

Wayne's desire, I have the honor to inform you of my having received from the Governor-General of this Province, information respecting the ratification of the Treaty of Friendship, Navigation and Limits, between the King my master, and the United States of America. You have seen in this letter which I have read to you, that I have ordered not to prevent in the least the going down the Mississippi of the Commissioners appointed on the part of the United States to fix the limits of the troops who are to accompany them; but that in the mean time he orders me to tell them, that the evacuation of the posts cannot take place until the time of high waters. I will beg leave to observe to you, that although this is the affirmative answer that Gen. Wayne spoke of, yet as he says that the troops who are to take possession of the posts, are now waiting at Fort Mifflin, their coming down the river immediately, that is, before the high waters, would be somewhat sooner than the Governor-General of this Province seems to expect, and somewhat contrary to Major-General Wayne's own intentions, since he tells the Baron de Carondelet, to appoint the most convenient time for the evacuation of the posts. I hope you will be so good as to make that observation to such officers as are in possession of General Wayne's orders respecting the taking of possession of the posts, and at the same time to make them sensible of the convenience it will be to both the Americans and the Spaniards to wait for a more proper season for the transport of artillery, baggage, provisions, &c. which could not be moved at this present time, without much trouble and risk on account of the river being so remarkably low, as to render its navigation very dangerous.

I have the honor to be, Sir,  
Your most obedient,  
and very humble servant,  
CHARLES DE HAULT DE LASSUS,  
Lieutenant Colonel in his Catholic Majesty's service, and commander of the post of New Madrid.  
To Lieut. TAYLOR.

DEPARTMENT OF STATE,  
10th JUNE, 1797.  
I hereby certify, That the foregoing documents numbered from 1 to 21, inclusive, are true copies of the original communication from Andrew Ellicott, Esq. the Commissioner of the United States, appointed to run the Boundary Line between their Territory and his Catholic Majesty's Colonies of East and West Florida, to the Secretary of State.  
GEORGE TAYLOR, JUN.  
Chief Clerk.

(No. 10.)  
Mr. ELICOTT's compliments to his friend Governor Gayoso, and wishes to be informed, whether the following information which he received this day "that all the works at the Chickasaw Bluffs have been either demolished or carried to the opposite side of the river, and that every exertion is making at the Walnut Hills to put that post in a state of defence," be correct.  
March 23d, 1797.  
\*The above number was omitted in its proper place.

The following Bill is now pending in the Legislature of the United States.  
A Bill to prevent the arming of private ships, except in certain cases, and under certain regulations.  
Sec. 1. WHEREAS it is prohibited by law that any vessel be fitted out & armed within the jurisdiction of the United States, with intent to be employed in the service of any foreign prince or state, to cruise or commit hostilities upon the subjects, citizens or property of another foreign prince or state, with whom the United States are at peace; and whereas for a due execution of this prohibition the President of the United States has heretofore, deemed it necessary to direct that no merchant vessel, armed within the United States, should be permitted to be cleared out, destined to any foreign country, except to some port in the East Indies, until further regulations should be made on this subject by Congress, which regulations it is now become expedient to make, as well that the said prohibition may be duly enforced, as that the lawful trade of the citizens of the United States may not continue unprotected & exposed to unlawful violence and seizures upon the high sea.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall not be lawful for any vessel fitted out and armed in the United States, with intent to be employed in the service of any foreign prince or state, to cruise or commit hostilities upon the subjects, citizens or property of another foreign prince or state with whom the United States are at peace; to be cleared out or be permitted to depart from the United States.  
Sec. 2. And be it further enacted, That it shall not be lawful for any vessel, fitted out and armed in the United States, with intent to defend itself, if violently and unlawfully set upon and interrupted on the high sea, in its lawful trade, to be cleared out or depart out of the United States, unless the cargo and every part of it, be bona fide the property of a citizen or citizens of the United States, and be not contraband, by the general laws of nations, or by some of the treaties of the United States, and unless the same be destined to a place neither invested nor blockaded.

