL
JOURNALS, DOCUMENTS, AND REPORTS OF THE FIRST AND SECOND
CONGRESSES, 1789-1798.*

By Gen. A. W. GREELY, U. S. A.

There is no period of American history which is more important in its bearings upon the success of this nation than that covered by the earliest Congresses, and it is safe to say that there is none concerning which the student and the general reader is less reliably informed.

It was the formative period of the first constitutional government known to the world, wherein the theories and declarations of the greatest document of modern times were to be transformed by the processes of discussion, interpretation, and legislation into accepted axioms and laws that should serve as fundamental bases for all succeeding constitution-making assemblies.

The declaration in the original Constitution of the United States that this Government should be "executive, legislative, and judicial," in the form of three coordinate branches, was viewed as a demagogic phrase by most European statesmen, and it must be admitted that this opinion was shared by many Americans. Slowly but steadily, through legislative proceedings, executive action, and judicial decisions, these three coordinate branches evolved the means and methods by which the action of each of the triune constitutional powers could be fully exercised without impairing the efficiency or the freedom of the others.

Nowhere are the struggles and differences incident to this evolution more concretely or clearly set forth than in the pages of the Congressional documents of the early years of the Republic, say from the adoption of the Constitution in 1789 to 1812, which cover the period aptly described by the late Gen. Francis A. Walker, a member of the American Historical Association, as the "Making of the Nation."

The lack of definite knowledge as to the early Congresses may be indicated by the remarkable, but none the less true statement that there is nowhere in print an exact list of the number and duration of the various sessions held by the Senate during the first fourteen Congresses. Even Jameson, usually complete and accurate, fails to enumerate all of the special sessions.

It is to be noted that Richardson, in his valuable Messages and Papers of the Presidents, which will be described later, in volume 1 omits the proclamations; or, rather, notices, that assembled the Senate in its special session of July 17 to 19, 1798, when Adams wished to secure the prompt confirmation of Washington to be a lieutenant-general. This oversight is not surprising, for the original current records of the Senate were published incorrectly as a continuing part of the proceedings of the Fifth Congress, second session, which ended July 16, 1798. It may be added that the sessions of the Senate, which in the Executive Journals were numbered serially from its original organization in 1789 (instead of by each Congress), were incorrectly numbered in the published Journals, from the sixteenth session, commencing December 3, 1798, to the twenty-seventh (correctly twenty-eighth), ending March 3, 1809, when the error was corrected by omitting No. 28 and applying No. 29 to the special session called March 4, 1809.

The Congressional documents, it should be remembered, comprise the messages communicated to Congress by the President of the United States, the legislative journals of both Houses of the Congress, the secret proceedings or executive journals of the Senate, the reports of Congressional committees on bills, resolutions, and public affairs, communications made to Congress by the executive or judicial officers of the Government, and many miscellaneous publications, such as United States laws, the Congressional Record, the Congressional Directory, Rebellion Records, etc., as Congress may order to be printed for its information and distribution. Bills and resolutions are usually excepted from this classification.

To-day the public documents of Congress, excluding bills and resolutions, are arranged in three distinct classes: Journals, reports, and documents; the reports being confined to those made by Congressional committees. In the early Congresses, apart from the journals, there was no clear-cut demarcation, and the separate printed publications of all kinds were brought together under the indefinite term of State Papers.

These publications, except the legislative journals of both Houses, were issued as the occasion required in all sorts of shapes and sizes, with separate or no pagination and without any serial numbering. While the Senate and the House of Representatives usually printed their documents separately under the impress of a selected printer, yet occasionally one House adopted the printed document of the other, doubtless to save expense, and, in some cases, had recourse to another printer.

The unsystematic methods which obtained as to these early documents would not be so trying and confusing to the historical student if there could be found anywhere a complete collection of such documents, or even a list showing their number, name, and special character.

It will probably surprise many American students to learn that there exists neither a complete collection nor detailed list of the documents of the First to the Fourteenth Congress, inclusive, 1789 to 1817. Such, however, is the condition of affairs as far as my own researches have extended.

In the city of Washington there is no complete collection in any library, whether that of Congress, of the Senate, of the House of Representatives, of the State Department, of the Navy Department, or of the War Department. In the last-named Department, however, is probably the most nearly complete set, a result largely due to the sagacity of its librarian, Mr. David Fitz Gerald, whose strenuous efforts years since, supplemented by the writer's activity in late years, left no opportunity unimproved of adding to its collection. As to other cities, the libraries of New York are especially deficient; in Boston, the Athenæum and the Public libraries are probably as well supplied as the Department of War; in the West the University of Chicago Library contains perhaps the fullest set in the country; other cities, so far as known, are less fully provided with such documents.

Recurring to the action of Congress itself, it may be said that it was not until the commencement of the Thirteenth Congress, in December, 1813, that the House of Representatives, which legislative branch publishes by far the larger number of documents and reports, realized sufficiently the growing importance and permanent value of its own transactions to impel it to introduce systematic methods of publication. The House then adopted a consecutive series of numbers, which was applied to its public documents, beginning

anew at the commencement of each Congress and running uninterruptedly to the end of the last session of such Congress.

The Senate long sat in secret session and, apart from its meager executive and legislative journals, had the policy of placing as little as possible of its proceedings in printed and accessible form. Later, when public opinion constrained a change of policy, it was years before it showed a marked inclination to print freely its reports or documents. It naturally pursued a more conservative or dilatory course and did not apply the serial numbering to its documents until two years after the action of the House, in December, 1815, at the beginning of the first session of the Fourteenth Congress. The next great step was the addition, in December, 1818, of an index for the documents of each House of each Congress.

From time to time inconveniences resulting from the lack of the published records of past Congresses were experienced by members of Congress. This was especially the case in the work of discussion and legislation as to claims and measures which had been fully considered and acted on by their predecessors in the early years of the Republic.

The discussion of publications relating to Congressional documents naturally falls under two heads: First and most important, reprints of the documents, either wholly or in part; second, indexes or lists of the documents.

REPRINTS.

To meet the growing demands for information contained in official papers of past years, a demand made not only by members of Congress but also by the general public, there was published by T. B. Wait & Son, Boston, 1815, the "State papers and public documents of the United States," covering the period from 1789 to 1809. In subsequent editions, those of 1817 and 1819, appear additional "Confidential documents, now first published."

Congress finally took definite action, the Senate leading with its order of May 1, 1820, under which were reprinted, in a series of five volumes, its legislative journals of the First to the Thirteenth Congress, from March 4, 1789, to March 3, 1815.

Similarly the journals of the House of Representatives, from 1789 to 1815, were reprinted in an edition of nine volumes. Bibliographical notes concerning these and other reprints are found in Appendix II of this paper.

In 1829 the Senate removed the seal of secrecy from its confidential proceedings, and printed its executive journals from 1789 to 1829 in an edition of three volumes. These are obviously Congressional documents, although they are omitted from the serially numbered documents in the Document Check-List, 1896. The series of executive journals of the Senate was continued in 1887 to cover the proceedings from 1829 to 1869. Under the confusing system of printing volumes 14 and 15 in two parts this edition is nominally one of thirteen volumes, although really of fifteen.

To the extreme regret of historians and librarians it is to be added that, although there was printed an edition of 600 copies of volumes 1, 2, and 3, yet the edition of the remaining volumes was limited to 100 copies.

The necessity of reprinting the early Congressional documents and reports was, from time to time, urged upon Congress, but for years without avail. Meanwhile time and circumstances had scattered or destroyed the greater part of the early documents, which were originally printed for the convenience and use of a few score men (at first there were twenty-six Senators and sixty-one Representatives). As the number of Senators and Representatives steadily increased and Congressional committees were multiplied, the demand for reports and documents of former Congresses exceeded the supply, and, to crown all, the burning of the Capitol in 1815 practically destroyed the entire reserve.

The question of reprinting the early documents was fruitlessly agitated until the act of Congress approved March 2, 1831, which was followed later by the acts of 1833 and 1858. The act of 1831 provided that documents selected from the archives of Congress should be collated and printed under the supervision of the Secretary of the Senate and Clerk of the House of Representatives. The result of these acts of Congress are comprised in the publications known as the "American State Papers," 38 folio volumes. The documents arranged chronologically and classified as to subject-matter fall under the following headings: Claims, 1 volume; Commerce and Navigation, 2 volumes; Finance, 5 volumes; Foreign Relations, 6 volumes; Indian Affairs, 2 volumes; Military Affairs, 7 volumes; Miscellaneous, 2 volumes; Naval Affairs, 4 volumes; Post-Office Department, 1 volume, and Public Lands, 8 volumes.

Congress had acted none too soon, for the compilers say, "The great mass of these documents were to be found only in the archives of the two Houses. No complete set of them existed in any other place. * * * In addition to this, many exist only in the manuscript records of the two Houses." It may be added that the manuscript records of the two Houses were at that time already incomplete. While this is known by a comparison of the Journals of the House and Senate with the American State Papers, it is affirmed by the editors that only one class of documents compiled by them, that on Indian Affairs, contained all the pertinent Congressional documents to the commencement of the Fourteenth Congress.

The American State Papers are of the highest historical value to students of American affairs. Occasional misprints appear, and there are omissions, so it goes without saying, that when they can be consulted, the original journals and documents are far preferable to this reprint, of which complete sets are now rarely found. According to Mr. J. H. Hickcox, there are 2,464 documents preserved in this collection.

In 1835 the Senate reprinted Selected Documents on the Public Lands, a series of five volumes published by Duff Green, covering the period from July 31, 1789, to July 21, 1834.

As might be expected, the debates and proceedings of the early Congresses found scanty reproduction in the legislative journals of the House of Representatives and of the Senate, the records being quite strictly limited in their scope. Congressional or executive documents were sometimes appended to the journal, and occasionally reprinted, wholly or in part, in the body of it, but speeches other than those connected with the annual address of the President were never printed.

Fortunately, one of the most important of the extended debates of the House of Representatives—that of the Fourth Congress, second session—pertaining to the constitutional powers of the House with respect to treaties, is preserved in an apparently unabridged form, in two contemporaneous volumes printed for Benjamin Franklin Bache, Philadelphia, 1796.

Information as to the debates of the early Senates was exceedingly meager, owing to the fact that the Senate sat with closed doors until 1794, the public being admitted only at the beginning of the second session of the Third Congress. In consequence unusual value attaches to the debates of the first Senate, which are preserved with considerable fullness in the

Journal of William Maclay, Senator from Pennsylvania, edited by G. W. Harris, Harrisburg, 1880.

To supply the existing deficiency as to the regular proceedings of the early Congresses, Joseph Gales, sr., commenced in 1834 a publication known as the *Annals of Congress*, for which he compiled from all available sources an abridgment of the more important Congressional debates.

The *Annals*, extending from March 4, 1789, to May 27, 1824 (First Congress, first session, to Eighteenth Congress, first session, inclusive), consist of 42 volumes, and were the forerunner of the *Register of Debates*, *Congressional Globe*, and the present *Congressional Record*. In the Appendixes of the *Annals*, which were well indexed, appear the most important State papers and public documents, and all laws of a public nature.

The Fifty-third Congress authorized an extremely important and very extensive publication, in which are to be reprinted the official documents of the Presidents of the United States, from the beginning of Washington's term, in 1789, to the end of Cleveland's Administration, 1897. This series is now being published under the supervision of the Hon. James D. Richardson, a Representative from Tennessee, under the title of *A Compilation of the Messages and Papers of the Presidents, 1789-1897*. Three volumes have already appeared, completing the record of Van Buren's Administration, 1837-1841.¹ It seems probable that the series will comprise ten or more volumes.

Mr. Richardson has experienced the enormous difficulties that are inseparable from the attempt to compile completely the messages of the first fourteen Congresses. In consequence there are omitted from the first volume (1789-1817) several scores of messages, among which are some of the most interesting, if not the most important, in the history of Washington's Administration. It seems unnecessary to burden the body of this paper with an enumeration of the omitted messages save those pertaining to the two Administrations of Washington; but for the benefit of students of American history there is appended a list of messages so omitted, which, although comprising all that have fallen under the writer's notice, may not be complete.

Certain of the messages relating to the two Administrations of Washington are referred to somewhat in detail later in this paper.

¹ Volume 5 now (1897) in print includes Buchanan's Administration, 1857-1861.

INDEXES.

Let us now consider briefly the second class of documents, that of indexes. In 1824 (18 C., 1 S. H. R. Doc., No. 163) appeared an "An index of executive communications made to the House of Representatives * * * until the end of the Fourteenth Congress. * * * Also an index to all the printed reports of committees (now extant), alphabetically arranged." A few months since a Government cataloguer of greater enthusiasm than knowledge on seeing for the first time this well-known index heralded it through the press as a discovery of national importance. It is, however, a well-known public document, bound with one other document, and recorded as No. 104, Check-List of Public Documents. This index is found on the shelves of every large library making a claim to fullness of Congressional documents.

While Document No. 163, of 1824, is of value and importance, yet it is incomplete in scope and execution as regards the first two Congresses especially. It is limited entirely to the reports and documents of the House of Representatives, and it contains no record of any reports of committees prior to the second session of the Third Congress in 1795. Although it indexes executive reports found in manuscript, there are many reports mentioned in the official journals of the House which are not herein recorded.

This index, by its limitation, necessarily excludes many important executive communications which were sent alone to the Senate.

In 1880 was published a compilation by Albert Ordway (46 C., 2 S., H. R. Report No. 1776), "General index of the journals of Congress from the First to the Tenth Congress, inclusive, * * * on all public business from 1789 to 1809," and a similar publication by the same author appeared in 1883 (47 C., 1 S., H. R. Report No. 1559), covering the Eleventh to the Sixteenth Congress. These publications are very valuable, being synoptical indexes, but they cover public business alone, and are thus necessarily restricted in their scope.

In 1885 was published (48 C., 2 S., H. R. Report, v. 4) "A general personal index to the journals of Congress from the First to the Eighth Congress," and two years later was issued a similar publication (49 C., 1 S., H. R. Report, v. 12), covering the Ninth to the Sixteenth Congress. These important documents are, however, far from complete.

By all odds the most valuable list, chronologically arranged, is that of Ben: Perley Poore, published by Congress in 1885, under the title of *A Descriptive Catalogue of Government Publications*. It remains to-day the only comprehensive publication, enumerating not only the documents of the early Congresses but also Government publications of all kinds to 1881. Despite its obvious defects, which may be summed up in unsatisfactory arrangement, incomplete index, and omission of titles, it is a vade mecum for any student floundering through the bibliographical obscurities of public documents. Admittedly the usual unfavorable criticisms upon this work are justified under present standards of bibliographical work. It is none the less a monumental work which abides to Poore's memory. To his personal influence, energy, and persistency is due this compilation, which was made under conditions so unfavorable to intelligent work that its completion in any form merits the gratitude of students of American history. It is, perhaps, unnecessary to say that its omission of documents pertaining to the First to the Fourteenth Congresses is proportionately far greater than in any later period.

The last Index, Check-List of Public Documents, second edition, 1896, although a most valuable publication, is chiefly remarkable, as regards the First to the Fourteenth Congress, for what it does not contain. This Check-List makes no mention of the sixty-four original volumes of journals of the Senate and House of Representatives, which are in separate printed form and not difficult of access, bibliographically, as they all appear in Poore's list, so that they could have been easily inserted, as, indeed, could many other important Congressional documents that appeared during this period. The Superintendent of Documents makes no mention of this omission, although four years earlier, in the first edition, it is stated that a satisfactory list of the volumes could not be given. There is inserted, however, a tabular and chronological list, arranged by regular sessions, which shows the number, general character, and general classification of such documents and reports as are printed in the *American State Papers*.

This very valuable Check-List, with many improvements, is marred by the application of a system of serial numbering that is excellent in principle, but utterly indefensible as herein specially practiced. Its use by the Superintendent of Documents, even if adopted as a temporary expedient, can only prove vexatious in the future.

Ignoring the pertinent question as to whether a modification of the serial and independent numbering for each Congress, in use for eighty years, would not be preferable to continuous serial numbers, which threaten in less than half a century to run into numbers of five figures, the new check-list system, without good reason, begins with number 1 for the Senate Journal of the first session of the Fifteenth Congress.

Why this date is chosen seems inexplicable. The House of Representatives commenced to number its documents and reports at the beginning of the second session of the Thirteenth Congress, in December, 1813, and this system was adopted by the Senate in December, 1815, at the commencement of the first session of the Fourteenth Congress.

It may be added that the serial numbers of the Fifty-third Congress already need revising, as Senate Miscellaneous Document No. 266, which is given one serial number only, proves to consist of three volumes instead of one. In another case there are four volumes to one number.

ORIGINAL DOCUMENTS OF THE FIRST AND SECOND CONGRESSES, 1789-1793, WITH COMMENTS.

The documents of the First and Second Congresses, all printed in folio form, were few in number and of limited editions. Apart from the ten volumes of journals, one for each session of the Senate and one for each session of the House of Representatives, it does not appear that more than threescore documents were printed in separate form. It would seem from a resolution of the Senate (May 19, 1789) that its legislative Journal, after being revised, was printed in an edition of 120 copies. It was later increased to 700 copies, and the Senate concurred in the resolution of the House of Representatives (September 29, 1789) providing for distribution of three copies to each State, one each for the governor and the two legislative branches.

The most complete collection of the original documents of these Congresses is to be found in the Athenæum Library, Boston, which is nearly unbroken. In this collection, however, one does not find mention of the first communication, other than the messages of the President, sent to Congress by an executive officer. Dated July 27, 1789, this communication, relating to the organization of the foreign and consular service of the United States (A. S. P., For. Rel., I: 189-190), was from John Jay, Secretary of the Department of Foreign Affairs, who

held over from the Provisional Government until the State Department was organized, in September, 1789.

For satisfactory information on many points it is necessary to turn to the journals of the House and Senate, which contain in full or in part reports of committees, messages of the President, and miscellaneous documents. One is surprised upon perusing the documents at the facility, speed, and ability with which Congress initiated and perfected legislation on lines calculated to unite the eleven States, first represented therein, in a compact and centralizing confederation.

Among other laws were made those for establishing the Federal judiciary system; for the equitable settlement of claims barred by limitation; the building of light-houses; the establishment of a mint and the regulation of coinage; future apportionment of Representatives; the taking of a census (Russia is just taking its first census, in 1897); the relief of prisoners for debt; levying of taxes and duties; provisions for the public debt; the registration of ships; regulation of coasting trade; the promotion of the useful arts (patents and copyrights); invalid pensions; the regulation of Indian trade; organization of the militia; formation of an army, etc.

Treaties were made with many Indian tribes, with Sweden, Morocco, France, Great Britain, Algiers, and Spain. The Constitution was vitally amended; adjustment of boundaries begun; the two hesitating colonies cast in their lot with the Union; two new States were admitted to fellowship.

In running through these documents many matters of interest attracted the attention, but only a few of the impressions gained can here find place.

The present demand for pensions is not unprecedented, as the petitions of these early years of the nation were relatively as numerous and the responses as generous as in our time.

The simplicity of the early sessions of Congress, evinced in many other instances, is perhaps well illustrated by its formal authorization of the employment of a janitor at 50 cents a day.

The first bill passed by the House ran: "Be it enacted by Congress," but the Senate presented an acceptable amendment, so that the title for all acts of Congress run: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

The influence of authors in shaping useful legislation was not wanting, as is shown by the passage by the First Congress

of an act to promote the useful arts and sciences, whereby was initiated the patent and copyright systems of the United States. It was the petition of David Ramsay, April 15, 1789, to secure exclusive rights to his patriotic publications on the Revolutionary war that directly turned the attention of Congress to the necessity of a general law. Ramsay's petition was followed closely by those of Jedidiah Morse, May 12, for a copyright of his American geography, and Nicholas Pike of Newburyport, June 8, for his system of arithmetic.

The first law enacted by Congress, May 6, 1789, related to the time and manner of public officials taking their oath of office, but two days later we find the Senate printing 100 copies of a tariff bill, their first publication, as the Senate Journal was not authorized to be printed until May 19.

It is interesting to note that our day of National Thanksgiving and prayer was initiated through a resolution originating in the House of Representatives, September 25, 1789, under which a joint committee of Congress waited upon the President with the request that he would recommend such a day, especially in connection with the establishment of a constitutional government.

The hesitation with which the Senate assumed its inherent powers appears from its doubt, expressed in a formal communication, as to whether it could independently hire employees to care for its legislative chambers without an antecedent law and formal nomination by the President.

One practice of the House of Representatives which obtained until January 13, 1790, the election of its important committees, is particularly noteworthy, owing to a surrender of these powers of the House in later years. It appears remarkable that the most democratic body of the Government should have tended toward a dictatorship, enlarging the powers of the Speaker of the House to such a phenomenal extent as to intrust the appointment of all committees to his discretion.

As is well known, the President's method of communicating with Congress passed through several phases before it settled into its definite written form at the beginning of Jefferson's Administration. Originally the inaugural and annual addresses were in reality speeches, as they were verbally delivered by the President to both Houses of Congress. The early answers to the annual addresses were carefully drawn documents, prepared by each House of Congress through the deliberations of a committee, which were presented separately by a

committee of each House to the President at his residence. To these addresses of the Senate and House of Representatives the President made direct response in a short speech.

Whenever a message was of such a general character as to necessitate its communication to both Houses of Congress, Washington, during the first session, sent this message separately and independently addressed to each House. During the second session, in January, 1790, he adopted the plan of addressing such messages conjointly to the "Senate and House of Representatives."

Through all the proceedings one is impressed by the potent personality of the President, George Washington. At first the tone of the addresses indicates the President's dominating influence, which steadily waned, imperceptibly at first, but with great rapidity later. Washington's tendency in communicating with Congress seems to have been somewhat averse to sending messages to the House of Representatives, as though he distrusted the disposition of that democratic body to accept unhesitatingly the opinions or recommendations of any individual, however exalted his station. Whether this distrust existed or not there was certainly good grounds for it, as from the House of Representatives came the attack in the last year of his Administration, headed by Giles of Virginia, which doubtless confirmed Washington in his intention of permanently withdrawing from public affairs. It is interesting to note that Andrew Jackson's first act as a Federal legislator was to vote, from beginning to end of the debate, against any form of address that should show undiminished confidence in Washington.

MESSAGES OF THE PRESIDENT OMITTED IN RICHARDSON'S COMPILATION.

Recurring to such messages sent to Congress by Washington as are not reproduced in the official compilation of Richardson, the following are worthy of brief attention: The one first omitted, that of August 22, 1789, is unique, and its manner of presentation to the Senate was of striking interest and importance. If this solitary example serving as a precedent had grown into a habitual practice it would have converted the Senate of the United States into a privy council for the President of the United States. It is not difficult to surmise that serious evils might have arisen for the Republic had the plan not been abandoned. Consider how short a step it would have been from

a Presidency to a dictatorship in the stormy days of the Republic, when the President of the United States, backed by his immense power of patronage, could meet the Senate and demand that to any of his propositions they should signify their assent or dissent by answering in his presence, *viva voce*, aye or no. Fortunately, it is a solitary instance in the history of the nation where the President has met the Senate in person and obtained its advice under conditions above mentioned.

The proposition for such a formal meeting, conveyed confidentially to the Senate in Washington's message of August 21, 1789, evidently impressed the Senate with the importance of the occasion. The President named the following day, but the Senate acted promptly and its committee that day reported on the mode of communication proper to be pursued between the President and the Senate in the formation of treaties and making appointments to office. It should be borne in mind that this committee had been originally appointed in connection with the rejection of one of Washington's appointees, which had resulted in the President's message of August 6, 1789, wherein he suggested to the Senate the propriety and expediency of communicating to the President the reason which made any nomination appear questionable.

The committee, by its chairman, Senator Izard, reported in part as follows:

That when the President of the United States shall meet the Senate in the Senate Chamber, the President of the Senate shall have a chair on the floor, be considered as the head of the Senate, and his chair shall be assigned to the President of the United States. * * *

That all questions shall be put by the President of the Senate, either in the presence or absence of the President of the United States; the Senators shall signify their assent or dissent by answering, *viva voce*, aye or no.

Washington met the Senate on August 22 and 24, 1789, and laying before it a statement (Ex. Journal Sen. 1: 20-22) that the boundaries of the Southern District were being ravaged by Indian tribes, 14,000 warriors strong, asked the categorical advice of the Senate on several different points, to which questions the Senate proceeded to give their advice and consent.

Whether he considered the course proposed replete with future dangers to the nation, or whether he considered such meetings as derogating from the dignity of the President, Washington never again met the Senate under such circum-

stances. Later (August 4, 1790), when, stating another question in regard to a secret article of the Creek treaty, he wished the advice of the Senate, he intimated that if the statement was not sufficiently explicit he would send the Secretary of War to give additional information.

In the omitted message of September 26, 1789, Washington transmitted a letter of Governor John Collins of Rhode Island, on behalf of the general assembly of that State, expressing the desire of Rhode Island to maintain friendly relations with the United States. It appears from other documents that Rhode Island was wise in deprecating an unfriendly attitude on the part of the United States, for discriminating legislation was contemplated whereby that State and North Carolina should experience the disadvantages of remaining out of the Union.

On December 9, 1790, Washington sent to the House by Tobias Lear, the proceedings of the District of Kentucky relative to its admission into the Union. Washington had stated in his message of the day previous that he would send these papers to Congress, but why they were not transmitted with a written message does not appear.

The early military expeditions against the Indians in the territory northwest of the Ohio, and the efforts to establish a satisfactory civil government in that region are events of such importance as to justify allusion to the messages of December 14, 1790, and February 18, 1791; similarly, the student of constitutional law follows eagerly every step in the initiation on novel lines of the judiciary system of the United States, which thus gives value to the message of December 12, 1790.

Among the many difficulties that environed the young Republic, those with Spain were vital to the growth and prosperity of the Southwestern colonies. As pertinent to the story of the intrigues, difficulties, and Indian hostilities growing out of the boundary and other differences between the United States and Spain, attention may be called to the message of March 12, 1794, and especially to the confidential message of November 7, 1792, relative to Spanish interference with the execution of the treaty between the United States and the Creeks.

The annoying perplexities that Washington experienced in establishing satisfactory relations with the different European powers render the messages on foreign affairs sent by him to

Congress indispensable to every historical student. The questions involving boundary lines between the United States and Canada, the complications arising in connection with the withdrawal of British troops from our Northwest territories, the establishment of satisfactory commercial relations with Great Britain, were extremely important chapters in early American history. For these reasons attention should be drawn to the missing messages of March 12, 1794, May 23, 1794, June 4, 1794, and June 29, 1798. With reference to Great Britain it may be exceptionally noted that there is also lacking Madison's proclamation of December 22, 1815, in connection with the very important commercial convention, which initiated a new era between the United States and Great Britain. This proclamation is to be found in Niles's Register, 9: 310-312.

In connection with the disturbed relations between the United States and France, in the stormy period of its existence from the revolution of 1793 to the beginning of this century, there are many phases worthy of serious consideration. Best known from the domestic disturbances that marked it was the Genet incident, connected with which were Washington's messages of January 15 and 16, 1794, both missing from Richardson's compilation.

As marking the subsequent growth of executive authority, attention is called to the missing message of February 22, 1793. Nominations of military officers were made provisionally to fill original existing vacancies, the officers to be employed or not as future military events should render expedient. The message is important as containing the President's admission that he could not fill such original vacancies at a time when the Senate was not in session to advise and consent to their appointments. The Senate confirmed their appointments. It is needless to add that the President now fills such original vacancies during the recess of the Senate.

There is one message of President Washington contained in Richardson's compilation, which, in its present form without note of explanation, might as well have been omitted, at least as far as its value to historical students goes. It is the message of January 26, 1791, which relates to one of the greatest of all Americans, and which conveys a tribute of Europeans to the memory of an American that is unique in the annals of history. Strangely enough, Washington did not mention Benjamin Franklin, who was the man thus honored.

The documents thus transmitted to Congress consisted of a letter from Sieyes, president of the National Assembly of France, with the decree of the National Assembly of June 11, 1790, which directed that its members should wear, during three days, mourning for Benjamin Franklin. These documents appear in *Annals of Congress*, 2: 2116, 2117.

In view of the fact that there exists no catalogue showing the reports of committees of Congress pertaining to the first two Congresses, this paper is supplemented by a bibliographical list showing in chronological order not only the data relative to the reports, journals, and documents as originally published, but also as to the publications in which they are reprinted, and the names of the more important libraries where they are now accessible.

In this connection acknowledgments are due to the following librarians for information furnished and courtesies extended: Mrs. Dixon, University of Chicago; Judge A. W. Church, United States Senate; A. F. Lane, Boston Athenæum, and Herbert Putnam, Boston Public Library.

APPENDIX I.

LIST OF MESSAGES AND STATE PAPERS OF PRESIDENTS OF THE UNITED STATES OMITTED FROM THE COMPILATION OF HON. J. D. RICHARDSON, VOLUME 1, 1789-1817.

(Unless otherwise described, the document is a message, and is to be found in the legislative Journal of the House to which it is addressed, usually of even date, but sometimes a day or two later.

S., equals Senate. H. R., equals House of Representatives. Ex. Jo. S., equals Executive Journal of the Senate.)

August 7, 1789. H. R. Indian troubles. The same message was sent separately to the Senate on the same day.

August 10, 1789. H. R. Regarding United States troops. This message was sent separately to the Senate on the same day.

August 22, 1789. S. Confidential; asking advice of Senate regarding methods to be followed in dealing with hostile Southern Indians. Ex. Jo. S., 20-22.

September 26, 1789. H. R. Transmitting letter of Governor John Collins of Rhode Island, in behalf of the general assembly of that State, expressing the desire of Rhode Island to maintain friendly relations with the United States.

September 26, 1789. S. Same message as above. (For accompanying letter, see A. S. P., Misc., 1: 9).

September 29, 1789. H. R. Death of the Dauphin of France. This message was sent separately to the Senate the same date.

December 9, 1790. H. R. Proceedings of the District of Kentucky relative to the admission into the Union. Exceptionally, this message was delivered verbally, through Tobias Lear.

December 14, 1790. S. and H. R. Information regarding military expedition against Indians northwest of the Ohio.

February 18, 1791. S. and H. R. Affairs in Northwest Territory. Proceedings of the governor under resolution of August 29, 1788.

December 12, 1791. S. and H. R. Transmitting letter of Attorney-General on the proposed judiciary system.

January 2, 1792. S. and H. R. Washington's account of contingent fund.

November 17, 1792. S. and H. R. Spanish interference with execution of treaty between the United States and the Creeks.

January 23, 1793. S. Regarding revenue districts. This message was not sent to the House of Representatives, as stated by Richardson.

December 30, 1793. S. and H. R. Affairs with Spain on the relations between Louisiana, Florida, and Georgia. For documents, see A. S. P., For. Rel., 1: 308.

- December 30, 1793. H. R. On restrictions on American commerce imposed by National Assembly of France and the Spanish Government. For documents, see A. S. P., For. Rel., 1: 306-7.
- December 31, 1793. S. and H. R. Account of funds for foreign intercourse, and related information.
- January 7, 1794. S. and H. R. Washington's account of contingent fund.
- January 15, 1794. S. and H. R. Proceedings of legislature of South Carolina regarding enlistments for the service of France; also letter from Citizen Genet, French minister.
- January 16, 1794. S. and H. R. Affairs with France; depredations on American commerce by French privateers, navigation act, etc.
- January 22, 1794. S. and H. R. British affairs; commercial negotiations with Great Britain; order of British Admiralty regarding neutral ships unlawfully seized.
- January 30, 1794. H. R. Regarding cession of lands to the United States by North Carolina.
- March 12, 1794. S. and H. R. Relations with Spain; letters from Spanish commissioners with inclosures. For documents, see A. S. P., For. Rel., 1: 425-7.
- March 25, 1794. S. and H. R. On American commerce, with letters relative to relief of United States seamen in West Indies. For documents, see A. S. P., For. Rel., 1: 428-9.
- May 23, 1794. S. and H. R. British affairs; inciting Indians to hostilities, fitting out French privateers, encroachments of British troops, etc.
- June 4, 1794. S. and H. R. Causes for complaint against Great Britain, detention of American seamen on British sloop of war. For documents, see A. S. P., For. Rel., 1: 464-8.
- December 3, 1794. S. and H. R. Washington's account of contingent fund.
- December 11, 1794. S. and H. R. Regarding authorization of purchasing agent for Treasury Department.
- December 16, 1794. S. and H. R. Transmitting account of fund for foreign intercourse.
- January 12, 1795. S. and H. R. Regarding Indian affairs in Georgia.
- February 28, 1795. S. and H. R. Foreign affairs. This message was sent to both Houses, as noted by Richardson, but it was not printed in the proceedings of the House, being confidential.
- January 13, 1796. S. and H. R. Washington's account of contingent fund.
- February 29, 1796. S. Papers relating to the negotiation of treaty with Spain.
- February 9, 1797. S. President-elect John Adams notifies the Senate of time and place when and where he will be ready to take the inaugural oath. (Communication sent to H. R. the same day.)
- February 15, 1797. S. and H. R. Washington's account of contingent fund.

- February 15, 1797. S. Address of President-elect John Adams on withdrawing from the chair of the President of the Senate.
- February 23, 1797. S. Answer of President-elect John Adams to address of the Senate on his retiring from the chair to assume the duties of President.
- May 29, 1798. S. Transmitting article explanatory of treaty between United States and Great Britain, with correspondence. A. S. P., For. Rel., 2: 182-5.
- June 5, 1798. S. and H. R. Relations with France; diplomatic correspondence wherein France demands a loan prior to negotiating for treaty. A. S. P., For. Rel., 2: 185-6.
- June 18, 1798. S. and H. R. Relations with France; grievances of France; detention of French cruisers; French prize cases; decree against American vessels, etc. A. S. P., For. Rel., 2: 188-9.
- December 13, 1799. S. Affairs with Tunis; instructions of commissioners to negotiate alterations in treaty. A. S. P., For. Rel., 2: 281-2.
- January 20, 1800. S. and H. R. Adams's account of contingent fund.
- February 7, 1800. H. R. Affairs with Great Britain; in connection with surrender of Thomas Nash, seaman.
- February 17, 1800. S. Instructions respecting negotiations on treaty with Prussia. Ex. Jo. S., 1: 340.
- April 17, 1800. S. Transmitting return of Secretary of War, in accordance with request of Senate, April 9, in connection with the increase of the Army, with observations of the Secretary of War. Ex. Jo. S., 1: 349. For documents, see A. S. P., Mil. Af., 1: 146-51.
- December 22, 1800. S. Confidential instructions of United States envoys and ministers credited to the French Republic. Ex. Jo. S., 1: 361.
- January 16, 1801. S. and H. R. Adams's account of contingent fund.
- January 29, 1801. S. Withdrawing nomination of Lucius H. Stockton as Secretary of War, in consequence of letter transmitted to Senate. Ex. Jo. S., 1: 375.
- February 27, 1801. H. R. Transmitting report of Secretary of State regarding depredations on American commerce by British vessels; abstract of complaints since 1800, with names of owners, vessels, etc.
- February 27, 1801. H. R. Transmitting report of Secretary of War of expenditures for military stores, etc., 1798 to 1801, and statement of Secretary of War as to details of expenditures for the above purposes.
- March 25, 1802. S. Nominations of officers for reorganizing the Army on a peace establishment. Ex. Jo. S., 1: 410.
- April 3, 1802. S. Transmitting proceedings of court-martial in case of Capt. Cornelius Lyman. Ex. Jo. S., 1: 417.
- April 17, 1802. S. Report of the Secretary of State, with documents concerning the seventh article of the treaty between United States and Great Britain.
- March 1, 1803. H. R. Statement of the militia of New Hampshire, Massachusetts, Connecticut, New York, North Carolina, Georgia, and Kentucky.

- December 7, 1803. S. and H. R. Transmitting laws of the Indiana Territory.
- March 7, 1804. S. and H. R. Transmitting letter from Governor Claibourne of Louisiana, relative to the admittance of African slaves to the Territory; Spanish regulations respecting the importation of slaves.
- March 16, 1804. H. R. Returning enrolled bill relating to relief of captors of Moorish armed ships.
- December 6, 1804. S. and H. R. Transmitting report of Surveyor Latrobe on public buildings at Washington, showing report of progress of work on the Capitol and President's House.
- January 24, 1806. S. Transmitting information relative to affairs with Great Britain. Ex. Jo. S., 2: 39.
- February 4, 1806. S. Transmitting confidential information relative to affairs with Great Britain. Ex. Jo. S., 2: 40.
- (March 24, 1806.) S. and H. R. Concerning relations with Great Britain. Ex. Jo. S., undated, of March 24, 1806, 2: 43.
- March 31, 1808. S. Transmitting confidential papers relating to Great Britain and France. Ex. Jo., S., 2: 78.
- March 14, 1810. S. Transmits report of Secretary of War, under resolution of Senate of January 22, 1810, regarding instructions and powers given Pierre Chouteau, under which he made a treaty with the Osages, with other documents, etc. Ex. Jo. S., 2: 141.
- June 23, 1812. S. Transmitting report of Secretary of War, under resolution of the Senate of June 19, 1812. Ex. Jo. S., 2: 291.
- January 14, 1813. S. Transmitting report of Secretary of State, under resolution of December 22, 1812, asking intentions of the enemy to take possession of east Florida; disposition of the people to receive protection of the United States; American forces in that neighborhood and Spanish forces in the Territory; negotiations respecting the cession of that Territory to the United States, etc. Ex. Jo. S. 2: 336.
- January 17, 1813. S. Transmitting report of the Secretary of War, under resolution of January 7, 1815. Ex. Jo. S., 2: 340.
- February 18, 1813. S. Transmitting report of Secretary of State, under resolution of the Senate of January 18, 1813. Ex. Jo. S., 2: 345.
- June 3, 1813. S. Informing Senate that office of Secretary of Treasury is not vacated, and that in absence of Albert Gallatin, the duties of that office are discharged by William Jones, Secretary of the Navy. Ex. Jo. S., 2: 350-51.
- June 7, 1813. S. Transmitting report of Secretary of State in accordance with resolution of Senate of June 3. Ex. Jo. S., 2: 351.
- February 8, 1814. S. In consequence of protracted absence of Albert Gallatin, Secretary of Treasury, nominates him to be minister plenipotentiary for negotiating treaty with Great Britain. Ex. Jo. S., 2: 470.
- January 14, 1815. Transmitting report of Secretary of War, under resolution of the Senate, December 19, 1814. Ex. Jo. S., 2: 603.

- December 22, 1815. Proclamation of President Madison announcing the commercial convention of United States with Great Britain. Niles's Register, 9: 310-12.
- January 2, 1816. S. Nomination of officers retained on the peace establishment with reduced rank, showing their standing before reduction and their present rank. Ex. Jo. S., 3: 15-17.
- February 13, 1816. S. Transmitting report of the Secretary of War with copies of letters addressed to the Department by the Board of General Officers; report of said Board concerning the reduction of the late Army to a peace establishment, etc. Ex. Jo. S., 3: 29.
- March 26, 1816. S. Asking advice of the Senate as to a ratification of treaty and convention concluded with Cherokee Nation; with documents relating to losses by Indians, for which indemnity was specified. Ex. Jo. S., 3: 38, 39. A. S. P., Indians Affairs, 2: 88-91. The documents referring to losses by Indians are not printed, as they were returned to the War Department and later could not be found.

APPENDIX II.

LIST OF THE MOST IMPORTANT PUBLICATIONS CONTAINING REPRINTS, IN WHOLE OR IN PART, OF THE PROCEEDINGS, JOURNALS, DOCUMENTS, ETC., OF THE EARLY CONGRESSES OF THE UNITED STATES OF AMERICA; ALSO OF INDEXES AND OTHER FINDING LISTS PERTAINING TO THE CONGRESSIONAL DOCUMENTS IN THEIR ORIGINAL FORM.

Annals of the Congress of the United States. The Debates and Proceedings in the Congress of the United States; with an Appendix containing important State Papers and Public Documents and all the Laws of a Public Nature; with a Copious Index. Compiled from authentic materials. (By Joseph Gales, senior, vol. 1 only.) Washington. Gales & Seaton. 1834 to 1856. 43 volumes.

Vols. 1 and 2, First Congress; 3, Second Congress; 4, Third; 5 and 6, Fourth; 7-9, Fifth; 10, Sixth; 11 and 12, Seventh; 13 and 14, Eighth; 15 and 16, Ninth; 17-19, Tenth; 20-22, Eleventh; 23-25, Twelfth; 26-28, Thirteenth; 29-30, Fourteenth; 31-34, Fifteenth; 35-37, Sixteenth; 38-40, Seventeenth; 41-42, Eighteenth Congress, first session.

American State Papers. Documents, legislative and executive, of the Congress of the United States. Selected and edited under the authority of Congress by the Secretary of the Senate and the Clerk of the House of Representatives. 38 volumes. Washington. Gales & Seaton, 1832 to 1861.

Published by Gales & Seaton under authority of Congress, dated March 2, 1831, March 2, 1833, and June 12, 1858. They include the most important executive and legislative documents of the United States. The thirty-eight volumes are divided into ten series, the documents being arranged chronologically, as follows:

Foreign Relations. 6 volumes. From April 30, 1789, to May 24, 1823.

Claims. 1 volume. From February 5, 1789, to March, 1823.

Commerce and Navigation. 2 volumes. From April 12, 1789, to February 25, 1823.

Finance. 5 volumes. From April 11, 1789, to May 16, 1828.

Indian Affairs. 2 volumes. From May 25, 1789, to March 1, 1827.

Military Affairs. 7 volumes. 1, from August 10, 1789, to February 25, 1819; 2, to February 28, 1825; 3, to May 10, 1828; 4, to March 4, 1832; 5, to March 5, 1836; 6, to February 26, 1837; 7, to March 1, 1838.

Miscellaneous. 2 volumes. From April 17, 1789, to February 20, 1823.

Naval Affairs. 4 volumes. 1, from January 20, 1789, to March 5, 1825; 2, to January 10, 1827; 3, to March 1, 1831; 4, to June 15, 1836.

Post-Office Department. 1 volume. From January 22, 1789, to February 21, 1833.

Public Land. 8 volumes. From July 31, 1789, to February 28, 1837. (Another edition was published by Duff Green, Congressional Printer, of five volumes, from July 31, 1789, to July 31, 1834.)

Compilation of the Messages and Papers of the Presidents, 1789-1897. Published by authority of Congress. By James D. Richardson. Washington, 1896, *et seq.*

The series will probably contain eleven or more volumes. The following are in print: 1, 1789-1817, including Madison's Administrations; 2, 1816-1833, including Jackson's first Administration; 3, 1833-1841, including Van Buren's Administration; 4, 1841-1849, including Polk's Administration; 5, 1849-1861, including Buchanan's Administration.

Journal of the Executive Proceedings of the Senate of the United States of America. Printed by order of the Senate of the United States. 3 volumes. Washington. Duff Green, 1828[-1829]. Vol. 1, 1789 to March 4, 1805; 2, December 11, 1805, to March 3, 1815; 3, December 6, 1815, to March 3, 1829.

Journal of the House of Representatives of the United States. Reprinted by order of the House of Representatives. 9 volumes. Washington. Gales & Seaton, 1826. Vol. 1, First and Second Congresses; 2, Third and Fourth; 3, Fifth and Sixth; 4, Seventh and Eighth; 5, Eighth and Ninth; 6, Tenth; 7, Eleventh; 8, Twelfth; 9, Thirteenth.

Journal of the Senate of the United States. Reprinted by order of the Senate, May 1, 1820. 5 volumes. Washington. Gales & Seaton, 1820-21. Vol. 1, First and Second Congresses; 2, Third, Fourth, and Fifth Congresses; 3, Sixth, Seventh, and Eighth Congresses; 4, Ninth, Tenth, and Eleventh Congresses; 5, Twelfth and Thirteenth Congresses.

Proceedings and debates of the House of Representatives in the first Congress. Taken in shorthand by T. Lloyd. N. Y., 1789. 3 volumes.

State Papers and Public Documents of the United States from the accession of George Washington to the Presidency, exhibiting a complete view of our foreign relations since that time. Published under the patronage of Congress. 6 volumes. Boston. Printed and published by T. B. Wait & Sons. 1815.

The same, second edition, in 10 volumes, including confidential documents now first published. Boston. T. B. Wait & Sons. 1817.

The same, third edition, in 12 volumes. Boston. Thomas B. Wait, 1819.

Veto Messages of the Presidents of the United States, 1789-1886, with the action of Congress thereon. Compiled by order of the Senate by Ben: Perley Poore. (49 C: 2 S., Sen. Misc. Doc. No. 53, vol. 2.)

INDEXES, ETC.

1774-1881. First to Forty-sixth Congress, inclusive. A descriptive catalogue of Government publications of the United States, September 5, 1774, to March 4, 1881. Compiled by order of Congress by Ben: Perley Poore. 1885. 1,392 pp. (48 C: 2 S., Sen. Misc. Doc. No. 67, vol. 4.)

1789-1873. First to Forty-second Congress, inclusive. An index of bills presented to the House relating to banks, currency, public debt, tariff, and direct tax, showing the title of the bill, name of person

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1135

- introducing, nature of the report, and disposition of the bill. 1875. 183 pp. (43 C: 2 S., H. Misc. Doc., vol. 2.)
- 1789-1849. First to Thirty-first Congress, inclusive. Digested summary and alphabetical list of private claims which have been presented to the House of Representatives, exhibiting the action of Congress on each claim, with reference to the journals, reports, bills, etc., elucidating its progress. 3 volumes. Washington. William M. Belt, for the House of Representatives. 1853.
- 1789-1817. First to Fourteenth Congress, inclusive. An index to the executive communications made to the House of Representatives from the commencement of the present form of government until the end of the Fourteenth Congress, inclusive; first, by a reference (subject) in alphabetical order to the printed and also to the manuscript reports; second, by reference to the same matter arranged under the head of the Department whence it came. Also an index to all the printed reports of committees, alphabetically arranged. 1824. 129 pp. (18 C: 1 S., H. R. No. 163.)
- 1789-1815. First to Fifteenth Congress, inclusive. An (alphabetical) index to all the printed reports of committees which are now extant. (18 C: 1 S., Ex. Doc. 163. Pp. 189-247.)
- 1789-1809. First to Tenth Congress, inclusive. A synoptical subject index of the proceedings of Congress, with reference to the debates, documents, and statutes connected therewith. Compiled by Albert Ordway. Washington. Government Printing Office. 1880. 151 pp. (46 C: 2 S., H. R. Rpt., vol. 6.)
- 1789-1805. First to Eighth Congress, inclusive. A general personal index of the journals of Congress. Washington. Government Printing Office. 1835. 134 pp. (48 C: 2 S., H. R. Rept., vol. 4.)
- 1805-1821. Ninth to Sixteenth Congress, inclusive. A general personal index of the journals of Congress. Washington. Government Printing Office. 1887. 191 pp. (49 C: 1 S., H. R. Repts., vol. 7.)
- 1809-1821. Eleventh to Sixteenth Congress, inclusive. A synoptical subject index of the proceedings of Congress, with reference to the debates, documents, and statutes connected therewith. Compiled by Albert Ordway. Washington. Government Printing Office. 1883. 118 pp. (47 C: 1 S., H. R. Rpt., vol. 7.)
- 1815-1880. Fourteenth to Forty-sixth Congress. Indexes to all printed reports of committees made in both Houses of Congress; classified and arranged in numerical order; compiled by Thos. Hudson McKee. 2 volumes. Washington, 1887.
- 1815-1887. (Index to.) Reports of the committees on —, Senate (House of Representatives), from the Fourteenth Congress, 1815, to the Forty-ninth Congress, 1887, inclusive. Compiled under the direction of the Joint Committee on Printing by T. H. McKee, clerk Document Room, United States Senate. Washington, 1887.

The reports of each committee of Congress, under 49 C: 1 S., Public Res. No. 24, were collected arranged, and bound for the purpose of supplying each committee with a series of its own reports; only 80 additional reports were printed. The index for the reports of each committee were prepared and paged separately.

- 1817-1889. Fifteenth to Fifty-first Congress. A list of Congressional documents from the Fifteenth to the Fifty-first Congress, and of Government publications containing the debates and proceedings of the First to the Fifty-first Congress, together with a miscellaneous list of public documents. Prepared by John G. Ames, Chief of Division of Documents, Interior Department. 1892. 120 pp. (Second edition, revised and enlarged. 1789-1895. Prepared under direction of F. A. Crandall, Superintendent of Documents, Government Printing Office. 1895. 222 pp.)
- 1817-1823. Fifteenth to Seventeenth Congress, inclusive. Index to the executive communications made to the House of Representatives from December 3, 1817, to March 3, 1823. Washington. Gales & Seaton. 1823. 129 pp.

"First, by reference, in alphabetical order, to the report, by the subject-matter thereof; second, by a reference to the same matter, arranged under the head of the Department whence it came; to which is added a reference to all other documents printed during the same period by order of the House, and not of a character with the foregoing, under the head *Miscellaneous*."

APPENDIX III.

LIST OF JOURNALS, REPORTS, AND OTHER DOCUMENTS OF THE FIRST AND SECOND CONGRESSES OF THE UNITED STATES OF AMERICA, MARCH 4, 1789, TO MARCH 2, 1793. WITH NOTES SHOWING THE GENERAL CHARACTER OF THE DOCUMENTS, AND ALSO THE LIBRARIES IN WHICH THE ORIGINAL EDITIONS ARE TO BE FOUND.

Unless otherwise expressly stated, all originals herein mentioned are in the following libraries: Boston, Athenæum Library; Washington, War Department Library.

ABBREVIATIONS.

1 C: 1 S., etc. First Congress, first session, etc. (Special sessions of the Senate are shown by SS.)

Annals. Annals of Congress (sometimes called *Gales's Debates*).

A. S. P. American State Papers.

Ath. L. Athenæum Library, Boston.

B. P. L. Boston Public Library.

C. U. L. Chicago University Library.

Ex. Jo. S. Executive Journal of Senate.

For. R. Foreign Relations.

H. R. House of Representatives.

Jo. H. R. Journal House of Representatives.

Jo. S. Journal (legislative) of Senate.

Richardson. Messages and State Papers of the Presidents. By Hon. J. D. Richardson.

S. Senate.

St. L. Department of State Library.

W. D. L. War Department Library.

Misc. Miscellaneous.

P. L. Public Lands.

FIRST CONGRESS—1789-1791.

FIRST SESSION: MARCH 4, 1789, TO SEPTEMBER 29, 1789.

SECOND SESSION: JANUARY 4, 1790, TO AUGUST 12, 1790.

THIRD SESSION: DECEMBER 6, 1790, TO MARCH 3, 1791.

The first two sessions were held in New York City; the third session was held in Philadelphia.

President of the United States, GEORGE WASHINGTON, Virginia. From April 30, 1789.

Vice-President of the United States and President of the Senate, JOHN ADAMS, Massachusetts. From April 21, 1789.

1137

- Speaker of the House of Representatives, **FREDERICK A. MUHLENBERG**, Pennsylvania. From April 1, 1789.
- Chief Justice of the Supreme Court, **JOHN JAY**, New York. From September 26, 1789.
- Secretary of State, **THOMAS JEFFERSON**, Virginia. From September 26, 1789.
- Secretary of the Treasury, **ALEXANDER HAMILTON**, New York. From September 11, 1789.
- Secretary of War, **HENRY KNOX**, Massachusetts. From September 12, 1789.
- Secretary of the Navy, (War Department in charge of Naval Affairs). Postmaster-General, **SAMUEL OSGOOD**, Massachusetts. From September 26, 1789.
- Attorney-General, **EDMUND RANDOLPH**, Virginia. From September 26, 1789.

SENATE.

FIRST SESSION, MARCH 4, 1789, TO SEPTEMBER 29, 1789.

Vice-President **JOHN ADAMS**, President.

SENATE JOURNALS.

- Journal (legislative), March 4, 1789, to September 29, 1789. New York. Thomas Greenleaf. 172pp. B. P. L.
- Journal of Executive Proceedings. In Journal of Executive Proceedings of the Senate, First to Nineteenth Congress. Washington. Duff Green, 1828. 1: 3-35. B. P. L.

SENATE DOCUMENTS.

- 1 C: 1 S. April 25, 1789.
Return, April 24, of messenger (Charles Thomson) appointed to deliver to George Washington a certificate of his election to the office of President of the United States. A. S. P., Misc. 1: 5-6. Address of Thomson, April 14, to Washington and his reply.
- 1 C: 1 S. April 30, 1789.
Inaugural speech of President Washington, New York, April 30, 1789. Jo. S., 23-5. A. S. P., 1: 9-10. Richardson, 1: 51-4.
- 1 C: 1 S. May 7, 1789.
Address of Senate to President Washington. Jo. S., 29-30.
- 1 C: 1 S. May 18, 1789.
Reply of President Washington to address of Senate by Vice-President John Adams, May 7. Jo. S., 37-8. A. S. P., 1: 10-11. Richardson, 1: 54-5.
- 1 C: 1 S. May 25, 1789.
Message of the President, transmitting treaties between United States and several nations of Indians, negotiated and signed, with papers respecting them. Richardson, 1: 57. Ex. Jo. S., 1: 3-5.
- 1 C: 1 S. June 11, 1789.
Message of the President, transmitting revised treaty, July 29, 1784, modifying its provisions regarding consuls and agents, signed November 14, 1788, by plenipotentiaries of France and United States. Richardson, 1: 57-8. A. S. P., For. R., 1: 88.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1139

1 C: 1 S.

June 16, 1789.

Message, June 15, from the President, nominating W. Short to take charge of United States affairs at court of Spain during absence of Minister Jefferson. Ex. Jo. S., 1: 6. Richardson, 1: 58.

1 C: 1 S.

July 23, 1789.

Letter to Emperor of Morocco, ratifying treaty with him and requesting his interposition with Algiers, Tunis, and Tripoli. Secret Journals of Cong., 4: 365-6. (This title is from Poore.)

1 C: 1 S.

July 27, 1789.

Report of the Secretary of Foreign Affairs (John Jay) on the consular convention with France. Ex. Jo. S., 1: 7-8. A. S. P., For. R., 1: 89-90.

1 C: 1 S.

August 7, 1789.

Message of the President, inviting attention to disputes and hostilities in connection with Indians on the frontiers. Suggests a commission for adjusting differences in the Southern District. Recommends a uniform and effective system for the militia. Jo. S., 89-90. Richardson, 1: 59-60.

Washington states that papers submitted by General Knox will be laid before Congress.

1 C: 1 S.

August 7, 1789.

Message, August 6, of President, nominating L. Mackintosh naval officer of Savannah, in place of Benjamin Fishborn, rejected. Ex. Jo., 1: 16-17. Richardson, 1: 58-9.

Washington justifies at length the nomination of Fishborn, and submits the propriety of the Senate's communicating with him whenever his nominations appear questionable.

1 C: 1 S.

August 10, 1789.

Message of the President, informing Senate that he has directed to be laid before it statement of troops raised under resolves of October 20, 1786, and October 3, 1787, to protect frontiers from hostile Indians and prevent intrusions on public lands, and recommends proper legislation regarding the establishment thereof. Jo. S., 91-4. Richardson, 1: 60. A. S. P., Mil. Af., 1: 5-6.

1 C: 1 S.

August 10, 1789.

Report, August 8, of Secretary of War (Knox) of troops in the service of the United States, under acts of October 20, 1786; April 9, 1787, and October 3, 1787. Jo. S., 91-4. A. S. P., Mil. Af., 1: 5-6. Accompanied President's message of August 10.

Military establishment consists of one regiment of infantry, one battalion of artillery, and two companies of artillery. Recommends revision of Articles of War and other legislation necessary to make the establishment conform to the Constitution.

1 C: 1 S.

August 20, 1789.

Message of the President, nominating Benjamin Lincoln as a commissioner to negotiate a treaty with Southern Indians. Richardson, 1: 60-1. Ex. Jo. S., 1: 18.

1 C: 1 S.

August 21, 1789.

Message of the President, informing the Senate that he will meet and advise with them on terms of treaty to be negotiated with Southern Indians. Richardson, 1: 61. Ex. Jo. S., 1: 20.

1 C: 1 S.

August 22-24, 1789.

Speech of President (Washington) in Senate Chamber to the Senate on terms of treaty to be negotiated with the Southern Indians. *Ex. Jo. S.*, 1: 20-24. *A. S. P., Ind. Af.*, 1: 54-7. Not in Richardson.

Conference of President with the Senate, Saturday, August 22, continued on Monday, August 24. Senate advised (1) that no other measure for redressing the injuries of the Cherokees be followed than the one suggested in the treaty; (2) that commissioners shall take no other measures respecting the Chickasaws and Choctaws than those herein suggested; (3) that if the commissioners think the Creek Nation was fully represented at the three treaties ceding land to Georgia, and said treaties were equitable, the commissioners shall insist upon a formal renewal; (4) if the Creek Nation treaties were inadequate and unfair, the commissioners should negotiate for said cession on terms calculated to attach the Creeks to the United States; (5) that the commissioners should not make it an ultimatum if the Creeks fail to make the cessions to Georgia; (6) that the Hopewell treaties with the Chickasaws, Cherokees, and Choctaws shall be the basis of the treaty with the Creeks; (7) that the President have discretion to apply the whole appropriation to the Creek treaty.

In *A. S. P., Ind. Af.*, 1: 55-57, are appended report to the President by Beverly Randolph, memorials to the President of the agent, warriors, chiefs, etc., and an address by Tickagista King.

1 C: 1 S.

August 30, 1789.

Letter from M. de Marbois, chargé of France at New York, announcing his appointment as intendant at St. Domingo, for which post he soon leaves. *Secret Journals of Cong.*, 3: 587-8.

1 C: 1 S.

September 16, 1789.

Message of the President, informing them of reciprocal hostilities between the Wabash Indians and frontier inhabitants on the Ohio, and suggests expediency of making temporary provision for calling out the militia. *Jo. S.*, 136-7. Richardson, 1: 61. *A. S. P., Ind. Af.*, 1: 57-8, where is appended a report of Governor St. Clair.

1 C: 1 S.

September 17, 1789.

Message of the President, regarding the method of executing treaties with certain Indian nations. *Ex. Jo. S.*, 20-21. Richardson, 1: 61-2. *A. S. P., Ind. Af.*, 1: 56.

1 C: 1 S.

September 26, 1789.

Message from the President, transmitting letter of Governor John Collins of Rhode Island, in behalf of the general assembly of that State. *Jo. S.*, 151. *A. S. P., Misc.*, 1: 9. Rhode Island desires to maintain friendly relations with the United States. (This omitted by Richardson.)

1 C: 1 S.

September 29, 1789.

Message of the President, informing them of the death of the Dauphin of France. *Jo. S.*, 159. Richardson, 1: 62. *A. S. P., Misc.*, 1: 10.

1 C: 1 S.

September 29, 1789.

Message of the President, informing Senate that he does not consider it expedient to recommend any measures for their consideration at present. *Jo. S.*, 34, 159. Richardson, 1: 63.

1 C: 1 S.

September 29, 1789.

Message of the President, nominating commissioned officers of troops. Ex. Jo. S. 34. Richardson, 1: 63.

Nominations differ from existing arrangements only in case of Lieut. E. Beatty, Ensign E. Spear, and J. Melchor. Mentions that the question of relative rank of officers is imperfectly settled.

1 C: 1 S.

Proposed amendments (I-XII). The conventions of a number of States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, etc. Jo. S., 163-4.

REPORTS OF SENATE COMMITTEE.

1 C: 1 S.

April 6, 1789.

Mr. Langdon, President pro tempore, declares the votes of electors for President and Vice-President. Jo. S., 7.

George Washington, 69; John Adams, 34; Samuel Huntingdon, 2; John Jay, 9; John Hancock, 4; Robert H. Harrison, 6; George Clinton, 3; John Rutledge, 6; John Milton, 2; James Armstrong, 1; Edward Telfair, 1; and Benjamin Lincoln, 1.

1 C: 1 S.

April 6, 1789.

Mr. Patterson, on certificates of election of the President and Vice-President of the United States, and accompanying letters to Washington and Adams. Jo. S., 8-9. Letter to Washington. Richardson, 1: 43.

1 C: 1 S.

April 14, 1789.

By Mr. Lee, on tender of city hall by mayor of New York for use of Congress.

Substance of report probably in letter. Jo. S., 12.

1 C: 1 S.

April 15, 1789.

By Mr. Langford, on receiving the President and Vice-President. Jo. S., 13.

House of Mr. Osgood to be prepared for the President. Committee of eight to meet the President in New Jersey, and one of five to meet the Vice-President.

1 C: 1 S.

April 16, 1789.

By Mr. Ellsworth, on rules. Jo. S., 14-15.

Rules and orders of proceedings; journal; debates on motions; bills; committees; points of order; leaves of absence.

1 C: 1 S.

April 23, 1789.

By Mr. Strong, on mode of communication between Senate and House. Jo. S., 18-19.

1 C: 1 S.

April 25, 1789.

By Mr. Lee, on time, place, and manner of inauguration of the President. Jo. S., 20. Richardson, 1: 48-49.

Names Thursday, April 30, and intrusts details to a committee; ceremony to be in Hall of the House.

1 C: 1 S.

April 27, 1789.

By Mr. Lee, on inaugural, changing the place from Hall of the House to outer gallery adjoining Senate Chamber. Jo. S., 21.

- 1 C: 1 S: April 28, 1789.
 Joint committee on mode of communication between the two Houses.
 Printed in part. Jo. S., 29.
- 1 C: 1 S. May 4, 1789.
 By Mr. Strong, amendments to H. R. bill on administering certain oaths. One amendment struck out the words "Congress of the United States" and inserted "Senate and Representatives of the United States of America in Congress assembled." Probably the first law enacted.
- 1 C: 1 S. May 7, 1789.
 By Mr. Johnson, on answer to the President's speech. Jo. S., 29-30. Richardson, 1: 54.
 Delivered to Washington May 18, at his own house; he was addressed as Sir.
- 1 C: 1 S. May 7, 1789.
 By Mr. Benson, on title of the President. Not printed. Disagreed to. Jo. S., 21.
- 1 C: 1 S. May 14, 1789.
 By Mr. Lee, on proper title for the President of the United States. A. S. P., Misc., 1: 8. Jo. S., 1: 25.
 Recommends that the President be addressed as "His Highness, the President of the United States of America, and Protector of their Liberties."
- 1 C: 1 S. May 15, 1789.
 By Mr. Johnson, on answer to the President's address. Not printed; was with reference to the time of delivering the address—Monday, May 18, 1789.
- 1 C: 1 S. May 16, 1789.
 By Mr. Sylvester, on manner of keeping the Senate Journal. Jo. S., 1: 37. Not printed.
- 1 C: 1 S. May 19, 1789.
 By Mr. Read, on printing the journals and furnishing copies to members. Jo. S., 38-9
 One hundred and twenty copies of the legislative proceedings to be revised; to be reprinted once a month; one copy to go to each member.
- 1 C: 1 S. May 19, 1789.
 Joint Committee on Printing, recommending that Congressional printing be executed by contract, the paper to be found. Annals, 411.
 1 C: 1 S.
- 1 C: 1 S. May 29, 1789.
 By Mr. Langdon, May 26, on newspapers to be furnished at public expense. Annals, 1: 410-11.
 One paper allowed to each member.
- 1 C: 1 S. June 4, 1789.
 By Mr. Morris, on mode of conveying acts of Congress to the several States. Jo. S., 45.
 Not printed in full; two copies each act to be sent to chief executive of each State.

1 C: 1 S.

June 12, 1789.

By Mr. Lee, on establishment of judiciary. Jo. S., 50.

Reported bill to establish courts.

1 C: 1 S.

June 17, 1789.

By Mr. Few, on apartments in city hall, New York. Jo. S., 53.

Printed in part; surrenders two rooms not needed by Congress.

1 C: 1 S.

July 13, 1789.

By Mr. Butler, on regulating commercial intercourse with other American powers and the West Indies. A. S. P., Commerce, 1: 6.

Deems it expedient to impose tonnage duty on all foreign vessels loading in the United States for any place in America whereto United States vessels are not permitted to carry their produce.

Recommends similar restraints upon trade of European settlements discriminating against the United States, but, it being a revenue bill, thinks it should originate in the House.

Petitions from shipwrights of South Carolina, April 13, 1789, and shipwrights of Baltimore, May 4, 1789, to Congress appear in same volume (pp. 5-6).

1 C: 1 S.

July 28, 1789.

By Mr. Johnson, reported bill enumerating crimes cognizable by United States and the punishments therefor. Not printed. Jo. S., 77.

1 C: 1 S.

August 5, 1789.

By Mr. Butler, on regulations for trade between the United States and other powers in North America and West Indies. A. S. P., Commerce, 1: 6. Jo. S., 86.

Deems it expedient to impose tonnage duty on all foreign vessels loading in the United States for any place in America whereto United States vessels are not permitted to carry their produce.

Recommends similar restraints upon trade of European settlements discriminating against the United States; but, it being a revenue bill, thinks it should originate in the House.

Petitions from shipwrights of South Carolina, April 13, 1789, and shipwrights of Baltimore, May 4, 1789, to Congress appear in same volume (pp. 5-6).

1 C: 1 S.

August 6, 1789.

Whole Senate on joint rules for enrollment, attestation, etc., of acts of Congress and mode of presenting addresses and messages to the President. Jo. S., 88.

1 C: 1 S.

August 10, 1789.

By Mr. Strong, on unfinished business necessary to be acted on before adjournment, and to fix date of adjournment. Not printed.

1 C: 1 S.

August 12, 1789.

Committee on Indian Treaties. A. S. P., Ind. Af., 1: 54.

Recommends acceptance of treaties at Fort Harmar, January 9, 1789, between Governor A. St. Clair and the Six Nations (the Mohawks excepted) and the Wyandots, Delawares, Ottawas, Chippewas, Patawattimas, and Sacs.

1 C: 1 S.

August 17, 1789.

Report on treaties with Indian tribes and appointment of commissioners. Jo. S., 97-8.

Appointment of Commissioner of Indian Affairs; relation to the Creeks, with whom superintendent of Indian Affairs is to treat; protection of Georgia from Indian incursions.

1 C: 1 S.

August 20, 1789.

Mr. Izard, on mode of communication proper to be pursued between the President and Senate in formation of treaties and making appointments to offices. Ex. Jo. S., 1: 19.

Rules of procedure adopted by Senate August 21: when President meets the Senate he takes the chair of the Vice-President, who remains the head of the Senate and occupies a chair on the floor.

