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ADAMS

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. I.

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Vol. 1

SECRET JOURNALS
OF THE
CONGRESS OF THE CONFEDERATION.



DOMESTICK AFFAIRS.



HISTORY OF THE CONFEDERATION.

RESOLUTION OF CONGRESS OF MARCH 27, 1818.

Resolution directing the Publication and Distribution of the Journal and Proceedings of the Convention which formed the present Constitution of the United States.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That the Journal of the Convention which formed the present Constitution of the United States, now remaining in the office of the Secretary of State, and all Acts and Proceedings of that Convention, which are in possession of the government of the United States, be published under the direction of the President of the United States, together with the Secret Journals of the Acts and Proceedings, and the Foreign Correspondence of the Congress of the United States, from the first meeting thereof down to the date of the ratification of the definitive treaty of peace between Great Britain and the United States, in the year seventeen hundred and eighty-three, except such parts of the said foreign correspondence as the President of the United States may deem it improper at this time to publish. And that one thousand copies thereof be printed, of which one copy shall be furnished to each member of the present Congress, and the residue shall remain subject to the future disposition of Congress.

[Approved March.27, 1818.]

RESOLUTION OF CONGRESS OF APRIL 21, 1820.

Resolution to authorize the Publication of part of the Secret Journal of Congress, under the Articles of Confederation.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secret Journal, together with all the Papers and Docu-

ments connected with that Journal, and all other Papers and Documents, heretofore considered confidential, of the old Congress, from the date of the ratification of the definitive treaty of peace between the United States and Great Britain, in the year one thousand seven hundred and eighty-three, to the formation of the present government, now remaining in the office of the Secretary of State, be published, under the direction of the President of the United States, and that a thousand copies thereof be printed and deposited in the library, subject to the disposition of Congress.

[Approved April 21, 1820.]

ADVERTISEMENT.

THE Secret Journals of the Congress of the Confederation, directed by the foregoing resolutions to be published, are at the Department of State in five manuscript volumes. The Journals of Proceedings relating to Domestick Affairs, are in one separate volume, and the History of the Confederation in another. Of the latter, the projected articles presented by Dr. Franklin, on the 21st of July, 1775; those reported in the handwriting of J. Dickinson, on the 12th of July, 1776; and those reported in a new draft on the 20th of August, 1776, by the committee of the whole, were kept secret, and have never before been published. The proceedings subsequent to the 8th of April, 1777, when this report of the committee of the whole was taken up and debated in Congress, were published from time to time in the publick journals; but never having been collected in one compilation, and being scattered through several of the volumes of the publick journals, which are now quite out of print, it has been thought most consistent with the intention of the resolutions to

publish the whole of this manuscript. The Journal of Foreign Affairs is at the Department in three volumes; the last of which is not entirely filled, the journal closing on the 16th of September, 1788. On the 13th of the same month the resolution had passed for the organization of the new government, and for the meeting of the Congress under the constitution of the United States on the first Wednesday of the ensuing March. The tenth of October, 1788, was the last day upon which the Congress of the confederation met in numbers sufficient to form a quorum.

Department of State, August, 1820.

SECRET JOURNAL.

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DOMESTICK AFFAIRS.

Philadelphia, Wednesday, May 10, 1775.

A NUMBER of delegates from the colonies of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, and South Carolina, agreeable to their appointment and the orders received from their respective colonies, met at Philadelphia, viz.—from

NEW HAMPSHIRE, Mr. John Sullivan, and
Mr. John Langdon.

MASSACHUSETTS, Mr. John Hancock,
Mr. Thomas Cushing,
Mr. Samuel Adams,
Mr. John Adams, and
Mr. Robert Treat Paine.

CONNECTICUT, Mr. Eliphalet Dyer,
Mr. Roger Sherman, and
Mr. Silas Deane.

| | |
|---------------------------|---|
| NEW YORK, | Mr. Philip Livingston, Mr. James Duane, and Mr. John Alsop. |
| NEW JERSEY, | Mr. James Kinsey, Mr. Stephen Crane, Mr. William Livingston, Mr. John De Hart, and Mr. Richard Smith. |
| PENNSYLVANIA, | Mr. Edward Biddle, Mr. John Dickinson, Mr. Thomas Mifflin, Mr. Charles Humphreys, Mr. John Morton, Mr. George Ross, † Mr. Benjamin Franklin, and Mr. Thomas Willing. |
| DELAWARE } COUNTIES, } | Mr. Cæsar Rodney, Mr. Thomas M'Kean, and Mr. George Read. |
| MARYLAND, | Mr. Matthew Tilghman, Mr. Thomas Johnson, Mr. William Paca, Mr. Samuel Chase, and Mr. John Hall. |
| VIRGINIA, | Mr. Peyton Randolph, Mr. George Washington, Mr. Richard Henry Lee. |

VIRGINIA, Mr. Edmund Pendleton,
Mr. Benjamin Harrison, and
Mr. Richard Bland.

NORTH CAROLINA, Mr. William Hooper,
Mr. Joseph Hewes, and
Mr. Richard Caswell.

SOUTH CAROLINA, Mr. Henry Middleton,
Mr. Thomas Lynch,
Mr. Christopher Gadsden,
Mr. John Rutledge, and
Mr. Edward Rutledge.

The members being convened in the state house, proceeded to the choice of a President: when upon motion,

The honourable Peyton Randolph was unanimously chosen President.

After the President was seated,

Mr. Charles Thomson was unanimously chosen Secretary.

Ordered, That the Rev. Mr. Duché be requested to open the Congress with prayers to-morrow morning, and that Mr. Willing, Mr. Sullivan, and Mr. Bland, be a committee to wait on Mr. Duché, and acquaint him of the request of the Congress.

Adjourned till to-morrow morning, 11 o'clock.

MAY 19, 1775.

Congress then resolved themselves into a committee of the whole, to take into consideration the state of America.

And after some time spent therein, the President resumed the chair; and Mr. Ward reported from the committee, That they had proceeded in the business; but not having come to a conclusion, desired him to move for leave to sit again.

Resolved, That this Congress will to-morrow again resolve itself into a committee of the whole to take into their further consideration the state of America.

MAY 25, 1775.

The Congress met according to adjournment; and agreeably to the order of the day, again resolved itself into a committee of the whole, to take into their further consideration the state of America.

And after some time spent therein, the President resumed the chair; and Mr. Ward reported from the committee, That they had come to certain resolutions respecting New York, which he was desired to report; but not having gone through the rest of the business referred to them, the committee desired him to move for leave to sit again.

The resolutions being severally read and agreed to, are as follows :

Resolved, That a post be immediately taken, and fortified, at or near King's Bridge, in the colony of New York; that the ground be chosen with a particular view to prevent the communication between the city of New York and the country from being interrupted by land.

Resolved, That a post be also taken in the highlands, on each side of Hudson's river; and batteries erected

in such manner as will most effectually prevent any vessels passing, that may be sent to harass the inhabitants on the borders of said river ; and that experienced persons be immediately sent to examine said river, in order to discover where it will be most advisable and proper to obstruct the navigation.

That it be left to the provincial congress of New York to determine the number of men sufficient to occupy the several posts abovementioned, and also that already recommended to be taken at or near lake George, as well as to guard the city ; provided the whole do not exceed the number of three thousand men. to be commanded by such officers as shall thereunto be appointed by said provincial congress, and to be governed by such rules and regulations as shall be established by said congress until further order is taken by this Congress ; provided also, that if the said provincial congress should be of opinion that the number proposed will not be sufficient for the several services above recommended, that the said congress report their sentiments upon this subject to this Congress as soon as may be.

That it be recommended to the said provincial congress, that in raising those forces they allow no bounties or clothing ; and that their pay shall not exceed the establishment of the New England colonies.

That it be further recommended to the provincial congress aforesaid, that the troops to be enlisted do serve until the last day of December next, unless this Congress shall direct that they be sooner disbanded.

A motion being made for an addition to the foregoing resolutions, after some debate, the same was re-

ferred till to-morrow, to which time the Congress adjourned.

JUNE 3, 1775.

Upon motion,

Resolved, That a committee be appointed for the purpose of borrowing the sum of six thousand pounds, for the use of America ; for the repayment of which, with interest, the Congress will make full and ample provision : And that the said committee apply the said sum of money to the purchase of gunpowder for the use of the continental army.

That the delegates for Pennsylvania compose said committee, with power as well to borrow the money as to apply it to the purpose intended.

JUNE 9, 1775.

Upon motion,

Resolved, That this Congress will to-morrow take into consideration the ways and means of raising money.

Resolved, That the provincial convention of New York be requested to convey, as soon as possible, to Providence in Rhode Island, or to any port in the government of Massachusetts Bay, five thousand barrels of flour for the use of the continental army.

Resolved, That the committee of correspondence at Providence, and in the government of Massachusetts Bay, where the said flour may be carried, be desired to receive and forward it to the camp before

Boston as soon as may be ; and to lodge such part thereof as cannot be immediately sent thither, in places of security.

Resolved, That this Congress will make provision for defraying any expense incurred for this service.

Ordered, That a copy of the above resolves be immediately transmitted by the President, to the convention of New York.

JUNE 10, 1775.

Resolved, That it be, and it is hereby earnestly recommended to the several colonies of New Hampshire, Rhode Island, Connecticut, and the interior towns of Massachusetts Bay, that they immediately furnish the American army before Boston with as much powder out of their town, and other publick stocks, as they can possibly spare ; keeping an exact account of the quantities supplied, that it may be again replaced, or paid for by the continent. This to be effected with the utmost secrecy and despatch.

JUNE 16, 1775.

Resolved, That the provincial convention of New York be desired immediately to apply to governour Trumbull, to order the Connecticut troops now stationed at Greenwich, Stanford, and parts adjacent, to march towards New York ; and that part of them occupy such posts upon that island, as the said provincial convention shall judge best adapted to prevent the communication between the town and country

from being cut off; the remainder of the troops to be employed in securing the navigation of Hudson's river, by erecting batteries at such places as the said convention shall judge most proper to answer that purpose.

JUNE 19, 1775.

After the words "That no effort in his power shall be wanting to serve the American cause," add, but before he entered upon the service, he desired a conference with a committee to consist of one delegate from each of the associated colonies, to whom he desired to explain some particulars respecting his private fortune.

Whereupon, Mr. Sullivan, Mr. S. Adams, Mr. Hopkins, Mr. Dyer, Mr. P. Livingston, Mr. W. Livingston, Mr. Ross, Mr. Rodney, Mr. Johnson, Mr. Henry, Mr. Caswell, and Mr. Lynch, were appointed as a committee to confer with general Lee.

The committee returned and reported, that they had conferred with general Lee, who had communicated to them an estimate of the estate he risked by this service. Whereupon,

Resolved, That these colonies will indemnify general Lee for any loss of property which he may sustain by entering into their service, and that the same be done by this, or any future Congress, as soon as such loss is ascertained.

JUNE 20, 1775.

TO GEORGE WASHINGTON, ESQ.

This Congress having appointed you to be general and commander in chief of the army of the United Colonies, of all the forces raised or to be raised by them, and of all others who shall voluntarily offer their service, and join the said army for the defence of American liberty, and for repelling every hostile invasion thereof—you are to repair with all expedition to the colony of Massachusetts Bay, and take charge of the army of the United Colonies.

FOR YOUR BETTER DIRECTION:

1. You are to make a return to us as soon as possible of all forces which you shall have under your command, together with their military stores and provisions; and also as exact an account as you can obtain of the forces which compose the British army in America.

2. You are not to disband any of the men you find raised until further direction from this Congress; and if you shall think their numbers not adequate to the purpose of security, you may recruit them to a number you shall think sufficient, not exceeding double that of the enemy.

3. In all cases of vacancy occasioned by the death or removal of a colonel, or other inferiour officer, you are by brevet, or warrant under your seal, to appoint

another person to fill up such vacancy, until it shall otherwise be ordered by the provincial convention, or the assembly of the colony from whence the troops in which such vacancy happen, shall direct otherwise.

4. You are to victual at the continental expense, all such volunteers as have joined or shall join the united army.

5. You shall take every method in your power, consistent with prudence, to destroy or make prisoners of all persons who now are, or who hereafter shall appear in arms against the good people of the United Colonies.

6. And whereas all particulars cannot be foreseen, nor positive instructions for such emergencies so beforehand given, but that many things must be left to your prudent and discreet management, as occurrences may arise upon the place, or from time to time fall out—you are, therefore, upon all such accidents, or any occasions that may happen, to use your best circumspection; and, advising with your council of war, to order and dispose of the said army under your command as may be most advantageous for the obtaining the end for which these forces have been raised, making it your special care, in discharge of the great trust committed unto you, that the liberties of America receive no detriment.

JUNE 26, 1775.

Upon motion,

Resolved, That the delegates of Pennsylvania be appointed from this Congress to wait on the commit-

tee of the city, and to request of them that a supply of powder be immediately furnished for the use of the fortifications of Ticonderoga and Crown Point; and sent forward immediately.

JUNE 27, 1775.

Resolved, That major general P. Schuyler be directed to repair, as soon as conveniently he can, to the posts of Ticonderoga and Crown Point, to examine into the state thereof, and of the troops now stationed there, and how they are supplied with provision and necessary stores; into the state also of the sloop and other navigation on the lakes; also to obtain the best intelligence he can of the disposition of the Canadians and Indians of Canada: that he confer with colonel Hinman and colonel Arnold on the subject of colonel Arnold's letter to this Congress; and report as soon as possible the state of the whole, as near as it can be ascertained, to this Congress: and that he give orders for the necessary preparation of boats and stores for securing to the United Colonies the command of those waters adjacent to Crown Point and Ticonderoga.

Resolved, That as governour Carlton is making preparations to invade these colonies, and is instigating the Indian nations to take up the hatchet against them, major general Schuyler do exert his utmost power to destroy or take all vessels, boats or floating batteries preparing by said governour, or by his order, on or near the waters of the lakes.

Resolved, That if general Schuyler finds it practicable, and that it will not be disagreeable to the Canadians, he do immediately take possession of St. Johns, Montreal, and any other parts of the country, and pursue any other measures in Canada which may have a tendency to promote the peace and security of these colonies.

Resolved, That if general Schuyler shall have occasion for a larger quantity of ready money and ammunition, for carrying on such expedition, than he can in convenient time procure from the provincial convention of the colony of New York, that he do in such case apply to the governour of Connecticut for such supplies as may be necessary, and can be furnished by that colony ; and that governour Trumbull be desired to furnish such supplies ; and this Congress will make provision for reimbursing the same.

JULY 1, 1775.

Resolved, That general Schuyler be directed not to remove general Wooster, or the troops under his command, from New York ; but that he raise as many of the Green Mountain Boys, under such officers as they shall choose, with such other men in the vicinity of Ticonderoga as will be necessary to carry into execution the resolutions of the Congress, of the 27th of June last, transmitted to him.

Ordered, That this be transmitted to general Schuyler by the President.

JULY 11, 1775.

On motion,

Resolved, That the delegates from Pennsylvania have liberty to treat with, and employ, fifty hussars, who have been in actual service, and send them forward to join the troops before Boston, under general Washington.

JULY 17, 1775.

Resolved, That the President write to general Wooster, directing him to send, in the most expeditious manner, one thousand of the Connecticut forces under his command to Albany, there to remain encamped until they shall receive orders from general Schuyler as to their future proceedings.

Upon motion,

Resolved, That Mr. Cushing, Mr. Henry, and Mr. Deane, be a committee to confer with Mr. Kirkland, and report what in their opinion is an adequate compensation for his services among the Indians.

The address from the deputies of the several parishes of the islands of Bermuda being again read—

Ordered, That the President return them an answer, acknowledging the receipt of the address, and informing them that it will be considered; and desiring them to send an account of the provisions imported for some years past for the use of the inhabitants of that island; and also enclose them a copy of a re-

solve entered into on Saturday last, respecting the importation of gunpowder, &c.

The committee appointed to confer with Mr. Kirkland brought in their report, which, being taken into consideration,

Resolved, That there be, and there is hereby allowed to the reverend Mr. Samuel Kirkland, three hundred dollars to discharge the expenses he has been at among the Indians of the Six Nations, to defray the expenses of his journey from and to the Oneida country, and that he receive the same out of the continental treasury.

And it is hereby recommended to the commissioners of the northern department, to employ the said Mr. Kirkland among the Indians of the Six Nations, in order to secure their friendship, and to continue them in a state of neutrality with respect to the present controversy between Great Britain and these colonies.

JULY 19, 1775.

That a company of matrosses be raised in the city of Philadelphia, and sent to Boston.

That a committee of three be appointed to devise ways and means of raising the above company.

The committee chosen are Mr. Lynch, Mr. Lee, and Mr. Gadsden.

That the President be desired to write to the powder committees, or committees of safety, in this city and New York (where it is said a supply of powder is lately arrived) to forward to the camp as much gunpowder as they can spare.

JULY 25, 1775.

The Congress being informed that a quantity of the continental gunpowder, amounting to about six tons and half, was arrived in this city—

Ordered, That the delegates of this colony take measures to have it sent under a safe convoy with all possible despatch to general Washington, at the camp before Boston:

That the delegates be empowered to order a detachment of the riflemen raised for the continental army, consisting of at least two officers and thirty men, to meet the powder wagons at Trenton, and from thence to escort the same to the camp.

JULY 27, 1775.

On motion,

Resolved, That the sum of twenty-five thousand dollars be paid by the continental treasurers to Reese Meredith, George Clymer, Samuel Meredith, and Samuel Mifflin, merchants, of the city of Philadelphia; and that the like sum of twenty-five thousand dollars be paid by the said treasurers to Philip Livingston, John Alsop, and Francis Lewis, merchants, of New York, to be by them applied to the purpose of importing gunpowder for the continental armies; and that they be allowed out of the same five per cent. for their trouble and expenses therein: That they keep all their proceedings, as much as possible, a secret from every other person, but the Congress, and

the general of the continental forces for the time being: That they keep up a correspondence with the said general; and make such dispositions of the powder they may import, as he shall order.

JULY 28, 1775.

The Congress being informed that a quantity of gunpowder belonging to the continent is arrived in some part of New Jersey—

Ordered, That the delegates of New Jersey do take care that the said powder be safely conveyed to Dobb's ferry on the North river.

On motion made,

Ordered, That the colony of Virginia be supplied with one ton of gunpowder from the next quantity arriving here; and that from the same supply Pennsylvania be repaid the powder heretofore borrowed by the Congress, if the same shall not be wanted by general Washington.

JULY 29, 1775.

Two petitions were laid before the Congress respecting disputes between the people of Connecticut and Pennsylvania, on lands lying on the waters of Susquehanna; and the same being read—

Ordered to lie on the table for the perusal of the members.

AUGUST 1, 1775.

Resolved, That the sum of two hundred and ninety-three dollars be paid to the delegates of South Caroli-

na for the expense and freight of transporting a quantity of powder from South Carolina to this place, by order of Congress.

Resolved, That out of the powder belonging to the continent now in this city, five tons be sent to general Washington, in the speediest and safest manner, by the delegates of the colony of Pennsylvania.

That out of the next that arrives, the delegates of New Jersey be allowed to purchase one thousand pounds for the use of the western parts of their colony; and that the delegates of the lower counties on Delaware be allowed to purchase one thousand pounds for the use of said counties.

That out of the same parcel the quantity of one ton be reserved for North Carolina, to be lodged in the magazine of New York, and delivered to the order of the speaker of the assembly, or president of the convention of North Carolina; provided, the necessity of general Washington and general Schuyler will admit.

The Congress resumed the consideration of the petitions respecting the disputes between the people of Connecticut and Pennsylvania; and after some debate,

Resolved, That the farther consideration of this matter be referred to the next meeting of this Congress.

The Congress having reconsidered a resolve passed the 11th July, respecting the employing of fifty hussars—

Resolved, That the delegates of this province be desired not to proceed in executing said resolve; and

if any hussars are engaged or enlisted, to discharge the same; and that the said delegates settle and pay any expenses already incurred in consequence of the former resolve; and report their proceeding to the Congress at their next meeting.

SEPTEMBER 14, 1775.

Congress resumed the consideration of the letter of the 6th instant, from Messrs. L. Morris and J. Wilson, at Pittsburg.

Resolved, That the enterprise proposed in their letter be not undertaken.

SEPTEMBER 18, 1775.

Resolved, That a secret committee be appointed to contract for the importation and delivery of a quantity of gunpowder, not exceeding five hundred tons.

That in case such a quantity of gunpowder cannot be procured, to contract for the importation of so much saltpetre, with a proportionable quantity of sulphur, as, with the powder procured, will make five hundred tons.

That the said committee be empowered to contract for the importation of forty brass field pieces, six pounders; for ten thousand stand of arms, and twenty thousand good plain double bridled musket locks.

That the said committee be empowered to draw on the treasurers to answer said contracts.

That the said committee consist of nine, any five of whom to be a quorum.

SEPTEMBER 19, 1775.

The members chosen for the secret committee—Mr. Willing, Mr. Franklin, Mr. P. Livingston, Mr. Alsop, Mr. Deane, Mr. Dickinson, Mr. Langdon, Mr. M'Kean, and Mr. Ward.

SEPTEMBER 21, 1775.

Ordered, That the President write to general Washington, and direct him to order colonel Thompson immediately to send to the Congress an account of the expenditure of five thousand dollars paid him by order of the Congress on the 29th of July, being in advance for the service of a battalion of riflemen under his command.

The Congress proceeded to the election of a brigadier general; and the ballots being examined, it was found that colonel Armstrong and colonel Fry had an equal number of votes.

SEPTEMBER 30, 1775.

It being represented to Congress, that from the present situation of affairs, and the correspondence now carried on through North America, if the rate of postage is lowered, agreeably to the resolution of Congress, it is apprehended the proceeds of the office will not support the necessary riders; and as the people in general are well satisfied with, at least have made no complaints in regard to the rates lately paid for the postage of letters—

Resolved, That the resolution of Congress respecting the lowering the rates of postage be suspended until farther orders from Congress.

OCTOBER 3, 1775.

The committee of claims informed Congress, that there are a number of carabines and pistols provided for the hussar company, which the committee of safety for the province of Pennsylvania are willing to take at the first cost.

Ordered, That they be delivered to the said committee on the terms proposed.