Sec. 3. And be it further enacted, That no goods, wares or merchandise, contraband by any treaty, to which the United States are a party, or by the general law of nations, or belonging to the subjects or citizens of any nation, at war with another, or destined for any place besieged or blockaded, shall be exported out of the United States, in any armed vessel belonging to a citizen or citizens of the United States or under the protection of a convoy of the United States, to any foreign port or place belonging to any foreign nation at war with another.  
Sec. 4. And be it further enacted, That the master or person having the charge or command of an armed merchant vessel, bound to a foreign port or place, shall deliver to the collector of the district from which such vessel shall be about to depart, a manifest of the cargo on board the same, specifying the particulars thereof, to whom belonging, and where the owner or owners reside, verified by the oath or affirmation of the shipper or shippers thereof, and moreover, the said master or commander of such ship or vessel,

shall deliver to the collector of the district from which such vessel shall be about to depart, a manifest of the cargo on board the same, specifying the particulars thereof, to whom belonging, and where the owner or owners reside, verified by the oath or affirmation of the shipper or shippers thereof, and moreover, the said master or commander of such ship or vessel, shall give bond with two or more sureties, to the satisfaction of the said collector, in a form, at least equal to the reasonable value of the said vessel and cargo, to be ascertained by the said collector; with condition, that the cargo and every part of it is bona fide the property of a citizen or citizens of the United States, and that no trade shall be carried on contrary to the laws of nations or any of the treaties to which the United States are a party, and that no force shall be used against a commissioned ship of war of any foreign nation, but in self defence, conformably to the laws of nations and the treaties to which the United States are a party, and to such an extent only as defence shall render necessary, against the unlawful attempts to search or seize such armed vessel, contrary to the laws of nations or the particular treaty existing between the United States and the nation to whom the ship of war belongs:—whereupon the said collector shall grant a clearance for the said vessel and her cargo, specifying the particulars thereof, and the owner or owners of every part thereof, and certifying him or them to be citizens of the United States; and if any armed merchant vessel, bound to a foreign port or place, shall depart out of the United States without such clearance, the said master or person having the said charge or command, shall forfeit and pay the sum of one thousand dollars, for such offence, and also the owner or owners of said vessel shall forfeit and pay the sum of two thousand dollars for the same offence, to be recovered by action of debt or information, one half to the use of the informer, the other half to the use of the United States.

Sec. 5. And be it further enacted, That no vessel, armed or unarmed, bound to a port of a belligerent nation, shall be received or taken under convoy of any ship or vessel of war belonging to, or in the service of the United States, without a certificate to the commander of the convoy, from the collector of the district where the cargo was laden, ascertaining that the cargo, and every part of it is not contraband, either by the general laws of nations or by any of the treaties to which the United States are a party; and that the said cargo is wholly owned by citizens of the United States, whose names and residence shall be inserted therein, and that the said vessel is not bound to a place, actually besieged or blockaded.

Sec. 6. And be it further enacted, That the cargo to be exported out of the United States, in any armed vessel, or other vessel, intended to sail under American convoy, belonging to any citizen or citizens of the United States, to any foreign port or place, belonging to a foreign nation at war with another, shall be laden and put on board such vessel, in the day time, in the presence of an inspector of customs, who shall enter in a book, to be by him kept, the name or names of the owner or owners thereof, together with a description of the several particulars composing the cargo, and the marks, numbers, kinds and descriptions of the respective packages which shall be laden in such vessel, and a true copy thereof, shall be by him, certified to the collector of the district in which such vessel is laden; and the daily compensation of such inspector, for performing the services hereby required, shall be the same which is by law allowed, for every day employed in aid of the customs, which shall be defrayed by the master or person having charge of the vessel in which the service is rendered.

Sec. 7. And be it further enacted, That it shall not be lawful for any convoy to use force or suffer force to be used, against a commissioned ship of war of any foreign nation, but in defence of itself, or of the merchant vessels under convoy, attempted to be unlawfully searched or seized, contrary to the particular treaty, if any exists, between the United States and the nation to whom the ship of war belongs; or, if no treaty exists between them, contrary to the general laws of nations.