1 C: 1 S.

August 26, 1789.

Committee on treaty of Governor A. St. Clair, Fort Harmar, January 9, 1789, with the Six Nations (Mohawks excepted), the Wyandots, Delawares, Ottawas, Chippewas and Pattawattimas, and Sacs. Ex. Jo. S., 1: 24.

Recommends confirmation of treaties.

1 C: 1 S.

August 27, 1789.

By Mr. King, on salaries, mileage, and allowances of Senators and Members. Jo. S., 107-9.

1 C: 1 S.

September 12, 1789.

By Mr. Morris, on suspension of collection of duties. Jo. S., 134.

Extends privileges enjoyed by citizens of United States, in connection with vessels, to citizens of North Carolina and Rhode Island to January 15, 1790; impost duty on rum, sugar, and chocolate made in Rhode Island and North Carolina; regulations for registration of vessels; Rehoboth, Mass., made a port of entry. Report postponed.

1 C: 1 S.

September 18, 1789.

By Mr. Carroll, on treaties with the Six Nations, Wyandots, and others included by Governor A. St. Clair, at Fort Harmar, January 9. Ex. Jo. S., 1: 27-8. A. S. P., Ind. Af., 1: 59.

Former ratifications of treaties with Indians is not expedient or necessary, and that the Senate resolution, September 8, 1789, authorizes the President duly to observe the treaty.

1 C: 1 S.

September 19, 1789.

By Mr. Ellsworth, on amendments to bill to establish judicial courts. Jo. S., 139.

Trials involving death penalty to be tried in the county where crime was committed, or petit jurors to be drawn therefrom. Provisions for drawing jurors in United States courts.

1 C: 1 S.

September 24, 1789.

By Mr. Ellsworth, conference, on "Articles to be proposed to the several States as amendments to the Constitution." Jo. S., 145.

Insists that the House shall insert in third article, respecting freedom of speech and press and right to assemble peacefully, and in fourteenth regarding impartial trial in district where crime is committed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1145

For articles as passed originally House, see Jo. S., 103-106, and for discussion, see Jo. S., 115-119, 121-27, 129-31; as finally enacted, Jo. S., 163-4.

1 C: 1 S.

September 24, 1789.

By Mr. Izard, on House resolve on petition of Baron de Glaubeck for pay as captain, United States Army. Jo. S., 147.

Not printed; reported bill granting him pay asked; later became a law.

HOUSE.

FIRST SESSION, MARCH 5, 1789, TO SEPTEMBER 29, 1789.

Speaker: F. A. MUHLBERG, Pennsylvania.

JOURNALS.

1 C: 1 S.

March 4, 1789.

Journal, from March 5, 1789, to September 29, 1789. Printed by Francis Childs and John Swaine. New York. 164pp. B. P. L. Not in W. D. L.

Proceedings and debates of the House of Representatives in the first Congress, taken in shorthand by T. Lloyd. New York, 1789. 3v. Not in W. D. L.)

DOCUMENTS.

1 C: 1 S.

April 11, 1789.

Petition of tradesmen, mechanics, and others of Baltimore, for the encouragement of domestic trade by levying duties on certain enumerated articles when imported. A. S. P., Finance, 1: 5-8.

1 C: 1 S.

April 15, 1789.

Resolution respecting Mr. Osgood's preparing his house for the temporary use of the President and the appointment of a committee to receive the President. Richardson, 1: 44-5.

1 C: 1 S.

April 15, 1789.

Resolution respecting a committee to receive the President. Richardson, 1: 45.

Committee appointed, April 16, 1789, Boudinot, Bland, Tucker, Benson, and Lawrence.

1 C: 1 S.

April 18, 1789.

Petition of mechanics and manufacturers of New York, urging that domestic trade be fostered by levying duties on certain articles of foreign manufacture. A. S. P., Finance, 1: 9. Jo. H. R., 20-21.

1 C: 1 S.

April 30, 1789.

Washington's inaugural address. See Senate. Jo. H. R., 29-31.

1 C: 1 S.

May 5, 1789.

Memorial of Virginia legislature, May 5, 1789, for convention of the several States to report amendment to the Constitution. A. S. P., Misc., 1: 6-7. Jo. H. R., 34-5.

1 C: 1 S.

May 6, 1789.

Memorial of New York legislature, February 5, 1789, for a convention of the several States to report amendments to the Constitution. A. S. P., Misc., 1: 7. Jo. H. R., 36.

1 C: 1 S.

May 25, 1789.

Petition of shipwrights of Philadelphia, requesting that shipping trade be fostered by levying a tonnage duty on foreign ships and discriminating duties on articles imported in foreign bottoms, etc. A. S. P., Finance, 1: 9-10. Jo. H. R., 50.

1 C: 1 S.

June 5, 1789.

Petition of tradesmen and manufacturers of Boston, that shipbuilding and American trade be fostered by discriminating duties on foreign manufactures and by the free importation of raw materials. A. S. P., Finance, 1: 10-11. Jo. H. R., 56.

1 C: 1 S.

August 10, 1789.

Message of President on the military forces. A. S. P., Mil. Af., 1: 5. 6. Jo. H. R., 96.

Transmitting report of Secretary of War Knox of the troops constituting the peace establishment of the United States, with their pay, clothing, and rations.

1 C: 1 S.

September 21, 1789.

Report (September 19th) and estimates of the Secretary of the Treasury for expenses of the civil list to the end of the present year, under resolution of the House, September 17. Jo. H. R., 145.

Original document folio (N. Y., 1789) has no title page, is not in W. D. L.

1 C: 1 S.

September 29, 1789.

Message of President informing House and Senate that he does not consider it expedient to recommend any measures for their consideration at present. Richardson, 1: 63. Jo. H. R., 162.

1 C: 1 S.

September 29, 1789.

Message of the President on the death of the Dauphin of France. Jo. H. R., 162.

REPORTS MADE BY COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

1 C: 1 S.

April 6, 1789.

By Mr. Parker, reporting result of tabulation of electoral votes. Jo. H. R., 8-9.

1 C: 1 S.

April 7, 1789.

By Mr. Boudinot, on rules. Jo. H. R., 9-12.
Rules of the House; duties of Speaker; decorum in debate; introduction and passage of bills; proceedings in Committee of Whole.

1 C: 1 S.

April 9, 1789.

By Mr. Boudinot, on further rules. Jo. H. R., 15.
Excuse of members from committee duty; leaves of absence; absentees; Sergeant-at-Arms, duties and office symbol; Committee of Elections and its duties; clerk to serve under oath.

1 C: 1 S.

April 11, 1789.

By Mr. Page, recommending passage of act for regulation of imposts. Jo. H. R., 14.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1147

- 1 C: 1 S. April 14, 1789.
By Mr. Boudinot, additional rules for House. Jo. H. R., 16.
- 1 C: 1 S. April 15, 1789.
By Mr. Boudinot, on manner of conducting conference between the two Houses of Congress, and electing chaplains. Jo. H. R., 19. (Printed the 17th.)
- 1 C: 1 S. April 18, 1789.
By Mr. White, giving list of members elected to House. Jo. H. R., 20.
- 1 C: 1 S. April 18, 1789.
By Mr. Clymer, on petition of David Ramsey of South Carolina, contesting election of Representative William Smith (South Carolina) on the ground of ineligibility. A. S. P., Misc., 1: 5. Jo. H. R., 21. (Printed April 29.)
- 1 C: 1 S. April 20, 1789.
By Mr. Tucker, on petitions of John Churchman, in regard to magnetic needle and aid to pursue investigations by a voyage to Baffin's Bay, etc. Jo. H. R., 21-2.
Investigations of Churchman in regard to magnetic needle; his method of determining longitude; right to exclusive use of his invention granted; refuses aid for a voyage to Baffin's Bay to pursue investigations on the causes of variation of magnetic needle.
- 1 C: 1 S. April 20, 1789.
By Mr. Tucker, on securing copyright to David Ramsey. Jo. H. R., 22.
- 1 C: 1 S. April 23, 1789.
By Mr. R. B. Lee, on method of communicating with Senate. Jo. H. R.
- 1 C: 1 S. April 24, 1789.
By Mr. Boudinot, that the President has been met in New Jersey and escorted to his house. Jo. H. R., 23.
- 1 C: 1 S. April 25, 1789.
By Mr. Benson, on time, place, and manner of inauguration of the President, and recommending the appointment of a committee on the ceremonial. Richardson, 1: 47. Benson, Ames, and Carroll were appointed on the committee. Jo. H. R., 24.
- 1 C: 1 S. April 27, 1789.
By Mr. Benson, on place of inauguration of President. Jo. H. R., 25.
- 1 C: 1 S. April 28, 1789.
By Mr. R. B. Lee, on manner of communicating with the Senate. Jo. H. R., 25.
- 1 C: 1 S. April 28, 1789.
By Mr. Page, on duties to be laid on imports, enumerating articles to be taxed. Jo. H. R., 26-7.
- 1 C: 1 S. May 5, 1789.
By Mr. Benson, on the titles of President and Vice-President of United States. A. S. P., Misc., 1: 6. Jo. H. R., 32.

That it is not proper to annex any title to that expressed in the Constitution.

1 C: 1 S.

May 5, 1789.

Report by Mr. Madison. Address to the President (Washington) and the reply of the President, New York, 1789, May 8. A. S. P., 1: 11. Richardson, 1: 56-7. Jo. H. R., 33.

1 C: 1 S.

May 7, 1789.

By Mr. William Smith (South Carolina), on time President should receive address. Jo. H. R., 37. Friday, May 8, room adjacent to Chamber of the House of Representatives.

1 C: 1 S.

May 12, 1789.

By Mr. Clymer, on petition of David Ramsey, contesting the election of Representative W. Smith (South Carolina) as ineligible. A. S. P., Misc., 1: 8. Jo. H. R., 40-1.

Submits evidence regarding Smith's having been seven years a resident of the United States.

1 C: 1 S.

May 15, 1789.

By Mr. Bland, on enrollment, attestation, etc., of acts of Congress. Printed May 28th. Jo. H. R., 43.

1 C: 1 S.

May 19, 1789.

By Mr. Sylvester, on newspapers and printing. (Printed 28th.) Jo. H. R., 47.

1 C: 1 S.

May 19, 1789.

By Joint Committee on Public Printing. Annals of Cong., 411. Jo. H. R., 47.

Congressional printing to be executed by contract, the paper to be found.

1 C: 1 S.

May 20, 1789.

By Mr. Trumbull, Committee of the Whole, that there should be created Departments of State, Treasury, and War. Amended the 21st. Jo. H. R., 47.

1 C: 1 S.

May 21, 1789.

By Mr. Clymer, on alleged illegality of the elections of the Representatives from New Jersey. A. S. P., Misc., 1: 89. (Printed. Amended May 25.) Jo. H. R., 48.

Recommends the appointment of a committee to investigate the election.

1 C: 1 S.

May 21, 1789.

By Committee on the state of the Union, recommending establishment of Executive Departments, Foreign Affairs, Treasury, and War Departments. Jo. H. R., 48.

Committee appointed Jonathan Trumbull chairman to bring in a bill for the purpose.

1 C: 1 S.

May 26, 1789.

By Mr. Sylvester, on newspapers and printing. (Printed Jo. H. R., May 28.) Seven hundred copies of journals. Jo. H. R., 50.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1149

1 C: 1 S.

May 28, 1789.

By Joint Committee on Printing, on newspapers at public expense. Jo. H. R., 52. Annals, 410-11.

Each member to receive one paper.

1 C: 1 S.

May 29, 1789.

By Mr. Partridge, on method of receiving messages and bills from the President. Amended report, Jo. H. R., 53. Jo. S., 42.

To be received under cover, addressed to President of Senate or Speaker of the House, by hand of such person as the President may select.

1 C: 1 S.

June 1, 1789.

By Mr. Baldwin, compensation for President, Vice-President, and Cabinet. Amended, page 10, July 16. Jo. H. R., 53.

1 C: 1 S.

June 15, 1789.

By Mr. Scott, on lands as yet unappropriated in Western territory. Jo. H. R., 60.

1 C: 1 S.

June 23, 1789.

By Mr. Huntington, to promote science and the useful arts (patents and copyrights). Jo. H. R., 64.

1 C: 1 S.

July 8, 1789.

By Mr. Page, on petition of Andrew Ellicott, to determine western boundary of New York. Jo. H. R., 73.

1 C: 1 S.

July 9, 1789.

By Mr. Gerry, on estimates for 1789. Jo. H. R. A. S. P., Finance, 1: 11-12. Jo. H. R., 73.

1 C: 1 S.

July 14, 1789.

By Mr. Ames, on New Jersey elections. Jo. H. R., 75.

1 C: 1 S.

July 16, 1789.

By Mr. Baldwin, fixing the salaries of President, Vice-President, Senators, and Representatives. Jo. H. R., 76.

1 C: 1 S.

July 22, 1789.

By Mr. Boudinot, favoring the establishment of a land office under the superintendence of the governor of the Western territory. Jo. H. R., 81.

1 C: 1 S.

July 23, 1789.

By Mr. Page, amends bill relative to Andrew Ellicott. Jo. H. R., 82.

1 C: 1 S.

July 27, 1789.

By Mr. Boudinot, Committee on Joint Rules, on procedure for enrollment, attestation, etc., on acts of Congress and mode of presenting acts to President. Jo. H. R., 84.

1 C: 1 S.

July 28, 1789.

By Mr. Vining, on amendment to Constitution. Jo. H. R., 85.

1 C: 1 S.

July 31, 1789.

By Mr. Huntington, on petition of Nathan Gorham and Oliver Phelps, regarding land grant in western New York. A. S. P., Pub. Lands, 1: 7-8. Jo. H. R., 87.

Recommends that measures be taken for ascertaining eastern boundary of land cessions from New York and Massachusetts which affect the rights of the petitioners.

1 C: 1 S.

July 31, 1789.

By Mr. White, on bounty lands reserved for Virginian Continental and State soldiers in the cession made by Virginia of territory north-west of the Ohio. A. S. P., Pub. Lands, 1: 5-7. Jo. H. R., 87.

Gives history of the cession of public lands by Virginia and statement by Gov. E. Randolph and Virginia land commissioners of action taken in awarding bounty lands, aggregating 3,967,774 acres.

1 C: 1 S.

July 31, 1789.

By Mr. Page, favorably on petition of Baron de Glaubeck for pay for services in the Revolutionary war. Jo. H. R., 87.

1 C: 1 S.

August 18, 1789.

By Mr. Clymer, Committee on Elections, on the illegality of elections of the Representatives from New Jersey. A. S. P., Misc., 1: 9. Jo. H. R., 104-5.

Reports the action of the governor and privy council of New Jersey in the case.

1 C: 1 S.

August 21, 1789.

By Mr. Vining, on amendment to the Constitution. Jo. H. R., 107-8.

Basis of representation; freedom of religious opinions of speech and of press; system of militia and quartering of soldiers; criminal trials; security of persons against searches, etc.; trial by jury; cases for Supreme Court; executive powers not to be exercised by the legislative.

1 C: 1 S.

August 27, 1789.

By Mr. Gerry, further report on estimate of supplies requisite for 1789. A. S. P., Finance, 1: 12-13. Jo. H. R. 152.

1 C: 1 S.

September 7, 1789.

By Committee of the Whole, on permanent location of Congress. Jo. H. R., 123-30.

Resolution adopted to select a site on the Susquehanna, and provide for the erection of public buildings.

1 C: 1 S.

September 24, 1789.

By Mr. Gerry, additional report on estimate of supplies requisite for 1789. A. S. P., Finance, 1: 13-14. Jo. H. R., 152.

SENATE.

SECOND SESSION, JANUARY 4, 1790, TO AUGUST 12, 1790.

JOURNALS.

Journal from January 4, 1790, to August 12, 1790. New York. Printed by John Fenno. 1790. 224 pp. B. P. L.

Journal of Executive Proceedings. *In* Journal of Executive Proceedings of the Senate from First to termination of Nineteenth Congress. Washington. Duff Green. 1828. 1: 36-62.

DOCUMENTS.

1 C: 2 S.

January 8, 1790.

Message (speech) of President (Washington) to Senate and House, January 8, 1790.

1 C: 2 S.

January 8, 1790.

Message of the President with address of the Senate and reply (Jo. S., 9-10) of the President. A. S. P., For. R., 1: 11-133. Richardson, 1: 65-8.

First annual message. Accession of North Carolina; the militia; the Indians; foreign relations; naturalization; weights and measures; agriculture; commerce and manufactures; post-offices and post-roads; science and literature; public credit; address of the Senate on the message; reply of the President; address of the House on the message; reply of the President.

This is apparently the first *document* ordered printed for the use of the Senate. It had previously, however, May 18, 1789, ordered fifty copies printed of the first tariff bill, passed by the House the day previous, "An act for laying duties on goods, wares, and merchandise imported into the United States." Document not in W. D. L. or Ath. L.

1 C: 2 S.

January 11, 1790.

Address of Vice-President John Adams, on the part of the Senate, to President Washington and the reply of the President. January 14, 1790. A. S. P., 1: 12. Richardson, 1: 67-8.

1 C: 2 S.

January 11, 1790.

Address of Mr. Rufus King to the President. Jo. S., 9-10.

Accession of the State of North Carolina to the Union; measures of the preceding Congress reasonably satisfactory to the people; measures for national defense; relations with the Indians; efforts to protect the frontiers from hostile Indians; currency, weights, and measures; post-office; internal improvements to receive the attention of the Senate.

1 C: 2 S.

January 11, 1790.

Message of the President, stating that he has directed the Secretary of War to lay before them instructions and report of commissioners on terms of treaty with the Creek Nation. A. S. P., Ind. Af., 1: 59. Richardson, 1: 70. Ex. Jo. S., 1: 36.

Alludes to the critical state of the Southern frontier in connection with the Creeks.

1 C: 2 S.

January 12, 1790.

Message of President, submitting statement of Secretary of War Knox relative to affairs on the Southwestern frontiers and negotiations for treaty with the Creeks. Richardson, 1: 71 (message only). A. S. P., Ind. Af., 1: 59-80.

Considers military force necessary for coercing Creeks; shows the inadequacy of present military force, and submits estimates of increased military force. Submits statements of expenses incurred and estimate of future expenses for treaty with Indians of Wabash and Miami rivers. Instructions to commissioners (B. Lincoln, C. Griffin, D. Humphreys) for treating with Southern Indians. Report of commissioners reciting

their ineffectual efforts, depredations already committed, and the precarious condition of affairs.

Commissioners' report to Secretary of War, giving information valuable for offensive operations.

1 C: 2 S.

January 18, 1790.

Letter of Secretary of War Knox, transmitted by President January 21, on the organization of the militia. A. S. P., Mil. Af., 1: 6-13. Plan for the general arrangement of the militia; provisions for enrollment of citizens between the ages of 18 and 60; organization into three corps; composition and duties of the several corps; regulations. See H. R. Docs. for original report.

1 C: 2 S.

January 21, 1790.

Message of the President. See House of Representatives, this date.

1 C: 2 S.

January 21, 1790.

Message of President on the militia. A. S. P., Mil. Af., 1: 6-13.

Transmits report by Secretary of War Knox on the organization of the militia in three classes—the defense corps, the main corps, and the reserve corps.

1 C: 2 S.

January 25, 1790.

Message of the President, transmitting act of the legislature of Maryland to ratify certain articles in addition to amendment of the Constitution of the United States. Richardson, 1: 71.

1 C: 2 S.

January 28, 1790.

Message of President to the Senate, laying before that body the act of the legislature of Rhode Island and Providence Plantations for calling a convention to take into consideration the Constitution proposed for the United States, September 17, 1787. Richardson, 1: 72.

1 C: 2 S.

February 1, 1790.

Message of President, transmitting act of general assembly of North Carolina ceding certain lands to United States. Richardson, 1: 72.

1 C: 2 S.

February 8, 1790.

Memorial of Robert Morris, requesting the appointment of commissioners to investigate his official conduct while Superintendent of Finances; complains of the failure of Congress to appoint commissioners in accordance with a resolution passed to that effect; imputations on his official character. Jo. S., 22-24.

1 C: 2 S.

February 9, 1790.

Message, February 9, 1790, from President, relative to differences with Great Britain respecting the eastern boundary of the United States, with the following documents: 1. Commonwealth of Massachusetts, resolved, July 7, 1784, for appointing agents to inform themselves of encroachments made by British subjects on territories of that Commonwealth. 2. Deposition of Surveyor John Mitchell, regarding the identity of the river St. Croix. 3. Reports of Gens. B. Lincoln and H. Knox, Massachusetts commissioners, on encroachments of British subjects, etc. 4. Letter of John Adams to Lieutenant-Governor Cushing, of Massachusetts. 5. Letter of Governor Hancock to Governor John Parr

of Nova Scotia; letter of Governor Parr to Governor Hancock. 7. Letter from Rufus Putnam to the committee of Massachusetts. 8. Report of Secretary of Foreign Affairs John Jay, respecting the eastern boundary, April 12, 1785. Disposition of Nathan Jones, regarding identity of river St. Croix. 10. Letter from Governor Thomas Carlton, Nova Scotia, to Governor Hancock of Massachusetts. 11. Letter from James Avery to Governor James Bowdoin, Massachusetts. 12. Advice of council of Massachusetts, respecting encroachments at the eastward. 13. Letter from Governor Bowdoin to Governor Carlton. 14. Report of Secretary of Foreign Affairs John Jay, September 22, 1785. 15. Resolution of United States Congress, October 13, 1785, regarding encroachments. 16. Letter from John Jay, transmitting act of Congress, October 13, 1775, to Hon. John Adams. 17. Petition of James Boyd to Congress, November 27, 1789, regarding injuries suffered by British subjects in Nova Scotia. 18. Commonwealth of Massachusetts instructs its delegates to Congress, November 10, 1786, respecting James Boyd. 19. Observations of western limits of New Brunswick. 20. Extracts from journals of Congress, January 29, 1784. 21. Extracts from Douglas's Summary on British Settlements in North America, London, 1760. 22. Extracts from *The Beginning, Progress, and Conclusion of the Late War*, London, 1777. A. S. P., For. R., 1: 90-99. Ex. Jo. S., 1: 36-7. Richardson, 1: 72.

1 C: 2 S.

February 15, 1790.

Message of President, transmitting act of legislature of New Hampshire to accept articles proposed in addition to amendment of Constitution of United States, except the second article. Richardson, 1: 78.

Printed in Jo. S., June 14, 1790, pp. 104, 105.

1 C: 2 S.

February 18, 1790.

Message of President, informing them that he has received letter from the governor and resolve from the senate and house of representatives of the Commonwealth of Massachusetts, with documents, relative to Eastern boundary of United States. Ex. Jo. S., 1: 40-1. Richardson, 1: 78. A. S. P., For. R., 1: 99.

Documents withheld, being copies of those sent to Senate February 9, 1790.

1 C: 2 S.

February 23, 1790.

Report of Secretary A. Hamilton, on counterfeiting. Jo. S., 29.

Regarding the petition of Francis Bailey for exclusive right to an invention to prevent counterfeiting; recommends the investment of the petitioner with the rights asked for; expediency of employing the petitioner to print for the Government.

1 C: 2 S.

March 8, 1790.

Message of President, transmitting act of the legislature of Delaware on articles proposed by Congress as amendments to the Constitution of the United States. Richardson, 1: 73-4. Jo. S., 35-6.

First article postponed; second to twelfth articles, inclusive, ratified and confirmed January 28, 1790.

H. Doc. 353—73

1 C: 2 S.

March 16, 1790.

Message of President, transmitting act and form of ratification of certain articles of amendment to the Constitution of the United States by the legislature of Pennsylvania. Richardson, 1: 74. Jo. H. R., 39-41.

1 C: 2 S.

April 1, 1790.

Message of President, transmitting adoption by legislature of South Carolina of articles proposed by Congress as amendments to the Constitution of the United States. Richardson, 1: 74. Jo. S., 50-51.

1 C: 2 S.

April 5, 1790.

Message of the President, transmitting acts of legislature of New York for receipt of United States prisoners; (2) vesting in United States the light-house and lands of Sandy Hook; (3) ratifying certain articles in addition to and amendment of the Constitution of the United States proposed by Congress. Richardson, 1: 75. Jo. S., 52-55.

1 C: 2 S.

June 1, 1790.

Message, May 31, 1790, of President, nominating as captain by brevet in the United States Army Mr. De Poiery, secretary in the Revolutionary war to General Lafayette. Richardson, 1: 75. Ex. Jo. S., 1: 44-5.

1 C: 2 S.

June 1, 1790.

Message of President, informing them of the accession of Rhode Island and Providence Plantations to the Constitution of United States and congratulating them on the union under the General Government of all the States which were originally confederated. Richardson, 1: 75. Jo. S., 90-1.

1 C: 2 S.

June 11, 1790.

Message of President, on the action of North Carolina. Richardson, 1: 76. Jo. S., 102-104.

Transmitting ratification of amendments of Constitution of United States by North Carolina.

1 C: 2 S.

June 14, 1790.

Message of President, on the action of New Hampshire on the amendments to the Constitution. Jo. S., 104. Not in Richardson.

1 C: 2 S.

June 16, 1790.

Message of President, stating that he has learned of the ratification of Constitution of United States by Rhode Island and Providence Plantations, and transmits letter of the president of the Rhode Island convention. Richardson, 1: 76. Jo. S., 110-116.

The communication reviews at length the defects of the Constitution as ratified by Rhode Island, and urgently recommends twenty-one amendments.

1 C: 2 S.

June 30, 1790.

Message of President, transmitting act of legislature of Rhode Island and Providence Plantations for ratifying certain articles as amendments of Constitution of United States. Richardson, 1: 76. Jo. S., 133-139.

1 C: 2 S.

July 2, 1790.

Petition, June 22, of John Fitch asking exclusive right for application of steam to navigation. A. S. P., Misc., 1: 12-13.

Sets forth experiments and previous applications on the part of himself and others. Not printed.

1 C: 2 S.

August 2, 1790.

Report of the Treasurer of the United States with accounts to June 30, 1790. Jo. S., 188. Not printed.

1 C: 2 S.

August 4, 1790.

Message of President, informing them that the present trade with the Creek Indians being almost exclusively in the hands of British merchants, much embarrassment has resulted in formulating articles of a treaty with the Creek Nation, and recommends a secret article of a treaty therewith. Richardson, 1: 76. Ex. Jo. S., 1: 55-56. A. S. P., Ind. Af., 1: 80.

Sets forth that articles for the Creek trade have been imported from England via the Spanish ports. and suggests that there be allowed an annual importation, free of duty, of goods and merchandise for the Creek Nation not exceeding \$60,000.

1 C: 2 S.

August 6, 1790.

Message of President, transmitting law of New Jersey ratifying certain amendments to Constitution of United States. Richardson, 1: 78. Jo. S., 199-200.

1 C: 2 S.

August 6, 1790.

Amendments to bill regarding Virginia bounty lands northwest of the Ohio. Ordered printed. Jo. S., 197-198. Not in W. D. L.

1 C: 2 S.

August 6, 1790.

Message of President, informing them that the late failure of a treaty with the Creek Nation cause present measures to be informal, but as adjustment of terms of treaty with the Creeks is so far advanced, he nominates Henry Knox as a commissioner to conclude a treaty with them. Richardson, 1: 77-78. Ex. Jo. S., 1-56-57. A. S. P., Ind. Af., 1: 81.

1 C: 2 S.

August 7, 1790.

Message of President transmitting for their action treaty between United States and the chiefs of the Creek Nation. Richardson, 1: 78-79. (Message only.) Ex. Jo. S., 1: 58. A. S. P., Ind. Af., 1: 81-82.

Treaty relinquishes by the Creek Nation the Oconee land, except that to the eastward of a line from the forks of the Oconee and Oakmulgee, southwest to the St. Mary's River.

President's proclamation, publishing treaty appears in Richardson, I: 80.

1 C: 2 S.

August 11, 1790.

Message of President, requesting the advice of the Senate as to arranging a new boundary with the Cherokees, so as to embrace settlements made since the treaty of Hopewell, November, 1785, as to compensation to be made to the Cherokees for land they relinquish, and as to the United States guaranteeing such new boundary. Richardson, 1: 79-80. Ex. Jo. S., 1: 60-61. A. S. P., Ind. Af., 1: 83.

Dwells on the importance of faithfully observing treaties with the Indians, and points out that frontier white settlers have violated said

boundary by intruding on Indian lands, despite the proclamation of the United States Congress, September 1, 1788. Upwards of 500 families have settled on Cherokee lands, exclusive of those between the French Broad and Holstein rivers.

(President's proclamation, forbidding the intrusion upon Indian lands, August 26, 1790, appears in Richardson, 1: 80-81.)

1 C: 2 S.

August 12, 1790.

Resolution extending the thanks of the Senate to the corporation of the city of New York for accommodations provided for Congress. Jo. S., 212.

REPORTS OF COMMITTEES.

1 C: 2 S.

January 7, 1790.

By Mr. Strong, that the President will meet the two Houses in the Senate Chamber, January 7, 1790. Jo. S., 5.

1 C: 2 S.

January 11, 1790.

By Mr. King, address to the President in answer to his speech to Congress. Jo. S., 9-10.

1 C: 2 S.

January 12, 1790.

By Mr. King, that the President would receive address of the Senate, Thursday, January 14th, at 11 o'clock, at his own house. Jo. S., 11.

1 C: 2 S.

January 22, 1790.

Joint Committee. By Mr. Ellsworth, that unfinished business at the adjournment last session should be regarded as if it had not been passed upon by either. Jo. S., 14-15.

1 C: 2 S.

February 10, 1790.

By Mr. Izard, on memorial of Robert Morris. Jo. S., 25.

Report not printed. Favors appointment of commissioners to investigate Morris's accounts (p. 26). The memorial was printed in Jo. S., 22-24, and in Annals, I: 2114-2116.

1 C: 2 S.

February 17, 1790.

By Mr. Henry, on cession of lands by North Carolina to the United States. Jo. S., 27. Printed, p. 29.

1 C: 2 S.

February 22, 1790.

By Mr. Morris, on petition of Francis Bailey for exclusive right to an invention against counterfeiting, recommending that the Secretary of Treasury be called on for a report. Jo. S., 28. Report not printed.

1 C: 2 S.

February 24, 1790.

By Mr. Hawkins, on rule regarding reconsideration of a vote of the Senate. Jo. S., 30. Amended report, p. 31.

1 C: 2 S.

March 4, 1790.

By Mr. Strong, on bill to vest in Francis Bailey exclusive right of invention to prevent counterfeiting. Jo. S., 33.

Recommends postponement until the general bill to promote the useful arts is considered, which was passed March 30.

1 C: 2 S.

March 5, 1790.

By Mr. Izard, on refusing clearance to vessels without manifest. Jo. S., 34.

Not printed. Favorable to enforcing the regulations.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1157

1 C: 2 S.

March 9, 1790.

By Mr. Strong, on differences that subsist between Great Britain and the United States, relative to the Eastern boundary. Ex. Jo. S., 1: 41, A. S. P., 1: 100. Recommends effectual measures to be taken to settle all disputes, and that a proposition be made to Great Britain to appoint commissioners to adjust the differences. Also, that the testimonies regarding the St. Croix River by the survivors of John Mitchell and Nathan Jones, appointed by Governor Bernard in 1764, be perpetuated.

1 C: 2 S.

March 12, 1790.

By Mr. Henry, on a uniform rule of naturalization. Jo. S., 38. Not printed.

1 C: 2 S.

March 29, 1790.

By Mr. Carroll, on the progress of useful arts; on patent for Francis Bailey against counterfeiting, and on petition of John Fitch. Jo. S., 46-47.

Report not printed. Recommends legislation for Bailey and Fitch as amendments to the bill for progress of useful arts.

1 C: 2 S.

April 3, 1790.

By Mr. Ellsworth, on the compensation of Senators. Jo. S., 51. List of members and amounts due each for attendance at the present session.

1 C: 2 S.

April 23, 1790.

By Mr. Schuyler, on H. R. bill for relief of certain officers. Jo. S., 62. Not printed, apparently unfavorable.

1 C: 2 S.

May 5, 1790.

By Mr. Carroll, on action to be taken by Congress at its present session respecting Rhode Island. Jo. S., 69.

Report (not printed) apparently forbade all commercial intercourse between United States and Rhode Island from July 1, 1790, and that the President demand that Rhode Island pay its debts to the United States. For resolution to this effect, see Jo. S., p. 72.

1 C: 2 S.

May 12, 1790.

By Mr. Maclay, on House bill in favor of John Ely. Jo. S., 72. Adverse report not printed.

1 C: 2 S.

May 13, 1790.

By Mr. Ellsworth, on terms of office. Jo. S., 74-75.

Report that the terms of office of the President, Vice-President, Senators, and Representatives began on the 4th of March, 1789. Senators of the first class and Representatives, members of the present Congress, not entitled to seats in the Congress to assemble in March, 1791, by virtue of election to the Congress in session.

1 C: 2 S.

May 21, 1790.

By Mr. Ellsworth, on arrearages of military pay. Jo. S., 79, 80. Arrearages due to noncommissioned officers and soldiers of the late Virginia, North Carolina, and South Carolina lines of the Army.

1 C: 2 S.

May 24, 1790.

By Mr. Maclay, on House bill for finally adjusting the claim of F. de Steuben. Jo. S., 81.

Report favorable, and printed on p. 83.

1 C: 2 S.

May 28, 1790.

By Mr. Few, on House bill for fixing salaries of executive officers and their clerks. Jo. S., 88.

Report favorable; not printed.

1 C: 2 S.

June 1, 1790.

By Mr. Dalton, on House bill for relief of Thomas Jenkins & Co. Jo. S., 90.

Favorable report; not printed.

1 C: 2 S.

June 7, 1790.

By Mr. Butler on bills to determine the permanent seat of Congress and the Government of the United States. Jo. S., 95, 97.

Recommends a site on the Potomac; provision for acceptance of grants of money or land for the use of the Government.

1 C: 2 S.

June 10, 1790.

Joint Committee, by Mr. Lee, on further rules for conducting business between the two Houses. Jo. S., 101.

1 C: 2 S.

June 18, 1790.

By Mr. Morris, on House bill for claims of John McCord. Jo. S., 117. Report favorable with an amendment; not printed.

1 C: 2 S.

June 23, 1790.

By Mr. Langdon, on relief of Nathaniel Twining. Jo. S., 120. Not printed.

1 C: 2 S.

June 23, 1790.

By Mr. Izard, on the purchase of West Point. Jo. S., 123.

Authorizing the purchase of a tract of land at West Point for the purpose of fortification and garrison.

1 C: 2 S.

July 5, 1790.

By Mr. Wingate, on claim of David Gould, deceased. Jo. S., 146. Not printed.

1 C: 2 S.

July 12, 1790.

On assumption of State debts. Jo. S., 177-181.

Several of the States manifested an unwillingness to adjust their accounts with the General Government.

1 C: 2 S.

July 13, 1790.

Upon a public loan. Jo. S., 151-153.

Provision for the debts of the individual States to be made by the United States; regulations governing subscriptions to the public loan; amount of certificates which can be received from the several States; only certificates which have been issued for expenses growing out of the war to be received.

1 C: 2 S.

July 16, 1790.

By Mr. Butler, on the public debt. Jo. S., 159, 160.

Principal of the domestic debt to be funded; interest on the same to be funded at the rate of 3 per cent per annum. State debts to be funded.

1 C: 2 S.

July 16, 1790.

By Mr. Schuyler, on bill making treaties with Indians. Jo. S., 159. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1159

1 C: 2 S.

August 2, 1790.

By Mr. Schuyler, on relief of disabled soldiers and seamen. Jo. S., 188. Not printed.

1 C: 2 S.

August 2, 1790.

By Mr. Lee, on bill for making further provision for payment of debts of the United States. Jo. S., 188.

Amended bill ordered printed. See Jo. S., 190-194.

1 C: 2 S.

August 2, 1790.

By Mr. Schuyler, on petition of Jacob Weed. Jo. S., 188. Report not printed. Petition referred to Secretary of Treasury for report.

1 C: 2 S.

August 2, 1790.

By Mr. King, concerning consuls and vice-consuls of the United States. Jo. S., 189.

Report not printed; bill postponed until next session.

1 C: 2 S.

August 3, 1790.

By Mr. Wingate, on claim of Francis Mentgies. Jo. S., 189. Not printed.

1 C: 2 S.

August 3, 1790.

By Mr. King, on bill to compensate Thomas Barclay. Jo. S., 189. Not printed.

1 C: 2 S.

August 4, 1790.

By Mr. Lee, on the public debt. Jo. S., 190-194.

Recommending duties to be levied on imports; list of articles and amount of duties to be levied on each; action of the Senate on the different sections of the report.

1 C: 2 S.

August 6, 1790.

Report on allowing pensions to persons disabled in the service of the United States. Jo. S., 201.

1 C: 2 S.

August 7, 1790.

By Mr. Schuyler, on the claim of the widow of Lord Stirling. Jo. S., 203, 204.

Recommends payment to both. Also provides in general terms for settlement of similar claims by Secretary of Treasury.

HOUSE.

SECOND SESSION, JANUARY 4, 1790, TO AUGUST 12, 1790.

JOURNALS.

Journal, from January 4, 1790, to August 12, 1790. Printed by Francis Childs and John Swaine. New York. 261pp.

Proceedings and debates of the House of Representatives in the first Congress, taken in shorthand by T. Lloyd. N. Y., 1789. 3 v. (Not in W. D. L.)

DOCUMENTS.

1 C: 2 S.

January 8, 1790.

Message of President, with address of the House (January 12, 1790), and his reply, January 14, 1790. Richardson, 1: 65-7, 69-70. Jo. H. R., 5-7. A. S. P., 1: 11-12.

1 C: 2 S.

January 9, 1790.

Letter from Secretary of Treasury Hamilton, expressing his readiness to report a plan on the public credit. Jo. H. R., 7. Not printed.

1 C: 2 S.

January 11, 1790.

Message of President, laying before the Senate the adoption and ratification of the Constitution of the United States by North Carolina. Richardson, 1: 70. Jo. H. R., 9, 10; Appendix, 211-212.

1 C: 2 S.

January 12, 1790.

Message of President. See Senate, this date.

1 C: 2 S.

January 12, 1790.

Address to the President by Mr. A. Baldwin in answer to the annual message. Jo. H. R., 11-12.

Accession of North Carolina to the Union; legislative protection to agriculture, commerce, and navigation; promotion of science and literature; relations with the Indians; provision for public credit; national prosperity.

1 C: 2 S.

January 14, 1790.

Report of Secretary of Treasury Hamilton, January 9, 1790, on the public credit. A. S. P., Finance, 1: 15-37. Annals, 2: 1991-2120.

Elaborate report on the public finances, accompanied by statistics of the public and the State debts; estimates of expenditures; the pension roll; probable receipts.

Apparently the first document ever printed separately by the House. It is entitled "Report of the Secretary of the Treasury to the House of Representatives relative to a provision for the support of the public credit of the United States." 41 N. Y. Francis Child and John Swain. 1790. 51 p. B. P. L. incomplete.

1 C: 2 S.

January 14, 1790.

Address of Speaker Muhlenberg to the President and his reply, January 14, 1790. A. S. P., For. R., 1: 13.

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of Patrick Bennet asking compensation for services in late war. (*In* H. R. Manuscripts, 1: 157.) Jo. H. R. 13.

Not printed.

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of James Gibbon asking compensation for services in late war. (*In* H. R. Manuscripts, 1: 47.) Jo. H. R. 13. Not printed.

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of John Hurst asking compensation for services as chaplain, Continental Army. Jo. H. R. 13. Not printed.

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of Charles Markley asking compensation for services in late war. (*In* H. R. Manuscripts, 1: 52.) Jo. H. R. 13. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1161

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of Henry Malcolm asking compensation for services in late war. *Jo. H. R.*, 13. Not printed. (*In H. R. Manuscripts*, 1: 59.)

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of Archibald M'Allister asking compensation for services in late war. *Jo. H. R.*, 13. Not printed.

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of John M'Garrah asking compensation for services in late war. *Jo. H. R.*, 13. Not printed. (*In H. R. Manuscripts*, 1: 61.)

1 C: 2 S.

January 15, 1790.

Report of Secretary of War on petition of Dudley Tyler asking arrearages of pay as an officer in late war. (*In H. R. Manuscripts*, 1: 50.) *Jo. H. R.*, 13. Not printed.

1 C: 2 S.

January 19, 1790.

Report of Secretary of Treasury Hamilton, on petition of Christopher Saddler with referenceto remission of forfeitures. *A. S. P., Finance*, 1: 37.

Suggests that possibly discretionary power in similar cases might be given to the Secretary of the Treasury. *Annals*, 1: 1066.

1 C: 2 S.

January 21, 1790.

Message of the President (Washington), transmitting report of Secretary of War Knox, January 18, 1790, submitting plan for arrangement of the militia of United States. *Richardson*, 1: 71. *A. S. P., Mil. Af.*, 1: 6-13, including Knox's report.

For Knox's plan, see *Annals*, 2: 2087-2107. It divides citizens liable to military service as follows: First class, ages 18 to 20, the advanced corps; second class, 21 to 45, the main corps; third class, 46 to 60, the reserved corps. The militia to assume the form of a legion, in which shall be two brigades of two regiments of infantry each, having eight companies formed in two battalions; two companies of riflemen, battalion of artillery of four companies, and squadron of artillery of two troops, with suitable officers and staff. Sets forth duties of and regulations for the advanced corps, the main corps, and the reserved corps, and submits estimates of annual expenses of an advanced corps of 30,000 men. Three hundred copies of plan ordered printed. It is entitled "A plan for the general arrangement for the militia of the United States." *N. Y.* 4to. 1790. 26 p. *B. P. L.*

1 C: 2 S.

January 22, 1790.

Report of Postmaster-General Samuel Osgood, January 20, 1790. *Jo. H. R.* 7. *A. S. P., P. O.* 5-7. *Annals*, 2: 2107-2114. The original document, 4to, n. p., n. d., 7, was doubtless printed in New York in 1790. Not in *Ath. L.*

Incloses form of an act for the rearrangement of the Department, and discusses question of revenue, mail contracts, postage, penalties, etc.

- 1 C: 2 S. January 25, 1790.
 Message of the President. See Senate, this date. Jo. H. R., 18, 19. Appendix 222-225.
- 1 C: 2 S. January 25, 1790.
 Report of Secretary of War Knox, on pension case of Ruth Roberta. A. S. P., Claims, 5, 6.
 Refusal to grant a reversal of the decision on the case by the State of Connecticut.
- 1 C: 2 S. January 28, 1790.
 Message of the President. See Senate, this date. Jo. H. R., 23. Message only.
- 1 C: 2 S. January 28, 1790.
 Letter of Treasurer S. Meredith, on public accounts. Jo. H. R., 233-245.
 Report of the Auditor on the accounts of the Treasurer; receipts and payments in indents of interest in 1789; payments; compensation to members of Congress; salaries to subordinate and other officers; receipts from collectors of customs and other sources.
- 1 C: 2 S. February 1, 1790.
 Message of the President. See Senate, this date. Jo. H. R., 25. Message only.
- 1 C: 2 S. February 5, 1790.
 Report of Secretary of War Knox, on the pension of Ezra Smith, lieutenant at battle of Monmouth, June 28, 1778. A. S. P., Claims, 6.
 Pension should not be increased. Believes that officers to whom a less allowance than half pay was made should return only a just proportion of the commutation of pension received as invalids.
- 1 C: 2 S. February 5, 1790.
 Report of Secretary of War Knox on petition of Salmon Burr. (*In* H. R. Manuscripts, 1: 68). A. S. P., Claims, 6 (?).
- 1 C: 2 S. February 8, 1790.
 Memorial of Robert Morris, late Superintendent of Finance of United States, requesting an inquiry into his official conduct. Jo. H. R., 29, 31-33. Memorial printed in full, pp. 31-33.
- 1 C: 2 S. February 15, 1790.
 Message of the President. See Senate, this date. Jo. H. R., 35-36; Appendix, 217-218.
- 1 C: 2 S. February 19, 1790.
 Letter from Board of Commissioners for settling the accounts respecting the insufficiency of salaries allowed to clerks. Jo. H. R., 39. Not printed.
- 1 C: 2 S. February 23, 1790.
 Report of Secretary of Treasury Hamilton, on petition of Francis Bailey. Jo. H. R., 40. Not printed.
- 1 C: 2 S. March 1, 1790.
 Report of Secretary of War Knox, with letters and papers on the Southwest frontier and the Indian Department. Jo. H. R., 43. Not printed.

1 C: 2 S.

March 1, 1790.

Report of Secretary of the Treasury Hamilton, on additional estimates. Jo. H. R., 44. A. S. P., Finance, 1: 38-43.

The original document, 4to, N. Y., Francis Childs and John Swaine. 10 p., has no title page.

1 C: 2 S.

March 4, 1790.

Report of Secretary of Treasury Hamilton, on State debts. A. S. P., Finance, 1: 43, 44. The original document, 4to, n. p., n. d. (N. Y., 1790), 3 p., has no title page. Not in Ath. L.

Recommendations of articles from which revenue should be derived; net proceeds of the duties on imports and tonnage. Funds requisite for payment of interest on debts of individual States. Recommends general increase of duties, additional duties on sugar, molasses, tobacco, spices, salt, carriages, professional licenses, auction sales, and on spirits.

1 C: 2 S.

March 5, 1790.

Report of Secretary of War Knox, on petition of Jeremiah Ryan. A. S. P., Claims, 8.

Having been prevented by his situation from applying to his State for a pension, it is recommended that Congress grant it.

1 C: 2 S.

March 5, 1790.

Report of Secretary of War Knox, on petition of John Ely, colonel of a Connecticut regiment, for services rendered as a physician to American prisoners while he was on parole. A. S. P., Claims, 7. Jo. H. R., 49. Not printed.

Recommends compensation.

1 C: 2 S.

March 8, 1790.

Report of Secretary of Treasury Hamilton, on extra-pay claims. A. S. P., Claims, 7.

Payment of officials for time spent in the final settlement of their accounts after their service and salary had expired.

1 C: 2 S.

March 8, 1790.

Report of Secretary of Treasury Hamilton, on petitions of William Mumford, Samuel Armstrong, and weighers, etc., of Portsmouth, and Falmouth, Mass. A. S. P., Claims, 7.

Officers not allowed pay for time employed in final settlement of accounts. Public stock not receivable for balances of agents.

1 C: 2 S.

March 8, 1790.

Message of the President. See Senate, this date. Jo. H. R., 49, 50. Appendix, 221-222.

1 C: 2 S.

March 13, 1790.

Report of the Secretary of War; on the petition of John McKinsey (McKenzie) for compensation for disabilities arising from late war. (*In H. R. Mss. 1: 174.*)

1 C: 2 S.

March 13, 1790.

Report from Secretary of War, on petition of Cesar Edwards for compensation for disabilities incurred in late war. (*In H. R. Mss. 1: 174.*)

1 C: 2 S.

March 13, 1790.

Report from the Secretary of War, on the petition of Toney Turney for compensation for disabilities arising from late war. (*In H. R. Mss. 1. 74.*)

1 C: 2 S.

March 13, 1790.

Report from Secretary of War, on petition of James Whayland for compensation for disabilities arising from late war. (*In H. R. Mss. 1: 174.*)

1 C: 2 S.

March 13, 1790.

Report from Secretary of War, on petition of David Sturges for pension for wounds incurred in late war. (*In H. R. Mss. 1: 78.*)

1 C: 2 S.

March 16, 1790.

Letter from Secretary of War Knox, on petition of David Cook. W. D. (*In H. R. Mss. 1: 184.*) Jo. H. R., 58. Not printed.

1 C: 2 S.

March 16, 1790.

Letter from Secretary of War Knox, inclosing representation from supreme executive of Pennsylvania on Indian hostilities in Washington County, Pa. Jo. H. R., 56. Not printed.

1 C: 2 S.

March 16, 1790.

Message from the President. See Senate, this date. Jo. H. R., 56-57. Appendix, 220-221.

1 C: 2 S.

March 17, 1790.

Report from Postmaster-General, on memorial of Isaac Trowbridge for relief from an unfortunate mail contract between New York and Hartford, Conn. Jo. H. R., 58. Not printed.

1 C: 2 S.

March 17, 1790.

Report from Secretary of War Knox, on memorial of John Watson for compensation for wounds incurred in late war. Jo. H. R., 58.

1 C: 2 S.

March 18, 1790.

Report from Secretary of Treasury, on memorial of John Cochran for additional pay as receiver of taxes and commissioner of loan office. (*In H. R. Mss. 1: 175.*) Jo. H. R., 58.

1 C: 2 S.

March 18, 1790.

Report from Secretary of Treasury Hamilton, on interest on claims. A. S. P., Claims, 8, 9.

It has never been the practice of the Treasury to allow interest upon warrants or drafts issued for the payment of moneys due.

1 C: 2 S.

March 19, 1790.

Secretary of War Knox reports on petition of Alexander Power and others, late officers of artillery artificers, for half pay or commutation thereof granted to officers of the late Army. A. S. P., Claims, 9, 10, LL.

Appended to report is decision of commissioner of army accounts, August 9, 1785, on petition of John Jordan and Thomas Willey, late captains in Pennsylvania corps of artillery artificers, submitting the matter to Congress; unfavorable report of a Congressional committee, October 19, 1785, and adverse decision of Secretary of War, July 30, 1788.

Committee adheres to an unfavorable decision of the claim.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1165

1 C: 2 S.

March 19, 1790.

Secretary of Treasury Hamilton reports on memorial of late officers of South Carolina Continental Line. A. S. P., Claims, 8, 9.

Recommends as contrary to Treasury usage that interest be not allowed on warrants.

1 C: 2 S.

March 19, 1790.

Report from Secretary of War Knox, on petition of William Mason arising out of service in late war. (*In H. R. Mss. 1: 107.*) Jo. H. R., 59.

1 C: 2 S.

March 19, 1790.

Report from Secretary of War on petition of Anna Treat for the loss of her son, slain in the service during the late war. (*In H. R. Mss. 1: 105.*) Jo. H. R., 59.

1 C: 2 S.

March 24, 1790.

Report from Secretary of War Knox, on petition of David Oliphant late director of hospitals in Southern Department. (*In H. R. Mss. 1: 100.*) Jo. H. R., 64.

1 C: 2 S.

March 24, 1790.

Report from Secretary of War Knox, on petition of John Rogers for half pay as officer of dragoon in Illinois country. (*In H. R. Mss. 1: 100.*) Jo. H. R., 64.

1 C: 2 S.

March 24, 1790.

Report from Secretary of War Knox, on petition of John Mills for reimbursements for advancement of recruiting money. (*In H. R. Mss. 1: 89.*) Jo. H. R. 64.

1 C: 2 S.

March 29, 1790.

Report of the Secretary of the Treasury, on claim of Baron Steuben. A. S. P., Claims, 11-16.

A settlement on the principle suggested is recommended as terminating the claims of the memorialist in a manner equally satisfactory to him and honorable to the United States.

1 C: 2 S.

March 30, 1790.

Report from the Secretary of War, on petition of Stephen Steward, jr., administrator of Col. John Steward, Maryland Line. (*In H. R. Mss. 1: 109.*)

1 C: 2 S.

April 1, 1790.

Message of the President. See Senate, this date. Jo. H. R., 71. Appendix, 225, 227.

1 C: 2 S.

April 5, 1790.

Message of the President. See Senate, this date. Jo. H. R., 73. Message only.

1 C: 2 S.

April 5, 1790.

Secretary of the Treasury Hamilton, March 29, 1790, reports on memorial of Baron de Steuben. A. S. P., Claims, 11-16.

Recites the conditions under which Baron de Steuben offered his services to the United States Congress, the promises that were made him, and the zeal and ability with which he served. Recommends that he be paid \$7,397 and be awarded a grant of land.

1 C: 2 S.

April 10, 1790.

Report from Secretary of the Treasury Hamilton, on claim of William Finnie. A. S. P., Claims, 16, 17.

Claims, on a variety of grounds, can not be granted, as no circumstances occur to justify the allowance to the memorialist without extending it to a number of other persons in a like situation.

1 C: 2 S:

April 12, 1790.

Report of Secretary of Treasury Hamilton (April 10, 1790), on petition of William Finnie, formerly Deputy Quartermaster-General. A. S. P., Claims, 16-17. Jo. H. R., 78. Not printed.

Recommendations adverse to his claims for salary while settling the account, losses due to the depreciation of currency, and for a grant of land. The petitioner's services have been meritorious, but favorable action would establish unwise precedent.

1 C: 2 S.

April 12, 1790.

Report of Secretary of Treasury Hamilton, on memorial of James Warren. A. S. P., Claims, 17, 18. Jo. H. R., 78. Not printed. (*In H. R. Mss. 1: 222.*)

This claim for depreciation, which occurred between the time and order for payment was given and the time of actual payment, can not be granted.

1 C: 2 S.

April 15, 1790.

Report from Secretary of State Jefferson, on copper coinage. A. S. P., Finance, 1: 44, 45.

On proposal of John H. Mitchell for supplying the United States with copper coinage; declined and a mint recommended. The original document, 4 to., n. p., n. d., 2 p., has no title page. Not in Ath. L.

1 C: 2 S.

April 20, 1790.

Report from Secretary of War Knox, on petition of Nathaniel Gove. Jo. H. R., 84. (*In H. R. Ms., 1-118.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War, on petition of Joseph Harris for relief on account of wounds received in late war. Jo. H. R., 85. (*In H. R. Mss. 1: 124.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War, on petition of Stephen Califfe for relief from suffering caused by late war. Jo. H. R. 85. (*In H. R. Mss. 1: 129.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War Knox, on petition of Thomas Crawford for relief from suffering caused by late war. Jo. H. R., 85. (*In H. R. Mss. 1: 124.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War Knox, on petition of Christian Kuhn for relief on account of wounds received in late war. Jo. H. R., 85. (*In H. R. Mss. 1: 139.*)

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1167

1 C: 2 S.

April 22, 1790.

Report from Secretary of War Knox, on petition of Ephraim McCoy for relief from suffering caused by late war. Jo. H. R., 85. (*In H. R. Mss. 1: 129.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War Knox, on petition of Joseph McGibbon for pension arising out of late war. Jo. H. R., 85. (*In H. R. Mss. 1: 127.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War Knox, on petition of David Poole of Connecticut for compensation for loss of left arm in late war. Jo. H. R., 85. (*In H. R. Mss. 1: 126.*)

1 C: 2 S.

April 22, 1790.

Report of Secretary of War Knox, on petition of David Steele on account of wounds received in late war. Jo. H. R., 85. (*In H. R. Mss. 1: 129.*)

1 C: 2 S.

April 22, 1790.

Report from Secretary of War Knox, on petition of William McKennan, late captain, Delaware regiment, on account of wounds received in late war. Jo. H. R., 85. (*In H. R. Mss. 1: 124.*)

1 C: 2 S.

April 22, 1790.

Report from Secretary of War Knox, on petition of Samuel Jones for relief from suffering caused by late war. Jo. H. R., 85. (*In H. R. Mss. 1: 124.*)

1 C: 2 S.

April 23, 1790.

Report from Secretary of Treasury Hamilton, on the tariff act. A. S. P., Finance, 1: 45-51.

Detailed comments on the act laying duties on imports. Recommends the establishment of an internal revenue marine service.

1 C: 2 S.

April 23, 1790.

Report of Secretary of War Knox, on petition of Thomas Simpson, formerly officer in New Hampshire Line. A. S. P., Claims, 18.

Adverse to increase of pension.

1 C: 2 S.

April 23, 1790.

Report of Secretary of War Knox, on petition of Cornelius Wyncoop for losses in late war in United States service. Jo. H. R., 86.

1 C: 2 S.

April 23, 1790.

Report from Secretary of War Knox, on petition of Basil Middleton for losses in late war in United States service. Jo. H. R., 86.

1 C: 2 S.

April 26, 1790.

Letter and report of Secretary of War Knox, on petition of Leonard Young. Jo. H. R., 87. Not printed.

1 C: 2 S.

April 26, 1790.

Report of Secretary of War Knox, on petition of Edward Thompson. Jo. H. R., 87. (*In H. R. Mss. 1: 139.*)

1 C: 2 S.

April 26, 1790.

Report of Secretary of War Knox, on petition of Peter Smith. Jo. H. R., 87. (*In H. R. Mss. 1: 140.*)

- 1 C: 2 S. April 26, 1790.
Report from Secretary of War Knox, on petition of William Oliver. Jo. H. R., 87. (*In H. R. Mss. 1: 138.*)
- 1 C: 2 S. April 27, 1790.
Report of Postmaster-General Osgood, April 26, on memorial of Christopher Colles for aid in surveying and mapping post-roads. A. S. P., P. O., 8.
Recommends granting aid.
- 1 C: 2 S. April 27, 1790.
Report of Postmaster-General Osgood, April 26, showing mail routes, emoluments of postmasters, revenues of post-offices, revenues and expenses of Department from October 5, 1789, to January 5, 1790; and estimate of expense for supporting posts on crossroads. A. S. P., P. O., 8-12.
- 1 C: 2 S. April 30, 1790.
Letter and report of commissioner for settling the accounts between the United States and the individual States. Jo. H. R., 95. Not printed.
- 1 C: 2 S. May 10, 1790.
Report from the Secretary of War, on the petition of Basil Middleton. Jo. H. R., 104. (*In H. R. Mss. 1: 134.*)
- 1 C: 2 S. May 11, 1790.
Report from Secretary of Treasury Hamilton, on accrued duties on tonnage from September 1 to December 31, 1789. A. S. P., Finance, 1: 52.
- 1 C: 2 S. May 11, 1790.
Report of Secretary of Treasury Hamilton, showing moneys received and paid to individual States from commencement of the Revolution to 1790. A. S. P., Finance, 1: 52-62.
- 1 C: 2 S. May 11, 1790.
Letter and report from Secretary of War Knox, giving an account of troops, including militia and also ordnance stores, furnished by the several States toward the support of the late war. Jo. H. R., 105. Not printed. A. S. P., Mil. Af., 1: 14-19.
- 1 C: 2 S. May 18, 1790.
Report from Secretary of War Knox, on petition of Samuel Carleton. Jo. H. R., 110. Not printed. (*In H. R. Mss. 1: 142.*)
- 1 C: 2 S. May 20, 1790.
Report of Secretary of War Knox, on petition of Henry E. Lutterloh, volunteer from Duke of Brunswick's Guards, who served as Deputy Quartermaster-General and Commissary General of Forage. A. S. P., Claims, 18-19.
Recommends payment of \$746 to petitioner.
- 1 C: 2 S. May 24, 1790.
Report from Secretary of War Knox, on petition of Enos Brown. Jo. H. R., 113-114. (*In H. R. Mss. 1: 152.*)
- 1 C: 2 S. May 24, 1790.
Report from Secretary of War Knox, on petition of Thomas McKinstry for relief from suffering caused by late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 150.*)

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1169

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Jacob Acker. Jo. H. R., 113, 114.

1 C: 2 S.

May 24, 1790.

Report from Secretary of War, on petition of Wilhemus Decker. Jo. H. R., 113-114. (*In H. R. Mss. 1: 51.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of John Stiller for pension for wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 155.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Abel Turney for pension for wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 154.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of John Wilson for pension for wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 154.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Barent Martling. Jo. H. R., 113, 114. (*In H. R. Mss. 1: 157.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Joel Knapp for wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 156.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of John Garnett for wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 153.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Thomas Cole on account of wounds received in late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 156.*)

1 C: 2 S.

May 24, 1790.

Report from Secretary of War Knox, on petition of Henry Carman for relief from suffering caused by late war. Jo. H. R., 113-114. (*In H. R. Mss. 1: 152.*)

1 C: 2 S.

May 25, 1790.

Report from Secretary of War Knox, on petition of Thomas H. Condy. Jo. H. R., 114.

1 C: 2 S.

May 25, 1790.

Report from Secretary of War Knox, on petition of Joseph Tucker. Jo. H. R., 114.

1 C: 2 S.

May 25, 1790.

Report of Secretary of War Knox, on petition of Robert Williams. Jo. H. R., 114.

1 C: 2 S.

May 25, 1790.

Report from Secretary of War Knox, on petition of Nathaniel Fox. Jo. H. R., 114. (*In H. R. Mss. 1: 64.*)

1 C: 2 S.

May 25, 1790.

Report from Secretary of War Knox, on petition of Nathan Fuller. Jo. H. R., 114. (*In H. R. Mss. 1: 162.*)

1 C: 2 S.

May 31, 1790.

Report of Secretary of War Knox, on petition of Jacobus Wyncoop for claim arising out of late war. Jo. H. R., 126. (*In H. R. Mss. 1: 170.*)

1 C: 2 S.

June 1, 1790.

Report from Secretary of War Knox, on petition of representatives of William Hassall. Jo. H. R., 127. (*In H. R. Mss. 1: 176.*)

1 C: 2 S.

June 1, 1790.

Message of the President. See Senate, this date. Jo. H. R., 127.

1 C: 2 S.

June 10, 1790.

Report, June 3, of Secretary of Treasury Hamilton, on petition of Stephen Moore, proprietor of West Point, for its occupation by United States as a fortification. A. S. P., Claims, 19, 20.

Recommends occupation of West Point as a permanent military post and the purchase of so much of the land as may be requisite for fortifications and garrisons.

1 C: 2 S.

June 11, 1790.

Message of the President. See Senate, this date. Jo. H. R., 137. Appendix, 227, 228.

1 C: 2 S.

June 16, 1790.

Message of the President. See Senate, this date. Jo. H. R., 141. Appendix, 212-217.

1 C: 2 S.

June 21, 1790.

Report from Secretary of War Knox, on petition of children of the late Lieut. John Harris, Second Connecticut Regiment; of the late Capt. Robert Lewis, of Col. Charles Webb's regiment; of the late Dr. David Gould, and also of Hannah, widow of the late Col. William Douglas, for seven years' half pay. A. S. P., Claims, 20-21.

Detail of service of each officer given and favorable recommendation made in each case.

1 C: 2 S.

June 21, 1790.

Report from Secretary of War Knox, on petition of C. Brewster. A. S. P., Claims, 23.

Recommendation that the expenses attendant on the cure of the petitioner's wound received in action be paid.

1 C: 2 S.

June 21, 1790.

Report from Secretary of War Knox, on the petition of John Rodgers. A. S. P., Claims, 22, 23.

Petitions of State troops for the allowance of half pay for life could not be granted, the same being incompatible with the system relative to that subject by the United States.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1171

1 C: 2 S. June 21, 1790.
Report of Secretary of War Knox, on petition of representatives of Robert Lewis. Jo. H. R., 143.

1 C: 2 S. June 21, 1790.
Report from Secretary of War Knox, on petition of John Harris. Jo. H. R., 143.

1 C: 2 S. June 21, 1790.
Report from Secretary of War Knox, on petition of representatives of David Gould, surgeon in late war. Jo. H. R., 143.

1 C: 2 S. June 21, 1790.
Report from Secretary of War Knox, on petition of Hannah, widow of Col. William Douglas. Jo. H. R., 143.

1 C: 2 S. June 22, 1790.
Report of Secretary of War Knox, on petition of Thomas McFall. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report of Secretary of War Knox, on petition of Benjamin Keefe. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report of Secretary of War Knox, on petition of Pattin Jackson. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report of Secretary of War Knox, unfavorable to petition of Rufus Hamilton. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report from Secretary of War Knox, on petition of James De La Plane. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report from Secretary of War Knox, on petition of Jacob Smith. Jo. H. R., 146.

1 C: 2 S. June 22, 1790.
Report from Secretary of War Knox, June 21, on petition of John Rogers, James Merriweather, and Throuston, officers of Virginia State cavalry, for a grant of half pay for life. A. S. P., Claims, 22-23.
Unfavorable recommendation.

1 C: 2 S. June 23, 1790.
Report from Secretary of War Knox, on petition of Caleb Brewster, first lieutenant of artillery, for expenses on hazardous service and for pension. A. S. P., Claims, 23-24. Jo. H. R., 148. Not printed.
Recommends payment of \$328.51, and granting a pension.

1 C: 2 S. June 23, 1790.
Letter of Secretary of War Knox, on sundry petitions received from the governor of Virginia. Jo. H. R., 148.

1 C: 2 S. June 23, 1790.
Letter from Treasurer of the United States, Samuel Meredith, with his account of receipts and expenditures from January 1 to March 1, 1790. Jo. H. R., 151. Not printed.

- 1 C: 2 S. June 25, 1790.
Report of Secretary of War Knox, on petition of representatives of Timothy Hosmer for depreciation of pay as surgeon. (*In H. R. Mss. 1: 204.*)
- 1 C: 2 S. June 25, 1790.
Report from Secretary of War, on petition of Joseph Hardison for services rendered and injuries received. *Jo. H. R.*, 150. (*In H. R. Mss. 1: 208.*)
- C: 2 S. June 25, 1790.
Report from Secretary of War, on petition of Ely Gladhill for disabilities. *Jo. H. R.*, 150.
- 1 C: 2 S. June 25, 1790.
Report from Secretary of War Knox, on petition of James Derry for military services. *Jo. H. R.*, 150.
- 1 C: 2 S. June 25, 1790.
Letter and report of the Secretary of War, on petition of John Chapel. *Jo. H. R.*, 150. Not printed.
- 1 C: 2 S. June 28, 1790.
Report from Secretary of War Knox, on petition of Christian Wolfe for pension. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report from Secretary of War Knox, on petition of William Taylor for commutation of full pay in lieu of half pay as an officer. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War Knox, on petition of Ichabod Spencer. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War Knox, on petition of Walter Miles. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War, on petition of Samuel Garretson for claim arising out of late war. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War Knox, on petition of Lewis J. Costigan for claim arising out of late war. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War, on petition of Catherine Wheeland, widow of wounded invalid soldier. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War Knox, on petition of John F. Vacher for services rendered. *Jo. H. R.*, 151.
- 1 C: 2 S. June 28, 1790.
Report of Secretary of War Knox, on petition of Rufus Hamilton for property seized. *Jo. H. R.*, 151.
- 1 C: 2 S. June 30, 1790.
Message of the President. See Senate, this date. *Jo. H. R.*, 154, 228-230.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1173

1 C: 2 S.

July 1, 1790.

Report from Secretary of War Knox, on petition of John Baylor, executor of George Baylor, in debts due from the United States. Jo. H. R., 155.

1 C: 2 S.

July 1, 1790.