Resolved, That general Washington may, if he thinks proper, for the encouragement of an attack on Boston, promise, in case of success, a month's pay to the army and to the representatives of such of our brave countrymen as may chance to fall; and in case success should not attend the attempt, a month's pay to the representatives of the deceased.

OCTOBER 5, 1775.

Sundry letters from London being laid before Congress—

Resolved, That a committee of three be appointed to prepare a plan for intercepting two vessels which are on their way to Canada, loaded with arms and powder.

The committee appointed to prepare a plan, &c. &c. brought in a report: Whereupon,

Resolved, That a letter be sent to general Washington, to inform him that Congress, having received in-

telligence of the sailing of two north country built brigs of no force, from England, on the 11th of August last, loaded with arms, powder, and other stores for Quebec, without convoy, which it is of importance to intercept, desire that he apply to the council of Massachusetts Bay for the two armed vessels in their service, and despatch the same, with a sufficient number of people, stores, &c., particularly a number of oars, in order if possible to intercept the said two brigs and their cargoes, and secure the same for the use of the continent; also any other transports laden with ammunition, clothing, or other stores, for the use of the ministerial army or navy in America; and secure them in the most convenient places for the purpose abovementioned. That he give the commander or commanders such instructions as are necessary, as also proper encouragement to the marines and seamen that shall be sent on this enterprise; which instructions, &c. &c. are to be delivered to the commander or commanders, sealed up, with orders not to open the same until out sight of land, on account of secrecy. That a letter be written to the said honourable council, to put the said vessels under the general's command and direction; and to furnish him instantly with every necessary in their power, at the expense of the continent. Also, that the general be directed to employ the said vessels and others, if he judge necessary, to effect the purposes aforesaid; and that he be informed, that the Rhode Island and Connecticut vessels of force will be sent directly to their assistance. That a letter be written to governour Cook, informing him of the above; and desiring him to despatch one or both the armed vessels

of the colony of Rhode Island on the same service; and that he use the precautions abovementioned. That a letter be also written to governour Trumbull, requesting of him the largest vessel in the service of the colony of Connecticut, to be sent on the enterprise aforesaid; acquainting him of the above particulars, and recommending the same precautions.

That the encouragement recommended by Congress to be given shall be, on this occasion, that the master, officers, and seamen, shall be entitled to one half of the value of the prizes by them taken, the wages they receive from the respective colonies notwithstanding.

That the said ships and vessels of war be on the continental risk and pay during their being thus employed.

OCTOBER 6, 1775.

Resolved, That it be recommended to the several provincial assemblies or conventions, and councils or committees of safety, to arrest and secure every person in their respective colonies, whose going at large may, in their opinion, endanger the safety of the colony, or the liberties of America.

Ordered, That an authentick copy of this resolve be by the delegates transmitted to proper persons in their respective colonies.

Resolved, That the committee appointed for the importation of powder do export, agreeably to the continental association, as much provisions or other produce of these colonies as they shall judge necessary, for the purchase of arms and ammunition.

OCTOBER, 9, 1775.

Resolved, That Mr. Duane do apply to the committee of safety of this province, and request them to lend to the continent one ton of gunpowder to be sent to New York; and from thence, what of it can be spared to be immediately forwarded to general Schuyler, by the convention of New York.

Ordered, That the delegates for Pennsylvania do receive from the treasurers the gold and silver they have collected, in order that the same may be forwarded to general Schuyler, to-morrow morning, under a proper guard.

A letter from the convention of New York, enclosing a proposal for procuring gunpowder, was taken into consideration, and referred to the secret committee.

OCTOBER 10, 1775.

Resolved, That the silver and gold collected be sent to general Schuyler, with an escort of four of the light horse of this city.

Adjourned for an hour.

EADEM DIE.

The President reported that he has despatched an express to general Schuyler, with six thousand three hundred and sixty-four pounds, Pennsylvania currency, in silver and gold, equal to sixteen thousand nine

hundred and seventy dollars and two-thirds of a dollar, with an escort of four of the light horse.

OCTOBER 16, 1775.

Resolved, That Mr. Randolph and Mr. Hopkins be appointed to join Mr. J. Rutledge, in order to confer with Mr. J. Macpherson on the subject contained in his letter.

OCTOBER 19, 1775.

The committee appointed to confer with captain Macpherson reported, that they have executed that service; and, upon conversing with him, do apprehend that the scheme he mentions in his letter is feasible; and that therefore it would be proper he should repair to the camp. Whereupon,

Resolved, That captain Macpherson be requested immediately to repair to the camp at Cambridge, and confer with general Washington on the subject contained in his letter to Congress; and that the committee who conferred with him do prepare a letter to be sent by him to the general, and report the same.

OCTOBER 20, 1775.

Resolved, That an order be drawn on the treasurers, in favour of captain John Macpherson, for three hundred dollars.

OCTOBER 26, 1775.

It being represented to Congress that a large quantity of blankets and shirts remain in the king's stores at New York—

Resolved, That it be recommended to the convention of New York immediately to take possession of the said blankets and shirts, and forward so many of them as may be necessary to general Schuyler, for the use of the army under his command.

NOVEMBER 8, 1775.

Resolved, That the secret committee appointed to contract for the importation of arms, ammunition, &c. &c. be empowered to export to the foreign West Indies, on account and risk of the continent, as much provision or any other produce, except horned cattle, sheep, hogs and poultry, as they may deem necessary for the importation of arms, ammunition, sulphur and salt petre.

Resolved, That the committee of safety of Pennsylvania be requested to furnish the colony of New York with five hundred pounds of powder, and forward the same immediately to Dobb's ferry. That the convention of New York give orders to receive it there, and send it as soon as possible to the fortresses in the highlands.

NOVEMBER 9, 1775.

Resolved, That every member of this Congress considers himself under the ties of virtue, honour, and love of his country, not to divulge, directly or indirectly, any matter or thing agitated or debated in Congress, before the same shall have been determined, without leave of the Congress; nor any matter or thing determined in Congress, which a majority of the Congress shall order to be kept secret. And that if any member shall violate this agreement, he shall be expelled this Congress, and deemed an enemy to the liberties of America, and liable to be treated as such; and that every member signify his consent to this agreement by signing the same.

NOVEMBER 10, 1775.

The Congress resuming the consideration of the report of the committee on Nova Scotia—

Resolved, That two persons be sent at the expense of these colonies, to Nova Scotia, to inquire into the state of that colony; the disposition of the inhabitants towards the American cause; and the conditions of the fortifications, docks, yards, the quantity of artillery and warlike stores, and the number of soldiers, sailors, and ships of war there; and transmit the earliest intelligence to general Washington.

Resolved, That general Washington be directed, in case he should judge it practicable and expedient, to send into that colony a sufficient force to take away

the cannon and warlike stores, and to destroy the docks, yards, and magazines, and to take or destroy any ships of war and transports there belonging to the enemy.

NOVEMBER 29, 1775.

After the resolution permitting Downham Newton to export provisions—

Resolved, That the said Downham Newton give bond, with two sufficient sureties, in a penalty equal to double the value of the cargo he shall have laden on board his vessel, the condition of which bond shall be, that the said Downham Newton shall, on or before the 15th day of February next, import into the port of Newbern, in the colony of North Carolina, and there deliver to the commanding officer of the continental troops in that colony, good muskets and bayonets, or gunpowder, to the full amount of the proceeds of such cargo; and that, on giving such bond, he shall receive from this Congress a permit, to be signed by the President, allowing him to export said cargo.

Resolved, That the executing the above business, and taking the bond from Downham Newton, be referred to the committee who brought in the report.

Information being given to Congress that there is a large quantity of powder in the island of Providence—

Ordered, That the foregoing committee take measures for securing and bringing away the said powder; and that it be an instruction to the said committee, in case they can secure said powder, to have it

brought into the port of Philadelphia, or to some other port as near Philadelphia as can be with safety.

Resolved, That Mr. Morris be added to the foregoing committee.

The committee appointed to prepare a letter to the agents, brought in the same, which, being read and debated, was agreed to.

Ordered, That a fair copy be made out, signed and forwarded.

N. B. This and former letters to the agents in England, are in Mr. Hancock's (the President's) letter book.

DECEMBER 4, 1775.

Information being given to Congress that major Stopford, notwithstanding his parole, is endeavouring to debauch the minds of the people—

Ordered, That the delegates of New Jersey be directed to write to the committee of Trenton, and desire them to make inquiry into the conduct and behaviour of major Stopford, and the officers there, and make report to Congress.

JANUARY 1, 1776.

The committee to whom the letters from general Washington and the intercepted letters were referred, brought in a report : Whereupon,

Resolved, That the seizing and securing the barracks and castle of St. Augustine will greatly contribute to the safety of these colonies ; therefore it is

earnestly recommended to the colonies of South Carolina, North Carolina and Georgia, to undertake the reduction of St. Augustine, if it be thought practicable.

Resolved, That a copy of the above resolution, together with copies or extracts of such of the intercepted letters as tend to show the state of the fort and garrison at St. Augustine, be transmitted by express to Henry Middleton and John Rutledge, esquires, members of Congress, to be by them laid before the committee directed to meet at Charlestown; and in case the enterprise be judged practicable, that immediate preparations be made by the joint force of the said colonies, viz. South Carolina, North Carolina and Georgia, and the expedition be undertaken without delay, at the expense of the United Colonies.

JANUARY 3, 1776.

Resolved, That the committee of safety of the colony of Pennsylvania be requested to furnish colonel Heard with two hundred pounds of gunpowder.

JANUARY 17, 1776.

A letter from Messrs. P. Livingston, Alsop and Lewis, was read, informing that only four hundred and sixty-two quarter casks of powder had arrived at New York.

JANUARY 24, 1776.

An account of the repulse our troops met with in their attempt on Quebec, the 31st December, 1775, published by Congress.

The letters from Canada bring an account of an unsuccessful attempt made to gain possession of Quebec by storm, on the 31st December last, between the hours of two and seven in the morning.

The general, finding his cannon too light to effect a breach, and that the enemy would not hearken to terms of capitulation, formed a design for carrying the town by escalade. In this he was encouraged by the extensiveness of the works and the weakness of the garrison. When every thing was prepared, while he was waiting the opportunity of a snow storm to carry the design into execution, several men deserted to the enemy. His plan at first was to have attacked the upper and lower town at the same time, depending principally for success against the upper town. But discovering from the motions of the enemy, that they were apprized of his design, he altered his plan; and having divided his little army into four detachments, ordered two feints to be made against the upper town, one by colonel Livingston, at the head of the Canadians, against St. John's gate; the other by captain Brown, at the head of a small detachment, against Cape Diamond; reserving to himself and colonel Arnold the two principal attacks against the lower town.

At five o'clock, the hour appointed for the attack, the general, at the head of the New York troops, ad-

vanced against the lower town at Aunce de Mere. Being obliged to take a circuit, the signal for the attack was given, and the garrison alarmed, before he reached the place. However, pressing on, he passed the first barrier, and was just opening to attempt the second, when, by the first fire from the enemy, he was unfortunately killed, together with his aid-de-camp, captain John Macpherson, captain Cheeseman, and two or three more. This so dispirited the men, that colonel Campbell, on whom the command devolved, found himself under the disagreeable necessity of drawing them off.

In the mean while, colonel Arnold, at the head of about three hundred and fifty of those brave troops who with unparalleled fatigue had penetrated Canada under his command, and captain Lamb's company of artillery, had passed through St. Roques, and approached near a two gun battery, without being discovered. This he attacked; and though it was well defended for about an hour, carried it with a loss of a number of men. In this attack colonel Arnold had the misfortune to have his leg splintered by a shot, and was obliged to be carried to the hospital. After gaining the battery, his detachment passed on to a second barrier, which they took possession of. By this time the enemy, relieved from the other attacks, by our troops being drawn off, directed their whole force against this detachment; and a party sallying out from Palace gate, attacked them in the rear.

These brave men sustained the force of the whole garrison for three hours ; but finding themselves hemmed in, and no hopes of relief, they were obliged to yield to numbers, and the advantageous situation the garrison had over them.

No regular return is yet come to hand ; but by the advices received, we learn, that our loss, in killed and wounded, amounts to about sixty, and three hundred taken prisoners, who are treated very humanely. Among the slain are captain Hendricks and lieutenant Humphreys, of the riflemen, and lieutenant Cooper.

After this unfortunate repulse, the remainder of the army retired about three miles from the city, where they have posted themselves advantageously, and are continuing the blockade, waiting for reinforcements, which are now on their march to join them.

Every possible mark of distinction was shown to the corpse of general Montgomery, who was interred in Quebec, on the second January.

PUBLISHED BY ORDER OF THE CONGRESS.

The Letter to the Inhabitants of the Province of Canada.

FRIENDS AND COUNTRYMEN,

OUR former address to you pointed out our rights and grievances, and the means we have in our power, and which we are authorized by the British constitution to use, in the maintenance of the former, and to obtain a redress of the latter.

We have also shown you, that your liberty, your honour, and your happiness, are essentially and necessarily connected with the unhappy contest which we

have been forced into for the defence of our dearest privileges.

We see with inexpressible joy the favourable manner in which you have received the just and equitable remonstrances of your friends and countrymen, who have no other views than those of strengthening and establishing the cause of liberty. The services you have already rendered the common cause deserve our acknowledgments, and we feel the just obligation your conduct has imposed on us to make our services reciprocal.

The best of causes are subject to vicissitudes; and disappointments have ever been inevitable. Such is the lot of human nature. But generous souls, enlightened and warmed with the sacred fire of liberty, become more resolute, as difficulties increase; and surmount with irresistible ardour every obstacle that stands between them and the favourite object of their wishes.

We will never abandon you to the unrelenting fury of your and our enemies. Two battalions have already received orders to march to Canada, a part of which are now on their route. Six additional battalions are raising in the United States for the same service, and will receive orders to proceed to your province as soon as possible. The whole of these troops will probably arrive in Canada before the ministerial army, under general Carlton, can receive any succours. Exclusive of the forces beforementioned, we have directed, that measures be immediately taken to embody two regiments in your country. Your assistance in the support and preservation of American liberty affords

us the most sensible satisfaction ; and we flatter ourselves that you will seize with zeal and eagerness the favourable moment to co-operate in the success of so glorious an enterprise. And if more considerable forces should become requisite, they shall not fail being sent.

At this period you must be convinced that nothing is so essential to guard our interests and liberty as efficacious measures to combine our mutual forces, in order that, by such a union of succour and counsels, we may be able to baffle the endeavours of an enemy who, to weaken, may attempt to divide us. To this effect we advise and exhort you to establish associations, in your different parishes, of the same nature with those which have proved so salutary to the United Colonies ; to elect deputies to form a provincial assembly ; and that said assembly be instructed to appoint delegates to represent them in this Congress. We flatter ourselves with the prospect of the happy moment when the standard of tyranny shall no longer appear in this land ; and we live in full hopes that it will never hereafter find shelter in North America.

Signed in the name and by order of Congress.

JOHN HANCOCK, President.

Philadelphia, Jan. 24, 1776.

FEBRUARY 26, 1776.

Resolved, That Monsieur Mesplet, printer, be engaged to go to Canada, and there set up his press, and carry on the printing business ; and the Congress engage to defray the expense of transporting him and

his family and printing utensils to Canada ; and will moreover pay him the sum of two hundred dollars.

APRIL 15, 1776.

Resolved, That the committee for fortifying ports be empowered to write in the name of the Congress, to general Washington, and request him to send a proper person to examine such ports on the coast of New England as they shall direct, and report thereon.

That the said committee be empowered to employ proper persons to examine the several ports and harbours on the coast between New York and Delaware Bay, and between Delaware and Chesapeake Bays, and to the southward.

APRIL 29, 1776.

Resolved, That the committee appointed to consider the state of Indian affairs, in the middle department, be instructed to prepare a plan of an expedition against fort Detroit, and an estimate of the expense.

MAY 3, 1776.

The committee appointed to prepare an estimate of the expense of an expedition against fort Detroit, brought in their report, which was read : Whereupon,

The Congress took into consideration the report of the committee on general Washington's letter of the

19th April; and, after some debate, the farther consideration thereof was postponed.

MAY 25, 1776.

The committee appointed to confer with his excellency general Washington, major general Gates and brigadier general Mifflin, touching the most proper posts and measures to be taken for preventing the enemy's communication with the upper country from Canada, and such other measures as tend to secure the frontiers, brought in their report, which was taken into consideration; and thereupon,

Resolved, That it is of the highest importance that post be taken at Dechambeau, and that the same be fortified; that works be likewise erected on the islands in the river St. Lawrence, at the mouth of the river Sorrel, as well to keep open the communication between Dechambeau and St. John's, as to prevent the enemy's passing to the upper country, should the forces of the United Colonies be compelled to retreat from Dechambeau.

That it is highly expedient to engage the Indians in the service of the United Colonies.

Resolved, That the farther consideration of the report be postponed till Monday next.

MAY, 28, 1776.

The committee appointed to confer with the generals, brought in a further report, which was read: Whereupon,

Resolved, That an animated address be published to impress the minds of the people with the necessity of now stepping forward to save their country, their freedom, and property.

That a committee of four be appointed to prepare the said address.

The members chosen—Mr. Jefferson, Mr. Wythe, Mr. S. Adams, and Mr. Rutledge.

MAY 30, 1776.

An extract of a letter from a gentleman in Bermuda, dated the 26th April, and continued to the 1st May, to a gentleman in Philadelphia, was presented to Congress, and read.

Ordered, That it be referred to the committee for examining the most proper ports to be fortified.

JUNE 3, 1776.

Resolved, That the general be empowered to employ in Canada a number of Indians, not exceeding two thousand.

JUNE 6, 1776.

Resolved, That the standing committee for Indian affairs be directed to devise ways and means for carrying into effect the resolution of the third of this month, empowering the general to employ in Canada a number of Indians, not exceeding two thousand.

The committee to whom was referred an extract of

a letter from a gentleman in Bermuda, dated 26th April, and continued to May 1st, to a gentleman in Philadelphia, brought in their report, which was read; and the same being taken into consideration—

Resolved, That the secret committee be instructed forthwith to fit out two fast sailing vessels, and load them with provisions, to be sent immediately to supply the inhabitants of the islands of Bermudas; and that the committee of secret correspondence be directed to take such measures as they may think proper, by those vessels, to discover the state of those islands and the disposition of their inhabitants; and that the marine committee be instructed to take such measures as they may think proper for purchasing, manning, arming, and fitting at the said islands, two sloops of war for the service of the United Colonies.

Resolved, That the remainder of the report lie on the table for consideration.

JUNE 17, 1776.

Resolved, That the general to be sent into Canada be directed to view “Point Au fer,” and to order a fortress to be erected there, if he should think proper.

Resolved, That general Washington be permitted to employ the Indians whom he may take into the service of the United Colonies, pursuant to a resolution of Congress of the 25th of May last, in any place where he shall judge they will be most useful; and that he be authorized to offer them a reward of one hundred dollars for every commissioned officer, and thirty dol-

lars for every private soldier, of the king's troops, that they shall take prisoners in the Indian country, or on the frontiers of these colonies.

JUNE 24, 1776.

The committee appointed to consider what harbours are proper to be fortified, brought in their report, which was read and ordered to lie on the table.

Resolved, That the said committee be empowered to draw on the treasurers for a sum of money to defray the expenses of surveying and examining the ports.

JULY 8, 1776.

Resolved, That general Washington have permission to call forth and engage in the service of the United States, so many of the Indians of the St. John's, Nova Scotia, and Penobscot tribes, as he shall judge necessary; and that he be desired to write to the General Court of the Massachusetts Bay, requesting their aid in this business, and informing them that Congress will reimburse such expenses as may be necessarily incurred in consequence of the foregoing resolutions.

JULY 11, 1776.

Congress are so fully persuaded of the necessity of protecting the frontiers of New York from the incursions of the enemy, that they recommend that business to general Schuyler's immediate attention; and direct

that, if the situation of affairs will admit of it, he take proper steps for erecting a fort at Oswego, and building galleys on lake Ontario, and pursue such other measures as may be best fitted to answer the views of Congress.

That posts be taken and forts erected at Presque Isle, Le Beuf, and Kittanning; and that a battalion be raised to erect and garrison the same. That the commissioners of Indian affairs in the middle department be directed to inquire what naval force on lake Erie will be necessary to secure to the United States the command of the navigation of that lake; and report the result of their inquiry as soon as possible to Congress.

JULY 17, 1776.

Resolved, That the committee appointed on the 11th of this month "to make strict inquiry," &c. be directed to apply to the convention of Pennsylvania, now sitting, and request them to appoint a select committee of their body to confer with them on a matter of importance relating to that state.

JULY 19, 1776.

Resolved, That the declaration passed on the 4th be fairly engrossed on parchment, with the title and style of—"THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA;" and that the same, when engrossed, be signed by every member of Congress.

AUGUST 2, 1776.

The Declaration of Independence being engrossed, and compared at the table, was signed by the members.

Resolved, That the secret committee be empowered to contract with Mr. Mirtle for the importation of goods to the amount of thirty thousand pounds sterling, at his risk, and fifteen thousand pounds sterling at the risk of the United States of America, for the publick service. That the marine committee be empowered to purchase a swift sailing vessel to be employed by the secret committee in importing said goods.

NOVEMBER 27, 1776.

Resolved, That a committee of three be appointed to procure a translation, into the German language, of the treaty between the courts of London and Hesse, for troops to be employed in America.

That the said committee be fully authorized to pursue means the most effectual in their judgment for communicating to the Hessians the said treaties, and for accomplishing the views of Congress in their resolves of the 14th and 27th of August last.

The members chosen—Mr. Wilson, Mr. R. H. Lee, and Mr. S. Adams.

DECEMBER 2, 1776.

Resolved, That the committee for establishing expresses be directed to send colonel Stewart, or any other officer, express to general Lee, to know where and in what situation he and the army with him are.

DECEMBER 27, 1776.

Resolved, That the committee of Congress at Philadelphia be desired to contract with proper persons for erecting at Carlisle, in Pennsylvania, a magazine sufficient to contain ten thousand stand of arms, and two hundred tons of gunpowder ; and also for erecting an elaboratory adjacent to such magazine.