Sec. 8. And be it further enacted, That the master or commander of every such armed vessel, and also every convoy, which shall have used force in self defence, during any voyage, shall within three days, after returning to any port within the United States, make a true report of all the material circumstances of the case, in which such force shall have been employed, subscribed by the master, mate, and one sixth part of the seamen, and verified by their oaths; and shall deliver the same to the collector of the district where such vessel shall first arrive, to be by him, transmitted to the secretary of the treasury, and finally deposited in the office of the department of state: And if any such master or commander, shall refuse, or fail to make the report herein required, within the time, and in the manner herein set forth, he shall forfeit and pay, for every such offence, the penalty of five hundred dollars, to be recovered in the name and for the use of the United States.

Sec. 9. And be it further enacted, That nothing in this act shall be construed to repeal the act passed on the fifth day of June, one thousand seven hundred and ninety four, entitled, "An act in addition to an act for the punishment of certain crimes against the United States," or any clause or part thereof.

C O N G R E S S .  
HOUSE OF REPRESENTATIVES,  
FRIDAY JUNE 16,

A message from the Senate informed the House that the President had signed the Acts which originated in their House, for prohibiting the exportation of arms and ammunition, and for preventing privateering.

The bill to provide for the safety of the ports and harbours of the United States, was read the third time, and about to be passed, when

Mr. WILLIAMS observed that he should vote against the bill for the following reasons, viz. because it contained a clause adopting a principle which he conceived to be both unnecessary and unjust, with respects to the State Debts; because he did not believe the State of New York to be a debtor State; and because the adjustment of the expences of the war, had been made upon the most erroneous principles. Each State he said ought to have been charged with the requisitions of Congress, made during the war, and the interest on any defalcation of payment in each requisition, and credited with the sums paid, and with such other supplies and payments as were purchased or paid in conformity to acts of Congress; but every claim, such as the expence of the expedition to Penobscot, the frigate South Carolina, and such as was admitted ought to stand as a charge against the United States, and to be paid out of common stock. (The Speaker reminded Mr. W. of the question.) Mr. W. said if this objectionable clause could be modified so as to call on the debtor States for the sums assumed, and accredit States who had

expended money on the fortifications, he then should have hopes of an accommodation especially with the State of New York, he therefore moved for recommitting the bill, so as to have these objects embraced.

Mr. BROOKES objected to the passing of the bill on the same ground, and supported the motion of his colleague.

The Yeas and Nays were taken on the passing of the bill as follow:

Y E A S .  
Messrs. Allen, Baer, Baldwin, Bayard, Bradbury, Burgess, Champlin, Craik, Davenport, Davis, Dennis, Dent, Ege, Evans, Findley, A. Foster, D. Foster, Fowler, Gallatin, Gillespie, Goodrich, Gordon, Griswold, Hanna, Harrison, Hartley, Hindman, Holmes, Inlay, Jones, Kittera, Lyman, Machir, Mathews, Milledge, Morgan, Nicholas, Otis, Parker, Potter, Reed, Schureman, Sewall, Shepard, Sinnickson, Sitgreaves, J. Smith, N. Smith, S. Smith, W. Smith, (C.) Thatcher, Thomas, Thomas, Wadsworth. 54.

N A Y S .  
Messrs. Baird, Blount, Brookes, Bryan, Cabell, Clairborn, Clap, Clopton, Cochran, Coit, Dawson, Elmendorf, J. Freeman, N. Freeman, Glenn, Gregg, Havens, Locke, Lyon, Macon, McClanahan, McDowell, New, Skinner, W. Smith, (P.) Sprigg, Sandford, Sumpter, A. Trigg, Van Allen, Van Cortlandt, Varnum, Venable, J. Williams, R. Williams. 35.

A bill from the Senate, for the protection of the trade of the United States, was twice read, and ordered to be committed to a Committee of the whole on Monday.— This bill goes into the detail as to the manning of the frigates, fixing the pay, rations, &c. and also empowers the President to equip nine additional vessels, if he shall see necessary, not to carry more than 20 guns each, to be employed in the protection of our trade.