Report of Secretary of War Knox, on petition of Stephen Steward, late captain, for half pay for life. Jo. H. R., 24.

1 C: 2 S.

July 1, 1790.

Report from Secretary of War Knox, on petition of Anthony W. White, late colonel First Regiment of Dragoons, for reimbursement of moneys advanced for support of said regiment. Jo. H. R., 155.

1 C: 2 S.

July 1, 1790.

Report from Secretary of War Knox, on petition of Stephen Guyer. Reimbursed judgment received from him, obtained by him as commissary for the use of the Army. Jo. H. R., 155.

1 C: 2 S.

July 4, 1790.

Report, July 13, 1790, on weights and measures and coinage, of Secretary of State Jefferson. A. S. P., Misc., 1: 13-20.

On the subject of establishing a uniformity in the weights, measures, and coins; consideration upon the use of the pendulum as a measure of determinate length; recommends that the standard of measure be a uniform cylindrical rod of iron of such length as shall perform its vibrations in small and equal arcs in one second of mean time; weights and measures in use in Great Britain, reports of committees of the House of Commons in 1757-1759; examination of the system of weights in use in the United States; standard for coins; recommendations for changes in the weights and measures in the United States; the weights, measures, and coins of the decimal system, estimated in those of England, now used in the United States.

The original document is entitled "Report of the Secretary of State on the subject of establishing a uniformity in the weights, measures, and coins of the United States." Folio. New York. Francis Childs and John Swaine. 1-21, 21-22 p. Page 22 is a postscript containing a supplementary report of the Secretary of State dated January 10, 1791. Not in Ath. L. The Boston Public Library has an edition, 8vo, New York, F. Childs and J. Swaine, 1790, 49 p., which is probably identical with the copy in the Athenæum Library, 8vo, New York, 1790.

1 C: 2 S.

July 9, 1790.

Proceedings of the House of Representatives relative to locating the permanent seat of government. Jo. H. R., 159-170.

Vote on a resolution naming a place on the Delaware as the seat of government; proposition to select a place in Pennsylvania, Baltimore, and Philadelphia, respectively, proposed; votes and proceedings.

1 C: 2 S.

July 13, 1790.

Letter from Secretary of Treasury Hamilton, with plan for establishing uniformity in United States currency, weights, and measures. Jo. H. R., 172. Not printed.

1 C: 2 S. July 14, 1790.

The report on petition of Donald Campbell, late deputy Quartermaster-General. Printed in part. Jo. H. R., 174.

1 C: 2 S. July 21, 1790.

Report of Secretary of War Knox, on war pensions. A. S. P., Claims, 20-22.

Allowance of seven years' half pay to the widows and orphans of all Continental officers who died in the service.

1 C: 2 S. July 22, 1790.

Report from Secretary of Treasury Hamilton, July 20, formulating a system of surveys, reservations, patents, warrants, and land sales of public land. A. S. P., Pub. Lands, 1: 8, 9. Jo. H. R., 181. The original document, 4to, New York, Francis Childs and John Swaine, n. d. (1790), 4 p., has no title page. Not in Ath. L.

1 C: 2 S. July 24, 1790.

Report from Secretary of War Knox, on arrearages due to widows and orphans of officers who died in service during the late war. Jo. H. R., 189. Not printed.

1 C: 2 S. July 27, 1790.

Letter and report from Secretary of War Knox, on petition of Sarah Stirling, widow of the late Earl of Stirling, for seven years' half pay due him for services as major-general.

1 C: 2 S. August 6, 1790.

Message of the President. See Senate, this date. Jo. H. R., 202, 231.

1 C: 2 S. August 7, 1790.

Report from Secretary of Treasury Hamilton, on estimates of appropriations. A. S. P., Finance, 1: 63.

Detailed statement of the probable liabilities of the Government.

1 C: 2 S. August 7, 1790.

Report of Secretary of Treasury Hamilton, on petition of Jacob Raeh. A. S. P., Finance, 1: 64.

Recommends renewal of Continental loan certificate destroyed through accident.

1 C: 3 S.

Ratification of the amendments of the Constitution of the United States.

By New Hampshire, January 25, 1790; New York, February 24, 1790; Pennsylvania, March 11, 1790; Delaware, January 28, 1790; Maryland, December 19, 1790; South Carolina, January 19, 1790; North Carolina, December 22, 1789; Rhode Island and Providence Plantations, June, 1790; New Jersey, November 20, 1789. Jo. H. R., 218-220. *Annals*, 2: 1983-1989.

REPORTS OF COMMITTEES.

1 C: 2 S. January 11, 1790.

By Mr. Boudinot, on matters of business depending and undetermined at last session. Jo. H. R., 8, 9.

Recites the petitions and reports and makes recommendations regarding them.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1175

1 C: 2 S. January 19, 1790.

By Mr. Page, on petition of Hannibal W. Dobbyn. Jo. H. R., 15.
Report, not read, apparently refers to grants of public lands.

1 C: 2 S. January 26, 1790.

By Mr. Ames, on petition of Christopher Saddler. Jo. H. R., 21.

1 C: 2 S. February 1, 1790.

By Mr. White, relating to Virginia bounty lands in territory north-west of the Ohio. Jo. H. R., 25. Not printed.

1 C: 2 S. February 3, 1790.

By Mr. Burke, on petition of Francis Bailey relative to device to prevent counterfeiting public papers. Jo. H. R., 27.

Recommends that the Secretary of Treasury report thereon.

1 C: 2 S. February 4, 1790.

By Mr. Trumbull, on petition of Roger Alden. Jo. H. R., 27-29.

Report in an amended form (pp. 28-29) relates to reimbursement for clerical hire, etc., connected with the records of the Continental Congress.

1 C: 2 S. March 3, 1790.

By Mr. Sedgwick, on petition of Jehoiakim McToksins, interpreter in General Sullivan's expedition in 1779. Jo. H. R., 45.

Report favorable; printed in part.

1 C: 2 S. March 5, 1790.

By Mr. Foster, on the petition of the Quakers, and of the Pennsylvania Society for Promoting the Abolition of Slavery. A. S. P., Misc., 1: 12.

Under the Constitution the powers of Congress are limited to certain restrictions of slavery, which do not extend to abolition.

1 C: 2 S. March 8, 1790.

By Mr. Livermore, on petition of Gifford Dalley. Jo. H. R., 51. Not printed.

For services during recess of Congress.

1 C: 2 S. March 9, 1790.

By Mr. Madison, on memorial of Robert Morris. Jo. H. R., 52. Not printed.

1 C: 2 S. March 23, 1790.

On antislavery memorial of the Quakers. Jo. H. R., 62-64.

Powers of Congress relating to the abolition of slavery; Congress has no constitutional powers to emancipate slaves; Congress without authority to interfere in the internal regulations of States relative to the instruction and social state of slaves; power of Congress to interdict or regulate the African trade; memorialists assured that the humane objects of their petitions will be promoted by Congress.

1 C: 2 S. March 23, 1790.

By Mr. Livermore, on petition of Richard Wells and Josiah Hart. Jo. H. R. 61. Not printed.

1 C: 2 S. March 29, 1790.

By Mr. Benson, on the public credit. Jo. H. R., 67-68.

Provision for the support of the public credit; debts of the several States ought to be assumed by the United States; domestic debt; sub-

scription to a public loan to be opened; inducements offered to subscribers to a loan.

1 C: 2 S.

April 7, 1790.

By Mr. Foster, on petitions of inhabitants of Portsmouth that the circuit and district courts be held in that town. Jo. H. R., 75. Not printed.

1 C: 2 S.

April 9, 1790.

By Mr. Benson, for paying for newspapers and regulating future supply thereof for both Houses. Jo. H. R., 77. Printed in part, p. 80.

1 C: 2 S.

April 9, 1790.

By Mr. Smith of Maryland, on accounts of the Treasurer of the United States. Jo. H. R., 77. Not printed.

1 C: 2 S.

April 16, 1790.

By Mr. Boudinot, on petition of inhabitants of Portsmouth (N. H.) to prevent foreigners of nations discriminating against the United States from participating in the carrying trade. Jo. H. R., 82. Not printed.

1 C: 2 S.

April 20, 1790.

By Mr. Bland, on memorial of Donald Campbell. Jo. H. R., 83. Not printed.

1 C: 2 S.

April 21, 1790.

By Mr. Goodhue, on petition of proprietors of Beverly Cotton Manufactory. Jo. H. R., 84. Not printed.

1 C: 2 S.

April 21, 1790.

By Mr. Lawrence, on petition of Mr. Nicholas Cowenhoven and others. Jo. H. R., 84. Not printed.

1 C: 2 S.

May 7, 1790.

By Mr. Ames, on petition of James Price and John McCord. Jo. H. R., 102. Not printed.

1 C: 2 S.

May 12, 1790.

From Joint Committee of both Houses, by Mr. Benson, on the date at which commenced the terms for which the President, Vice-President, and members of present Congress. Jo. H. R., 106-107. Not printed.

1 C: 2 S.

May 13, 1790.

By Mr. Baldwin, on memorial of officers of the late Navy of the United States. Jo. H. R., 107. Not printed.

1 C: 2 S.

May 14, 1790.

By Mr. Bland, on arrears of pay due troops of the Virginia, North Carolina, and South Carolina lines. Jo. H. R., 108. Not printed.

1 C: 2 S.

May 14, 1790.

By Mr. Sylvester, on petition of Thomas Jenkins and others. Jo. H. R., 108. Not printed.

1 C: 2 S.

May 20, 1790.

By Mr. Burke, on memorial of Nathaniel Twining for remission of penalty for failing to execute a post-office contract. Jo. H. R., 112, 121. Favorable; not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1177

1 C: 2 S.

June 2, 1790.

By Mr. Carroll, on erection of a glass foundry. A. S. P., Fin., 1: 62.

Proposition recommended for the loan, not exceeding \$——, to John E. Amelung for the erection of his glass foundry.

1 C: 2 S.

June 9, 1790.

By Mr. Sherman, on additional rules for regulating the proceedings of the House, and for regulations for conducting business between the two Houses. Jo. H. R., 132. Not printed.

1 C: 2 S.

June 23, 1790.

By Mr. Seney, on claim of representatives of David Gould, deceased. Jo. H. R., 148. Not printed.

1 C: 2 S.

June 23, 1790.

By Mr. Gerry, on books necessary for Congress and an estimate of the expenses therefor. Jo. H. R., 148. Not printed.

1 C: 2 S.

June 23, 1790.

By Mr. Parker, on petition of Francis Mentgies. Jo. H. R., 152. Not printed.

1 C: 2 S.

June 28, 1790.

By Mr. Clymer, on petition of Thomas Barclay. Jo. H. R., 151. Not printed.

1 C: 2 S.

June 28, 1790.

By Mr. Goodhue, on petition of Elias H. Derby. Jo. H. R., 151. Not printed.

1 C: 2 S.

July 1, 1790.

By Mr. Gerry, on fees and emoluments of consuls and vice-consuls. Jo. H. R., 155. Not printed.

1 C: 2 S.

July 14, 1790.

By Mr. Stone, on petition of Francis Mentgies. Jo. H. R., 174. Not printed.

For reimbursement of extra expenses for superintending United States army hospitals at Williamsburg, etc., 1781-82. Report favorable. See p. 189.

1 C: 2 S.

July 16, 1790.

By Mr. Baldwin, on petitions of John Baylor, Anthony W. White, Stephen Steward. Jo. H. R., 176. Not printed.

1 C: 2 S.

July 17, 1790.

By Mr. Heister, on petition of citizens of North Carolina called Dunkards. Jo. H. R., 176. Not printed.

1 C: 2 S.

July 17, 1790.

By Mr. Vining, on petition of clerks of the Paymaster-General and the Commissioner of Army Accounts relative to their pay. Jo. H. R., 177.

Report as amended fixes their pay on the same scale as that of Treasury clerks.

1 C: 2 S.

July 21, 1790.

By Mr. Williamson, on petition of Henry E. Lutterloh. Jo. H. R., 181. Not printed.

1 C: 2 S.

July 21, 1790.

By Chairman Clymer, on petition of Consul-General to France Barclay for purchasing goods, etc., and negotiating treaty with Morocco. A. S. P., Claims, 24.

Recommends allowance of \$8,000 and certain commissions.

1 C: 2 S.

July 24, 1790.

By Mr. Clymer, on memorial of Thomas Barclay. Jo. H. R., 184. Not printed.

1 C: 2 S.

July 24, 1790.

By Mr. Stone, on petitions of John Stewart and John Davidson for the remission of duties on merchandise destroyed by flood. Jo. H. R., 183. Report favorable.

1 C: 2 S.

July 27, 1790.

By Mr. Sturgis, on petition of Seth Harding for pay as captain in United States Navy. Jo. H. R., 189.

Report favorable; not printed.

1 C: 2 S.

July 28, 1790.

Committee of Whole on public lands. A. S. P., Pub. L., 1: 8, 9.

Plan for surveying and disposing of public lands, with reservations.

1 C: 2 S.

July 29, 1790.

By Mr. Steele, on amendments proposed by Congress to Constitution of the United States. Jo. H. R., 193. Not printed.

1 C: 2 S.

July 2., 1790.

By Mr. Gerry, on petition of Catherine Greene. Jo. H. R., 193. Not printed.

1 C: 2 S.

July 29, 1790.

By Mr. Smith (South Carolina), on accounts of Treasurer of the United States for two last quarters. Jo. H. R., 205. Reported correct.

SENATE.

THIRD SESSION, DECEMBER 6, 1790, TO MARCH 3, 1791.

Vice-President, John Adams of Massachusetts; President of the Senate pro tempore, John Langdon of New Hampshire; Secretary of the Senate, Samuel Allyne Otis of Massachusetts.

JOURNALS.

Journal (legislative) from March 6, 1790, to March 3, 1791. Folio, Philadelphia. John Fenno, 1791, 203.

Journal of Executive Proceedings. *In* Journal of Executive Proceedings of the Senate, First to termination of Nineteenth Congress. Washington. Duff Green, 1828. 1: 63-78.

DOCUMENTS.

1 C: 3 S.

December 8, 1790.

(Message) speech of President to Senate and House of Representatives, December 8, 1790. A. S. P., 1: 13-15. Jo. S., 6-8.

Congratulations; foreign loans; admission of Kentucky; Indian affairs; navigation and fisheries; Mediterranean trade; judiciary; foreign consuls; weights and measures; mint; post-offices and post-roads; revenues.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1179

1 C: 3 S.

December 8, 1790.

Message of President. Richardson, 1: 81-7.

Second annual address. See House of Representatives, same date. Appended is address of Senate, December 10, 1790, to the President and his reply, December 13, 1790.

1 C: 3 S.

December 8, 1790.

Letters from commissioners of Philadelphia offering county courthouse in Philadelphia to Congress for their accommodation. Jo. S., 5.

1 C: 3 S.

December 9, 1790.

Letter from Senate, by John Adams, acknowledging the respect shown the General Government by the commissioners of Philadelphia in offering accommodations for Congress. Jo. S., 9.

1 C: 3 S.

December 9, 1790.

Message of President, delivered verbally by Secretary Lear, communicating papers referred to in message of December 8, relative to separation of Kentucky from Virginia. Jo. S., 9-11. (Not in Richardson.)

Resolutions of convention, District of Kentucky, that Kentucky be erected into an independent State under act of Virginia assembly, December 18, 1789; declares that Kentucky accepts the terms, and becomes an independent State June 1, 1792; petitions President and Congress to sanction these proceedings. Jo. H. R., 105. Papers only. Jo. S., 9-11.

1 C: 3 S.

December 9, 1790.

Report, December 8, of Secretary of War Knox, of the depredations on which the expedition (Harmar's) against the Indians northwest of the Ohio has been founded; also instructions to governor of Western territory and commanding officer and estimates of expenses of the expedition. A. S. P., Ind. Affairs. 1: 83-104.

Information relative to depredations; appeal of general assembly of Virginia; reports of Major Hamtranck, General Harmar, and Governor St. Clair; journal of Anthony Gamelin; instructions by Knox to General Harmar; letters to Governor St. Clair.

1 C: 3 S.

December 9, 1790.

Papers communicated by the President recommending the admission of the State of Kentucky. Jo. S., 10, 11.

Resolution of the convention respecting the separation of the District of Kentucky from the State of Virginia; petition for the confirmation by Congress of the acts of the representatives in convention organizing an independent State and for admittance to the Union.

1 C: 3 S.

December 10, 1790.

Letter from M. Benière, President of the Commonalty of Paris, with copies of a civic eulogy on Benjamin Franklin, pronounced July 21, 1790, in the name of the commonality of Paris, by M. l'Abbé Fauchet. Jo. S., 11. Not printed.

1 C: 3 S.

December 13, 1790.

Address of Vice-President John Adams to President Washington on the part of the Senate, December 13, 1790, with the President's reply. A. S. P., 1: 14-15.

1 C: 3 S.

December 14, 1790.

Message of President, submitting official reports of the expedition (Harmar's) against Indians northwest of the Ohio. A. S. P., Ind. Affairs, 1: 104-6.

Report of Knox to the President, and of Governor St. Clair and General Harmar to the Secretary of War, showing success of the expedition. General orders as to march, battle, etc., and return of killed (12 officers and 171 men) and wounded (3 officers and 28 men). (Not in Richardson.) Jo. S., 14. Message only.

1 C: 3 S.

December 23, 1790.

Message of President, transmitting reports and papers bearing on land grants northwest of the Ohio, with report of Secretary of State Jefferson (December 14, 1790) thereon. A. S. P., P. L., 1: 9-16. Jo. S., 21. Message only. Richardson, 1: 87-8.

Letter from Governor Winthrop Sargent; reviews land grants under various authorities, the names of grantees, and lists of all heads of families at Post Vincennes resident there since 1783. Jefferson reports that land titles are not so unsettled that Congressional legislation is necessary.

1 C: 3 S.

December 29, 1790.

Memorial of College of Physicians, Philadelphia, December 29, reciting the deleterious effects of distilled spirits on the system, and asking Congress to restrain, by heavy duties, the intemperate use of distilled spirits. A. S. P., Misc., 1: 20-21.

1 C: 3 S.

December 30, 1790.

Message from President to Congress, communicating report, December 28, 1790, of the Secretary of State, Thomas Jefferson, in relation to American prisoners at Algiers, consisting of the crews of the schooner *Maria*, Captain Stevens, captured July 25, 1785, and ship *Dauphin* (*Dolphin*), Capt. R. O'Brien, captured July 30, 1785. A. S. P., 1: 100-4. Jo. S., 23. Message only. Richardson, 1: 88.

1 C: 3 S.

January 3, 1791.

Letters and accounts of Treasurer of United States, S. Meredith. See House of Representatives, this date.

1 C: 3 S.

January 3, 1791.

Report, Dec. 28, 1790, from Secretary of State on Mediterranean trade. A. S. P., For. Rel., 1: 104-108.

1 C: 3 S.

January 3, 1791.

Message of the President, transmitting legislative act of New Jersey vesting in the United States the jurisdiction of Sandy Hook for a light-house site. Richardson, 1: 88. Message only. Jo. S., 24, 25.

1 C: 3 S.

January 17, 1791.

Message of President, transmitting statement of contingent fund for the Government of \$10,000; (2) resolutions of legislature of Virginia; (3) petition of Continental soldiers on bounty lands northwest of the Ohio, and (4) legislative act of Maryland empowering Baltimore port wardens to levy and collect duty. A. S. P., P. L., 1: 17-18. Richardson, 1: 88.

Protests against action of Congress on this subject, and recommends repeal of so much of said act as relates to assumption of State debts. Jo. S., 34. Message only.

(1) Account printed on pages 190-191, Jo. S.

(2) Protests against the assumption of the payment of State debts as repugnant to the Constitution. A. S. P., Finance, 1: 90-1.

(3) Protesting against act of July 17, 1788, annulling entries and surveys for Virginia Continental Line.

1 C: 3 S.

January 17, 1791.

Message of President, transmitting letter of Louis XVI, King of France, expressing continued friendship, in connection with Jefferson's leaving the Court of France. Richardson, 1: 88-9, Ex. Jo. S., 1: 65. A. S. P., F. Rel., 1: 109.

1 C: 3 S.

January 18, 1791.

Report of Secretary of State Jefferson, rectifying error in his previous report on weights, measures, and coins. A. S. P., Misc., 1: 36-37.

1 C: 3 S.

January 19, 1791.

Resolution of directors of Library of Philadelphia. Jo. S., 35. Tenders free use of the library to President and members of Congress.

1 C: 3 S.

January 19, 1791.

Message of President, containing representations of chargé d'affaires regarding act of Congress, July 28, 1789, imposing extra tonnage on foreign vessels, and report of Secretary of State Jefferson, January 18, 1791. Annals, 2: 2172-80.

Jefferson discusses the questions from all points, leaving Congress to decide on the merits of the three courses indicated by him. Richardson, 1: 89-94. Ex. Jo. S., 1: 66-71. A. S. P., For. Rel., 1: 109-116.

1 C: 3 S.

January 21, 1791.

Secretary of State Jefferson transmits (Philadelphia, January 20, 1791) to the Senate letters of an American captive at Algiers, Richard O'Brien, May 17, June 24, and July 12, 1790. A. S. P., 1: 116-120.

1 C: 3 S.

January 24, 1791.

Message of President, transmitting report of Secretary of War relative to United States frontiers, and urging protection of them. Richardson, 1: 94. Message only. A. S. P., I. A., 1: 107, 121. Jo. S., 38. Message only.

Considers fully the critical condition of affairs on the frontiers, the necessity for affording immediate protection, and advises another expedition against the Wabash Indians.

Recommends a regiment of rangers and an additional regiment, and submits estimates. Gives roster of Yazoo (South Carolina) Battalion.

1 C: 3 S.

January 24, 1791.

Message of President of the United States, transmitting proclamation, January 24, 1791, directing commissioners to survey territory (District of Columbia) for permanent seat of United States Government. Richardson, 1: 94-5.

Proclamations of President, defining limits of District of Columbia, dated January 24 (Richardson, 1: 100-3) and March 30, 1791. Jo. S., 38-9, Message only. Jo. H. R., 43.

1 C: 3 S.

January 26, 1791.

Message from President, transmitting decree of French National Assembly, June 11, 1790, and letter of its President (Sieyès), announcing that the National Assembly has worn mourning three days for Benjamin Franklin, eulogizing Franklin, and expressing hope of continued friendly relations between France and the United States. (*Annals*, 2: 2116-17.) Richardson, 1: 95. *Jo. S.*, 40. Message only.

1 C: 3 S.

January 27, 1791.

Message of President, transmitting intelligence of recent depredations on the frontiers. Richardson, 1: 95. Message only.

Reports of R. Putman to Secretary of War and of Capt. D. Zeigler, First United States Regiment, to Governor St. Clair. *Jo. S.*, 40. Message only.

1 C: 3 S.

February 2, 1791.

Secretary of State Jefferson incloses a letter, October 21, 1790, from Chargé d'Affaires William Short of the United States at the Court of France, regarding reciprocal tonnage and other commercial duties. *A. S. P.*, 1: 120-121.

1 C: 3 S.

February 4, 1791.

Report of Secretary of State, Jefferson, on cod and whale fisheries made to House of Representatives and communicated by message to the Senate. Senate ordered 200 copies printed.

The original document is entitled "Report of the Secretary of State on the subject of the cod and whale fisheries, made conformably to an order of the House of Representatives of the United States, referring to him the representation of the General Court of the Commonwealth of Massachusetts on those subjects. February 1, 1791, published by order of the Senate of the United States." 4to, Philadelphia, 1791. 34 p. B. P. L.

1 C: 3 S.

February 9, 1791.

Message of President, on the admission of Vermont as a State. Richardson, 1: 95. *Jo. S.*, 49-58.

Documents expressing the consent of the legislatures of New York and the Territory of Vermont that the said Territory be admitted a distinct member of the Union; memorial from commission of the Territory asking consent of Congress to its admission as a State; boundary between Vermont and New York; jurisdiction of the New Hampshire grants.

Bill for the admission of Vermont reported by Mr. King, February 10. *Jo. S.*, 59-84.

1 C: 3 S.

February 12, 1791.

Bill passed by House of Representatives for adding another regiment to the military establishment and for making further provision for the defense of the frontiers. *Jo. S.*, 95-97.

Bill ordered by the Senate to be printed. Authorizes the President, in his discretion, to employ a major-general, a brigadier-general, a quartermaster, and aid-de-camp; to engage militia as cavalry; to establish such posts as are expedient; to raise a volunteer corps of 2,000; volunteers to receive \$3 as a bounty.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1183

1 C: 3 S.

February 14, 1791.

Message, February 14, 1791, of President to the Senate and House of Representatives relative to a commercial treaty with Great Britain of reciprocal advantages to both countries. Incloses the President's instructions to the agent of the United States (Gouverneur Morris), with two letters to the Duke of Leeds from Mr. Morris, and three letters from Mr. Morris giving an account of conference of the Duke of Leeds and Mr. Pitt. A. S. P., 1: 121-128. Ex. Jo. S., 1: 73.

1 C: 3 S.

February 14, 1791.

Message of President, announcing the indisposition of Great Britain to enter into arrangements for commercial reciprocity. Richardson, 1: 96.

1 C: 3 S.

February 16, 1791.

Memorial on encouragement to American ships. A. S. P., Finance, 1: 108.

Tax on foreign coinage asked for by shipmasters of Charleston.

1 C: 3 S.

February 16, 1791.

Bill passed by House of Representatives to establish offices for the purpose of granting land. Jo. S., 101-104.

Bill consisting of fifteen sections printed for use of the Senate. Not in W. D. L., nor in Ath. L.

1 C: 3 S.

February 17, 1791.

Amendment to bill of House of Representatives for adding another regiment to the military establishment and for making provision for the protection of the frontiers. Jo. S., 106-109.

Amendments ordered printed by the Senate. Not in W. D. L., nor in Ath. L.

1 C: 3 S.

February 18, 1791.

Message of President announcing that the Court of Portugal having appointed a minister to the United States is unwilling to receive an agent of less rank from the United States, and therefore nominates D. Humphreys minister to Portugal. Richardson, 1: 97-8. Ex. Jo. S., 1: 74.

1 C: 3 S.

February 22, 1791.

Message of President of the United States, announcing that the treaty with Morocco requires early attention of Senate, and that he will ransom American citizens in captivity at Algiers as soon as money is available, in conformity with Senate resolution of February 1, 1791, authorizing that President ransom American prisoners captured at Algiers at an expense not exceeding \$40,000, and that measures be taken to confirm the treaty between the United States and Morocco. A. S. P., For. Rel., 1: 128. Richardson, 1: 98. Ex. Jo. S., 1: 75.

1 C: 3 S.

February 22, 1791.

Message of the President, transmitting report of Secretary of War Knox relative to the appointment of brigadier-generals of militia in the United States territory south of the Ohio, and nominating as such John Sevier and James Robertson. Ex. Jo. S., 1: 75.

1 C: 3 S.

February 23, 1791.

Bill passed by the House of Representatives relative to the United States Bank. Jo. S., 119-120.

Bill of five sections ordered printed for use of Senate. Not in W. D. L., nor in Ath. L.

For act incorporating bank, see Jo. S., pp. 124-131.

1 C: 3 S.

February 23, 1791.

Message of President, nominating T. Auldjo vice-consul at Poole, Great Britain, and J. Yard consul at Island of Santa Cruz. Richardson, 1: 98. Ex. Jo. S., 1: 76.

1 C: 3 S.

February 25, 1791.

Report, February 24, of Secretary of Treasury Hamilton, regarding Dutch loan of 3,000,000 florins. Jo. S., 132-133. A. S. P., Finance, 1: 99. Jo. H. R., 81. Not printed.

1 C: 3 S.

February 25, 1791.

Bill passed by the House of Representatives supplemental to the act establishing the Treasury Department.

Bill of three sections relative to Treasury clerks ordered printed for the use of the Senate. Not in W. D. L., nor in Ath. L.

1 C: 3 S.

March 1, 1791.

Bill passed by the House of Representatives providing compensation for United States judicial officers, jurors, witnesses, etc. Jo. S., 145-147.

Bill of four sections ordered printed for the use of the Senate. Not in W. D. L., nor in Ath. L.

1 C: 3 S.

March 4, 1791.

Dividing the United States into districts for collection of duties on spirits and nominating supervisors for said districts. Richardson, 1: 99.

1 C: 3 S.

March 4, 1791.

Nominating Federal officers necessary for performing governmental duties in Vermont. Richardson, 1: 98-9.

REPORTS OF COMMITTEES.

1 C: 3 S.

December 10, 1790.

Report by Mr. Ellsworth, submitting draft of an address by the President. Jo. S., 12-13.

Admission of Kentucky to the Union; protection of the Western frontiers from depredations of the Indians; protection of American commerce; trade with the Mediterranean; judiciary system.

1 C: 3 S.

December 21, 1790.

Report of the commissioners on the public debt. Jo. S., 16-18.

Purchases of the public debt; purchases of 6 per cent stock by the agent of the trustees for reducing the public debt; amount of the domestic debt extinguished by said purchases.

Report of the commissioners on the sinking fund with regard to the execution of the act for the reduction of the public debt. A. S. P., Finance, 1: 81-2.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1185

1 C: 3 S.

January 3, 1791.

By Mr. Strong, on plan of a national bank. Jo. S., 26.

Senate ordered 150 copies of bill presented to be printed. Not in Journal. Not in W. D. L., nor in Ath. L.

1 C: 3 S.

January 3, 1791.

By Mr. Schuyler, on Kentucky. Jo. S., 26.

Assent of the assembly of Virginia to the separation of Kentucky; favorable report on the petition of a convention of representatives of Kentucky for the admission of the Territory into the Union as an independent State.

1 C: 3 S.

January 5, 1791.

By Mr. Hawkins, on assent of Congress to acts of Maryland, Georgia, and Rhode Island. Jo. S., 28.

Recommends that the President inquire into the extent of obstructions in the Savannah and Providence rivers, and with regard to tonnage duty laid on vessels navigating said rivers.

1 C: 3 S.

January 6, 1791.

By Mr. Langdon, on the trade of the Mediterranean, to the effect that the trade of the United States can not be protected but by a naval force, and that it would be proper to resort to the same as soon as the public finances will permit. A. S. P., 1: 103. Jo. S., 29. Ex. Jo. S., 1: 73.

1 C: 3 S.

January 6, 1791.

By Mr. Strong, on land grants northwest of the Ohio, recommending allotments of land to certain classes of claimants at or near Vincennes. A. S. P., P. L., 1: 17.

1 C: 3 S.

January 6, 1791.

By Mr. Morris, on bill for relief of Samuel Swayne. Jo. S., 29. Report not printed.

1 C: 3 S.

January 25, 1791.

Joint. By Mr. Strong, on proper time for commencement of next Congress. Jo. S., 39. Not printed.

1 C: 3 S.

January 31, 1791.

By Mr. Langdon, on United States commerce in the Mediterranean. Also on American prisoners in captivity at Algiers. Jo. S., 42. Ex. Jo. S., 1: 72.

1 C: 3 S.

February 5, 1791.

By Mr. Dalton, on petition of James Mathers. Jo. S., 45.

Reports favorable, but not printed; connected with removal of office of Secretary of Senate from New York to Philadelphia.

1 C: 3 S.

February 10, 1791.

By Mr. King, relative to Vermont. Jo. S., 59-84.

Report in form of a bill for the admission of Vermont into the Union; fifty-five sections.

1 C: 3 S.

February 18, 1791.

By Mr. Langdon, on petition of Donald Campbell for services during late war.

1 C: 3 S.

February 22, 1791.

By Mr. Maclay, on payment of debts due to foreign officers. Jo. S., 117. Not printed. A. S. P., Finance, 1: 109.

Adverse to passage of bill before Senate.

1 C: 3 S.

March 1, 1791.

By Mr. Morris, relative to the establishment of a mint. Jo. S., 143. Not printed.

1 C: 3 S.

March 1, 1791.

By Mr. Izard, on weights, measures, and coins. A. S. P., Misc., 1: 38. Jo. S., 143.

In view of propositions made to French National Assembly and to British Parliament, deems inadvisable any present alterations in United States measures and weights.

1 C: 3 S.

March 2, 1791.

By Mr. Monroe, relative to Virginia bounty lands and also on resolutions of Virginia assembly on individual claims. Jo. S., 172-173. A. S. P., P. L., 22; A. S. P., Claims, 29.

Believes that further legislative action is unnecessary to secure bounty lands; that all individual claims should be made to the Federal Government, and that such claims should not be passed on by State legislatures.

1 C: 3 S.

March 3, 1791.

By Mr. Morris, on discriminating duties. Jo. S., 53.

Discriminating duties established.

HOUSE.

THIRD SESSION, DECEMBER 6, 1790, TO MARCH 3, 1791.

Speaker of the House, F. A. MUHLENBERG of Pennsylvania.

Clerk of the House, JOHN BECKLEY of Virginia.

JOURNALS.

Journal of the House. Folio. Philadelphia: Francis Childs and John Swaine. 1791. 146. B. P. L.

Proceedings and debates of the House of Representatives in the first Congress, taken in shorthand by T. Lloyd. N. Y., 1789. 3 v., B. P. L. Not in W. D. L.

DOCUMENTS.

1 C: 3 S.

December 8, 1790.

Message of the President of the United States. Richardson, 1: 81-7. A. S. P., For. Rel., 1: 13-15. Jo. H. R., 5-7.

Second annual address. Appended is address of the House of Representatives, December 11, 1790, and his reply, December 13, 1790.

Congratulations; foreign loans; admission of Kentucky; Indian affairs; navigation and fisheries; Mediterranean trade; the judiciary; foreign consuls; weights and measures; mint; post-offices and post-roads; revenues.

1 C: 3 S.

December 9, 1790.

Letter from the Secretary of War, with statement of information on which had been founded expedition against the Indians northwest of

the Ohio; also instructions to the Governor of the Western Territory and to the commanding officer of the troops, with estimate of expenses of the expedition. Jo. H. R., 8. Report not printed.

1 C: 3 S.

December 9, 1790.

Message from the President, delivered verbally by Mr. Lear, his secretary, with certain official communications from the District of Kentucky, relative to the erection of said District into an independent State. Jo. H. R., 8. This message is not in Richardson, being exceptionally delivered verbally.

The papers containing the proceedings of a convention held July 26, 1790, are printed in Appendix to Jo. H. R., 105-107.

1 C: 3 S.

December 11, 1790.

Letter from commissioners of Philadelphia, offering the county courthouse for the accommodation of Congress. Jo. H. R., 10. Not printed.

1 C: 3 S.

December 13, 1790.

Address of Speaker Muhlenberg to President Washington, December 13, 1790, and the President's reply. A. S. P., 1: 15.

1 C: 3 S.

December 13, 1790.

Report of Secretary of Treasury Hamilton, on national finances. A. S. P., Finance, 1: 64-7. Annals, 2: 2023-2030.

Provision for the support of public credit; amount of the debt of the individual States assumed by the General Government; recommendations relative to duties on distilled spirits and their collection; estimate of the revenue from the duties proposed.

The original document, 4to, N. Y., Francis Childs and John Swaine, n. d. (1790). 7 p. B. P. L.

1 C: 3 S.

December 14, 1790.

Message of President. See Senate, this date. Message only. Jo. H. R., 12. (Not in Richardson.)

1 C: 3 S.

December 14, 1790.

Report of Secretary of Treasury Hamilton, December 13, 1790, on a national bank. A. S. P., Finance, 1: 67-76. Annals, 2: 2031-2059.

The original document, 4to, N. Y., Francis Childs and John Swaine, n. d. (1790). 22 p. B. P. L.

Elaborate argument setting forth the advantages of a bank.

1 C: 3 S.

December 15, 1790.

Resolution expressing the appreciation of the House on the eulogium pronounced before the Commons of Paris to the memory of Benjamin Franklin. Jo. H. R., 14.

1 C: 3 S.

December 20, 1790.

Virginia resolution on bounty lands. A. S. P., P. L., 1: 17.

Objects to an act of Congress concerning the bounty lands, and transmits a petition from the officers and soldiers of the Virginia Line.

1 C: 3 S.

December 20, 1790.

Memorial from public creditors by the citizens of Philadelphia, A. S. P., Finance, 1: 76-81.

Elaborate argument in favor of paying the public debt.

1 C: 3 S.

December 21, 1790.

Report of Commissioners on Sinking Fund. See Senate, this date.

1 C: 3 S.

December 23, 1790.

Message of President. See Senate, this date. Jo. H. R., 19. Message only. A. S. P., P. L., 1: 9-16.

Incloses letters from Governor Winthrop Sargent and Secretary of State Thomas Jefferson.

1 C: 3 S.

December 30, 1790.

Message of President. See Senate, this date. Jo. H. R., 24. Message only.

Report, of the 28th of December, 1790, of Secretary of State Jefferson relative to the Mediterranean trade, communicated to the House December 30, 1790, and to the Senate January, 1791. Points out that Mediterranean trade can be established only by peace with the Barbary powers; that the Algerians have enslaved twenty-one American sailors: that either ransom, tribute, or war will restore American commerce. Incloses letters from Captain O'Brien, American captive at Algiers, from ministers plenipotentiary of the United States at London (John Adams) and Paris (Thomas Jefferson), letter from Count d'Estaing, and statement of the marine force at Algiers. A. S. P., For. Rel., 1: 104-108.

1 C: 3 S.

December 31, 1790.

Report of Attorney-General Randolph, December 27. A. S. P., Misc., 1: 21-36.

On matters relative to the administration of justice; defects in the judiciary system; organization of the district, circuit, and Supreme courts; draft of a bill for the reorganization of the judiciary system.

The original document is a "Report of the Attorney-General. Read in the House of Representatives, December 31, 1790." 4to, Francis Childs and John Swain. (N. Y., 1791.) (4), 3-34p. B. P. L.

1 C: 3 S.

January 3, 1791.

Message of President. See Senate, this date. Jo. H. R., 26. Message only.

1 C: 3 S.

January 4, 1791.

Letter of United States Treasurer Meredith, on receipts and expenditures of the public money from July 1 to September 30, 1790; Auditor's report on the accounts of the Treasurer; payments and receipts in indents; specification of the objects of expenditure. Jo. H. R., 28. The accounts are published in full in the Appendix to Jo. H. R., 116-129.

1 C: 3 S.

January 6, 1791.

Report of Secretary Hamilton, on estimates of expenditures for 1791. A. S. P., Finance, 1: 82-88.

Estimates of expenditure of the civil and military list. The original document, folio, n. p., n. d. (N. Y., 1790) 12p., has no title page.

1 C: 3 S.

January 6, 1791.

Report of Secretary of the Treasury Hamilton, transmitting abstract of duties arising on tonnage of vessels entered into the United States from October 1, 1789, to September 30, 1790. A. S. P., Commerce, 1: 6-8. Jo. H. R., 30. Not printed in Journal. The original document, folio, n. p., n. d. (N. Y., 1791) 1 p., broadside table, has no title page.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1189

1 C: 3 S.

January 7, 1791.

Report of Secretary of the Treasury Hamilton, on duties on imports. A. S. P., Finance, 1: 89.

Abstract of duties on goods, wares, and merchandise. From commencement of the impost act, August 1, 1789, to September 30, 1789, and from October 1, 1789, to September 30, 1790. Jo. H. R., 31. Not printed in Journal.

Original document, folio, n. d., n. d. (Philadelphia, 1791), has no title page.

1 C: 3 S.

January 17, 1791.

Message of President. See Senate, this date. Jo. H. R., 37. Message only.

1 C: 3 S.

January 17, 1791.

Message of President, on relations with France. A. S. P., For. Rel., 1: 109.

Incloses a letter from King Louis on the recall of Mr. Jefferson.

1 C: 3 S.

January 18, 1791.

Letter from Secretary of State Jefferson, rectifying error in previous report on weights and coins. See Senate, this date.

1 C: 3 S.

January 19, 1791.

Message of President on extra tonnage. A. S. P., For. Rel., 1: 109-116.

Message from the President; report from Secretary of State Jefferson; correspondence with the French chargé d'affaires, Otto; act of the King's council of State for the encouragement of commerce between France and the United States; accompanying correspondence; tobacco; whale oil, etc.

1 C: 3 S.

January 20, 1791.

Report of Secretary of State Jefferson on the prisoners at Algiers. A. S. P., For. Rel., 1: 116-120.

Inclosing a letter from William Short, chargé d'affaires of the United States at the Court of France.

1 C: 3 S.

January 24, 1791.

Message of President. See Senate, this date. Jo. H. R., 43. Message only.

1 C: 3 S.

January 24, 1791.

Message of President, on permanent seat of government. Jo. H. R., 43; Jo. S., 38-39.

Commissioners have been appointed by the President to survey and limit a part of the territory of 10 miles square on both sides of the Potomac, so as to comprehend Georgetown, for a permanent seat of government; selections of sites for public buildings.

1 C: 3 S.

January 26, 1791.

Message of President. See Senate, this date. Jo. H. R., 47. Message only.

1 C: 3 S.

January 27, 1791.

Message of President. See Senate, this date. Jo. H. R., 48. Message only.

1 C: 3 S.

January 28, 1791.

Report of Secretary of the Treasury Hamilton under orders of the House of Representatives, April 15, 1790, relative to the establishment of a mint. *Annals*, 2: 112-2141.) *A. S. P., Finance*, 1: 91-107.

Reasons for the establishment of a mint; letters from Robert Morris and Thomas Jefferson. Considers elaborately the ratio of silver to gold; regulations regarding coinage, and the necessary organization of a working force for the mint. Appended to Hamilton's report, but not communicated by him, is an anonymous paper on propositions respecting coinage; a letter of Robert Morris, on rates at which foreign coins should be circulated in the United States, and the questions of fineness, standard, etc.; notes on coinage and the mint by Jefferson.

Jan. 28, 1791.

The original document, folio, N. Y., Francis Childs and John Swain, n. d.), has no title page.

1 C: 3 S.

February 1, 1791.

Report of Secretary of War Knox, on half pay to officers' families, *A. S. P., Claims*, 25, 26.

A few well-founded claims, not adjusted by the States, should be paid by the United States.

1 C: 3 S.

February 4, 1791.

Report of Secretary of State Jefferson, February 2, on subject of cod and whale fisheries. *Jo. H. R.*, 55. For document see S. Feb. 4, 1791.

Brief account of the rise, progress, and present state of these fisheries. Consideration of means of relief required for this industry. Markets for American ships. Statistical view of the cod fisheries of France, England, and the United States, 1577-1790. Cod fishery of Massachusetts from 1765 to 1775, and from 1786 to 1790. Produce of the fisheries exported in 1789-90. Whale fisheries of Holland, England, and the United States, 1578-1789. Letter from the French minister in regard to commercial intercourse between France and the United States. State of the whale fishery in Massachusetts from 1771 to 1775. Live stock exported in 1789-90. Extracts from a letter of Mr. W. Short, United States chargé d'affaires. *A. S. P., Commerce*, 1: 8-22.

1 C: 3 S.

February 7, 1791.

Report of Secretary of State Jefferson, on memorial of Andrew Brown regarding authenticated edition of United States laws. *A. S. P., Misc.*, 1: 37.

Recommends that laws printed by Brown be collated and corrected and that a certificate thereof by the Secretary of State be annexed.

1 C: 3 S.

February 9, 1791.

Message of President. See Senate, this date. *Jo. H. R.*, 59. Message only.

1 C: 3 S.

February 9, 1791.

Message of President, transmitting documents from governor of Vermont showing the consent of legislatures of New York and Vermont to its admission as a State; Memorials of Nathaniel Chipman and

Lewis R. Morris, commissioners from Vermont, praying the consent of Congress to the admission of the State of Vermont. Jo. H. R., 59. Richardson, 1: 95.

The accompanying documents are printed in Jo. H. R., 107-115.

1 C: 3 S. February 10, 1791.

Report of Secretary of Treasury Hamilton, on petition of Elias H. Derby for remission of duties on tea. A. S. P., Finance, 1: 107.

Recommends retrospective legislation in bill before the House on credit on impost on tea.

1 C: 3 S. February 10, 1791.

Report of Secretary of Treasury Hamilton, on trade with India and China. A. S. P., Finance, 1: 107.

On petitions of merchants of Philadelphia regarding trade. Duty on tea proposed.

1 C: 3 S. February 12, 1791.

Report of Secretary of Treasury Hamilton, on petition of John H. Hollins for abatement of duties. Jo. H. R., 64.

Adverse report; not printed.

1 C: 3 S. February 14, 1791.

Message of President. See Senate, this date. Jo. H. R., 64.

1 C: 3 S. February 14, 1791.

Message of President, relative to a commercial treaty. A. S. P., For. Rel., 1: 121-127.

Instructions to Gouverneur Morris and correspondence with the Duke of Leeds.

1 C: 3 S. February 14, 1791.

Report of Secretary of War Knox, on claim of an officer in captivity. A. S. P., Claims, 26.

The claim of a surgeon's mate made prisoner in Canada is not barred by the statute of limitation.

1 C: 3 S. February 15, 1791.

Report of Secretary of War Knox, on petition of Thomas M'Intire for commutation of half pay as officer during late war. Jo. H. R., 66.

Report favorable; not printed.

1 C: 3 S. February 15, 1791.

Report of Secretary of War Knox, on petition of Abel Turney to be placed on the pension list. Jo. H. R., 66.

Report favorable; not printed.

1 C: 3 S. February 15, 1791.

Report of Secretary of War Knox, on petition of Timothy Mix, lieutenant in the late war, to be placed on the pension list. Jo. H. R., 66.

Report favorable; not printed.

1 C: 3 S. February 15, 1791.

Report of Secretary of War Knox, on petition of S. Buffington, attorney to Frances F. Debevere, surgeon's mate, Seventh Massachusetts Regiment. A. S. P., Claims, 1: 26.

Favorable to petitioner.

- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Joseph Pannil. Jo. H. R., 66.
 Report favorable; not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Moses Rawlings. Jo. H. R., 66. Not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Michael G. Howdin (Houdin) for services in late war. Jo. H. R., 66.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of George Glentworth, Surgeon-General United States General Hospital during the late war. Jo. H. R., 66. Not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Samuel Shepherd for pension on account of disability incurred in late war. Jo. H. R., 66. Not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Abraham Hunt. Jo. H. R., 66. Not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Joseph Anderson arising out of late war. Jo. H. R., 66. Not printed.
- 1 C: 3 S. February 15, 1791.
 Report of Secretary of War Knox, on petition of Annie Roberts, widow of Owen Roberts, colonel, South Carolina Continental Regiment of Artillery; orphan children of Andrew Leitch, major First Virginia Continental Regiment, and children of William White, captain in Massachusetts Line. A. S. P., Claims, 25-6.
 Favorable of allowance of seven years' half pay to petitioners.
- 1 C: 3 S. February 15, 1791.
 Secretary of Treasury Hamilton transmits return of exports of the United States from August, 1789, to September 30, 1791. A. S. P., Commerce, 1: 23-34.
- 1 C: 3 S. February 15, 1791.
 Letter and report from Secretary of Treasury Hamilton, respecting further compensations to commissioners of loan offices. Jo. H. R., 66. Not printed in Journal.
- 1 C: 3 S. February 15, 1791.
 Letter and report from Secretary of Treasury Hamilton of exports of the United States from August, 1789, to September 30, 1790. Jo. H. R., 66. A. S. P., 1: 23-34. Original document in neither W. D. L. nor Ath. L.
- 1 C: 3 S. February 16, 1791.
 Report of Secretary of War Knox, on petition of John Chadwick arising from the late war. Jo. H. R., 68. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1193

- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Nathaniel Alexander arising from the late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of James Easton arising from the late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Nicholas Hangendobler. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Daniel Merrill *et al.* Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Stephen Clapp. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Joshua Orne *et al.* Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of John Post arising out of the late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Lewis Prahl arising out of late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Nathaniel Porter arising out of late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Lawrence Allman arising from services in late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Samuel Kearsley arising from military services in late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of John Keemhle. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of John Linn arising from services in late war. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of William S. Smith. Jo. H. R., 68. Not printed.
- 1 C: 3 S. February 16, 1791.
Report of Secretary of War Knox, on petition of Josiah Simpson attorney for Dorcas Frost and others. Jo. H. R., 68. Not printed.

1 C: 3 S.

February 16, 1791.

Report of Secretary of War Knox, on petition of Joseph Hugg on account of wounds received in late war. Jo. H. R., 68. Not printed.

1 C: 3 S.

February 18, 1791.

Message of President to Senate and House, on land claimants. A. S. P., P. L., 1: 18-22. Jo. H. R., 70. Not in Richardson.

Transmits extracts from the report of Governor St. Clair and others.

Reporting action taken under resolve of Congress, August 29, 1788, relative to land claims at Kaskaskia, La Prairie, Duroches, and Kahokia, accompanied by petitions from Great Run (*J. Piggot et al.*); Cohos (*G. Aubuniere et al.*); Kohokia (*P. Gibault et al.*); and letter from Major Hamtramck, Post St. Vincennes.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of James Alexander for compensation for services during the late war. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Alexander Nelson (Neilson) for compensation for services in late war. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of William Paine for claim arising out of late war. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of John Hodge for claim arising out of late war. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Samuel Summers for services in late war. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Robert King for pension, cause by disabilities in late war. Jo. H. R., 73. Not printed. Report favorable.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Jeremiah Ocaim. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Benoni Chipman. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of John Falconer and others of Westchester County, N. Y. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of John Baylor, executor of Col. George Baylor. Jo. H. R., 73. Not printed.

1 C: 3 S.

February 21, 1791.

Report of Secretary of War Knox, on petition of Stephen Steward, jr., executor of Col. John Steward. Jo. H. R., 74. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1195

- 1 C: 3 S. February 21, 1791.
Report of Secretary of War Knox, on petition of Anthony W. White. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of Richard Lloyd. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of James Norris for compensation for services during late war. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of Francis Taylor for military services in late war. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of Ebenezer A. Smith for claim arising out of late war. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of William Cottle for compensation for services during late war. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 22, 1791.
Report of Secretary of War Knox, on petition of David Cook for claim arising out of late war. Jo. H. R., 74. Not printed.
- 1 C: 3 S. February 24, 1791.
Letter and report of Secretary of the Treasury Hamilton, on petition of William Simmons for increase of salary as principal clerk in office of Auditor of the Treasury. Jo. H. R., 78.
Increase of salary recommended.
- 1 C: 3 S. February 25, 1791.
Report of Secretary of the Treasury Hamilton, on Dutch loan. Jo. S., 132, 133. Jo. H. R., 81. Not printed. A. S. P., Finance, 1: 109.
Loans negotiated in Holland; terms of the loan; payments to France on account of the debt; payments of Dutch loans; Secretary recommends that the above loan be included within the meaning of the "Act making provision for reduction of the public debt."
- 1 C: 3 S. February 25, 1791.
Report of Secretary of Treasury Hamilton, on a breach of contract. A. S. P., Claims, 26, 27.
Claim on petition of Comfort Sands *et al.*, for indemnification made by the contractor for the supply of army rations, whose contract was broken, should not be referred to the accounting officers of the Treasury, but to the Supreme Court.
- 1 C: 3 S. February 25, 1791.
Report of Secretary of State Jefferson, on the land claim of a deserter. A. S. P., Claims, 27.
Grant of 100 acres of land and payment of \$336.84 recommended.
On petition of Nicholas F. Westphall, deserting sergeant-major from the British service, bringing his whole picket.

1 C: 3 S.

February 25, 1791.

Letter and report from Secretary of Treasury Hamilton, respecting certificates of debt issued after January 1, 1790. Jo. H. R., 83. Not printed.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on invalid pensions. A. S. P., Claims, 28, 29.

All persons decidedly disabled in the war should be benefited by the provision established, but due care should be taken to prevent persons being placed on the pension list who were not conspicuously entitled thereto.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Thaddeus Beebe. Jo. H. R., 84. Not printed.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Robert Connolly. Jo. H. R., 84. Not printed.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Jesse Holt for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Philip Buck arising out of late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of John M. Charlesworth arising out of late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Thomas Boyd for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Jabez Bill arising out of late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of John Cardiff for services in late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Caleb Chadwick arising out of the late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Robert Ford for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Nathan Davis arising out of late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Wardell Green arising out of late war. Jo. H. R., 84.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1197

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Anna Emerson for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Ebenezer Feilding for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Reuben Gould, arising from late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Thomas Hobby for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Ezekiel Johnston for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Barnabas Lucas for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Annie W. Longcamer for pension as widow of soldier. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Peter Johnson for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Timothy Lane for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Daniel Lolla for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Donald McDonald for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Patrick McLaughlin arising out of late war. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of William Dade for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Ebenezer Nash for pension. Jo. H. R., 84.

1 C: 3 S.

February 26, 1791.

Report of Secretary of War Knox, on petition of Simon Noyes for pension. Jo. H. R., 84.

- 1 C: 3 S. February 26, 1791.
Report of Secretary of War Knox, on petition of Abner Pier arising out of late war. Jo. H. R., 84.
- 1 C: 3 S. February 26, 1791.
Report of Secretary of War Knox, on petition of Job Priest for pension. Jo. H. R., 84.
- 1 C: 3 S. February 26, 1791.
Report of Secretary of War Knox, on petition of William Reynolds for pension. Jo. H. R., 84.
- 1 C: 3 S. February 26, 1791.
Report of Secretary of War Knox, on petition of Albert Roux for pension. Jo. H. R., 84.
- 1 C: 3 S. February 26, 1791.
Report of Secretary of War Knox, on petition of Isaac Vincent for pension. Jo. H. R., 84.
- 1 C: 3 S. March 2, 1791.
Report of Secretary of Treasury Hamilton, on petition of James Crawford against payment of double tonnage. Jo. H. R., 93.
- 1 C: 3 S. March 2, 1791.
Report of Secretary of War Hamilton, on petition of Elias H. Deroy against payment of double tonnage. Jo. H. R., 93.
- 1 C: 3 S. March 2, 1791.
Report of Secretary of Treasury Hamilton, on petition of Coninghame, Nesbitt & Co. against payment of double tonnage. Jo. H. R., 93.
- 1 C: 3 S. March 2, 1791.
Report of Secretary of Treasury Hamilton, on petition of Gosuinus Erkelens for payment for services in late war. Jo. H. R., 93.
- 1 C: 3 S. March 3, 1791.
Report of Secretary of War Knox, on petition of Henry Laurens, payment for services arising out of late war. Jo. H. R., 95.
- 1 C: 3 S. March 3, 1791.
Amendment to Constitution to be proposed by Congress to the legislatures of the several States. Jo. H. R., 98-100.
One hundred copies ordered printed. Not in W. D. L.
- 1 C: 3 S. March 3, 1791.
Resolution extending thanks of the House to officials of Philadelphia for accommodations provided for Congress. Jo. H. R., 102.
- 1 C: 3 S. March 3, 1791.
Report of Secretary of War Knox, on petition of Oneida and Tuscarora Indians, by their attorney, C. Vanslyk, asking for pay and grants under their commissions in the Army, act of April 3, 1779. A. S. P., Ind. Af., 1: 1, 23. Jo. H. R., 95.
Considers action of Congress unnecessary.

REPORTS OF COMMITTEES.

- 1 C: 3 S. December 10, 1790.
Report of committee, by Mr. Madison, on address by the House to the President. Jo. H. R., 9.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1199

Address printed, pp. 10-11; was delivered December 12, when reply was made by President Washington, p. 12.

1 C: 3 S.

December 11, 1790.

By Mr. Madison, on time and place for delivery of address of the House to the President. Jo. H. R., 11.

Address to be made at President's house.

1 C: 3 S.

December 21, 1790.

Report by Mr. Seney, on the establishment of a health office at Baltimore. Jo. H. R., 18.

Recommends general legislation in this respect.

1 C: 3 S.

January 4, 1791.

By Mr. Boudinot, on the public lands. Jo. H. R., 27, 28.

Establishment of a general land office; subordinate offices in the territory northwest of the Ohio and in the territory south of the Ohio; terms of sale of public lands: surveyor-general to be appointed; duties of the surveyors; proceedings in relation to titles to lands.

1 C: 3 S.

January 6, 1791.

On the Mediterranean trade. A. S. P., For. R., 1: 108.

Trade of the United States to the Mediterranean can not be protected but by the naval forces.

1 C: 3 S.

January 6, 1791.

By Mr. Madison, on petition of John Churchman of public aid in magnetic observations in Baffin's Bay. Jo. H. R., 29.

Report apparently favorable, see p. 50.

1 C: 3 S.

January 14, 1791.

By Mr. Fitzsimons, on memorial of officers in the late navy in the State of Pennsylvania, for compensation for services in the late war. Jo. H. R., 35-36.

Adverse to petitioners.

1 C: 3 S.

January 19, 1791.

By Mr. Fitzsimons, on petition of Joshua Barney for pension as captain in United States Navy during late war. Jo. H. R., 33.

Not printed; apparently favorable, see p. 66.

1 C: 3 S.

January 22, 1791.

By Mr. Lawrence, on petition of Seth Harding for service in United States Navy during late war. Jo. H. R., 42.

Report favorable; printed on p. 84.

1 C: 3 S.

January 25, 1791.

By Mr. Jackson, on petition of merchants of Wilmington and Fayetteville, N. C., that district and circuit courts of North Carolina be held alternately at Fayetteville and Newbern. Jo. H. R., 45.

Report favorable, p. 47.

1 C: 3 S.

January 25, 1791.

By Mr. Tucker, on time for commencement of next session of Congress. Jo. H. R., 46. Not printed.

1 C: 3 S.

January 28, 1791.

Whole. Respecting time for commencement of next session of Congress. Jo. H. R., 50.

That a revenue bill may be passed and such other business as is of immediate importance accomplished before the 4th of March next, and that it will therefore not be necessary that a new session should be commenced immediately thereafter.

Also that a bill should pass to alter the next annual meeting of Congress to an earlier day than that expressed in the Constitution.

1 C: 3 S.

January 28, 1791.

By Mr. Giles, on petition of George Gibson for services in late war. Jo. H. R., 50.

Report, in part, recommends half pay as a Continental colonel, pp. 69, 85.

1 C: 3 S.

January 28, 1891.

By Mr. Smith, on claim of heirs of Colonel Laurens. (On petition of Frances Elinor Laurens, by Henry Laurens). A. S. P., Claims, 24.

Disallowance of the claim of interest on Colonel Laurens's compensation as special minister to France.

1 C: 3 S.

January 28, 1791.

By Mr. Sturgis, on petition of freeholders of Albany and Washington, N. Y., representing that pension granted to John Younglove as disabled major of Colonel Van Vourt's regiment of New York militia was obtained by misrepresentation, and prays for repeal of said act. Jo. H. R., 50. Report not printed.

1 C: 3 S.

February 12, 1791.

By Mr. Sherman, on loan certificates on money lent the United States between September, 1777, and March, 1778. Jo. H. R., 63-64. Not printed.

1 C: 3 S.

February 16, 1791.

By Mr. Madison, on administration of Robert Morris, late Superintendent of Finance. A. S. P., Misc., 1: 38.

Submits the report of the Register of the Treasury on receipts and expenditures during Morris's administration. These documents, issued in printed form, are noted in the State Papers as "Not now to be found."

1 C: 3 S.

February 21, 1791.

By Mr. Goodhue, on commercial relations with Great Britain. A. S. P., For. R., 1: 128.

A special committee of the House report a draft of an act of Congress regulating importations.

1 C: 3 S.

February 22, 1791.

By Mr. Fitzsimons, on provision necessary to secure due accounting for moneys expended in the Department of War. Jo. H. R., 75. Not printed.

1 C: 3 S.

February 24, 1791.

By Mr. Carroll, on return of imports, 1789 to 1790. Jo. H. R., 79.

Recommends that said return be printed so as to show names, quantity, and value of articles exported, etc. So ordered by House of Representatives. See Documents H. R., February 15.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1201

1 C: 3 S.

February 26, 1791.

By Mr. Trumbull, on salaries of President, members of Congress, etc. Jo. H. R., 61.

Salary of the President, \$5,000; Senators, \$6 a day; Representatives, \$6 a day; Chaplains, \$500 per annum; Secretary of Senate and Clerk of the House, \$1,500 per annum each and \$2 a day to each during the session; Sergeant-at-Arms, \$4 per day. Doorkeepers of the Senate and House, \$3 per day each, and assistant doorkeepers, \$2 per day each.

1 C: 3 S.

March 3, 1791.

By Mr. Cadwalader, on petition of John Tucker, clerk United States Supreme Court, for further compensation. Jo. H. R., 95.

Deferred till next Congress.

SECOND CONGRESS, 1791-1793.

The Second Congress was held in Philadelphia.

SPECIAL SESSION OF THE SENATE: MARCH 4, 1791.

FIRST SESSION: OCTOBER 24, 1791, TO MAY 8, 1792.

SECOND SESSION: NOVEMBER 5, 1792, TO MARCH 2, 1793.

President of the United States, GEORGE WASHINGTON, Virginia. From April 30, 1789.

Vice-President of the United States and President of the Senate, JOHN ADAMS, Massachusetts. From April 21, 1789.

Speaker of the House of Representatives, JONATHAN TRUMBULL, Connecticut. From October 24, 1791, to March 2, 1793.

Chief Justice of the Supreme Court, JOHN JAY, New York. From September 26, 1789.

Secretary of State, THOMAS JEFFERSON, Virginia. From September 26, 1789.

Secretary of the Treasury, ALEXANDER HAMILTON, New York. From September 11, 1789.

Secretary of War, HENRY KNOX, Massachusetts. From September 12, 1789.

Secretary of the Navy. (War Department in charge of Naval Affairs.)

Postmaster-General, SAMUEL OSGOOD, Massachusetts. From September 26, 1789.

Postmaster-General, TIMOTHY PICKERING, Pennsylvania. From August 12, 1791.

Attorney-General, EDMUND RANDOLPH, Virginia. From September 26, 1789.

SENATE.

SPECIAL SESSION, MARCH 4, 1791.

Vice-President John Adams of Massachusetts, President; Samuel A. Otis, Secretary.

JOURNALS.

Journal of Executive Proceedings. *In* Journal of Executive Proceedings of the Senate, First to Nineteenth Congress. Washington. Duff Green. 1828. 1: 79-84.

H. Doc. 353—76

DOCUMENTS.

2 C: SS.

March 4, 1791.

Message of President, March 1, 1791, convening the Senate on March 4, 1791, to receive and deliberate on such communications as may be made to it. Ex. Jo. S., 1: 79. Richardson, 1: 587.

2 C: SS.

March 4, 1791.

Message of the President, nominating United States officers of the State of Vermont, this being the date fixed for the admission of that State and the first day on which any officer of the Union might legally perform any act of authority relating to that State. Ex. Jo. S., 80. Richardson, 1: 98.

2 C: SS.

March 4, 1791.

Message of President, dividing the United States into revenue districts and appointing supervisors. Ex. Jo. S., 80-81. Richardson, 1: 99.

2 C: SS.

March 4, 1791.

List of officers of the United States Army obtained from Secretary of War Knox. Ex. Jo. S., 82.

List, as published in Journal, covers the appointments to Second Regiment, just raised, and promotions in the First Regiment of Infantry and Battalion of Artillery. General St. Clair was nominated the same day.

SENATE.

Vice-President, JOHN ADAMS, Massachusetts, President.

Presidents pro tempore, RICHARD HENRY LEE, Virginia, and JOHN LANGDON, New Hampshire.

FIRST REGULAR SESSION: OCTOBER 24, 1791, TO MAY 8, 1792.

JOURNAL.

2 C: 1 S.

October 24, 1791.

Journal (legislative) from October 24, 1791, to May 8, 1792. Printed by John Fenno. Philadelphia. 224pp. B. P. L.

Journal of Executive Proceedings. *In* Journal of Executive Proceedings of the Senate, 1st to 19th Congress. Washington. Duff Green. 1828. 1: 85-124. B. P. L.

DOCUMENTS.

2 C: 1 S.

October 25, 1791.

Annual message of President. A. S. P., For. R., 1: 16-18. Richardson, 1: 103. Jo. H. R., 6-10.

Congratulations; Bank of the United States; defense of frontiers; relations with the Indians; public lands; permanent seat of government; census; loan in Holland; revenues; the militia; post-offices and post-roads; weights and measures; public lands; address of the Senate, October 28, on the message; reply of the President, October 31; address of the House on the message, October 27; reply of the President, October 28.

2 C: 1 S.

October 26, 1791.

Report of United States Treasurer Meredith, on the national finances. Jo. S., 6-10. Letter only.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1203

Accounts of payments and receipts of public moneys from October 1, 1790, to June 30, 1791; reports of the Auditor on the accounts of the Treasurer; accounts of indents of interests.

Original document, folio, n. d., n. p. (Philadelphia, 1791), has no title page, and is not in W. D. L.

2 C: 1 S.

October 26, 1791.

Message of President, transmitting the following legislative acts: New Hampshire, ceding to the United States the fort and light-house; Pennsylvania, ratifying the first article of amendment of Constitution as proposed by Congress; and North Carolina, granting the use of its jails to the United States. Richardson, 1: 110-111. Jo. S., 11, Jo. H. R., 10.

The Senate Journal has note, "for copies of these acts, see Appendix," where, however, they are not printed.

2 C: 1 S.

October 26, 1791.

Message of President, stating that he has directed the Secretary of War to present papers relative to late negotiations with the Cherokees, and treaty with that tribe, July 2, 1791, for ratification. Presents instructions to Colonel Pickering and his conference with the Six Nations; also letter to the chief of the Creeks, under treaty of August 7, 1790. Richardson, 1: 111 (message only). A. S. P., Ind. Af., 1: 123-129. Ex. Jo. S. (message only), 1: 65.

Papers containing treaty between Governor Blount and the Cherokees; letters from Secretary of War to Maj. Richard Call, commanding United States troops in Georgia, and his answer to the Secretary of War; instructions to Ensign John Heth, First American Regiment; letters to General McGillivray and Governor Blount of Georgia; instructions to J. Illicott.

2 C: 1 S.

October 27, 1791.

Message of President, transmitting documents from the governor of Pennsylvania respecting fugitives from that State to Virginia, with a report of Attorney-General Randolph thereon; also legislative act of North Carolina ceding to the United States sites for light-houses on Occacock and Cape islands; also returns of the First Census of the United States which have been received. Richardson, 1: 111-112 (message only). A. S. P., Misc., 1: 38-43. Jo. S., 13, 14.

The Virginia fugitives (Francis Maguire, Baldwin Parsons, and Absolun Webb) were charged with abducting a free negro, John.