That the council of Massachusetts Bay be desired to contract with proper persons for erecting, in the town of Brookfield in that state, a magazine sufficient to contain ten thousand stand of arms, and two hundred tons of gunpowder, and also for erecting an elaboratory adjacent to such magazine.

JANUARY 7, 1777.

Congress resolved itself into a committee of the whole, to take into consideration a proposition for setting on foot an expedition against Nova Scotia; and after some time spent thereon, the President resumed the chair, and Mr. Nelson reported,

That the committee have come to a resolution which he was ready to report.

Ordered, That the report be received.

The report being received and read—

Ordered, That it lie on the table till to-morrow.

JANUARY 8, 1777.

Congress resumed the consideration of the report from the committee of the whole ; which was agreed to as follows :

Resolved, That the council of the state of Massachusetts Bay be desired to attend to the situation of the enemy in the province of Nova Scotia ; and if they are of opinion, that an advantageous attack, in the course of the winter, or early in the spring, may be made on fort Cumberland and the said province, whereby the enemy's dock yard and other works, with such stores as cannot be speedily removed, can be destroyed, they are hereby empowered to conduct the same in behalf of these United States ; to raise, subsist and pay a body of men, not exceeding three thousand, under such officers as they shall appoint for carrying on the said expedition ; and for this purpose to provide suitable magazines of military and other stores, and convey them to such of the eastern ports of the said state as they shall think best. And they are desired to conduct this affair in the most secret manner that the nature of such an enterprise will admit, and to apply to Congress for a sum of money sufficient to accomplish the design which they may form relative thereto.

Ordered, That a copy of the above be sent by express to the council of Massachusetts Bay ; and that

general Washington be informed thereof ; and that the said resolution, and all debates had thereon, be kept secret till the further order of Congress.

APRIL 25, 1777.

A petition from Robert Foster, of the county of Cumberland, in Nova Scotia, with sundry papers enclosed, was read.

Ordered, That the same be referred to the board of war.

MAY 13, 1777.

The board of war to whom their report on the petition from some inhabitants of Nova Scotia was re-committed, brought in a report, which was taken into consideration : Whereupon,

Resolved, That the council of Massachusetts Bay be requested to consider the case of the inhabitants of Cumberland and Sunbury counties, in Nova Scotia, who are sufferers by their attachment to the American cause ; and to devise and put in execution, at continental expense, such measures as the said council shall think practicable and prudent, for the relief of the said sufferers ; and to enable such of them as may be desirous of removing to a place of greater safety, to bring off their families and effects. And the said council is hereby authorized to raise a number of men, if necessary, for that service, not exceeding five hundred, in such places as will least interfere with the raising their quota of troops for the continental army.

JULY 3, 1777.

The committee to whom the letter from David Hall and others, with the papers accompanying the same, were referred, reported—

That they have attended to the business given them in charge, and have received the following information :

“ That a considerable part of the inhabitants of
“ Sussex county, in the state of Delaware, have, ever
“ since the commencement of the present controversy
“ with Great Britain, acted as enemies to the American
“ cause, and are now unfriendly and disaffected to the
“ constitution and government of that state, and to the
“ independence of the United States; that an open
“ and avowed intercourse has been kept up by the
“ disaffected in the county aforesaid with the British
“ ships of war, by means of which intelligence has
“ from time to time been given, and frequent supplies
“ of provisions have been afforded to the enemies of
“ the United States; that the disaffected in the said
“ county keep up a constant correspondence with those
“ of the same character in the counties of Worcester
“ and Somerset, in the state of Maryland; that some
“ of them have promised to conduct British sailors to
“ the houses of the well affected, that they might be
“ taken; that it is probable that enterprises of this
“ kind will be attempted to be put in execution; that
“ one person has already been taken in this way, and
“ put in irons; that considerable numbers of men have
“ been recruited for the enemy in Sussex county, and

“ have been sent to New York ; that the militia officers in that county have generally resigned, and the laws of the state of Delaware for punishing treasons and disaffection are rendered altogether ineffectual by the insolence, and the numbers of the disaffected ; that a very large sum of counterfeit continental money has been brought from the enemy’s ships into the said county, part of which has been circulated among the inhabitants ; that there is the greatest reason to apprehend that if the enemy were to gain the smallest advantage over the army of the United States, and the English fleet should appear upon the coasts, there would be a general insurrection in that county in favour of the British king ; that in May last the president of the state of Delaware sent commissioners to inquire into the state of the county of Sussex, and ordered them to make report of any treasonable practices they might be able to discover among the inhabitants of the said county ; that a report mentioning the disaffection and treasonable practices which the said commissioners, from the best information they could receive, and such observations as they had an opportunity of making, believed to prevail in the said county, was accordingly made ; that the assembly of the state of Delaware met a few days after the report was made, but adjourned without any proceedings being had thereon :” Whereupon,

Resolved, That the regiment of continental troops now in the state of Maryland, under the command of colonel Richardson, be immediately ordered to march into the county of Sussex, in the state of Delaware.

to overawe and disarm the disaffected in that county ; to put a stop to the intercourse which they carry on with the enemy, by securing all the water craft, and by every other measure which colonel Richardson shall deem necessary ; and to apprehend, detain, and secure the leaders in such highly criminal practices.

AUGUST 19, 1777.

Congress taking into consideration the letter from governour Henry, of Virginia, to the delegates of that state in Congress, representing the behaviour of lieutenant colonel Carrington, of colonel Harrison's corps of artillery—

Resolved, That the behaviour of lieutenant colonel Carrington towards governour Henry, as set forth in the governour's letter of the 8th instant to the delegates of Virginia, is highly indecent and reprehensible ; and that unless the said lieutenant colonel Carrington, in the space of five days after being notified of this resolution, make such concessions to the governour as he and the council of that state shall approve of, colonel Carrington be dismissed from the service of the United States.

See act twenty-third May, 1778.

NOVEMBER 29, 1777.

Resolved, That a committee of three be appointed to procure a translation to be made of the articles of confederation into the French language ; and to report an address to the inhabitants of Canada, inviting them

to accede to the union of these states. That the said committee be further directed, to report a plan for facilitating the distribution of the said articles and address; and for conciliating the affections of the Canadians towards these United States.

The members chosen—Mr. Duer, Mr. Lovell and Mr. F. L. Lee.

DECEMBER 3, 1777.

Instructions to the Commissioners for Indian Affairs, in the Northern Department.

The glorious successes of our arms in the north, and the severe chastisement which the unfriendly Indians have received, will dispose the Six Nations to dread our resentment and to value our protection. While they are under these impressions will be the proper season to urge them to some decisive enterprise which will effectually tie them to our cause, and promote the publick service. Congress have therefore sent them a speech, which is to be communicated to the different nations; and their feelings upon it attentively watched, and every possible advantage derived to the States from favourable circumstances.

Congress at present have two great objects in view from their assistance.

First. As the Ottawas, Chippawas, Wiandots and Mingoes, at Pluggy's town, are now actually carrying on a predatory war against the inhabitants of the western frontiers of Virginia and Pennsylvania, the Six Nations are to be prevailed upon to oblige them im-

mediately to desist. In case of refusal, to declare war against them, and surprise and destroy their towns. If the latter plan should be agreed to, they will be aided by general Hand, should that be convenient.

Second. They are to be induced to surprise Niagara; which will be practicable, if the Senecas heartily embrace the measure, and it is conducted with prudence and secrecy.

These are capital objects, in the execution of which great circumspection is necessary, and especially in broaching them to the Indians. And they therefore will demand the utmost attention of the commissioners.

Resolved, That Mr. Duane be requested to confer with the commissioners for Indian affairs in the northern department; and to give them every aid and assistance in his power in their deliberations, conferences, and treaties with the Indians.

Whereas the destroying the enemy's shipping at St. John's, or elsewhere, on lake Champlain, during the winter season, is an enterprise of the utmost importance, and there being a great prospect of success, provided it can be conducted with prudence, resolution and secrecy:—Therefore,

Resolved, That James Duane, esquire, delegate from New York, who has leave of absence, and is about to return home, be authorized and directed, in a personal conference, to communicate the enterprise to brigadier general Stark, who is appointed to the command, and to consider with him of the best and most practicable means for its accomplishment.

That brigadier general Stark be authorized, with the utmost secrecy, to select or raise a competent number of volunteers for this service ; and to receive from the commanding officer of the northern department a sufficient quantity of military stores, carriages, and provisions, or, if more convenient, to hire carriages, and to purchase provisions ; and that the sum of five thousand dollars for those and other contingent expenses be advanced, out of the military chest in the said department, to him or his order, for the expenditure whereof he is to be accountable.

That if the enterprise prove successful, the sum of twenty thousand dollars shall be paid to the said brigadier general Stark, and his officers and men, to be divided among them in proportion as the pay of continental officers and men bears to each other, as a reward for their services, and in full satisfaction of all wages and claims, or in such proportions, more advantageous to the privates, as the general and his officers shall ascertain. But if stipulated wages should be preferred to the chance of such reward, the general shall be at liberty to retain the officers and men at double continental pay and rations, during the expedition, in consideration of the inclemency of the season and the importance of the service.

That brigadier general Stark be engaged to keep secret the said enterprise, and not to communicate it, until the nature of the operation shall render it necessary.

That a warrant in the words following, subscribed by the President, be transmitted to general Stark :

“ In Congress, Yorktown, December 3, 1777.

“ Whereas brigadier general Stark is appointed to
“ command a secret expedition during the winter sea-
“ son, you are therefore directed and required, upon
“ his order, to supply him with such sums of money,
“ not exceeding five thousand dollars, and such car-
“ riages, military stores, and provisions, as he may
“ require, taking his vouchers for the same, and for
“ which he is to be accountable by order of Con-
“ gress.

“ To the Commanding Officer, Paymaster, Quar-
“ termaster, and Commissaries of Stores and Pro-
“ visions in the Northern Department.”

That if, from any unforeseen accident, general Stark shall be unable, or unwilling, to engage in the said enterprise, the commanding officer in the northern department be, in such case, authorized and directed, to appoint some other brave and diligent officer to the said command; and that the officer so commanding shall have the same powers, and, with the officers and men, the same reward or pay as are before proposed.

That all officers in the service of the United States be required, and all civil officers and others requested, to give every aid and assistance in their power for forwarding and securing the success of the said enterprise.

Congress proceeded to the election of two commissioners for auditing claims at the board of treasury; and the ballots being taken,

James Milligan and William Turnbull, esquires, were elected.

DECEMBER 4, 1777.

Resolved, That the commissioners for Indian affairs, in the northern department, be authorized to offer the Indians, whom they may engage to undertake the reduction of the fort and garrison of Niagara, such reward, whether of money, or goods, as they may think adequate to the purpose, having in contemplation as well the economy necessary to be observed, as the importance of the object; and, for this purpose, that they may have authority to draw on the military chest in the northern department for a sum not exceeding fifteen thousand dollars; and also to receive out of the publick stores in the northern department such a reasonable quantity of ammunition for the use of the said nation as may, in the opinion of the said commissioners, be necessary to promote the publick service.

Resolved, That if the commissioners for Indian affairs in the northern department cannot engage the Indians to undertake the enterprise against Niagara, unless a promise is previously made that the fort, if taken, shall be entirely dismantled; in such case they be authorized to make this convention.

JANUARY 28, 1778.

Resolved, That the marquis de la Fayette, or the general officer commanding the irruption into Canada, be furnished with bills of exchange, drawn by the

President of Congress on the commissioners of the United States in France, to the amount of thirty thousand French livres. The said sum to be by him applied in such manner, as his own prudence may suggest, and the exigences of affairs shall render conducive to the publick interest.

FEBRUARY 2, 1778.

A report from the board of war was read: Whereupon,

Resolved, That general Washington be informed, that in compliance with the request of the marquis de la Fayette, Congress are willing that major general M'Dougal should proceed on the intended incursion into Canada, if the state of his health will admit of it; but if not, that the baron de Kalb be directed to follow the marquis on the said expedition, in case general Washington shall think it proper. That it is not, however, the intention of Congress that the marquis should be detained, till general M'Dougal's intention can be known, as the success of the expedition depends upon its being executed without loss of time.

That in compliance with the request of the marquis de la Fayette, commissions be granted to the following French gentlemen, who have produced to the board of war credentials of their rank and military merit in the French service, and are moreover recommended by the marquis to be employed under him, agreeably to their respective ranks, in the intended incursion into Canada; the said officers to be appoint-

ed to the command only of such Canadians as may be embodied in Canada : viz.

Monsieur Jimat, at present aid-de-camp to the marquis de la Fayette, to be appointed Lieutenant colonel ;
 Mr. de Vrigny to be appointed Lieutenant colonel ;
 Chevalier de Pont Gibaüt, Major ;
 Mr. de Sigonie, - - Captain ;
 Mr. de Lomagne, - - Captain ;
 Baron du Frey, - - Captain.

FEBRUARY 7, 1778.

It being represented to Congress that lieutenant colonel Flewry, whom the marquis de la Fayette is desirous of taking with him into Canada, is not able to proceed on the journey for want of a horse, he having lost three horses in different actions during the course of last campaign—

Ordered, That a warrant issue on the treasurer in favour of lieutenant colonel Flewry for two hundred dollars.

FEBRUARY 11, 1778.

Resolved, That major de Buisson, who is going into Canada, be promoted to the rank of lieutenant colonel, to be appointed to the command only of such Canadians as may be embodied in Canada.

FEBRUARY 16, 1778.

Ordered, That the letter of the 11th from the com-

mittee at camp, respecting the irruption into Canada, be referred to the board of war, who are directed to report specially thereon, and to lay before Congress a copy of the orders given to the officers commanding the irruption.

FEBRUARY 23, 1778.

Sundry letters and papers being transmitted to Congress by the board of war, the same were read.

Ordered, That they be referred to a committee of four; and that the committee collect the best information they can relative to the irruption into Canada, and lay the same before Congress as soon as possible.

The members chosen—Mr. Wolcott, Mr. Lee, Mr. Ellery, and Mr. M'Kean.

FEBRUARY 24, 1778.

The committee to whom were referred the letters and papers from the board of war, brought in a report, which was taken into consideration: Whereupon,

Resolved, That the board of war instruct the marquis de la Fayette, who is charged with an expedition, or irruption into Canada, that considering the length of the route into that country in an inclement season, he be particularly attentive to have his men well clothed, and so supplied with provisions as effectually to guard against any misfortune, which might happen for want of these necessary articles; and in case he

shall fail of obtaining forces, which he shall judge competent, or supplies sufficient for them, that he carefully attend to these contingencies, and regulate his conduct according to the probability of success, without exposing his troops to any very great, or very apparent hazard; and report the reasons of his conduct to the board of war and to Congress.

MARCH 2, 1778.

The committee to whom were referred the letters and papers from the board of war, respecting the northern department, brought in a report, which was taken into consideration; and thereupon Congress came to the following resolution.

Whereas, it appears from authentick accounts, that difficulties attend the prosecution of the irruption ordered to be made into Canada under the conduct of the marquis de la Fayette, which render the attempt not only hazardous in a high degree, but extremely imprudent—

Resolved, That the board of war instruct the marquis de la Fayette to suspend, for the present, the intended irruption; and at the same time inform him, that Congress entertain a high sense of his prudence, activity and zeal; and that they are fully persuaded nothing has, or would have been wanting on his part, or on the part of the officers who accompanied him, to give the expedition the utmost possible effect.

MARCH 13, 1778.

Whereas Congress have judged it proper that the irruption ordered to be made into Canada should be suspended, and have directed the board of war to instruct the marquis de la Fayette to that purpose ; and whereas it appears that the service and presence of the marquis de la Fayette and the baron de Kalb are necessary at the grand army—

Resolved, That general Washington be authorized to order major general the marquis de la Fayette, and major general the baron de Kalb, to join the main army without delay.

MARCH 14, 1778.

A letter of the 13th from the board of war was read, recommending major Mullens, aid-de-camp of general Conway, to have a commission of lieutenant colonel to command in Canada only, as was ordered respecting other foreign officers lately gone to the northward.

Question put to agree thereto, passed in the negative.

APRIL 10, 1778. P. M.

A motion was made to adjourn, it being 10 o'clock. Question put, nine states being present.

While the states were calling, Mr. Burke, representing the state of North Carolina, after voting in the affirmative, declared the states might vote as they

pleased, he would upon his honour adjourn himself; and thereupon he immediately withdrew, by which means Congress could not proceed to business.

Mr. Langworthy, the delegate representing Georgia, having also withdrawn—

Ordered, That the messenger wait on the members, and desire them to attend Congress.

The messenger returned, and reported, That he had delivered the message of Congress to the members. That Mr. Langworthy replied he would return presently. That Mr. Burke replied, “ Devil take him if “ he would come; it was too late and too unreason-
“ able.”

Mr. Langworthy attended, and declared that when he withdrew, he thought Congress was adjourned; and under that opinion he withdrew.

Adjourned to 9 o'clock, to-morrow.

APRIL 11, 1778.

A motion was made, that the minute made by the secretary last evening, relative to the manner in which Congress was prevented from proceeding on business, be entered on the journal as of last evening.

Whereupon it was moved, that the consideration of this matter be postponed to Monday next. And the yeas and nays being required—

| | | | |
|--------------------|-------------|-------|-----|
| Massachusetts Bay, | Mr. Dana, | No. } | No. |
| | Mr. Gerry, | Ay. } | |
| | Mr. Lovell, | No. } | |
| Rhode Island, | Mr. Ellery, | Ay. > | Ay. |

| | | | |
|-----------------|---|-------------------------|-----|
| Connecticut, | Mr. Huntington, Mr. Dyer, | No. } No. } | No. |
| New York, | Mr. Duer, | No. } × | |
| New Jersey, | Mr. Scudder, | No. } No. | |
| Pennsylvania, | Mr. Reed, Mr. Roberdeau, Mr. J. B. Smith, | Ay. } No. } No. } | No. |
| Maryland, | Mr. Chase, Mr. Forbes, Mr. Henry, | No. } No. } Ay. } | No. |
| Virginia, | Mr. F. L. Lee gave no answer. | | |
| North Carolina, | Mr. Harnet, Mr. Burke gave no answer. | Ay. | |
| South Carolina, | Mr. Laurens, Mr. Drayton, | No. } No. } | No. |
| Georgia, | Mr. Langworthy, | Ay. } Ay. | |

So it passed in the negative.

The minute being read and amended—

Ordered, That the same, as amended, be entered on the journal as of last evening.

Ordered, That Mr. Burke be furnished with a copy of the minute relative to the manner in which Congress was last evening prevented from proceeding on business; and that he be allowed till Monday next to answer.

Mr. Burke having, in the course of the debate this morning upon his conduct last evening, declared, “That he will not submit to a tyranny of a majority of
“this Congress, which would keep him here at unrea-

“sonable hours; that he wished to know the power of Congress over their members; that he will attend at times he thinks reasonable, but will not attend at times he thinks unreasonable, unless by force on his person”—He admitted the answer reported by the messenger; but, that on his absence last evening, the members ceased to be a body, and therefore he was guilty of no rudeness to Congress; and if he was guilty of an affront, it was to individual members, and required another kind of apology; that he was not convinced he had done any wrong; was not disposed to make any kind of apology; and if he had been guilty of improper behaviour, he will answer to his state. That he was yesterday evening unwell, and not able to attend without prejudice to his health.

Ordered, That Mr. Burke be furnished with a copy of the foregoing expressions, used by him in the course of the debate, and minuted; and that he be allowed to Monday next to answer thereto.

EADEM DIE. P.M.

The member from North Carolina having offered a paper to Congress, as his answer to the charge against him, a debate thereon ensued, in which the same member, having made use of expressions which were deemed exceptionable, as charging Congress with a combination against him, he was called to order; whereupon he said, “I do believe, that that gentleman from New York and others, are in a combination against me in this business.” These words being taken down, and read by the President, the member from North Carolina acknowledged they were truly taken down.

APRIL 24, 1778.

Mr. Burke, a member from North Carolina, moved, as his right, to return an answer in writing to the charges against him for his conduct and expressions which gave offence to the house, and that his answer be entered on the journal.

On the question put, Whether it is the right of the member to return his answer in the manner demanded, and whether it shall be entered on the journal—

Resolved in the negative.

Resolved, That Mr. Burke be heard in his place.

Mr. Burke being heard, and sundry witnesses examined relative to the sending the messenger, and the delivery of the message, &c. which passed out of Congress—

A motion was made on the conduct and expressions of Mr. Burke.

Resolved, That the same be referred to a committee of three.

The members chosen—Mr. Chase, Mr. Dana, and Mr. Drayton.

APRIL 25, 1778.

The committee to whom was referred the motion made yesterday, respecting the conduct and expressions of Mr. Burke, brought in a report, which was agreed to as follows :

Congress taking into consideration the minutes of the behaviour of Mr. Burke in the house, on the even-

ing of the tenth of April instant, of his answer that evening by their messenger, and of his conduct in the house the next day ; and the said minutes being read, Mr. Burke being heard in his place, and witnesses examined, it appears to Congress, and they accordingly

Resolved, That the manner in which Mr. Burke withdrew, on the evening of the tenth instant, was disorderly and contemptuous ; and that the answer then returned by him was indecent. That the principle upon which he has attempted to justify his withdrawing from the house is dangerous, because it strikes at the very existence of the house, and, as in the present case actually happened, would enable a single member to put an instant stop to the most important proceedings of Congress. That his charge against the member from New York and others, of a combination against him, not having been even attempted by him to be supported by evidence ; therefore, it appears to be affrontive and groundless.

Ordered, That a copy of the minutes, and of the proceedings respecting Mr. Burke, be transmitted to the assembly of North Carolina.

APRIL 29, 1778.

The committee appointed to prepare proposals to such foreign officers and soldiers as incline to become citizens of America, brought in a report, which being read and amended, was agreed to as follows :

To the officers and soldiers in the service of the king of Great Britain, not subjects of the said king :

The citizens of the United States of America are engaged in a just and necessary war—a war in which they are not the only persons interested. They contend for the rights of human nature, and therefore merit the patronage and assistance of all mankind. Their success will secure a refuge from persecution and tyranny to those who wish to pursue the dictates of their own consciences, and to reap the fruits of their own industry.

That kind Providence, who from seeming evil often produces real good, in permitting us to be involved in this cruel war, and you to be compelled to aid our enemies in their vain attempts to enslave us, doubtless hath in view to establish perfect freedom in the new world, for those who are borne down by the oppression and tyranny of the old.