Mr. VARNUM moved to have the consideration of this bill postponed till the first Monday in November; but was informed his motion was not in order.

Mr. W. SMITH moved the order of the day on the bill for raising an additional corps of artillery.

Mr. GALLATIN moved that the Committee of the whole be discharged from a further consideration of this bill. He made this motion, he said, for the purpose of shortening the discussion; because, if it should be the opinion of a majority, that it was not proper to go into the consideration of this subject at present, there would be no use in going into a Committee of the whole. He did not think it connected with the business upon which they were especially called. To carry it into effect would at least cost 300,000 dollars, and no adequate benefit would be derived from it.

Mr. WILLIAMS said, before he voted on this question, he should be glad to hear from the Secretary of War what was the present number of our troops, and where they were stationed. At present he was of opinion that the men we had were sufficient; though he allowed it was necessary that time should be given for artillerists to learn their duty. He should vote for going into a Committee of the whole.

Mr. W. Smith objected to the motion, as, if carried, it would amount to a rejection of the bill. He was against it, because he conceived the bill to be necessary; and he thought it would appear to be so, from the argument of the gentleman himself who brought forward this motion, as he had told them, when the subject of fortification was under consideration, that if 115,000 dollars were appropriated, it would be necessary to have additional artillery to take care of the new forts. He should, therefore, to be consistent, withdraw his motion. The same gentleman had yesterday said this corps would cost 400,000 dollars a year; to-day he said three; but Mr. S. said, he had a calculation, by which it appeared it would only cost 200,000.

The gentleman last up had wished for information as to the stationing of the present corps. He had in his hand a letter from the Secretary of War to the chairman of the Select Committee of the Senate, who reported this bill. (He read it; from which it appeared that there were 350 privates at the different forts on the Atlantic, and the remainder on the Western Frontier.) These 350 men were said to be necessary to keep the garrisons in repair, and that no part of the men on the Western Frontier could be detached from thence, as it was probable their presence prevented a war on the frontier from Tennessee to Georgia. To shew the necessity of force on the frontier, Mr. S. read a letter and affidavits from Louisville, giving an account of a murder and other disorders committed by the Indians.

Before the late reduction Mr. S. said, the number of the privates in our establishment was 480, and when the 832 additional men proposed to be raised were added to the present establishment, it would be less by 1132 men than it then was. He hoped therefore they should go into a Committee of the whole, and finally agree to the bill, as he wished not only to have men now to keep the works in repair, but to use the guns, & there should be occasion.

Mr. NICHOLS observed, that two reasons were given by the Secretary of War for this additional corps; one was, that there were not men enough to keep the works in repair; the other was, that it was necessary to have men to use the guns, if necessary.— With respect to the money voted yesterday for fortifications he understood it was intended to be expended on the forts already built, and not that new ones should be built. When these forts were first erected, nothing more was contemplated, than putting so many men into them as would be able to keep them in repair. They were built in populous parts of the country, and if they were attacked the inhabitants would be ready to protect them. The militia of New York, Philadelphia and Baltimore, he doubt-

ed not, in case of danger, would flock to defend their fortifications.

Mr. N. read a letter of the Secretary of War in January last, in which he mentioned that the fortifications were generally in good state, except a few on which the ravages of time had made some inroads, and which would require 4,000 dollars to repair. He thought this account and the present were at variance. He wished the Secretary of War had said (and if he meant to have given information to the House, he ought to have said it) how many men were in this regiment; because, if it were full, 550 artillerists would be on the Western frontiers, which he could not believe were necessary. He believed the truth was, the regiment was not more than two-thirds full. Mr. N. denied that our establishment would be less by 1132 men, if this corps was added; for tho' the establishment had appeared larger on paper, it had never, in fact, exceeded 3,000, or 3500 men. He believed there had not been any actual reduction of men. Nor did he believe the gentleman from Pennsylvania was far wrong when he estimated the proposed new regiment at an expence of 400,000 dollars per year, as the constant annual expence of the establishment was from 12 to 1500,000 dollars. When measures of this kind were proposed, they were persuaded they would cost nothing, but when they were gone into, the expence was found continually to increase. He hoped they should not go into a Committee of the whole.