Secretary Randolph considers that the United States can not interfere. Jo. S., 13 (message only), 14. Secretary of State's statement of enumeration of First Census.

2 C: 1 S.

October 27, 1791.

Resolutions of directors of Library Company of Philadelphia, extending the use of their library to Congress. Jo. S., 12.

2 C: 1 S.

October 28, 1791.

Address of the Senate, by Mr. A. Burr, to the President. Jo. S., 15, 16. On the restoration of confidence in the stability of the Government; military operations against the Indians; public prosperity; measures to

promote peace with the Indians and to protect the frontiers; cooperation promised in measures for the public welfare. A. S. P., For R., 1:18. Richardson, 1: 108-109.

2 C: 1 S.

November 1, 1791.

Message of October 31, from President. Reply of President Washington to the address of the Senate. Richardson, 1: 112 (message only). A. S. P., For R., 1: 17. A. S. P., Finance, 1: 110-111. Jo. S., 17-21. Jo. H. R., 18 (message only). Richardson 1: 109.

2 C: 1 S.

November 1, 1791.

Message of President, October 31, inclosing the presentments of the grand jury to judge of the district of South Carolina, relative to the return of the census from that district, copies of which are now presented. Jo. S., 18 (message only). Jo. H. R., 18 (message only). Richardson, 1: 112.

2 C: 1 S.

November 7, 1791.

Report of the Commissioners of the Sinking Fund. A. S. P., Fin., 1: 111-122. Jo. S., 25-27.

2 C: 1 S.

November 10, 1791.

Message of President, inclosing report of Secretary of State Jefferson on the quantity and situation of lands unclaimed by Indians or by the United States citizens in the territory ceded by North Carolina and in the territory northwest of the Ohio. Richardson, 1: 113 (message only). A. S. P., P. L., 1: 22-5. Jo. H. R., 27 (message only). Jo. S., 29 (message only).

The original document, H. R., entitled "Report of the quantity and situation of the lands not claimed by Indians, nor granted to, nor claimed by any citizens within the United States." Folio, n. d., n. p. (Philadelphia, 1791), 8 p., has no title page, and is not in W. D. L. B. P. L.

2 C: 1 S.

November 14, 1791.

Message of President, November 11, transmitting a resolution of the general assembly of Virginia ratifying the first article of amendment proposed by Congress to the Constitution; also papers relating to lands on the Great Miami purchased by Judge Symmes. Richardson, 1: 113 (message only). Jo. S., 30. Jo. H. R., 28 (message only).

2 C: 1 S.

November 18, 1791.

Account of Treasurer of the United States of payments and receipts in indents of interest to September 30, 1791. Jo. S., 32. Not printed.

2 C: 1 S.

November 18, 1791.

Letter from President of General Assembly of San Domingo, explaining reasons of the late embargo on American shipping on that island. Jo. S., 32. Not printed. Letter sent to House of Representatives.

2 C: 1 S.

November 18, 1791.

Report of Secretary of the Treasury Hamilton, with return of imports. Jo. S., 32. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1205

2 C: 1 S.

November 24, 1791.

Report of Secretary of War Knox, on petition of Cleland Kinlock on behalf of Mary, widow of Maj. Benjamin Huger, Fifth Continental South Carolina Regiment, on account of military services. Jo. S., 33. Not printed.

2 C: 1 S.

November 24, 1791.

Report of Secretary of War Knox, on petition of Thomas Shubrick in behalf of Mary and Susannah, daughters of Richard Shubrick, in connection with military services. Jo. S., 33. Not printed.

2 C: 1 S.

November 24, 1791.

Report from the Secretary of War Knox, on petition of T. O. Elliot that the orphan son of Lieut.-Col. Bernard Elliott receive commutation for his father's services. Jo. S., 33. Not printed.

2 C: 1 S.

November 24, 1791.

Report of Secretary of War Knox, on petition of William Hort in behalf of Isabella, Martha, and Mary, daughters of the late John Bush, Second South Carolina Continental Regiment, on account of military services. Jo. S., 33. Not printed.

2 C: 1 S.

November 24, 1791.

Report of Secretary of War Knox, on petition of Charles Motte. Jo. S., 33. Not printed.

2 C: 1 S.

November 24, 1791.

Letter from Secretary of Treasury Hamilton, with estimated value of importations year ending September 30, 1790. Jo. S., 33. Not printed.

2 C: 1 S.

November 26, 1791.

Letter from Secretary of State Jefferson, inclosing printed copies of the consular convention with France. Ex. Jo. S., 90. Not printed.

2 C: 1 S.

November 28, 1791.

Report of Secretary of Treasury Hamilton, November 25, of tonnage of the United States vessels from October 1, 1789, to September 30, 1790. A. S. P., Com., 1: 44-47.

2 C: 1 S.

December 5, 1791.

Letter from the United States Treasurer. December 3, 1791, with accounts to September 30, 1791. Jo. S., 46. See H. R., same date.

2 C: 1 S.

December 9, 1791.

Report of Secretary of State Jefferson, on the prisoners at Algiers. A. S. P., For. R., 1: 129, 130.

Transmits letters from Richard O'Brien, a prisoner, and William Short, chargé d'affaires. O'Brien sets forth the condition of the prisoners and methods of obtaining peace.

2 C: 1 S.

December 12, 1791.

Message of President, communicating information from General St. Clair of the misfortune which has befallen his command. Richardson, 1: 113 (message only). A. S. P., Ind. Af., 1: 136-138. Jo. S., 58 (message only).

Letters of Secretary of War to General St. Clair, October 6, November 1, November 9, 1791; the last, giving an account of the defeat, incloses list of officers killed and wounded, November 4, 1791.

2 C: 1 S.

December 13, 1791.

Message of President, transmitting plan of (Washington) city, laid out in the District (of Columbia) fixed upon for the permanent seat of government. Richardson, 1: 113 (message only). Jo. S., 58 (message only).

2 C: 1 S.

December 20, 1791.

Message of President, presenting letter from governor of Pennsylvania and other documents relative to purchase of land on Lake Erie, with report thereon of Secretary of State Jefferson. Richardson, 1: 114 (message only). Jo. S., 63 (message only).

2 C: 1 S.

December 23, 1791.

Message of President, transmitting report of the Attorney-General, Randolph, December 26, pointing out defects in the judiciary system, especially the relations between the Attorney-General and the district attorneys. A. S. P., Misc., 1: 45-46. Jo. S., 68 (message only). (Not in Richardson.)

2 C: 1 S.

December 30, 1791.

Message of President, transmitting ratification by Virginia of the articles of amendment proposed by Congress to the Constitution. Richardson, 1: 114 (message only). Jo. S., 69.

2 C: 1 S.

January 2, 1792.

Message of President, with statement for 1791 of contingent expenses of Government under act of March 26, 1790. Jo. S., 70 (message only). (Not in Richardson.)

2 C: 1 S.

January 6, 1792.

Report of Secretary of Treasury Hamilton, on drawbacks, dried and pickled fish exported prior to December 31, 1790, and the bounty paid on such fish from January 1 to the 30th of September, 1791. A. S. P., Com., 1: 48-49.

Tables show the details for each State.

2 C: 1 S.

January 11, 1792.

Message of President, transmitting, in confidence, two reports by Secretary of War Knox relative to the present precarious state of affairs on the Western frontiers and the plan for further operations. Richardson, 1: 115 (message only). Jo. S., 85 (message only). A. S. P., Ind. Af., 1: 139-202.

Sets forth efforts to maintain peace with hostile Indians; measures taken in connection with the campaign of 1791 (St. Clair's) and explanation of its failure; review of conduct of the United States toward Indians northwest of the Ohio since the Revolutionary war; opinion on further measures to be taken by maintaining an army of 5,168 men, and authorizing the President to employ the militia.

Among important single papers are Col. Thomas Proctor's narrative, March 11 to May 21, 1791, instructions to General St. Clair, and narrative of Thomas Rhea.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1207

2 C: 1 S.

January 11, 1792.

Message of President, transmitting report of Secretary of State Jefferson relative to negotiating treaty with Spain respecting the free navigation of the Mississippi and nominating William Carmichael and William Short as commissioners for negotiating said treaty. Richardson, 1: 114-115. A. S. P., For. R., 1: 130-131. Ex. Jo., 1: 95-96.

2 C: 1 S.

January 18, 1792.

Message of President, on the legislative act of Vermont ratifying the articles of amendment proposed by Congress to the Constitution. Richardson, 1: 115 (message only). Jo. S., 98.

2 C: 1 S.

January 18, 1792.

Message of President, transmitting communications from Cherokee Indians regarding an additional article to the Cherokee treaty providing that the annuity granted by the treaty of July 2, 1791, shall be \$1,500. Richardson, 1: 115-116 (message only). A. S. P., Ind. Af., 1: 203-206. Ex. Jo. S., 1: 98 (message only).

2 C: 1 S.

January 24, 1792.

Commissioners of Claims on decision on Fairfax claim. A. S. P., For. R., 1: 506-508.

Review of the claim of Lord Fairfax and others.

2 C: 1 S.

January 24, 1792.

Message, January 23, of President, on Virginia bounty lands. A. S. P., P. L., 1: 25-26.

Transmitting resolution of general assembly of Virginia and report of a committee of the house of delegates respecting lands located by soldiers of the Virginia Line and since ceded to the Chickasaw Indians; also a report of Secretary of State Jefferson on this subject. Richardson, 1: 116 (message only). A. S. P., Pub. L., 25-27. Jo. S., 99 (message only).

The case of Lieut. Charles Russell of the Virginia Line, which Secretary Jefferson thinks should be acted on by Congress.

2 C: 1 S.

February 8, 1792.

Message of President, on impressed American seamen. Richardson, 1: 116. Jo. S., 115 (message only).

Incloses a report from Secretary of State Jefferson, on expenditures incurred in liberating impressed seamen, with a detailed account.

2 C: 1 S.

February 28, 1792.

Accounts of United States Treasurer to December 31, 1791. Jo. S., 137. See H. R., February 29, 1792.

2 C: 1 S.

March 3, 1792.

Message of President, on the census of South Carolina. Richardson, 1: 116 (message only). Jo. S., 144.

Return of the number of inhabitants in South Carolina; number of free white persons; number of slaves.

2 C: 1 S.

March 5, 1792.

Message on relations with France of President. Richardson, 1: 116-117. A. S. P., For. R., 1: 133. Jo. S., 145 (message only). Letter printed on p. 27, Jo. S. Jo. H. R., 124.

2 C: 1 S.

March 6, 1792.

Message of President, transmitting report of Secretary of State Jefferson, January 10, 1792, setting forth the expediency of establishing a consulship at Copenhagen and of the necessity of nominating a Danish subject (H. R. Saaby). Richardson, 1: 117 (message only). Ex. Jo., 1: 100-101.

2 C: 1 S.

March 7, 1792.

Message of President, relative to negotiations with Spain. Richardson, 1: 118-121. A. S. P., For. R., 1: 133-135. Ex. Jo. S., 1: 106-110.

2 C: 1 S.

March 9, 1792.

Message of President, transmitting general account of United States bankers at Amsterdam of payments made from July 1, 1790, to July 1, 1791, together with letter thereon from Secretary of State Jefferson. Richardson, 1: 121 (message only). Jo. S., 150 (message only).

2 C: 1 S.

March 12, 1792.

Report of Secretary of Treasury Hamilton, transmitting thirteep returns showing tonnage and imports for the year ending September 30, 1790. A. S. P., Com., 1: 50-102.

2 C: 1 S.

March 14, 1792.

Letter from Secretary of War Knox, inclosing a list of all officers in service belonging to infantry and artillery, with dates of their commission. Ex. Jo. S., 1: 112-114.

Apparently the first official Army Register. Gives list of officers of the First and Second regiments of infantry and the battalion of artillery. The same day President nominated commissioned officers for twelve additional companies. This is followed (p. 114) by appointments of company officers for twelve additional companies of infantry.

2 C: 1 S.

March 16, 1792.

Letter of Secretary of Treasury Hamilton, March 15, transmitting a return of exports for year ending September 30, 1791, and return of outward tonnage for year ending March 31, 1791. A. S. P., Com., 103-138.

Exports only published, as "the return for outward tonnage not to be found" is noted in A. S. P.

2 C: 1 S.

March 20, 1792.

Message of President, recommending that additional general officers be authorized for the military establishment. Richardson, 1: 122.

2 C: 1 S.

March 23, 1792.

Message of President, recommending that the attachment of the Five Nations to the United States in the present crisis of affairs would be strengthened by an additional article in their treaty authorizing annual presents to the amount of \$1,500. Richardson, 1: 122. A. S. P., Ind. Af., 1: 225. Ex. Jo. S., 1: 116. (Not read to Senate until March 26.)

2 C: 1 S.

April 13, 1792.

Message of President, on relations with Great Britain. A. S. P., For. R., 1: 135, 136. Richardson, 1: 122, 123. Jo. S., 181 (message only).

2 C: 1 S.

April 16, 1792.

Message of President, presenting the legal opinion of the United States circuit judges, New York district, regarding act on claims of widows

barred by limitation and on claims to invalid pensions. Richardson, 1: 123 (message only). A. S. P., Misc., 1: 49-50. Jo. S., 182-183 (message only).

Chief Justice John Jay and Associate Justice William Cushing, United States Supreme Court, and Judge James Duane, district of New York, were unanimously of the opinion "that neither the legislative or executive branch can constitutionally assign to the judicial any duties but such as are judicial." The duties assigned circuit courts by this act are not of this description. They will act as commissioners only, and not as judges.

2 C: 1 S.

April 21, 1792.

Message of President, transmitting opinion of judges of United States circuit court, Pennsylvania district (James Wilson, John Blair, and Richard Peters), relative to act for settlement of claims of widows and orphans barred by limitations and claims to invalid pensions. A. S. P., Misc., 1: 50-51. Richardson, 1: 123 (message only). Jo. S., 190 (message only).

The court declines to make the revisions as being an extra constitutional duty.

2 C: 1 S.

May 1, 1792.

Report of Secretary of War Knox, on the claim of Ensign Turner. A. S. P., Claims, 54.

Ensign Samuel B. Turner, Maryland Battalion, taken prisoner at defeat of St. Clair, November 4, 1791. Demand for expenses while in captivity by the Indians and for his ransom reviewed, and repayment of ransom recommended.

2 C: 1 S.

May 8, 1792.

Message of President, relative to prisoners at Algiers. Richardson, 1: 123 (message only). A. S. P., For. R., 1: 136. Ex. Jo. S., 1: 122-123.

2 C: 1 S.

(Without date.)

Report to Senate and House of the Postmaster-General, giving list of post-offices, receipts and expenditures, for year ending November 5, 1791. A. S. P., P. O., 13-14.

REPORTS OF COMMITTEES.

2 C: 1 S.

October 27, 1791.

By Mr. Burr, address to the President, on the part of the Senate. Jo. S., 15-16.

Address agreed to, October 28.

2 C: 1 S.

November 1, 1791.

By Mr. Strong, on order of business. Jo. S., 22.

2 C: 1 S.

November 3, 1791.

Report of H. R. bill. Census of South Carolina. Jo. S., 23-4.

2 C: 1 S.

November 9, 1791.

By Mr. Hawkins, recommending ratification of treaty with Cherokees. A. S. P., Ind. Af., 1: 135. Ex. Jo. S., 1: 88-89.

2 C: 1 S.

December 2, 1791.

By Mr. Hawkins, on treaty concluded by Colonel Pickering with the Six Nations. Ex. Jo. S., 1: 191. Report not printed.

2 C: 1 S.

December 6, 1791.

By Mr. Butler, on petition of Charles Colvill for reimbursement of ransom money for his brothers, Algerine captives, etc. Jo. S., 46. Not printed.

2 C: 1 S.

December 7, 1791.

Proceedings upon the bill apportioning Representatives. Jo. S., 47-51. Apportionment upon the basis of the census; consideration of resolutions, motions, etc., fixing the number of Representatives for each State.

2 C: 1 S.

December 13, 1791.

By Mr. Butler, on petition of Charles Colville and communications respecting American citizens prisoners at Algiers. Ex. Jo. S., 1: 91.

2 C: 1 S.

January 6, 1792.

By Mr. Strong, recommending the appointment of minister to the Court of London, and submitting information relative to the expediency of appointing ministers to the Courts of Paris and The Hague. Ex. Jo. S., 1: 93-94.

2 C: 1 S.

January 10, 1792.

By Mr. Burr, on revision of acts relative to disabled soldiers and officers, and widows and orphans of officers. Jo. S., 74. Not printed.

2 C: 1 S.

January 20, 1792.

By Mr. Butler, on speech of Seneca Chief Cornplanter; the talk of the Cherokees; and all information on Indian affairs. Ex. Jo. S., 1: 99.

Report not printed; presumably in form of the resolution that day adopted, to pay annually to the Cherokees \$1,500 for lands relinquished.

2 C: 1 S.

January 26, 1792.

By Mr. Burr, on petition of Isaac Ledyard for a resettlement of his account. Jo. S., 100.

Report apparently unfavorable; not printed.

2 C: 1 S.

January 27, 1792.

Indian Affairs, by Mr. Butler, relative to speeches by Senecac and the purchase by Oliver Phelps of land from Indians. A. S. P., Ind. Af., 1: 206-215. Ex. Jo. S., 1: 100.

Speeches of Indians; certificates and statements of parties relative to Phelps's dealings with the Senecas. Recommends filling the report.

2 C: 1 S.

February 22, 1792.

By Mr. Butler, on petition of Charles Colvill for reimbursement of ransom and other expenses connected with his captivity in Algiers; also on communications relative to American citizens held in captivity in Algiers. A. S. P., For. R., 1: 133.

Recommends appropriation of \$145,000 for establishing peace with Barbary powers and ransoming United States citizens in captivity.

2 C: 1 S.

March 1, 1792.

By Mr. Sherman, on compensation to James Mathers, Doorkeeper, during recess. Jo. S., 140.

Report favorable; not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1211

2 C: 1 S.

March 1, 1792.

Joint. By Mr. Sherman, on business to be done by Congress during present session. Jo. S., 140. Not printed.

2 C: 1 S.

March 2, 1792.

By Mr. Ellsworth, on the protection of the frontier. Jo. S., 141-142.

Regarding disagreement between the two Houses on an act for the more effectual protection of the frontiers; authorizes the President to call into the service such number of cavalry as may be necessary in his judgment.

2 C: 1 S.

March 12, 1792.

By Mr. Strong, on mode of entering and publishing the Senate Journals. Jo. S., 151.

Report not printed, but apparently embodied in the orders of the Senate of that date.

2 C: 1 S.

March 14, 1792.

By Mr. Butler, on petition of Moses Young asking compensation for military services. Jo. S., 156.

2 C: 1 S.

March 20, 1792.

By Mr. Gunn, on H. R. bill for establishing a uniform militia. Jo. S., 160.

Report, not in Journal, ordered printed for the use of the Senate.

2 C: 1 S.

March 26, 1792.

By Mr. Strong, on Illinois and Wabash Land Company. A. S. P., Pub. L., 1: 27.

Inclosing a memorial of the Illinois and Wabash Land Company. Jo. S., 165.

2 C: 1 S.

April 4, 1792.

By Mr. Izard, on weights and measures. Jo. S., 172, 173-174. A. S. P., Misc., 1: 48.

2 C: 1 S.

April 20, 1792.

By Mr. Izard, on the General Greene claim. Jo. S., 189.

Providing for the payment to the estate of the sum of £8,688 6s., being amount due on a certain bond executed by Nathaniel Greene.

2 C: 1 S.

May 8, 1792.

By Mr. Morris, recommending \$40,000 for establishment of peace with Algiers, an annual tribute of \$25,000 to that Government, and \$40,000 for the ransom of thirteen American citizens in captivity. Ex. Jo. S., 1: 123.

HOUSE OF REPRESENTATIVES.

Speaker of the House, JONATHAN TRUMBULL of Connecticut.

Clerk of the House, JOHN BECKLEY of Virginia.

FIRST SESSION; OCTOBER 24, 1791, TO MAY 8, 1792.

JOURNALS.

2 C: 1 S.

October 24, 1791.

Journal from October 24, 1791, to May 8, 1792. Printed by Francis Childs and John Swaine. Philadelphia. 245pp. B. P. L.

DOCUMENTS.

1 C: 3 S.

(No date.)

Return of the whole number of persons within the several districts of the United States, according to "An act providing for the enumeration of the inhabitants of the United States," March 1, 1790. Not in W. D. L.

Printed by order of the House of Representatives. Philadelphia. 8vo. Jos. Gales. 58 pp. State Library. B. P. L. copy has 56 pages.

First Decennial Census of 1790. Philadelphia, 1791. Library of Congress; Political Pamphlets, vol. 96.

Printed by Childs & Swaine, by authority of an act of Congress passed March 1, 1781. A second edition, published at Washington in 1802 by William Duane, in the Library of Congress; Political Pamphlets, vol. 102.

2 C: 1 S.

October 25, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

October 26, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

October 26, 1791.

Letter from the Treasurer of the United States transmitting accounts of payment and receipt of public moneys from 1st October, 1790, to 30th June, 1791.

Original document, 300 copies printed, folio, Childs & Swaine (Philadelphia), n. d. (1791), 52p., is not in W. D. L. B. P. L.

2 C: 1 S.

October 27, 1791.

Message of the President of the United States. See Senate, this date. (Indian Expedition.)

2 C: 1 S.

October 27, 1791.

Message of the President of the United States. See Senate, this date. (Pa., Va., N. C., and census.)

2 C: 1 S.

October 27, 1791.

Address of Mr. Madison to the President. Jo. H. R., 13-14.

Effect of the Constitution and laws upon the prosperity of the country; relations with the Indians on the western frontier; gallantry and good conduct of the militia; results of the census; perpetuation of free government; the recommendations of the President to be carefully considered.

2 C: 1 S.

October 27, 1791.

Message of the President. See Senate, this date.

2 C: 1 S.

November 1, 1791.

Messages of the President of the United States. See Senate, this date.

2 C: 1 S.

November 4, 1791.

Estimates of Secretary A. Hamilton. Annals, 969.

Detailed estimates of appropriations for the year 1792.

2 C: 1 S.

November 4, 1791.

Letter from Secretary of War Knox, on petitions of John Younglove, of inhabitants of Albany and Washington counties, N. Y., and of John Torrey, administrator of late Maj. Joseph Torrey. Jo. H. R., 22. Report not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1213

Report on Torrey's claim unfavorable. Jo. H. R., 25.

Adverse to repealing act relative to Younglove's pension.

2 C: 1 S.

November 7, 1791.

Letter from Secretary of the Treasury Hamilton, November 4, submitting estimates of appropriations for 1792. Jo. H. R., 24.

The original document, folio, n. d., n. p. (Philadelphia, 1791), has no title page and is not in W. D. L.

2 C: 1 S.

November 8, 1791.

Report of Secretary of State Jefferson, on public lands. A. S. P., Pub. L., 1: 22-5. See Senate Documents, November 10, 1791.

Quantity and situation of the lands not claimed by the Indians nor granted to nor claimed by any citizens; Southwestern territory; boundary of territory ceded by North Carolina; Indian claims in said territory; reservations for military bounties; boundaries of the Northwestern Territory; Indian claims; military reservations; lands belonging to companies and to private individuals; number of acres of public lands at the disposal of the Government.

2 C: 1 S.

November 7, 1791.

Report of Secretary of War Knox, on petitions of Joseph Tucker, Thomas H. Condy, Robert Williams, and Samuel Armstrong. Jo. H. R., 2-4.

Report unfavorable.

2 C: 1 S.

November 9, 1791.

Letter from governor of Maryland, transmitting resignation of William Pinkney of Maryland, and return of John F. Mercer, elected in his place. Jo. H. R., 26.

2 C: 1 S.

November 10, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

November 11, 1791.

Message of the President of the United States. See Senate, November 14, 1791.

2 C: 1 S.

November 14, 1791.

Report of Board of Commissioners for settling the accounts between the United States and individual States. Jo. H. R., 29. Not printed.

2 C: 1 S.

November 14, 1791.

Letter from Secretary of War Knox, report on petition of William How and Charles Colvill. Jo. H. R., 29.

How's petition withdrawn; Colvill's tabled.

Colvill petitioned for reimbursement of his ransom from Algerine slavery, and that measures be taken to ransom American citizens yet in captivity at Algiers.

2 C: 1 S.

November 18, 1791.

Accounts of United States Treasurer of indents of interest from July 1 to September 30, 1791. Jo. H. R., 33. Not printed.

2 C: 1 S.

November 18, 1791.

Letter from President of Assembly of San Domingo. Jo. H. R., 33. Not printed. See Senate, this date.

- 2 C: 1 S. November 22, 1791.
 Report of Secretary of State Jefferson, on petition of Jacob Isaacs for reward for improved plan of converting salt water into fresh. A. S. P., Misc., 1: 44-45.
- Review of the process of distilling fresh water, showing the petitioner's method to present no new advantage.
- 2 C: 1 S. November 22, 1791.
 Letter from Secretary of State Jefferson, on petition of Jacob Isaacs. Jo. H. R., 36. Not printed.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petitions of widows and children of officers. A. S. P., Claims, 30-31.
- Recommendations that pensions be granted notwithstanding the statute of limitation in several cases named.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Jacob Smith, in behalf of Jacob and William Motte, sons of Maj. Charles Motte. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Cleveland Kinloch, in behalf of Elizabeth, widow of Maj. Benjamin Huger.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Jane Ann Ball, daughter of Maj. Samuel Wise. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Thomas Shubrick, in behalf of Mary and Susanna Shubrick. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of children of Lieut. Wadleigh Noyes. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Thomas Elliott, in behalf of infant son of late Col. Bernard Elliott, who died in service. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of children of Lieut. John Bush. Jo. H. R., 36.
- 2 C: 1 S. November 23, 1791.
 Report of Secretary of War Knox, on petition of Lucy, widow of late Col. William Bond, who died in service. Jo. H. R., 36. Not printed.
- 2 C: 1 S. November 30, 1791.
 Report from Attorney-General, on the judicial system of the United States. Jo. H. R., 44. Not printed.
- 2 C: 1 S. December 1, 1791.
 Report of Secretary of War Knox, on petition of Thomas Campbell. Jo. H. R., 45.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1215

2 C: 1 S.

December 1, 1791.

Report of Secretary of War Knox, on petition of Thomas Campbell. Jo. H. R., 45.

2 C: 1 S.

December 5, 1791.

Letter from the Treasurer of the United States with accounts of receipts and expenditures of public moneys from July 1 to Sept. 30, 1791.

Original document folio, n. p., n. d, Childs and Swaine (Phila., 1791), 52 p. is not in W. D. L. B. P. L.

2 C: 1 S.

December 5, 1791.

Report of Secretary of Treasury Hamilton, on the protection of manufactures. Duane Collection of Pamphlets, vol. 135, Library of Congress. A. S. P., Finance, 1: 123-144. Jo. H. R., 48.

This report, presented in pursuance of an order of the House of Representatives of January 15, 1790, was printed by order of Congress and reprinted in several places, including Dublin, Ireland.

Original document, folio, n. d., Childs and Swaine (Philadelphia) 2 leaves, 58 p. B. P. L.

2 C: 1 S.

December 9, 1791.

Report of Secretary of War Jefferson, on petition of Samuel Breck and others, asking exclusive privilege of a manufacturer's mark, and recommends a system of registration of trade-marks. A. S. P., Com., 1: 48.

2 C: 1 S.

December 12, 1791.

Report, December 9, of Secretary of the Treasury Hamilton, on the petition of George Webb. A. S. P., Claims, 31-32. Jo. H. R., 51.

Application for additional compensation as tax receiver, with indemnity for money alleged to have been stolen.

2 C: 1 S.

December 12, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

December 20, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

December 26, 1791.

Report of Secretary of the Treasury Hamilton, on the Greene claim. A. S. P., Claims, 33-49.

Arrangements between Gen. Nathaniel Greene and John Banks for the purchase of Government stores and the fulfillment of contracts by which General Greene was the loser.

Petition of Catherine Greene.

Favorable to reimbursement of amount to the petitioner.

2 C: 1 S.

December 28, 1791.

Message of the President of the United States. See Senate, this date.

Message of President, December 12.

2 C: 1 S.

December 28, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

December 30, 1791.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

January 2, 1792.

Message of President. See Senate, this date.

- 2 C: 1 S. January 11, 1792.
 Message of the President of the United States. See Senate, this date.
 (Spain.)
- 2 C: 1 S. January 11, 1792.
 Message of the President of the United States. See Senate, this date.
 (Indian War.)
- 2 C: 1 S. January 18, 1792.
 Message of the President of the United States. See Senate, this date.
 (Vermont.)
- 2 C: 1 S. January 18, 1792.
 Message of the President of the United States. See Senate, this date.
 (Cherokees.)
- 2 C: 1 S. January 23, 1792.
 Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. January 23, 1792.
 Report of Secretary of State Thomas Jefferson, on Virginia bounty
 lands. A. S. P., Pub. L., 1: 81.
 Refers the question to the Legislature of the United States for their
 consideration. Jo. H. R., 81.
- 2 C: 1 S. January 23, 1792.
 Letter from the Comptroller of the Currency, covering account of
 extra expenses incurred by United States Treaty Commissioners to the
 Creek Indians. Jo. H. R., 82. Not printed.
- 2 C: 1 S. January 23, 1792.
 Report of Secretary of the Treasury Hamilton, on the national finances.
 A. S. P., Finance, 1: 144-146.
 Statement of revenue appropriated to the reduction of the public
 debt; expenditures in 1791-92; estimate of the public revenues during
 the years 1791 and 1792; estimate of annual expenditures for existing
 establishments; civil government; War Department; pension; interest
 on the public debt.
 The original report, folio, n. p., n. d., 2 leaves, is not in W. D. L.
 B. P. L.
- 2 C: 1 S. January 27, 1792.
 Letter from the United States Treasurer, with account of indents of
 interest from October 1 to December 31, 1791. Jo. H. R., 87. Not
 printed.
- 2 C: 1 S. January 30, 1792.
 Letter of Secretary of War Knox, transmitting correspondence with
 governor of Pennsylvania (T. Mifflin) on the protection of the frontiers
 now threatened by Indians. A. S. P., Ind. Af., 1: 215-220.
 Memorials from citizens of Pittsburg and the inhabitants of West-
 moreland, Washington, Fayette, and Allegheny counties, Pa., and
 instructions from Secretary Knox for the protection of frontiers; also
 the raising of three companies of riflemen by Pennsylvania for frontier
 defense.
 The Athenæum Library has among its titles a statement by the Sec-
 retary of War of the causes of the hostilities between the United States

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1217

and tribes of Indians, which, dated January 26, 1792, may possibly refer to this letter. This publication is not in W. D. L.

2 C: 1 S.

January 31, 1792.

Report, January 30, of Secretary of War Knox, on limitations. A. S. P., Claims, 49.

Should sailors' claims be barred by the statute of limitation while they are beyond sea.

Petitions of James Swayne, Abraham Springer, Timothy Mountford, seamen in the United States Navy in late war; Samuel Wall and servant, John Carnaghan, James Shields, Henry Skinner, and William Loring.

2 C: 1 S.

February 7, 1792.

Message of Secretary Alexander Hamilton, on national finances. A. S. P., Finance, 1: 146-150.

On the subject of the public debt; subscriptions to the public loans; assumption of the debts of the States; statement of the debt funded; registered and unsubscribed debt; estimate of the outstanding debt on the 31st of September.

Report on subscriptions to loans for public debt and debt of respective States.

Original document, folio, n. d. Childs and Swaine (Philadelphia), 15 p., is not in W. D. L. nor in Ath. L. B. P. L.

2 C: 1 S.

February 8, 1792.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

February 8, 1792.

Letter from Secretary of War Knox, transmitting correspondence with governor of Virginia (B. Randolph), relative to the defense of the exposed frontiers of Virginia. A. S. P., Ind. Af., 1: 220-225.

Defense of Russell County, intrusted to Governor Randolph; United States to pay for the services of a Virginia militia company. Petitions for protection from county of Ohio; four additional companies to be raised by Virginia for frontier service.

2 C: 1 S.

February 21, 1792.

Report of Secretary of War Knox on Bunker Hill pensioners. A. S. P., Claims, 70, 71.

Provision for pensioning widows and children of officers killed at the capture of Bunker Hill.

2 C: 1 S.

February 22, 1792.

Letter from Secretary of State Jefferson, with laws adopted by governor and judges of the territory northwest of the Ohio. Jo. H. R., 111. Not printed.

2 C: 1 S.

February 29, 1792.

Report of Secretary of the Treasury Hamilton, on claims for naval supplies. A. S. P., Claims, 50, 51.

Congressional action taken on claims for supplies and work on United States vessels not barred by any act of limitation.

H. Doc. 353—77

- 2 C: 1 S. February 29, 1792.
 Report of Secretary of Treasury Hamilton, on petition of executors of Edward Carnes (Cairns?). Jo. H. R., 118. Not printed.
- 2 C: 1 S. February 29, 1792.
 Accounts of United States Treasurer, February 28, from October 1 to December 31, 1791. Jo. H. R., 118.
 The original report, folio, n. p., n. d., is not in W. D. L.
- 2 C: 1 S. March 3, 1792.
 Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. March 3, 1792.
 Report from Secretary of Treasury Hamilton, on Jabez Bowen and William Gardner, Commissioners of Loans, for allowances. Jo. H. R., 122-123. Not printed.
- 2 C: 1 S. March 5, 1792.
 Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. March 5, 1792.
 Letter from Secretary of State, with laws adopted by governor and judges of territory northwest of the Ohio in 1791, with petition of Judge George Turner. Jo. H. R., 123. Not printed.
- 2 C: 1 S. March 6, 1792.
 Report of Secretary of Treasury Hamilton, on the taxation of spirits. A. S. P., Finance, 1: 151-158.
 Detailed statement of the collection of duties on distilled spirits.
 The original report, folio, n. p., n. d., is not in W. D. L.
- 2 C: 1 S. March 9, 1792.
 Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. March 17, 1792.
 Report from Secretary of Treasury Hamilton, on petition of trustees of the public grammar school and academy of Wilmington, Del. Jo. H. R., 137. Not printed.
- 2 C: 1 S. March 17, 1792.
 Report from Secretary of Treasury Hamilton, on petition of wardens of Calvinist Church of Vincent, Chester County, Pa. Jo. H. R., 137. Not printed.
- 2 C: 1 S. March 17, 1792.
 Report from Secretary of the Treasury, on petition of ministers of Lutheran Church, Rheland, Chester County, Pa. Jo. H. R., 137. Not printed.
- 2 C: 1 S. March 17, 1792.
 Report of Secretary of the Treasury Hamilton, March 16, on additional revenue for 1792. A. S. P., Finance, 1: 158-161.
 Proposed duty and probable addition to revenue.
 The original report, folio, n. p., n. d., is not in W. D. L.
- 2 C: 1 S. March 17, 1792.
 Report from the Attorney-General, on petition of Andrew Jackson for services as attorney, Myro district, in territory south of the Ohio. Jo. H. R., 137. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1219

- 2 C: 1 S. March 20, 1792.
Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. March 22, 1792.
Statement of Secretary of State Jefferson, on navigation of the Mississippi. A. S. P., For. R., 1: 252-257.
- Instructions to Messrs. Carmichael and Short, commissioners to negotiate a treaty with Spain on the boundary between Georgia and Florida. The navigation of the Mississippi and commerce.
- 2 C: 1 S. March 23, 1792.
Report of Secretary S. C. Livermore, on the petition of G. Turner. Jo. H. R., 114.
- Defining the authority of certain Territorial officers; authorizing the printing of the laws of the territory northwest of the Ohio; civil government for the territory.
- 2 C: 1 S. March 27, 1792.
Resolution that a committee be appointed to inquire into the failure of the expedition under Major-General St. Clair. Jo. H. R., 153.
- 2 C: 1 S. March 28, 1792.
Letter of Secretary of the Treasury Hamilton, transmitting return of duties on imports and tonnage and statement of exports for year ending September 30, 1791. A. S. P., Com., 1: 139-146.
- 2 C: 1 S. March 29, 1792.
Report from Secretary of Treasury Hamilton, on petition of William Smith for funding Continental Loan Office certificates of Georgia. Jo. H. R., 156. Not printed.
- 2 C: 1 S. April 2, 1792.
House ordered that abstract returns of duties on imports and tonnage and abstract of exports of the United States be printed for use of its members. Jo. H. R., 158.
- 2 C: 1 S. April 3, 1792.
Letter of Secretary of War Knox, returning sundry petitions, under order of the House, March 27. Jo. H. R., 161. Not printed.
- 2 C: 1 S. April 5, 1792.
Report from Secretary of Treasury Hamilton, on compensation to revenue officers. Jo. H. R., 168.
The original report, folio, n. p., n. d., is not in W. D. L.
- 2 C: 1 S. April 7, 1792.
Letter from Secretary of the Treasury Hamilton, returning petitions, under order of the House, March 27. Jo. H. R., 172. Not printed.
- 2 C: 1 S. April 9, 1792.
Letter of Secretary of War Knox, transmitting papers and documents relative to late campaign under General St. Clair. Jo. H. R., 177. Not printed.
- 2 C: 1 S. April 13, 1792.
Message of the President of the United States. See Senate, this date.
- 2 C: 1 S. April 16, 1792.
Message of the President of the United States. See Senate, this date.

2 C: 1 S.

April 17, 1792.

Report from the Secretary of War, on compensation for damages done and property taken by the Army in cases of Adolphus Brower, Abraham Darlington, Richard Green, John Franklin, John Harly, Christian Harner, William Lane, Mary McCullen, Peter Miller, John Jones, Henry Walton, and John Wilson. Jo. H. R., 188. Not printed.

2 C: 1 S.

April 17, 1792.

Report from Secretary of War Knox, on petitions asking compensation for supplies furnished during the late war, as follows: Lewis Van Woort, Jacob Green, et al., surviving partners of Nathaniel Green & Co.; Benjamin Van Fossan, administrator of Peter Van Fossan; Thomas Hart, John Holbrook, Ludwig Kuhn, Levy Bartleson, Abiel Smith, William Harris, Webb & White, John Crumpton, and Griffith Jones. Jo. H. R., 188. Not printed.

2 C: 1 S.

April 17, 1792.

Report from Secretary of War Knox, on petitions of Christian Knipe, Roger McLean, John Smyth, and Nathaniel Tracey, for transportation furnished during the war. Jo. H. R., 188. Not printed.

2 C: 1 S.

April 17, 1792.

Letter from Secretary of the Treasury Hamilton, transmitting abstract of exports from each State, from October 1, 1790, to September 30, 1791. A. S. P., Com., 1: 147-155. Jo. H. R., 188.

2 C: 1 S.

April 17, 1792.

Letter from Secretary of the Treasury Hamilton, April 16, submitting estimates for the present year. Jo. H. R., 188.

The original report, folio, n. p., n. d., is not in W. D. L.

2 C: 1 S.

April 17, 1792.

Report from Secretary of the Treasury Hamilton, April 16, on marine hospital at Washington, Va., and memorial of Marine Society of Boston. Jo. H. R., 189. Not printed. Possibly this is Report following, on "A, B and C."

2 C: 1 S.

April 17, 1792.

Letter from Secretary of the Treasury, April 16, accompanying his report on petitions of Simon Nathan, Mary Wooster, Daniel Ellis, and Samuel How, executors of John How, Ezra Stiles, on behalf of Yale Collese, and Philip Verplank. Jo. H. R., 188.

The original report may be that entitled "Report of the Secretary of the Treasury on Petitions, A, B, and C," quoted by Athenæum Library. Not in W. D. L.

2 C: 1 S.

April 19, 1792.

Report from Secretary of the Treasury Hamilton, on petitions of merchants of Philadelphia on erecting piers in Delaware River. Jo. H. R., 190. Not printed.

2 C: 1 S.

April 20, 1792.

Report, April 19, from Secretary of the Treasury Hamilton, on petition of Eliphalet Ladd for remission of duties on goods. Jo. H. R., 192. Not printed.

Recommends law for remission of duties in cases of shipwreck.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1221

2 C: 1 S.

April 21, 1792.

Report, April 18, of Secretary of the Treasury Hamilton, on the renewal of lost certificates. A. S. P., Claims, 51-52. Jo. H. R., 193.

Requests should be granted, but it appears extremely difficult to devise any mode of relief which will not subject the United States to so much hazard of imposition as to render the expediency of it questionable.

Former report in case of Jacob Rush submitted. Jo. H. R., 193. List of petitioners: William Arnold, William Baker, Josias Clapham, Henry Crowell, John Craine, Thomas Donnellan, Daniel Freer, William Graham, jr., John Hayden, John Hays, John Higby, Peter Huber, William Jones, Job Kittredge, William Kittredge, Henry Lee, John E. Moore, Elizabeth Mark, John Pollhemus, Daniel Robbins, Laurana Richardson, William Robinson, Stephen Remington, Daniel Schermerhorn, and Samuel Skillman.

The original report, folio, n. p., n. d., is not in W. D. L.

2 C: 1 S.

April 21, 1792.

Report of Secretary of the Treasury Hamilton, on claim of Robert Neil. A. S. P., Claims, 52-53. Jo. H. R., 194.

This claim was for horses and cattle captured from the enemy before any special interposition of Congress was recommended. Unfavorable to claim.

2 C: 1 S.

April 21, 1792.

Message of the President of the United States. See Senate, this date.

2 C: 1 S.

April 30, 1792.

Report of Secretary of the Treasury Hamilton, on claim of Joseph Henderson. A. S. P., Claims, 53, 54.

Extra compensation as demanded by Naval Paymaster Henderson. Recommends moderate yearly compensation.

2 C: 1 S.

April 30, 1792.

Report of Secretary of the Treasury Hamilton, on petition of A. C. Hanson. Jo. H. R., 203. Not printed.

2 C: 1 S.

April 30, 1792.

Report from Secretary of the Treasury Hamilton, on petition of Richard Blackledge, leather furnished during the war. Jo. H. R., 203. Not printed.

2 C: 1 S.

May 4, 1792.

Report from Secretary of War Knox, on petition of Richard H. Courts for services as surgeon's mate in United States hospitals during the war. Jo. H. R. 211. Not printed.

2 C: 1 S.

(n. d.) Senate and House of Representatives.

Report of Postmaster-General, giving list of post-offices, receipts, and expenditures for year ending October 5, 1791. A. S. P., P. O., 13-14.

REPORTS OF COMMITTEES.

2 C: 1 S.

October 28, 1791.

Elections. By Mr. Livermore, submitting list of members whose credentials entitle them to take their seats. Jo. H. R., 15-16.

2 C: 1 S.

November 1, 1791.

By Mr. Smith (South Carolina), on granting further time for enumeration of inhabitants of South Carolina. Jo. H. R., 19.

Reported a bill granting further time.

2 C: 1 S.

November 2, 1791.

By Mr. Gerry, on petition of Susannah, widow of Ebenezer S. Fowle, lieutenant in Capt. Joseph Savage's company of artillery, for relief. Jo. H. R., 20.

Report not printed.

2 C: 1 S.

November 2, 1791.

By Mr. Gerry, on petition of Jeremiah Allen, sheriff, Suffolk County, Mass., regarding prison rules for United States prisoners. Jo. H. R., 20.

Report not printed.

2 C: 1 S.

November 3, 1791.

By Mr. Ward, on petitions of Francis and Isaac Choate for compensation by reason of captivity by Indians in Muskingum settlement. Jo. H. R., 22.

Report not printed. Petition can not be granted.

2 C: 1 S.

November 9, 1791.

By Mr. Sedgwick, on mode in which evidences of debt of the United States which have been lost or destroyed may be renewed. Jo. H. R., 86.

2 C: 1 S.

November 14, 1791.

Elections. By Mr. Livermore, reciting that certain persons are duly elected members. Jo. H. R., 29.

2 C: 1 S.

November 15, 1791.

By Mr. Muhlenberg, on the ratio of representation; votes on the report fixing the representation at 1 for every 30,000 inhabitants.

2 C: 1 S.

November 17, 1791.

Elections. By Mr. Livermore, that Elbridge Gerry of Massachusetts and William Findlay of Pennsylvania are duly elected members. Jo. H. R., 32. Not printed.

2 C: 1 S.

November 17, 1791.

Elections. By Mr. Livermore, that John F. Mercer of Maryland is a duly elected member. Jo. H. R., 32. For amend report see Jo. H. R., 39.

2 C: 1 S.

November 18, 1791.

By Mr. Ames, on petition of James Jackson alleging undue election of Anthony Wayne of Georgia as a member. Jo. H. R., 34. A. S. P., Misc., 1: 43-44.

For proceedings of contest see Jo. H. R., 28, 31, 34, 41, 42, 91, 116, 132-136, 140-142p. The decision of the House was unanimous against Wayne; Jackson's claim to the seat was negated by the casting vote of the Speaker, there being 29 yeas and 29 nays on the final vote.

The Athenæum Library has the following title, probably a private publication, "Proceedings respecting the contested election for the eastern district of Georgia; December 13, 1792. 8vo."

2 C: 1 S.

November 18, 1791.

By Mr. Fitzsimons, on petition of Stephen Zacchary for remission of duties illegally levied. Jo. H. R., 34. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1223

2 C: 1 S.

November 25, 1791.

By Mr. Muhlenberg, on the case of Jackson *v.* Wayne. Jo. H. R., 42. Petition of James Jackson against the legality of the election of Anthony Wayne; depositions to be taken and presented to Congress; regulations regarding the taking of the same by judges, justices, etc., and their reception by Congress.

2 C: 1 S.

December 14, 1791.

By Mr. Sedgwick, on amendments to the Constitution of the United States. Jo. H. R., 53. Not printed.

2 C: 1 S.

December 14, 1791.

By Mr. F. A. Muhlenberg, on apportionment. Jo. H. R., 54-56. Apportionment of representation; action on amendments, motions, etc., fixing the number of Representatives from the several States.

2 C: 1 S.

December 22, 1791.

By Mr. Gerry, on obtaining annual reports of public moneys and for their due examination. Jo. H. R., 63. Not printed.

2 C: 1 S.

January 4, 1792.

By Mr. Lawrence, on petition of John Stagg, jr., chief clerk of War Department. Jo. H. R., 71. Not printed.

2 C: 1 S.

January 4, 1792.

By Mr. Lawrence, on memorial of Brigadier-General Harmar and other commissioned officers of the Army stating inadequacy of their pay, subsistence, and forage, and asking their increase. Jo. H. R., 71. Not printed.

2 C: 1 S.

January 5, 1792.

By Mr. Ames, on memorial of Benjamin Lincoln, Cyrus Griffin, and David Humphreys, requesting reimbursement of expenses as United States Treaty Commissioners with Southern Indian tribes. Jo. H. R., 74. Not printed.

2 C: 1 S.

January 13, 1792.

By Mr. Boudinot, on petition of Richard Lloyd on account of services as agent of Gen. Moses Hazen's regiment. Jo. H. R., 78. Not printed.

2 C: 1 S.

January 18, 1792.

By Mr. Lawrence, making it the duty of the district attorneys to follow the instructions of the Attorney-General, etc. A. S. P., Misc., 1: 46.

2 C: 1 S.

January 24, 1792.

By Mr. Muhlenberg, on apportionment. Jo. H. R., 83. Apportionment of representation by the first enumeration; provision to be made for a second enumeration.

2 C: 1 S.

February 1, 1792.

By Mr. Page, on petition of John Churchman for Government aid to make magnetic explorations in Baffin's Bay, etc. Jo. H. R., 89; printed on page 119. See later, February 29, 1792.

2 C: 1 S.

February 3, 1792.

By Mr. Muhlenberg, on petition of Ebenezer Cowell for remission of money advanced to him on northern contract during late war. Jo. H. R., 90. Not printed.

2 C: 1 S.

February 8, 1792.

By Mr. Benson, on petition of Comfort Sands and others, army contractors, for damages for breach of contract. A. S. P., Claims, 50.

Gives petitioners authority to appeal to the United States Supreme Court.

2 C: 1 S.

February 20, 1792.

By Mr. Livermore, on apportionment. Jo. H. R., 103-107.

Apportionment of representation; votes and proceedings on motions, etc., providing for an enumeration of the inhabitants in 1797, and for the apportionment of representation upon that enumeration; providing for officers to collect statistics of population.

2 C: 1 S.

February 22, 1792.

By Mr. Fitzsimons, on President's message of February 8, with letter of Secretary of State Jefferson and accompanying account of John Brown Cutting against the United States. Jo. H. R., 110.

2 C: 1 S.

February 23, 1792.

By Mr. Boudinot, on petition of farmers of New York, New Jersey, and Pennsylvania regarding manufacturers of leather. A. S. P., Finance, 1: 151.

Recommends additional duties.

2 C: 1 S.

February 24, 1792.

By Mr. Muhlenberg, on the Greene claim. Jo. H. R., 114-115.

On the resolution to indemnify the estate of Nathaniel Greene for money paid by him as surety for John Banks, a contractor for supplies to the Army in the Revolutionary war.

2 C: 1 S.

February 27, 1792.

By Mr. Lawrence, on petition of tea importers of New York and Philadelphia. Jo. H. R., 116. Not printed.

2 C: 1 S.

February 29, 1792.

By Mr. Smith (South Carolina), on amendments necessary in acts establishing Treasury and War Departments. A. S. P., Misc., 1: 46-47.

Recommends a War Department accountant and commissary; United States Treasurer to perform the duties of Paymaster-General to War Department; Treasury Department to buy military stores, munitions of war, etc., Indian goods, and all other supplies for War Department; Comptroller to superintend collections of duties, and act in absence of the Secretary of the Treasury; Assistant Secretary of the Treasury to be replaced by the Commissioner of the Revenue; that the Treasury prescribe forms for keeping public accounts, etc.

2 C: 1 S.

February 29, 1792.

By Mr. John Page, on discoveries of J. Churchman. Jo. H. R., 119.

Regarding his investigations into variations of the magnetic needle; advantages of his discoveries in regard to the magnetic needle in making surveys, in navigation, etc.; recommendation that copyright be granted to authors of maps, charts, tables, and prints.

2 C: 1 S.

March 1, 1792.

Joint. By Mr. Goodhue, on order of business in present session. Jo. H. R., 120. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1225

2 C: 1 S.

March 1, 1792.

By Mr. Fitzsimons, on claim of Governor St. Clair. A. S. P., Claims, 73.

Recommended that the expenses of negotiating certain Indian treaties be paid and that interest be allowed Governor St. Clair on the balance which may be due him.

2 C: 1 S.

March 5, 1792.

By Mr. Brown, on petition of commissioned officers of the levies in St. Clair's campaign asking a construction of section 14 of act of last session for raising another regiment and protecting the frontier; regarding bounty for recruits. Jo. H. R., 123 and 154.

Report favorable, but rejected by the House.

2 C: 1 S.

March 8, 1792.

By Mr. Sedgwick, on petition of John Tucker for compensation for services as clerk for United States Supreme Court. Jo. H. R., 127. Not printed.

2 C: 1 S.

March 8, 1792.

By Mr. Livermore, on petition of Thomas Claxton, messenger, House of Representatives, for extra compensation. Jo. H. R., 127. Not printed.

2 C: 1 S.

March 8, 1792.

By Mr. Sedgwick, on memorial of Ohio Company of Associates for such modification of terms as will relieve them from their present embarrassments as to land titles, etc. Jo. H. R., 127. Not printed.

2 C: 1 S.

March 16, 1792.

By Mr. Bourne (Rhode Island), on petition of Commissioners of Loans for New Hampshire and Rhode Island. Jo. H. R., 136. Not printed.

Believed to be favorable.

2 C: 1 S.

March 22, 1792.

By Mr. Smith, South Carolina, on petition of Henry Laurens for action on a claim made during last Congress. Jo. H. R., 143. Not printed.

2 C: 1 S.

March 22, 1792.

By Mr. Livermore, on petition of George Turner, one of the judges of the territory northwest of the Ohio. Jo. H. R., 144. Not printed.

Apparently (p. 144) referred to the duties and powers of the officials, the printing and distribution of laws; the Territorial seal; the subordination of military to civil power; the repeal of the limitation act, December 8, 1788, and payment of expenses by the United States.

2 C: 1 S.

March 26, 1792.

By Mr. Seney, on the Ohio public lands. Jo. H. R., 151.

Grants of land to Ohio Company; terms upon which titles to the lands are to be granted.

2 C: 1 S.

March 28, 1792.

By Mr. Fitzsimons, on accounts of the United States Treasury, October 1 to December 31, 1791. Jo. H. R., 155. Not printed.

2 C: 1 S.

March 29, 1792.

By Mr. Steele, on petition of Andrew Jackson, services as attorney, Myro district. Jo. H. R., 155. Not printed.

2 C: 1 S.

March 29, 1792.

By Mr. Vining, on petitions of Lutheran Church, Rheland, Pa.; Calvinist Church, Vincent, Pa., and Grammar School, Wilmington, Del. Jo. H. R., 155.

Part of report favorable to Wilmington school printed, p. 157.

2 C: 1 S.

March 30, 1792.

By Mr. Parker, on Secretary of Treasury's return of import duties, tonnage, and exports for year ending September 30, 1791. Jo. H. R., 156. Not printed.

2 C: 1 S.

April 2, 1792.

By Mr. Seney, on national finances. Jo. H. R., 159, 160.

On public debt; extension of the time for receiving subscriptions to the public loan; provision for the payment of interest on the public debt; subscriptions for a loan on the debt of the individual States.

2 C: 1 S.

April 3, 1792.

By Mr. Livermore, on memorial of Illinois and Wabash Land companies. A. S. P., P. L., 1: 27.

The Indian title being before the Declaration of Independence, the United States should act favorably on the petition.

2 C: 1 S.

April 4, 1792.

By Mr. Seney, on a claim of Maryland. Jo. H. R., 166. Not printed. From page 175 it appears to have been favorable.

Claim for allowance for a payment on account of horses purchased from Nicholas R. Moore for the use of the Government in the late war. Recommends adjustment of the claim in the same manner as claims of the several States have been treated.

2 C: 1 S.

April 7, 1792.

By Mr. Bourne, of Rhode Island, on Finances. Jo. H. R., 173-174.

Upon the report of the Secretary of the Treasury; duties placed upon certain articles; proceeds of the duties to be applied to the payment of the public debt, also for the protection of the frontiers; extension of the term for the payment of duties on salt and West India produce.

2 C: 1 S.

April 10, 1792.

By Mr. Findlay, on petition of Henry Hill and others, for indemnity as security to the late General Greene. Jo. H. R., 178. Not printed.

2 C: 1 S.

April 10, 1792.

By Mr. Muhlenberg, on petition of Moses Young for salary due as secretary of Henry Laurens, Commissioner to The Hague. Jo. H. R. 178. Not printed.

2 C: 1 S.

April 17, 1792.

By Mr. Gerry, on memorial of Joseph Cerachchi for executing a monument to perpetuate American Liberty. Jo. H. R., 187. Not printed.

2 C: 1 S.

April 23, 1792.

By Mr. Hartley, on the present state of the recruiting service. Jo. H. R., 195. Not printed.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1227

2 C: 1 S.

April 23, 1792.

By Mr. Gerry, on an impartial publication of the debates of the House. Jo. H. R., 196.

Report not printed; for resolution thereon, see p. 192.

2 C: 1 S.

April 25, 1792.

By Mr. Lawrence, on petition of Charles Colvill and William Robertson for reimbursement of their ransom from Algerian captivity, and for the ransoming of American prisoners yet in captivity. Jo. H. R., 197-198.

Not printed; apparently favorable, being referred to committee making appropriations therefor.

2 C: 1 S.

April 26, 1792.

By Mr. Lee, on renewal of lost certificates. Jo. H. R., 198. Not printed.

2 C: 1 S.

April 26, 1792.

By Mr. Seney, on the taxation of spirits. Jo. H. R., 198-201.

On duties upon distilled spirits; tax on stills; providing for an inspector in districts where stills are located for the purpose of registry; regulations for the guidance of officers of inspection and in regard to the collection of the duties.

2 C: 1 S.

April 28, 1792.

By Mr. Ames. On marine hospitals. Jo. H. R., 203. Not printed.

2 C: 1 S.

May 5, 1792.

By Mr. Lee, on memorial of Joseph Cerachchi proposing to execute a monument to commemorate American Liberty. Jo. H. R., 216.

Considered expedient, in view of the additional ornaments proposed to the monument voted by Congress August 7, 1783.

2 C: 1 S.

May 8, 1792.

By Mr. Grove, on petition of Henry E. Lutterloh for pay as colonel in late war. Jo. H. R., 219. Not printed.

2 C: 1 S.

May 8, 1792.

By Mr. Fitzsimons, on St. Clair expedition. A. S. P., Mil. Af., vol. 1: 38-39.

The report narrates the expedition, exonerating General St. Clair, condemning the want of discipline and experience in the troops, and censuring the quartermaster's and contractor's department.

Ordered 100 copies of this report to be printed for the use of members. Jo. H. R., 220. Neither in W. D. L. nor in Ath. L.

2 C: 1 S.

May 8, 1792.

By Mr. Williamson, on petitions from North Carolina. Jo. H. R. 219.

The petitions asked Congress to authorize North Carolina to impose a duty on tonnage for deepening a channel in Pamlico Sound; propriety of the passage of a law imposing duties by the State of North Carolina; Congress to consider the question of giving effect to such a law.

SENATE.

Vice-President, JOHN ADAMS of Massachusetts.

Presidents pro tempore, RICHARD HENRY LEE of Virginia and JOHN LANGDON of New Hampshire.

Secretary, SAMUEL A. OTIS of Massachusetts.

SECOND SESSION, NOVEMBER 5, 1792, TO MARCH 2, 1793.

JOURNAL.

2 C: 2 S.

November 5, 1792.

Journal of (legislative) Proceedings from November 5, 1792, to March 2, 1793. Printed by John Fenno, Philadelphia. 1793 (-1793). 100pp. B. P. L.

Journal of Executive Proceedings. *In* Journals of the Executive Proceedings of the Senate, First to Nineteenth Congress, 1: 125-136. B. P. L.

DOCUMENTS.

2 C: 2 S.

November 6, 1792.

Annual message of President. Jo. S., 5-9.

Continuance of Indian hostilities on the Western frontiers; hostilities of the Cherokees; regarding the more effectual protection of the frontiers; opposition in certain localities to the enforcement of the law imposing duties on distilled spirits; recommending a revision of the judiciary system; steps taken toward establishing a mint; transmission of newspapers; loans effected for the reduction of the public debt. A. S. P., For. R., 1: 18-20, Richardson, 1: 125-129.

Ordered printed for the use of the Senate. Not in W. D. L. nor in Ath. L.

2 C: 2 S.

November 7, 1792.

Accounts of the United States Treasurer to September 30, 1792. Jo. S., 9. See H. R. Same date.

2 C: 2 S.

November 7, 1792.

Message of President, giving diplomatic expenses. Jo. S., 10 (message only). A. S. P., Misc., 1: 51-52; For. R., 1: 137-138. Richardson, 1: 133 (message only).

Transmitting account of contingent funds of State Department, with letter from Secretary of State Jefferson: representations from justices of the United States Supreme Court, stating difficulties attending present judiciary system; observations of United States circuit judges. North Carolina district, on account of claims barred by limitation, and invalid pensions, and constitution formed for Kentucky.

Justices of the Supreme Court invite attention to the excessively onerous character of their duties, and look to a permanent and enlarged judiciary system. The United States circuit court of North Carolina declines to regulate claims to invalid pensions, etc., on the ground that it is duty not of a judicial character under the Constitution.

2 C: 2 S.

November 7, 1792.

Message of President, on Spanish Indian trading. A. S. P., For. R., 1: 138-139; Ind. Af., 1: 319. Ex. Jo. S., 1: 126 (message only). Not in Richardson. H. Jo., Supplement, 737.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1229

Transmitting report from Secretary of State Jefferson, with correspondence with the governor of Louisiana concerning the Creek Indians.

Relative to Spanish interference in execution of treaty of 1790 between the United States and the Creeks, with letter of Secretary of State Jefferson thereon. Raises a question of boundary and hostilities that might ensue; awaits the result of treaty negotiations in Madrid.

2 C: 2 S.

November 8, 1792.

Letter of Secretary of War Knox, transmitting reports of General Putnam in concluding treaty of peace, September 27, 1792, with certain tribes of Wabash and Illinois Indians, with his address to those yet hostile. A. S. P., Ind. Af., 1: 319-320.

2 C: 2 S.

November 9, 1792.

Message of President. A. S. P., Misc., 1: 52-56. Jo. S., 13. Richardson, 1: 133 (message only).

Transmitting letter from Secretary of State Jefferson, with letter from governor of Virginia and other papers on the boundaries of Virginia and United States territory south of the Ohio; also suggesting settlement of boundary between Kentucky and Virginia.

Discussion of the Henderson and Walker lines between Virginia and North Carolina, difficulties arising from an unsettled boundary, and recommendation of Secretary Jefferson that the boundary lines between Virginia, North Carolina, and Kentucky be authoritatively settled.

2 C: 2 S.

November 15, 1792.

Letter of Secretary of War Knox, transmitting letter of John Seagrave, agent of the Creeks, relative to the southern tribes. A. S. P., Ind. Af., 1: 320-322.

2 C: 2 S.

November 16, 1792.

Letter from Herbert & Co., Paris, January 26, 1792, respecting purchase of land of United States. Jo. S., 14. Not printed; sent to House of Representatives.

2 C: 2 S.

November 21, 1792.

Message of President, November 7, relative to Spanish interference with the Creek treaty. A. S. P., Ind. Af., 1: 319; For. R., 1: 138-139. Not in Richardson.

Identical with message to House of Representatives, November 7, 1792.

2 C: 2 S.

November 21, 1792.

Letter November 7, 1792, from Secretary of War Knox, reviewing the state of Indian affairs. A. S. P., Ind. Af., 1: 225-318.

Identical with letter sent to House of Representatives, November 7, 1792.

2 C: 2 S.

November 22, 1792.

Message of President, arrangement for raising revenue by taxes on foreign and domestic spirits. A. S. P., Finance, 1: 171-175. Jo. S., 16. Richardson, 1: 133 (message only).

Original message and papers, H. R. Doc., folio, n. p., n. d., are not in W. D. L.

2 C: 2 S.

November 29, 1792.

Specie accounts of Treasurer of the United States to September 30, 1792. *Jo. S.*, 17. Not printed.

2 C: 2 S.

December 6, 1792.

Message of President, transmitting papers showing result of efforts to make treaties with hostile Indians north of the Ohio. *A. S. P., Ind. Af.*, 1: 322-324. *Richardson*, 1: 134.

2 C: 2 S.

December 7, 1792.

Message of President, transmitting letters of Governor Blount, South-western Territory, and other information relative to Indian invasion, and the defense of frontiers by calling out the militia; recommends immediate attention. *A. S. P., Ind. Af.*, 1: 325-333. *Richardson*, 1: 134 (message only).

Blount asserts that most of the depredations can not be charged to the Spaniards; attributes troubles largely to bloodthirstiness of Indians; gives list of 119 persons killed, wounded, or taken prisoners by Indians since January 1, 1791; Knox points out the necessity of additional appropriations for frontier defense.

2 C: 2 S.

December 10, 1792.

Letter of Secretary of War Knox, transmitting one received from Governor Telefair relative to Indian affairs. *A. S. P., Ind. Af.*, 1: 333-334.

Telefair reports the misconduct of citizens of Georgia, who have murdered friendly Indians and committed depredations.

President issued proclamation December 12, 1792, exhorting officers and citizens to bring offenders to justice, and offering a reward of \$500 for every leader brought to justice. *Richardson*, 1: 137-138. *Frenan's National Gazette*, December 15, 1792.

2 C: 2 S.

December 19, 1792.

Letter from the Secretary of War, Knox, transmitting a report of Gen. James Wilkinson on the northwestern tribes regarding hostilities at Fort St. Clair, and letter from James Seagrove relative to the friendly disposition of the Creeks. *A. S. P., Ind. Af.*, 1: 335-336.

Report of Maj. John Adair, commanding Kentucky mounted infantry, regarding battle with the Indians.

2 C: 2 S.

December 24, 1792.

Letter of Secretary of War Knox, transmitting papers from Governor Telefair of Georgia, relative to Indian affairs in the southwestern department, reciting murder of Cherokee Indians. *A. S. P., Ind. Af.*, 1: 336-337.

2 C: 2 S.

December 31, 1792.

Letters from citizens of Toulouse, France, sent to the House. *Jo. S.*, 26.

2 C: 2 S.

January 7, 1793.

Letter of Secretary of War Knox, transmitting speech of Cornplanter and New Arrow to General Wayne, offering peace. *A. S. P., Ind. Af.*, 1: 337.

2 C: 2 S.

January 16, 1793.

Report of Secretary of the Treasury Hamilton, on the public credit. *A. S. P., Finance*, 1: 320-347.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1231

Detailed statement of the legislation affecting the public credit; domestic debt; revenue and expenditures; result.

2 C: 2 S.

January 18, 1793.

Report of Secretary of the Treasury Hamilton, on the financial question. A. S. P., Finance, 1: 186-190.

Statement of money obtained from Holland; the sinking fund; probable surplus revenue; report on account of the United States with the United States Bank; purchasers of the public debt; money borrowed under act August 4, 1790, and its application; and probable surplus of 1792.

2 C: 2 S.

January 21, 1793.

Report from Secretary of War Knox, on petition of Lewis Garanger for himself and Charles Garanger, asking payment for certificates of specie and further allowance for subsistence. Jo. S., 35-36. Not printed.

2 C: 2 S.

January 24, 1793.

Letter from Secretary of the Treasury Hamilton, stating that an order of the House, January 23, 1793, renders it necessary that he should have Treasurer's bank books and accounts of discount and deposit lately transmitted to the Senate. Jo. S., 38.

Papers ordered returned to the Secretary.

2 C: 2 S.

January 2, 1793.

Accounts of United States Treasurer of expenditures in War Department to December 31, 1792. Jo. S., 39. Not printed.

2 C: 2 S.

January 28, 1793.

Message, January 25, of President, transmitting account of contingent fund, 1792; act March 26, 1790; also supplementary arrangement in district of North Carolina, relative to internal-revenue operations. Jo. S., 40. Richardson, 1: 135 (message only).

2 C: 2 S.

January 28, 1793.

Message, January 23, of President, on duties on spirits. Jo. S., 39-40. A. S. P., Finance, 1: 191. Richardson, 1: 134-5.