Considering, therefore, that you are reluctantly compelled to be instruments of avarice and ambition, we not only forgive the injuries which you have been constrained to offer us, but we hold out to your acceptance a participation of the privileges of free and independent states. Large and fertile tracts of country invite and will amply reward your industry.

Townships, from twenty to thirty thousand acres of land, shall be laid out and appropriated to such of you as will come over to us, in the following manner.

Every captain who shall bring with himself forty men from the service of the enemy, before the first day of September, 1778, shall receive eight hundred acres of good woodland ; also four oxen, one bull,

three cows, and four hogs. If this captain is accompanied with his lieutenant, the lieutenant shall receive four hundred acres of woodland, also two oxen, two cows, and four hogs.

Every sergeant who shall accompany his captain shall receive two hundred acres of land, two oxen, one bull, one cow, and three hogs.

Every soldier who shall accompany his captain shall receive fifty acres of land, one ox, one cow, and two hogs.

If a lieutenant, or other commissioned officer under the rank of a captain, shall bring off from his company twenty-five men, he shall receive six hundred acres of land, two oxen, two cows, and four hogs.

Every sergeant or non-commissioned officer who shall bring off parties of men, shall receive an additional bounty of twenty acres of land for every man so brought off. And every soldier, who shall come off without a commissioned or non-commissioned officer, shall receive fifty acres of land; and if he brings off his arms and accoutrements, an additional bounty of twenty dollars.

Such officers and soldiers shall be at liberty immediately to employ themselves in the settlement of their farms, without being obliged to do any military duty; and they shall receive rations in proportion to their rank for the space of six weeks.

The stock hereby offered shall be given to such officers and soldiers as shall actually settle on the lands respectively granted to them.

Such of the officers and non-commissioned officers as choose to enter into the military line, shall receive

an additional rank in detached corps, which shall be formed of native Germans of those who now reside in America ; which corps shall not be employed but with their own consent in any other service than that of guards at a distance from the enemy, or in garrison on the western frontiers.

Such of you as are skilled in manufactures, over and above these lands and other articles, will find riches in prosecuting your occupations, the necessaries of life being very cheap in proportion to the price of manufactures, and the demand for them is so great, that every mechanick will find full employment. Some of you have had an opportunity of observing the truth of these assertions, and will doubtless inform their countrymen and acquaintance of these facts.

We have hitherto met you in the field of battle, with hostile minds, urged on by the great principle of self-defence ; yet in those instances, where the fortune of war hath delivered any of your countrymen into our hands, we appeal to them that our enmity hath ceased the moment they were disarmed ; and we have treated them more like citizens than prisoners of war. We now address you as part of the great family of mankind, whose freedom and happiness we most earnestly wish to promote and establish.

Disdain, then, to continue the instruments of frantick ambition and lawless power. Feel the dignity and importance of your nature. Rise into the rank of free citizens of free states. Desist from the vain attempt to ravage and depopulate a country you cannot subdue, and accept from our munificence what can never be obtained from our fears. We are willing to

receive you with open arms into the bosom of our country. Come, then, and partake of the blessings we tender you in sincerity of heart.

In the name of these sovereign, free, and independent states we promise and engage to you that great privilege of man, the free and uninterrupted exercise of your religion, complete protection of your persons from injury, the peaceable possession of the fruits of your honest industry, the absolute property in the soil granted to you to defend, unless you shall otherwise dispose of it, to your children and your children's children for ever.

Resolved, That it be recommended to the several states, who have vacant lands, to lay off with as much expedition as possible, a sufficient quantity of lands to answer the purposes expressed in the foregoing address; for which lands no charge is to be made against the United States.

On the question to agree to the foregoing address and resolution, the yeas and nays being required—

| | | | |
|--------------------|---|-------------------------|-----|
| Massachusetts Bay, | Mr. Gerry, Mr. Lovell, Mr. Dana, | Ay. } No. } Ay. } | Ay. |
| Rhode Island, | Mr. Ellery, | No. } No. } | No. |
| Connecticut, | Mr. Sherman, Mr. Huntington, Mr. Wolcott, | No. } No. } No. } | No. |
| New York, | Mr. Duer, Mr. Morris, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Scudder. | No. } No. } | No. |

| | | | |
|-----------------|---|--------------------------|------------|
| Pennsylvania, | Mr. J. B. Smith, | Ay. | >Ay. |
| Maryland, | Mr. Chase, Mr. Plater, Mr. Carroll, Mr. Henry, | Ay. No. Ay. No. | } DIVIDED. |
| Virginia, | Mr. F. L. Lee, Mr. Banister, Mr. T. Adams, | Ay. Ay. Ay. | } Ay. |
| South Carolina, | Mr. Laurens, Mr. Drayton, Mr. Matthews, | No. Ay. Ay. | } Ay. |
| Georgia, | Mr. Langworthy, | Ay. | >Ay. |

So it was resolved in the affirmative.

Ordered, That one thousand copies of the address be published in the German language and dispersed as general Washington and the board of war shall direct.

MAY 21, 1778.

The committee, consisting of Mr. R. H. Lee, Mr. F. L. Lee, and Mr. G. Morris, to whom was referred a memorial from divers persons, late inhabitants of Nova Scotia, report as their opinion—

That the wresting Nova Scotia from the British power, and uniting the same to these states, is, for many weighty reasons, a very desirable object; but that the propriety of making this attempt at the present crisis seems doubtful; and upon the whole it appears most wise to wait a while, until the event of a war taking place between France and Great Britain,

and the consequences that may have upon the British force on this continent, shall render an attempt upon Nova Scotia more likely to succeed. If, however, any concurrence of circumstances should render success in this undertaking probable, it is the opinion of the committee that the honourable council of Massachusetts Bay should be empowered, at continental expense, to furnish the inhabitants of Nova Scotia with a force not exceeding two regiments to assist in accomplishing the purpose proposed in the said memorial.

Resolved, That Congress agree to the said report.

MAY 23, 1778.

A motion being made, "That the resolution of the 19th August, 1777, relative to lieutenant colonel Carrington be expunged from the journal"—a motion was made in lieu thereof as follows:

Whereas Congress are fully satisfied that lieutenant colonel Carrington, from a sense of the impropriety of his conduct to his excellency Patrick Henry, esquire, governour of Virginia, had, before he knew of any resolution having been passed by Congress relative to him, made a suitable and satisfactory apology to governour Henry:

Resolved, That lieutenant colonel Carrington stands, in the opinion of Congress, in as favourable a point of view as if the resolution of Congress of the 19th of August, 1777, had not been entered into; which, on the question put, was agreed to.

It was then moved to add “And that the same be “not published in the printed journal;” to which an amendment was moved, so that it read—“And that the “present and former resolution of the 19th August, “1777, be not published in the printed journal.”

On the question to agree to the amendment, the yeas and nays being required—

| | | | | |
|--------------------|------------------|-----|---|----------|
| New Hampshire, | Mr. Bartlett, | Ay. | ∧ | Ay. |
| Massachusetts Bay, | Mr. S. Adams, | No. | } | No. |
| | Mr. Gerry, | No. | | |
| | Mr. Lovell, | No. | | |
| | Mr. Dana, | No. | | |
| Rhode Island, | Mr. Ellery, | Ay. | ∧ | Ay. |
| Connecticut, | Mr. Sherman, | No. | } | Ay. |
| | Mr. Huntington, | Ay. | | |
| | Mr. Wolcott, | Ay. | | |
| New York, | Mr. Duer, | Ay. | ∧ | × |
| New Jersey, | Mr. Witherspoon, | Ay. | } | DIVIDED. |
| | Mr. Scudder, | No. | | |
| Pennsylvania, | Mr. James Smith, | Ay. | ∧ | Ay. |
| Delaware, | Mr. M'Kean, | No. | ∧ | No. |
| Maryland, | Mr. Plater, | No. | } | Ay. |
| | Mr. Carroll, | Ay. | | |
| | Mr. Henry, | Ay. | | |
| Virginia, | Mr. R. H. Lee, | Ay. | } | Ay. |
| | Mr. F. L. Lee, | Ay. | | |
| | Mr. Banister, | Ay. | | |

| | | | |
|-----------------|---------------|-----|------------|
| South Carolina, | Mr. Laurens, | No. | } DIVIDED. |
| | Mr. Drayton, | No. | |
| | Mr. Matthews, | Ay. | |
| | Mr. Hutson, | Ay. | |

Georgia, Mr. Langworthy, Ay. > Ay.

So it was resolved in the affirmative.

The amendment being adopted, and a question about to be put, that it pass into a resolution, a motion was made to divide; and the question being put on the first part, and the yeas and nays required—

Resolved in the affirmative, every member answering Ay.

The question was then put on the second part, namely,

“And that the present and former resolution of the “19th August, 1777, be not published in the printed “journal;” on which the yeas and nays being required—

New Hampshire, Mr. Bartlett, Ay. > Ay.

| | | | |
|--------------------|---------------|-----|-------|
| Massachusetts Bay, | Mr. S. Adams, | No. | } No. |
| | Mr. Gerry, | No. | |
| | Mr. Lovell, | No. | |
| | Mr. Dana, | No. | |

Rhode Island, Mr. Ellery, Ay. > Ay.

| | | | |
|--------------|-----------------|-----|-------|
| Connecticut, | Mr. Sherman, | No. | } Ay. |
| | Mr. Huntington, | Ay. | |
| | Mr. Wolcott, | Ay. | |

New York, Mr. Duer, Ay. > X

| | | | |
|-------------|------------------|-----|------------|
| New Jersey, | Mr. Witherspoon, | Ay. | } DIVIDED. |
| | Mr. Scudder, | No. | |

| | | | |
|-----------------|--------------------------|-----|------------|
| Pennsylvania, | Mr. James Smith, | Ay. | }>Ay. |
| Delaware, | Mr. M ^c Kean, | No. | }>No. |
| Maryland, | Mr. Plater, | No. | } Ay. |
| | Mr. Carroll, | Ay. | |
| | Mr. Henry, | Ay. | |
| Virginia, | Mr. R. H. Lee, | Ay. | } Ay. |
| | Mr. F. L. Lee, | Ay. | |
| | Mr. Banister, | Ay. | |
| South Carolina, | Mr. Laurens, | No. | } DIVIDED. |
| | Mr. Drayton, | No. | |
| | Mr. Matthews, | Ay. | |
| | Mr. Hutson, | Ay. | |
| Georgia, | Mr. Langworthy, | Ay. | }>Ay. |

So it was resolved in the affirmative.

JULY 22, 1778.

The committee on the treasury brought in a report.

Before it was read, a member called for the determination of a question which was postponed on the 13th at the request of a state: Whereupon a debate arose which should have preference, the report from the board of treasury, or the determination of the question postponed. During the debate, a member desired that the Secretary might give information respecting the practice of the house. This being objected to, a motion was made—

“ That the sense of the house be taken whether,
 “ when a difference of opinion arises in Congress
 “ with respect to the true meaning of a rule of the

“ house, a member may of right ask information of the
 “ Secretary of Congress with respect to the practice
 “ of the house on the rule on which a difference of
 “ opinion subsists.”

An amendment was moved to insert, after “ infor-
 “ mation,” these words, “ through the chair.”

On which the yeas and nays being required by Mr.
 G. Morris—

| | | |
|----------------|------------------|------------------------------|
| New Hampshire, | Mr. Bartlett, | Ay. } Ay. |
| Massachusetts, | Mr. S. Adams, | No. } rowspan="4">} DIVIDED. |
| | Mr. Gerry, | Ay. } |
| | Mr. Dana, | No. } |
| | Mr. Lovell, | Ay. } |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Sherman, | No. } rowspan="3">} No. |
| | Mr. Hosmer, | Ay. } |
| | Mr. A. Adams, | No. } |
| New York, | Mr. Duer, | Ay. } rowspan="2">} Ay. |
| | Mr. G. Morris, | Ay. } |
| New Jersey, | Mr. Witherspoon, | Ay. } rowspan="2">} DIVIDED. |
| | Mr. Elmer, | No. } |
| Pennsylvania, | Mr. Reed, | Ay. } Ay. |
| Maryland, | Mr. Chase, | Ay. } rowspan="3">} Ay. |
| | Mr. Plater, | Ay. } |
| | Mr. Forbes, | Ay. } |
| Virginia, | Mr. R. H. Lee, | No. } rowspan="4">} DIVIDED. |
| | Mr. Banister, | Ay. } |
| | Mr. T. Adams, | Ay. } |
| | Mr. Harvie, | No. } |

South Carolina, The President having desired, on this occasion, to be excused from giving his vote, was by unanimous consent excused.

| | | |
|---------------|-----|-------|
| Mr. Drayton, | Ay. | } No. |
| Mr. Matthews, | No. | |
| Mr. Heyward, | No. | |

Georgia, Mr. Telfair, No. } No.

So the house being equally divided, the amendment dropped.

Resolved, That the further consideration of the motion under debate be postponed.

AUGUST 4, 1778.

A letter of this day from the board of war, signed, "by order of the board, T. Pickering, president," was read :

Whereupon it was moved to resolve—That the said letter signed "by order of the board, T. Pickering," is a breach of the privilege of Congress.

On motion to postpone the consideration thereof, the yeas and nays being required by Mr. Marchant—

New Hampshire, Mr. Bartlett, Ay. } Ay.

| | | | |
|----------------|---------------|-----|-------|
| Massachusetts, | Mr. S. Adams, | Ay. | } Ay. |
| | Mr. Dana, | Ay. | |
| | Mr. Holten, | Ay. | |

Rhode Island, Mr. Marchant, No. } No.

| | | | |
|--------------|---------------|-----|-------|
| Connecticut, | Mr. Sherman, | Ay. | } Ay. |
| | Mr. Hosmer, | Ay. | |
| | Mr. A. Adams, | Ay. | |

| | | | |
|-----------------|---|----------------------------------|-----|
| New York, | Mr. Lewis, Mr. Duer, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Scudder, Mr. Boudinot, | Ay. } Ay. } | Ay. |
| Pennsylvania, | Mr. R. Morris, Mr. Reed, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Chase, Mr. Plater, Mr. Forbes, | Ay. } Ay. } Ay. } | Ay. |
| Virginia, | Mr. R. H. Lee, Mr. Banister, Mr. T. Adams, Mr. Harvie, | Ay. } Ay. } Ay. } Ay. } | Ay. |
| North Carolina, | Mr. Penn, Mr. Williams, | Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Laurens, Mr. Drayton, Mr. Matthews, Mr. Heyward, | Ay. } No. } Ay. } Ay. } | Ay. |
| Georgia, | Mr. Walton, Mr. Telfair, | Ay. } Ay. } | Ay. |

So it was resolved in the affirmative.

AUGUST 7, 1778.

A motion was made to amend the journal of yesterday, by inserting the names of the members of Congress, who introduced the minister.

Whereupon a question was moved, Whether, as the journal had been read, and other matters entered on,

such a motion is in order, unless by general consent ; and the same being put—

Resolved, That the motion to amend is not in order.

The letter of the 4th signed “ by order of the board, “ T. Pickering,” was called for and read.

Whereupon leave was asked to withdraw the motion made on the said letter on Wednesday ; and, leave being given, the motion was accordingly withdrawn.

It was then moved to resolve, “ That it is the duty “ of the board of war implicitly to obey and execute “ every order or direction of Congress, agreeably to “ the terms of such order or direction ; and that any “ neglect or delay in executing any order of Congress, “ and every excuse for disobedience, and any evasion “ to execute such order, is a breach of duty and derogatory to the authority, honour, and dignity of Congress. That the letter of the 4th instant, signed, ‘ by “ order of the board, T. Pickering,’ cannot be considered the act of the board of war, because the resolve of Congress of the 21st day of April requires “ that not less than three persons be present to constitute “ a board of war. That T. Pickering, esquire, by “ writing the said letter, and Richard Peters, esquire, “ by assenting thereto, were guilty of a high insult to “ this house. That by requesting Congress to excuse “ them from an immediate execution of their order to “ arrest and safely keep colonel B. Flower, they were “ guilty of a breach of duty. That by requesting Congress that a military arrest should be the only restraint “ on the person of colonel Flower, they were guilty of “ a disobedience to the authority of Congress. That

“ their offering reasons to prove the innocence of co-
 “ lonel Flower, was insolent and affrontive. That by
 “ expressing their extreme pain and reluctance to carry
 “ the resolve of Congress to arrest and safely keep
 “ colonel Flower into execution, they were guilty of a
 “ disobedience to the power and authority of Con-
 “ gress. And that their conduct was insolent and
 “ affrontive to the honour and dignity of Congress.”

To which an amendment in lieu of the whole was moved in the words following :

“ Ordered, That T. Pickering and R. Peters, es-
 “ quires, commissioners of the board of war, be forth-
 “ with directed to attend at the bar of this house, to
 “ answer such questions as may be put to them, sever-
 “ rally, touching an order of this house of the 3d in-
 “ stant, and also touching a letter dated the 4th instant,
 “ signed ‘ by order of the board, T. Pickering,’ and
 “ directed to the President of the house.”

After debate, a motion was made that the farther consideration of the letter and the several resolutions moved be postponed till to-morrow.

On which the yeas and nays being required by Mr. Marchant—

New Hampshire, Mr. Bartlett, Ay. } Ay.

Massachusetts Bay, Mr. Gerry excused, not being present at the debate.

| | | |
|-------------|-----|-------|
| Mr. Dana, | No. | } Ay. |
| Mr. Lovell, | Ay. | |
| Mr. Holten, | Ay. | |

Rhode Island, Mr. Marchant, No. } No.

| | | | |
|--------------|---------------|-----|-------|
| Connecticut, | Mr. Sherman, | No. | } No. |
| | Mr. Hosmer, | Ay. | |
| | Mr. A. Adams, | No. | |

| | | | |
|-----------------|---|----------------------------------|----------|
| New York, | Mr. Lewis, Mr. G. Morris, | No. } Ay. } | DIVIDED. |
| New Jersey, | Mr. Witherspoon, Mr. Scudder, Mr. Boudinot, | No. } No. } Ay. } | No. |
| Pennsylvania, | Mr. R. Morris, Mr. Roberdeau, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Chase, Mr. Plater, Mr. Forbes, | No. } Ay. } No. } | No. |
| Virginia, | Mr. R. H. Lee, Mr. Banister, Mr. T. Adams, Mr. Harvie, | No. } Ay. } Ay. } Ay. } | Ay. |
| North Carolina, | Mr. Penn, Mr. Williams, | Ay. } No. } | DIVIDED. |
| South Carolina, | Mr. Laurens, Mr. Drayton, Mr. Matthews, Mr. Heyward, | No. } No. } Ay. } Ay. } | DIVIDED. |
| Georgia, | Mr. Telfair, | Ay. } Ay. | Ay. |

So it was resolved in the affirmative.

AUGUST 8, 1778.

A letter of this day from T. Pickering and R. Peters, two of the commissioners of the board of war, was read.

Whereupon it was moved to resolve, That Congress do admit the letter of this date, signed T. Pickering and R. Peters, as a sufficient atonement for the letter

of the 4th instant signed "by order of the board, T. Pickering." The previous question was moved, that that question be not now put;

And the yeas and nays being thereon required by Mr. Drayton—

| | | | |
|--------------------|------------------|-----|------------|
| New Hampshire, | Mr. Bartlett, | Ay. | }>Ay. |
| Massachusetts Bay, | Mr. Adams, | Ay. | }>Ay. |
| | Mr. Dana, | Ay. | |
| | Mr. Holten, | Ay. | |
| Rhode Island, | Mr. Marchant, | No. | }>No. |
| Connecticut, | Mr. Sherman, | No. | }>No. |
| | Mr. Hosmer, | No. | |
| | Mr. A. Adams, | No. | |
| New York, | Mr. Duer, | Ay. | }>Ay. |
| | Mr. G. Morris, | Ay. | |
| New Jersey, | Mr. Witherspoon, | No. | }>No. |
| | Mr. Scudder, | No. | |
| Maryland, | Mr. Chase, | No. | }>No. |
| | Mr. Plater, | Ay. | |
| | Mr. Forbes, | No. | |
| Virginia, | Mr. R. H. Lee, | No. | }>DIVIDED. |
| | Mr. Banister, | Ay. | |
| | Mr. T. Adams, | Ay. | |
| | Mr. Harvie, | No. | |
| North Carolina, | Mr. Penn, | Ay. | }>AY. |
| South Carolina, | Mr. Laurens, | No. | }>No. |
| | Mr. Drayton, | No. | |
| | Mr. Matthews, | No. | |
| | Mr. Heyward, | No. | |
| Georgia, | Mr. Telfair, | No. | }>No. |

So it passed in the negative.
The main question being then put—
Resolved in the affirmative.

AUGUST 17, 1778.

The committee, consisting of Mr. Chase, Mr. Marchant, and Mr. Penn, to whom was referred the memorial of Thomas Towson, on behalf of himself and other inhabitants of New Providence, report, “That
“having made inquiry into the matter of the said
“memorial, they are informed, and believe, that the
“said Thomas Towson, and also John and William
“Baldwin, John Frazier, and John Outen, in the said
“memorial named, are natives of the state of Mary-
“land, from whence they departed previous to the
“commencement of the present war; that James
“Gould, another person therein named, is a native of
“the state of Rhode Island, but hath resided in the
“island of New Providence for many years; and that
“Thomas Dunscomb, John Bunch, and John Hunt,
“are not natives of any of these United States; but
“that all the said persons are well attached to the
“cause and rights of America, and willing and desi-
“rous to become subjects of the United States, and to
“support their freedom and independence:” Where-
upon,

Resolved, That passports be given to Thomas Towson, John Baldwin, William Baldwin, John Frazer, John Bunch, John Oaten, James Gould, Thomas Duncomb, and John Hunt, inhabitants of the island of New Providence, signed by the President,

and countersigned by the Secretary of Congress, in the form following :

To all to whom these presents shall come, We the Congress of the United States of America, send greeting :

Know ye, that we, being well satisfied of the fidelity and attachment of _____ now an inhabitant of the island of New Providence, and being notified of his design to remove from the said island to some place within the jurisdiction and authority of the said states, with intent to become subject to the same— Now, therefore, by these presents we do advise, request, and require, all captains and commanders of ships and vessels of war, whether publick or private, holding commissions under us, and all other persons whom it may concern, whether subjects of the said states, or any of them, or of princes their allies, to permit the said _____ his family and property, safely to pass to these states, unmolested; and to give them such aid and assistance as may be proper and convenient.