Mr. BROOKES thought it was first necessary to enquire whether these additional men were necessary. He thought the vote of yesterday conveyed some idea of danger, and if defence was necessary, it must be allowed that forts without artillerists would do no good; but gentlemen seemed to go upon an idea that there was no danger. He thought differently, and he believed a majority of the House thought so. He denied that militia-men would be proper to be placed in these fortifications, and asked gentlemen how they could answer to their constituents, if they went away without doing any thing, and an attack should be made upon our coast? He thought nothing had taken place in Europe which placed us in a better situation; but that we, on the contrary, should be doubly vigilant. He trusted they should not be lulled to sleep by fair representations. He was for going into a Committee of the whole.

Mr. VARNUM supposed the gentleman last up had received some new information, since he put his negative to the bill providing for the fortifying of our ports. What that information might be, he could not tell.— He had received none. The gentleman from S. Carolina had indeed read some papers giving an account of a murder on the frontier by the Indians, and of a woman firing at them. But was this a sufficient reason for raising a fresh regiment of artillerists? He believed not; they sometimes heard of murders among civilized people; and there were modes of punishment, without the aid of military force. He believed when the present regiment of artillerists was full, there would be men sufficient for every purpose. The measures of gentlemen Mr. V. said, went to a destruction of national credit, by pushing every expensive object they could lay hold of. The United States had pledged themselves to make good engagements at certain periods; he thought these should be first satisfied, and then, if there were any surplus, gentlemen might, perhaps, be indulged in a favorite measure. If indeed, there was any foundation for what had fallen from the gentleman from Connecticut, that we were on the eve of a war, then, instead of 900, it would be necessary to raise 150,000 men; or if we were to declare war upon France, in case she did certain things. He did not, however, believe that gentleman's doctrine.

It was time, Mr. V. said, that the sense of the people should be expressed to the President of the United States, in favor of peace, that no irritable measures might be taken. He did not believe there was any danger of war, except from provocative measures on our part. (The Speaker spoke to order.) Mr. V. concluded with saying he hoped the bill would not be committed.

Mr. McDOWELL was against going into a committee of the whole, because additional men were unnecessary for the peace establishment, and if war was contemplated, they would be wholly inadequate. Militia, he said, were the proper defence of this country, and deprecated the idea of a standing army which was the constant attendant upon despotic governments.

Mr. HARPER said, if the bill were to be rejected, he thought it ought first to undergo a discussion in a committee of the whole. Did the gentleman from Pennsylvania shrink from an examination of the principles of this bill? Or was it because he was unwilling his negative should stand against it! If he were not, he thought he ought not to endeavour by a side-wind to throw it out.— Why, said Mr. H. was the bill passed for fortifying the ports of the United States, if men were not to be put into them? They would be useless, and their conduct would appear ludicrous and absurd. He could account for this mode of acting in gentlemen who had determined to do nothing for the defence of the country; but for gentlemen who voted for fortifying, he could not discover their consistency in being opposed to this measure.

Gentlemen could not be serious in supposing that the liberty of this country would be endangered by 900 additional men. In expressing an opinion of this kind, they shewed a low opinion of their constituents. Gentlemen had frequently argued as if we were to hold our liberties at the will of the French nation, but he could not have supposed they would have expressed a fear of this kind.

But if there were danger, gentlemen said the measure would not be effectual. It could not be supposed that these men were to protect the country against invasion; no, they

were to protect our sea-ports against the attacks of privateers and pirates. Some gentlemen say appearances are flattering, and there is no apprehension of danger. The gentleman from Massachusetts said we were threatened with war, and submission could only secure us in peace; so that we were to lay ourselves at the mercy of an offended foreigner, and say, "We have been very wrong, and beg you will spare us." He attributed all this to a wish to prevent measures of defence from being taken; for in one way or other, every defensive operation was opposed. On the contrary, he wished to shew a spirit to repel the injuries we had received, by putting arms into our hands, and saying, "We mean to do justice, but to repel attack," nor could he see any cause of offence in a conduct of this kind.