Amendment to the arrangement of the surveys of the district of North Carolina for the collection of the revenue on distilled spirits; compensations of the inspectors of the revenue in said survey; duties of inspectors.

2 C: 2 S.

February 6, 1793.

Report, February 5, of Secretary of the Treasury Hamilton, on the national loans. A. S. P., Finance, 1: 200, 201.

Additional information concerning the payment of the Dutch loan.

2 C: 2 S.

February 13, 1793.

Message of President, transmitting a treaty, September 27, 1792, between Gen. Rufus Putnam and Wabash and Illinois Indians; proceedings of treaty; map showing French reservations and Indian claims, and other related papers.

Requests ratification of treaty. A. S. P., Ind. Af., 1: 338-340. Ex. Jo. S., 1: 128 (message only). Richardson, 1: 135-6 (message only).

2 C: 2 S.

February 14, 1793.

Report of Secretary of the Treasury Hamilton, on the public funds under order of the Senate, January 23, 1793. A. S. P., Finance, 1: 218-222.

Statement A, general account of revenues and expenditures to the end of 1792; B, general account of appropriations and expenditures to the same date; C, explanatory statement regarding unsatisfied appropriations and the balance of public income.

Original document, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

February 18, 1793.

Letter from Secretary of the Treasury Hamilton, with copies of sundry communications lately made to House of Representatives. Jo. S., 62. Not printed.

2 C: 2 S.

February 18, 1793.

Message of President to Senate and House of Representatives, transmitting plat of United States territory on the Potomac as given by the Commissioners, together with letter of the Secretary of State. Jo. S., 62 (message only). Richardson, 1: 136.

2 C: 2 S.

February 22, 1793.

Message of President, nominating thirty-two ensigns provisionally, they to be employed or not as the prospect of peace may render expedient. If peace issue, services not to be required and expenses attending their employment saved; but if war must progress, their services may be necessary when the Senate may not be in session to consent to their appointment. Ex. Jo. S., 1: 181. Not in Richardson.

2 C: 2 S.

February 27, 1793.

Report of Secretary of the Treasury Hamilton, February 26, transmitting statement of salaries, fees, and emoluments for one year ending October 1, 1792, of all persons holding civil offices or employment under the United States, except judges. A. S. P., Misc., 1: 57-66.

First "Blue Book" list, giving names of officers, from the President to the keepers of light-houses.

2 C: 2 S.

February 27, 1793.

Message of President, transmitting legislative act of New York, ceding lands on Montauk Point to the United States. Jo. S., 75-6. Richardson, 1: 137 (message only).

2 C: 2 S.

February 27, 1793.

Report of Secretary of War Knox, on the petition of Charles Knowles *et al.*, paymasters of the line of the late army. Jo. S., 76. Not printed.

2 C: 2 S.

February 27, 1793.

Specie accounts of Treasurer of the United States to December 31, 1792. Jo. S., 76. See H. R. document, same date.

2 C: 2 S.

February 28, 1793.

Letter of Secretary of the Treasury Hamilton, transmitting statement of imports into each State, October 1, 1791, to September 30, 1792; imports into the United States, 1790, and their estimated value; summary of

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1233

imports into each State, 1790, and statement of tonnage, 1790. A. S. P., For. R., 1: 167-217.

2 C: 2 S.

February 28, 1793.

Letter from Secretary of the Treasury Hamilton, transmitting return of exports of the United States for year ending September 30, 1792, exhibiting quantity exported to home dominions and to colonial dominions of foreign nations. A. S. P., Com., 1: 218-252. Original folio, n. d., Francis Childs and John Swaine, 7 leaves, not in W. D. L. nor Ath. L. B. P. L.

2 C: 2 S.

February 28, 1793.

Message of President, withdrawing nomination of William Patterson of New Jersey, as associate justice of the United States Supreme Court, on the ground that it was unconstitutional, Patterson being a Senator when the office was created and that his Senatorial term had not expired. Ex. Jo. S., 1: 135. Richardson, 1: 137.

2 C: 2 S.

March 1, 1793.

Letter from Secretary of State Jefferson, inclosing triplicate certificate of the electoral vote of Kentucky, obtained by express, as the law provides. Jo. S., 80. Not printed.

2 C: 2 S.

March 2, 1793.

Deed of session to the United States, by the Senators of Georgia, of the light-house on Tybee Island. Jo. S., 85. Not printed.

REPORTS OF COMMITTEES.

2 C: 2 S.

November 7, 1792.

By Mr. Strong, on address of the Senate to the President. Jo. S., 10-12. A. S. P., For. R., 1: 20. Richardson, 1: 130-131.

Upon the failure to establish peace with the Indians on the Western frontiers; regrets at the opposition met in certain localities to the enforcement of the law imposing duties on distilled spirits; favoring strong measures in compelling obedience to the law.

Recommitted the following day, amended, and delivered, November 9, by the President pro tempore. Reply of the President on page 12.

2 C: 2 S.

December 14, 1792.

By Mr. Bradley, on petition of James Mathers, Doorkeeper of Senate, relative to the employment of a janitor. Jo. S., 21.

Janitor authorized at not exceeding 50 cents per day during the session.

2 C: 2 S.

January 3, 1793.

By Mr. Johnston, on bill respecting fugitives from justice and persons escaping from their masters. Jo. S., 28.

Report ordered printed for the use of Senate (p. 28), and amended (p. 34). Not in W. D. L. nor Ath. L.

2 C: 2 S.

January 29, 1793.

By Mr. Rutherford, on weights and measures. Jo. S., 41.

Report not in Journal. Ordered printed for the use of Senate.

H. Doc. 353—78

2 C: 2 S.

February 11, 1793.

By Mr. King, on counting the electoral votes. Jo. S., 54.

Mode of proceeding in ascertaining the vote for President and Vice-President; tellers to make a list of the votes; President of the Senate to announce the result.

The action of the joint Houses appears on page 56.

2 C: 2 S.

February 14, 1793.

By Mr. King, on mode of notifying the President-elect of his election. Jo. S., 58.

2 C: 2 S.

February 15, 1793.

Joint. By Mr. King, that President Washington has been notified of his unanimous election. Jo. S., 60.

2 C: 2 S.

February 26, 1793.

By Mr. Burr, on treaty between General Putnam and the Wabash and Illinois Indians. Ex. Jo. S., 1: 134.

2 C: 2 S.

March 2, 1793.

By Mr. King, relative to the President-elect taking the oath of office. Jo. S., 85.

HOUSE.

Speaker of the House, JONATHAN TRUMBULL, of Connecticut.

Clerk of the House, JOHN BECKLEY, of Virginia.

SECOND SESSION, NOVEMBER 5, 1792, TO MARCH 2, 1793.

JOURNAL.

Journal, from November 5, 1792, to March 2, 1793. Printed by Francis Childs and John Swaine. Philadelphia, 1793. 192pp. B. P. L.

DOCUMENTS.

2 C: 2 S.

November 6, 1792.

Message of the President of the United States. See Senate, this date.

2 C: 2 S.

November 7, 1792.

Message of the President of the United States. See Senate, this date.

2 C: 2 S.

November 7, 1792.

Account of United States Treasurer of public moneys January 1 to September 30, 1792.

Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

November 7, 1792.

Letter of Secretary of War Knox, transmitting detailed account of Indian affairs. A. S. P., Ind. Af., 1: 225-322.

Statement shows measures taken for peace with Indians northwest of the Ohio and information received relative to their dispositions; measures taken to conciliate the Southern Indians and information received relative to their dispositions; cause on the part of the Cherokees and Creeks; statement of troops in the service of the United States; important letter to and from Secretary Knox to Capt. Alex. Trueman (afterwards major), First United States Regiment; to Gen. Rufus Putnam; to Capt. Joseph Brandt, chief of the Six Nations; to Gen. I. Chapin; from General Putnam, Gen. I. Chapin, Captain Brandt, and report of Sergt. R. Reynolds, Captain Buel's company, Second Regiment.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1235

Southern Indians; correspondence of Secretary Knox to Governor Blount, Gen. A. McGillivray, Leonard Shaw, James Seagrove, Gen. Andrew Picken, governor of Virginia, Maj. Henry Gaither, commanding United States troops; Governor Blount's conference with the Cherokees; and Seagrove's conferences with the Creeks.

2 C: 2 S.

November 8, 1792.

Letter from Secretary of War Knox, communicating information of treaty of peace made September 27, 1791, by General Putnam with Wabash and Illinois Indians. Jo. H. R., 11.

2 C: 2 S.

November 9, 1792.

Message of the President of the United States. See Senate, this date.

2 C: 2 S.

November 10, 1792.

Address of the House to the President. Jo. H. R., 12, 13. A. S. P., For. R., 1: 20-1. Richardson, 1: 131-2.

Hostilities of the Indians; regarding opposition shown in certain places to the law imposing duties on distilled spirits; public debt; adoption of constitution by Kentucky; transmission of newspapers through the mail.

2 C: 2 S.

November 12, 1792.

Statement by Secretary of the Treasury Hamilton November 10, of receipts and expenditures of public moneys from the establishment of the Treasury to December 31, 1791.

Original report, folio, Philadelphia, 1792, is not in W. D. L.

2 C: 2 S.

November 12, 1792.

Message of President, in reply to address of House of Representatives. Jo. H. R., 12.

2 C: 2 S.

November 14, 1792.

Estimate of appropriations by Secretary of the Treasury Hamilton. Annals, 1: 1286. 13pp.

Detailed estimates of the expenditures for 1793. Published by order of the House of Representatives. Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

November 14, 1792.

Letter of Secretary of War Knox, November 1, with a memorial of Samuel Hodgson, late Quartermaster-General of the Army, that the House take action to have a complete investigation into the causes of the failure of General St. Clair's expedition, May 8, 1792. A. S. P., Mil. Af., 1: 39.

2 C: 2 S.

November 19, 1792.

Report of the Commissioners on the Sinking Fund November 17. A. S. P., Finance 1: 162-171.

Operations of the sinking fund; purchase of stock. Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

November 19, 1792.

Report of Secretary of the Treasury Hamilton, with petitions from prisoners at Quebec. A. S. P., Claims, 55, 56.

Adverse report.

2 C: 2 S.

November 22, 1792.

Message of the President of the United States. See Senate, this date. Original H. R. document, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

November 22, 1792.

Letters of Secretary of the Treasury Hamilton, November 22, adverse to claim for depreciation of paper money during the late war; November 19, unfavorable to claims for property used, damaged, or destroyed by Army during the late war, and November 21, favorable to the petition of Udney Hay for principal and interest of money advanced for citizens of the United States prisoners of war at Quebec, 1776. A. S. P., Claims, 56.

2 C: 2 S.

November 22, 1792.

Report of Secretary of the Treasury Hamilton, on petitions of Abraham Van Alstine, Joseph Ball and Isaac Ledyard, Thomas Barclay, Joseph Beale, Jacob Bell, George and Edward Blanchard, Jabez Bowen, Benjamin Brown, Brown and Francis, William Browner, Pitman Collins, Patrick Colvin, Ezekiel Conklin, *et al.*, Nicholas Covenhoven *et al.*, Lemuel Cravath, Hugh Cunningham, Margaret Fisher, Benjamin Fuller, Jacob Garrigues, Aquila Giles, Thomas Grant, John Griffith, jr., Udney Hay, John Haverd, *et al.*, James Hubbs, George and Jonathan Hunter, Prudent la Jeunesse, Inspectors of Baltimore, New York, and Philadelphia; John and Israel Jones, John Lewis, William McGilton, Merchants of Newburyport, Mass., and Wilmington, N. C., Inhabitants Miami purchase; Reuben Murray, John Nicholson, Isaac Osgood & Sons, Citizens of Pennsylvania, Inhabitants of Portland, Mass.; Ebenezer Prout, Thomas Randall, David M. Randolph, executor of Richard Randolph. Elizabeth and William Rockwell, Citizens of Salem, Mass. John Spalding, Stephen Steele, John Wreat, Joseph Whipple, and Thomas Wickes. Jo. H. R., 24.

2 C: 2 S.

November 27, 1792.

Report of Secretary of State Jefferson, on petition of John de Neufville. 627. n. p.

2 C: 2 S.

November 27, 1792.

Letter from governor of territory northwest of the Ohio, with petitions of inhabitants of St. Vincennes on the Wabash, praying that the survey of their lands under the late law be made at public expense. Jo. H. R., 26.

2 C: 2 S.

November 28, 1792.

Report from Secretary of Treasury Hamilton, on petition of Griffith Jones. Jo. H. R., 28.

2 C: 2 S.

November 29, 1792.

Accounts of United States Treasurer of public moneys from July 1 to September 30, 1792. Jo. H. R., 29.

2 C: 2 S.

December 3, 1792.

Report of Secretary of Treasury Hamilton, November 30, on the reduction of the public debt. A. S. P., Finance, 1: 176-180.

Plan for the redemption of a portion of the public debt.

Original report, folio, n. p., n. d., is not in W. D. L.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1237

2 C: 2 S. December 4, 1792.
Estimates of the Secretary of the Treasury for United States loan
offices to March 31, 1793. Jo. H. R., 32.

2 C: 2 S. December 5, 1792.
Report of the commissioners on the accounts of the States. Ex. Docs.
4pp. Not in Ath. L.

Views and claims of the several States: amounts due from the several
States, December 31, 1789. (Commissioners, W. Irvine, J. Kean, W.
Langdon.)

Reprinted by order of House, Eighth Congress, first session, Novem-
ber 4, 1803. Only reprint in W. D. L.

2 C: 2 S. December 6, 1792.
Letter from Joshua Seney, member from Maryland, stating his
acceptance of a Maryland judiciary appointment that disqualifies him
from a seat in the House. Jo. H. R., 36.

2 C: 2 S. December 7, 1792.
Message of the President of the United States. See Senate, this date.

2 C: 2 S. December 7, 1792.
Letter from Secretary of the Treasury Hamilton, accompanying cer-
tain statements with letter from Comptroller of the Treasury relative
to War Department disbursements in 1790 and 1791. Jo. H. R., 36.

Original report, folio, Philadelphia, 1792, is not in W. D. L.

2 C: 2 S. December 10, 1792.
Letter from Secretary of War Knox, inclosing letter from the gov-
ernor of Georgia with communications on Indian Affairs. Jo. H. R., 37.

2 C: 2 S. December 11, 1792.
Report from Secretary of the Treasury Hamilton, on petition of
Abraham Scribner and Thomas Cable. Jo. H. R., 37.

2 C: 2 S. December 12, 1792.
Report of Secretary of War Knox, December 11, submitting army
contingent estimate for the year 1793. A. S. P., Mil. Af., 1: 39-40.
Gives estimates for contingencies which may arise and pledges his
reputation for its just expenditure.

2 C: 2 S. December 14, 1792.
Report of Secretary of War Knox, on invalid pensions. A. S. P.,
Claims, 56-68.

Statistics of pensions, with a descriptive list of pensioners, 199 in all.

2 C: 2 S. December 19, 1792.
Letter from Secretary of War, transmitting communications from
General Wilkinson and James Seagrove. See Senate, this date.

2 C: 2 S. December 20, 1792.
Report from Secretary of the Treasury Hamilton, on petition of
Ludwig Kuhn. Jo. H. R., 56.

2 C: 2 S. December 24, 1792.
For letter from Secretary of War on Georgia indian affairs, see
Senate, this date.

2 C: 2 S.

December 27, 1792.

Report of Secretary of War Knox, giving organization of the Army in 1792. A. S. P., Mil. Af., 1: 40, 41.

Force of 5,120, forming a legion with staff, which was divided into four sublegions with staff. Each sublegion had a troop of dragoons, a company of artillery, two battalions of infantry, and one battalion of riflemen, with four companies in each battalion.

2 C: 2 S.

January 2, 1793.

Report from Secretary of State Jefferson, giving names and salaries of persons employed in his office. Jo. H. R., 68.

2 C: 2 S.

January 3, 1793.

Report of Secretary of War Knox, giving names and salaries of persons employed in his Department. Jo. H. R., 69.

2 C: 2 S.

January 4, 1793.

Report from Secretary of Treasury Hamilton, giving names and salaries of persons employed in his office. Jo. H. R., 69.

2 C: 2 S.

January 4, 1793.

Report, dated January 3, under House resolution of December 24, 1792, of Secretary of the Treasury Hamilton, on foreign loans. A. S. P., Finance, 1: 180-184.

Statement regarding the several foreign loans, terms on which each loan has been obtained, the applications of moneys received from the loans, and the balances which remain unapplied; income and expenditures from 1789 to 1792; exposition of the conduct and views of the Department of the Treasury in regard to foreign loans.

Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

January 5, 1793.

Report from Secretary of the Treasury Hamilton, on memorial of Timothy De Montbreun. Jo. H. R., 70.

Report unfavorable.

2 C: 2 S.

January 5, 1793.

Letter from Secretary of War Knox, with message of Cornplanter and New Arrow to General Wayne, December 8, 1792. A. S. P., Ind. Af., 1: 337.

2 C: 2 S.

January 8, 1793.

Report of Secretary of State Jefferson, on the assays at the mint. A. S. P., Finance, 1: 184, 185.

Incloses the report of David Rittenhouse, Director of the Mint. Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

January 11, 1793.

Report of Secretary of Treasury Hamilton, January 10, on domestic loans. A. S. P., Finance, 1: 185, 186.

Moneys borrowed in the United States. Original report, folio, n. p., n. d., is not in W. D. L.

2 C: 2 S.

January 22, 1793.

Report from Secretary of War Knox, on petition of Thomas Wishart. Jo. H. R., 88.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1239

2 C: 2 S.

January 23, 1793.

Message of the President of the United States. See Senate, this date.

2 C: 2 S.

January 25, 1793.

Report from Secretary of War Knox, on petition of John Manley, late captain in United States Navy, for arrears of pay and for prize money in sundry captures. Jo. H. R., 93.

2 C: 2 S.

January 26, 1793.

Accounts of United States Treasurer of War Department expenditures from October 1 to December 31, 1792. Jo. H. R., 95.

2 C: 2 S.

January 28, 1793.

Message of the President, January 25. See Senate, January 28.

2 C: 2 S.

February 4, 1793.

Report, under House resolution of January 23, of Secretary of the Treasury Hamilton, on the Government loans. A. S. P., Finance 1: 191-200.

Accounts of the payment of the French debt; the balances between the United States and the Bank of the United States and the sinking fund. Sundry statements marked A, B, C, D, E, and F. Revenue on spirits distilled in United States prior to 1793.

Original report, folio, n. d., n. p., is not in W. D. L.

2 C: 2 S.

February 8, 1793.

Report of Secretary of War Knox, on arrearages of pay. A. S. P., Claims, 58, 59.

On petition of Thomas Hunt, John Fox, and Henry Bacon, Revolutionary soldiers.

2 C: 2 S.

February 8, 1793.

Report from Secretary of War Knox, on the petitions of Henry Bacon, Isaac Benjamin, Hanse Bond, Robert Byers, Mary Carrol, Samuel Chester, Christian Coon, sr., John Elliott and Abner Pryor, William Ellis, Mary Ennis, Samuel Farrar, Garret Fegan, Margaret Flour, John Fox, James Gray, Jacob Hall, Annie Harold, Dietrick Hartman by Attorney John Snyder, William Hassal, Eleanor Healy, John and Lydia Henderson Hannah Holbrook, Thomas Hunt. Elizabeth Jones, Zebulon Jones, agent for Bennett and Elizabeth Garrison; Mary Kennedy, Ebenezer Kent, Isaac Ledyard, John Leshar, Jacob Levan. Charles Lochman, Nathaniel Lucas, Michael McLary, William Peake, Peter Perrit, Adrian Proveaux, Thomas Rees, Nicholas Rieb, Isaac Robertson, James Simons, Reuben Spencer, Silvester Springer, William Thomas, Benjamin Warren, Jason Wate, John Weaver, and Abraham Whipple. A. S. P., Claims, 58-59.

On arrearages of pay due to them as Revolutionary soldiers.

Original report, n. d., n. p., not in W. D. L.

2 C: 2 S.

February 11, 1793.

Report of Postmaster-General Pickering, February 9. on legislative act of New Jersey, November 24, 1786, taxing mail stages. A. S. P., P. O., 15.

2 C: 2 S.

February 13, 1793.

Report of the tellers of the House, Messrs. William Smith and Lawrence, on the electoral vote for President and Vice-President. Jo. H. R., 119-120.

George Washington received 132 votes; John Adams, 77; George Clinton, 50; Thomas Jefferson, 4; Aaron Burr, 1.

2 C: 2 S.

February 13, 1793.

Report of Secretary of the Treasury Hamilton, on conduct of Treasury Department relative to loans negotiated under the acts of August 4 and 12, 1790. A. S. P., Finance, 1: 202-214.

Sets forth in detail the conditions and reasons which caused the Treasury Department to make foreign loans, etc.

The original document, folio, Childs and Swaine (Philadelphia), n. d. 31 p., is not in W. D. L. B. P. L.

2 C: 2 S.

February 13, 1793.

Letter of Secretary of the Treasury (Hamilton) with statements regarding loans made under the acts of August 4 and 12, 1790. A. S. P., Finance, 1: 215-218.

Contains instructions of President Washington and other statements bearing on the loans.

Original report, folio, Childs and Swaine, is not in W. D. L. B. P. L.

2 C: 2 S.

February 15, 1793.

Letter of Secretary of War Knox, favorable to petition of Capt. Jonathan Haskell, Second United States Regiment, for money lost in the public service, and petition of Col. Abraham Watson, Third Massachusetts Regiment, for professional services as physician and necessary medicine for American prisoners on Long Island in 1780. A. S. P., Claims, 69-70.

2 C: 2 S.

February 18, 1793.

Letter from Secretary of the Treasury Hamilton, explaining delay in presenting communication in answer to resolution of the House. Jo. H. R., 123.

2 C: 2 S.

February 19, 1793.

Message of President, on Indian affairs. Jo. H. R., 128. Richardson, 1: 136.

Treaty of conference to be held with the hostile Indians northwest of the Ohio; favoring provision for the expenses of commissioners to be appointed.

2 C: 2 S.

February 19, 1793.

Report of Secretary Thomas Jefferson, on Virginia bounty lands. A. S. P., P. L., 1: 80-81.

States the case and refers the question to Congress.

On petition of John Rogers, officer in corps of dragoons in the Virginia line.

2 C: 2 S.

February 19, 1793.

Letter from Secretary of War Knox, submitting estimate in connection with treaty conference with hostile Indians northwest of the Ohio. Jo. H. R., 128.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1241

2 C: 2 S.

February 19, 1793.

Letter from Secretary of the Treasury Hamilton, with statements and reports, under resolution of the House, January 23, concerning foreign loans, etc. A. S. P., Finance, 1: 223-234.

This is an additional statement to the reports of Hamilton to the House on February 13, 1793.

The original document, folio, n. d., n. p., contains pp. 1-20, broadside leaf, and p. 21, 22. It is not in W. D. L. B. P. L.

2 C: 2 S.

February 20, 1793.

Letter from Secretary of State Thomas Jefferson, explaining delay in reporting under House resolution, February 23, 1791, on privileges and restrictions of commercial intercourse with foreign nations, and reporting his readiness to submit such statements if now desired. Jo. H. R., 130. Not desired, see H. R. reports, February 25, 1793.

2 C: 2 S.

February 20, 1793.

Report of Secretary of the Treasury Hamilton, on national loans. A. S. P., Finance, 1: 223-234.

Defense of financial operations in connection with the Bank of the United States.

2 C: 2 S.

February 20, 1793.

Report, February 19, on national finances, from Secretary of the Treasury Hamilton. A. S. P., Finance, 1: 223-234.

2 C: 2 S.

February 21, 1793.

Letter of Secretary of War Knox, on petitions involving seven years' half pay to widows and children of officers killed, and indemnity to an invalid for expenses incurred by his wounds. A. S. P., Claims, 70-72.

Favorable to following petitions: Joanna, widow of Col. Thomas Gardner; Elizabeth, widow of Maj. Andrew McClary, Col. John Stack's regiment; Alpheus and Willard Moore, children of Willard Moore; Elizabeth Lincoln, widow of Willard Moore, of Colonel Doolittle's regiment; Sarah, widow of Col. Moses Parker; Abial, widow of Capt. Benjamin Walker, of Colonel Bridge's regiment; Josiah and John Harris; Stephen Lee and Polly Lee, children of First Lieut. John Harris, Second Connecticut Regiment; Margaret, widow of Capt. Abraham Riker, Second New York Regiment. Unfavorable to Peter Covenhoven, sergeant of militia on account of limitation.

Appended is a list of Continental officers who died in service previous to May 28, 1778, to whose widows or orphans seven years' half pay was granted—some seventy in number, as follows:

New Hampshire: Winborn Adams, Zachariah Beall, Frederick M. Bell, Andrew Colburn, Joseph Fay, Benjamin Shortridge, Joseph Thomas, and Joseph Wait.

Massachusetts: Jacob Allen, Joseph Andrews, Josiah Bragdon, David Bryant, Abner Cranston, Ebenezer Francis, Ezekiel Goodridge, Ephraim Jackson, Edward Kingman, William Perry, Benjamin Reed, Luke Roundy, John Skillings, Aaron Steel, John Thomas, Ebenezer Town, Edward Turner, Edward P. Williams, and Aldridge Wiley.

Rhode Island: Benejah Carpenter, Augustus Mumford, Sylvanus Shaw, and John Waterman.

Connecticut: Hezekiah Davenport, David Dimon, Jeremiah Parmelie, Nathan Stoddart, and David Wooster. (Also following officers died in service, not yet granted half pay: Judah Alden, David Barber, Stephen Brown, James Coon, Silas Dunham, William Douglas, John Durkee, Martin Eno, David Fellows, David Holmes, Solomon Howe, Nathaniel Kirkland, Alexander McLowrey, Noah Philips, Josiah Stoddard, and Charles Whiting.)

New York: Richard Montgomery.

New Jersey: Philip Johnson, Andrew McMeyers, and Daniel Neil.

Pennsylvania: (Due, but not yet allowed: James Caldenood, Benjamin Fowler, and Timothy Pierce.)

Delaware: Nathan Adams and Thomas Holland.

Virginia: Moses Hawkins, Hugh Mercer, John Humphries, and John Seayres.

2 C: 2 S.

February 21, 1793.

Letter from Secretary of War Knox, on petitions of Raleigh P. Downman, late captain of Georgia line, for pay; and Oliver Towles, for expenses in captivity during late war. Jo. H. R., 132.

2 C: 2 S.

February 22, 1793.

Report of Secretary of the Treasury Alexander Hamilton, on foreign loans. Ex. Docs.

Detailed statement of the conduct of the Department in negotiating foreign loans; loans in Holland and France; terms of the loans; statement of the appropriation for reducing the public debt, 1790-1792.

2 C: 2 S.

February 25, 1793.

Report of Vice-President John Adams, on the sinking fund. A. S. P., Finance, 1: 234-248.

Proceedings at the meetings of the Board of Commissioners; national indebtedness; stock purchased; action of the Board.

2 C: 2 S.

February 27, 1793.

Letter of Secretary of the Treasury Hamilton, pointing out that Treasury documents submitted to Congress have been printed in incorrect and confused manner, and suggesting remedies to prevent a recurrence of errors. A. S. P., Misc., 1: 68.

2 C: 2 S.

February 27, 1793.

Letter from Secretary of the Treasury Hamilton, on importations, tonnage, etc. A. S. P., Com., 1: 156-166. Jo. H. R., 145.

Abstract of goods, wares, and merchandise exported from each State for the year ending September 30, 1792. Abstract of duties arising on imports in 1791-92; abstract of duties on tonnage of vessels, 1791-92; total amounts of domestic and foreign tonnage. Also returns of impost and tonnage to the end of 1791.

House ordered 100 copies printed. This document, folio, (Philadelphia), Francis Childs and John Swaine, n. d., 7 unpagged leaves, is not in W. D. L. B. P. L.

2 C: 2 S.

February 27, 1793.

Message of the President of the United States. See Senate, this date.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1243

2 C: 2 S.

February 27, 1793.

Letter from Secretary of the Treasury Hamilton, submitting supplementary estimates for appropriations. Jo. H. R., 144.

2 C: 2 S.

February 27, 1793.

Accounts of Treasurer of United States of public moneys, October 1 to December 31, 1792. Original document, folio, n. d., n. p., not in W. D. L.

2 C: 2 S.

March 2, 1793.

Report from Secretary of War Knox, February 27, on petitions of James Adams, Lewis Anderson, John Ashton, Thomas Baker, Rufus Blodgett, Patrick Campbell, Charles Clingan, Robert Crooke, Charles Croxall, Thomas Davidson, John Davis, Stephen Drayton, William Frost, Nathan Fuller, Philip Greenwalt, James Groves, John Hoge, Timothy Hosmer, Joseph Howe, Rosina Jones, John Knight, Joseph Lawrence, Samuel Lindsley, William McKay, James McClure, Thomas Napier, David Henderson, and Alex. Low, Elizabeth Parker, Andrew Pepin, James Robertson, Christiana Rush, William Scott, Francis Schaffner, Joseph Smith, John Townes, and Leonard Walter.

Original document, folio, n. d., n. p., is not in W. D. L.

2 C: 2 S.

March 2, 1793.

Report from Secretary of War Knox, on petition of Canadian refugees. A. S. P., P. L., 1: 28, 29.

Recommendation that land promised by a resolve of Congress, April 23, 1793, be granted.

On petition of Thomas Faulkner, Edward Faulkner, Simeon Chester, Joseph Green, Prisque Trepagnie, Augustine Trepagnie, Gregoire Traham, Mary, widow of Francois des Jardins, and Margaret, widow of Francois Rebutaille.

2 C: 2 S.

March 2, 1793.

Report of Secretary of the Treasury Hamilton, on petition of Lewis and Charles Garanger for payments of certificates of debt for army services, for subsistence due as prisoners of war, and other expenses. Jo. H. R., 156.

2 C: 2 S.

March 2, 1793.

Letter from Secretary of the Treasury Hamilton, on revenue from domestic spirits, under order of the House, May 8, 1792. A. S. P., Finance, 1: 249-251.

Statement of the revenue on spirits distilled in the United States.

2 C: 2 S.

March 2, 1793.

Communications from the Secretary of the Treasury (Hamilton) to the House of Representatives of the United States. Printed agreeably to a resolution of the House, of the 2d of March, 1793, in an edition of 300 copies. Folio, Philadelphia. John Fenno. 1-63, broadside leaf, 65. B. P. L. Not in W. D. L.

REPORTS OF COMMITTEES.

2 C: 2 S.

November 7, 1792.

Whole. By Mr. Laurance, on President's message. Jo. H. R., 10. Recommends address by the House to the President.

2 C: 2 S.

November 8, 1792.

By Mr. William Smith, on petitions of merchants of Charleston, S. C. Jo. H. R., 10.

2 C: 2 S.

November 9, 1792.

By Mr. Madison, on address to the President. Jo. H. R.,
Considered by the House in Committee of the Whole, and amended
November 10; delivered November 12, on which day the President replied
Jo. H. R., 12, 13.

2 C: 2 S.

November 10, 1792.

By Mr. Madison, on wishes of the President as to time and place for
receiving the address of the House. Jo. H. R., 14.

President named noon of Monday, November 12.

2 C: 2 S.

November 13, 1792.

By Mr. Boudinot, on boundary line between Virginia and the territory
south of the Ohio. Jo. H. R., 15, 28.

Boundary between Virginia and the territory of the United States
south of the Ohio River; ordering a survey to determine the boundary
of the territory ceded to the United States by North Carolina.

2 C: 2 S.

November 20, 1792.

By Mr. Laurance, on message of the President. Jo. H. R., 20, 21.
Provision for widows and orphans of persons killed by the Indians;
foreign intercourse; measures for the redemption of the public debt;
reimbursement of the loan made by the Bank of the United States.

2 C: 2 S.

November 30, 1792.

By Mr. Tucker, on petition of William Dunbar, executor of George
Galpin. Jo. H. R. 30.

Report favorable for payment of Galpin's services as Commissioner
of Indian Affairs. December 5. p. 634. House acted unfavorably.

2 C: 2 S.

November 30, 1792.

Whole. By Mr. Sedgwick, on petition of the executors of Edward
Carnes. Jo. H. R., 30.

Inquiry to be made as to the necessary measures to settle claims
against the United States founded upon certificates granted on authority
of the United States.

2 C: 2 S.

December 6, 1792.

By Mr. Key, on petition of Woodrop and Joseph Sims. Jo. H. R., 35.

2 C: 2 S.

December 12, 1792.

By Mr. Gerry, on petition of Samuel Shaw. Jo. H. R., 38.

2 C: 2 S.

December 13, 1792.

Whole. By Mr. Sedgwick, on appropriations for 1793. Jo. H. R.,
39-53.

2 C: 2 S.

December 14, 1792.

By Mr. Livermore, on resurvey of lands at St. Vincennes on the
Wabash at public expense. Jo. H. R., 54.

Report favorable, Jo. H. R., 64.

2 C: 2 S.

December 14, 1792.

By Mr. William Smith, on petition of claimants for pensions. Jo.
H. R., 53.

PUBLIC DOCUMENTS OF EARLY CONGRESSES. 1245

2 C: 2 S.

December 17, 1792.

Whole. By Mr. Sedgwick, on petition of executors of Edward Carnes. Jo. H. R., 54.

Provides for settling claims against the United States within a limited period when based on certificate.

2 C: 2 S.

December 24, 1792.

By Mr. Benjamin Bourne, on petition of John Bartlett. Jo. H. R., 58.

2 C: 2 S.

January 1, 1793.

Whole. By Mr. White, on pension claims. Jo. H. R., 66.

To prevent improper claims and to facilitate proper claims; evidence shall be upon oath of true, decisive disability from known wounds; the claimant must have been honorably discharged; proved disability for two years after leaving service and its continuance; must be examined by two physicians upon oath, and his case must not have been rejected by any State prior to December 11, 1788. District judges are to act as commissioners, and the physicians are to be paid by the public.

2 C: 2 S.

January 2, 1793.

By Mr. Ames, on petition of Joseph Henderson. Jo. H. R., 68.

2 C: 2 S.

January 14, 1793.

By Mr. Silvester, on petition of Elijah Bostwick. Jo. H. R., 81.

2 C: 2 S.

January 15, 1793.

By Mr. Wadsworth, on petition of William Seymour. Jo. H. R., 82.

2 C: 2 S.

January 16, 1793.

By Mr. Benjamin Bourne, on war claims. Jo. H. R., 84.

On the memorials of the officers and soldiers of the Continental Army asking that the depreciation of the certificates of debt granted them for military services be made good to them. Committee reported adversely on the petition.

2 C: 2 S.

January 18, 1793.

By Mr. Sylvester, on petition of Ezekiel Scott. Jo. H. R., 86.

2 C: 2 S.

January 18, 1793.

Whole. By Mr. Steele, on petition of Joseph Henderson for services as naval paymaster, 1778-1782. Jo. H. R., 87.

Four hundred dollars allowed.

2 C: 2 S.

January 25, 1793.

By Mr. Parker, on petition of Thomas Wishart, late lieutenant of Virginia Line, for military services in late war. Jo. H. R., 93.

2 C: 2 S.

January 29, 1793.

By Mr. Benson, on petition of Robert Heaton for exemption of duties on imported stock. Jo. H. R., 99.

House resolved (Jo. 111) that duties on imported breeding stock be repealed.

2 C: 2 S.

February 1, 1793.

By Mr. Giles, on petition of James Warrington, attorney of Joseph Blatchford, of Harris & Blatchford, due from United States in connection with the estates of John Banks and General Greene. Jo. H. R., 101.

Favorable, see Jo. H. R., February 20.

2 C: 2 S.

February 1, 1793.

By Mr. Greenup, on petition of Richard Cheynowith for services during late war. Jo. H. R., 103.

Report unfavorable.

2 C: 2 S.

February 6, 1793.

By Mr. Murray, on claim of S. Thayer. Jo. H. R., 109.

Petition of Simeon Thayer for pension for military services in the war of the Revolution.

2 C: 2 S.

February 6, 1793.

By Mr. Dayton, on the pension list. Jo. H. R., 108.

Provision for placing soldiers disabled in the service upon the pension list.

2 C: 2 S.

February 7, 1793.

By Mr. Bourne, on a drawback on cordage. A. S. P., Finance, 1: 202.

Recommendation that a drawback equivalent to the duty paid on hemp be allowed to the exporter of cordage, lines, twine, and pack thread.

2 C: 2 S.

February 9, 1793.

By Mr. Goodhue, on Senate bill for licensing coasting and fishing vessels. Jo. H. R., 115, 116.

2 C: 2 S.

February 11, 1793.

By Mr. William Smith, on counting the electoral votes. Jo. H. R., 117.

Method of counting the votes for President and Vice-President; appointment of tellers to make a list of the votes; President of the Senate to announce the result.

2 C: 2 S.

February 14, 1793.

By Mr. Wadsworth, on petitions of French inhabitants of Gallipolis. Jo. H. R., 121.

2 C: 2 S.

February 14, 1793.

Joint. By Mr. William Smith, on mode of examining the votes for President and Vice-President. Jo. H. R., 121.

That President Washington be notified of his unanimous reelection.

2 C: 2 S.

February 15, 1793.

By Mr. Bourne, on the duty on paper and rags. A. S. P., Finance, 1: 223.

Inexpedient to reduce existing duties on imported printing paper; exemption from all duty on rags recommended.

On petition of printers and booksellers of Philadelphia.

2 C: 2 S:

February 15, 1793,

By Mr. Giles, on the St. Clair defeat. A. S. P., Mil. Af., 1: 41-44.

Supplementary report correcting mistakes in the original one.

The committee considered the prior report, the memorial of Samuel Hodgdon, and heard other testimony.

2 C: 2 S.

February 18, 1793.

By Mr. Hillhouse, on petition of Ephraim Kimberly asking confirmation to land preempted at mouth of Ohio River. Jo. H. R., 124,

PUBLIC DOCUMENTS OF EARLY CONGRESSSES. 1247

2 C: 2 S. February 18, 1793.

By Mr. Giles, on petition of Miranda, widow of William Steger, for money due his estate. Jo. H. R., 123. Unfavorable.

2 C: 2 S. February 18, 1793.

By Mr. Murray, relative to transmission of newspapers by mail and on other Post-Office regulations. Jo. H. R., 124.

2 C: 2 S. February 18, 1793.

By Mr. Hillhouse, on petition of Francis Kellar, asking confirmation to land preempted at mouth of Indian Short Creek, Ohio. Jo. H. R., 123.

2 C: 2 S. February 19, 1793.

By Mr. Dayton, on Canadian refugees. A. S. P., P. L., 1: 28.
On petition of John Blake, Joseph Bindon, John D. Mercier, and Benjamin Thompson. Promises of the United States recited and donations of land recommended.

2 C: 2 S. February 22, 1793.

By Mr. Parker, on petition of Raleigh P. Downman. Jo. H. R., 134. See H. R. documents February 21.

2 C: 2 S. February 25, 1793.

By Mr. Giles, on commercial intercourse of the United States with foreign nations. Jo. H. R., 140.

Report of Secretary of State not desired, see House documents, February 21, 1793.

2 C: 2 S. February 26, 1793.

By Mr. Laurance, on petition of Lewis Pintard for drawbacks on wine exported. Jo. H. R., 141.

2 C: 2 S. February 27, 1793.

By Mr. Williamson, on exports from October 1, 1791, to September 30, 1792, and returns of imposts and of tonnage to end of 1791. Jo. H. R. 145.

House ordered 100 copies of above papers to be printed for use of both Houses.

2 C: 2 S. March 1, 1793.

By Mr. Fitzsimons, on memorial of Arthur St. Clair for negotiating an Indian treaty in 1787. A. S. P., Claims, 73.

Favorable to petitioner.

2 C: 2 S. March 1, 1793.

By Mr. Muhlenberg, on censuring Secretary Hamilton. Jo. H. B., 151-156.

Upon the resolutions censuring the Secretary of the Treasury; proceedings of the House regarding the resolutions; exhibit of the votes on the several propositions.

Resolutions, introduced February 28, were to the effect that specific appropriations should be strictly observed; that a violation of law making appropriations of money is a violation of the Constitution; that Secretary Hamilton had violated the law by applying part of a loan to payment of interest on that loan, and by drawing moneys into the United States without the instructions of the President; that he had

deviated from the instructions of the President in making loans; that the Secretary of the Treasury has failed to give Congress due official information as to moneys drawn from Europe; that he has drawn more of the Holland loan than the President has authorized, and failed to give proper information to the Commissioners of the Sinking Fund; that his loan to the United States Bank was not in the public interest; that the Secretary of the Treasury was guilty of an indecorum by aspersing the motives of the House and by failing to give necessary information under resolutions of January 19, and November 22, 1792.

2 C: 2 S.

March 2, 1793.

By Mr. Fitzsimons, on printing Treasury reports. Jo. H. R., 156. A. S. P., Misc., 1: 69.

Upon the statement of the Secretary of the Treasury regarding inaccuracies in printing his communications to the House; recommending that 300 copies of the said reports, etc., be printed under the direction of the Secretary of the Treasury. See documents, same date.

2 C: 2 S.

March 2, 1793.

By Mr. Parker, on petition of Francisco Floridii for wounds received in service. Jo. H. R., 158. Unfavorable.

2 C: 2 S.

March 2, 1793.

By Mr. Heister, on petition of William Krow for reward for improvement of guns and powder. Jo. H. R., 160.

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XXIII.—LIST OF BOOKS RELATING TO AMERICA IN THE REGISTER
OF THE LONDON COMPANY OF STATIONERS, FROM 1562 TO 1638.

By P. LEE PHILLIPS.

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H. Doc. 353—79

1249

LIST OF BOOKS RELATING TO AMERICA IN THE REGISTER OF
THE LONDON COMPANY OF STATIONERS, FROM 1562 TO 1638.

By P. LEE PHILLIPS.

The most interesting of the many guilds of the Middle Ages in England is that of the London Company of Stationers. Originally a voluntary brotherhood, and so called from keeping fixed stands or stalls as distinguished from itinerant vendors, it was formed for mutual protection and profit, but became in course of time all powerful in the world of letters. In existence over three hundred years, the company has maintained its integrity to the present day and benefited the literary world by keeping a list of books of the most unique description.

What memories of the past crowd our thoughts when we read in its Register the first mention of Shakespeare's name: "Entered for their copies under the hands of Wardens Two books the one called Much a Doo about nothing, The other the second parte of the history of Kinge Henry 111Jth. with the humours of Sir John Ffallstaff: Wrytten by Master Shakespere 23 Aug. 1600."

The company received its first charter from Philip and Mary, 1556; this was renewed by Elizabeth in 1588; amplified by Charles I in 1634, and confirmed by William and Mary in 1690, which is the existing charter of the company.

The company kept a register of its money accounts, and in this we see inserted the most unique list of books to be found in the literature of any country. Edward Arber has edited it in four volumes under the title, "A Transcript of the Register of The Company of Stationers of Loudon, 1554 to 1640." From this I have culled all titles relating directly or incidentally to America.

To the bibliographer much interest is found in the occasional change in titles of books as entered from the titles as published, in the mention of the authors of anonymous books, and also in the time elapsing from the entry of the title to that of the publication. For example, the title of Capt. John Smith's "True

relation of such occurrences and accidents of noate as hath hapned in Virginia since the first planting of that Colony" is found entered as "A true relation of suche occurrences and accidentes of note as have happened in Virginia synce the first plantinge of that colonye which is now resident in the south parte of Virginia till Master Nelson comminge away from them, &c." This title is of unusual interest in containing Nelson's name and giving a fixed date to its history.

"A Good Speed to Virginia" was published anonymously and the dedication signed R. G.; the Register gives Robert Gray as author. Sir Walter Raleigh's History of the World was entered 15 April, 1611, and not printed until 1614. I could point other examples, but the list is of such interest in itself that I shall not specify further.

22 July, 1562—22 July, 1563.

Dyscription (The) of Terra Floryda &c.

22 July, 1562—22 July, 1563.

Commendation (A) of the aduenterus viage of the worthy Captain M. Thomas Stutely Esquyer and others towards the land called Terra Florida.

Ballad Reprinted by Mr. Collier in Old Ballads, p. 73, ed. 1840.

22 July, 1564—22 July, 1565.

Ballett (A) made oue beyinge greatly impoverysshed by the viage prepared to Terra Floryday &c.

22 July, 1566—22 July, 1567.

Discription (A) of the laste Wayge by Captayne Rybawlde into Terra Floryda &c.

22 July, 1567—22 July, 1568.

Cosmographye (The) of Peter Apyan.

30 January, 1578.

Description (A) of the purtrayture and shape of those strange kind of people whiche the wortheie master Martin Ffourbosier brought into England in Anno 1576 and 1577.

7 February, 1578.

Conqueste (The) of the West Indies nowe called Newe Spayne achieved by Hernando Cortes. Englished by T. N.

10 March, 1578.

Brief (A) Declaracon of all the portes, creekes, baies and havens conteyned in the west ludies, the originall whereof was Dedicated to the mightie kinge Charles the V. Kinge of Castile.

13 May, 1578.

Pamphlet (A) in the praise of master Captaine Ffrobisher in forme of *A farewell at his Third voiage in May 1578 by the northe[a]st seas toward the Iland of Cataca.*

LIST OF BOOKS RELATING TO AMERICA. 1253

22 November, 1578.

True (A) discourse of the voiaiges of master Captaine Ffrobissher for a discouery to Cataia by the Northwest nowe called Meta incognita. Devided into iij bookes Conferred and sett out by the consent of the generall and all the Captaines of the whole company.

7 June, 1580.

True (A) discourse of Captaine Carthieis navigacon into the northwest partes of America.

4 January, 1581.

Discours (A) in commendacon of the valiante and verteons mynded gentleman master Ffrauncis Drake.

13 January, 1581.

Discoverie (The) and Conqueste of Perin (i. e. Peru) in the Southe Sea with the warres betwene Don Francisco De Pizarro and Don Diego De Almagro written in iij bookes by Augustyne Sarat and Translated into Englishe.

21 May, 1582.

Diuers voiaiges towchinge, the discou(e)r(y) of Armerica.

1 August, 1586.

Crueltie (The) of ye Spaniardes toward th(e) Indians.
Ballad.

2 May, 1587.

Voyage (The) whiche Antonio De Espeio made in the yeere (15)83 of the dyscoverye of Newe Mexico.

15 June, 1587.

Most (The) fortunate and honorable service for England performed by Sir Ffraunces Drake the 19 of Aprill 1587 with his latest exploitoea.

3 November, 1588.

Master Caundishe (i. e. Cavendish) his voiage who by travel compassed the globe of the World, Arryvinge in England with habundaunce of treasure.

Ballad.

14 November, 1588.

Master Ca(ve)ndisches shippe Called the "Desyer" before the Quenes maiestie at her Court at Grenwich the 12 of November 1588 &c.
Ballad.

26 November, 1588.

Voyadge (The) into the West Indyces made by Sir Ffraunces Drake Knighte.

1 September, 1589.

Voiaiges (The) and Discouerees of th(e) Englishe nation.

16 May, 1590.

Brief (A) discourse dialoge wise shewinge howe false and dangerous their reportes are which affirme the Spanyardes intendid invasion is for r(e)establishment of the romische Religion, her maiesties allyance with ye Netherlanders &c. and Sir Ffraunces Drakes enterprise three yeres past in the West Indies.

10 August, 1590.

Brief (A) and new description of the worlde, to be printed as well in Du(t)che as in English.

12 October, 1590.

Life (The) and fortune of Don Ffrederigo Di Terra Nuova &c.

26 March, 1595.

Nobilta (La) del L'asino, de Attabalippa dal Peru Provincia del Mondo novo, to be translated into Englishe.

1 June, 1595.

Worldes (The) hydrographical description.

14 June, 1595.

Seamans (A) coragious welcome to the Soldiers prepared for the voyage of Sir Ffraunces Drake and Sir John Hawkins Knights.

12 October, 1595.

Noblenes (The) of the Asse by Atta Balippa of Peru a province in the Newe World.

12 November, 1595.

Itinerarum del Nouo Mondo. to print in English.

28 January, 1596.

Conquest (The) of the West Indies by Hernando Courtis.

15 March, 1596.

Discoverie (The) of the large, ritche and bewtifull Empire of Guiana, with a relation of the great and golden Cittie of Manoa, which the Spaniards call Eldorado and the provinces of Emerea, Aromaya. Amapaya and other Cointries with their Ryvers adioynning performed in the yere 1595, by Sir W. Raleigh.

15 October, (1596).

Relation (The) of the second voyage to Guiana performed by Lawrence Keymis. gent.

21 June, 1597.

Description (The) of the whole coast of Guinea, Manicongo Angola, Monomotapa, &c. The description of the card of Madagasca(r) otherwise called the I[s]land of Sainct Laurence &c. with a Large Description of the West Indies with their cardes &c.

Part of Linschoten's Voyages, &c. as printed by J. Wolf.

14 June, 1598.

True (A) description of Three voyages by sea, whereof the world as yett, hath had but small intelligence. Three yeeres one after another by the Hollanders and Zelanders by north Norway, Muscovya and Tartaria, to the Kyngdome of Cattay and Chyna, Together with the discoverye of the Weygattes, Nova Sembla, and of the land of 80 degrees, which hath benne taken for Greenland, whereas yett there hath no man dwelt. And of the feirce Beares and other Sea monsters, and marveyulous could, and how in the last voyage, the shippe is bestt in Iyce, and thatt our men beinge under 76 degrees of Nova Sembla, built them a howse, and Remayned there 10 monthes and after that Ryd in little slight vesselles alongest the sea. CCCL. (350) miles alwaies with verye greate Daunger and incredible labour. By Jerrett De veer of Amsterdam.

LIST OF BOOKS RELATING TO AMERICA. 1255

3 January, 1600.

Thresor des chartes. Contenant les tableaux de tous les pays du monde enrichie de belles descriptions et nouvellement mys en lumiere.

4 January, 1601.

Naturall (The) and moral historie of the Indies. Written firste in the Spanishe to(u)nge by Joseph Acosta Jesuit and translated into Englishe by E. G. &c.

20 April, 1601.

Travaylers (The) breviato Or the Description of the world.

25 June, 1601.

Caveat (A) for tobacco.

4 January, 1602.

Defence (A) of Tobacco with a friendly answer to the late printed booke Called "woorke for Chymney swepes."

30 March, 1602.

Matamorphosis (The) of Tabacco.

19 April, 1602.

Defence (A) of Tabaccho and the true vse thereof.

27 October, 1602.

Discouerie (A) of the northe partes of Virginia by John Brierton. Anno Domini 1602, October 27.

(i. e. the Court was held on the 17th and this entry made on the 29th of the month.)

2 June, 1605.

Mundus Alter et Idem. Sive terra Australio antehac semper incognita longis Itineribus Peregrini Academici Lustrata Authore Mercurio Britannico.

(i. e. Bishop Joseph Hall.)

A satirical romance in the style of Gulliver's Travels (of which it is said to have been the prototype,) by Bishop Hall, the author of Virginemiae. It obtains a place here because two of the maps includes a delineation of America.

2 May, 1607.

Lyfe (The) of the sylkewormes with the plantinge of the Mulbery trees.

8 March, 1608.

Geographical (A) Discription of all th(e) empires and Kingdomes bothe of Continent and (gs) Landes in this terrestiall globe.

13 August, 1608.

True (A) relation of suche occurrences and accidentes of note as haue happened in Virginia synce the first plantinge of that Colonye which is nowe resident in the south parte of Virginia till master Nelsons comminge away from them &c.

18 January, 1609.

Discouery (The) of a newe world or a descripcion of the South Indyes hitherto vnknown by an English Mercurye.

18 February, 1609.

Nova Britania offeringe fructes by plantinge in Virginia.

3 May, 1609.

Good (A) speed to Virginia by Robert Gray.

8 May, 1609.

Sermon (A) preached at White Chappell the 25th of Aprill 1609 in the presence of the adventurers and planters for Virginia by William Simons, Lecturer at Sainte Saviour in South warke.

12 June, 1609.

Nova Ffrancia or the Description of yat parte of newe Ffrance which is one coutinent With Virginia. Translated out of Ffrench into Englishe.

14 December, 1609.

Gardiners (The) garden or a tryall of Tabacco by master Edmund Gardiner gent(leman) and practitioner in Plisique.

14 December, 1609.

True (A) and sincere declaracon of the purpose and endes of the plantacon begunne in Virginia, of the degrees whiche it hath received, and meanes by whiche it hath bene advanced, and the resolucon and conclusion of his maiesties Councell of that Colonye for the constant patient prosecucon thereof &c.

John Stepney. Entered for his copy vnder th(e h)andes of the Lord Delaware, Sir Thomas Smithe, Sir Waller Coxe &c.

19 March, 1610.

Sermon (A) preached in London before the righte Honourable the Lord Delaware Lord gouernour and Captayne generall of Virginia and others of his maiesties Councillours for that Kingdome, 21st of february (1610) last, entitled a neweyeres gyfte to Virginia by master Crashawe preacher at the Temple.

17 May, 1610.

Manners, (The) lawes, customes, and scituations of all nations, collected out of the best writers by John Bohemus Aubanus a Dutchman translated out of Latine into Englishe.

8 November, 1610.

True (A) declaration of th(e) estate of the Colony in Virginia, with a Confutacon of suche scandalous reportes as have tended to the disgrace of so worthy an enterprise, published by advice and direccion of the Councell of Virginia.

William Barret. Entered for his Copy vunder th' (h)andes of Sir Thomas Smithe, Sir Maurice Barkley, Sir George Coppin and master Richard Martyn and Th' wardens.

15 April, 1611.

History (The) of the world written by Sir Walter Rawleighe. (Not printed till 1614.)

6 July, 1611.

Ralacoon (The) of the righte Honourable the lord Delaware Lord Gouvernour of the Colonye planted in Virginia made to the Lords and others of the Councell of Virginia touchinge his onexpected returne home, And after delyuered to the generall assembly of the sayd Councell, att a Courte holden the 25th of June 1611 published by Aunthority of the sayd Councell.

16 August, 1611.

Laste (The) newes from Virginia, beinge an encouragemente to all others to followe that noble enterprise &c.

A ballad.

13 December, 1611.

Articles, lawes, and orders, dynyne, politique, and martiall, for the Colonye in Virginia, first established by Sir Thomas Gates Knighte the leiftenant generall the 24th of May 1610, exemplefyed and approued by the righte Honourable Sir Thomas West Knighte Lord Delaware Lord governour and Captayne generall the 12th of June 1610 agayne exemplyfyed and enlarged by Sir Thomas Dale Knighte martiall and Deputy governour the 22th of June 1611.

24 February, 1612.

Publicacon (The) of the lotary (i. e. lottery) for Virginia Master Welbye. Entered for his copy vnder th(e h)andes of Sir Thomas Smithe Knighte and Master Lownes warden.

9 April, 1612.

Ffowrthe (The) Decade of Peter Martyr a Myllenoy of Angleria written to Pope Leo the Tenth nowe first sett forthe and examyned.

1 May, 1612.

Lottaryes (The) best prize declaringe the former successe and present estate of Virginia plantacon.

Master Welby. Entered for his Copy vnder th' (h)andes of Sir Thomas Smithe, Sir Dudley Digges Knightes, master Robert Johnson and Th(e) wardens.

16 May, 1612.

Publicacon (A) by his maiesties councill of Virginia touchinge the deferringe of the Lotterye.

2 July, 1612.

Lottery (The) for Virginia opened the xxixth of June 1612 declaringe the names of suche as have prices or rewardes.

Master Welbye. Entered for his Copy vnder th(e h)andes of Sir Thomas Smithe Knighte and master Lownes warden.

7 August, 1612.

Purc(h)as his Pilgrimage or relacons of the world and religions both heathenish and christian obserued in all ages and places denyded into ffoure bookes or volumes collected by Samuell Purc(h)as mynister of Eastwood in Essex.

8 January, 1613 (i. e. 1614).

Indenture (An) for the Compounders for seed Corne granted to certayne persons vnder the broad seale of England.

9 March, 1613 (i. e. 1614).

Declaracon (A) of the presente estate of the English in Virginia with a finall resolucion concerning the Great Lotterye intended for the(i)re supply.

Ffelix Kingston. Entered for his Coppee vnder the handes of Sir Thomas Smith and master warden ffield.

23 September, 1613.

Relacon (A) of a voyage to Guiana performed by Robert Harcourt of Stanton (Harcourte in the County of Oxon Esquire Contayning a narracou of ye Climate & of ye Country with an Advertisement of ye province of Arricary &c. Seated within that territory.

28 June, 1614.

Publicacon (A) for the Plantacon in Guiana.

29 November, 1614.

Advise (An) howe to plant tobacco in England written by C. T.

2 December, 1614.

States (The) emperes and principalities of the worlde Translated out of Ffrench by Edward Grimston &c.

3 June, 1616.

Discription (A) of New Englande by John Smithe.

5 June, 1616.

Tobacco, and the fidders Ca(t)ch.

A ballett.

17 June, 1616.

Tobacco tortured or the The filthie fume of Tobacco refined.

13 December, 1616.

Tobacco battered or The pipes scattered &c. by Josuah Silvester.

17 March, 1617 (i. e. 1618).

Relation (A) of the gouer(n)ment of Sir Walter Rawleughs fleets.

7 November, 1617.

Terra Australis incognita translated into English.

13 April, 1619.

Relation (A) of a Voyage and Discouerie of a nen Passage into the south Seas, by William Cornelis Shouten van Hoorn Done in the yeares 1615, 1616 and 1617.

(The new passage was the route round Cape Horn).

16 February, 1620 (i. e. 1621).

Plaine (A) and true relation of the goodnes of God towards the Summer I(s)lands, by Lewes Hughes.

5 May, 1623.

True (A) Relation of that which hapned in September (1622) last to the great Spanish fleet, in America. translated out of Spanish.

11 July, 1620.

Declaration (A) of the state of the Colony and affairs in Virginia with the names of the (a)dventurers and some adventured in that Action.

Entered vnder the handes of certaine of his maiestis Councell for Virginia.

26 August, 1620.

Discourse (A) and discouery of New-found-land, with manie reasons to proove howe worthe and beneficiall a plantation there may be made after a farre better manner then now it is. written by Captaine Richard A. Whitmore of Exmouth in Deuon.

See also transfer to Master Parker 3d April 1626 v. 4. p. 120.

LIST OF BOOKS RELATING TO AMERICA. 1259

- 23 September, 1620.
 Briefe (A) and accurate treatise concerninge the taking of the fume of tobacco, written by Tobias Vennor.
- 11 December, 1620.
 Newe Englands tryall, by John Smith.
- 19 January, 1621 (i. e. 1622).
 Platt (A) or mappe of Bermudas or the summer Islands made by Richard Norwood.
- 11 December, 1621.
 Hacluins (i. e. Hakluyt) his Posthumus, or Purchas (his) Pilgrim.
- 22 March, 1621 (i. e. 1622).
 Sermon (A) preached at Plymouth in New England, December 9, 1621. Together with a *preface shewing the State of the Countrie, and Condition of the Inhabitants*. (This sermon, which is traditionally attributed to Robert Cushman, was preached to the Pilgrim Fathers towards the end of their first year's settlement in New England, and is believed to be the earliest printed document relating to them after their arrival in America.)
- 13 April, 1622.
 Strange newes, out of diners countries, neuer discovered till of Late, by a strange Pilgrim in those parts. (? by Nicholas Breton).
- 18 May, 1622.
 Virginia's God to be thanked, preached by Patrick Copeland at Bowe church in Cheapside.
- 29 June, 1622.
 Newes from newe England.
- 10 July, 1622.
 Mo(u)rninge Virginia (or ? Virginia).
- 15 July, 1622.
 Breife (A) Relation of the Discouerie and Plantation of Newe England.
- 17 July, 1622.
 Discourse (A) of the West Indies, showing how necessary and convenient it is for the Vnited Netherland Prouinces to trade thither.
- 24 July, 1622.
 Discipline (The) of the Sea historie, In the obseruacons which Sir Richard Haukins made, in his south sea voyage. Anno Domini 1593.
- 21 August, 1622.
 Declaration (A) of the state of the Colony of Virginia with the Relation of the Massacre of the English, by the Natine Infidells with the names of those that were then Massacred.
- 31 August, 1622.
 Newe (A) and accurate Map of the world, drawne according to the truest descriptions, latest discoueries, and best obseruacions that have been made by English or Strangers, with briefe notes vpon the whole Body of Cosmography.
- 11 September, 1622.
 Late (The) massacre in Virginia.
 A Poem.

28 November, 1622.

Sermon (A) vpon the 8th verse of the first Chapter of the Acts of the Apostles preached to the honorable Companie of the Virginia plantacon. by John Dun (i. e. Donne) deane of Saint Paules church in London.

14 November, 1623.

True (A) Relation of things very remarkable at the Plantation of Plymouth in New-England, shewing the wonderous prouidence of God in y^eir (their) Preseruacon &c. made by E(dward W(inslow).

12 July, 1624.

History (The) of Virginia The Summer Ilands and newe England by John Smith.

7 September, 1624.

Incouragement (An) to Coronells (or rather Colonies) by Sir William Alexander.

9 July, 1625.

Discourse (A) of the seas and navigacions with some things thereto Concerning Plantacions by John Hagthorpe.

23 October, 1626.

Accidence (An) or pathwaye to experience necessarye for all yong sea men &c. By Captaine John Smith.

23 October, 1626.

Memorable (A) relation of the rare occurrences in a third voyage made by Sir Ffraunces Drake into the west Indies in the yeares (15) 72 and (15) 73 when Nombre De Dios was by him and feftye two others only in his Companye surprized written by Sir Ffrances Drake (the younger).

25 November, 1626.

Hymnus tabaci autore Raphaele Thorio.

13 August, 1627.

Sea (A) grammer by Captain John Smith.

4 June, 1628.

Quodlibettes, latelye come over from new Britniola old Newfoundland by R(oberth H(ayman).

26 Febrnary, 1629 (i. e. 1630).

Truce (The) at this presente propounded betwixt the States of Holland and the West India Company.

6 March, 1629 (i. e. 1630).

Newes from New England or Old Englandes new birth.

29 August, 1629.

True (The) travells aduentures and observacions of Captaine John Smith in Europe Asia &c. from Anno Domini 1593 to 1629.

3 October, 1629.

Sermon (A) preacht before the West Indie Company at Saint Buttolpho (church) Aldergate (London) by master Doctor Filatthey.

26 November, 1629.

Vlisses Britanicus, or the Travalours pockett boke transcribed out of the memorialsle of (Sir) Francis Drake Knight.

LIST OF BOOKS RELATING TO AMERICA. 1261

6 April, 1630.

Letter (A) from the Bermudoes (i. e. Bermuda) concerninge a fearefull storme which happened in those Island in August (1629) last &c.

21 May, 1630.

Humble (The) request of his majesties loyall subiects the gouernor and the Company late gone to New England to the rest of their brethren in the Church of England.

3 July, 1630.

Gods promises for the Plantacion in New England by master Cotton.

8 July, 1630.

Breife (A) survey of the Colonyes of New England.

30 September, 1631.

Gods power and providence shewed in the miraculous preservacion and Deliuernance of Eight Englishmen left by mischance in Greenland 1630 faithfully reported by Edward Pellham one of the eight men aforesaid.

8 November, 1632—19 December, 1632.

Gerrardi Mercatorio Atlas siue Cosmographicae Meditaciones de ffabrica Mundi et fabricati figura both in Latyn and English.

19 March, 1633.

Strange (The) and miraculous voiage of Captayne Thomas James to the South sea for the discouery of the North west passages begunn in the yeare 1631 and ended in 1632 by the said Captain Thomas James.

18 November, 1633.

New Englandes Canaan (,) composed in 3 bookes &c. by Thomas Mooreton.

25 January, 1634.

Itinerary (An) of some yeares Travals through diuers parts of Asia and Affricke &c. by Thomas Herbert Esquire.

NOTE.—At the end of Herbert's work is a curious Discourse, intended to prove that Prince Madoc of Owen Gwynedd discovered America about 300 years before Columbus's first voyage.

3 March, 1634 (i. e. 1635).

Mercators Atlas the greater his Cosmographically description of the fabrique and figure of the World in Latyn or English.

7 July, 1634.

New Englands Prospects &c. by William Wood.

3 November, 1634. Second part 4 March, 1636.

Christianographie or the description of the multitude of true Catholique Christians in the world not subject to the Pope &c. by master Ephraim Pagett.

3 March, 1637 (i. e. 1638).

Christians (The) map of the world by E. S.

13 November, 1637.

True (A) Relacon of the late Battell fought in New England &c.

14 November, 1637.

Merchants (The) mapp of commerce &c. By Lewis Robertes Merchant.

NOTE.—Contains a map and description of American commerce.

26 April, 1638.

News from America by captain John Vanderhill.

XXIV.—A CONTRIBUTION TOWARD A BIBLIOGRAPHY OF LEOPOLD
VON RANKE.

By WILLIAM PRICE.

1263

c^o

X

A CONTRIBUTION TOWARD A BIBLIOGRAPHY OF LEOPOLD VON RANKE.

By WILLIAM PRICE.

[NOTE.—This bibliography was prepared by my friend Mr. Price at my suggestion and with the hope that it might prove of service to students and librarians. The second part is not, of course, complete, yet it comprises a very large part, and perhaps the most valuable part, of the recent Ranke literature. Special acknowledgment is due to the "Literaturangaben" in Guglia's *Leopold von Ranke's Leben und Werke*, and to the list of works appended to Professor Adams's paper in the *Papers of the American Historical Association*. 1888. Titles taken from these lists are indicated by appending (G.) or (A.) as the case may be. Ranke's works are arranged mainly in the order of publication.—EDWARD G. BOURNE. April 27, 1896.]

1. GESCHICHTEN der romanischen und germanischen Völker von 1494–1535. 1er Bd., gr. 8. Berlin, 1824.
2. ZUR KRITIK NEUERER GESCHICHTSSCHREIBER. Eine Beilage zu vorstehenden Werke. gr. 8. Berlin, 1824.

These pioneer works occupy vols. 33–34 of the *Sämmtliche Werke*. Nos. 1 and 2 appeared in a second edition (*Neue Jubel-Ausgabe*) in 1874, at Leipzig, and in a third edition in 1885. In these subsequent editions the latter part of the title reads "von 1494 bis 1514."