Given at Philadelphia, the _____ day of _____ in the year of our Lord one thousand seven hundred and seventy-eight. In witness whereof we have caused these our letters to be signed by our President, on the day and year aforesaid.

AUGUST 23, 1778.

A letter of 25th, from general Washington, was read, enclosing the following papers : 1st. a copy of a letter of 23d from major general Sullivan. 2d. A copy

of a remonstrance from major general Greene to count D'Estaing, dated August 21st. 3d. Copy of count D'Estaing's letter of 21st August to major general Sullivan. 4th. A protest of the general officers commanding brigades in the army under his command, in consequence of the determination of count D'Estaing to sail from Rhode Island.

Ordered, That the contents of the said letters and papers be kept secret, except the sailing of count D'Estaing's squadron from Rhode Island; but that the President communicate them to the minister, and inform him of the injunction of secrecy.

A motion was made that the letter and papers be committed; which was lost by the previous question.

Ordered, That general Washington take every measure in his power that the protest of the officers of major general Sullivan's army against the departure of count D'Estaing be not made publick.

SEPTEMBER 16, 1778.

Resolved, That general Washington be informed that Congress highly approve of his laying up magazines of forage and provisions at such places as he shall think proper for prosecuting an expedition into Canada in the winter, if the motions of the enemy shall render this measure expedient; and that the general be desired to make every preparation of clothing, and new shoes, and other articles for this purpose, which he shall deem necessary.

OCTOBER 24, 1778.

Mr. Gouverneur Morris having informed the house that he hath received application from a person in the city of New York, to know whether, in the opinion of the delegates of that state, he may, with safety to his person and property, continue in that city upon the evacuation thereof by the British troops; and having further informed, that the said person is in capacity to give useful intelligence, and probably will do it, if he shall receive assurances that it will be recommended to the state of New York to afford him protection—

Resolved, That the said G. Morris be empowered to give him such assurances, on condition that he shall give intelligence of whatever may come to his knowledge relating to the numbers, movements and designs of the enemy.

OCTOBER 23, 1778.

The committee to whom was referred a memorial of Alexander M^cNut report—

“ That, after a conference with the memorialist, it
“ appears that any further proceeding thereon is at this
“ time unnecessary. That the memorial be filed in the
“ Secretary’s office; and that the sum of three hundred
“ dollars be presented to Mr. M^cNut in consideration
“ of the expenses he has incurred in his endeavours
“ to serve the United States.”

Resolved, That Congress agree to the said report.

OCTOBER 31, 1778.

The board of war having taken into consideration the papers referred to them by Congress, namely, the letters and extracts of letters from the governour of New Orleans—Mr. Pollock and captain James Willing brought in a report: Whereupon,

Resolved, That from the variety of operations in which we are at this time engaged, it is impracticable for these states now to undertake an enterprise of the magnitude recommended by governour Galvez.

That governour Bernardo de Galvez be informed of the above resolution; and be assured that, from the favourable aspect of our affairs, it is probable Congress will speedily be enabled to turn their attention to, and operate effectually in, that quarter.

That governour Galvez be requested to accept the thanks of Congress for his spirited and disinterested conduct towards these states; and be assured, that Congress will take every opportunity of evincing the favourable and friendly sentiments they entertain of governour Galvez, and all the faithful subjects of his catholick majesty inhabiting the country under his government.

NOVEMBER 2, 1778.

Whereas a considerable force hath been directed to assemble at Charleston, in South Carolina, for the defence of that state and Georgia, and it is possible that the enemy may not make an attack in that quarter—

Resolved, That in such case, major general Lincoln be directed to endeavour to reduce the province of East Florida.

NOVEMBER 10, 1778.

The committee to whom was referred a report of a committee of the general assembly of the state of South Carolina, concurred in by the house on the 8th of September, 1778, and ordered to be transmitted to Congress ; also a letter from major general Howe, of the 22d September, relative to the reduction of the province of East Florida ; brought in a report : Whereupon,

Resolved, That the President be directed to inform his excellency the president of the state of South Carolina, that Congress, by their resolution of the 2d instant, have directed major general Lincoln to attempt the reduction of the province of East Florida, in case the enemy should not make an attack on the states of South Carolina and Georgia.

That Congress highly approve of the resolution of the assembly of the state of South Carolina, in directing an investigation to be made into the causes of the Creek rupture, in order that reparation may be made by the offending party, in case the Creek nation shall have just cause of complaint ; and in making preparations to carry the war into the Creek country, if a peace cannot be effected by negotiation.

That major general Lincoln be authorized to enlist men into the continental battalions of the state of

South Carolina and Georgia, to serve during the continuance of the expedition against East Florida.

That if major general Lincoln shall be of opinion that the continental battalions of the states of South Carolina and Georgia, and the continental levies and recruits from the states of Virginia and North Carolina, will not be a sufficient force to proceed on the expedition against East Florida, he be authorized to engage a number of volunteers, not exceeding fifteen hundred, to serve during the continuance of the expedition; and that the volunteers so engaged be organized into such corps and commanded by such officers as major general Lincoln shall approve of.

That major general Lincoln be authorized to pledge the faith of the United States for granting to the officers and men, whether continental officers, volunteers or militia, who shall accompany him to East Florida, and continue in the service till the castle of St. Augustine is reduced, the same proportions of land as is allowed by the resolution of Congress of 16th September, 1776; that this bounty shall be extended to the representatives of such officers and soldiers as shall be slain or die during the continuance of the expedition.

The said land to be located in the said province; and a preference to be given in the location to the officers and soldiers who shall be entitled as aforesaid.

That the major generals, respectively, who shall go on the expedition against East Florida, be entitled to a grant of three thousand acres of land; and the brigadier generals, if any shall go on that service, to a grant

of two thousand acres, in case the province of East Florida should be reduced.

That the commanding officer of the southern department be authorized, if he shall judge it for the good of the service, to supply colonel Marbury's company of light horse with a number of horses, not exceeding two hundred.

That it be recommended to the government of North Carolina, South Carolina, and Georgia, to give every assistance in their power to major general Lincoln, to enable him to reduce the province of East Florida.

That the President be directed to inform their excellencies the governours of the states of Maryland and Virginia, that Congress deem it of high importance to the welfare of the United States, that every exertion should be made, during the course of the winter, to reduce the province of East Florida.

That from the best information they have received, this cannot probably be effected but by a blockade by water; and therefore that it be requested of the said governments to direct such of their armed galleys as are fit for this service to be fitted out with all possible despatch, and to proceed either in company, or otherwise, as the governours of the states of Maryland and Virginia shall deem most expedient, to Charleston, in South Carolina; there to follow such orders as they shall receive from the commander in chief of the department, or from the officer appointed by Congress to command the galleys of the respective states employed on this expedition.

That till such time as the said galleys shall return to the states, to which they respectively belong, they shall be at the expense and risk of the United States. And that the governours of the states of Maryland and Virginia be desired to have sworn appraisement made of the said vessels, their tackle, and apparel, to ascertain their value, in case of loss.

And whereas it is represented that great difficulties have occurred in the manning the said galleys; and the success of the expedition depends, in the most essential manner, on their services:

Resolved, That the governours of the states of Maryland and Virginia be authorized to assure the officers and men who shall navigate the said galleys, that the continental share of all property taken by the said galleys, or any of them, from the day of their sailing to their return to their respective stations, shall be released to the persons capturing the same, and divided amongst the officers and men, agreeably to the resolutions of Congress relative to captures.

That the governours of the respective states of Maryland and Virginia be authorized, if they shall judge it expedient, to grant a bounty, not exceeding forty dollars, to every able bodied mariner who shall enter on board the said galleys for the space of six months.

That the marine committee be directed to use every possible exertion, in co-operating with the governours of the states of Maryland and Virginia, in the expeditious manning of the galleys to be furnished for this service.

And whereas differences relative to command may arise amongst the officers of the respective states,

whose galleys are employed, which, if not guarded against, might defeat the end of the enterprise :

Resolved, That captain John Barry be and he is hereby directed, to take the command of all the armed vessels employed on the intended expedition, subject to the orders of the commander in chief in the southern department; and that this commission continue in force till the expiration of the intended invasion of the province of East Florida, or till the further order of Congress. That he proceed with the utmost despatch to the state of Maryland, in order to expedite the equipment of the galleys to be furnished by that state; and proceed with them to Charleston, in South Carolina.

Resolved, That Congress approve of major general Howe's provident attention in procuring intelligence of the situation and strength of the British forces and posts in East Florida; and that any expense which may have attended this service shall be defrayed by Congress.

Resolved, That the sum of two hundred and one pounds five shillings, in specie, be granted to major general Lincoln to facilitate his procuring intelligence of the enemy's strength and designs in the province of East Florida; and that the board of war be directed to cause this money to be remitted by the first safe opportunity.

Resolved, That major general Lincoln be authorized and directed, on his arrival in the province of East Florida, to issue a proclamation in the name of these United States, signifying to the inhabitants of the said province, that as he is not come to destroy, but to

protect the inhabitants in the enjoyment of their rights and property, he will receive under the protection of the United States, all such persons as shall repair to his standard within a time to be limited in the said proclamation, and take an oath of abjuration of allegiance to the king and crown of Great Britain, except such persons as may have been attainted of high treason in any of the said states. And that all such as shall unite with him in the reduction of the said province, and embody themselves under such officers as he shall approve of, shall be entitled to the same pay and emoluments as the forces engaged in the same service are entitled to. And further, that on the subversion of British tyranny in that province, and the establishment of a free government, they shall be considered as peculiarly entitled to the confidence of the United States.

That the quartermaster general be directed to ship on board the armed galleys ordered from the state of Maryland to Charleston, in South Carolina, a quantity not exceeding ten tons of bar iron.

And whereas Congress are of opinion, that it will tend greatly to ensure the success of the enterprise if the embargo on rice be continued in force till such time as the vessels destined to form the blockade by water shall have arrived in the basin of St. Augustine: Therefore,

Resolved, That it be recommended to the executive authority of the states of South Carolina and Georgia, to continue in force the embargo on rice till the event abovementioned shall have taken place, and no longer: Provided, and it is hereby intended, that the said em-

bargo shall not be and continue in force longer than the thirty-first day of January next.

NOVEMBER 30, 1778.

Two affidavits relative to the convention troops were read.

Ordered, That they be referred to a committee of three ; and that the said committee be directed to take measures for collecting evidence relative to the infractions made by the enemy on the convention of Saratoga ; and that all the evidence heretofore collected be committed to the said committee.

The members—Mr. Duane, Mr. Carmichael, Mr. G. Morris.

DECEMBER 16, 1778.

A memorial of this day from Alexander M'Nut and others was read.

Ordered, That it be referred to a committee of three.

The members—Mr. Lovell, Mr. Whipple, and Mr. Witherspoon.

DECEMBER 29, 1778.

The President informed Congress, that the minister of France had requested him to communicate the following information to Congress, namely, That the minister was assured by good intelligence that the enemy's fleet at Rhode Island were greatly distressed for want of masts and spars ; that a mast had been taken from a merchantman of six hundred tons, and put into

a man of war of the line; that others of their ships of war had been rigged with jury masts; and that they had little prospect of a supply from Halifax or any other of their ports; that there was in New Hampshire a number of masts fit for ships of the line ready to be exported from thence to St. Domingo; that the enemy have been advised of this, and are preparing to intercept them: That it is his opinion it would be of great consequence to prevent the enemy from obtaining such an important supply; and therefore he proposed, that the masts should be sunk during the winter; and, as an inducement thereto, he would himself pay the expense of sinking and raising them, and also the interest of whatever sums may have been expended in procuring the said masts until the next spring: Whereupon,

Resolved, That it be most earnestly recommended to the states of Massachusetts Bay and New Hampshire, to take the most effectual measures to prevent any masts or spars from being exported from, or laden on board of any ships or vessels within the ports of the said states.

Ordered, That the President enclose the foregoing information and resolution, and write fully on the subject to the executive authorities of those states.

JANUARY 15, 1779.

The marine committee, to whom were referred letters from the governours of Maryland and Virginia, brought in a report: Whereupon,

Resolved, That considering the danger and risk of a sea voyage at this season, the impracticability of manning in time, and the probable difficulty of supplying the Maryland galleys with provisions during the blockade, the design of employing them be laid aside.

Ordered, That the remainder of the report be postponed.

JANUARY 19, 1779.

The committee appointed to confer with general Washington brought in a report, and desired leave to sit again; and at the same time desired to know whether it is the sense of Congress that they should insert in their next report the plan of operations for the next campaign, that may come to their knowledge in the course of their conferences with the commander in chief.

After some debate thereon, adjourned.

JANUARY 22, 1779.

The committee, consisting of Mr. Duane, Mr. Root, Mr. M. Smith, Mr. G. Morris, and Mr. Laurens, to whom was referred a letter of 19th December last, from major general Lincoln, brought in a report: Whereupon,

Resolved, That the President of Congress inform count D'Estaing, or the admiral commanding the fleet of his most christian majesty in the West Indies, of the circumstances of Georgia and South Carolina, by the invasion of the enemy; and that he be requested to afford such relief as may be in his power; and that

the president of South Carolina be confidentially requested to cause to be sent to count D'Estaing, from time to time, the earliest information respecting the force and situation of the enemy in Georgia and South Carolina.

That the President of Congress confer with the sieur Gerard, minister plenipotentiary from his most christian majesty, on the subject of the foregoing resolution, in order to obtain his interposition with count D'Estaing for the relief aforesaid.

Resolved, That the marine committee be directed forthwith to fit out two despatch boats to carry the despatches of Congress to count D'Estaing; and that the marquis de Britigny be requested to take charge of one of those despatches to the count.

JANUARY 28, 1779.

The President informed Congress, that the minister of France expects that the application for the aid to be asked of count D'Estaing should be accompanied with assurance of compensation, agreeably to the spirit and meaning of the fourth article of the treaty of alliance, to be hereafter settled by a convention between the court of France and the United States: Whereupon,

Resolved, That a committee of three be appointed to take the same into consideration, and report such resolution on the subject as may be proper, in their opinion, for Congress to enter into on the subject.

The members chosen—Mr. Laurens, Mr. S. Adams, and Mr. Paca.

JANUARY 29, 1779.

Two members added, viz. Mr. Ellsworth and Mr. Duane.

FEBRUARY 3, 1779.

A memorial of this date, from the honourable sieur Gerard, minister plenipotentiary of France, was read, respecting the quantity of flour he can depend upon for the fleet of his most christian majesty in the West Indies.

Whereupon it was moved, That the committee of conference with the minister of France be instructed to represent the evils arising from the high rate of exchange; and confer with him on the means of preventing them.

On the question to agree to this, the yeas and nays being required by Mr. Laurens—

| | | | |
|--------------------|--|-------------------------|------------|
| New Hampshire, | Mr. Whipple, Mr. Frost, | No. } Ay. } | } DIVIDED. |
| Massachusetts Bay, | Mr. Gerry, Mr. Lovell, Mr. Holten, | No. } No. } Ay. } | |
| Rhode Island, | Mr. Ellery, Mr. Collins, | Ay. } Ay. } | } AY. |
| Connecticut, | Mr. Dyer, Mr. Ellsworth, Mr. Root, | } | |

| | | | |
|-----------------|---|---|-----|
| New York, | Mr. Jay, Mr. Duane, Mr. Lewis, Mr. Floyd, | Ay. } Ay. } Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Fell, Mr. Frelinghuysen, | Ay. } Ay. } | Ay. |
| Pennsylvania, | Mr. Roberdeau, Mr. Clingan, Mr. Shippen, Mr. Atlee, Mr. Searle, | Ay. } No. } Ay. } Ay. } Ay. } | Ay. |
| Delaware, | Mr. M'Kean, | No. } No. } | No. |
| Maryland, | Mr. Paca, Mr. Carmichael, Mr. Henry, | Ay. } Ay. } Ay. } | Ay. |
| Virginia, | Mr. T. Adams, Mr. F. L. Lee, Mr. Griffin, | No. } Ay. } No. } | No. |
| North Carolina, | Mr. Penn, Mr. Hill, Mr. Burke, | No. } No. } No. } | No. |
| South Carolina, | Mr. Laurens, Mr. Drayton, Mr. Hutson, | No. } No. } No. } | No. |

So it was resolved in the affirmative.

FEBRUARY 5, 1779.

On the report of the committee to whom was referred the information given by the President—

Resolved, That Congress, by requesting aid of count D'Estaing, have it in view to destroy the ships of war,

and expel or subdue the land forces of the common enemy invading the southern states.

Resolved, That a committee of two be appointed, who, together with the President, shall confer with the minister plenipotentiary of France, and prepare proper despatches and instructions to be sent by the marquis de Bretigny to count D'Estaing.

The members chosen—Mr. G. Morris and Mr. Laurens.

Ordered, That the committee apply to count D'Estaing for such supply of arms and ammunition as he can spare, to be sent in such way as he shall judge most safe, to Charleston, in South Carolina, for the use of the United States.

FEBRUARY 8, 1779.

The committee appointed to confer with the minister of France, on the subject of an act of Congress of the 5th, declaring their intention in requesting aid from count D'Estaing, made report of their proceedings: Whereupon,

Resolved, That it will not be expedient to make the proposed application for aid to count D'Estaing; and that the several acts of Congress on that subject be, and they are hereby repealed.

Ordered, That the President inform the honourable sieur Gerard, minister plenipotentiary of France, of the above resolution.

The committee, consisting of Mr. G. Morris, Mr. Ellsworth, and Mr. M. Smith, to whom was referred a letter of 5th December, 1778, from Mr. Bingham,

brought in a report: Whereupon, Congress came to the following resolution:

Whereas the general of Martinique hath made application, through the continental agent there, to Congress, stating the extreme necessity of the islands for provisions, and requesting that supplies may be exported from these United States—

Resolved, That a committee of three be appointed to prepare a letter, to be signed by the President, to Mr. Bingham, informing him that the states of New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, have not a sufficiency of flour for their own consumption: That the military operations, of which New York, New Jersey, Pennsylvania, and Delaware, have been the scene, have so reduced their resources of bread, as not to admit of further supplies than may be necessary for the army: That the wheat in Maryland, Virginia, and North Carolina, has been so injured by a fly, which infests those states, as not to afford the succours in question: That South Carolina and Georgia abound in rice; and great quantities of that article and some other provisions may be had there; but that the navigation, by the late efforts of the enemy, hath become very insecure; and the vessels which may be sent there will be exposed to great hazard, unless accompanied by a strong convoy, or the marine force of the enemy in those states destroyed.

The members chosen—Mr. M. Smith, Mr. G. Morris, and Mr. Ellsworth.

MARCH 10, 1779.

The honourable W. H. Drayton communicated to Congress an extract of a private letter to him from Pierce Butler, esquire, of Charleston, South Carolina, dated February 6, 1779, in the following words :

“ The election for governour, lieutenant governour, &c. came on yesterday. Mr. J. Rutledge was chosen governour, T. Heyward, lieutenant governour. The delegates to represent the state in Congress are, Mr. H. Laurens, Mr. A. Middleton, E. Rutledge, Thomas Bee, and John Matthews. The people say they so sensibly feel the want of their chief justice at home, that they cannot consent to let him be absent any longer. You must, therefore, my good sir, return to us as soon as you can. Indeed we stand in much need of you at this critical juncture ; therefore pray lose no time.”

On which Mr. Drayton desired the determination of the house, whether, after such information, he ought to attend as a delegate in Congress : Whereupon,

Resolved, That the said private letter does not vacate Mr. Drayton's seat ; and therefore that he ought to attend as a delegate in Congress.

MARCH 13, 1779.

The committee, to whom was referred a petition of Claver Taylor, late of Jamaica, but now of the state of Rhode Island, &c., report—

That having examined into the state of the facts set forth in the said petition, they find that the same are truly represented: Whereupon,

Resolved, That the petitioner have a permission to go to the island of Jamaica, and import into any of the ports in the United States, not in possession of the enemy, either the whole, or any part of his property and effects; and that his person and property be secure from capture, or detention, by any continental or private ships of war belonging to the United States; and his effects from seizure or confiscation when landed, or in their conveyance through any of the said states to the said state of Rhode Island; and that proper passports be granted to him for that purpose.

MARCH 29, 1779.

The committee, consisting of Mr. Burke, Mr. Laurens, Mr. Armstrong, Mr. Wilson, and Mr. Dyer, appointed to take into consideration the circumstances of the southern states, and the ways and means for their safety and defence, report—

That the circumstances of the army will not admit of the detaching of any force for the defence of South Carolina and Georgia. That the continental battalions of those two states are not adequate to their defence. That the three battalions of North Carolina continental troops, now on the southern service, are composed of drafts from the militia for nine months only, which terms, with respect to a great part of them, will expire before the end of the campaign. That all the other force now employed for the defence of the said states.

consists of militia, who, from the remoteness of their habitations and the difficulties attending their service, ought not to be relied on for continued exertions, and a protracted war. That the state of South Carolina, as represented by the delegates to the said state, and by Mr. Huger, who has come hither at the request of the governour of the said state, on purpose to explain the particular circumstances thereof, is unable to make any effectual efforts with militia, by reason of the great proportion of citizens necessary to remain at home, to prevent insurrections among the negroes, and to prevent the desertion of them to the enemy. That the state of the country, and the great numbers of those people among them, expose the inhabitants to great danger from the endeavours of the enemy to excite them either to revolt or desert. That it is suggested by the delegates of the said state, and by Mr. Huger, that a force might be raised in the said state from among the negroes, which would not only be formidable to the enemy, from their numbers, and the discipline of which they would very readily admit, but would also lessen the danger from revolts and desertions, by detaching the most vigorous and enterprising from among the negroes. That as this measure may involve inconveniences peculiarly affecting the state of South Carolina and Georgia, the committee are of opinion that the same should be submitted to the governing powers of the said states; and if the said powers shall judge it expedient to raise such a force, that the United States ought to defray the expense thereof: Whereupon,

Resolved, That it be recommended to the states of South Carolina and Georgia, if they shall think the same expedient, to take measures immediately for raising three thousand able-bodied negroes.