Mr. SHEPARD said, if these men were not raised, many of the fortifications would be useless, and denied that putting our forts and harbors in a state of defence, could give just cause of offence to the French. He said the plan of fortifications was originally laid out upon too large a scale, and would not allow that militia could be used to advantage in fortifications.

Mr. GILES did not believe that these men were raised with a view to any present danger, but that advantage had been taken of this season of alarm to increase our military establishment; he was therefore against it, because he believed the present establishment too large by one half. Gentlemen, he said, had been charged with taking humiliating measures; but he thought it was more humiliating to take a measure of this kind, on the ground of danger, than to oppose it, from a conviction that it was meant to increase the peace establishment. The gentleman last up spoke like a hero; he trusted they should all act like heroes when danger was at hand; but at the distance he now thought it, he saw no use in the gentleman's vaunting.

If this bill passed, he said, there would be a necessity for going into a system of taxation. The 115,000 dollars voted yesterday, he believed, might be got out of the present revenue; but if they went any further, taxes must be laid to meet the expence.

Mr. DANA said, the question was whether any part of the bill before them was proper to be adopted. He thought as it was a bill of an important nature, and being sent to them by the Senate, they should at least go into a discussion of it. It had been said this measure was intended for a peace establishment; if it were proper for a peace establishment, it could not be less proper for us in our present situation. But it was said to be inadequate to resist the attacks of a foreign nation; so that gentlemen would have no force, except an efficient one. He believed we had not more artillery in our revolutionary war, than we should have, if this regiment is raised; and as the gentleman had given no reason why he thought half our present establishment would be sufficient, he would excuse him if he thought differently.

Mr. D. did not think the gentleman from Pennsylvania was warranted in his expectations from the present situation of Europe. He thought the refusal to honor American passports was alarming.

Mr. KITTERA said when they first met, it was pretty generally believed that it was necessary to put the country in a state of defence. This bill went to that end. He had two reasons for wishing the measure to be discussed; one was, because the President had recommended it; the other, because the Senate had thought the business sufficiently important to pass a bill upon it.

Mr. S. SMITH had not determined how he should vote upon this question. The present corps of artillery, he said, was raised when the country was threatened by Great Britain, when the Indians were at war with us, and when the governor of Canada had given us reason to expect a war. It was then thought necessary to erect fortifications, and an additional regiment of artillery was raised to what was already in being, which made a corps of 990 men. These were tho't sufficient. Since that time peace had been made with the Indians, and we had got possession of the posts from the British. These required a few artillerists. He wished the secretary at war to shew how many men were stationed at each of the posts. He believed the number of men which was said to be on the Atlantic frontier was sufficient to guard the forts, and artillerists were always excused from labor. It had been said militia could not be employed, because unskilled in the business, but he said the laborious part of artillery could be taught in a few days. For want of the information he had alluded to, he was a little at a loss in the business; but when the late President (a military man) had thought the present artillery sufficient for that season, he could not help believing they were so for the present time.

With respect to American passports being annulled by France. There were vessels passing from different parts with counterfeit passports, which, by mistake, some of our own consuls might have counterfeigned. It did not relate to sea letters from this country.

An argument of the gentleman from S. Carolina (Mr. Harper) was conclusive with him for not wishing to go into this subject. He stated there was only a surplus of 30 or 40,000 dollars of revenue (though he was of a different opinion) and this object would require at least 300,000 dollars.

Mr. GALLATIN said, when he brought this motion before the House, it was not, as had been stated, to get rid of the subject by a side-wind. They had been three days upon a bill, of small importance when compared with this, in proposing and rejecting amendments, and he thought it would save time to determine at once upon the principle of this bill. He justified the measure as parliamentary. If he could have conceived, it would have occasioned so long a debate, he believed however he should not have made it; and if there was any one man in the House who