3. HISTORY OF THE LATIN AND TEUTONIC NATIONS, 1494–1514.

Translated by P. A. Ashworth, translator of Dr. Gneist's *History of the English Constitution*. 12 mo. London, 1887, G. Bell & Son. (Bohn's Library.) (This translation is defaced by many mistakes and should be carefully revised. E. G. B.)

4. FÜRSTEN UND VÖLKER VON SÜD-EUROPA im 16. und 17. Jahrh. 1er Bd., gr. 8. Hamburg, 1827, Perthes. A continuation of this work appeared in 1834 under the following title: (No. 5, below.)
5. FÜRSTEN UND VÖLKER VON SÜD-EUROPA im 16. und 17. Jahrh.: Die römischen Päpste, ihre Kirche und ihr Staat im 16. und 17. Jahrh. Vornehmlich aus ungedruckten Gesandtschafts-Berichten. 1. Band. Berlin, 1834.

A second edition of both parts was published in four volumes. Berlin, 1837–1839. In this and subsequent editions the first part is entitled: *Die Osmanen und die spanische Monarchie im 16. u. 17. Jahrh.* Third edition of the second part (*Die römischen Päpste*), 1844; fourth, 1854–6; fifth, 1866–7; sixth, with the title: *Die römischen Päpste in den letzten vier Jahrhunderten*, 1874. This new title was used in the later editions, of which the seventh appeared in 1878 in two forms, one with and one without the extracts from the sources; eighth (including the extracts); ninth, 1889. (*Sämmtliche Werke*, 37–39.) The third edition of *Die Osmanen und die spanische Monarchie* appeared in 1857, and a fourth ("erweiterte") in 1877. *Sämmtliche Werke*, 35–36.

1265

6. HISTOIRE DES OSMANLIS et de la monarchie espagnole pendant les xvi^e et xvii^e siècles. Traduite de l'allemand et accompagnée de notes, par M. J. B.-Haiber. Paris, 1839. 8vo.

Reprinted in 1845 under the title: L'Espagne sous Charles V, Philippe II et Philippe III, ou les Osmanlis, etc. 3d ed. Paris, 1873.

7. THE OTTOMAN AND SPANISH EMPIRES in the sixteenth and seventeenth centuries.

Translated by Walter K. Kelly. London, 1843; Philadelphia, 1845; London, 1854. 8vo.

8. LOS IMPERIOS otomano y español en los siglos xvi y xvii, por Leopoldo Ranke, autor de las dos historias tituladas: Historia de los Pontífices Romanos e Historia de la Reforma, así como de otros varios escritos. Obra traducida al inglés de la última edición alemana, por Walter K. Rely [sic], esq., B. N. de Trinity College, Dublin. Publicada en Filadelfia, etc., y vertida del Inglés al castellano por Gerónimo Erauso. Madrid, 1857. 4to.

9. HISTOIRE DE LA PAPAUTÉ PENDANT les xvi^e et xvii^e siècles, traduite de l'allemand par J. Haiber. Publiée et précédée d'une introduction par M. Alexandre de Saint-Chéron. Paris, 1838. 4 vols., 8vo.

Second edition, "augmentée d'une introduction et de nombreuses notes historiques et critiques, continuée jusqu'à nos jours, par A. de St. Chéron. 2^e éd. corrigée et considérablement augmentée d'après la 2^e éd. allemande." 3 vols. Paris, 1848. 8vo.

10. THE ECCLESIASTICAL and Political History of the Popes of Rome during the Sixteenth and Seventeenth Centuries. Translated from the German by Sarah Austin. 3 vols., 8vo. London, 1840; also Philadelphia, 1841, 2 vols., 8vo. 2d ed., London, 1841; 3d, 1846; 4th, 1866.
11. THE HISTORY OF THE POPES, their Church and State, translated from the last edition of the German, by Walter K. Kelly. London, 1843; Philadelphia, 1845, and London, 1853. 8vo.
12. A TRANSLATION by "Mr. Scott," with an essay by J. H. Merle d'Aubigné, 2 vols. 8vo. Glasgow, 1846. New edition, Glasgow, 1851.
13. THE HISTORY OF THE POPES, their Church and State, and Especially of their Conflicts with Protestantism in the Sixteenth and Seventeenth Centuries. Translated by E. Foster. London, 1847-48. 3 vols., sm. 8vo. (Bohn's Standard Library.) Repeatedly printed.
14. STORIA DEL PAPATO NEL 16^o e 17^o secolo, annotata e continuata fino ai giorni nostri da Aless. de St. Chéron; trad. di Eman. Rocco. Napoli, 1862. 3 vols. 8vo.
15. HISTORIA PAPIEZY I PAPISTWA, przekład Walerego Przyborowskiego i T. Skomorowskiego. Warsaw, 1875-76.

NOTE ON THE TRANSLATIONS.—No. 6 is the subject of a brief review in "La Bibliothèque de l'École des Chartes" t. vi, p. 476. In No. 9 the author was betrayed in the interest of the church, greatly to his distress. See the review of M. Lermnier in the Revue des Deux Mondes, 1^{er} avril 1838. He writes: "Il est puéril d'avoir voulu faire d'une histoire un livre d'édification catholique." No. 14 is apparently translated from No. 9. Of the English version, Mrs. Austin's is the best from a literary point of view, and was warmly approved by the author. Its publication called forth Macaulay's famous essay in the Edinburgh Review, October, 1840. The Oxford neo-Catholic movement accounts in part for the

publication of several translations in English at about the same time. E. Foster's version was issued with the avowed purpose of strengthening the Protestant cause at that time. It is a faithful translation, and has the distinctive merit of translating all the extensive and valuable extracts from the sources which in Mrs. Austin's edition are printed in the original Italian. The attention of the English public was early called to this work of Ranke's by an article in the *Dublin Review*, 1835, vol. v, p. 24. Milman also reviewed it in the *Quarterly Review*, February, 1836, and March, 1837.—E. G. B.

16. **DIE SERBISCHE REVOLUTION.** Aus Serbischen Papieren und Mittheilungen. Mit 1 Charte von Serbien. Hamburg, 1829. (Ranke's fourth book, in the order of time.) Republished in 1879, in vols. 43-44 of the *Collected Works*.

Niebuhr said of this work: "There is no other work in our language in which the materials obtained from oral accounts are so satisfactorily and luminously treated." Letter of June 14, 1829, to Madam Hensler. *Life and Letters of Niebuhr*, p. 513.—E. G. B.

17. **HISTORY OF SERVIA AND THE SERVIAN REVOLUTION**, from original MSS. and documents. Translated by Mrs. Alexander Kerr. 8vo. London, 1847-48.

Reprinted in *Bohn's Library*. London, 1853.

18. **UEBER DIE VERSCHWÖRUNG GEGEN VENEDIG**, im J. 1619. Mit Urkunden aus dem venetianischen Archive. 8vo. Berlin, 1831. Incorporated as part 2 of the volume, "Zur venetianischen Geschichte," vol. 42 of the "Works."

19. **ZUR GESCHICHTE DER ITALIENISCHEN POESIE.** Gelesen in der königlichen Akademie der Wissenschaften. 4to. Berlin, 1837. Essay VI, vol. 51-52 of the "Works."

20. **HISTORISCH-POLITISCHE ZEITSCHRIFT**; hrsg., von Leop. Ranke. Hamburg, 1832, and Berlin, 1833-36.

21. **FERDINAND I. AND MAXIMILIAN II. of Austria.** An essay on the Political and Religious State of Germany Immediately After the Reformation. Translated by Lady D. Gordon. London, 1853. 12mo.

The original of this was published in 1832 in the *Historisch-politische Zeitschrift*, vol. 1. It was the first fruits of his Italian journeys in search of materials for modern history. *Werke*, vii, p. 4, n. In the "Werke" this essay forms the first of the work entitled "Zur deutschen Geschichte. Vom Religionsfrieden bis zum 30 jährigen Krieg." and has the separate title: "Ueber die Zeiten Ferdinands I. und Maximilians II." Vol. vii. Lady Gordon was the daughter of Mrs. Austin.—E. G. B.

22. **JAHRBÜCHER DES DEUTSCHEN REICHS unter dem sächsischen Hause.** Hrsg. von Leop. Ranke. Berlin, 1837-40.

Ranke's preface contains the earliest description of his historical seminary. It is reprinted as *Essay xi.* in vol. 51-52 of the "Werke."—E. G. B.

23. **DIE GESCHICHTSSCHREIBER DER DEUTSCHEN VORZEIT**, in deutscher Bearbeitung herausgegeben von G. H. Pertz, J. Grimm, K. Lachmann, L. Ranke, K. Ritter. Berlin, 1849-8 vo.

I think Ranke made no contribution to this series beyond his name and approval.—E. G. B.

24. **DEUTSCHE GESCHICHTE IM ZEITALTER DER REFORMATION.** 1. u. 2. Bd., 1. Aufl., 1839; 2. Aufl., 1842; 3. Bd., 1840; 2. Aufl., 1843; 4. u. 5. Bd., 1843; 6. Bd., 1847; 1.-5. Bd., 3. Aufl., 1851-2. (This edition

omitted vol. 6, which was devoted to documents.) Berlin. 1.-6. Bd., 4. Aufl., Leipzig, 1867. 8vo.; 5. Aufl., 1873-4; 6. Aufl., 1880-1; 7. Aufl., 1894. This work comprises vols. 1-6 of the "Werke."

The volumes cover the following years, respectively: 1, 1486-1521; 2, 1521-1528; 3, 1528-1534; 4, 1535-1546; 5, 1547-1558.

25. HISTORY OF THE REFORMATION IN GERMANY. Translated by Sarah Austin. London, 1845-47. 3 vols., 8vo.

This translation includes only the first three volumes of the original. An American reprint was issued in Philadelphia at the same time.

26. NEUN BÜCHER PREUSSISCHER GESCHICHTE. 1. Bd. (1.-3. Buch.), 1. Aufl., 1847; 2. Aufl., 1848; 2. u. 3. Bd. (4.-9. Buch.), 1848. Berlin. Zwölf Bücher preussischer Geschichte. 1.-5. Bd. Berlin, 1873. Vols. 25-29 of the "Werke."
27. HISTORY OF PRUSSIA, translated by Demmler. London, 1848; 1 vol.
28. MEMOIRS OF THE HOUSE OF BRANDENBURG, and History of Prussia, during the Seventeenth and Eighteenth Centuries. Translated by A. and Lady D. Gordon. London, 1849. 3 vols, 8vo.
29. FRANZÖSISCHE GESCHICHTE vornehmlich im 16. u. 17. Jahrh. 1.-4. Bd. Stuttgart; 1. Bd., 1852; 2. Bd., 1854; 3. Bd., 1855; 4. Bd., 1856; 5. Bd. (extracts from the sources), 1861. 1.-4. Bd., 2. Aufl., 1856-62. 6. Bd. (Briefe der Herzogin von Orleans). 6. Bd., 3. Aufl., Stuttgart, 1879. Vols. 8-13 of the "Werke."
30. HISTOIRE DE FRANCE, principalement pendant le xv^e et le xvii^e siècle, par Léopold de Ranke, traduite par J.-Jacques Porchat. Paris, 1854-56. 3 vols., 8vo. The same: Traduction de J. Jacques Porchat, continuée par C. Miot. Tomes, iv, v, and vi. Paris, 1886-89.
31. CIVIL WARS AND MONARCHY IN FRANCE in the sixteenth and seventeenth centuries: a history of France, principally in that period. Translated by M. A. Garvey. 2 vols. London, 1852. (Contains only first vol. of the original.) Same, New York, 1853, in 1 vol., 12mo.
32. CORRESPONDANCE DE MADAME LA DUCHESSE D'ORLÉANS, extraite des lettres publiées par M. de Ranke et M. Holland. Traduction et notes par Ernest Jaeglé. 2 vols., 12mo. Paris, 1880. (From vol. 6 of No. 29.)
33. ZUR KRITIK FRÄNISCH-DEUTSCHER REICHSANNALISTEN. Berlin, 1854. 4to. (Abh. der Akad. d. Wissenschaften.) Essay iv, vol. 51-52 of the "Werke."
34. ENGLISCHE GESCHICHTE vornehmlich im 16. u. 17. Jahrh. 1.-7. Bd., 1859-1868, Berlin. 1. Bd., 2. Aufl., Leipzig, 1862. 1.-2. Bd., in 3. Aufl. and 3.-9. Bd. in 2. Aufl. in the "Werke," vols. 14-23. 1869-1875. 1.-2. Bd., 4. Aufl., and 1.-9. Bd., 3. Aufl., 1877-79.
35. A HISTORY OF ENGLAND, principally in the seventeenth century. By L. von Ranke. Translated under the supervision of G. W. Kitchen, D. D., and C. W. Boase, M. A. Oxford, 1875. 6 vols., 8vo. Part of vol. v. and all of vol. vi is devoted to special criticism and to extracts from the sources.
- This translation was made at the suggestion of Bishop Stubbs when he was regius professor of history at Oxford. See his "Seventeen Lectures on Med. and Mod. History," pp. 57-58.
36. ZUR DEUTSCHEN GESCHICHTE. Vom Religionsfrieden bis zum 30jährigen Krieg. 1868. Vol. vii of the "Werke," 2d ed. in 2d ed. of the "Werke," 1873-74; 3d ed., 1888.

37. GESCHICHTE WOLLENSTEINS. Leipzig. 1. Aufl., 1869; 2. Aufl., 1870; 3. Aufl., 1872; 4. Aufl., 1880. Vol. 23 of the "Werke."
 38. A Swedish translation of 37 by O. Alin, Upsala, 1870.
 39. ABHANDLUNGEN UND VERSUCHE. 1. Sammlung, 1872. Vol. 24 of the "Werke." 2. Aufl., 1877.

CONTENTS.

- I. Die grossen Mächte.
 II. Zur Kritik preussischer Memoiren.
 III. Ueber den Fall des brandenburgischen Ministers von Danckelmann, 1697-98.
 IV. Ueber die erste Bearbeitung der Geschichte des schlesischen Kriegs von Friedrich II.
 V. Ueber den Briefwechsel Friedrichs des Grossen mit dem Prinzen Wilhelm IV von Oranien und mit dessen Gemahlin Anna, geb. Princess Royal von England.
 VI. Zur Geschichte der politischen Theorien. Anhang: De historiæ et politicae cognatione atque discrimine oratio. Also German translation of the same: Ueber die Verwandtschaft und der Unterschied der Historie und der Politik. (This was Ranke's inaugural address on taking the chair of history at Berlin. B.)
40. DER URSPRUNG DES SIEBENJÄRIGEN KRIEGES. Leipzig, 1871. 8vo.
 41. DIE DEUTSCHEN MÄCHTE UND DER FÜRSTENBUND. Deutsche Geschichte von 1780 bis 1790. Leipzig, 1871-72. 2 vols., 8vo. 2d ed., 1875. "Werke," vols. 31-32.
 42. URSPRUNG UND BEGINN DER REVOLUTIONSKRIEGE, 1791 u. 1792. Leipzig, 1875. 8vo. 2. Aufl., 1879. Vol. 45 of the "Werke."
 43. BRIEFWECHSEL FRIEDRICHS DES GROSSEN mit Wilhelm von Oranien 1873. 4to. In vol. 24 of the "Werke."
 44. AUS DEM BRIEFWECHSEL FRIEDRICH WILHELMS IV. mit Bunsen. 1873. 2d ed., 1874. In vol. 50 of the "Werke."
 45. DIX ANS DE L'HISTOIRE D'ALLEMAGNE. Origine du nouvel empire, d'après la correspondance de Frédéric-Guillaume IV et du baron de Bunsen, 1847-1857. Par Saint-René Taillandier. Paris, 1875. 8vo.
 46. ZUR GESCHICHTE von Oesterreich und Preussen zwischen den Friedensschlüssen zu Aachen und Hubertusburg. Leipzig, 1875. In vol. 30 of the "Werke."
 47. EIGENHÄNDIGE MEMOIREN des Staatskanzlers Fürsten v. Hardenberg, 1800-1807. Hrg. von L. v. Ranke. Leipzig, 1877. 2 vols., 8vo; also Denkwürdigkeiten des Staatskanzlers Fürsten von Hardenberg bis zum J. 1806. 1.-5. Bd. Leipzig, 1877. (5th vol. contains documents.)
 The historical narrative in these volumes from Ranke's hand was published separately in a second edition in three volumes, 1879-1881. Vol. 2 contains a "Notiz über die Memoiren des Grafen v. Haugwitz;" vol. 3, a "Denkschrift Hardenberg's über die Reorganisation des preussischen Staates vom J. 1807." In vols. 46-48 of the "Werke."
 48. HISTORISCH-BIOGRAPHISCHE STUDIEN. 1877.

CONTENTS.

Cardinal Consalvi und seine Staatsverwaltung unter dem Pontificat Pius VII. Savonarola und die florentinische Republik gegen Ende des 15. Jahrh. Filippo Strozzi und Cosimo Medici, der erste Grossherzog von Toscana. Don Carlos, Prinz von Asturien, Sohn König Philipps II. von Spanien. "Werke," vols. 40-41.

49. **FRIEDRICH DER GROSSE.** Friedrich Wilhelm IV. Zwei Biographien. Leipzig, 1878. Reprinted from the "Allgemeine deutsche Biographie." "Werke," vol. 52.
50. **ADDRESSES, etc.,** by Ranke, published in the *Historische Zeitschrift*.
 Vol. I, p. 28: Denkschrift to Maximilian II. September 30, 1853, on occasion of his instituting the "Historische Commission." "Werke," vol. 52.
 Vol. II, p. 54 (Beilage): Entwurf zu einer Geschichte der Wissenschaft in Deutschland. Vols. 51-52 of the "Werke."
 Vol. XIII, p. 406: Zur orientalischen Frage. Gutachten im Juli 1854. Sr. Majestät König Friedrich Wilhelm IV. vorgetragen von L. v. Ranke. "Werke," vols. 53-54.
 Vol. XX, p. 393: Johann Friedrich Böhmer. Vortrag am 30. Sept. 1866, in der historischen Commission gehalten von L. von Ranke. "Werke," vols. 53-54.
 Vol. XXVII, p. 134: Georg Gottfried Gervinus. Rede zur Eröffnung der zwölften Plenarversammlung der historischen Commission gehalten von L. v. Ranke. "Werke," vol. 51-52.
 Vol. XXXI, p. 149: Eine Gedächtnisrede bei der Eröffnung der vierzehnten Plenarversammlung der historischen Commission gehalten von Leopold von Ranke. (On Maurer, Raumer, Liebig, and Staehlin.) "Werke," vols. 51-52.

CONTENTS OF RANKE'S COLLECTED WORKS.

A summary of the arrangement of the foregoing in the collected works is appended, and also such of the contents of the series as have not previously been mentioned.

Summary of the "Sämmtliche Werke."

- Vols. 1-6: Deutsche Geschichte im Zeitalter der Reformation.
 Vol. 7: Zur deutschen Geschichte vom Religionsfrieden bis zum 30jährigen Krieg.
 Vols. 8-13: Französische Geschichte, vornehmlich im 16. u. 17. Jahrh.
 Vols. 14-22: Englische Geschichte, vornehmlich im 17. Jahrh.
 Vol. 23: Geschichte Wallensteins.
 Vol. 24: Abhandlungen und Versuche, 1. Sammlung. (See No. 39 for contents.)
 Vols. 25-29: Zwölf Bücher preussischer Geschichte.
 Zur Geschichte von Oesterreich und Preussen zwischen den Feiedensschlüssen zu Aachen und Hubertusburg.
 Vols. 31-32: Die deutschen Mächte und der Fürstenbund.
 Vols. 33-34: Geschichten der romanischen und germanischen Völker von 1494 bis 1514.
 Vols. 35-36: Die Osmanen und die spanische Monarchie im 16. u. 17. Jahrh.
 Vols. 37-39: Die römischen Päpste in den letzten vier Jahrhunderten.
 Vols. 40-41: Historisch-biographische Studien. (See No. 48 for contents.)
 Vol. 42: Zur venezianischen Geschichte.
 Vols. 43-44: Serbien und die Türkei im 19. Jahrh.
 Vol. 45: Ursprung und Beginn der Revolutionskriege, 1793-1813.
 (Vols. 40-54 published after Ranke's death.)
 Vols. 49-50: Zur Geschichte Deutschland und Frankreichs im 19. Jahrhundert. Hrg. von Alfred Dove, 1887.
 Vols. 51-52: Abhandlungen und Versuche. Neue Sammlung. Hrg. von A. Dove und Thdr. Wiedemann, 1888.

Contents of Vols. 51-52.

- I. Die Fluthsage.
 II. Die Tragödien Senecas.
 III. Paulus Diaconus.
 IV. Zur Kritik fränkisch-deutscher Reichsannalisten. 1. Einige Bemerkungen über die Annalen des Einhard. Nachträgliche Bemerkungen. Anhang: Ueber die Vita Karoli des Einhard. 2. Ueber die Annalen des Lambertus von Hersfeld.

50. ADDRESSES, etc., by Ranke, etc.—Continued.

V. Notiz über die Mutter Manfreds.

VI. Zur Geschichte der italienischen Poesie. Gelesen 1835; veröffentlicht 1837. (Topics: Reali di Francia; MS. der Reali; Bearbeitungen in Versen; Luigi Pulci; Matteo Maria Boiardo; Ariosto; Berni; Bernardo Tasso und Luigi Alamanni; Torquato Tasso; Nachträgliche Bemerkungen.)

VII. Zur Geschichte der italienischen Kunst. (Chs.: 1. Grundlage und Anfänge. 2. Giotto und seine Nachfolger. 3. Quattrocentisten. 4. Uebergang vom 15. in das 16. Jhd. 5. Erinnerung an Leonardo und Michelangelo. 6. Raphael. 7. Tizian und einige seiner Zeitgenossen. 8. Tintoretto and Paolo Veronese. 9. Die Schule der Caracci; Guercino. 10. Caravaggio; Schlussbemerkung. Anhang: Zur Geschichte der italienischen Malerei nach den in der Dresden'ser Gemäldegalerie und zu Prag befindlichen Bildwerken. Florentinische Schule. Römische Schule. Lombardische Schule. Spätere Entwicklung durch die Caracci. Bemerkungen über Handzeichnungen und Studien.)

VIII. Ueber den Ausbruch des Siebenjährigen Krieges. Aus Mitchell's ungedruckten Memoren mitgetheilt von L. Ranke. (First printed 1844.)

IX. Friedrich II. König von Preussen.

X. Friedrich Wilhelm IV. König von Preussen.

XI. Vorrede zu den Jahrbüchern des Deutschen Reichs unter dem sächsischen Hause. Cf. No. 22.

XII. Von der historischen Commission bei der königlichen Akademie der Wissenschaften zu München. Contents: 1. Denkschrift vorgetragen am 30. Sept. 1858. 2-10 and 12-13. Eröffnungsreden, 1850-1873. 11. Entwurf zum Ansprechen an König Ludwig II. Oct. 1870.

XIII. Ansprachen, gehalten an persönlichen Feiertagen: 1. Beim fünfzigjährigen Doktorjubiläum, 20. Feb. 1867. 2. Am neunzigsten Geburtstag, 21. Dez. 1885.

Vols. 53-54. Zur eigenen Lebensgeschichte. Contents: 1. Aufsätze zur eigenen Lebensbeschreibung, pp. 1-77 (four separate dictations). 2. Ausgewählte Briefe (1819-1886), pp. 79-565. 3. Tageblätter (1831-1885), pp. 567-655. 4. Verschiedenes, zugleich als Nachlese, pp. 659-711. a. Erwiderung auf Heinrich Leo's Angriff, 1828. b. Gutachten über die politischen Testamente Friedrichs des Grossen, 1843. c. Politische Denkschrift aus der Zeit des Krimkrieges, Dez. 1854. d. Entwurf zu einer Geschichte der Wissenschaft in Deutschland (der historischen Commission in München vorgelegt im Herbst, 1859). e. Ueber ein Denkmal Friedrich Wilhelms III. 1. Vorschläge (Herbst 1859). 2. Betrachtung (am Tage der Grundsteinlegung, 17. März 1863). f. Idee einer Akademie für deutsche Geschichte und Sprache: 1. Eingabe an Fürsten Bismark (Berlin, 1871). 2. Entwurf zu einer Akademie für deutsche Sprache und Schrift (Berchtesgaden, 18. u. 19. Oct. 1861). 3. Entwurf zu Statuten für eine deutsche Akademie (Wilhelmthal, Sept., 1867.)

51. ZUR EIGENEN LEBENSGESCHICHTE. Hrsg. von A. Dove. Leipzig, 1890. 8vo. Vols. 53-54 of the "Werke," which see for contents.

52. LEOPOLD VON RANKE. Charakterbilder aus dessen Werken. Frankfurt, 1868. 8vo.

53. AUS DEN BRIEFEN LEOPOLD VON RANKE'S an seinen Verleger. Als Handschrift gedr. Leipzig, 1886. 8vo. (Nicht im Handel.)

54. WINKLER, A. Leopold von Ranke. Lichtstrahlen aus seinen Werken. Berlin, 1885.

55. WELTGESCHICHTE. Gr. 8vo. Leipzig. 9 vols. 1881-1888.

CONTENTS.

Theil I. Die älteste historische Völkergruppe und die Griechen. 1881. 2d ed., 1881; 3d, 1883; 4th, 1886.

Theil II. Die römische Republik und ihre Weltherrschaft. 1882. 2d ed., 1882; 3d, 1883; 4th, 1886.

55. WELTGESCHICHTE, etc.—Continued.

Theil III. Das altrömische Kaiserthum. Mit kritischen Erörterungen zur alten Geschichte. 1883. 2d and 3d eds., 1883; 4th, 1886.

Theil IV. Das Kaiserthum in Constantinopel und die Ursprünge romanisch-germanischer Königreiche. Eds. 1-3, 1883; 4th, 1888.

Theil V. Die arabische Weltherrschaft und das Reich Karl's des Grossen. Eds. 1-3, 1884.

Theil VI. Zersetzung des Karolingischen, Begründung des deutschen Reiches. Eds. 1-3, 1885; 4th, 1891.

Theil VII. Höhe und Niedergang des deutschen Kaiserthums. Die Hierarchie unter Gregor VII. Eds. 1-3, 1886; 4th, 1893.

The following volumes were published by Ranke's assistants after his death: Theil VIII. Kreuzzüge und päpstliche Weltherrschaft (XII. u. XIII. Jahrh.). Hrg. von Alfred Dove. Geo. Winter, Thdr. Wiedemann. Eds. 1-3, 1887.

Theil IX. 1. Abth. Zeiten des Übergangs zur modernen Welt (14. u. 15. Jahrh.). Hrg. von A. Dove u. G. Winter. 2. Abth. Über die Epochen der neueren Geschichte. Vorträge, dem Könige Maximilian II. von Bayern gehalten. Hrg.: A. Dove. Nebst Gesamtregister zum 1.-9. Thl. bearbeitet von G. Winter. Eds. 1-3, 1888.

Weltgeschichte. Text-Ausgabe. In 25 parts. 1895-.

56. UNIVERSAL HISTORY. By Leopold von Ranke. Edited by G. W. Prothero. Vol. 1. The Oldest Historical Group of Nations and the Greeks. London, 1884; New York, 1885. 8vo.

ESSAYS AND CRITICISMS RELATING TO RANKE.

[Arranged alphabetically.]

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INDEX.

A.

- Aarau, peace of, 424.**
Aargau, early government of, 40.
Abercrombie, General, 698, 703.
Acadians, dispersion of, 670.
 in Pennsylvania, 697.
Achaian League, cities in, 385.
 constitution of, 225.
 history of government of, 365.
Acker, Jacob, 1169.
Acosta, Don Tomas, 1051.
Acosta, Joseph, 1255.
Acton, J. Emerich Edward Dalberg, 1272.
Acton, Lord, 248.
Adair, Maj. John, 1230.
Adams, Mr., 103, 106, 552, 895, 896.
Adams, Charles Francis, 21, 338, 341, 707.
Adams, Charles Kendall, 7, 30.
Adams, George B., 7, 18, 23.
 on influence of American Revolution
 on colonial government, 375.
Adams, Henry, 7, 30, 251, 284.
Adams, Herbert B., 2, 6, 7, 15, 21, 23, 30, 73,
 1272.
 on the teaching of history, 245.
Adams, James, 1243.
Adams, John, 92, 98, 111, 112, 115, 228, 238,
 533, 614, 707, 708, 709, 713, 717, 718, 719,
 803, 827, 834, 1129, 1130, 1137, 1138, 1151,
 1152, 1178, 1179, 1188, 1201, 1202, 1228, 1240,
 1242.
 elected Vice-President, 595.
 letters to, 725, 733, 762 sq.
Adams, John Quincy, 366, 792, 794, 839.
Adams, Nathan, 1242.
Adams, S., 110.
Adams, Samuel, 93, 98, 113, 706, 761.
 papers of, 503.
Adams, Winborn, 1241.
Adams family, personal archives of, 500.
Address to people of Quebec (1774), 113.
Adet, P. A., letters from, 1097.
African slave trade, 879.
Agassiz, Louis, 38.
Agreement of 1817, as to Great Lakes, 318.
Agricultural industries in 1789, 629.
Aitken, Robert, printer for Continental
 Congress, 96.
Aitolian League, Federal dependencies
 of, 366.
Akins, T. B., 486, 487.
Alabama Historical Society, MSS. of, 506
Albany, early settlement at, 140.
 expedition of 1756 against, 670.
Albermarle, Earl of, 196.
Albert, Archduke, 432.
Alcudia, Duke de la, 1015.
 letters to, 942, 943, 974 sq.
Alcudia and Carondelet letters, 942 sq.
Alden, Judah, 1242.
Alden, Roger, 1175.
Aldrich, Charles, 511.
Alexander, James, 1194.
Alexander, J. H., 492.
Alexander, Joseph, 909.
Alexander, Nathaniel, 917, 1193.
Alexander, William, 687.
Alexander, Sir William, 1260.
Alfred, Me., early records at, 496.
Algiers, American prisoners at, 723, 1180,
 1181, 1183, 1185, 1188, 1189, 1200, 1210, 1213,
 1227.
 trouble with, 523.
 negotiations for ransom of captives in,
 1211.
Alien act of 1798, 807.
Alien laws in North Carolina, 600.
Alien ownership of land, 167, 594.
Alienage laws, 605.
Aliens, rights of, in 1788, 559, 560.
Alin, O., translation by, 1269.
Allen, Andrew H., 483, 985.
Allen, Ethan, 492.
Allen, Jacob, 1241.
Allen, James, 663, 680, 694, 695.
Allen, Jeremiah, 1222.
Allen, Joseph Henry, 22.
Allen, Professor, 249
Alliance Island, 578.
Allman, Lawrence, 1193.
Almagro, Don Diego De, 1233.
Alofsen, S., 503.
Alsace-Lorraine, government of, 451.
Alston, Colonel, 896, 897, 929.
Alston, Mr., 896, 873, 910.
 on slave trade, 867, 868.
Alston, Lemuel J., 893, 921
Amadeus, Count, 421.
Amelung, John E., 1177.
Amendments to Constitution, 24, 1149,
 1150, 1153, 1174, 1178, 1223.

- America, pre-Columbian discovery of, 1261.
- American Antiquarian Society, 483.
MSS. of, 501.
- American Fur Company, records of, 510.
- American Philosophical Society, MSS of, 506.
- American Revolution, influence on colonial government, 375.
- American seamen, English detention of, 1129, 1130.
- American Society of Church History, 21.
- American State Papers, contents of, 1115, 1133.
- Ames, Mr., 1149, 1227.
- Ames, Fisher, 798, 832, 839.
- Ames, Herman V., 6, 24.
- Ames, John G., 1136.
- Amory, Thomas C., 488.
- Amphyctonic Council, constitution of, 225.
- Amsterdam correspondence, 22.
- Anderson, Colonel, 1068.
- Anderson, Joseph, 1192.
- Anderson, Lewis, 1243.
- Anderson, Richard C., 1072.
- Anderson, Robert, 45.
- Anderson, W. J., 486.
- Andes, New York, 159.
- Andrew, John, 62.
- Andrews, Charles M., 16.
- Andrews, Joseph, 1241.
- Andrews, Professor, on history teaching, 255.
- Angell, James B., 7, 30.
- Anglicus, Bartholomew, 273.
- Annapolis "Tuesday Club," 507.
- Antirent episode in New York, 139 sq.
- Antwerp, siege of, in 1585, 431.
- Appellate jurisdiction of Roman Sec, 22.
- Appenzell's struggle for freedom, 399.
- Appleton, Jesse, 43.
- Appleton, Nathaniel, 812.
- Apyan, Peter, 1252.
- Arber, Edward, 1251.
- Archer, Mr., 484.
- Arctic observations in 1791, 1199.
- Aristocracy, hereditary, 378.
- Arizona, history of, 512.
- Arkadian League in Greece, 394.
- Armada, Spanish, defeated, 432.
- Armstrong, James, 1141.
- Armstrong, Samuel, 1163, 1213.
- Armstrong papers, 510.
- Army Register, first official, in 1792, 1206, 1238.
- Army reorganization in 1789, 1146.
in 1802, 1130.
in 1816, 1132.
- Arnold, Mr., 348.
- Arnold, William, 1221.
- Arricary, province of, 1258.
- Arrowsmith, Mr., English map maker, 458.
- Articles of Association of Continental Congress, 92, 111.
- Articles of Confederation, 747.
adoption of, 120.
Dr Friedenwald on, 228.
- Ashley, Robert, 943.
- Ashmead, Captain, 596.
- Ashton, John, 1243.
- Ashworth, P. A., 1265.
- Aubanus, John Bohemus 1256.
- Aubuniers, G., 1194.
- Andrain, M., 1049.
- Auldjo, T., vice-consul, 1184.
- Austin, Benjamin, jr., 776, 777.
- Austin, Mrs., 1266.
- Austin, Sarah, 78, 1268.
- Austrian rule in Switzerland, 401.
- Authors' Club, courtesies from, 21 25.
- Autograph collection of F. J. Dreer, 506.
- Autonomous cities of Greece, 394.
- Ayer, Joseph Cullen, 22.

B.

- Bache, Benjamin Franklin, 788, 812, 814, 1116.
- Bacon, Henry, 1239.
- Bacon, Nathaniel, 32.
- Bacon's rebellion in Virginia, 32.
- Baden, Switzerland, government of, 406.
- Baffins Bay, magnetic observations in, 1199, 1223.
proposed voyage to, in 1789, 1147.
- Bailey, Francis, 101, 1153, 1158, 1162, 1175.
- Bain, James, jr., 23.
- Baird, Henry M., 17.
- Baker, Judge, 917.
- Baker, Thomas, 1243.
- Baker, William, 1221.
- Baker, W. S., 192.
- Baldwin, Miss, 893.
- Baldwin, Mr., 1149, 1176.
- Baldwin, A., 1160.
- Baldwin, Abraham, 614.
- Baldwin, Simeon, 15.
- Baldwin, Simeon E., on study of history, 218.
- Ball, Joseph, 1236.
- Baltimore, national capital, 1173.
health office at, in 1790, 1199.
petition of merchants of, 1145.
shipping trade, in 1789, 650.
- Bancroft, George, 2, 31, 79, 503.
manuscripts of, 506.
- Bancroft, H. H., 494, 511.
- Banks, John, 1215, 1224, 1245.
- Banks, Sir Joseph, 579.
- Bankson, Mr., 103.

- Baptist Historical Society, MSS. of, 506.
 Baptists in South Carolina, 912.
 Barbara, ship, condemnation of, 836.
 Barbary Powers, 523, 526, 1188.
 Barbary States, negotiations with, 1188, 1210.
 Barbé-Marbois, François de, 756, 758.
 Barber, David, 1242.
 Barber, Col. Thomas, 1026.
 Barclay, Thomas, 516, 589, 1150, 1177, 1178, 1236.
 Baring Bros., 365.
 Barkley, Colonel, 885.
 Barkley, Sir Maurice, 1256.
 Barlow, Mr., 913.
 Barlow, Joel, 831, 832.
 Barnard, D. D., 143, 173.
 Barney, Joshua, 1199.
 Barnwell, Col. Robert, 866, 870, 872, 879.
 Barre, Citizen, 1012.
 Barret, William, 1256.
 Barrett, Mr., 735.
 Barrett, Nathaniel, 735.
 Barrier treaty of 1715, 449.
 Barry, Captain, 555, 603.
 Bartleson, Levy, 1220.
 Bartlett, Ichabod, 43.
 Bartlett, John, 1245.
 Bartlett, J. R., 499.
 Bartlett, William, 160.
 Bärwald, H., 1272.
 Batavia, trade with, in 1787, 556.
 Batavians and Walloons, 431.
 Bates, Albert C., 502.
 Bay, Elihu Hall, 866, 907.
 Bayard, Mr., 650, 710, 711.
 Baylor, George, 1173.
 Baylor, John, 1173, 1177, 1194.
 Baxter Manuscripts, list of, 495.
 Beal, Richard C., 810.
 Beale, Joseph, 1236.
 Beall, Zachariah, 1241.
 Beargrass, 1062.
 Beatty, Lieut. E., 1141.
 Beaufort, description of, in 1805, 844.
 Beaujeu, Captain de, 670.
 Beauregard, M., 1048.
 Beaver, early abundance of, 140.
 Bechley, John, 1186, 1211, 1234.
 Becker's Erzählungen, cited, 68.
 Bee, Thomas, 867.
 Beebe, Thaddeus, 1196.
 Beecher, Lyman, 842.
 Belcher Papers, descriptive list of, 497.
 Belden, Mortimer C., 152.
 Belknap, Jeremy, manuscripts of, 496, 497.
 Bell, Captain, 566.
 Bell, Frederick M., 1241.
 Bell, Jacob, 1236.
 Bell, Samuel, 43.
 Bellin, map maker, 459.
 Bellinzona, battle of, 405.
 French capture of, 416.
 Swiss capture of, 416.
 Benière, Monsieur, 1179.
 Benjamin, Isaac, 1239.
 Bennet, Patrick, 1160.
 Benson, Mr., 1142, 1145, 1147, 1175, 1176, 1224, 1245.
 Benson, Egbert, 735.
 Bergen-op-Zoom, government of, 439.
 surrender of, 432.
 Berkeley Bishop, 40.
 Bermuda Islands, in 1021, 1258.
 letter from, in 1630, 1261.
 Smith's history of, 1260.
 Bern, dependencies of, 421.
 growth of, 399.
 Bernard, Governor, 1157.
 Bernard, Gov. Francis, papers of, 499.
 Berne, N. Y., antirenters in, 153, 155.
 Berson, Deputy Sheriff J. A., 157.
 Bethlehem, Pa., Moravians at, 678.
 Beverly, Mass., cotton manufactory in 1789, 651, 1176.
 Beverwyck, history of, 142.
 Bible, in public schools, 182.
 origin of Pentateuch in, 76.
 Bibliography, of Canada, 495.
 of documents of early Congresses, 1111.
 of early books relating to America, 1251.
 of guides to historical manuscripts, 481.
 of history of Northwest, 296.
 of Ontario early history, 486.
 of records of Continental Congress, 127.
 of statutes of Northwest States, 296.
 of Texas, 508, 509.
 of Von Ranke, 1265.
 Biddle, Captain, 359.
 Biddle, Nicholas, 370, 371.
 Bidwell, Barnabas, 883.
 Bigot, French Intendant, 660.
 Bill, Jabez, 1196.
 Bill of rights by Continental Congress, 93.
 Bindon, Joseph, 1247.
 Bingham, Mr., 108.
 Bingham, Anson, 169, 173.
 Bishop of London, colonial jurisdiction of, 233.
 Bishop of Oxford, 475.
 Bissell, Clark, 39.
 Blackledge, Richard, 1221.
 Blackledge, William, 920.
 Blæuw's atlas of America, 458.
 Blair, John, 1209.
 Blake, John, 1247.
 Blanchard, Edward, 1236.
 Bland, Mr., 1145, 1148.
 Blane, Col. John, 1103.
 Blatchford, E. W., 30.
 Blenheim patent in New York, 145.
 Bliss, Alexander, 31.

- Bliss, Leonard, 931.
 Blockade in 1799, effect of, 822.
 Blodgett, Rufus, 1243.
 Bloodworth, Mr., 106.
 Blount, General, 926, 928, 929.
 Blount, Governor, 968, 1064, 1203, 1230, 1235.
 Blount, Thomas, 921.
 Blount, William, letter from, 1068.
 Blount and Smith letters, 941.
 Bluntschli, J. C., 15.
 Blythe, Doctor, 910.
 Boase, C. W., 1268.
 Boccaccio's Stories, 274.
 Böhmer, Johann Friedrich, 1270.
 Bolla, William, 113.
 Bolton, C. K., 483, 490, 499.
 Bolton, Duke of, 41.
 Bolton, H. E., 331.
 Bond, Hanse, 1239.
 Bond, Lucy, 1214.
 Bond, Phineas, 18, 476.
 commissions of, 532.
 estate confiscated, 514.
 letters of, 1787 to 1789, 513 sq.
 life of, 513.
 Bond, Thomas, 513.
 Bond, Col. William, 1214.
 Borromaus, Cardinal, 423.
 Boston, Know Nothing Legislature in, 177.
 merchants of, ask protective tariff, 1146.
 opposes treaty with Britain in 1793, 737.
 records of, 496.
 Boston Athenæum, 1127.
 Boston Athenæum Library, Government documents in, 1119.
 Boston Public Library, 496, 1127.
 Boston Tea Party, documents of, 500.
 Bostwick, Elijah, 1245.
 Bostwick, Tolver, 690.
 Bouck, Governor, 153.
 Bouck, William C., 167.
 Boudinot, Elias, 199.
 Boudinot, Mr., 1145, 1146, 1147, 1149, 1174, 1176, 1199, 1221, 1244.
 Boughton, Doctor, 150, 151, 152.
 Bouligny, M., 1048.
 Boundary, Cherokee, 1155.
 eastern United States, 1152, 1157.
 Georgia and Florida, 1219.
 Kentucky and Virginia, 1229.
 Virginia, 1229, 1244.
 Virginia and North Carolina, 1229.
 Bouton, Nathaniel, 487.
 Bounty jumpers during the civil war, 358.
 Bounty lands, 1180, 1187, 1216, 1240.
 Ohio, 1150, 1175.
 Virginia, 1155, 1186, 1207.
 Bounty on whale oil in 1785, 729.
 Bouquet papers, calender of, 485, 486.
 Bourgoing and Lebrun letters, 936.
 Bourinot, John George, 20, 487.
 Bourne, Mr., 1225, 1246.
 Bourne, Benjamin, 1246.
 Bourne, Edward Gaylord, 17, 1265, 1272.
 on Leopold von Ranke, 67.
 on use of history by framers of the Constitution, 223.
 Bowdoin, Governor, 52, 735, 744.
 Bowdoin, James, 1153.
 Bowen, Clarence W., 2, 7, 25, 30.
 treasurer's report by, 29, 30.
 Bowen, Jabez, 1218, 1236.
 Boyd, James, 1153.
 Boyd, Thomas, 1196.
 Boyle, Robert, 40.
 Brabant, council of, history of, 435.
 Braddock's expedition, 660, 666.
 Bradford, John, 931, 1058, 1074.
 letter from, 1023.
 Bradford, printer for Continental Congress, 95.
 Bradley, Mr., 1233.
 Bradley, Isaac S., bibliography by, 296.
 Bragdon, Josiah, 1241.
 Brakenridge, Mr., 952.
 Brandenburg, Memoirs of House of, 1268.
 Brandt, Joseph, 1234.
 Branford, Mr., 246.
 Brantly, W. T., 493.
 Breck, Samuel, 1215.
 Breckenridge, R., 940, 1033.
 Breda, Barony of, 440.
 capture of, 432.
 Breton, Nicholas, 1259.
 Brevard, Joseph, 866.
 Brewster, Caleb, 1170, 1171.
 Bridge, Colonel, 1241.
 Bridgewater, Mass., in 1785, 731.
 Brierton, John, 1255.
 Brisbane, Mr., 150.
 Brisbane, William, 162.
 British Foreign Office, papers from, 516.
 British Guiana boundary dispute, 457.
 Brittany, insurrection quelled in, 1025.
 Brodhead, John Romeyn, 490.
 Brougham, Mr., 335, 339.
 Brown, Mr., 923, 1225.
 Brown, Alexander, 485.
 Brown, Andrew, 495, 1190.
 Brown, Benjamin, 1236.
 Brown, Enos, 1168.
 Brown, Gilman, 43.
 Brown, Harvey, 45.
 Brown, J., letter from, 963.
 Brown, James, 1040.
 Brown, John, 804, 945, 1010, 1012.
 Brown, Senator, 989.
 Brown, Stephen, 1242.
 Browner, Adolphus, 1220.
 Browner, William, 1236.
 Browning, Oscar, 517.

- Brownism, manuscripts on, 499.
 Bruges, jurisdiction of, 447.
 Brussels, capture of, in 1585, 431.
 Union of, 431.
 Bryan, Guy M., papers of, 508.
 Bryant, David, 1241.
 Brymner, Douglas, 23, 467, 476, 485, 486, 660, 730.
 member Manuscripts Commission, 472.
 Buchanan and Smith, 366.
 Buck, Philip, 1196.
 Buckingham, William A., 39.
 Buckner, General, 45.
 Buffalo, rumor of Confederate attack on, 344.
 Buffalo Historical Society, MSS. of, 504.
 Bullitt, Chief Justice, 358.
 Bullock, James, 890.
 Bunker Hill pensioners, 1217.
 Burch, John, 162.
 Burgess, John W., 14, 256.
 on political science and history, 203.
 Burgher Right in New York, 502.
 Burhans, Isaac L., 162.
 Burke, *Ædanus*, anecdotes of, 885, 886.
 Burke, Edmund, 113, 377 sq.
 Burke and Fox, breaking of friendship of, 381.
 Burnett, Edmund C., 18, 474.
 bibliography by, 481.
 on government of federal territories in Europe, 363.
 Burnley, Mr., 350.
 Burr, Mr., 1203, 1209, 1234.
 Burr, Aaron, 788, 814, 1240.
 Burr, Colonel, 918.
 Burr, Salmon, 1162.
 Burrill, Mr., pardoned, 166.
 Burrill, Anson K., 157.
 Burrill, James O., 157.
 Burrows, Prof. Montagu, 375, 388.
 Burton Historical Collection, 510.
 Bush, Isabella, 1205.
 Bush, John, 1205, 1214.
 Bush, Martha, 1205.
 Bush, Mary, 1205.
 Butler, Mr., 1158, 1210, 1211.
 Butler, Capt. John, 661.
 Butler, General, 351.
 Butler, Gen. William, 890.
 Byers, Robert, 1239.
- C.
- Cabinet, President's, compensation for, 1149.
 Cable, Thomas, 1237.
 Cabot, Mr., 748, 815, 816.
 Cabot, F., 818, 820.
 Cabot, George, 735, 798, 832, 833, 837, 839.
 Cabots' voyage, commemoration of, 20, 23.
- Cadwalader, Mr., 1201.
 Cairns, Edward, 1218.
 Caldenood, James, 1242.
 Caldwell, Dr. Joseph, 915, 916.
 Calendar of manuscripts, value of, 469.
 Calhoun, Doctor, 159, 160.
 Calhoun, J. C., 883, 893.
 Calhoun, Col. Joseph, 893.
 Calhoun, Patrick, 893.
 Califfe, Stephen, 1106.
 California, MSS. records in, 511.
 rich mines of, in, 1794, 1096.
 Callahan, J. M., 17.
 on Northern Lake Frontier during civil war, 337.
 Call, Maj. Richard, 1203.
 Calmar, Union of, 227.
 Calvert, Charles B., 197.
 Calvert Papers, calendar of, 507.
 Calvinist church of Vincent, 1218.
 Cambridge, England, study of history of, 245.
 Cambridge Academy, South Carolina, 883.
 Campbell, Capt., 599.
 Campbell, Donald, 1174, 1176, 1185.
 Campbell, John, 662.
 Campbell, Patrick, 1243.
 Campbell, Thomas, 1214, 1215.
 Canada, bibliography of, 495.
 condition of, in 1788, 584.
 conquest of, 660.
 debate on government for, 378.
 England's method of taxing, 381.
 French defeats in, 662.
 French efforts to incite revolution in, in 1793, 935.
 friendliness toward United States, 337.
 government of, 454.
 manuscript records of, 486.
 migration to, 613, 645.
 relations towards United States in 1862, 339.
 slave emancipation in, 383.
 struggle for self-government in, 381.
 Canadian archives, contents of, 485.
 Canadian and United States boundary, 1123, 1152, 1157.
 Canal, Illinois and Michigan, 342.
 Canals, Ohio, documents concerning, 315.
 Canton trade in 1787, 540, 545.
 Cantons of Switzerland, dependency of, 398.
 Cape Breton and its Memorials, 487.
 French fleet at, 671.
 state papers of, 486.
 Cape Horn, route around, in 1819, 1258.
 Capital, national, locating the, 1158, 1173, 1189.
 national, plan of, 1206.
 national, in 1808, 927.
 Cardwell, Mr., 346, 356.

- Carlos, Don, 1200.
 Carleton, Samuel, 1168.
 Carlton, Thomas, 1153.
 Carman, Henry, 1169.
 Carmarthen, Marquis of, letters to, 517 sq.
 Carmichael, Mr., 110, 1219.
 Mr. Jefferson's instructions to, 938.
 Carmichael, William, 198, 1207.
 Carnaghan, John, 1217.
 Carnes, Edward, 1218, 1244, 1245.
 Carnes, Peter, 918.
 Carneville, Captain, 670.
 Carondelet, Baron de, letters from, 974, 996 sq.
 Carondelet, Governor, 934.
 Carondelet and Alcudia letters, 942 sq.
 Carpenter, Benejah 1241.
 Carrington, Col. Edward, 54.
 Carrington, Gen. H. B., 17.
 remarks by, 357.
 Carroll, Mr., 1144, 1157, 1177, 1200.
 Carroll, Charles, 98, 198.
 Carrol, Mary, 1239.
 Carter, Col. Landon, 579.
 Carter, Commander, 352.
 Carthiels, Captain, in Northwest America in 1580, 1253.
 Cartwright, J. J., 476.
 Casey, General, 893.
 Casey, Levi, 892.
 Casey, Silas, 45.
 Casso, Peter, 912.
 Catholic and Protestant war in Switzerland in 1712, 424.
 Catholicism and Protestantism, 1266.
 Catholic League in Switzerland, 423.
 Catholic States in Switzerland, 422.
 Cavendish, Master, voyage of, 1253.
 Cavendish, William, 601.
 Census, United States, First, 1202, 1203, 1209, 1212.
 Cerachchi, Joseph, monument by, 1226, 1227.
 Chadwick, Caleb, 1196.
 Chadwick, John, 1192.
 Chalmers Papers, 502.
 Chamberlain, Mellen, 114, 239, 493.
 Chamberlain, William, 43.
 Chandler, Senator, 363.
 Chandler, Thomas, 239.
 Channing, William Henry, 706.
 Chapman, Mr., 858, 881, 910.
 Chapman, Jonathan, 805, 810.
 Chapman, Mary Ann, 853.
 Chappel, John, 1172.
 Charleston, S. C., in 1805, 844.
 Charlestown, foreign trade of, in 1788, 501.
 Charlesworth, John M., 1196.
 Charlevoix, Father, 460.
 Chase, Philander, 43.
 Chase, Salmon P., 13, 43, 346.
 Chase, S. P., 206, 306.
 Chauncy, Charles, 239.
 Chemical works in Pennsylvania in 1789, 654.
 Cherbuliez, Victor, 1272.
 Cherokee Indians, 673, 699, 902, 1068, 1054, 1140, 1203.
 treaties with, 1132, 1207, 1209.
 Chesapeake, frigate, attacked by Leopard, 906.
 Chester, England, historical interest of, 245.
 Chester, Samuel, 1239.
 Chester, Simeon, 1243.
 Chevalier, Monsieur, 921, 923.
 Cheves, Alexander, 363.
 Cheves, Langdon, 17, 912.
 and United States Bank, 363 sq.
 Cheyney, Professor, on antirent agitation, 170, 172.
 Cheynowith, Richard, 1246.
 Chiavenna, government of, 429.
 Chicago Historical Society, 304, 509.
 Chicago Law Institute Library, 307.
 Chickasaw Indians, 1068, 1040, 1061, 1063, 1081.
 Spanish negotiations with, 997.
 Childs, Mr., 105.
 China, trade with, in 1787, 540, 545.
 in 1788, 558, 578 sq.
 in 1791, 1191.
 Chipman, Benoni, 1194.
 Chippewa Indian treaty, 1143, 1144.
 Choate, Francis, 1222.
 Choate, Isaac, 1222.
 Choate, Rufus, 13, 42.
 Choctaw Indians, 1068, 1140.
 Chouteau, Pierre, 1131.
 Christian civilization, history of, 251.
 Christy, Mr., 1027.
 Church, Judge A. W., 1127.
 Church, Edward, 814.
 Church, Walter S., 171.
 Church, the, attitude toward study of classics, 22.
 English, in American colonies, 378.
 in Middle Ages, 273.
 pre-Reformation, 274.
 Church and State, in Switzerland, 423.
 in the colonies, 240.
 under the Popes, 1236.
 Church Constitution in the Ninth Century, 22.
 Church History, American Society of, 21, 23.
 study of, 251.
 Church of England and Reformed churches, 22.
 Churchman, John, 1147, 1199, 1223, 1224.
 Cincinnati, Society of the, 715.
 Cist, Mr., 105.

- Civil war, Lake Frontier during, 337.
- Claibourne, Governor, 1131.
- Clairfait, General, 1025.
- Clapham, Josias, 1221.
- Clapp, Stephen, 1193.
- Clark, A. Howard, 7, 30, 484.
- Clark, Elijah, 932, 935.
- Clark, George Rogers, 5, 19, 478.
claims against France, 1071.
correspondence with Genet, 930 sq.
Genet's authorization to, 996.
ingratitude toward, 970.
orderly book for 1781-82, 1007.
plans Louisiana expedition, 967.
- Clark, Col. Isaac, 931.
- Clark, Jonathan, 930, 931, 942, 970, 1060.
- Clark, William, 937, 942, 1060, 1093.
letter from, 1060.
- Clarke, Elijah, 939, 943.
- Clarke, George, 145, 168.
- Classics, attitude of church to study of, 22.
- Clay, Henry, power of, in Congress, 327.
- Claypoole, David C., 99, 128, 129, 130, 131, 132.
- Claxton, Thomas, 1225.
- Cleaver, Mr., 572.
- Clergy, civil constitution of the, 275.
- Cleveland, Captain, 898.
- Clifton, Mr., 912.
- Clifton, Major, 876, 905, 907.
- Clingan, Charles, 1243.
- Clinton, George, 923, 1141, 1240.
manuscripts of, 490, 491.
- Clinton, G. W., 490.
- Clymer, Mr., 98, 734, 1147, 1148, 1150, 1178.
- Cochran, Mr., 866.
- Cochran, Charles B., 875.
- Cochran, John, 940, 1033, 1164.
- Cochrane, Mr., 565, 586.
- Codfishery in 1785 and 1786, 726, 729, 736.
- Coffee trade in 1789, 763.
- Coffin, Paul, 511.
- Coinage, copper, report on, 1166.
foreign, tax on, 1183.
propositions respecting, in 1791, 1186, 1189, 1190.
- Coins, Jefferson's report on, 1173.
- Colburn, Andrew, 1241.
- Cole, Thomas, 1169.
- Coleman, James, 890.
- Colhoun, Colonel, 892.
- Colhoun, Ezek., 892.
- College and State, relation of, 875.
- College of Physicians, Philadelphia, 1180.
- Colles, Christopher, 1168.
- Collins, Mr., 106.
- Collins, Gov. John, 1125, 1128, 1140.
- Collins, Pitman, 1236.
- Collet's journey in North America, 935, 973.
- Colonial government, influence of American Revolution on, 375.
- Colonial government, Parliamentary debate on, 380.
- Colonial paper currency, 51.
- Colonial policy of England, 375.
- Colonial right to vote supplies, 384.
- Colonial self-government, 386.
- Colonial taxation for home government, 376, 381.
- Colonial trade restrictions, 382.
- Colt, Mr., 366.
- Columbia, S. C., in 1805, 853.
- Columbia University, courtesies from, 25.
- Colville, Charles, 1210, 1213, 1227.
- Colvin, A. J., 169, 172, 173.
- Colvin, Patrick, 1236.
- Colvin, Verplanck, 172.
- Commerce, laws for encouragement of, 562.
of American States in 1785, 721.
in 1787, 525.
- Commercial convention of 1786, 734.
with Great Britain in 1815, 1132.
- Commercial intercourse, regulation of, 1143.
- Commercial treaty of 1783, 715.
of 1793, 788.
with Great Britain, 1183.
- Commission for plan of historical study, 23.
- Company for the Propagation of the Gospel, etc., 40.
- Compton, Henry, 234.
- Condy, Thomas H., 1169, 1213.
- Confederacy, Southern, English sympathy for, 338.
- Confederate attack on Buffalo rumored, 344.
- Confederate sympathizers in the North, 357.
- Confederate vessel on Lake Ontario, 338.
on Great Lakes, 349.
- Confederation, Articles of, 120, 229, 747.
history of the, 134.
failure of the, 224, 225.
- Congregationalism in literature, 502.
- Congregationalist Association of Connecticut, 240.
- Congregationalists in South Carolina, 853.
- Congress, annals of, 1133.
Continental, in 1787, 529.
papers of, 85.
in 1808, description of, 923.
personal indexes of, 1135.
President's method of communicating with, 1122.
proportion of speakers and voters in, 325.
public documents of First and Second, 1111.

- Congress, study of votes in, 17.
 Libby on, 323 sq.
- Congress of English Governors in 1755, 671.
- Congressional documents, bibliography of, 1111.
 collections of, 1113.
 indexes of, 1118, 1134.
- Congressmen, term of office of, 1157.
 salaries of, 1201.
- Conklin, Ezekiel, 1236.
- Connecticut, census in 1789, 655.
 cession of Western lands by, 52.
 commerce of, in 1787, 525.
 manufactures in 1789, 651.
 militia of, in 1803, 1130.
 records of, 489.
- Connecticut Historical Society, MSS. of, 502.
- Connolly, Robert, 1196.
- Consalvi, Cardinal, 1269.
- Constance, Bishop of, 407.
- Constance, Duke of, 411.
- Constitution, civil, of the clergy, 275.
- Constitution, Federal, adopted, 564 sq.
 amendments to, 1153, 1154, 1223.
 broadness of, 223.
 convention of 1787 for framing, 50, 539,
 convention proposed for framing, 748.
 discussion of, by States, in 1787-88, 324.
 framers of, use of history by, 223.
 mode of ratifying, 750.
 need of, in 1787, 747.
 origin of principles of, 224.
 proposed amendments, 1149, 1150.
 restrictive clauses needed, 1141.
 States ratifying, 559 sq.
- Constitution, frigate, equipment of, 809.
 in 1796, 805.
 officering of, in 1796, 810.
 preservation of, 21.
- Consular convention with France, 1205.
- Consuls, and vice-consuls, report on, 1159,
 foreign, 1178.
 in 1790, 1186.
- Contested election in Congress, 1789, 1147.
- Continental army, pay of, 51.
- Continental Congress, and ordinance of 1787, 53.
 Articles of Association of, 92.
 bibliography of, 127.
 Board of War of, 98.
 Friedenwald on Journals and Papers, 85.
 in 1783, 711.
 manuscript records of, 87.
 methods of printing records of, 110.
 nominations by, 122.
 plan for printing records of, 123.
 printed records of, 92.
 records and papers of, 483.
 secret journals of, 90.
- Continental paper money, 50.
- Contrecoeur, Monsieur, 670.
- Convention, commercial, of 1786, 735.
- Convention for framing Constitution, 50, 539, 548, 748.
- Conyngnam, Redmond, 694, 695.
- Cook, David, 1164.
- Coon, Christian, sr., 1239.
- Coon, James, 1242.
- Cooper, Thomas, 630.
- Copeland, Patrick, 1259.
- Coppin, Sir George, 1256.
- Copyright system extended, 1224.
 initiated, 1122.
- Copyrights in 1789, 1149.
- Corbin, Timothy, 157.
- Cornbury, Governor, 168.
- Cornell University, Washington MSS. at, 504
- Corry, William, 168.
- Cortes, Hernando, conquest of West Indies by, 1252, 1254.
- Cornwallis, Edward, 702.
- Corwin, Edward Tanjore, 22.
- Costigan, Lewis J., 1172.
- Coterell, Captain, 700, 702.
- Cottle, William, 1195.
- Cotton, Master, 1261.
- Cotton carding machine in 1788, 564.
- Cotton industry in 1789, 629.
- Cotton manufactory at Beverly in 1789, 651.
 in Philadelphia in 1789, 653.
- Cotton spinning machines in 1787, 553, 557.
- Coulanges, Fustel de, 252.
- Council of war of 1755, 671.
- Counterfeiting, Alexander Hamilton on, 1153.
 invention to prevent, 1153, 1156, 1175.
- Courtlandt manor, 143.
- Court records in Washington City, 483.
- Courts, Richard H., 1221.
- Covachica, José, 1004.
- Covenhoven, Peter, 1241.
- Cowell, Ebenezer, 1223.
- Cowenhoven, Nicholas, 1176, 1236.
- Coxe, Tench, 715.
- Coxe, Sir Waller, 1256.
- Cradiaka, Mr., 1104.
- Craine, John, 1221.
- Cranston, Abner, 1241.
- Crashawe, Master, 1256.
- Cravath, Lemuel, 1236.
- Crawford, Captain, 538.
- Crawford, James, 1198.
- Crawford, Secretary, 366.
- Crawford, Thomas, 1166.
- Creek Indians, 1036, 1038, 1054, 1082, 1229.
 Spanish interference with, 1125.
 trade with, 1155.
 treaty with, 1208.

- Creek Nation, treaty with, 1140, 1151, 1155.
 Creighton, Dr. Mandel, 245.
 Creoles, French, in Louisiana, 947.
 Croghan, George, 690, 691, 692.
 Croghan, Dr. John, 930, 1007.
 Croghan, Major, 1088.
 Crooke, Robert, 1243.
 Crosby, Alpheus, 43.
 Cross, Arthur Lyon, 17.
 on Episcopal control in colonies, 233 sq.
 Crowell, Henry, 1221.
 Crown Point, expedition of 1756 against, 666.
 Croxall, Charles, 1243.
 Croyland, Abbey, 246.
 Cruger, Col. John Harris, 881.
 Crumpton, John, 1220.
 Cullom, George W., 45.
 Culpepper, John, 921.
 Cunningham, Hugh, 1236.
 Cunningham, Redmond, 663, 680, 693, 694.
 Currency of the colonies, 50, 51.
 Curtis, Samuel R., 45.
 Curwen, M. E., 296, 308.
 Cusanus, Cardinal, 409.
 Cushing, Lieutenant-Governor, 1152.
 Cushing, Nathan, 772.
 Cushing, Thomas, 756.
 Cushing, William, 767, 1209.
 Custom-house affairs in 1780, 637.
 Customs regulations concerning tobacco, 603.
 Cutler, Manasseh, 13.
 biography of, 46.
 Cutting, John Brown, 1224.
 Cuyk and Grave, Government of, 440.
- D.**
- Daalhem, Government of, 442.
 Dade, William, 1197.
 Daggett, Elizabeth, 842.
 Daggett, Henry, 842.
 D'Albon, Comte, 225.
 Dale, Sir Thomas, 1257.
 Dalley, Gifford, 1175.
 Dalrymple, Mr., geographer, 459.
 Dalton, Mr., 1185.
 Daly, Charles P., 30.
 Dame, Capt. Luther, 500.
 Dana, Mr., 735, 748, 752.
 Dana, Francis, 735, 816, 840.
 Dana, Judge, 831, 839.
 Dane, Nathan, 706, 709, 747, 759, 773, 776.
 drafts ordinance of 1787, 56.
 letters to, 752 sq.
 D'Anville, map maker, 459.
 Darlington, Abraham, 1220.
 Dartmouth, Earl of, 41.
 Dartmouth College, famous men of, 42.
 origin of, 13, 42.
 D'Aubigné, J. H. Merle, 1266.
 Dauphin, ship, captured, 1180.
 Davenport, Hezekiah, 1242.
 Davenport, John, jr., 923.
 Davidson, John, 1178.
 Davidson, Thomas, 1243.
 Davis, Andrew McFarland, 29, 30, 499.
 Davis, J. C. Bancroft, 486.
 Davis, Jefferson, 44.
 papers of, 508.
 Davis, John, 62, 1243.
 Davis, Nathan, 1196.
 Dawes, Thomas, 776.
 Dawson, Henry B., 502.
 Dayton, Mr., 1246, 1247.
 Deane, Charles, 497, 498.
 Deane papers, 502.
 Dearborn, Gen. Henry, 499.
 Deas, David, 866, 871.
 Deas, Henry, 872.
 Debevere, Frances F., 1191.
 Debtors' laws in 1788-89, 563, 564, 622.
 in Maryland, 602.
 in South Carolina, 590.
 Debts, State and public, in 1789-90, 775, 776, 1187.
 State, in 1783-1785, 712, 732.
 Decker, Wilhemus, 1169.
 Declaration of Independence, date of signing, 114.
 Declaration of rights, 92, 111.
 in France, 275.
 De Jaudones, Jos^{ph} de, 1005.
 De Laet's maps, 459.
 Delafield, Richard, 43.
 De Lancey, Edward F., 491, 502, 503.
 De Lancey, E. T., 19.
 De La Plane, James, 1171.
 Delaware, Lord, 1256, 1257.
 Delaware, commerce of, in 1787, 526.
 manufactures in 1789, 654.
 national capital in, 1173.
 population in 1789, 655.
 ratifies amendments to Constitution, 1153.
 Delaware Indian treaty, 1143, 1144.
 Delegates to meeting at Halifax, 21.
 De Lemos, Manuel Gayoso, 801, 1045, 1047, 1081, 1082, 1080.
 Delpeau, Charles, 1002.
 Demmler, translation by, 1268.
 Democracy, real problems of, 289.
 Democratic mania in New England in 1803, 838.
 Democratic party in 1804, 840.
 De Monbreun, Timothy, 1238.
 Dendermonde, surrender of, 431.
 De Nemours, Victor Marie Du Pont, 807.
 Denio, Judge, 142.
 Dennison, Captain, 614.
 De Pauw, Charles, 931, 1002, 1102.
 De Pauw papers, 931.