That the said negroes be formed into separate corps, as battalions, according to the arrangements adopted for the main army, to be commanded by white commissioned and non-commissioned officers.

That the commissioned officers be appointed by the said states.

That the non-commissioned officers may, if the said states respectively shall think proper, be taken from among the non-commissioned officers and soldiers of the continental battalions of the said states respectively.

That the governours of the said states, together with the commanding officer of the southern army, be empowered to incorporate the several continental battalions of their states with each other respectively, agreeably to the arrangement of the army, as established by the resolutions of May 27, 1778; and to appoint such of the supernumerary officers to command the said negroes, as shall choose to go into that service.

Resolved, That Congress will make provision for paying the proprietors of such negroes as shall be enlisted for the service of the United States during the war, a full compensation for the property, at a rate not exceeding one thousand dollars for each active able-bodied negro man of standard size, not exceeding thirty-five years of age, who shall be so enlisted and pass muster.

That no pay or bounty be allowed to the said negroes ; but that they be clothed and subsisted at the expense of the United States.

That every negro who shall well and faithfully serve as a soldier to the end of the present war, and shall then return his arms, be emancipated, and receive the sum of fifty dollars.

APRIL 7, 1779.

The committee, consisting of Mr. Lovell, Mr. Whipple, and Mr. Witherspoon, (see December 16,) to whom was referred the memorial of Alexander M'Nutt and others, agents for several townships in Nova Scotia, brought in a report : Whereupon,

Resolved, That lieutenant colonel Phineas Nevers and captain Samuel Rogers be employed to lay out, mark and clear a road from Penobscot river to St. John's river, in the most commodious line, and in the most prudent manner. That fifteen thousand dollars be advanced to them for carrying on the work ; for the faithful expenditure of which they shall become bound to the United States in a bond to be given to the continental treasurer.

APRIL 8, 1779.

A memorial from Alexander M'Nutt, in behalf of sundry persons therein named, inhabitants of Great Britain and Ireland, was read, praying to be admitted to come with their families and effects, under a safe conduct, and settle in America, under condition,

that should it appear upon their arrival, that any of them have acted an unworthy part, or are of doubtful characters, then their property to be forfeited, and they treated according to their deserts.

Resolved, That the prayer of the memorial be granted.

The committee, consisting of Mr. Burke, Mr. G. Morris, and Mr. Armstrong, to whom was referred a letter of the 10th March, from the board of war, enclosing a letter of the 9th, from president Reed, brought in a report: Whereupon,

Resolved, That the board of war be directed to send four pieces of heavy ordnance to the post at Billings-port, on the river Delaware, in addition to what are already there. Also, to order a detachment of forty men, under the command of a captain and other suitable officers, from colonel Proctor's battalion, to garrison the said post. Also, to send two pieces of heavy ordnance to Mud Island fort, and a detachment of twenty men, under the command of suitable officers, from the battalion aforesaid, to garrison the said fort.

APRIL 17, 1779.

The delegates of South Carolina, to whom was referred a letter of the 7th March from major general Lincoln, brought in a report: Whereupon,

Ordered, That so much of the said report as relates to the sending military stores and a naval force to South Carolina, be referred to the marine committee; and that they take order thereon.

APRIL 27, 1779.

A motion was made by Mr. Morris, seconded by Mr. Penn—

That a sum of money, in specie, be immediately sent to the commander in chief, for secret services.

In lieu of which a substitute was moved by Mr. Laurens, seconded by Mr. Scudder, in the words following, viz.

That the President write to the commander in chief, and inquire whether he is in want of specie for secret services.

Question put to admit the substitute—

Passed in the affirmative.

An amendment was then moved by Mr. S. Adams, seconded by Mr. Morris, instead of the words, “inquire whether,” &c. to insert, “inform him that if he is in want of specie for secret services, he may draw for any sum or sums to the amount of two thousand guineas upon the treasurer, who will pay the same.”

Question on the amendment—

Passed in the affirmative.

On the question to agree to the motion as amended—

Resolved, That the President write to the commander in chief, and inform him, that if he is in want of specie for secret services, he may draw for any sum or sums, to the amount of two thousand guineas, on the treasurer, who will pay the same.

MAY 1, 1779.

A letter of 28th April, from general Washington, enclosing a copy of proceedings of the council of Massachusetts Bay, dated March 4, was read, informing, that there are several pieces of cannon, eighteen pounders, the property of the continent, now in Massachusetts Bay; that application has been made for them, and that only two have been received for the defence of the posts on the North river;—representing the importance of those posts; and requesting the directions of Congress that the said cannon be applied to this purpose.

On motion of Mr. Burke, seconded by Mr. Drayton,

Resolved, That the commander in chief be authorized to call upon the state of Massachusetts Bay for such and so many of the continental cannon lent to the said state, as he may judge necessary for the defence of the posts on Hudson's river.

MAY 3, 1779.

On motion of Mr. Jenifer, seconded by Mr. Henry,

Resolved, That the board of war be directed to apply to the governour and council of Maryland, and request them, if there are any heavy cannon belonging to the state which can be spared from the immediate defence thereof, to lend them to the continent for the defence of the posts on Hudson's river, on condition that Congress will return them, or a like number of

equal bore, or pay the state the full value thereof, at the election of the general assembly.

The delegates of the state of Pennsylvania, to whom was referred an extract of a letter from the board of war, respecting the defences of the river Delaware, brought in a report: Whereupon,

Resolved, That the President and council of the state of Pennsylvania be requested to order such of the militia of that state to take post at fort Mifflin and Bellings-port in the room of colonel Procter's men, as shall be judged by the president and council sufficient; the said militia to be allowed continental pay and subsistence.

MAY 17, 1779.

On a report of the board of treasury—

Resolved, That the application of captain M'Clean be referred to the state of Delaware; and that the president thereof be informed that any compensation which that state shall judge proper to be made to captain M'Clean, shall be credited to that state in its account with Congress.

MAY 31, 1779.

On the report of a committee to whom was referred a letter of February last from Timothy Penny—

Whereas Timothy Penny, now an inhabitant of Massachusetts Bay, but formerly of the island of Jamaica, where his estate lies, has represented the ne-

cessity he is under of sending a person to purchase a vessel in that island, and load her with produce for the support of his numerous family; and whereas it appears, that the character and circumstances of the said Timothy Penny render such indulgence proper—

Resolved, That letters of safe conduct be granted to Timothy Penny, for any one vessel which may be purchased and loaded as abovementioned, and sent to any port or place in any of the United States, not in possession of the enemy, and for the person of captain Joseph Deane, who is to be employed on this business.

JUNE 3, 1779.

A letter of this day from Robert Harris was read, praying Congress to take into consideration his petition for leave, under a safe conduct or passport, to remove his property from the province of Nova Scotia, into some port or place within these states not in the power of the enemy: Whereupon,

Ordered, That the letter and petition be referred to the marine committee, and that a safe conduct or passport be granted to the petitioner, upon his complying with such orders and directions as the marine committee shall give on the subject.

JUNE 7, 1779.

On motion of the committee of commerce—

Ordered, That the committee of commerce be empowered and directed to draw bills of exchange at

ninety days sight, on the minister plenipotentiary of the United States at the court of France, for any sum not exceeding fifteen thousand Louis d'ors, to be negotiated in the purchase of military stores, in case the measures taken by Mr. Gerard to obtain them from Martinique should not succeed; but not otherwise.

On the question to agree to this, the yeas and nays being required by Mr. Smith—

| | | | |
|--------------------|-----------------|-----|-------|
| New Hampshire, | Mr. Whipple, | Ay. | >Ay. |
| Massachusetts Bay, | Mr. S. Adams, | Ay. | } Ay. |
| | Mr. Gerry, | Ay. | |
| | Mr. Lovell, | Ay. | |
| | Mr. Holten, | Ay. | |
| Rhode Island, | Mr. Ellery, | Ay. | >Ay. |
| Connecticut, | Mr. Huntington, | Ay. | } Ay. |
| | Mr. Spencer, | Ay. | |
| New York, | Mr. Jay, | Ay. | } Ay. |
| | Mr. Morris, | Ay. | |
| | Mr. Floyd, | Ay. | |
| New Jersey, | Mr. Fell, | Ay. | >Ay. |
| Pennsylvania, | Mr. Searle, | Ay. | } Ay. |
| | Mr. M'Lene, | Ay. | |
| Delaware, | Mr. Dickinson, | Ay. | >Ay. |
| Maryland, | Mr. Paca, | Ay. | } Ay. |
| | Mr. Carmichael, | Ay. | |
| | Mr. Henry, | Ay. | |
| | Mr. Jenifer, | Ay. | |

| | | | |
|-----------------|--|-------------------------|-----|
| Virginia, | Mr. Smith, Mr. Griffin, Mr. Fleming, | No. } Ay. } Ay. } | Ay. |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Sharpe, | Ay. } Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Laurens, | No. } No. } | No. |

So it was resolved in the affirmative.

JUNE 8, 1779.

On the motion of Mr. Searle, seconded by Mr. Armstrong—

Resolved, That the order passed yesterday, directing and empowering the committee of commerce to draw bills on the minister plenipotentiary of the United States at the court of Versailles, be reconsidered.

A motion was then made by Mr. Searle, seconded by Mr. Armstrong—

That the board of treasury prepare drafts on the minister plenipotentiary of the United States of America at the court of Versailles, in favour of the committee of commerce, for the sum of three hundred and sixty thousand livres tournois, for the purpose of importing military stores.

On the question to agree to this, the yeas and nays being required by Mr. Smith—

| | | | |
|----------------|--------------|----------------|-----|
| New Hampshire, | Mr. Whipple, | Ay. } Ay. } | Ay. |
|----------------|--------------|----------------|-----|

| | | | |
|--------------------|-----------------|-----|-------|
| Massachusetts Bay, | Mr. S. Adams, | Ay. | } Ay. |
| | Mr. Gerry, | No. | |
| | Mr. Lovell, | Ay. | |
| | Mr. Holten, | Ay. | |
| Connecticut, | Mr. Sherman, | Ay. | } Ay. |
| | Mr. Huntington, | Ay. | |
| | Mr. Spencer, | Ay. | |
| New Jersey, | Mr. Scudder, | Ay. | } Ay. |
| | Mr. Fell, | Ay. | |
| New York, | Mr. Jay, | No. | } Ay. |
| | Mr. Duane, | Ay. | |
| | Mr. Floyd, | Ay. | |
| | Mr. Lewis, | Ay. | |
| Pennsylvania, | Mr. Armstrong, | Ay. | } Ay. |
| | Mr. Searle, | Ay. | |
| | Mr. Muhlenberg, | Ay. | |
| | Mr. M'Lene, | Ay. | |
| | Mr. Wynkoop, | No. | |
| Delaware, | Mr. Dickinson, | Ay. | > Ay. |
| Maryland, | Mr. Plater, | No. | } Ay. |
| | Mr. Paca, | Ay. | |
| | Mr. Carmichael, | Ay. | |
| | Mr. Henry, | Ay. | |
| | Mr. Jenifer, | No. | |
| Virginia, | Mr. Smith, | No. | } No. |
| | Mr. Griffin, | No. | |
| | Mr. Fleming, | No. | |
| North Carolina, | Mr. Penn, | No. | } Ay. |
| | Mr. Burke, | Ay. | |
| | Mr. Sharpe, | Ay. | |
| South Carolina, | Mr. Laurens, | Ay. | } Ay. |
| | Mr. Drayton, | Ay. | |

So it was resolved in the affirmative.

JUNE 10, 1779.

The committee on the treasury, to whom it was referred to prepare drafts on the minister plenipotentiary of the United States of America at the court of Versailles, in favour of the committee of commerce, report—

That according to order, they have prepared four sets of bills of exchange ; one set for one hundred and fifty thousand, one set for one hundred thousand, one set for seventy thousand, and one set for forty thousand livres tournois, and have prepared letters of advice of the said drafts : Whereupon,

Resolved, That the said drafts be signed by the President of Congress, and entered at the auditor's office, and then delivered to the committee of commerce, to be negotiated in the manner mentioned in the resolution of the 8th instant.

Resolved, That the faith of the United States be pledged to make good any contract or engagement which shall be entered into by their minister plenipotentiary at the court of France, for procuring money, or credit, to enable him to honour the said bills, and provide for the punctual discharge thereof.

JUNE 16, 1779.

A letter of 11th, from general Washington, was read : Whereupon,

Resolved, That the board of treasury be empower-

ed to borrow the sum of five hundred guineas, assuring the lenders the payment of principal and interest in hard money, as soon as the treasury shall be supplied with a sufficient sum.

JUNE 21, 1779.

The committee, to whom was referred a letter from William Killen, esquire, with sundry depositions enclosed, having considered the evidence contained in those papers, and in several others, which they have collected, report—

That a certain Henry O'Hara, who has acted as a deputy quartermaster general in the Delaware state, appears to have been guilty of great frauds in the execution of that office : Whereupon,

Resolved, That all the papers beforementioned be transmitted to the president of the state of Delaware, and that he be requested to order a prosecution immediately to be commenced and carried on against the said Henry O'Hara, at the expense of the United States.

JUNE 22, 1779.

On a report from the board of treasury—

Ordered, That a warrant issue on the treasurer, in favour of major des Epiniers, for five hundred guineas, or a like sum in other specie, advanced on the application of general Washington for publick service, he to be accountable ; and that major des Epiniers' receipt of the 19th instant for that sum being annexed to this

warrant, be the treasurer's voucher for payment of the same.

JUNE 28, 1779.

Resolved, That it be earnestly recommended to the several states, by the most speedy and vigorous efforts, to fill up their respective battalions, agreeably to the resolution of Congress of the 9th of March last, that nothing may be wanting on their part to render the present campaign glorious and decisive.

Ordered, That this be forwarded to the states, with an extract of general Washington's letter of the 11th instant.

JUNE 29, 1779.

The committee, to whom was referred the report of the board of war of the 1st May last, relating to the department of military stores, report as their opinion—

That it is not expedient to raise salaries at present, when Congress are adopting measures to restore the credit of the currency; but that in consideration of the particular circumstances of that department, such temporary allowances, not exceeding three hundred dollars per month to the commissary general, one hundred and fifty dollars per month to the deputy commissary general, and to the other officers and men in the same proportion to their former pay with that of the deputy commissary general, should be made by the board of war to the said officers and

men, as will enable them to continue in the service until the further orders of Congress.

Resolved, That Congress agree to the said report.

JULY 15, 1779.

The committee on the commissary and quartermaster's departments, to whom was referred a memorial from the minister of France of the 7th, report—

That they have taken effectual measures to cause four thousand barrels of flour to be delivered to William Smith, esquire, at Baltimore, agent for Mr. Holker, the same being part of ten thousand barrels provided for the use of his most christian majesty.

That they have, agreeably to the wishes of Mr. Gerard, given orders for the delivery of one thousand barrels of flour to Mr. Holker's agent at Philadelphia; which last quantity is to be of the growth of this state. This order they expect will be executed in part, or in whole; but if not, the quantity can, in case of necessity, be made up with ease from the magazines collected in Virginia and Maryland: Whereupon,

Resolved, That the minister plenipotentiary of France be informed, that four thousand barrels of flour shall be delivered to William Smith, esquire, agent of Mr. Holker, at Baltimore, and one thousand barrels of flour to Robert Morris, esquire, agent of Mr. Holker, at Philadelphia, for the use of his most christian majesty; including, nevertheless, the quantities mentioned in the minister's memorial, and amounting to six hundred and fifty-three barrels.

JULY 19, 1779.

A letter of the 13th, from general Washington, was read, enclosing a copy of a letter of 10th, from governor Trumbull, with a proclamation of Sir George Collier and major general Tryon, and colonel Whiting's answer thereto; also copies of letters of the 10th and 11th from brigadier general Parsons, giving an account of the enemy's ravages and devastations in Connecticut; and particularly of their burning the towns of Fairfield, Norwalk, and Bedford: Whereupon,

A motion was made by Mr. Drayton, seconded by Mr. Penn,

That the marine committee be, and are hereby directed to take the most effectual means to carry into execution the manifesto of October 30, 1778, by burning and destroying the towns belonging to the enemy in Great Britain and the West Indies.

On the question to agree to this, the yeas and nays being required by Mr. Drayton—

| | | |
|--------------------|-----------------|-----------|
| New Hampshire, | Mr. Peabody, | Ay. } Ay. |
| Massachusetts Bay, | Mr. Gerry, | Ay. } |
| | Mr. Lovell, | Ay. } Ay. |
| | Mr. Holten, | Ay. } |
| Rhode Island, | Mr. Marchant, | No. } No. |
| | Mr. Collins, | No. } |
| Connecticut, | Mr. Huntington, | No. } No. |
| | Mr. Spencer, | No. } |

| | | | | |
|-----------------|---|----------------------------------|------------|------------|
| New York, | Mr. Jay, Mr. Duane, Mr. Morris, Mr. Lewis, | Ay. } No. } No. } Ay. } | } DIVIDED. | |
| New Jersey, | Mr. Fell, Mr. Houston, | No. } Ay. } | | |
| Pennsylvania, | Mr. Shippen, Mr. Muhlenburg, Mr. M'Lene, | Ay. } Ay. } Ay. } | | } AY. |
| Delaware, | Mr. Dickinson, Mr. Vandyke, Mr. M'Kean, | No. } No. } Ay. } | | |
| Maryland, | Mr. Carmichael, Mr. Henry, Mr. Forbes, | Ay. } Ay. } No. } | } AY. | |
| Virginia, | Mr. Smith, Mr. Griffin, Mr. Fleming, | Ay. } No. } Ay. } | | } AY. |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Sharpe, | No. } No. } No. } | } No. | |
| South Carolina, | Mr. Laurens, Mr. Drayton, | No. } Ay. } | | } DIVIDED. |

So it was resolved in the affirmative.

SEPTEMBER 6, 1779.

The board of war, to whom was referred a letter of 24th of August, from the president of the state of Pennsylvania, report—

That they find it impracticable, without taking them from the supplies provided for the army, which are yet

vastly deficient, to furnish the blankets requested for the ranging companies raised in this state.

SEPTEMBER 7, 1779.

Leonard Bowles, of the Bahama Islands, having signified his intention of removing from thence; and having communicated a recommendation of him by the supreme executive council of the state of Pennsylvania, to the citizens of that state, where he proposes to reside—

Ordered, That a passport, or safe conduct, be granted to the said Leonard Bowles, Esq. in his removal from the Bahama Islands to these United States.

SEPTEMBER 10, 1779.

The committee of commerce having informed Congress, that in pursuance of the order of Congress, they have expended, in the purchase of powder which is arrived, about three thousand pounds sterling of the bills delivered to them, agreeably to the order of the 10th June; and that about twelve thousand pounds sterling remain in the hands of their agent at St. Eustatia—

On motion of Mr. Marchant, seconded by Mr. Scudder,

Resolved, That the committee of commerce be directed to confer with the board of war, in what manner it will be most for the publick service, to lay out the remainder of the money entrusted to them.

SEPTEMBER 22, 1779.

The marine committee report, That on maturely considering the resolutions of Congress of the 20th instant, relative to the transportation of the North Carolina troops by sea, to South Carolina, they find so many difficulties opposed to their carrying the same into execution, as to induce them to recommend the sending the frigates immediately from Boston to South Carolina, and ordering the North Carolina troops to proceed thither by the most expeditious route: Whereupon,

Resolved, That the marine committee be directed to order the three frigates or ships of war, mentioned in the resolutions of Congress of the 20th instant, to proceed from Boston immediately to South Carolina.

That the North Carolina troops be ordered to proceed by the most expeditious route to South Carolina.

Resolved, That it be earnestly recommended to the governour of the state of North Carolina to use every means to prevent the desertion of the said troops whilst marching through that state; and that he at the same time take such measures as will be most effectual for filling up the said battalions to their full complement of men; but that the march of the troops be on no account delayed for this, or any other purpose.

SEPTEMBER 26, 1779.

The President laid before Congress two letters which he received from Mr. Gerard, written to him by J. Plombard, and dated Charleston, South Carolina, one the 5th and the other the 8th September, instant, which were read, giving information of the arrival of count D'Estaing at Georgia: Whereupon,

Resolved, That copies of the letters from Mr. Plombard to Mr. Gerard, of the 5th and 8th of September, instant, communicated by Mr. Gerard to the President, be sent to general Washington. That the general be also informed of the intention of our ally, that the armament under count D'Estaing shall operate against the enemy in these United States; and that general Washington be authorized and directed to concert and execute such plans of co-operation with the minister of France, or the count, as he may think proper.

Whereas Congress have received authentick information of the arrival of count D'Estaing with a powerful fleet to co-operate with these United States; and whereas by the vigorous exertions of the said states, the allied forces may be enabled to strike an important blow against the enemy—

Resolved, That it be most earnestly recommended to the several states to furnish general Washington with such aid as he may require of them respectively, as well by detachments from their militia, as by providing that the allied armaments in the United States be speedily and effectually furnished with ample sup-

plies of bread and other provisions ; and that the most vigorous exertions be made for that purpose.

SEPTEMBER 27, 1779.

A motion being made, That the continental frigates and other continental armed vessels at Boston, or other eastern ports, be forthwith provided with skilful pilots for Newfoundland, Halifax, Penobscot, and Rhode Island ; that they be detained until they shall be directed to sail from thence by general Washington ; and that they observe such orders as they shall receive from him—

Ordered, That it be referred to the marine committee ; and that they take order thereon.

DECEMBER 13, 1779.

On motion of Mr. Gerry, seconded by Mr. Houston—

Resolved, That the board of treasury be directed to pay to John Mitchel, deputy quartermaster general, a sum in bills of exchange, sufficient to discharge a year's rent of the house occupied by the President of Congress. [For order to draw bills, see November 23d, 1779.]

DECEMBER 14, 1779.

Resolved, That the commercial committee be directed to take immediate measures to procure a supply of gunpowder and clothing for the use of the continental

army and navy; and that the treasury board be directed to supply them for that purpose with bills of exchange on Holland, to the amount of four thousand pounds sterling, when required by the said committee, in lieu of bills formerly furnished them for that purpose, which are supposed to be destroyed.

DECEMBER 16, 1779.