- De Pauw and Genet letters, 977 sq.
 Depeau, Charles, 1019, 1023, 1024.
 De Peyster v. Michael, land case of, 166.
 De Poiery, Mr., 1154.
 Derby, Captain, 556.
 Derby, Elias H., 1177, 1191, 1198.
 Derry, Bishop of, 41.
 Derry, James, 1172.
 De Sausure, Henry William, 802.
 Desbrosses, Mr., 145.
 Des Jardins, Francois, 1243.
 d'Estaing, Count, 1188.
 Detroit, threatened attack on, in 1864, 350.
 De Veer, Jerrett, 1254.
 De Viar, José Ignacio, 1005.
 Dexter, Henry M., 502.
 Dexter, Samuel, 832.
 Dialect in South Carolina, 888.
 Dickerson, Mahlon, 19.
 Dickerson, Philemon, 19.
 Dickinson, John, 99.
 Dickinson, Matthew, 914.
 Dickson Papers, 510.
 Diet, legislative, 229.
 Digges, Sir Dudley, 1257.
 Diman, Professor, 249.
 Dimon, David, 1242.
 Dinwiddie Papers, 508.
 Diplomatic service of United States in 1792, 1210.
 Discriminating duties established, 1186.
 Diskau, Le Baron de, 666.
 District of Columbia, limits defined in 1791, 1181.
 Dix, General, 344, 352.
 Dixon, Mrs., 1127.
 Dobbyn, Hannibal W., 1175.
 Documents of Congress, classification of, 1112.
 Doe, John, 152.
 Döllinger, J. J. I. von, 1272.
 Dolphin, ship, captured, 1180.
 Dongan, Governor, 143, 168.
 Donne, John, 1290.
 Donnellan, Thomas, 1221.
 Doolittle, Amos, 899.
 Doolittle, Colonel, 1241.
 D'Orleans, Duchesse, correspondence of, 1268.
 Douglas, Hannah, 1170, 1171.
 Douglas, William, 1170, 1171, 1242.
 Douglass, William A., 890.
 Dove, Alfred, 1272, 1273.
 Downman, Raleigh P., 1242, 1247.
 Dowther, Mr., 896.
 Doyle, Major, 1093.
 Doyley, Colonel, 910, 911.
 Drake, Sir Francis, 1253, 1254, 1260.
 Drake, Francis S., 499, 500.
 Draper, Lyman C., 478, 511, 1007.
 Draper Collection of Manuscripts, 511, 930.
 Drayton, Mr., 98.
 Drayton, John, 909, 910.
 Drayton, Stephen, 1243.
 Drayton, William, 909.
 Dreer, Ferdinand J., autograph collection of, 506.
 Drei Bünde, history of, 427.
 Drenthe, Government of, 450.
 Droit d'Aubaine, 754.
 Droysen, quoted, 248.
 Drummond, Archbishop, 240.
 Duane, Mr., 734, 899.
 Duane, William, 788.
 Duanesburgh patent in New York, 145.
 Duer, Colonel, 54.
 Dumas, Captain, 670.
 Dunbar, Mr., 853.
 Dunbar, William, 1244.
 Dunham, Silas, 1242.
 Dunk, George Montague, 684.
 Dunkards in North Carolina, 1177.
 Dunlap, John, 97, 103, 104, 132, 133.
 Dunning, William A., 19, 219.
 Duparc, Don Guillermo, 1050.
 Dupeau, Charles, 1030, 1032.
 Dupont, Mr., 907.
 Duquesne, Fort, 476.
 Durell, Ursino, 975.
 Durham, Lord, 386, 387, 389.
 Durivage, Mr., 797.
 Durkee, John, 1242.
 Durrett, Col. R. T., 930, 1023, 1041.
 MSS. of, 509.
 Dutch Brabant, 435.
 Dutch loan of 1791, 1184, 1196.
 Dutch manuscripts on New York history, 491.
 Dutch map makers, 460.
 Dutch settlements on the Delaware, 491.
 Dutch struggle for independence, 431.
 Dutch West India Company, 139.
 Duties, import, in 1790, 1189.
 discriminating, established, 1186.
 foreign, in 1785, 721.
 revenue, in 1792, 1228.
 revenue evasion of, 550.
 Duty on tea proposed in 1791, 1191.
 Duty on tobacco in 1787, 534, 537.
 Dwight, Doctor, 873, 875, 920.
 Dwight, Timothy, 848.
 Dwight, Theodore F., 484.
 Dwite, Mr., 913.
- E.
- Earle, Mr., 159, 160, 166, 866.
 Earle, Adjutant-General, 875.
 Earle, Captain, 900, 901.
 Earle, Elias, 898.
 Earle, G. W., 898.
 Earle, Moses, 162.
 Earl of Buckinghamshire, 863.

- Early Congresses, public documents of, 1111.
 Eastin, Mr., 1065.
 East India Company, 382, 603.
 East India trade, 540, 598, 874.
 Easton, James, 1183.
 Ebenezer, stone altar called, 250.
 Ecclesiastical situation in New England before Revolution, 22.
 Edgerton, Deputy Sheriff, 157, 158.
 Edinburgh, Scotland, summer school at, 246.
 Edmonds, Judge, 151.
 Education, advantages of, 873.
 Edwards, Cesar, 1163.
 Edwards, Niman, 509.
 Edwards, Pierpont, 885.
 Egan, Mr., 863, 912.
 Eggleston, Edward, 19.
 Egyptian history, study of, 277.
 Election of President, plan for, 1141.
 Electioneering customs in South Carolina, 896.
 Electoral vote in 1789, 1146.
 in 1793, 1240.
 method of counting, 1246.
 Electors declare Presidential votes, 1141.
 Ellery, Mr., 105, 110.
 Ellicott, Andrew, 801, 1149.
 Elliot, T. O., 1205.
 Elliott, Col. Bernard, 1205, 1214.
 Elliott, James, 847.
 Elliott, John, 1239.
 Elliott, Thomas, 1214.
 Ellis, Daniel, 1220.
 Ellis, William, 1230.
 Ellsworth, Mr., 819, 1141, 1144, 1156, 1157, 1184, 1211.
 Elmore, Major, 893.
 Ely, John, 1157, 1163.
 Embargo, at San Domingo, 1204.
 Congressional debate on, in 1808, 921, 925.
 general, discussed in 1798, 799.
 Emerson, Anna, 1197.
 Emerton, E., 16, 21.
 Emerton, Professor, 256.
 Emigration, Irish, in 1789, 614, 619.
 Emigration laws before Revolution, 643.
 Emmanuel College, England, 246.
 Emmerson, Tilly, 1033.
 Emmet, Thomas Addis, 503.
 Emmet collection, calendar of, 503.
 Emmius, Ubbo, cited, 225.
 England, Ranke's history of, 78, 1208.
 English architecture, talks on, 245.
 English sentiment in Southern States, 642.
 Ennis, Mary, 1239.
 Eno, Martin, 1242.
 Episcopal Church in the colonies, 238.
 Episcopal control in the colonies, 233.
 Erasmus, study of, 274.
 Prince of Humanists, 22.
 Erkelens, Gosuinus, 1198.
 Eschenthal, early government of, 404.
 Espeio, Antonio De, 1253.
 Essex Institute, MSS. in, 500.
 Essex Junto, 477, 705, 707.
 European history, college study of, 267.
 Eustis, William, 817, 847.
 Eutaw Springs, battle of, 846.
 Evans, Mr., 866.
 Everett, Edward, 484.
 Excise act in Massachusetts, 775.
 Excise system in 1791, 782.
 Executive Departments, establishment of, 1148.
 Executive powers not exercised by legislative, 1150.
 Export trade in 1785, 731.
 Exports, inspection of, in 1790, 778.
 Ewing, Alexander, 620.
- F.**
- Fabrot, M., 1048, 1049.
 Fairfax claim, decision of, 1207.
 Falconer, John, 1194.
 Falkingham, Captain, 702.
 Fargo, Mayor, 352.
 Farrar, Samuel, 1229.
 Farwell, Mr., 354.
 Fachet, French minister, 795, 934, 941, 943, 1064, 1074, 1078.
 Faulkner, Edward, 1243.
 Faulkner, John Alfred, 22.
 Faulkner, Thomas, 1243.
 Faust, Captain, 881.
 Fay, Joseph, 1241.
 Federal dependencies in Switzerland, 401.
 Federal territories in Europe, 18.
 government of, 393.
 Federalist party in 1787, 708.
 Federalists in North Carolina in 1808, 916.
 Fegan, Garret, 1239.
 Fellding, Ebenezer, 1197.
 Felder, J. M., 912.
 Félice, cyclopedia by, 225.
 Fellows, David, 1242.
 Felt, J. B., 488.
 Fenian invasion, 345.
 Fenian organization, growth of, 351.
 Fenno, John, 1150.
 Ferdinand I of Austria, 1267.
 Fernow, B., 490, 491.
 Ferrusola, Juan Barno, 1051.
 Fester, on Humboldt and Ranke, 1273.
 Feudal system, abolishment of, 275.
 history of, 273.
 Feudal tenures abolished, 165.
 Few, Mr., of Georgia, 54, 1143, 1158.
 Fidel, Peter, 680.

- Fidel, Pierre, 609, 702.
 Finances, British, in 1785, 726.
 of American Revolution, 1168.
 Finances, National, Hamilton's report
 on, 1160.
 in 1783, 712.
 in 1789, 595.
 in 1790, 1187.
 in 1791, 1202.
 in 1792, 1226, 1228, 1237.
 Financial difficulties in 1819, 365.
 Financial methods of Treasury Department, 1224.
 Findlay, Mr., 1226.
 Findlay, William, 1222.
 Finnie, William, 1166.
 Fishborn, Benjamin, 1139.
 Fisher, George P., 7, 30, 249.
 on study of European history, 276.
 remarks by, 255.
 Fisher, Margaret, 1236.
 Fisheries, British and French, in 1790, 779.
 cod, in 1785, 722.
 cod and whale, in 1791, 1182, 1190.
 condition of, in 1789, 779.
 in 1785, 729.
 in 1790, 1186.
 Massachusetts in 1790, 778.
 Fishery regulations in 1780, 738.
 Fish trade with Spain in 1785, 719, 720.
 Fiske, Nathan W., 43.
 Fitch, Asa, 565.
 Fitch, John, 1157.
 experiments on steam navigation, 1154.
 Fitzgerald, David G., 1113.
 Fitzhugh, W. H., 368.
 Fitzsimmons, Mr., 734, 1199, 1200.
 Fitzsimons, Mr., 1224, 1225, 1227, 1247, 1248.
 Fitzsimons, Thomas, 821.
 Five Nations, treaty with, 1208.
 Flagg, A. C., 154.
 Flanders, council of, 446.
 Flattey, Doctor, 1260.
 Fletcher, Richard, 43.
 Florida, affairs in, in 1813, 1131.
 early books on, 1252.
 Georgia boundary of, 1219.
 proposed expedition against, in 1793, 932,
 969, 1037.
 relations with, in 1793, 1128.
 Floridii, Francisco, 1248.
 Flour, Margaret, 1239.
 Flour trade in 1785, 723.
 Floyd, Mr., 98.
 Folsom, Nathaniel S., 43.
 Folwell, Richard, 108.
 Force, Peter, 108, 484.
 Force manuscripts, 485.
 Ford, Paul Leicester, 92, 99, 192.
 Ford, Robert, 1186.
 Ford, W. C., 510.
 Foreign affairs in 1787, 523.
 in 1794, 1129.
 in 1803 to 1813, 1131, 1132.
 Foreign intercourse bill of 1798, 807.
 Foreign loans in 1790, 1186.
 in 1793, 1238.
 Foreign relations in 1798, 799.
 Foreign trade in 1785-86, 724, 728, 731, 737.
 in 1787, 522 sq.
 in 1789, 762.
 in 1793, 786, 1241.
 of Massachusetts in 1789, 771.
 regulations in 1789, 591.
 Fort Du Queene, expedition to, 664.
 Fortier, M., 1048.
 Foster, Mr., 811, 1176.
 Foster, W. E., 502.
 Fowle, Ebenezer S., 1222.
 Fowle, Susannah, 1222.
 Fowler, Benjamin, 1242.
 Fowler, D., 108.
 Fox, Mr., 685.
 Fox, Charles James, 377 sq., 662.
 Fox, George L., 23.
 Fox, Henry, 662, 687, 691, 692, 696, 697, 699, 701.
 Fox, John, 1239.
 Fox, Nathaniel, 1170.
 Framers of Constitution, use of history
 by, 223.
 France, commerce with, 1189.
 commercial intercourse suspended
 with, 819.
 consular convention with, 1206.
 convention of 1803 with, 837.
 declares war against Great Britain 784.
 feeling toward, in 1783, 716 sq.
 letter from King Louis of, 1189.
 loan from, 1195.
 naval power in 1785, 726.
 New, in 1609, 1256.
 Ranke's history of, 78, 1268.
 relations with, in 1787, 518.
 in 1791, 1189.
 in 1792, 1207.
 in 1796, 1130.
 rights of Americans in, 755.
 trade relations with, 724.
 threatened war with, 819.
 Treaty of Alliance with, in 1778, 739.
 whale-oil exports to, in 1786, 735.
 Francis, Ebenezer, 1241.
 Franklin, Benjamin, 55, 62, 113, 513, 561, 718,
 720, 1128, 1127, 1179, 1187.
 death of, 1182.
 letters of, 506.
 life and writings of, 484.
 manuscripts of, 86.
 papers of, 483.
 portrait of, 195.
 Franklin, John, 1220.
 Fraser, Mr., 596.

Fraser, William, 517, 526.
 letters to, 519 sq.
 Franklin, W. T., letters of, 506.
 Frederick the Great, Ranke's biography
 of, 1270.
 Free Bailiwicks, government of, 408.
 Freedom of speech and the press, 1144,
 1150.
 Freeman, James, 496, 814.
 Freeman, Professor, 247.
 Freeman's History of Federal Govern-
 ments, 394 sq.
 Freer, Daniel, 1221.
 Free schools, benefit of, 872.
 Free Soil party, 180.
 Free trade, 547.
 French and Indian war, 660, 667.
 French archives, letters from, 931.
 French cod fishery at Newfoundland, 722,
 737.
 French debt, payment of, 1239.
 French depredations on American com-
 merce in 1793, 1129.
 French detention of American vessels,
 836.
 French expedition against Louisiana in
 1793-94, 930, 935.
 French fleets at Boston in 1788-89, 578, 616.
 French Islands, American rights in, 757,
 760.
 French minister to United States in 1787,
 558.
 French neutrals in Pennsylvania, 681, 702.
 French Praying Indians, 687.
 French privateers seize American ves-
 sels, 796.
 French prize cases in 1798, 1130.
 French restrictions on American com-
 merce in 1793, 1129.
 French Revolution, English debate on, 381.
 history of, 214, 215.
 Fribourg, dependencies of, 421.
 Friedenwald, Herbert, 17.
 on Articles of Confederation, 228.
 on Journals of Continental Congress, 85.
 Friends' attitude toward slavery, 22.
 Froblsher, Martin, 1252, 1253.
 Frontier, Lake, during the civil war, 337.
 southwest, in 1790, 1162.
 Frontiers, protection of, 1181, 1182, 1184,
 1202, 1206, 1211, 1216, 1217, 1223, 1230.
 Frost, Dorcas, 1193.
 Frost, William, 1243.
 Fuller, Benjamin, 1236.
 Fuller, Nathan, 1170, 1243.
 Fulton, Robert, papers of, 505.
 Fulton, Samuel, 931, 1046, 1062, 1063, 1067 sq.,
 1064 sq., 1095, 1097, 1098, 1101.
 Fulton and Clark letters, 942.
 Furman, Richard, 909.
 Fur industry in 1739, 632.
 Fur trade, early colonial, 140.

G.

Gage, General, 112.
 Gage, Thomas, 499.
 Gagnon, Philéas, 495.
 Gaith, Charles, 113.
 Gaither, Maj. Henry, 1235.
 Gales, Joseph, 1117, 1133.
 Gallaeum's maps, 460.
 Gallatin, Mr., 929.
 Gallatin, Albert, 364, 1181.
 Gallatin, Mrs. Albert, 805.
 Gallaudet, E. M., 7, 30.
 Gallaudet, Thomas H., 843.
 Galloway, Mr., 92, 112.
 Galpin, George, 1244.
 Gamble, Mr., 663.
 Gamble, Henry, 680.
 Gamble, Robert, 694.
 Gamble, William, 662, 693, 694, 695.
 Gamelin, Anthony, 1179.
 Ganges, armed ship, 804.
 Garanger, Charles, 1243.
 Garanger, Lewis, 1230.
 Gardnier, Barent, 928.
 Gardiner, Addison, 165.
 Gardiner, Edmund, 1256.
 Gardiner, Prof. Samuel Rawson, 212.
 Gardner, Governor, 178, 186.
 Gardner, Joanna, 1241.
 Gardner, John, 831.
 Gardner, Col. Thomas, 1241.
 Gardner, William, 1218.
 Gardners Island manor, 143.
 Garnett, John, 1169.
 Garranger, Charles, 1230.
 Garrett, Prof. W. R., 1036.
 Garretson, Samuel, 1172.
 Garrigues, Jacob, 1236.
 Garrison, Bennett, 1239.
 Garrison, Elizabeth, 1239.
 Garvey, M. A., 1268.
 Gates, President, 15, 19, 218.
 on study of history, 216.
 Gates, Sir Thomas, 1257.
 Gayerré, Charles, 494.
 Gayoso, Governor, 934.
 Gayoso, Manuel, letter to, 1020.
 Geddes, Prof. Patrick, 246, 247.
 Gelderland, Upper, 449.
 Genesee Country in 1789, 658.
 Genet, Edward Charles, French minister,
 19, 478, 812.
 promotes expedition against Louisiana,
 632.
 instructions for Louisiana expedition,
 957, 995, 996.
 Jefferson's minute of talk with, 964.
 Genet-Clark correspondence, 930 sq.
 Georgetown College in 1808, 921.
 George Washington, ship, 804.

- Georgia and Florida boundary, 1218.
 Georgia, boundary with Creek Nation, 1064.
 commerce of, in 1787, 526.
 Indian affairs in, 1129, 1230, 1237.
 loan certificates of, 1219.
 manufactures in 1789, 654.
 militia of, in 1803, 1130.
 population in 1789, 655.
 records of, 494.
 relations with, in 1793, 1128.
 German assistance to French in 1756, 661.
 German Flats, 661.
 German government of Alsace-Lorraine, 451.
 Germanic Empire, constitution of, 225.
 German migration to America in 1789, 643.
 German schools of history, 1272.
 Germans, enlist in French cause in 1756, 678.
 in Pennsylvania in 1789, 647.
 in the West, influence of, 290.
 Germany, Savage's history of, cited, 226.
 Gerome, David H., 31.
 Gerry, Mr., 735, 748, 752, 1150, 1177, 1222, 1223, 1227, 1244.
 Gerry, Elbridge, 100, 717, 735, 800, 812, 817, 818, 836, 1222.
 Gerrymander, disturbing power of, 331.
 Gervinus, Georg Gottfried, 1270.
 Ghent, surrender of, in 1585, 431.
 Gibault, P., 1194.
 Gibault papers, 510.
 Gibbes, R. W., 508.
 Gibbon, James, 1160.
 Gibson, Edmund, 235.
 Gibson, George, 1200.
 Gien, Viscount de Pontieues, 616.
 Giese, W. F., 831.
 Gignoux, letter from, 1002.
 Giles, Mr., 1123, 1200, 1245, 1246, 1247.
 Giles, Aquila, 1236.
 Giles, William B., 928.
 Gillette, Francis, 842.
 Gilman, John Taylor, 795.
 Ginseng trade in 1787, 541.
 Gisebrecht, Wilhelm von, 1273.
 Gist, Joseph, 871.
 Gladhill, Ely, 1172.
 Glass industry in 1789-90, 651, 652, 654, 1177.
 Glaubeck, Baron de, 1145, 1150.
 Glentworth, George, 1192.
 Gloucester, fisheries of, in 1789-90, 779.
 Godkin, Mr., cited, 289.
 Goethe, Ranke's letter to, 1273.
 Golden League in Switzerland, 423.
 Goode, G. Brown, biography of, 32.
 Goode, John, 32.
 Goodell, William, 43.
 Goodhue, Mr., 1177, 1200, 1224, 1246.
 Goodridge, Ezekiel, 1241.
 Goodwin, Major, 876.
 Gordon, Lady D., 1267, 1268.
 Gordon, Samuel, 161.
 Gordon, William, 832.
 Gore, Christopher, 820, 821, 835.
 Gorham, Mr., 748, 752.
 Gorham, Nathau, 1149.
 Gorham, Nathaniel, 704, 755, 783.
 Gorham tract in New York, 146.
 Goshen, Indian troops at, in 1756, 675, 679.
 Gould, David, 1158, 1170, 1171, 1177.
 Gould, Jay, 156, 173.
 Gould, John B., 156.
 Gould, Reuben, 1197.
 Gove, Nathaniel, 1168.
 Gowdy, Captain, 891.
 Graf, on origin of Levitical law, 76.
 Graham, Mr., 927.
 Graham, William, jr., 1221.
 Grandpré, Don Carlos, 1048, 1061.
 Grant, General, 45, 62.
 Grant, Thomas, 1236.
 Granbünden League, 427.
 Gray, James, 1230.
 Gray, Robert, 1251, 1256.
 Grayson, Mr., 105.
 Grayson, William, 54.
 Greece, autonomous cities of, 364.
 government of federal territories of, 368.
 Greely, Gen. A. W., 6, 18.
 on public documents of early Congresses, 1111.
 Green, H. E., 496.
 Green, Jacob, 1220.
 Green, Capt. John, 545.
 Green, Joseph, 1243.
 Green, Richard, 1220.
 Green, Samuel A., 1099.
 Green, Wardell, 1196.
 Green, William, 485.
 Greene, Catherine, 1178.
 Greene, Gen. Nathanael, 1224, 1226, 1245.
 papers of, 503.
 Greenland in 1690, 1261.
 Greenup, Mr., 1246.
 Greenup and Shelby letters, 941.
 Greenwalt, Philip, 1243.
 Grey League, 427.
 Griffin, A. P. C., 24.
 Griffin, C., 1151.
 Griffin, Cyrus, 1223.
 Griffin, Joseph, 890.
 Griffith, John, jr., 1236.
 Grignon Papers, 510.
 Grigsby, Hugh Blair, 485.
 Grimké, John Fancheraud, 868.
 Grimm, J., 1267.
 Grimston, Edward, 1258.
 Grisons League, 427.
 Griswold, Mr., 802.

- Griswold, Roger, 847, 900.
 Grosvenor, Edwin A., 25, 30.
 Grove, Mr., 1227.
 Groves, James, 1243.
 Guglia, Eugen, 1273.
 Guiana, description of coast of, 1254.
 discovery of, 1254.
 early settlements in, 461.
 first map of, 460.
 Guignard, John G., 912.
 Guignard, Mr., 862.
 Gunn, Mr., 1211.
 Guyer, Stephen, 1173.
- H.
- Haddock, Charles B., 43.
 Hazen, H. A., 565.
 Hagthorpe, John, 1260.
 Hague, John, 554, 564.
 Hague, Joseph, 554, 564.
 Hague and Bourbon, ships, 713.
 Hakluyt and Purchas, 1259.
 Haldimand, Gen. Frederick, 496.
 Haldimand Papers, calendar of, 485, 486, 488.
 Hale, Benjamin, 43.
 Halifax, Earl of, 662, 684, 688.
 Hall, Hubert, 475.
 Hall, Jacob, 1239.
 Halleck, General, 45.
 Halley, Mr., map maker, 459.
 Hamilton, Alexander, 142, 705, 706, 709, 710, 734, 735, 774, 775, 782, 793, 818, 835, 858, 1138, 1153, 1160, 1163, 1184, 1187, 1188, 1189, 1190, 1191, 1201, 1205 sq., 1212.
 censure of, 1247.
 on uniform coinage, weights, and measures, 1173.
 papers of, 483, 707.
 Hamilton, Mrs., 926.
 Hamilton, Governor, 877.
 Hamilton, Paul, 845, 858.
 Hamilton, Rufus, 1171, 1172.
 Hamilton, S. M., 707.
 Hamlin, Vice-President, 343.
 Hammond, Mr., 852.
 Hammond, Elisha, 845.
 Hammond, George, 515.
 Hammond, James H., 845.
 Hampton, Col. Wade, in 1805, 844, 905, 912.
 character of, 846.
 Hampton, Gen. Wade, 845.
 Hamtrank, Major, 1179, 1194.
 Hancock, Charles Lovell, 499.
 Hancock, General, 45.
 Hancock, John, 706, 708, 756, 772, 1141, 1152.
 letter book of, 114.
 Hanford, Mr., 851.
 Hanover, N. H., Indian school at, 42.
 Hansatic Leaguc, 227.
 Hanson, A. C., 1221.
 Happart, Mr. D., 797.
 Hapsburg possessions, history of, 275.
 Harcourt, Robert, 1258.
 Hardenbergh, Johannes, 156.
 Hardenbergh patent in New York, 145.
 Hardin and Shelby letters, 945.
 Harding, Seth, 1173, 1199.
 Hardison, Joseph, 1172.
 Hardy, Sir Charles, 662, 684, 688, 698, 699, 700, 703.
 Hardy, Samuel, 91.
 Harly, John, 1220.
 Harmer's expedition against Indians, 1179, 1180.
 Harner, Christian, 1220.
 Harold, Annie, 1239.
 Harper, Robert Goodloe, 807, 884, 892.
 Harris, Ira, 165, 167, 168.
 Harris, John, 1170, 1171, 1241.
 Harris, Joseph, 1166.
 Harris, Josiah, 1241.
 Harris, William, 234, 1220.
 Harrison, Governor, 53, 193.
 Harrison, Robert H., 1141.
 Harrison, Thomas, 600, 650.
 Hart, A. B., 23.
 Hart, Charles Henry, 17.
 on Washington portrait, 191.
 Hart, Josiah, 1175.
 Hart, Professor, 211.
 Hart, Thomas, 1220.
 Hartford, glass industry in 1789, 651.
 Hartley, Mr., 1226.
 Hartman, Dietrick, 1239.
 Harvard, John, 246.
 Harvard University, early records of, 499.
 Haskell, Jonathan, 1240.
 Haskell, Louisa P., 17.
 on Langdon Cheves and the United States Bank, 363.
 Haskins, C. H., 18, 23.
 Hassal, William, 1239.
 Hassall, William, 1170.
 Hatfield, John Smith, 615.
 Haugendobler, Nicholas, 1193.
 Haverd, John, 1236.
 Hawkins, Mr., 1156, 1185, 1209.
 Hawkins, Sir John, 1254.
 Hawkins, Moses, 1242.
 Hawkins, Sir Richard, 1259.
 Hawley, Gen. J. R., 351.
 Hay, Udney, 1236.
 Hayden, John, 1221.
 Hayman, Robert, 1200.
 Hayne, Robert, 368.
 Haynes, George H., 17.
 on Know Nothing Legislature, 177.
 Hays, John, 1221.
 Hazard, Stanton, 736.
 Hazen, Gen. Moses, 1223.

- Head, Sir Francis, quoted, 341.
 Health officer at Baltimore in 1780, 1199.
 Healy, Eleanor, 1239.
 Heath Papers, list of, 497.
 Heaton, Robert, 1245.
 Hebrew history, advantage of study of, 251.
 Hebrew sociology, study of, 250.
 Hector, Don Francisco Louis, 974.
 Heintzelman, Samuel P., 45.
 Heister, Mr., 1248.
 Henderson, Mr., 896, 899.
 Henderson, David, 1243.
 Henderson, John, 1239.
 Henderson, Joseph, 1221, 1245.
 Henderson, Lydia, 1239.
 Hennepin, Father, 460.
 Henry, Mr., 819, 913, 1156, 1157.
 Henry, Caleb S., 43.
 Henry, Patrick, 324.
 Henry, Vernon, 199.
 Henry, William Wirt, 7, 30.
 Henaler, Madam, 1237.
 Herald, frigate, 826.
 Herbert, Thomas, 1261.
 Hereditary legislators, 378.
 Herkimer Papers, list of, 504.
 Hermann, Gottfried, 74.
 Hertogenbosch, fall of, 431.
 Hessian fly, injury to wheat by, 516, 565, 572, 579, 592, 604.
 Hetfield, John Smith, 650.
 Heth, Ensign John, 1233.
 Heylyn, Peter, cited, 234.
 Heyns's maps, 460.
 Heywood, Mr., 95.
 Hickey, J. H., 1116.
 Higby, John, 1221.
 Higginson, Francis, 704.
 Higginson, John, 781.
 Higginson, Stephen, 19.
 letters of, 704 sq.
 life of, 704.
 Higginson, Thomas Wentworth, 477, 704, 706.
 Hildeburn, cited, 97.
 Hill, Colonel, 867.
 Hill, Mr., 98.
 Hill, Henry, 1236.
 Hiller, Joseph, 767.
 Hillhouse, Mr., 1246, 1247.
 Hinckley Papers, account of, 497.
 Hindman, Mr., 105.
 Hingham, Mass., in 1785, 731.
 Hinsdale, Professor, 286.
 Hispaniola Station, war ship for, 826.
 Historical and Philosophical Society of Ohio, 299.
 Historical Manuscripts Commission, 5, 18, 23.
 report of, 467 sq.
 Historical study in secondary schools, 21.
 Historical Society of Delaware, MSS. of, 507.
 Historical Society of Pennsylvania, MSS. of, 505.
 Historical teaching, Ranke's method of, 74.
 History, and Political Science, Burgess on, 203.
 an evolution, 257.
 church, study of, 251.
 definitions of, 205.
 conceptions of phenomena of, 204.
 European, college study of, 267.
 German schools of, 1272.
 Hebrew, advantage of study of, 251.
 local, study of, 248.
 study of, in England, 245.
 methods of studying, 216.
 teaching of, H. B. Adams on, 245.
 teaching of, 15.
 Hitchcock, Major-General, 349.
 Hoadley, Charles J., 489.
 Hoar, George F., 7, 30, 483.
 Hobart, Garret A., 3.
 Hobby, Thomas, 1197.
 Hocking, W. J., 331.
 Hodgdon, Mr., 761.
 Hodge, John, 1194.
 Hodgson, Samuel, 1235.
 Hoge, John, 1243.
 Hogeboom, Cornelius, 152.
 Holbrook, Hannah, 1239.
 Holbrook, John, 1220.
 Holland, M., 1268.
 Holland, Thomas, 1242.
 Holland, influence of, on American institutions, 227.
 rice exported to, 678.
 Holland and West India Company, 1260.
 Holland Documents, calendar of, 490.
 Holland loan, 1195, 1202, 1231.
 Holland Society of New York, MSS. of, 503.
 Holland tract in New York, 146.
 Holland troops defeated in 1793, 1025.
 Hollanders in the West, influence of, 291.
 Hollanders colonize New York, 139.
 Hollins, John, 1191.
 Holmes, David, 928, 1242.
 Holmes Papers, list of, 497.
 Holt, Jesse, 1196.
 Holten, Samuel, 704.
 Holy League of 1511, 417.
 Homes, H. A., 491.
 Hondius, Jodocus, map of Guiana by, 460.
 Hoogeboom, functions of, 436.
 Hooker, Mr., 912.
 Hooker, Edward, 19, 477.
 diary of, 842 sq.
 life of, 842.

- Hooker, General, 45, 352.
 Hooker, John, 477, 842, 845, 852, 853.
 Hooker, Noahiah, 842.
 Hooker, Rev. Samuel, 842.
 Hooker, Rev. Thomas, 842.
 Hooper, Mr., 92, 95, 112.
 Hope, Gen. Henry, 584.
 Hopetown, Earl of, 584.
 Hopewell treaty, 902.
 Hopkins, Commodore, dismissed from office, 115.
 Hopkins, Esek, papers of, 502.
 Hopkinson, Francis, 97.
 Hopkins, Lemuel, 831, 832.
 Hopkins, Stephen, 502.
 Hort, William, 1205.
 Hoamer, James K., 488, 498.
 Hosmer, Timothy, 1172, 1243
 Hough, Franklin B., 490.
 Houston, Mr., 100, 105.
 How, John, 1220.
 How, Samuel, 1220.
 How, William, 1213.
 Howard, General, 45.
 Howdin, Michael, 1192.
 Howe, Joseph, 1243.
 Howe, Solomon, 1242.
 Howell, Mr., 105.
 Howell, George R., 491.
 Hoyt, A. H., 500.
 Hubbard, L. M., 499.
 Hubbard, William, 498.
 Hubbel, Mr., 343.
 Hubbs, James, 1236.
 Huber, Peter, 1221.
 Hudson, Henry, historical inquiry concerning, 31.
 Hudson Bay region, State Papers on, 486.
 Huger, Mr., 327.
 Huger, Benjamin, 1205, 1214.
 Huger, D. E., 867.
 Huger, Elizabeth, 1214.
 Huger, Mary, 1205.
 Hugg, Joseph, 1194.
 Hughes, Lewes, 1258.
 Hughson, Jonas, 161.
 Hull, Gen. William, 816.
 Humanists, Erasmus the Prince of, 22.
 Humboldt, Alexander von, 458, 461.
 Humphries, John, 1242.
 Humphrey, Heman, 843.
 Humphreys, David, 836, 867, 1223.
 Humphreys, D., 1151, 1183.
 Hunt, Abraham, 1192.
 Hunt, Thomas, 1239.
 Hunter, Mr., 900.
 Hunter, David, 45.
 Hunter, Doctor, 893.
 Hunter, George, 1236.
 Hunter, Governor, 143.
 Hunter, John, 163, 692.
 Hunter, Jonathan, 1236.
 Huntingdon, Samuel, 1141.
 Huntington, Mr., 1149.
 Hurst, John, 1160.
 Hutchins, Walter, 152.
 Hutchinson, Colonel, 876.
 Hutchinson, Thomas, life of, 498.
 Hutchinson Papers, description of, 497, 498.
 in Massachusetts Archives, 488.
- I.
- Illicott, J., 1203.
 Illinois, bibliography of history of, 297.
 laws of, before 1851, 296.
 newspapers of, before 1851, 296.
 MSS. records of, 510.
 records of, 494.
 Illinois and Wabash Land Company, 1211, 1226.
 Illinois Indians, 1229.
 Imelmann, J., 1272.
 Imlay, Captain, 936.
 on Louisiana expedition, 953.
 Import duties in 1789, 903, 950, 1147.
 Imports of British manufactures, 611.
 Impost act of 1783, 705, 711.
 of 1789, duties from, 1189.
 Impost duty on rum, sugar, and chocolate, 1144.
 Inauguration of President in 1789, 1147.
 India, Great Britain's government of, 383.
 Indiana, bibliography of history of, 297.
 Confederate sympathizers in, 358.
 laws of, in 1803, 1131.
 laws of, before 1851, 296.
 newspapers of, before 1851, 296.
 Indian Affairs, Commissioner of, 1144.
 Government management of, 235.
 in Georgia in 1792, 1237.
 in Georgia in 1795, 1129.
 in 1786, 741, 742.
 in 1790, 1186.
 in 1792, 1216, 1230, 1234.
 in 1793, 1240.
 on the frontier, 1206.
 Washington on, 1151.
 Indian claims in 1791, 1213.
 Indian hostilities in Pennsylvania in 1790, 1164.
 Indian invasion of Southwestern Territory, 1230.
 Indian lands, 1154, 1155.
 Indian massacre in Virginia, 1259.
 Indian policy, Spanish, 936.
 Indian school, at Stockbridge, 687.
 Eleazer Wheelock's, 41.
 Indian treaties, 1038, 1121, 1138, 1143, 1144, 1230, 1233, 1235.
 Indian troubles in 1789, 1128, 1139.

- Indian war in 1756, 667.
 in 1763, 1001.
 Indians, and their language, 506.
 Harmar's expedition against, 1179, 1180.
 military operations against, 1125.
 North American, religion of, 252.
 protection against, 1184.
 relation of whites to, 285.
 Inglis, Charles, 239.
 Innes, Harry, 945, 1102.
 Innes, James, 821, 943.
 Inspection of exports, 778.
 Instalment act in South Carolina, 605, 624.
 Instalment law in 1788, 563.
 Institutional history of Northwest, 296.
 Insurrection, in Massachusetts in 1786,
 743, 751, 759.
 Insurrection, negro, in South Carolina,
 881.
 Insurrections after the Revolution, 57.
 Intercepted letters to Duke de Mirepoix,
 660 sq.
 Internal improvements, 315, 332.
 Internal-revenue districts, 1184, 1202.
 Internal-Revenue Marine Service in 1790,
 1167.
 Iowa, MSS. records in, 511.
 records of, 494.
 Irish emigrants in United States in 1788-89,
 596, 613, 619, 643.
 in Virginia, 679.
 Irish troops in America in 1757, 699.
 Iron industry in 1786, 652.
 Iroquois Indians, 667.
 Isaac, Jacob, 1214.
 Isle of France, trade with, 763, 764.
 Italian dependencies of Switzerland, 416.
 Italy, French driven from, 417.
 Ives, Brayton, books and MSS. of, 503.
 Izard, Mr., 1145, 1156, 1158, 1186, 1211.
 on slave trade, 873, 879.
- J.
- Jackson, Mr., 733, 748, 754, 758, 1199.
 Jackson, Andrew, 290, 293, 1123, 1218, 1225.
 Jackson, Doctor, 187.
 Jackson, Ephraim, 1241.
 Jackson, Col. Henry, 744.
 Jackson, James, 1222, 1223.
 Jackson, John G., 824, 825.
 Jackson, Jonathan, 704, 725, 783.
 Jackson, Pattin, 1171.
 Jackson, Richard, 925.
 Jackson, Samuel Macauley, 7, 23, 30.
 Jackson's Corps, 751.
 Jacobinism in 1803, 839.
 Jacobins, in Massachusetts, 816.
 of 1795, 708.
 Society of, 1016, 1017.
 Jacobs, Mr., 572.
- Jacobs, Joseph, 250.
 Jaeglé, Ernest, 1266.
 Jahrrechnung, business of, 402.
 Jameison, Doctor, 910.
 James, Bartlett Burleigh, 22.
 James, Capt. Thomas, 1261.
 James, William D., 848.
 Jameson, Mr., 491.
 Jameson, J. Franklin, 5, 18, 503, 506, 517, 708,
 844, 1112.
 chairman Manuscripts Commission,
 472, 480.
 Jardins, Mary des, 1243.
 Jarvis, Charles, 817.
 Jastrow on Von Ranke, 1273.
 Jaudenes, José de, 1006, 1007.
 Jaudenes, Joseph, 1000.
 Jay, John, 198, 523, 528, 604, 606, 614, 718, 739,
 793, 1138, 1139, 1153, 1201, 1209.
 Jefferson, Thomas, 104, 225, 228, 706, 758, 765,
 834, 838, 901, 933, 965, 967, 1138, 1139, 1175,
 1180, 1181, 1182, 1188, 1189, 1190, 1201, 1213,
 1214, 1228, 1240.
 letters from, 964, 1005.
 letters of, 506.
 manuscripts of, 86, 483, 707.
 minute of talk with Genet, 964.
 report on weights, measures, and coins,
 1173.
 Jesuit manuscripts, 95.
 Jesus College, Cambridge, England, 246.
 Jewish civilization, history of, 250.
 Jocelyn, William, 162.
 Jogues Papers, list of, 495.
 Johanna, Countess, 414.
 Johnson, Mr., 1142, 1143.
 Johnson, General, 966.
 Johnson, John, 315.
 Johnson, Peter, 1197.
 Johnson, Philip, 1242.
 Johnson, Robert, 1257.
 Johnson, William, 852.
 Johnson, Sir William, 661, 685, 703.
 Johnston, Mr., 1233.
 Johnston, Albert Sidney, 44.
 Johnston, B. T., 492.
 Johnston, Elizabeth Bryant, 192.
 Johnston, Ezekiel, 1197.
 Johnston, Henry P., 484, 485.
 Johnston, Joseph E., 44.
 Johnston, W. D., 510.
 Jones, Elizabeth, 1239.
 Jones, Griffith, 1220, 1236.
 Jones, Israel, 1236.
 Jones, John, 1220, 1236.
 Jones, John Paul, 805.
 papers of, 485, 507.
 Jones, John Rice, 315.
 Jones, Joseph, 510.
 Jones, Judge, 734.
 Jones, Nathan, 1153, 1157.

Jones, Rosina, 1243.
 Jones, Samuel, 1167.
 Jones, W., 484.
 Jones, William, 1131, 1221.
 Jones, Willie, 324.
 Jones, Zebulon, 1239.
 Jordan, Ambrose, 152.
 Jordan, John, 1164.
 Joucourt, Peter de, 685.
 Journals of Continental Congress, bibliography of, 127.
 Judicial officers, compensation of, 1184.
 Judiciary, report on establishment of, 1143.
 Judiciary system in 1792, 1188, 1206, 1228.
 Judson, Professor, 211.
 Jurors in United States Courts, 1144.

K.

Kansas Historical Society, MSS. of, 511.
 Kappel, Peace of, 422.
 Kaskaskia, Ill., records of, 510.
 Kearsley, Samuel, 1193.
 Keefe, Benjamin, 1171.
 Keemhle, John, 1193.
 Keen, Gregory B., autograph collection of, 506.
 Keith, Capt. W., 557.
 Kellar, Francis, 1247.
 Kelly, Ezekiel, 157.
 Kelly, Walter K., 1286.
 Kemble Papers, description of, 503.
 Kendall, Amos, 43.
 Kennard, Mr., 906.
 Kennedy, Doctor, 893.
 Kennedy, Mary, 1239.
 Kent, Ebenezer, 1239.
 Kentucky, admission to Union, 1125, 1128, 1178, 1184, 1186.
 demands free navigation of the Mississippi, 1055, 1056.
 district of, 1187.
 expedition against Louisiana from, 988.
 insurrection of 1785 in, 51.
 migration to, 585.
 militia of, in 1803, 1130.
 movement in, against Louisiana, 934.
 resolutions of 1794, 1056.
 separation of, from Virginia, 1179.
 Virginia assents to separation of, 1185.
 Spanish efforts against, 935.
 western boundary of, 1229.
 Keppel, British Captain, 198.
 Kerr, Mrs. Alexander, 1267.
 Key, Mr., 1244.
 Key, Philip Barton, 921, 926.
 Keymis, Lawrence, voyage of, 1254.
 Kilbourn, John, 315.
 Kimball, Gertrude S., 540, 614, 804.
 Kimberly, Ephraim, 1246.

King, Mr., 752, 754, 1099, 1144, 1156, 1182, 1185, 1234.
 King, Charles R., 506.
 King, John A., 19, 30.
 King, Preston, 344.
 King, Robert, 1194.
 King, Rufus, 56, 747, 748, 820, 821, 832, 1151.
 papers of, 506.
 Kingman, Edward, 1241.
 Kingston, Felix, 1257.
 Kinloch, Cleveland, 1214.
 Kinlock, Cleland, 1205.
 Kirkland, Joseph, 510.
 Kirkland, Nathaniel, 1242.
 Kitchen, G. W., 1268.
 Kittredge, Job, 1221.
 Kittredge, William, 1221.
 Knapp, Mr., pardoned, 166.
 Knapp, Joel, 1169.
 Knapp, Lewis, 157.
 Knight, John, 1243.
 Knights of the Golden Circle, 358.
 Knipe, Christian, 1220.
 Knowles, Charles, 1232.
 Know Nothing legislature, Hayneson, 177.
 Know Nothing party in 1855, 177.
 Knox, Henry, 54, 477, 499, 709, 908, 1138, 1151, 1152, 1155, 1163, 1179, 1183, 1191, 1201, 1229.
 correspondence of, 741 sq., 780.
 Knox Papers, 707.
 Kohl collection of early maps, 484.
 Kohl's catalogue of American maps, 461.
 Kolloch, Mr., 105.
 Köpke, R., 1273.
 Krow, William, 1248.
 Kuhn, Christian, 1166.
 Kuhn, Ludwig, 1220, 1237.

L.

Labadists, colony of, in Maryland, 22.
 Lacey, Gen. John, 491.
 La Chaise, Auguste de, 1002, 1019, 1026, 1027, 1032, 1078.
 Lachmann, K., 1267.
 "Laco," essays of, 708.
 Ladd, Eliphalet, 1220.
 Lafayette, Marquis de, 547, 724.
 La Jenness, Prudent, 1236.
 Lake commerce, danger of, during war, 343.
 Lake frontier during the civil war, 337.
 Lake Parima, 461.
 Lamont, Aneas, 200.
 Land disputes between Massachusetts and New York, 153.
 Landier, Juan, 975.
 Landgericht, jurisdiction of, 407.
 Land grants in New York, 144.
 west of the Ohio, 1150, 1185.
 Landlords titles, rights under, 153, 155.

- Land Office, establishment of, 1183.
recommended in 1789, 1149.
- Land of Overmaas, government of, 440.
- Land rent system in New York, 139.
- Land rents, laws relating to, 165.
- Lands ceded by North Carolina, 1204.
- Landschreiber, Swiss, duties of, 401, 407.
- Lands in Western territory in 1789, 1149.
- Land titles in New York confirmed, 155.
- Landvogt, Swiss, duties of, 401, 406.
- Lane, A. F., 1127.
- Lane, Timothy, 1197.
- Lane, W. C., 483, 490, 499.
- Lane, William, 1220.
- Langdon, Mr. 1141, 1142, 1185.
- Langdon, John, 795, 1178, 1202, 1228.
- Langenes' maps of 1598, 460.
- Langley, S. P., 3, 6.
on Doctor Goode, 33.
- Langlois, Don Francisco, 1050.
- Lansing, G. F., 490.
- Lansing, John, jr., 145.
- Las Casas, Don Luis de, letters to, 938, 1006.
- Latham, John, 162.
- Latin and Teutonic nations, history of, 1265.
- Latrobe, Surveyor, 1131.
- Laud, Bishop, 234.
- Laurance, Mr., 1247.
- Laurence, Mr., 1244.
- Laurens, Mr., 110.
- Laurens, Colonel, 1200.
- Laurens, Frances Elinor, 1200.
- Laurens, Henry, 99, 198, 1198, 1200, 1225, 1226.
- Laurens Papers, 503.
- Lawrence, Mr., 1145, 1199, 1223, 1224, 1227.
- Lawrence, Joseph, 1243.
- Law, first, passed by Congress, 1122.
- Laws, bibliography of, in Northwest States, 296.
- Laws passed by early Congresses, 1121.
- League, Golden, in Switzerland, 423.
- League of God's House, 427.
- League of the Twelve Cities, 395.
- Leagues, Grecian, 393.
of Swiss Cities and Cantons, 396.
- Lear, Tobias, 1125, 1128, 1179, 1187.
- Leased land in New York, amount of, 170.
- Leasehold system in United States, 139.
- Leasehold tenures in New York, 164, 167.
- Leases, land, taxes on, 154.
- Lebanon, Conn., 39.
- Le Blanc, Pablo, 1049.
- Lebrun, letter to, 1011.
- Lebrun and Bourgoing letters, 936.
- Ledyard, Isaac, 1210, 1236, 1239.
- Lee, Mr., 1141, 1142, 1143, 1158, 1159, 1227.
- Lee, Arthur, 54, 113, 506, 709, 711.
papers of, 499.
- Lee, Guy Carleton, 22.
- Lee, Henry, 824, 1221.
- Lee, J. W. M., 492.
- Lee, Polly, 1241.
- Lee, R. B., 1147.
- Lee, Richard Henry, 54, 57, 93, 110, 773, 1202, 1228.
- Lee, R. H., letters of, 506.
- Lee, Robert E., 44.
- Lee, Silas, 832.
- Lee, Stephen, 1241.
- Lee, William, 812, 813.
- Lee Papers, 499, 507.
- Legislature, Know Nothing, in 1855, 177.
- Leisles documents, 502.
- Leitch, Andrew, 650, 1192.
- Le Leisle, map maker, 459.
- Le Maigre, Monsieur, 1048.
- Lemos, Manuel Gayoso de, 1019, 1027, 1029.
- Lenox collection of Spanish MSS., 502.
- Lermnier, Mr., 1236.
- Le Roy, Mr., 710, 711.
- Leroy, Bayard, and McEvers, letters to, 824, 829.
- Leshner, John, 1239.
- Lester, Mr., 900.
- Levan, Jacob, 1239.
- Leventina, government of, 408.
- Levitical law, origin of, 78.
- Lewis, Captain, 929.
- Lewis, John, 1238.
- Lewis, Meriwether, 933, 1024.
- Lewis, Morgan, 148.
- Lewis, Robert, 1170, 1171.
- Lexington, Ky., resolutions of 1794, 1056.
- Libby, Orin Grant, 17.
on study of votes in Congress, 323.
- Liberty Party vote in 1844, 329.
- Liberty, political and ethical, 209.
- Library of Congress in 1808, 928.
Toner's gift to, 32.
- Liège, Bishop of, 445.
- Life, Thos. 113.
- Lilly, Mr., 893, 894, 1896, 897.
- Lincoln, Abraham, 59.
- Lincoln, Gen. Benjamin, 744, 751, 761, 818, 1139, 1141, 1151, 1152, 1223, 1241.
- Lincoln, General, papers of, 499.
- Lincoln, John Larkin, 1273.
- Lindsay, Henry, 940, 1063.
- Lindsay, Samuel, 1243.
- Linen industry in 1789, 651.
- Lipscomb, Squire, 887.
- Linn, John, 1193.
- Liston, Robert, 814, 815, 816, 819.
- Livermore, Mr., 1224, 1225, 1226, 1244.
- Livermore, Edward St. Loe, 825.
- Livermore, S. C., 1219.
- Livingston, Mr., 839.
- Livingston, Brockholst, 198.
- Livingston, Edward P., 145.

- Livingston, John H., 144.
 Livingston, Robert, 143.
 Livingston, Robert C., 144.
 Livingston, Robert R., 145, 146.
 Livingston, Walter, 144.
 Livingston Manor, history of, 143.
 Livingstone, Chancellor, 734.
 Lloyd, Richard, 196, 1195, 1223.
 Lloyd, T., 1186.
 Loan certificates, renewal of, in 1792, 1221.
 Loan, Holland, in 1791, 1184, 1202.
 Loan of 1786, 742.
 Loans, foreign, 1178, 1186.
 Loans, Hamilton censured for making, 1247.
 Local government in Alsace-Lorraine, 453.
 Local history, study of, 248.
 Locarno, government of, 419.
 Lochman, Charles, 1239.
 Logan, Benjamin, 964, 940, 1026.
 Logan, General, 996.
 Logan, George, 831.
 Logan, James, 506.
 Lolla, Daniel, 1197.
 Lombardy, French driven from, 417.
 London, Bishop of, jurisdiction of, 233.
 London Company of Stationers, 1249.
 London Documents, Calendar of, 490.
 Longcam, Annie W., 1197.
 Longchamps, Charles Julian de, 758.
 Long Island Historical Society, MSS. of, 503.
 Longstreet, General, 45.
 Longueville, Duke of, 418.
 Lord, Catherine W., 509.
 Lord Lyons, 338, 344.
 Lord Monck, 344, 345, 347.
 Lorenz, O., 1273.
 Loring, Judge, 186.
 Loring, William, 1217.
 Lorraine and Alsace, government of, 451.
 Loudon, Mr., 105.
 Loudoun, Lord, 661, 663, 666, 669, 703.
 Louisburg, capture of, in 1758, 662.
 Louisiana, French expedition proposed against, 19, 478, 930 sq.
 origin of expedition against, 1099.
 French possession of, 801.
 manuscript records of, 494.
 relations with, in 1793, 1128.
 Louisiana Historical Society, MSS. of, 508.
 Louisiana purchase, records of, 505.
 Louisiana treaty of 1803, 837.
 discussion of, 839.
 Louis of Orleans, 413.
 L'Ouverture, Toussaint, 707, 825, 827, 829.
 Lovell, Mr., 96, 110, 952.
 Low, Alex, 1243.
 Low, Seth, 25.
 Lowell, Mr., 735, 749.
 Lowell, Francis, 43.
 Lowell, John, 735, 755, 768.
 Lowell Institute, origin of, 48.
 Lowndes, William, 865, 871.
 Lownes, Master, 1257.
 Loyalists at Shelburne, 727.
 Loyalists, migration of, 648.
 Lucas, Barnabas, 1197.
 Lucas, C. P., 875.
 Lucas, Nathaniel, 1239.
 Lucerne, growth of, 399.
 Lugano, government of, 418.
 Lunt, Captain, 599.
 Luther, Martin, study of, 274.
 Lutterloh, Henry E., 1168, 1177, 1227.
 Lycian League, constitution of, 225.
 Lydius, Mr., 687.
 Lydius, John Henry, 685.
 Lyman, Capt. Cornelius, 1130.
 Lyman, O. E., 173.
 Lynn shoe industry in 1785, 731.
 Lyon, Matthew, 802.
- M.**
- M'Allister, Archibald, 1161.
 McCalla, Daniel, 847.
 McClary, Maj. Andrew, 1241.
 McClary, Elizabeth, 1241.
 McClure, James, 1243.
 McCollam, Mr., 1018.
 McCollum, Mr., 1069.
 McCollum, Hugh, 1073.
 McComb purchase in New York, 146.
 McCord, John, 1158, 1176.
 McCoy, Ephraim, 1167.
 McCullen, Mary, 1220.
 McCulloch, Mr., 366.
 McCullom, Hugh, 1085.
 McCullom and Clark letters, 943.
 McCumber, Charles T., 162.
 McDonald, Donald, 1197.
 McDowell, General, 45.
 M'Elheny, Rev. Mr., 902.
 McEvers, Mr., 710, 711.
 McFall, Thomas, 1171.
 McGarragh, John, 1161.
 McGibbon, Joseph, 1167.
 McGifford, Mr., 23.
 McGillivray, Mr., 659.
 McGillivray, Gen. A., 1206, 1235.
 McGillton, William, 1236.
 M'Intire, Thomas, 1191.
 McKay, William, 1243.
 McKean, Mr., 92, 112, 199.
 McKean, Thomas, 108, 111.
 McKee, Colonel, 1001.
 McKee, Thos. Hudson, 1135.
 McKeen, Joseph, 43.
 McKennan, William, 1167.
 McKenzie, John, 1163.
 McKinsey, John, 1163.

- McKinstry, Thomas, 1168.
 McLary, Michael, 1230.
 McLaughlin, A. C., 6, 17, 23, 24, 292, 529.
 on history of the West, 287.
 McLaughlin, Patrick, 1197.
 McLean, Roger, 1220.
 McLeod trial in 1841, 351.
 McLowrey, Alexander, 1242.
 McMaster, John Bach, 16, 329.
 on teaching of history, 258.
 McMeyers, Andrew, 1242.
 McMullin, Colonel, 1052.
 McNairy, Judge, 1037.
 McPherson, General, 45, 875.
 McToskin, Jehoiakim, 1175.
 Maastricht, government of, 448.
 Mackintosh, L., 1139.
 Maclay, Mr., 1157, 1188.
 Maclay, William, 1117.
 Macon, Nathaniel, 917.
 Madison, Caleb, 162.
 Madison, James, 324, 595, 734, 735, 745, 838,
 1132, 1175, 1198, 1199, 1200, 1212, 1244.
 and the Constitution, 224, 225.
 calendar of correspondence of, 483.
 library of, 225.
 Madison Papers, 510.
 Madoc, Prince, 1261.
 Madras, India, trade with, 566.
 Magee, Captain, 545, 558, 565.
 Magnetic needle, variations of, 1224.
 investigations of, 1147.
 Magnetic observations in Baffin Bay,
 1199.
 Magruder, John B., 44.
 Maguire, Francis, 1203.
 Maguire, J. C., 510.
 Maine, Sir Henry, 252.
 Maine, documentary history of, 495.
 early records at Alfred, 496.
 insurrection of 1786 in, 51.
 Lincoln manuscripts in, 496.
 manuscript records of, 495.
 York records, 496.
 Makower, on English church history,
 cited, 233.
 Malcolm, Henry, 1161.
 Mangourit, Consul, 987.
 Manorial lords in Switzerland, 407.
 Manorial system in New York, 144.
 Mansfield, Joseph K. F., 45.
 Mantinea enters Achaian League, 306.
 Manufactures, British, in America, 610.
 foreign, in America, 587.
 imports of, in 1787, 556.
 in Philadelphia in 1788, 580.
 protection of, 1215.
 Manufacturing industries in 1785, 730.
 in 1789, 630, 631, 651.
 Manuscript sources of American history,
 481.
 Manuscripts Commission Report, 467 sq.
 Manuscripts, historical importance of
 preserving, 468.
 relating to Western history, 296.
 value of calendar of, 469.
 list of printed guides to, 481 sq.
 Map makers, names of, 457 sq.
 Maps, early American, 460, 1255.
 Kohl collection of early, 484.
 value of, in boundary disputes, 457.
 Marblehead, fisheries of, in 1789-90, 779.
 Marbois, M. de, 199, 1140.
 Marbois, François, 756, 758.
 Marbot, Baron of, 271.
 Marcy, William L., 148.
 Maria, schooner, captured, 1180.
 Marietta, colony of, 948.
 Marietta, Ohio, in 1788, 59.
 Marignano, battle of, 417.
 Marine hospitals in 1792, 1227.
 Marine Society of Boston, 1230.
 Mark, Elizabeth, 1221.
 Markley, Charles, 1160.
 Marquette, Father, 460.
 Marsh, Captain, 836.
 Marsh, George P., 40.
 Marsh, James, 43.
 Marshall, Mr., 800, 1102.
 Marshall, John, 813.
 Marshall, Judge, 918.
 Martin's portrait of Franklin, 196, 197.
 Martling, Barent, 1169.
 Martyn, Richard, 1256.
 Martyr, Peter, 1257.
 Marvin, Colonel, 158, 161.
 Maryland, commerce of, in 1787, 526.
 debtors' laws in, 625.
 foreign trade in 1789, 641.
 manufactures in 1789, 654.
 population in 1789, 655.
 ratifies amendments, 1174.
 records of, 492, 507.
 shipping trade in 1789, 650.
 tonnage laws of, 622.
 wheat exports in 1788, 590.
 Maryland Historical Society, MSS. of, 507.
 Mascarene, Paul, 499.
 Mason, E. G., 510.
 Mason, General, 918.
 Mason, George, 562.
 Mason, Jeremiah, 39.
 Mason, Jonathan, 832.
 Mason, Stevens Thomson, 788.
 Mason, William, 1165.
 Massachusetts Bank established, 705.
 Massachusetts Bay Company, records of,
 488.
 Massachusetts, census in 1789, 655.
 cession of western lands by, 62.
 commerce of, in 1787, 525.
 commerce of, in 1788, 734.

- Massachusetts, commerce and fisheries in 1790, 778.
 fisheries of, in 1791, 1190.
 foreign trade in 1789, 769.
 insurgents in, 759.
 Know Nothing legislature of 1855, 177.
 land disputes with New York, 152.
 manufactures in 1789, 651.
 militia of, in 1803, 1130.
 political discontent in 1787, 539.
 records, printed and manuscript, 488, 496.
 suspends navigation act, 734.
 supreme court of, 767.
 trade of, in 1785, 723.
 town records of, 489.
Mather, Cotton, 501.
 writings of, 497.
Mathers, James, 1185, 1210, 1233.
Mathews, Governor, 198.
Mathurin, Monsieur, 1002, 1019.
Matlack, Timothy, letter of, 514.
Maurenbrecher, Professor, 248, 275.
Maurice, Frederic Denison, 255.
Maurice, victory won by, 432.
Mauritius, American rights in, 760.
 American trade with, 762.
Maxey, Jonathan, 847, 904.
Maximilian II of Austria, 1267.
Maxwell, Hugh, 149.
Maxwell, Robert, 893.
Mayer, Lewis, 507.
Mayhew, Davis H., 914.
Mayhew, Jonathan, 239.
Mays, Colonel, 867.
Mead, Cowles, 883.
Meade, George G., 45.
Mediæval history, Von Ranke's study of, 70.
Mediæval students, life of, 18.
Medici, Cosimo, 1269.
Mediterranean trade, 523, 526, 1178, 1180, 1184, 1185, 1188, 1199.
Megalopolis in Achaian League, 306.
Meijerij of 's Hertogenbosch, 436.
Melanchton Quartocentenary, 17.
Melchor, J., 1140.
Menard, Pierre, papers of, 509.
Mendrisio, government of, 419.
Menou, Count de, 197.
Mentgies, Francis, 1150, 1177.
Mercator's maps of 1606, 460.
Merchant, Lewis Roberts, 1261.
Mercer, Mr., 103.
Mercer, Hugh, 1242.
Mercer, John F., 1213, 1222.
Mercier, John D., 1247.
Mercier, Juan, 975.
Meredith, Samuel, 1162, 1171, 1180.
Meredith, Treasurer, 1188, 1202.
Merivale, Herman, quoted, 386.
Merrill, Daniel, 1193.
Merriweather, James, 1171.
Merry, Anthony, 476.
Messages of Presidents omitted by Richardson, 1128.
Methodism, aspects of early, 22.
Methodists in South Carolina, 912.
Mexico, history of, 512.
Meyer, Colonel, 876, 877.
Michael, Emil, 1273.
Michaux, André, 933, 962, 963, 984, 986, 988, 989, 1008, 1010, 1013, 1016, 1024, 1026, 1067, 1098, 1104.
 Genet's authorization to, 995.
 instructions to, 936, 990.
Michigan, practice ship on the lakes, 338.
Michigan, bibliography of history of, 297.
 Hollanders in, 291.
 laws of, before 1851, 296.
 MSS. records in, 510.
 newspapers of, before 1851, 296.
Michigan State Library, 306.
Michilimackinac, parish records of, 510.
Middle Ages, study of, 272.
Middleton, Mr., 364.
Middleton, Basil, 1167, 1168.
Middleton, H., 113.
Miffin, Governor T., 1216.
Migration, influence on the West, 290.
Milan, Duke of, 403, 404, 411.
Mildred v. Dorsey. case of, 602.
Miles, Henry, 486.
Miles, Major, on slave trade, 867, 872.
Miles, Walter, 1172.
Millfort, Don Louis, 1062, 1063, 1065.
Military affairs in 1789, 612, 1146.
 in 1799, 817.
 in Western Territory in 1790, 1187.
 on the frontiers, 1181, 1182.
Military pay, arrears of, 1157.
Militia, organization of, 1161.
 organization of, in 1790, 1152.
 organization of, in 1792, 1211.
 States, in Revolutionary war, 1168.
 States, in 1803, 1130.
 system of, recommended in 1780, 1139.
 Washington on, 1151.
Millar, Mr., 557.
Milledge, Governor, 928, 929.
Milledge, John, 921.
Miller, Mr., 569, 570, 588.
Miller, George, 549.
Miller, Peter, 1220.
Mills, John, 1165.
Milton, John, 1141.
Minot, George Richards, 835.
Minot, Judge, 835.
Mint, United States, discussed in 1791, 1186.
 establishment of, 1190, 1228.
 report of, in 1793, 1238.

- Miot, C., 1288.
 Miranda's Expedition, 829.
 Mirepoix, Duke de, 476.
 intercepted letters to, 660 sq.
 Mississippi River, forts along, in 1793, 980.
 free navigation of, 932, 939, 950, 951, 961,
 983, 1055, 1056, 1207, 1219.
 free navigation of, treaty for, 944.
 Mississippi Valley, history of, 288.
 settlement of, 282.
 study of history of, 283.
 Mitchel, Midad, 1029.
 Mitchell, Thomas, 1027.
 Mitchell, John, 1152, 1157.
 Mitchell, John H., 1166.
 Mitchell, Ormsby M., 45.
 Mix, Lieut. Timothy, 1191.
 Mollerat, Juan Baptista, 975.
 Monasteries, Swiss, independence of, 407.
 Monck, Governor, of Canada, 351.
 Monroe, Mr., 1186.
 Monroe, James, calendar of correspond-
 ence of, 483.
 Montanus, maps by, 458.
 Montesquieu, cited, 224, 236.
 Montgomery, Mr., 930, 1027.
 Montgomery, General, 194.
 Montgomery, John, 1034.
 letter from, 1018.
 Montgomery, Mrs., 146.
 Montgomery, Richard, 1242.
 Montreal captured in 1760, 662.
 Monument to American Liberty, by Ce-
 rachchi, 1226, 1227.
 Moore, Mr., 853.
 Moore, Alpheus, 1241.
 Moore, Green, 157.
 Moore, John E., 1221.
 Moore, Nicholas R., 1226.
 Moore, Sheriff, 158, 160.
 Moore, Stephen, 1170.
 Moore, Willard, 1241.
 Moore, Williamina, 513.
 Mooreton, Thomas, 1261.
 Moorish armed ships, capture of, 1131.
 Moravians in Pennsylvania, 678.
 More, Hiram, 157.
 Moreau's army defeated, 821.
 Morgan, George, 503.
 Morgan Lewis tract in New York, 146.
 Morocco, treaty with, 1130, 1183.
 Morris, Mr., 1142, 1144, 1185, 1186, 1211.
 Morris, G., 987.
 Morris, Gouverneur, 1183, 1191.
 Morris, John G., 507.
 Morris, Governor Lewis, 505.
 Morris, Lewis R., 1191.
 Morris, Robert, 120, 705, 712, 713, 734, 1152,
 1156, 1162, 1175, 1190, 1200.
 Morrisania manor, 143.
 Morrison, Mr., 1025.
 Morrison, James, 1104.
 Morse, Jedidiah, 1122.
 Morton, Oliver, 62.
 Motte, Charles, 1205, 1214.
 Motte, Jacob, 1214.
 Motte, William, 1214.
 Moultrie, General, 987.
 Mountflorencia, J. C., 1071, 1072, 1073, 1079.
 Mountford, Timothy, 1217.
 Mount Vernon in 1808, visit to, 919.
 Montier, Baron de, 558.
 Muhlenberg, Mr., 98, 1222, 1223, 1224, 1247.
 Muhlenberg, Frederick A., 1138, 1145, 1186,
 1187.
 Muhlenberg, Speaker, 1160
 Muller, Johannes von, 72, 77.
 Mumford, Augustus, 1241.
 Mumford, Gurdon S., 925.
 Mumford, William, 1163.
 Munro, Dana Carlestone, 22, 272.
 Munroe, Mr., 812, 813.
 Munster, Peace of, 433.
 Murphy, Diego, 1004.
 Murray, Mr., 1246, 1247.
 Murray, David, 17.
 Antirent Episode by, 139.
 Murray, David, jr., 172.
 Murray, Reuben, 1236.
 Murray, William Vana, 819, 831.
 Muskingum, migration to, 585.
 Mussey, Reuben, 43.
 Muter, George, 1058.

N.

- Nantucket, log books and MSS at, 500.
 separation from Massachusetts pro-
 posed, 730.
 Napier, Thomas, 1243.
 Nash, Ebenezer, 1197.
 Nash, Thomas, surrendered by English,
 1130.
 Natchez Fort in 1793, 973.
 Nathan, Simon, 1230.
 National bank, plan for, 1185.
 National development by plain men, 37.
 National Educational Association, 23.
 National Home Reading Union, 245.
 National Museum, 34.
 Naturalization, Washington on, 1151.
 Natural rights, doctrine of, 208.
 Naval affairs in 1793, 712.
 Naval battle, Chesapeake and Leopard,
 805.
 Naval convoy, British, for American ves-
 sels, 815.
 Naval force on the Great Lakes, 337.
 Naval increase in 1798, 804.
 Naval power of France in 1785, 726.
 Naval War Records Office, 485.
 Navigation act of 1785, 728.

- Navigation act repealed, 383, 734.
 Navigation acts, British, 719.
 Navigation, in 1790, President's message on, 1186.
 Navigation laws of 1789, 606, 609.
 Navy, in the Revolution, 1199.
 United States, in 1798, 806, 806.
 Neate, William, 626.
 Neats, William, 650.
 Necrology for 1896, 31.
 Negro dialect in South Carolina, 888
 Negro insurrection in 1805, 881.
 Neil, Daniel, 1242.
 Neil, Robert, 1221.
 Neilson, John, 495.
 Nelson, Alexander, 1194.
 Nelson, Hugh, 918.
 Nepean, Evan, 517, 583, 589.
 Netherlands, federal dependencies in, 430.
 France declares war against 784.
 Neuchâtel, early government of, 413.
 Neufville, John de, 672, 675, 676, 683, 1236.
 Neutrality of England during civil war, 338.
 Neutrality proclamation of Washington 1793, 936.
 New Amsterdam, records of, 502.
 Newark, N. J., town records, 505.
 Newberry Library, 306.
 New Brunswick, State Papers of, 486.
 western limits of, 1153.
 Newburg, N. Y., Washington records at, 504.
 New England, early books on, 1259.
 New England Genealogical Society, 706.
 New England industries in 1789, 635.
 New England manufactures in 1789, 651.
 Newfoundland, cod fishery of, 722, 738.
 discovery of, 1258.
 French expedition to, 1006, 1007, 1011.
 New France, history of, 486.
 New Hampshire adopts Federal Constitution, 567.
 commerce of, in 1787, 525.
 insurrection of 1786 in, 51.
 manufactures in 1789, 651.
 militia of, in 1803, 1120.
 navigation act repealed by, 734.
 population in 1789, 655.
 ratifies amendments to Constitution, 1154, 1174.
 records of, 487, 496.
 New Hampshire grants, jurisdiction of, 1182.
 New Jersey, colonial documents of, in England, 505.
 commerce of, in 1787, 525.
 elections of 1789 in, 1149, 1150.
 manuscript and printed records of, 491.
 population in 1789, 655.
 New Jersey ratifies amendments to Constitution, 1155.
 New Jersey Historical Society, MSS. of, 505.
 New Mexico, archives of, 494.
 history of, 512.
 proposed expedition against, in 1793, 969.
 New Orleans, plan for capture of, in 1793, 974.
 projected French expedition against, 948.
 seditious movements in 1793 in, 933.
 Newspaper mail regulations, 1247.
 Newspapers and printing in 1789, House report on, 1148, 1149.
 Newspapers, list of, in Northwest, before 1851, 296.
 supply for Congress in 1790, 1176.
 Newton, Thomas, jr., 921.
 New York, antirent episode in 1830, 139.
 cedes western lands, 52.
 commerce of, in 1787, 525.
 industries of, in 1789, 651.
 land disputes with Massachusetts, 152.
 land titles confirmed, 155.
 manuscript records of, 489, 502.
 merchants of, ask protective tariff, 1145.
 population in 1789, 655.
 ratifies amendments to Constitution, 1154.
 ratifies Federal Constitution, 569.
 tonnage laws of, 622.
 western boundary of, 1149.
 New York Genealogical and Biographical Society, 20, 25.
 New York Historical Society, 19.
 MSS. of, 502.
 Niagara Canal, 343.
 Niagara captured in 1759, 662.
 Nicholas, John, 800.
 Nicholls, Captain, 578.
 Nichols, Mr., 108.
 Nichols, Colonel, 514.
 Nicholson, John, 1236.
 Nicholson, Capt. Samuel, 805, 809, 810.
 Niebuhr, cited, 71.
 life and letters of, 1237.
 Nieuport, Dutch victory at, 432.
 Ninety-Six, siege of, 891.
 Niphenburgh, Mr., 152.
 Nogales, Fort, 1047.
 Nominations, Washington's, 1139.
 Nonintercourse with France in 1790, 819.
 Noorden, K. von, 1273.
 Norcross, George, 22.
 Norris, James, 1195.
 North, Mr., 883.
 North American Journal, 107.
 North Carolina, accession of, 1151.
 boundary of, 1229.

- North Carolina, colonial records of, 493.
 commerce of, in 1787, 526.
 Dunkards in, 1177.
 education in, in 1808, 915.
 Federal Constitution in, 324.
 impost on articles made in, 1144.
 lands ceded by, 1129, 1152, 1204, 1213.
 manufactures in 1789, 654.
 militia of, in 1803, 1130.
 MSS. records in, 508.
 pay of soldiers of, 1176.
 population in 1789, 655.
 ratifies amendments, 1174.
 ratifies Constitution, 659, 1160.
 rejects Federal Constitution, 571.
 Revolutionary war records of, 493.
 soldiers of, in Revolutionary war, 1157.
 tonnage laws of, 622.
- Northrop, Daniel, 162.
- Northwest, bibliography of history of, 296.
 institutional history of, 296.
- Northwest Territory. affairs of, in 1791, 1128.
 government of, 53, 454.
 history of, 286.
 laws of, 299, 1217.
 migration to, 648.
 military affairs in, 1187.
 religious freedom in, 58.
- Nott, Abraham, 863, 905.
- Nott, Eliphalet, 167.
- Novarra, battle of, 417.
- Nova Scotia, Acadians in, 670.
 American refugees in, 727.
 manuscript records of, 487.
 oil exported to, 787.
 State Papers of, 485.
- Noyes, Simon, 1197.
- Noyes, Wadleigh, 1214.
- Nunneries, opposition to, in Massachusetts, 183.
- O.
- O'Brien, Richard, 1180, 1181, 1188, 1205.
- Ocain, Jeremiah, 1194.
- Occom, Samson, 40.
- Oconee land, 1155.
- O'Conner, Edward, 161, 162, 166.
- O'Donnell, Captain, 598.
- O'Fallon, Doctor, 1027, 1030, 1031.
- O'Fallon, Dr. James, 930, 967, 1001, 1062.
- O'Fallon, Dr. John, 930.
- O'Farrell, General, 699.
- Office selling in South Carolina, 882.
- Ogliby's work mentioned, 458.
- Ohio, bibliography of history of, 296.
 canals in, 315.
 laws of, before 1851, 296.
 MSS. records in, 509.
 newspapers of, before 1851, 296.
- Ohio, public lands in, 1225.
 Virginia bounty lands in, 1150.
- Ohio Company, history of, 14.
 lands purchased by, 55.
- Ohio Company of Associates, 53, 1225.
- Oil industry in 1789, 651.
- Oil trade in 1785, 721, 735.
- Oil, whale, for street lighting, 724.
- Oliphant, David, 1165.
- Oliver, William, 1168.
- Olmedilla, Cano y., 461.
- Ölsner, Ludwig, 1273.
- O'Neal, Mr., 920, 923, 926.
- Oneida Historical Society, MSS. of, 504.
- Oneida Indians, petition of, 1196.
- Ontario, early bibliography of, 486.
- Ordinance of 1787, drafted by Dane, 56.
 history of, 53.
- Ordway, Albert, 1118, 1135.
- Oregon, history of, 14, 511.
- Oriental history, study of, 254, 277.
- Orne, Joshua, 1193.
- Ortelius's atlas of 1570, 460.
- Osage Indians, treaty with, 1131.
- Osborne, Captain, 359.
- Osborne, Francis, 517.
- Osgood, Mr., 1141, 1145.
- Osgood, Samuel, 704, 709, 1138, 1161, 1168, 1201.
- Osmanlis, history of the, 1266, 1270.
- Ostend, captured, 1025.
 surrender of, 432.
- Osterhout, Mr., pardoned, 166.
- Oswald, Mr., 105.
- Oswald, William, 858.
- Oswego, capture of, 660.
- Otis, Harrison Gray, 798, 832, 833, 836.
- Otis, Samuel Allyne, 1178, 1228.
- Ottawa Indian treaty, 1143, 1144.
- Otto, Monsieur, 1189.
- Otto, Mr., 754, 755.
- Ottoman Empire, history of, 1266.
- Overmaas, land of, 440.
- Oxford, England, study of history at, 246.
- P.
- Pacification of Ghent, 1576, 431.
- Pacific States, history of, 283.
- Packard, A. S., 565.
- Page, Mr., 1146, 1150.
- Page, John, 1224.
- Pagett, Ephraim, 1261.
- Paine, Nathaniel, 501.
- Paine, Robert Treat, 772.
- Paine, Thomas, 936.
- Paine, William, 1194.
- Palmer, W. P., 493.
- Pamlico Sound, tonnage duties in, 1227.
- Pannil, Joseph, 1182.
- Paper manufacture in 1789, 633.
- Paper money, Continental, 50.

- Papist attack in Massachusetts in 1855, 182.
 Parker, Mr., 1146, 1226, 1245, 1247.
 Parker, Judge Amasa J., 155, 161, 166, 172.
 Parker, D., 713.
 Parker, Elizabeth, 1243.
 Parker, Joel, 43.
 Parker, Master, 1258.
 Parker, Col. Moses, 1241.
 Parker, Sarah, 1241.
 Parkman, Francis, 497.
 Parkman manuscripts, list of, 497.
 Parma, Duke of, 431, 443.
 Parmelle, Jeremiah, 1242.
 Parr, Governor, 730.
 Parr, John, 1152.
 Parshall, John A., 172.
 Parsons, Mr., 748.
 Parsons, Baldwin, 1203.
 Parsons, E., 803.
 Parsons, Samuel H., 54.
 Parsons, Theophilus, 709, 735, 750, 830.
 Parsons, Usher, 498.
 Partridge, Mr., 100, 1149.
 Patent and copyright system initiated, 1122.
 Patents and copyrights in 1789, 1149.
 Pattawattima Indian treaty, 1143, 1144.
 Pattern, ship, detention of, 836.
 Patterson, Mr., 226, 1141.
 Patterson, Col. Robert, 1074.
 Patterson, William, 1233.
 Peabody, Mr., 100.
 Peabody, A. P., 60.
 Peace of Aarau, 424.
 Peace of Munster, 433, 443.
 Peake, Doctor, 159.
 Peake, William, 1239.
 Peale, Charles Wilson, 193.
 Peale, Rubens, 196.
 Peale, Titian R., 198.
 Peale's whole-length portrait of Washington, 191.
 Pearson, Philip Edward, 908.
 Peasants' war in Switzerland in 1653, 423.
 Pelham manor, 143.
 Pellham, Edward.
 Penacook Papers, description of, 489.
 Penn, Mr., 113.
 Penn, Richard, letters of, 505.
 Penn, Thomas, letters of, 505.
 Penn, William, letters of, 505, 506.
 Pennington, Willham, 840.
 Pennsylvania, commerce of, in 1787, 525.
 foreign trade law of, 728.
 French neutrals in 1756, 661, 702.
 Germans in, in 1789, 647.
 Heesian fly in, 572.
 industries of, in 1789, 652.
 insurrection of 1786 in, 51.
 national capital in, 1173.
 population in 1789, 655.
 Pennsylvania ratifies amendments, 1174.
 records of, 492.
 steel manufacture in 1789, 653.
 Pension claims, report on, 1214.
 Pensions, report on, in 1790, 1169.
 report on, in 1791, 1196.
 widows and orphans, 1174.
 court decisions on, 1209.
 Pensioners, Bunker Hill, 1217.
 in 1792, list of, 1237.
 Pentateuch, origin of, 76.
 Pepin, Andrew, 1243.
 Pepperell, Sir William, 498.
 Pepperell Papers, 500.
 Perkins, Chief Justice, 358, 359.
 Perkins, Thomas, 812.
 Perkins, Thomas Handasyd, 506.
 Perrit, Peter, 1239.
 Perry and Hawks, cited, 233.
 Perry, William, 1241.
 Perry, W. S., cited, 235.
 Pertz, G. H., 1267.
 Peru, discovery and conquest of, 1253.
 Peterhouse College, England, 246.
 Petrie, Capt. Joost, 661.
 Peyer, Jacob, 414.
 Phelps, Charles F., 818.
 Phelps, Oliver, 1149, 1210.
 Phelps tract in New York, 146.
 Philadelphia, exiles from, in 1777, 514.
 foreign trade of, 640.
 manufactures of, in 1788, 580.
 shipping trade in 1789, 650.
 trade with China in 1787, 540.
 Philipsburg manor, 143.
 Phillips, Noah, 1242.
 Phillips, Mr., 1036.
 Phillips, P. Lee, 6, 18.
 list of books relating to America, 1251.
 on value of maps in boundary disputes, 457.
 Phillips, Weddell, 164.
 Phoenix, John, 162.
 Pichon, L. A., 831.
 Pickens, General Andrew, 901, 1235.
 Pickering, Colonel, 1203, 1209.
 Pickering, Secretary, 515.
 Pickering, Timothy, 709, 710, 711, 928, 1099, 1201.
 letters to, 787 sq.
 Pickering papers, 498, 706.
 Pier, Abner, 1198.
 Pierce, Henry B., 488.
 Pierce, John, 711.
 Pierce, Timothy, 1242.
 Pike, Nicholas, 1122.
 Pinckney, Charles, 747, 858.
 Pinckney, Charles Cotesworth, 796, 800, 885.
 Pinckney, General, 1099.
 Pinckney, W. C., 864.

- Pinckney, signs Mississippi River treaty, 944.
- Pinkney, William, 821, 1213.
- Pintard, Lewis, 1247.
- Pirates, West India, in 1798, 805.
- Pisarro, Don Francisco, wars of, 1253
- Pis-Gignoux, letter from, 1002.
- Pitkin, Timothy, jr., 925, 928.
- Pitt, Mr., 1183.
- Pitt, William, 375 sq., 517.
- Pleasants, James, 824.
- Plunket, Baron, 694.
- Plymouth Colony, Winalow's account of, 1200.
- Plymouth Colony Records, account of, 488.
- Political parties in 1855, 180.
- Political science, definitions of, 205.
- Political science and history, J. W. Burgess on, 203.
- Pollard, Robert, 830.
- Pollhemus, John, 1221.
- Ponapi Island, 578.
- Poole, David, 1167.
- Poole, William F., 2.
- Poor, Daniel, 43.
- Poore, Ben: Perley, 487, 1119.
- Pope, history of the, 273.
- Popes, history of the, by Ranke, 73, 77, 1206.
- Pope's League against French in Italy, 417.
- Pope's power in Switzerland, 409.
- Popple, Mr., map maker, 459.
- Population of States in 1786, 651.
in 1789, 646, 655.
- Porchat, J. Jacques, 1268.
- Portell, Mr., 940.
- Portell, Thomas, 1030, 1035, 1048.
- Portell and Robertson letters, 940.
- Porter, Ebenezer, 43.
- Porter, Nathaniel, 1193.
- Porto Rico, vessels detained at, 836.
- Port Royal, capture of, 17.
- Post, John, 1193.
- Post-Office Department, affairs in 1790, 1168.
rearrangement of, 1161.
- Post-office facilities in 1788, 558.
- Post-offices and post-roads in 1790, 1178, 1186.
Washington on, 1151.
- Potomac River, site for capital on, 1158.
- Powell, Major, 252.
- Power, Alexander, 1164
- Pownall, Mr., 688, 690.
- Pownall, John, 686, 690.
- Pownall, Thomas, 690.
- Prahl, Lewis, 1193.
- Prairie West, history of, 286.
- Preble, Edward, 806.
- Presbyterians in South Carolina, 863.
- President, compensation for, 1149.
asks direct advice of Senate, 1124.
inauguration in 1799, 1147.
Messages and Papers of, 1117.
method of communicating with Congress, 1122.
mode of addressing the, 1142.
position in the Senate, 1124.
term of office, 1157.
titles of, 1147.
veto messages of, 1134.
- Presidential election, method of, 840.
- Presidential vote in 1793, 1240.
- Preston, Zera, 162.
- Prevost, Colonel, 701.
- Prewitt, Isham, 1010.
- Price, James, 1176.
- Price, William, Ranke bibliography by, 1265.
- Priest, Job, 1198.
- Prince Edward Island, State Papers of, 486.
- Prince Edward of England, 1044.
- Prince of Wales, visit to United States, 337.
- Prince, Thomas, library of, 498.
- Privateers, French, in 1797, 796.
protection against, in 1796, 804.
- Proctor, Col. Thomas, 1206.
- Protection of manufactures in 1791, 1215.
- Protective tariff in 1789, 1145, 1146.
- Protestant and Catholic war in Switzerland in 1712, 424.
- Protestantism and the Popes, 1206.
- Prothero, G. W., 1272.
- Prout, Ebenezer, 1236.
- Proveaux, Adrian, 1239.
- Providence, R. I., early records of, 501.
- Providence River, tonnage duties on, 1185
- Prussia, Ranke's history of, 1268.
- Prutz, Hans, 1273.
- Pruyn, Mr., 348.
- Pruyn, Mrs. J. V. S., 172.
- Pryor, Abner, 1249.
- Public credit, Benson on, 1175.
report on, in 1789, 774.
statement of, in 1793, 1231.
Washington on, 1161.
- Public debt, report on, in 1790, 1156, 1184.
- Public debts in 1783, 712.
- Public documents, indexes of, 1118.
of early Congresses, 1111.
- Public lands, report on, 1213.
- Public loan of 1790, 1158.
of 1792, 1226.
- Pulsifer, David, 488.
- Purchas, Samuel, 1257.
- Pusgignoux, Jean Pierre, arrest of, 1044
- Putnam, General, 1229.
- Putnam, Herbert, 1137.

Putnam, Gen. Rufus, 53, 54, 1153, 1231, 1234.
Pynshon, Mr., 796.

Q.

Quakers, antislavery memorial of, 1175.
Quebec, address to people of, 113.
American prisoners at, 1236.
Quebec campaign of 1775-76, 495.
Quebec captured in 1759, 662.
Quebec government bill of 1791, 375.
Quincy, Josiah, 483, 499.

R.

Raines, C. W., 494, 503.
Raleigh, N. C., in 1805-6, 844, 912.
Raleigh, Sir Walter, 460, 1254, 1258,
Ramage, Captain, 537.
Ramsay, David, 1122, 1147, 1148.
Rand, Benjamin, 21.
Randall, Captain, 558.
Randall, Thomas, 1236.
Randolph, Mr., 734.
Randolph, Attorney-General, 1188.
Randolph, B., 1217.
Randolph, Beverly, 1140.
Randolph, David M., 1236.
Randolph, Governor E., 1150.
Randolph, Edmund, 793, 795, 814, 918, 1138,
1201.
Randolph, Edward, papers of, 510.
Randolph, John, 707, 824, 900.
Randolph, John, of Roanoke, 883.
Randolph, Peyton, 112.
Randolph, Richard, 1236.
Ranke, Fried. Heinrich von, 1273.
Ranke, Leopold von, bibliography of, 1265.
biography of, 67.
essays on, 1272.
Ranke, O. von, 1273.
Rash, Jacob, 1174.
Ratzel, Professor, 263, 292.
Raumer, Karl von 74.
Rawlings, Moses, 1192.
Rayneval, Gerald De, 198.
Read, Mr., 1142.
Read, Gen. John Meredith, 31.
Read, Thomas, 578.
Rebutaille, Francois, 1243.
Rebutaille, Margaret, 1243.
Reclus, M., 252.
Record Commissioners of Massachusetts,
489.
Redemptioners or indentured servants, 619,
643, 644.
Reed, Benjamin, 1241.
Reed, President, 194.
Reed, Thomas B., 3.
Rees, Thomas, 1239.
Reformation, von Ranke's study of, 70.
Reformation in Germany, history of, 1268.
Refugees at Shelburne, 727.
Reign of terror, 214.
Religion, comparative, study of, 252.
historical evolution of, 252.
in Germany after Reformation, 1267.
in South Carolina, 896.
Religious freedom, in Northwest Terri-
tory, 58.
in Switzerland in 1712, 425.
under Constitution, 1150.
work of Swiss League for, 422.
Religious sects in South Carolina, 912.
Religious strife in Netherlands, 431.
Remington, Stephen, 1221.
Remsen, Mr., 103.
Remy, Gregorio, 975.
Renaissance, study of the, 274.
Rennel, Mr., geographer, 459.
Rensselaerwyck, history of, 141.
Rent disturbances in New York, 152.
Rent, land, laws relating to, 165.
Requena's Mapa Geográfico, 461.
Reside, William, 162.
Restrictions by France on American
Commerce, 1129.
Restrictive policy on Colonies, 882.
Reumont, A. von, 1273.
Reuss, R., 1273.
Reuss, on Levitical laws, 76.
Revenue bill of 1789, 1143.
Revenue districts, 1184, 1202.
Revenue, National, in 1790, 1178, 1186.
in 1792, 1216.
Revenue, sources of, in 1790, 1163.
Revolution, American, arrearages of pay
in, 1157.
bounty land for soldiers of, 1150.
decrease of population by, 648.
diaries and orderly books of, 496.
documentary history of, 113.
finances of, 1168.
influence on Colonial government, 375.
Massachusetts soldiers in, 468.
North Carolina records of, 493.
officers killed during, 1241.
pay of soldiers in, 51.
pensioners of, 1196.
pensions for soldiers' widows and or-
phans, 1174.
Pennsylvania navy in, 1199.
records of, 85, 485, 491, 496.
soldiers' petitions for pay in, 1164 sq.
South Carolina in, 508.
South Carolina incidents during, 891.
State records of, 487 sq.
suspects in Philadelphia, 514.
Virginia records of, 493.
Revolutionary archives, list of, 483, 484.
Revolution fly, 580.
Reynolds, Sergt. R., 1234.
Reynolds, William, 1196.

- Rhea, Thomas, 1206.
 Rheintal, early government of, 414.
 Rhode Island, admitted to Union, 1154.
 bibliography of, 499.
 census in 1789, 655.
 commerce of, in 1787, 525.
 convention to ratify constitution, 1152.
 impost on articles made in, 1144.
 in 1789 desires friendly relations with
 United States, 1128, 1140.
 manufactures in 1789, 651.
 manuscript records in, 501.
 must pay debts, 1157.
 navigation act repealed by, 784.
 nonintercourse with, 1157.
 ratifies amendments, 1174.
 records of, 489.
 Revolutionary records of, 489.
 Rhode Island Historical Society, MSS. of,
 501.
 Rhodes, James F., 80.
 Rice and tobacco trade in 1785, 720.
 Rice industry in South Carolina, 678.
 Richardson, Mr., 23.
 Richardson, James D., 1134.
 Messages and Papers of Presidents by,
 1112, 1117.
 Richardson's Messages, omissions from,
 1123.
 Richardson, Laurana, 1221.
 Richbourn, James, 857.
 Richmond in 1805, 844.
 Richter, Swiss, duties of, 404.
 Ridgeley, D., 492.
 Rieb, Nicholas, 1239.
 Riker, Capt. Abraham, 1241.
 Riker, Margaret, 1241.
 Ringold, Richard, 890.
 Ripley, Charles, 930.
 Rittenhouse, David, 1238.
 Ritter, K., 1267.
 Ritter, Moriz, 1274.
 Road and bridge making in South Caro-
 lina, 887.
 Robbins, Daniel, 1221.
 Roberts, Annie, 1192.
 Roberts, Charles, 707.
 Roberts, Col. Owen, 1192.
 Roberts, Ruth, 1162.
 Robertson, Isaac, 1239.
 Robertson, James, 1035, 1183, 1243.
 Robertson, William, 1227.
 Robertson and Portell letters, 940.
 Robespierre, character of, 214.
 Robinson, Chief Justice, 378.
 Robinson, James Harvey, 6, 16, 24.
 on college study of European history,
 267.
 Robinson, William, 1221.
 Rochambeau, Count de, 199.
 Rochambeau Papers, 485.
 Rocheblave Papers, Hist of, 496.
 Rochette, D'Arcy de La, 459.
 Rockingham, Marchioness of, 41.
 Rockwell, Elizabeth, 1236.
 Rockwell, William, 1236.
 Rodgers, John, 1170.
 Roessler, C., 1274.
 Rogers, John, 1165, 1171, 1240.
 Rolls, Colonel, 701.
 Roman Catholic institutions, opposition
 to, 183.
 Roman Empire, study of, 272.
 Roman See, appellate jurisdiction of, 22.
 Roosevelt, James R., 476.
 Roosevelt, Theodore, 283, 287.
 Rosengarten, J. G., 199.
 Rosmini, Antonio, 22.
 Roundy, Luke, 1241.
 Bousseau, Don Pedro, 1044, 1050.
 Roux, Albert, 1198.
 Rowan, Mr., 945.
 Rowse, Captain, 872.
 Royal Commission on Historical Manu-
 scripts, 476.
 Royal Society of Canada, 20, 23.
 Royle, Henry, 557.
 Ruggles, Judge Charles J., 155, 167.
 Ruggles, D. B., 843.
 Rum distilling in 1789, 651.
 Rum trade in 1785, 721.
 Rush, Mr., 913.
 Rush, Doctor, 55.
 Rush, Christiana, 1243.
 Rush, Jacob, 1221.
 Russell, Mr., 713.
 Russell, Maj. Benjamin, 795.
 Russell, Lieut. Charles, 1207.
 Russell, John, 831.
 Russell, Lord John, 355, 378, 385, 386, 389.
 Russell, W. H., 341.
 Russian-American possessions in 1794,
 1066.
 Rutherford, Mr., 1233.
 Rutledge, Mr., 106, 227.
 Rutledge, John, 93, 793, 1141.
 Ryan, Jeremiah, 1163.
 Rybawide, Captain, voyage by, 1253.
- S.
- St. Albans, Vt., attack on, in 1864, 350.
 St. Clair, Arthur, 1247.
 St. Clair, General, 54, 1205, 1235.
 failure of expedition under, 1219, 1227,
 1246.
 St. Clair, Governor, 934, 939, 1140, 1143, 1144,
 1179, 1180, 1194, 1225.
 St. Clair Papers, description of, 509.
 indexes of, 494.
 St. Croix River boundary dispute, 1152,
 1157.

- St. Gall, Abbot of, 399, 414.
 St. Louis, proposed as capital of Louisiana, 1016.
 proposed attack on, in 1793, 969.
 St. Mary Magdalene College, 246.
 St. Pierre and Miquelon, expedition to, 1011.
 Saaby, H. R., 1206.
 Sabin, Joseph, 503.
 Sac Indian treaty, 1143, 1144.
 Sackett, Garry V., 149.
 Saddler, Christopher, 1161, 1175.
 Sainsbury, W. Noel, 475.
 Salaries of judicial officers, 1184.
 Salaries of President, etc., 1201.
 Salaries of Senators and Congressmen, 1157.
 Salem, Mass., foreign trade of, 573.
 town records of, 500.
 Salem witchcraft, 500.
 Salisbury, Marquis of, 476.
 Salmon, Mr., map maker, 459.
 Salmon, Lucy M., 23.
 Salt trade in 1735, 723.
 San Domingo, embargo on shipping at, 1204.
 trade regulations at, 612.
 San Fernando, Fort, 1091.
 Sangrain, Tourtille, 724.
 Sands, Comfort, 626, 650, 1195, 1224.
 Sandy Hook, national jurisdiction of, 1180.
 Sargans, early government of, 415.
 Sargent, John, 41.
 Sargent, Justice, 772.
 Sargent, Governor Winthrop, 1180, 1188.
 Sarpy, M., 1048.
 Sasseville, Abbe, 495.
 Saunders, W. L., 493.
 Sauv , Pedro, 975.
 Savage, Capt. Joseph, 1222.
 Savannah River, tonnage duties on, 1185.
 Savonarola, 1269.
 Sayre, Pereyrat, and Beaupoils, letter from, 954.
 Sayre, Stephen, 936.
 Scarsdale manor, 143.
 Schaff, Philip, 21.
 Schaffner, Francis, 1243.
 Scharf Library, account of, 507.
 Schemes for Episcopal control in the colonies, 233.
 Schermerhorn, Daniel, 1221.
 Schmidt, Julian, 1274.
 Schoharie County, antirent troubles in, 153.
 Schomburgk, Sir Robert, 460, 461, 462.
 Schomburgk's survey in British Guiana, 458.
 Schools, Bible in, 182.
 free, benefit of, 872.
 sectarian, in Switzerland, 425.
 Schouler, James, 7, 30.
 Schuyler, Mr., 1157, 1158, 1159, 1185.
 Schuyler, Ensign, 703.
 Schuyler, George W., 489.
 Schuyler, Gen. Philip, Papers of, 503.
 Scioto Company, 14.
 Scotch-Irish in America, 294.
 Scott, Mr., 908, 1149.
 Scott, Ezekiel, 1245.
 Scott, John Morin, 145.
 Scott, William, 1243.
 Scott, Sir William, 621, 622.
 Scribner, Abraham, 1237.
 Scudder, Warren W., 157, 160, 162.
 Seagrove, Mr., 1036, 1038.
 Seagrove, James, 1053, 1230, 1235, 1237.
 Seagrove, John, 1229.
 Seamen, relief of disabled, 1159.
 detained on British sloop of war, 1129.
 impressed American, 1207.
 Searches, security of persons against, 1150.
 Seaver, Captain, 804, 805, 806, 810.
 Seayres, John, 1242.
 Secker, Thomas, 238.
 Sedgwick, Mr., 1223, 1225, 1244, 1245.
 Sedgwick, General, 45.
 Sedgwick, Theodore, 759.
 Seeley, Prof. J. R., 207, 208, 209, 213, 216, 217, 248.
 Segond, Pablo, 975, 1047.
 Self-government, growth of, 223.
 in Canada, 381.
 Seminary method of history teaching, 74.
 Sempach war in 1386, 399.
 Senate, in 1806, 923.
 President asks direct advice of, 1124.
 secret sessions of, 1115.
 Seneca Indians, 658, 1210.
 Seneca Nation, records of, 504.
 Seney, Mr., 1177, 1199, 1225, 1226, 1237.
 Seney, Joshua, 1237.
 Servia, history of, 1267.
 Sevier, John, 1093, 1183.
 Sewall, Justice David, 772.
 Sewall Papers, description of, 497, 498.
 Seward, Mr., 351, 352, 353.
 Seward, F. W., 349.
 Seward, William H., 148, 167, 328, 346.
 Seymour, William, 1245.
 Shaftesbury, Earl of, 41.
 Shakespere, register of book by, 1251.
 Shambaugh, B. F., 511.
 Shambaugh, Professor, 265.
 Shane, J. D., 931.
 Sharp Family Papers, 499.
 Shaw, Leonard, 1235.
 Shaw, Samuel, 587, 1244.
 Shaw, Sylvanus, 1241.
 Shays, Daniel, 743.
 Shay's rebellion, 51, 324, 742.

- Shay's rebellion, trial of leaders of, 759.
- Shea, J. G., 495.
- Shearer, James, 31.
- Shelby, Governor, 933, 934.
- Shelby, Isaac, 1023, 1107.
letters to, 983, 984.
- Sheldon, George, 500.
- Sheldon, Henry Clay, 22.
- Shepherd, Samuel, 1192.
- Sheppard, Major, 876.
- Sheraton, Principal, 22.
- Sherlock, Thomas, 236.
- Sherman, Mr., 1177, 1200, 1210, 1211.
- Sherman, General, 45, 350.
- Sherman, Roger, 62, 98, 100.
's Hertogenbosch, government of, 426, 443.
- Sherwood, Samuel, 161.
- Shields, James, 1217.
- Shipbuilding industry in 1789, 611, 638, 650.
- Ship-canal convention at Chicago in 1863, 342.
- Ship canal, Mississippi River to Lakes, 341.
- Shipping trade in 1783, 714.
in 1787, 523.
in 1790, 779.
protective tariff for, 1146.
- Shirley, General, 662, 666, 677, 685, 689, 690, 697, 698, 699.
- Short, William, 1139, 1182, 1189, 1205, 1207, 1219.
- Shorthand in use in 1790, 1186.
- Shortridge, Benjamin, 1241.
- Shubrick, Mary, 1205, 1214.
- Shubrick, Susannah, 1205, 1214.
- Shubrick, Richard, 1205.
- Shubrick, Thomas, 1205, 1214.
- Shurtleff, N. B., 488.
- Sibley, John L., 497, 501.
- Sidgwick, Professor, 207.
- Sidney-Sussex College, England, 246.
- Sieyes, Monsieur, 1127.
- Sieyes, President, 1182.
- Sigismund, Emperor, 405.
- Significance of the Western Frontier, 283.
- Sikyon, admitted to Achaian League, 365.
- Silk trade in 1780, 599.
- Silsbee, Nathaniel, 48.
- Silver and gold, ratio of, in 1791, 1190.
- Silver dollar, scarcity in 1805, 874.
- Silver, trade in, in 1787, 541.
- Silvester, Josiah, 1258.
- Simcoe, Mr., 1065.
- Simitier, Mr., 113.
- Simmons, William, 1195.
- Simon, William H., 144.
- Simons, Mr., 867, 868.
- Simons, James, 1239.
- Simons, Keating, 866.
- Simons, Keating L., 909.
- Simons, William, 1256.
- Simpson, Josiah, 1193.
- Simpson, Thomas, 1167.
- Sims, Joseph, 1244.
- Simson, B. von, 1274.
- Singleton, Mr., 650.
- Sitgreaves, Mr., 107.
- Six Nations, treaty with, 1143, 1144, 1209.
- Skillings, John, 1241.
- Skillman, Samuel, 1221.
- Skinner, Henry, 1217.
- Skipwith, Fulwar, 831, 832.
- Slade, William, 488.
- Slafter, E. F., 499.
- Slave emancipation in Canada, 383.
- Slave trade, debate on, 867, 873.
discussed in South Carolina, 878.
regulation of, 581.
- Slavery, attitude of Friends toward, 22.
in New England in 1787, 56.
powers of Congress regarding, 1175.
prohibited in Northwest Territory, 56.
Society for Abolition of, 1175.
- Slaves in Louisiana in 1804, 1131.
- Sloan, James, 920.
- Sloane, W. M., 19.
- Slocum, General, 45.
- Sluys, jurisdiction of, 447.
surrender of, 432.
- Smith, Mr., 878, 1176, 1178, 1200, 1222, 1224, 1225.
- Smith, Abiel, 1220.
- Smith, Adam, 382.
- Smith, Benjamin, 916.
- Smith, Charles F., 45.
- Smith, Deacon, 704.
- Smith, Ebenezer A., 1195.
- Smith, Ezra, 1162.
- Smith, Elisha B., 151.
- Smith, George Adam, 250.
- Smith, Goldwin, 352.
- Smith, Jacob, 1171, 1214.
- Smith, Capt. John, 458.
description of New England by, 1258, 1259.
history of Virginia by, 1260.
- Smith, J. B., 97.
- Smith, John Cotton, 883, 900.
- Smith, Joseph, 1243.
- Smith, Kirby, 358.
- Smith, M., 98.
- Smith, O'Brien, 867, 886.
- Smith, Peter, 1167.
- Smith, Richard, 94.
- Smith, Robertson, 250.
- Smith, Samuel, 928.
- Smith, Samuel H., 929.
- Smith, William, 896, 911, 1147, 1148, 1219, 1240, 1244, 1246.
- Smith, William Henry, 31.
- Smith, William Loughton, 866.
- Smith, William S., 1198.
- Smith, W. S., 936, 937.

- Smithe, Sir Thomas, 1256.
 Smithsonian Half Century Book, 33.
 Smithsonian Institution, 2, 3.
 Smuggling of tobacco into Ireland, 538.
 Smyth, John, 1220.
 Snelling, J. W., 496.
 Sneyd, Mr., 551, 596.
 Snuff manufacture in 1789, 653.
 Snyder, John, 1239.
 Social development of the West, 285.
 Society of Church History, 23.
 Society of Jacobins, 1016, 1017.
 Soley, J. R., 484.
 Solomon Islands, 578.
 Sons of the American Revolution, 473.
 Sons of the Revolution, 473.
 South Carolina, census of 1791 in, 1222.
 College of, 847, 851, 909.
 commerce of, in 1787, 528.
 courts of, in 1805, 861.
 customs in, in 1805, 856.
 debtors' laws in, 590.
 dialect in, 888.
 diary in, 1805-1808, 842.
 free schools in, 872.
 Independence celebration in, 890.
 installment law in, 563.
 manners and customs in, 896.
 manufactures in 1789, 654.
 memorial of soldiers of, 1165.
 negro insurrection in, 881.
 office selling in, 882.
 poor laws in 1805, 858.
 population in 1789, 655.
 ratifies amendments to Constitution, 1154, 1174.
 records of, 483.
 right of suffrage in, 877.
 roads and bridges in, 887.
 senate of, in 1805, 866.
 slave trade in, 867.
 soldiers of, in Revolutionary war, 1157, 1176.
 State house in 1805, 856.
 tonnage laws of, 622.
 Yazoo Battalion of, 1181.
 South Carolina Historical Society, MSS. of, 508.
 Southwest frontier in 1790, 1162.
 Spain, difficulties with, in 1794, 1125.
 negotiations with, in 1792, 1208.
 relations with, in 1794, 1129.
 1796 treaty with, 1129.
 treaty with, for free navigation of Mississippi, 1207.
 Spalding, Mr., 343, 347, 348.
 Spalding, John, 1236.
 Spalding, Levi, 43.
 Spanish ambassador informed of Louisiana expedition, 1002.
 Spanish and English policy against America, in 1793, 935.
 Spanish archives, translations from, 931.
 Spanish Armada, defeat of, 432.
 Spanish army defeated in 1591, 432.
 Spanish conquest of America, 1253.
 Spanish dependencies west of the Mississippi, 1066.
 Spanish Empire, history of, 1266.
 Spanish-French affairs in 1798, 801.
 Spanish importation of slaves in Louisiana, 1131.
 Spanish Indian trading in 1792, 1228.
 Spanish in Netherlands, 431.
 Spanish interference with Creeks in 1792, 1128.
 Spanish manuscripts in Boston, 497.
 Lenox collection of, 502.
 Spanish restrictions in American commerce in 1793, 1129.
 Spanish rule in Louisiana, weakness of, 932.
 Spanish strength in Louisiana in 1793, 973.
 Spanish succession, study of, 275.
 Spanish trade in 1787, 541, 542.
 Sparks, Jared, 85, 106, 484.
 Sparks's manuscripts, calendar of, 499.
 Sparta and Athens, government of, 394.
 Sparta in Achaian League, 395.
 Spear, Ensign E., 1141.
 Specie, scarcity of, in 1805, 874.
 Speed, John, 1103.
 Spencer, Mr., 929.
 Spencer, Elihu, 928.
 Spencer, Herbert, 252.
 Spencer, Ichabod, 1172.
 Spencer, Reuben, 1239.
 Spinning machines for cotton, 553.
 Spinola, Marquis of, 432.
 Spofford, A. R., 32.
 Spoils system in politics, 289.
 Spotswood Papers, 508.
 Sprague, Peleg, 43.
 Spring, Gardiner, 843.
 Springer, Rev. John, 884.
 Springer, Silvester, 1239.
 Squier, E. G., 512.
 Squires, Daniel, 157.
 Squires, Daniel W., 162.
 Stack, Col. John, 1241.
 Stagg, John, jr., 1223.
 Stanton, Edwin M., 59.
 Stanwix, Colonel, 700.
 Stanyan, Temple, 228.
 Stanz, convention of, 422.
 Stark, Mr., 871, 879, 905, 912.
 Stark, A. B., 867.
 Stark, Robert, 866.
 Star Spangled Banner, Supreme Order of, 177.

- State debts and the United States, 1158.
 national assumption of, 777, 1181, 1187.
 Hamilton on, 1163.
 in 1785, 732.
- State Papers of the United States, 1114.
- State troops in American Revolution, 1168.
- Stationers' Hall, early American books at, 1251.
- Statutes, bibliography of, in Northwest States, 296.
- Steam navigation, Fitch wants exclusive right for, 1154.
- Steel, Aaron, 1241.
- Steele, Mr., 1178, 1245.
- Steele, David, 1167.
- Steele, Osman N., 150, 157, 158.
- Steele, Stephen, 1236.
- Steel manufacture in Pennsylvania in 1789, 653.
- Steger, Miranda, 1247.
- Steger, William, 1247.
- Stephens, H. Morse, 7, 15, 19, 23, 30.
 on Political Science and History, 211.
- Stepney, John, 1256.
- Stern, Alfred, 1274.
- Steuben, F. de, 1157.
- Steuben, Baron, claim of, 1165.
- Stevens, Captain, 1180.
- Stevens, Henry, 484.
- Stevens collection of books and manuscripts, 484.
- Steward, Col. John, 1165, 1194.
- Steward, Stephen, 1173, 1177.
- Steward, Stephen, jr., 1165, 1194.
- Stewart, David, 830.
- Stewart, John, 1178.
- Stiles, Ezra, 1220.
- Stiles Papers, 502.
- Stillé, Professor, 249.
- Stiller, John, 1169.
- Stirling, Lord, 1159, 1174.
 Papers of, 502.
- Stirling, Sarah, 1174.
- Stockbridge, H., 482.
- Stockbridge, Indian school at, 687.
- Stockton, Lucius H., 1130.
- Stoddard, Josiah, 1242.
- Stoddart, Nathan, 1242.
- Stoddert, Mr. 826.
- Stoddert, Benjamin, 808.
- Stone, Mr., 1177, 1178.
- Storrs, Henry R., 871.
- Storrs, Richard S., 5, 7, 13, 19, 30, 187.
 on national development by plain men, 37.
- Stoughton, Mr., 801, 803, 819.
- Stover, Capt. Henry, 796.
- Stowe, Calvin E., 43.
- Stowell, Lord, 821.
- Strauss, David Frederick, on Ranke, 80.
- Strong, Mr., 748, 752, 1141, 1142, 1143, 1156, 1157, 1185, 1209, 1211, 1233.
- Strong, Caleb, 798, 836, 848.
- Strozzi, Filippo, 1290.
- Stubbs, Bishop, 213, 251.
- Stubbs, Doctor, 475.
- Stuckenberg, J. H. W., 1274.
- Study of Votes in Congress, by Orin Grant Libby, 323.
- Sturges, David, 1164.
- Sturgis, Mr. 1178.
- Stutely, Capt. M., voyage by, 1232.
- Suffrage, right of, in South Carolina, 877.
- Sugar refining in 1789, 651, 653.
- Sullivan, Mr. 735.
- Sullivan, Capt. J., 1009, 1013, 1014.
- Sullivan, James, 717, 735, 768, 777.
 life of, 488.
 papers of, 488.
- Sullivan, Gen. John, 777.
- Sullivan's Campaign, 1779, journals of, 503, 504.
- Summer Islands, college at, 40.
 in 1621, 1258.
- Summers, Samuel, 1194.
- Sumner, Senator, quoted, 353.
- Sumter, General, 823.
- Sumter, Thomas, 821.
- Supreme Order of Star Spangled Banner 177.
- Susquehannah charter, 687.
- Suzamet, Monsieur, 616.
- Swabian war, 411.
- Swan, J. R., 293, 308.
- Swan, Robert T., 489.
- Swayne, James, 1217.
- Swayne, Samuel, 1185.
- Swedish settlements on the Delaware, 491.
- Swiss Confederation, 225.
 changes in 1712, 424.
 history of Government of, 398.
- Swiss League, work of, for religious freedom, 422.
- Switzerland, federal dependencies in, 398.
 history of struggle for freedom in, 399.
 Italian dependencies of, 416.
 Reformation period in, 422.
- Sybel, Heinrich von, 1274.
- Sydney, Lord, 730.
- Sylvester, Mr., 1142, 1176, 1245.
- Symmes, Judge, 1204.

T.

- Taillandier, Saint-René, 1274.
- Talapuche Nation, 1052.
- Talleyrand, Bishop, 818.
- Tardiveau, P., interpreter, 943, 944, 1026, 1096.
- Tariff act of 1789, 598, 616, 617, 765, 1122, 1143, 1144, 1147.

- Tariff act of 1780, revenue from, 1189.
 of 1790, Hamilton on, 1167.
 of 1816, votes on, 329.
 Tariff, additional, on leather, 1224.
 discussion on, in 1792, 1218.
 on spirits in 1790-1792, 777, 1229.
 protective, needed in 1789, 1145, 1146.
 Tax, direct, in South Carolina, 887.
 Taxation, Canadian, operation of, 381.
 colonial, for home government, 376.
 on land, act to equalize, 165.
 Taxes in 1792, 1228.
 Taylor, Mr., 882.
 Taylor, Colonel, 904.
 Taylor, Francis, 1195.
 Taylor, J., 904.
 Taylor, John, 865, 866, 925.
 Taylor, Major, 867, 868.
 Taylor, William, 1172.
 Teaching of History, H. B. Adams on, 245.
 Tea, duty on, proposed in 1791, 1191.
 Tea importations in 1788, 590.
 Tea importers, petition from, 1224.
 Tea party, Boston, 500.
 Tea trade in 1787, 554.
 Telfair, Governor, 1230.
 Telfair, Edward, 1141.
 Temperance agitation in Massachusetts
 in 1855, 182.
 Temperance memorial, 1180.
 Temple, Daniel, 43.
 Temple, Sir John, 54, 515, 523.
 Temple, Sir William, 226.
 Tender law, repeal of, 624.
 Tennessee, insurrection in, 51.
 movement in, against Louisiana, 934.
 Ternant, Mr., 1099.
 Ternant, C., 965, 966.
 Territorial governments, history of, 285.
 Territorial system in America, 453.
 Teutonic nations, history of, 1265.
 Texas, bibliography of, 506.
 history of, 511.
 manuscript records of, 494.
 Texas Historical Society, MSS. of, 508.
 Thacher, John Boyd, 707, 829.
 Thanksgiving Day, inaugurated in 1789,
 1122.
 Thayer, Colonel, 13.
 Thayer, Simeon, 1246.
 Thayer, Sylvanus, 44.
 Thierry, Augustin, quoted, 67.
 Thirlwall, Bishop, 385.
 Thomas, Allen Clapp, 22.
 Thomas, General, 45.
 Thomas, John, 1241.
 Thomas, Joseph, 1241.
 Thomas, William, 1239.
 Thompson, Benjamin, 1247.
 Thompson, Captain, 565, 614.
 Thompson, Daniel G., 20.
 Thompson, Edward, 1167.
 Thompson, Waddy, 897.
 Thompson, William, 1052.
 Thomson, Chancellor, 901.
 Thomson, Charles, 86, 103, 105, 110, 111, 1138.
 papers of, 506.
 Thorio, Raphael, 1200.
 Thornton, J. Wingate, 485.
 Throuston, Virginia soldier, 1171.
 Thurgau, government of, 409.
 Thwaites, Reuben G., 16, 25, 286, 478, 930.
 Ticknor, George, 13, 43.
 Tilden, Samuel J., 146, 164.
 Titles of President and Vice-President,
 1147.
 Tobacco, customs regulations in 1789, 603.
 defense of, in 1802, 1255.
 evasion of duty on, 550.
 garden of, in 1809, 1256.
 manufacture in 1789, 653.
 planting of, in England, 1258.
 use of, 1258, 1259.
 smuggling in 1787, 538, 554.
 trade in 1787, 534, 537.
 Toche, Theo., 1274.
 Todd, Col. John, 510.
 Todd, John, Papers of, 486.
 Toliver, Mr., 896.
 Tompkins, Mr., pardoned, 166.
 Tompkins, Silas, 157.
 Toner, John Meredith, 484.
 biography of, 31.
 Tonnage act of 1789, 608, 606, 616, 617, 622.
 Tonnage duties, 529, 598, 650, 1143, 1181, 1189,
 1227.
 Torrence Papers, catalogue of, 509.
 Torrey, John, 1212.
 Torrey, Joseph, 43, 1212.
 Torrey, Professor, 249.
 Tory party in Canada, 385.
 Toulon, recaptured, 1025.
 Towles, Oliver, 1242.
 Town, Ebenezer, 1241.
 Townes, John, 1243.
 Town records of Massachusetts, 489.
 Townsend, Martin I., 152.
 Tracey, Nathaniel, 1220.
 Tracy, Uriah, 848.
 Trade-marks, registration of, 1215.
 Trade regulations, 729.
 in 1783, 717.
 in 1785, 724.
 in 1793, 785.
 Trade restrictions in Canada, 382.
 on colonies, 382.
 on foreigners, 1176.
 Trade with Great Britain in 1789, 607.
 in 1791, 516.
 Traham, Gregoire, 1243.
 Traversay, M. de, 616.
 Treadwell, Governor, 872.

- Treadwell, John, 848.
 Treasury Department, reorganization needed, 1224.
 Treat, Anna, 1165.
 Treaties, early United States, 1121.
 Indian, 1138, 1158, 1209, 1229, 1230, 1235.
 Treaty, Barrier, of 1715, 449.
 Cherokee Indian, 1207.
 commercial, with Great Britain, 1183.
 Indian, with Spain, 1038.
 for free navigation of the Mississippi, 944, 1207.
 of alliance with France in 1778, 739.
 of Hopewell, 902.
 with Creek Nation, 1155.
 with Great Britain in 1703, 787, 788, 789.
 with Great Britain in 1788, 1130.
 with Morocco, 1139, 1183.
 with Spain in 1796, 1129.
 Trelawny Papers, list of, 496.
 Trent, William P., member Manuscripts Commission, 472, 480.
 Trent affair, 339, 341.
 Trepagnie, Augustine, 1243.
 Trepagnie, Prisque, 1243.
 Trezevant, Lewis C., 866, 908.
 Trigg, Abram, 921, 926.
 Trigg, General, 923.
 Trimble, James, 196.
 Trinity Church, N. Y., early records of, 504.
 Trowbridge, Isaac, 1164.
 Trueman, Capt. Alex, 1234.
 Trumbull, Mr., 875, 1148.
 Trumbull, John, the artist, 39.
 Trumbull, Jonathan, 39, 1148, 1201, 1211, 1234.
 Trumbull, Jonathan, jr., 39.
 Trumbull Papers, description of, 496.
 Truxton, Captain, 555, 603.
 Truxtun, Thomas, 541.
 Tucker, Mr., 1145, 1147, 1199, 1244.
 Tucker, John, 1201, 1225.
 Tucker, Joseph, 1169, 1213.
 Tucker, St. George, 735.
 Tucker, Samuel, papers of, 499.
 Tudor, William, 813.
 Tunis, affairs with, in 1799, 1130.
 Turner, Edward, 1241.
 Turner, Frederick J., 7, 30.
 on the West as a Field for Historical Study, 281.
 member Manuscripts Commission, 472.
 Turner, G., 1219.
 Turner, George, 1218, 1225.
 Turner, James, 915.
 Turner, Ensign Samuel B., 1209.
 Turney, Abel, 1169, 1191.
 Turney, Toney, 1104.
 Tuscarora Indians, petition of, 1198.
 Twining, Nathaniel, 1158, 1176.
 Tyler, Daniel, 45.
 Tyler, Dudley, 1161.
 Tyler, Moses Coit, 6, 24, 469.
 Tyler, Oscar, 171.
 Tzschirner, Professor, 68.
- U.
- Ulster County, anti rent troubles in, 153.
 Underhill, John, 1261.
 Union of Utrecht, 431.
 United Netherlands, constitution of, 225.
 United States Bank, 1230.
 act establishing, 1184.
 history of, 363.
 Langdon Cheves and, 363.
 University extension in England, 246.
 University of Chicago library, 308, 1113.
 Untervogt, duties of, 407.
 Upham, C. W., 500.
 Upham, Thomas C., 43.
 Upham, William P., 500.
 Upper Gelderland, government of, 449.
 Upshur, Thomas T., 507.
 Uri, men of, seize Leventina, 403.
 Uselinx, William, 491.
 MSS. writings of, 506.
 Utrecht, Union of, 431.
 Utznach and Gaster, government of, 420.
- V.
- Vacher, John F., 1172.
 Valancienne Conde retaken, 1793, 1025.
 Valbert, G., 1274.
 Val d'Ossola, government of, 404.
 Valentine, D. T., 502.
 Valeria, brig, seized by French, 796.
 Valkenburg, government of, 441.
 Val Leventina, government of, 403.
 Val Maggia, government of, 420.
 Val Telina, government of, 428.
 Value of maps in boundary disputes, 457.
 Van Alstine, Abraham, 1236.
 Van Buren, John, 152, 161.
 Van der Kemp MSS. at Utica, 505.
 Vanderput, Admiral, 814, 816.
 Vaneck, Joshua, 676, 679.
 Van Fossan, Peter, 1220.
 Van Heuvel, J. A., 461.
 Van Hoorn, William Cornelis Shouten, 1258.
 Van Rensselaer, James, 166.
 Van Rensselaer, Killian, 140.
 Van Rensselaer, Stephen, 143, 146, 147, 169, 171.
 Van Rensselaer, Stephen, jr., 147.
 Van Rensselaer, William Patterson, 147.
 Van Rensselaer manorial title, 168.
 Varnum, Joseph B., 816, 817, 823.
 Vanslyk, C., 1198.
 Van Steenburg, John, 161, 162, 166.

- Van Vechten, Teunis, 149.
 Van Woort, Lewis, 1220.
 Vaux, Mr., 572.
 Venetian Relations, by Ranke, 72.
 Venezuela boundary dispute, 457.
 Venlo, in Union of Utrecht, 450.
 Vermont, admission to Union, 1182, 1185, 1190, 1202.
 Council of Safety of, 487.
 dispute with New York, 716.
 list of records of, 487, 488.
 Verplanck, Gulian, 146.
 Verplanck, Samuel, 146.
 Verplanck tracts in New York, 146.
 Verplank, Philip, 1220.
 Viar, José Ignacio de, 1000, 1005, 1006, 1007.
 Viar and Jaudenes, letter from, 999.
 Vice-President, compensation for, 1149.
 term of office of, 1157.
 title of, 1147, 1148.
 Vilvoorde, surrender of, 431.
 Vincent, Isaac, 1198.
 Vining, Mr., 1149, 1150, 1177, 1226.
 Virginia arsenal of 1789, 707.
 bounty lands for soldiers of, 1150, 1155, 1175, 1186, 1187, 1207, 1216, 1240.
 cession of Western land by, 52.
 colonial paper money of, 51.
 commerce of, in 1787, 526.
 discovery of, in 1602, 1255.
 early books on, 1252, 1259.
 Episcopalians in, in 1771, 239.
 foreign trade in 1789, 641.
 frontier protection needed, 1217.
 historical records of, 493.
 list of adventurers to, 1258.
 manufactures in 1789, 654.
 maps of, 458.
 massacre by Indians in, 1259.
 memorial from, 1145.
 object of Colony in, 1256.
 opposes New England, 837.
 parish records of, 507.
 passes laws to encourage commerce, 562.
 population in 1789, 655.
 sermon on, in 1822, 1259.
 Smith's history of, 1260.
 soldiers of, in Revolutionary war, 1157, 1176.
 tobacco trade in 1787, 534.
 tonnage laws of, 622.
 western boundaries of, 1220, 1244.
 Virginia Company, 233.
 records of, 485.
 Virginia convention of 1788, Madison in, 227.
 Virginia Cousins, by Doctor Goode, 33.
 Virginia Historical Society, MSS. of, 507.
 Voax, James, 824.
 Vogt, Swiss, duties of, 401, 406.
 Volney, Mr., 807.
 Von Humboldt, Alexander, 78.
 Von Ranke, Leopold, bibliography of, 1265.
 biography of, by E. G. Bourne, 67.
 Von Sybel, cited, 71.
 Votes in Congress, study of, 823.
 Vourst, Colonel, 1200.
 Voyages, early American, 1262 sq.
- W.
- Wabash Indians, 1140, 1229.
 Wabash and Illinois Indians, 1231, 1235.
 Waddel, Moses, 803, 909.
 Wadsworth, Mr., 1245, 1246.
 Wadsworth Gallery at Hartford, 39.
 Waime, Mr., 1030.
 Wait, Joseph, 1241.
 Wait, Thomas B., 134.
 Waitz, Georg, 1274.
 Waitz, George, 1274.
 Walderhyn, Colonel, 1068.
 Waldron, J. W., 514.
 Walker, Abial, 1241.
 Walker, Capt. Benjamin, 1241.
 Walker, Gen. Francis A., 1111.
 Walker Papers, 509.
 Wall, Samuel, 1217.
 Wallensteins, Geschichte, 1269.
 Waller, Thomas B., 890.
 Walloons and Batavians, 431.
 Walpole, Horace, 238, 689.
 Walter, Leonard, 1243.
 Walton, Mr., 95.
 Walton, Henry, 1220.
 Ward, Mr., 1222.
 Ward, John, 866, 870, 875.
 Warden, Ann, 515.
 Warfield, E. D., 17, 30.
 Warren, Benjamin, 1239.
 Warren, Colonel, 875.
 Warren, James, 761, 1166.
 Warren, Gen. James, papers of, 500.
 Warren, John, 1105.
 Warren, Winslow, 500.
 Warren Papers, 496.
 Warrington, James, 1245.
 Washington, Mr., 913.
 Washington, Bushrod, 919.
 Washington, George, 62, 226, 662, 1137.
 birthday celebration in 1793, 801.
 elected President, 595.
 eulogy on, 835.
 inaugural speech of, 1128.
 journals of, 484.
 letters of, 32.
 library of, 484.
 messages as President, 1137 sq.
 military bravery of, 689.
 on Western territory, 53.
 Peale's full-length portrait of, 191.
 personality of, 1123.

- Washington's headquarters at Newburg, 504.
- Washington City in 1806, 920.
 plan of, in 1791, 1206.
 public buildings in 1804, 1131.
- Washington, George Corbin, 484.
- Wate, Jason, 1230.
- Water distillation, 1214.
- Waterman, John, 1241.
- Waters, Dr. J. R., 1035.
- Waties, Thomas, 862, 866.
- Watson, Col. Abraham, 1240.
- Watson, Brook, 737.
- Watson, John, 1164.
- Way & Gideon, 109, 134.
- Wayne, Anthony, 1082, 1090, 1222, 1223.
 letters of, 1001, 1092, 1093.
- Wayne, General, 1027, 1061, 1080, 1230, 1238.
- Wayne and Shelby letters, 940.
- Weaver, John, 1230.
- Webb, Absolum, 1203.
- Webb, Colonel, 662, 685, 686.
- Webb, Col. Daniel, 687, 691, 698, 699.
- Webb, Capt. Davis, 1103.
- Webb, George, 1215.
- Webster, Daniel, 13, 42, 327.
- Webster, Noah, jr., 1099.
- Weed, Jacob, 1159.
- Weeden, Wm. B., 29, 30.
- Weems, Mason L., 910.
- Weevil, flying, damage by, 579.
- Wegele, F. X. von, 1274.
- Weights, measures, and coins, Jefferson's report on, 1173.
- Weise, A. J., 173.
- Weisse, Sophie, 1274.
- Welby, Master, 1257.
- Wellhausen on the Pentateuch, 76.
- Wells, Richard, 1175.
- Wendel, Ensign, 708.
- Wenley, Doctor, 246.
- Wentworth, Paul, 113.
- Werat, John, 1236.
- West, Captain, 828.
- West, Cato, 1030.
- West, Sir Thomas, 1257.
- West, influence of migration on, 290.
 materials for history of, 286.
 social development of, 285.
 the, a field for historical study, 281.
- Westermarck on history of marriage, 252.
- Western frontier, history of, 283.
- Western history, advantages of study of, 281.
- Western lands ceded to United States, 52.
- Western Reserve, cession of, 52.
- Western Reserve Historical Society, 300.
 MSS. of, 509.
- Western Settlements in 1789, 648.
- West India Company, and Holland, 1260,
 sermon before, 1260.
- West India pirates, depredations of, 805.
- West India trade in 1783, 714.
 in 1785, 721.
 in 1787, 554.
 in 1789, 641.
 regulation of, 609.
- West Indies, Spanish conquest of, 1254.
- Westphall, Nicholas F., 1195.
- West Point, Government purchase of, 1158, 1170.
- West Point Military Academy, 13, 44.
- Wethered, Mr., 757.
- Whale fisheries of the world, 1578 to 1789, 1190.
- Whale fishery, restrictions on, 717.
- Wharton, President Thomas, 185.
- Whayland, James, 1164.
- Wheat, American, prohibited in England, 577.
- Wheat export to England, 603.
 in 1788, 565.
- Wheat exports from Maryland in 1788, 590.
- Wheat, Hessian fly damages, 572, 593.
- Wheeland, Catherine, 1172.
- Wheeler, Mr., 106.
- Wheeler, John, 43.
- Wheelock, Eleazar, 13.
 biography of, 36.
 establishes Dartmouth College, 42.
- Whig party in Canada, 385.
 in Massachusetts in 1855, 177.
- Whipple, Abraham, 1239.
- Whipple, Joseph, 1236.
- White, Mr., 1147, 1150, 1245.
- White, Andrew D., 2, 7, 30.
- White, Anthony W., 1173, 1177, 1195.
- White, Bishop, 198.
- White, Professor, 249.
- White, Capt. William, 1192.
- Whitehead, W. A., 492.
- Whiting, Charles, 1242.
- Whitman, Marcus, 14.
- Whitmore, Capt. Richard A., 1258.
- Wickes, Thomas, 1236.
- Wickham, John, 918.
- Wiedemann, Theo., 1274.
- Wieland, Professor, 68.
- Wife, Samuel, 1214.
- Wilberforce, William, 41.
- Wild, Henry, 557.
- Wilde, Samuel S., 43.
- Wilds, Samuel, 866, 911.
- Wiley, Aldridge, 1241.
- Wilkinson, Gen. James, 948, 953, 1020, 1079,
 1081, 1230, 1237.
- Wilkinson Papers, 510.
- Willey, Thomas, 1164.
- Williams, Mr., 95.
- Williams, Benjamin, 917.
- Williams, David R., 921, 926.
- Williams, Edward P., 1241.

- Williams, Israel, MSS. of, 498.
 Williams, Robert, 1169, 1213.
 Williams, Talcott, member Manuscripts Commission, 472, 480.
 Williams, Thomas, 811.
 letters of, 504.
 Williamsburg, army hospitals at, 1177.
 Williamson, Mr., 103, 1177, 1227, 1247.
 Williamson Manuscripts, list of, 495.
 William the Silent, murder of, 431.
 Wilson, Doctor, 880.
 Wilson, Henry, elected Senator, 180.
 Wilson, James, 1200.
 Wilson, Gen. Jas. Grant, 17.
 necrology by, 31.
 Wilson, John, 1169, 1220.
 Wilson, Professor, 211.
 Wilson, Woodrow, 17.
 on Western history, 292.
 Wingate, Mr., 1158, 1159.
 Winsborough College, 853.
 Winslow, Edward, 1290.
 Winsor, Justin, 2, 7, 19, 21, 23, 30, 283, 287, 481, 484, 485, 498, 499.
 Winston, Mr., 919.
 Winter, G., 1274.
 Winthrop, John, MS. journal of, 497.
 Winthrop, R. C., jr., 489, 503.
 Winthrop Papers, 498.
 account of, 497.
 Wirt, William, 918.
 Wisconsin, bibliography of history of, 296.
 laws of, before 1851, 296.
 MSS. records in, 510.
 newspapers of, before 1851, 296.
 Wisconsin State Historical Society, 286, 314, 478, 690.
 MSS. of, 510.
 Wisconsin State Library, 311.
 Wishart, Thomas, 1238, 1245.
 Witchcraft at Salem, papers on, 500.
 Witherspoon, Mr., 96, 910.
 With's map of Virginia, 458.
 Woburn Public Library, MSS. in, 501.
 Wolcott, Mr., 804, 805, 807, 809, 810, 811, 812, 820, 1100.
 Wolcott, Oliver, 710, 799.
 Wolf, Gov. George, papers of, 506.
 Wolfe, Christian, 1172.
 Wood, William, 1261.
 Woodbridge, Mr., 687.
 Woodbury, Levi, 43.
 Woodman, Cyrus, 511.
 Woolen industry in 1789, 632.
 Woolen manufactures in 1789, 651.
 Wooster, David, 1242.
 Wooster, Mary, 1220.
 Worms, city of, early government of, 428.
 Worth, Captain, 741, 742.
 Wright, Mr., 867.
 Wright, Carroll D., 489.
 Wright, John Izard, 887.
 Wright, P. P., 158.
 Wright, Robert, 884.
 Wright, Silas, 62, 154, 160, 163.
 Würtele, F. C., 487, 495.
 Wyandot Indian treaty, 1143, 1144.
 Wyllys, Gen. Samuel, 871.
 Wyncoop, Cornelius, 1167.
 Wyncoop, Jacobus, 1170.

Y.

- Yale College, 875, 1220.
 Yale University, MSS. in, 502.
 Yard, J., consul, 1184.
 Yazoo Battalion, roster of, 1181.
 Yazoo Companies, failure of, 1063.
 Yazoo Land Companies, 973.
 Yellow fever infected clothing in Detroit, 359.
 Young, Lieut. Bennett H., 350.
 Young, John, 165, 166, 168.
 Young, Leonard, 1167.
 Young, Moses, 1211, 1226.
 Younglove, John, 1200, 1212.

Z.

- Zachary, Stephen, 1222.
 Zeigler, Capt. D., 1182.
 Zug's struggle for freedom, 399.
 Zürich, growth of, 399.

4 J. F. J.
 12/18/11.