The committee, consisting of Mr. Matthews, Mr. Schuyler, and Mr. Sherman, to whom were referred a letter of 24th November from don Juan Miralles, one of 27th November from the minister of France, and a report of a committee sent to headquarters to confer with the commander in chief on the state of the southern department, brought in a report: Whereupon,

Resolved, That general Lincoln, or the commanding officer for the time being in the southern department, be, and he is hereby authorized and empowered, to correspond and concert with the governour of Havana, or any other person or persons properly authorized by his catholick majesty, such plan as shall in his opinion be best calculated to insure the reduction of the enemy's force in the state of Georgia, and for the conquest of East Florida; and that the state of South Carolina be requested to afford every assistance in their power for carrying the same into effect.

In passing this resolution a division was called for; and on the question to agree to the clause "and for the conquest of East Florida," the yeas and nays being required by Mr. Forbes—

| | | |
|--------------------|----------------------|----------------|
| New Hampshire, | Mr. Peabody, | Ay. } Ay. |
| Massachusetts Bay, | Mr. Gerry, | Ay. } |
| | Mr. Lovell, | Ay. } Ay. |
| | Mr. Holten, | Ay. } |
| | Mr. Partridge, | Ay. } |
| Rhode Island, | Mr. Ellery, | Ay. } Ay. |
| Connecticut, | Mr. Huntington, | Ay. } |
| | Mr. Sherman, | Ay. } Ay. |
| | Mr. Ellsworth, | Ay. } |
| New York, | Mr. R.R. Livingston, | Ay. } |
| | Mr. Floyd, | Ay. } Ay. |
| | Mr. L'Hommedieu, | Ay. } |
| New Jersey, | Mr. Fell, | No. } |
| | Mr. Houston, | Ay. } DIVIDED. |
| Pennsylvania, | Mr. Searle, | Ay. } |
| | Mr. M'Lene, | Ay. } Ay. |
| Maryland, | Mr. Plater, | Ay. } |
| | Mr. Arbes, | No. } DIVIDED. |
| North Carolina, | Mr. Penn, | No. } |
| | Mr. Burke, | No. } No. |
| South Carolina, | Mr. Matthews, | Ay. } Ay. |

So it was resolved in the affirmative.

DECEMBER 29, 1779.

It being suggested by the board of war that a plan has been proposed to them which they conceive may be advantageous in procuring necessaries for the army—

Resolved, That a committee of three be appointed to confer with the board of war on the subject, and report their opinion to Congress, Whether the plan is practicable, and would be attended with advantage.

The members—Mr. Burke, Mr. Gerry, Mr. Matthews.

DECEMBER 31, 1779.

The committee appointed to confer with the board of war, report as their opinion, that the plan communicated to them by the board appears practicable, and, if carried into execution, promises supplies of certain articles immediately wanted for the troops at much less expense, and with greater despatch, than they can otherwise be procured; that no coercion is requisite in the execution; that the expense will not exceed half a million of continental dollars; and the risk to the United States is inconsiderable: Whereupon,

Resolved, That it be referred to the board of war; and that they be authorized to take order.

JANUARY 11, 1780.

A report of the board of treasury was read, relative to the report of James Milligan, late one of the commissioners of accounts, and authorized by special appointment of the board, on the 21st day of June last, in consequence of an order of Congress of the 7th of the same month, to repair to Virginia, and settle the accounts of the United States against the troops of the convention of Saratoga; and the correspondence be-

tween the said James Milligan and major general William Philips, senior officer of the said troops; together with sundry other papers relative to the said accounts: Whereupon,

Resolved, That for facilitating the settlement of the accounts of the United States against the troops of the convention of Saratoga, which have arisen subsequently to those settled and paid by lieutenant general Burgoyne, previous to his departure for England, all articles proper to be included be charged at the same rates as the like articles were charged in the accounts settled between major general Heath and lieutenant general Burgoyne.

That all supplies hereafter furnished to the said troops be charged in like manner.

That major general Philips, now in New York on parole, be required to have the amount due for provisions and other articles supplied to the said troops, in the months of March, April, May, June, July and August, 1778, and January, February, March, April, May, June and July, 1779, forthwith discharged, agreeably to the resolutions of Congress of the 19th December, 1777, and 22d May, 1778.

That if major general Philips shall persist in refusing to discharge the said accounts, demand thereof be made from general sir Henry Clinton, or the officer commanding in chief the British forces at New York.

That in case of non-compliance in this resort, the guards be thereupon doubled, at the expense of the British government, and the said troops kept on half allowance for the space of one month; on one third allowance for the succeeding month; and thenceforward

one fourth allowance, until further order shall be taken for the equitable adjustment of the premises.

That the mode adopted by George Rice, assistant deputy quartermaster general, at Charlotteville, for apportioning the charges of supplies furnished by the quartermaster general's department to the troops of the convention, and the guards, appears to be the only practicable one left for adjusting the same.

That the quartermaster general be directed to take effectual care that the accounts of all supplies which may in future be furnished by his department for the said convention troops, be kept separate from the accounts of supplies furnished for the guards.

That the board of treasury be authorized and directed to commission and instruct some suitable person or persons to complete the final settlement of the said accounts, and receive the sums due thereon, or the articles delivered in kind, on the part of the enemy.

That the said board give the necessary orders for collecting the vouchers and preparing the accounts of the supplies furnished to the said convention troops, from the 1st of September to the 31st December, 1778, and from 1st August to the 31st December, 1779.

JANUARY 17, 1780.

Congress took into consideration a report of a committee on a memorial from the honourable the minister plenipotentiary of France; and thereupon came to the following resolutions:

Whereas the minister plenipotentiary of France hath represented to us that a quantity of wheat and flour hath been procured and collected in the state of Maryland, at a great expense, for the fleet of his most christian majesty, and for his garrisons in the French islands; that they are in pressing want of those supplies; that by an act of the legislature of the said state, commissioners therein named are authorized to seize wheat and flour in stores; and that the seizure of the wheat and flour collected as aforesaid, and in the hands of William Smith, Esq. of Baltimore, in the said state, would embarrass the measures of the agent of the marine of the king of France, endanger the success of military plans, and expose to want the garrisons aforesaid; and hath requested our interposition in this regard: Therefore,

Resolved, That it be, and it is hereby recommended to the governour and council of the state of Maryland, to direct the commissioners appointed to carry the act for the immediate supply of flour and other provisions for the army into full force and execution, to refrain from seizing the provisions which have been purchased by permission of the state of Maryland for the agent of the marine of his most christian majesty; to replace them in case they have been already seized; and to permit the exportation thereof.

That a copy of the memorial of the minister plenipotentiary of France, and a copy of the papers enclosed, be immediately transmitted, with the foregoing resolution, to the governour and council of the state of Maryland.

Resolved, That Congress entertain a high sense of the exertions of the legislature and governour and council of the state of Maryland to procure an immediate supply of flour and other provisions for the army.

And that the governour and council be requested to cause the same to be forwarded as fast as procured, to the army, the pressing wants of which demand immediate relief.

JANUARY 26, 1780.

The committee, to whom was referred a letter of the 19th from general Washington, brought in a report, which was read and taken into consideration.

The first paragraph being read, viz.

“ That general Washington be informed that Congress had no intention of connecting the settlement
“ or payment of the accounts against the convention
“ troops with the proposed exchange of prisoners, and
“ that he be authorized to proceed to negotiate said
“ exchange with all convenient despatch on such
“ terms, in all respects, as he may judge most expedient”—

An amendment was moved by Mr. Livingston, seconded by Mr. Folsom, to add thereto “ Yet from a
“ change of circumstances, they think it improper to
“ conclude an exchange, till it is agreed as a preliminary article that the accounts be settled and paid.”

A motion was made by Mr. M’Kean, seconded by Mr. Penn, to postpone the consideration of the para-

graph and amendment, in order to consider the following proposition :

“ That the general be informed it is the wish of
 “ Congress that the exchange of prisoners, upon prin-
 “ ciples of equality, should proceed at all events ; but
 “ that they also hope it may be practicable, in the
 “ course of the business, to obtain an assurance, that
 “ the accounts for the subsistence of the convention
 “ troops shall be liquidated and paid, by retaining a
 “ number of them, not less than five hundred, to se-
 “ cure this measure, or otherwise ; that, however, Con-
 “ gress submit the whole to his wisdom and pru-
 “ dence.”

On the question to postpone, for the purpose above-mentioned, the yeas and nays being required by Mr. Fell—

| | | |
|--------------------|------------------|-----------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. Lovell, | No.) |
| | Mr. Holten, | No.) No. |
| | Mr. Partridge, | No.) |
| Rhode Island, | Mr. Ellery, | No. } No. |
| Connecticut, | Mr. Huntington, | No.) |
| | Mr. Sherman, | No.) No. |
| | Mr. Ellsworth, | No.) |
| New York, | Mr. Livingston, | No.) |
| | Mr. Floyd, | No.) No. |
| | Mr. L'Hommedieu, | No.) |
| New Jersey, | Mr. Fell, | No.) |
| | Mr. Houston, | No.) No. |
| | Mr. Clark, | No.) |

| | | | |
|-----------------|---|----------------------------------|-----|
| Pennsylvania, | Mr. Searle, Mr. Muhlenberg, Mr. M'Lenc, Mr. Shippen, | No. } No. } No. } No. } | No. |
| Delaware, | Mr. M'Kean, | Ay. > | Ay. |
| Maryland, | Mr. Plater, Mr. Forbes, | No. } No. } | No. |
| Virginia, | Mr. Griffin, | No. > | × |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Jones, | Ay. } No. } No. } | No. |
| South Carolina, | Mr. Matthews, | No. > | No. |

So it passed in the negative.

On the question to agree to the amendment, the yeas and nays being required by Mr. Fell—

| | | | |
|--------------------|---|-------------------------|----------|
| New Hampshire, | Mr. Peabody, Mr. Folsom, | No. } Ay. } | DIVIDED. |
| Massachusetts Bay, | Mr. Lovell, Mr. Holten, Mr. Partridge, | No. } No. } No. } | No. |
| Rhode Island, | Mr. Ellery, | Ay. > | Ay. |
| Connecticut, | Mr. Huntington, Mr. Sherman, Mr. Ellsworth, | No. } No. } No. } | No. |
| New York, | Mr. Livingston, Mr. Floyd, Mr. L'Hommedieu, | Ay. } No. } No. } | No. |

| | | | |
|-----------------|---|----------------------------------|------|
| New Jersey, | Mr. Fell, Mr. Houston, Mr. Clark, | No. } No. } Ay. } | No. |
| Pennsylvania, | Mr. Searle, Mr. Muhlenberg, Mr. M'Lene, Mr. Shippen, | No. } No. } No. } No. } | No. |
| Delaware, | Mr. M'Kean, | No. | >No. |
| Maryland, | Mr. Plater, Mr. Forbes, | No. } No. } | No. |
| Virginia, | Mr. Griffin, | No. | >X |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Jones, | No. } No. } No. } | No. |
| South Carolina, | Mr. Matthews, | No. | >No. |

So it passed in the negative.

The main question being amended to read—"That general Washington be authorized to proceed to negotiate an exchange of prisoners with all convenient despatch, on such terms, in all respects, as he may judge expedient"—

On the question to agree to this, the yeas and nays being required by Mr. Fell—

| | | | |
|--------------------|--|----------------------------------|----------|
| New Hampshire, | Mr. Peabody, Mr. Folsom, | No. } No. } | No. |
| Massachusetts Bay, | Mr. Gerry, Mr. Lovell, Mr. Holten, Mr. Partridge, | No. } No. } Ay. } Ay. } | DIVIDED. |

| | | |
|-----------------|---|-----------------------------|
| Rhode Island, | Mr. Ellery, | No. } No. |
| Connecticut, | Mr. Huntington, Mr. Sherman, Mr. Ellsworth, | Ay. } Ay. } Ay. Ay. } |
| New York, | Mr. Floyd, Mr. L'Hommedieu, | Ay. } Ay. } Ay. |
| New Jersey, | Mr. Fell, Mr. Houston, | Ay. } Ay. } Ay. |
| Pennsylvania, | Mr. Searle, Mr. M'Lene, | Ay. } Ay. } Ay. |
| Maryland, | Mr. Plater, Mr. Forbes, | Ay. } Ay. } Ay. |
| Virginia, | Mr. Griffin, | Ay. } × |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Jones, | Ay. } Ay. } Ay. Ay. } |
| South Carolina, | Mr. Matthews, | Ay. } Ay. |

So it was resolved in the affirmative.

The next paragraph in the report being read, viz.

“ That the resolution of Congress, of the 11th of
 “ January, instant, respecting the penalty for non-pay-
 “ ment of the money due from the convention troops be
 “ repealed:

“ And that the board of treasury suspend the requi-
 “ sition for the payment of the said money, until the
 “ proposed negotiation for exchange of prisoners is
 “ finished”—

A division was called for; and on the question,

Resolved, That Congress agree to the first clause.

On the question to agree to the second clause, viz. "And that the board of treasury suspend," &c.—the yeas and nays being required by Mr. Fell—

| | | | |
|--------------------|---|-------------------------|----------|
| New Hampshire, | Mr. Peabody, Mr. Folsom, | No. } No. } | No. |
| Massachusetts Bay, | Mr. Lovell, Mr. Holten, | No. } Ay. } | DIVIDED. |
| Rhode Island, | Mr. Ellery, | No. }> | No. |
| Connecticut, | Mr. Huntington, Mr. Sherman, | Ay. } Ay. } | Ay. |
| New York, | Mr. Floyd, Mr. L'Hommedieu, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Fell, Mr. Houston, Mr. Clark, | Ay. } No. } No. } | No. |
| Pennsylvania, | Mr. Searle, Mr. M'Lene, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Plater, Mr. Forbes, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Griffin, | Ay. }> | × |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Jones, | No. } Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Matthews, | Ay. }> | Ay. |

So it was resolved in the affirmative.

On the question to agree to the whole as amended, the yeas and nays being required by Mr. Peabody—

| | | | |
|--------------------|---|-------------------------|----------|
| New Hampshire, | Mr. Peabody, Mr. Folsom, | No. } No. } | No. |
| Massachusetts Bay, | Mr. Lovell, Mr. Holten, | No. } Ay. } | DIVIDED. |
| Rhode Island, | Mr. Ellery, | No. }> | No. |
| Connecticut, | Mr. Huntington, Mr. Sherman, Mr. Ellsworth, | Ay. } Ay. } Ay. } | Ay. |
| New York, | Mr. Floyd, Mr. L'Hommedieu, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Fell, Mr. Houston, Mr. Clarke, | Ay. } Ay. } No. } | Ay. |
| Pennsylvania, | Mr. Searle, Mr. M'lene, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Plater, Mr. Forbes, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Griffin, | Ay. }> | × |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Jones, | Ay. } Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Matthews, | Ay. }> | Ay. |

So it was

Resolved, That general Washington be authorized to proceed to negotiate an exchange of prisoners, with all convenient despatch, on such terms in all respects as he may judge expedient.

That the resolution of Congress of the 11th instant, respecting the penalty for non-payment of the money

due from the convention troops be repealed. And that the board of treasury suspend the requisition for payment of the said money, until the proposed negotiation for exchange of prisoners is finished.

FEBRUARY 8, 1780.

On a report of the board of treasury—

Resolved, That the board of treasury direct Thomas Smith, esquire, continental loan officer for the state of Pennsylvania, to deliver to Peter Whitesides, or his order, three thousand nine hundred and thirty-one Mexican dollars and thirty-five fifty-fourths of a dollar, in bills of exchange, drawn upon the honourable John Jay, minister plenipotentiary of the United States at the court of Madrid, to discharge a note given by the treasury to Robert Morris, esquire, for specie borrowed agreeably to a resolution of Congress of the 16th of June last.

MARCH 14, 1780.

It being represented that the board of war have it in their power to make a contract which will be highly beneficial to the United States, but that to ensure the success of it secrecy is necessary—

Ordered, That a committee of three be appointed to confer with the board of war, and report on the expediency of the measure.

The members—Mr. Ellery, Mr. Clarke, and Mr. Sherman.

MARCH 20, 1780.

The committee appointed to confer with the board of war relative to the contract offered to the board of war, report—

That they have attended that duty, and are of opinion, that the proposed contract will be beneficial to the United States; and that it is expedient for the board of war to take the measures necessary to carry the same into execution. That when the contract is fulfilled, bills on Spain, not exceeding the amount of thirty thousand pounds sterling, must be furnished the board to enable them on their part to comply with the terms of the contract: Whereupon,

Resolved, That the board of war be authorized to complete the proposed contract; and when fulfilled, that bills of exchange be drawn on Spain to the amount of thirty thousand pounds sterling, or so much thereof as may be necessary for the above purpose, payable to the paymaster of the board of war and ordnance for discharging the said contract.

APRIL 8, 1780.

Resolved, That the application from the state of Massachusetts Bay for an expedition to be adopted for dislodging the enemy from Penobscot, with the papers relating thereto, be referred to the consideration of the commander in chief of the army of these United States; and that continental pay and rations be allowed to any body of militia, not exceeding eight hundred men,

which the state of Massachusetts Bay may judge necessary to be raised for the defence of the eastern part of that state.

APRIL 17, 1780.

On the report of a committee to whom was referred a letter from lieutenant colonel Dericks—

Resolved, That lieutenant colonel Dericks have leave to return to Holland agreeably to his request.

That for his past services, and to enable him to return home, a bill of exchange for the sum of five hundred dollars be drawn in his favour, on the honourable Henry Laurens; and that his pay for the future cease.

APRIL 19, 1780.

A letter from J. Wilson and W. Lewis, in behalf of Mr. Aaron Lopez, a merchant residing in the state of Massachusetts Bay, was read, requesting a protection for him, and also for his factor, captain Benjamin Wright, to enable Mr. Lopez to remove his property from Jamaica to some of these United States.

Resolved, That the request be granted.

APRIL 20, 1780.

On a report from the board of treasury—

Resolved, That the board of treasury be authorized to negotiate, at the current rate of exchange, bills of exchange drawn on the honourable John Jay, pur-

suant to a resolution of Congress of the 23d of November last, to the amount of five million of dollars, continental currency, no greater part of which than to the amount of one million of dollars to be negotiated in the present month.

APRIL 24, 1780.

The following letter to the states was agreed to :

“ It is the duty of Congress to be as full and explicit in their requisitions as the publick exigencies are great and pressing ; and they are confident that the citizens of these states are not more desirous to be informed of their affairs, than they are ready and willing to afford the most vigorous assistance. It is unnecessary to mention our embarrassments. They are known to you. To the means of relieving them we wish your attention.

“ The whole of the moneys due on the quotas of taxes to the first of March last, are become of immediate and indispensable necessity. Numerous debts have accumulated on the publick departments, and justice requires they should be forthwith discharged. Large sums are also requisite for the purposes of transportation, and to continue the purchases of supplies for the army until the states are prepared to furnish them. On these quotas drafts are now making, and must continue to be made to the whole amount, nor can a doubt be admitted of their being punctually answered. If any state should be unprepared, if the collections are incomplete, not

“ a moment is to be lost. Delay will be disappoint-
“ ment, and may involve consequences too interesting,
“ too fatal, to be hazarded. Should the publick ope-
“ rations, through languor and inattention, be retarded
“ and stopped; should those exertions, which have
“ hitherto rendered this contest conspicuous to the
“ world, be intermitted, the fairest prospects and the
“ most promising occasion may be irretrievably lost.
“ Urge, therefore, the instant execution of every mea-
“ sure which has been adopted, and the speedy adop-
“ tion of such as yet remain to be taken.

“ The specifick supplies required by the resolution
“ of the 25th of February last, will forthwith become
“ matter of equal urgency and importance. These
“ must be relied on in future, as the principle, not to
“ say the only resource from which the army is to be
“ supported. From the obvious propriety of adopting
“ the mode there described, as best suited to the ease
“ and convenience of the respective states, as making
“ a just apportionment of the burdens of the war, and
“ as necessary for correcting abuses in the expendi-
“ ture of the publick money, Congress have the fullest
“ confidence that the measure will be approved and
“ successful, and by seasonably and amply providing
“ for the army, enable them to act and co-operate as
“ circumstances may require, with vigour and decision,
“ through the ensuing campaign.

“ The resources of our country, even after a five
“ years obstinate and wasting war, are still abundant;
“ and, in articles the most essential, scarcely impaired.
“ The spirit of the people is free to produce them.

“ All that is wanting is an established medium of negotiation to be applied in effecting it. Such we are firmly persuaded will be secured by a proper attention to the resolutions of the 18th of March last, from which, as the object is not confined to the purchase of publick supplies only, but extends to the various transactions of the community, the most extensive benefits may be justly expected.

“ The crisis calls for exertion. Much is to be done in a little time. And every motive that can stimulate the mind of man presents itself to view. No period has occurred in this long and glorious struggle, in which indecision could be so destructive; and on the other hand, no conjuncture has been more favourable to great and deciding efforts.

“ We detain you no longer than to mention the necessity of early and frequent communications on the subjects of this address; and to remind you how much they contribute, on all occasions, to the success of arrangements for the publick safety.”

On motion of Mr. Lovell, seconded by Mr. Muhlenberg,

Resolved, That the resolutions of the 17th, respecting lieutenant colonel Dericks, be repealed.

APRIL 25, 1780.

Mr. Plater, a delegate from Maryland, laid before Congress a resolve of the assembly of that state, granting license to Mr. John Hunt to proceed to Great Britain, and return with Mr. Ridley and family.

by the way of New York, or otherwise ; and requesting
 “ the honourable Congress to grant their passport to
 “ protect Mr. Hunt and Mr. Ridley and family and ef-
 “ fects from capture by any vessel of war, privateer,
 “ or letter of marque, belonging to the United States,
 “ or any of them, or to any subject of the United
 “ States :” Whereupon,

Resolved, That the request of the assembly of Maryland be complied with ; and that the President be authorized to grant letters of protection accordingly.

MAY 9, 1780.

The committee, consisting of Mr. Clark, Mr. Lovell and Mr. Jos. Jones, to whom was referred a letter of the 5th from the board of war, report—

That having conversed with the petitioner therein referred to, and having received from the board the testimonies mentioned by them respecting his reputable character, they are of opinion that permission should be granted to the petitioner to go to Great Britain, for the purpose of removing his property from thence to these United States ; and that a protection in the usual form be given to him.

Resolved, That Congress agree to the report.

MAY 10, 1780.

On a report of the board of treasury—

Ordered, That a warrant issue on Thomas Smith, commissioner of the continental loan office in the state

of Pennsylvania, for twenty-five thousand dollars, specie, in favour of Joseph Carleton, paymaster to the board of war and ordnance, payable in bills of exchange to be drawn on the honourable John Jay, esquire, minister plenipotentiary of the United States of America at the court of Madrid, to be applied pursuant to the resolution of Congress of 21st April, respecting American prisoners; and for which the said J. Carleton is to be accountable.

MAY 19, 1780.

On the report of a committee, to whom was referred a memorial from the honourable the minister plenipotentiary of France,

Resolved, That the states of Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts Bay and New Hampshire, be most earnestly called on to collect and pay into the continental treasury, immediately, if possible, and at all events within thirty days from this time, ten millions of dollars for the special purpose hereafter mentioned, in the following proportions; the payments to be credited to the said states respectively, on their quotas of money due to the United States to the first day of March last, viz.

| | | | |
|------------------|---|---|-----------|
| Virginia, | - | - | 1,953,200 |
| Maryland, | - | - | 1,234,350 |
| Delaware, | - | - | 132,800 |
| | | | <hr/> |
| Carried forward, | | | 3,320,350 |

| | | |
|----------------------|-----------|------------|
| Brought forward, | 3,320,350 | |
| Pennsylvania, - - | 1,796,950 | |
| New Jersey, - - | 703,950 | |
| New York, - - | 585,950 | |
| Connecticut, - - | 1,329,150 | |
| Rhode Island, - | 156,250 | |
| Massachusetts Bay, - | 1,794,950 | |
| New Hampshire, - | 312,450 | |
| | <hr/> | 10,000,000 |

Resolved, That bills be immediately drawn, under the direction of the board of treasury, on the honourable doctor Benjamin Franklin, for twenty-five thousand dollars, and on the honourable John Jay, for twenty-five thousand dollars, payable at sixty days sight ; that they be offered for sale in Massachusetts Bay, Rhode Island, Connecticut, Pennsylvania, Maryland and Virginia, in the following proportions, viz.

| | | |
|--------------------|---------|--------|
| Massachusetts Bay, | - - - - | 20,000 |
| Rhode Island, | - - - - | 3,000 |
| Connecticut, | - - - - | 8,000 |
| Pennsylvania, | - - - - | 10,000 |
| Maryland, | - - - - | 5,000 |
| Virginia, | - - - - | 4,000 |

Resolved, That the money to be raised as aforesaid, be appropriated and applied to the bringing the army into the field, and forwarding their supplies, in such manner as the exigencies and nature of the service may require.

Resolved, That the committee at headquarters be directed to expedite the drawing forth the supplies of

the states, required by the resolution of Congress of the 25th of February last, as the exigency and nature of the service may require, and the commander in chief shall judge them necessary. That, in case of any extraordinary emergency, more of any of the articles enumerated in the said resolution shall become necessary than is therein provided for, the said committee, with the advice of the commander in chief, do apply to the legislature or executive powers of any of the states aforesaid, from New Hampshire to Virginia inclusive, as may be most convenient, to have them immediately purchased at the expense of the United States, or otherwise procured on the credit of the same, if necessity shall so require.

That the said committee give directions for procuring any other articles not provided for in the said resolution of the 25th of February, which the exigency of the service may in the opinion of the commander in chief render necessary; direct the proper applications to the civil magistrates of any of the states for obtaining them, in such manner as shall not admit of delay.

That the said committee be also authorized to give assurance, where any of the aforesaid articles shall be purchased, or otherwise procured on the credit of the United States, that the just value of the same shall be paid, with interest at six per cent., as fast as money can be raised for that purpose.

That the said committee report their proceedings to Congress once a fortnight.

Resolved, That the legislatures from New Hampshire to Virginia inclusive, be requested to invest their executive authority, or some other persons, with such

powers as will enable them, on the application of the committee aforesaid, to draw forth at this critical period the resources of the state.

MAY 20, 1780.

On the report of the said committee—

Resolved, That the marquis de la Fayette be requested to make such communications as he has to offer, relative to the military operations of the fleet and army of his most christian majesty in America, to the commander in chief of the American army.

Resolved, That the commander in chief, after having received the communications of the marquis de la Fayette, take such measures for carrying on the operations of the ensuing campaign as will effectually promote the purposes mentioned in the answer given to the communications of the honourable the minister plenipotentiary of France, on the 31st January last.

Resolved, That the committee who brought in this report be requested to confer with the honourable the minister of France on the means of supplying the forces of his most christian majesty, in case of their arrival in America, and to report thereon to Congress.

Resolved, That the same committee collect the intelligence requested in the communications of the chevalier de la Luzerne; and that they be for that purpose empowered to establish correspondences with the governours of any of the United States, or such other persons as they may think proper; and that they lay such intelligence before Congress.

MAY 22, 1780.

Resolved, That the President communicate to his most christian majesty, through his minister the honourable the chevalier de la Luzerne, the grateful sense that Congress entertain of his unremitted attention to the interests of these United States, evidenced by his many great and generous efforts in their behalf; and that his minister be informed of the proceedings of Congress in consequence of his communications.

JUNE 1, 1780.

On a report of the board of war, to whom were referred a letter of 27th May, from governour Clinton, and a letter of 28th May, from president Weare—

Resolved, That a post be established at Shohekin, in the county of Ulster, in the state of New York, and maintained at the expense of the United States.

That the said garrison be under the particular direction and superintendence of his excellency governour Clinton, subject however to the orders of the commander in chief of the continental army.

That if the number of troops necessary to garrison this post cannot be conveniently spared out of those already voted by Congress, for the defence of the frontiers of the state of New York, Congress approve the employing from time to time, at the expense of the United States, such number of militia as may be sufficient for that purpose; so as that the whole em-

ployed in this service do not exceed one hundred and fifty men, with a proper proportion of officers.

Resolved, That the president and council of the state of New Hampshire be authorized to embody and maintain, at the expense of the United States, any number of men not exceeding two hundred and fifty rank and file, with a proportionable number of officers, to assist in guarding the frontiers of that state.

On the report of a committee appointed to confer with the honourable the minister plenipotentiary of France—

Resolved, That the governour of the state of Connecticut be, and he is hereby authorized to receive, on account of these United States, out of the moneys raised by that state more than sufficient to discharge the drafts heretofore made by Congress, and to comply with the requisition of Congress of the 20th of May last, or out of the bills that shall be completed and lodged in the continental loan office in that state for the use of the United States, pursuant to a resolution of Congress of the 18th of March last, one million two hundred thousand dollars of the bills now in circulation, or thirty thousand dollars of the bills last mentioned, or a proportion of each, on the application of monsieur de Corny, commissary of the troops in the service of his most christian majesty; and advance the same to him, taking his receipts to replace the same in specie in the treasury of these United States, when required by Congress; the said receipts to be transmitted to the treasury board as soon as possible.

JUNE 17, 1780.

On the report of a committee appointed to prepare a plan for the defence of the southern states,

Resolved, That the executive power of the state of Virginia be earnestly requested to order a reinforcement of five thousand militia, including any that may be now in service, to join the southern army with all possible despatch.

That the executive power of the state of North Carolina be earnestly requested to order a reinforcement of four thousand militia, including such as are now in service, to join the said army.

That it be recommended to the state of Virginia to keep in readiness an additional force of three thousand militia : and to the state of North Carolina, to keep in readiness an additional force of two thousand militia, in order to join the southern army upon the shortest notice.

That no supplies of men, and no provisions except bacon, and so much grain as the executive of the state of Virginia conceive can be spared from the southern army—they bearing in mind that the wants of the grand army are at this time extremely pressing—be removed to the northward of the state of Virginia, until the further order of Congress.

That the moneys raised for the use of the United States, in the state of Maryland, and the states to the southward thereof, be appropriated to the supply of the military chest and exigencies of the war in the

southern department, until the further order of Congress.

That the board of war be directed to take effectual measures for supplying the said department with all necessary military stores.

JUNE 21, 1780.

On the report of a committee, consisting of Mr. R. Livingston, Mr. M'Kean and Mr. Ellsworth, to whom was referred a note from the minister of France,

Resolved, That the minister of France be informed that Congress have used every means in their power to fulfil their engagements of January last; that they have apportioned the quotas of the several states, and called upon them most earnestly to complete the same; that the surrender of Charleston, and the diversion of our force to the southern department, together with the heavy loss sustained by fatigue and desertion in a long and toilsome march, have for the present considerably weakened the main army; that Congress have endeavoured to replace these deficiencies, by demanding large additional supplies of recruits and militia from the middle and eastern states, to take the field by the first of July; that their requests have been frequently reiterated in the strongest terms; that they have reason to believe that many of them are making great efforts to comply with their demand; and that they are not without well grounded expectations that the importance of the occasion will awaken all to the most vigorous exertions; that Congress have demanded from each state immediate information of the mea-

asures they have adopted in consequence of their requisition ; that they hope to be thereby enabled more fully to satisfy the wishes of the minister of France, relative to the matters contained in his memorial ; that they do full justice to the solicitude of the minister of France, for the advancement of the mutual interests of his most christian majesty and these United States, and see with pleasure, in the warmth with which he urges measures evidently calculated for the immediate advantage of these states, the intimacy of the union of the allied powers.

And whereas Congress did, in behalf of the United States, assure his most christian majesty, by their act of 31st January last, that they would bring into the field twenty-five thousand men, exclusive of officers, and at the same time solicit a naval force to co-operate against the common enemy : and whereas advice has been received from the court of France, that his most christian majesty, in compliance with the solicitations of Congress, hath not only directed a considerable naval force to repair to North America, but hath sub-joined thereto a respectable body of land forces : and whereas Congress in consequence of their engagements by their act of February last, did call on the several states to complete their quota of troops to the establishment mentioned in the said act ; which quota they have since, from the disaster of Charleston, found it necessary to increase, and have accordingly approved the requisitions of their committee at headquarters : and whereas none of the states, whose battalions were deficient, have yet sent on their recruits to complete the same, nor afforded any assurances that the

requisitions of Congress and their committee will be complied with: and whereas the execution of the above requisition will be extremely hazardous and expensive, unless the further demands of Congress and their committee, for provision, are punctually complied with: Therefore,

Resolved, That the said states be requested explicitly, and without the least delay, to inform Congress how far they may rely upon their furnishing the several supplies of men, money and provisions, called for by Congress or their committee at headquarters.

And whereas the legislatures of many of the United States are not now convened, though earnestly requested by Congress to continue their sessions, or to vest in some person such powers as would enable them on the requisition of Congress or their committee, to draw forth the military resources of the state: and whereas Congress are not fully informed whether their magistrates are so empowered:

Resolved, That the supreme executive magistrate in each state, where the legislature is not now convened, be requested immediately to inform Congress what measures they have taken, or empowered to take, in compliance with the above requisitions of Congress, in order that Congress, whose duty it is, may provide that effectual measures be taken that every state in the union contribute their quota to the common defence.

Resolved, That the executive magistrate of every state be requested to correspond weekly with the committee of Congress at headquarters, advising them of the measures actually taken from time to time in pur-

suance of the above recited requisitions of Congress and their committee.

JUNE 24, 1780.

The committee of commerce, to whom was referred a communication of the minister of France, and a letter of 18th May, from Mr. Carabasse, of Cape Francois, brought in a report: Whereupon,

Resolved, That the board of admiralty be directed to order one of the continental frigates to proceed as soon as possible to Cape Francois, and to take on board all such publick goods and stores as Mr. Carabasse may have in his hands to ship; and to proceed therewith to Delaware or Chesapeak Bay.

JULY 14, 1780.

Congress took into consideration the report of a committee on a memorial of Mr. du Simitiere; and thereupon came to the following resolution:

Whereas Pierre Eugene du Simitiere, of the city of Philadelphia, hath, with great industry, and at much expense, collected materials for a literary work to be entitled, "Memoirs and observations on the origin and present state of North America," and hath solicited Congress to grant him encouragement in preparing and publishing the same; and whereas Congress are fully satisfied that a work of this nature will greatly tend to diffuse useful knowledge—

Resolved, That for the encouragement of the said Mr. du Simitiere, in carrying on and completing his

said undertaking, it be, and it is hereby recommended to the several states, upon his application, to afford him such assistance as may be most beneficial to him, in rendering his said work complete and useful.

JULY 24, 1780.

On a report from the board of war,

Resolved, That the board of war and ordnance be authorized and directed to procure, with all possible despatch, six hundred and fifteen tons of shot for battering cannon, and nine hundred and forty-seven tons of shells, of such sizes as they shall deem proper, according to the requisitions made by the commander in chief.

JULY 25, 1780.

Resolved, That to enable the board of war to execute the authority vested in them by the resolution of the 24th, for the purpose of shot and shells, they be supplied with the sum of four millions of dollars; and that they be authorized to contract for the whole quantity of shot and shells mentioned in the resolution aforesaid, on the best terms possible; and agree on behalf of the United States, to make payment in specie, or an equivalent in the currency of these states, at such periods as shall be mutually agreed on between the said board and the manufacturers, with interest at six per cent. per annum, from such times as shall be fixed on by the said board.

That the said board be furnished with the further sum of four hundred and thirty-five thousand dollars, for the purpose of procuring the articles of military

stores enumerated in their second estimate of the 24th instant.

AUGUST 2, 1780.

On the report of a committee consisting of Mr. Henry, Mr. M'Kean, Mr. Ward, Mr. J. Jones and Mr. Ingersol, to whom was referred a letter of 13th July from the committee at headquarters—

Resolved, That the resolutions of Congress whereby the commander in chief is restricted in his operations to the limits of the United States, be reconsidered, and the restriction taken off.

On the question to agree to this, the yeas and nays having been required by Mr. Scott—

New Hampshire, Mr. Folsom, Ay. } Ay.

Massachusetts Bay, Mr. S. Adams, Ay. }
Mr. Lovell, Ay. } Ay.
Mr. Ward, Ay. }

Rhode Island, Mr. Cornell, Ay. } Ay.

Connecticut, Mr. S. Huntington, No. }
Mr. Sherman, Ay. } Ay.
Mr. B. Huntington, Ay. }

New York, Mr. Scott, Ay. } Ay.

New Jersey, Mr. Fell, Ay. }
Mr. Clark, Ay. } Ay.

Pennsylvania, Mr. Armstrong, Ay. }
Mr. Matlock, Ay. } Ay.
Mr. Ingersol, No. }

Delaware, Mr. M'Kean, Ay. }
Mr. Vandyke, Ay. } Ay.

| | | | |
|-----------------|--|-------------------------|----------|
| Maryland, | Mr. Hanson, Mr. Henry, | No. } No. } | No. |
| Virginia, | Mr. J. Jones, Mr. Madison, Mr. Walker, | Ay. } Ay. } Ay. } | Ay. |
| North Carolina, | Mr. W. Jones, Mr. Hill, | No. } No. } | No. |
| South Carolina, | Mr. Bee, Mr. Kinlock, Mr. Motte, | No. } No. } No. } | No. |
| Georgia, | Mr. Telfair, Mr. Few, | No. } Ay. } | DIVIDED. |

So it was resolved in the affirmative.

AUGUST 5, 1780.

On the report of a committee, appointed to take into consideration the state of South Carolina and Georgia,

Resolved, That the commander in chief be informed, it is the sense of Congress, the land and naval forces, as well of his most christian majesty as these United States, or such part thereof as he shall think necessary, be employed in the manner, and at the time that shall appear to him most convenient for the expulsion of the enemy from their several posts in the states of South Carolina and Georgia; and that he concert with the officers commanding the fleet and army of his most christian majesty, the proper measures for this purpose, and carry such measures into execution, so as not to interfere with any plan of operation formed against the enemy, as the more immediate objects of the present campaign.

That the commander in chief (if he shall think it necessary) concert with the proper officers and ministers, such plan of operations to be undertaken by any other of his most christian majesty's forces, or by the forces of his catholick majesty now combined in the West Indies, or to be drawn from the province of Louisiana, or elsewhere, as may either immediately, or in their effect, facilitate or assist the proper enterprise.

That Congress will, so soon as they shall be properly informed by the commander in chief, make the necessary requisition from the states for supplies, and afford every other aid and assistance in their power for promoting and effectually prosecuting the undertaking.

That the recruits now raising in the state of Virginia, for filling up their quota of continental troops, be marched as soon as possible to join the southern army under the command of major general Gates.

AUGUST 9, 1780.

Congress resumed the consideration of the report on the state of South Carolina and Georgia ;

And on motion of Mr. Walton, seconded by Mr. Bee—

Resolved, That the board of treasury be directed to prepare bills of exchange of suitable denominations upon the honourable Benjamin Franklin, minister plenipotentiary of the United States at the court of Versailles, for one hundred thousand dollars in specie.

On the question to agree to this, the yeas and nays having been required by Mr. Sherman—

| | | |
|--------------------|--|--------------------------------------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. Lovell, Mr. Ward, | Ay. } No. } DIVIDED. |
| Rhode Island, | Mr. Cornell, | Ay. } Ay. |
| Connecticut, | Mr. S. Huntington, Mr. Sherman, Mr. B. Huntington, | No. } No. } No. } No. |
| New Jersey, | Mr. Houston, | Ay. } X |
| Pennsylvania, | Mr. Armstrong, Mr. Muhlenberg, Mr. Matlock, Mr. Ingersol, | Ay. } Ay. } No. } Ay. } Ay. |
| Delaware, | Mr. M'Kean, Mr. Vandyke, | Ay. } Ay. } Ay. |
| Maryland, | Mr. Hanson, | Ay. } X |
| Virginia, | Mr. J. Jones, Mr. Madison, Mr. Walker, | Ay. } Ay. } Ay. } Ay. |
| North Carolina, | Mr. W. Jones, Mr. Hill, | Ay. } Ay. } Ay. |
| South Carolina, | Mr. Laurens, Mr. Bee, Mr. Kinlock, Mr. Motte, | Ay. } Ay. } Ay. } Ay. } Ay. |
| Georgia, | Mr. Walton, Mr. Telfair, | Ay. } Ay. } Ay. |

So it was resolved in the affirmative.

Resolved, That the bills be made payable at ninety days sight.

AUGUST 12, 1780.

On motion of Mr. Bee, seconded by Mr. Telfair—

Ordered, That the minister of France be furnished with a copy of the resolution of the 5th, respecting a plan of operations to be concerted for expelling the enemy from South Carolina and Georgia; and that he be informed that it is the desire of Congress that he will use his influence to cause such plan as the commander in chief may form, or the measures which he may recommend, to be undertaken by the forces of his most christian and catholick majesties, in consequence of the aforesaid resolves, to be carried into effect.

AUGUST 15, 1780.

Resolved, That the bills of exchange directed to be prepared by the resolution of the 9th, on the honourable Benjamin Franklin, minister plenipotentiary at the court of Versailles, to the amount of one hundred thousand dollars, specie, be filled up by the commissioner of the continental loan-office for the state of Pennsylvania, and made payable to Joseph Clay, deputy paymaster general in the southern department or order.

That the said bills be transmitted to the said Joseph Clay, to be sold at par for specie, or bills emitted agreeably to the resolution of the 18th of March last, or for other moneys, agreeably to the instructions of the board of treasury, or to be disposed of for pro-

visions and necessaries for the army, on the best terms that can be obtained, for the United States.

That the moneys arising from such sale be applied under the direction of the commanding officer in the southern department, to the purchase of provisions and other supplies absolutely necessary for the subsistence of the southern army; and that the said Joseph Clay be and hereby is required, to give regular and constant information to the board of treasury respecting the sale of the bills and the application of the moneys aforesaid; and that the aforesaid Joseph Clay, deputy paymaster general in the southern department, be charged in the treasury books with the aforesaid bills, amounting to the sum of one hundred thousand dollars, specie.

AUGUST 19, 1780.

On a report of the board of treasury, to whom was referred a letter of 15th from governour Rutledge—

On motion,

Resolved, That the board of admiralty be and hereby are directed, to ordered the Saratoga to sail immediately; and to obey such orders, and take charge of such despatches, as they may receive from the committee of conference with the minister of France.

AUGUST 23, 1780.

On a report of the board of treasury, to whom was referred a report of the board of war,

Resolved, That the board of treasury be and hereby are empowered to direct Thomas Smith, commissioner of the continental loan office for the state of Pennsylvania, to sell, under their direction, for specie, the bills ordered to be drawn on the honourable J. Jay, which were reserved for the use of the prisoners of war of the United States, amounting to seventy-one thousand three hundred and fifty dollars, specie.

That one half of the specie aforesaid be applied, under the direction of the board of war, for the purpose of supplying the prisoners of war in the states of South Carolina and Georgia.

That the other half of the specie aforesaid, be forwarded, under the direction of the board of war, to the commissary of prisoners, in the middle department, for the supply of the prisoners at New York.

That the board of treasury be and hereby are empowered, to prepare bills of exchange to be drawn on the honourable Benjamin Franklin, minister plenipotentiary at the court of Versailles, at ninety days sight, to the amount of one hundred and fifty thousand dollars, specie, the amount of the estimate from the board of war. That so much thereof as will complete the estimate of the board of war, be sold for specie, and forwarded to the commissaries of prisoners in the middle and southern departments, under the same regulations, and for the same purposes as aforesaid; the residue of the one hundred and fifty thousand dollars to replace the seventy-one thousand three hundred and forty [fifty] dollars aforesaid, be reserved for the special direction of Congress.

AUGUST 30, 1780.

Resolved, That bills of exchange on Europe be prepared by the board of treasury, to be drawn on the honourable Benjamin Franklin, to the amount of twenty-nine thousand one hundred and five dollars, specie; and that the same bills be transmitted to John Bradford, to be by him paid to John Garcia Duarte, in full payment of the eighteen thousand four hundred forty-one pounds thirteen shillings and four pence, due to him in continental money on the 11th May, 1778.

SEPTEMBER 29, 1780.

On motion of Mr. Matlock, seconded by Mr. Houston—

Resolved, That it be recommended to the states respectively to supply their delegates with money for their support by other means than drawing on the treasury of the United States, except only such cases as may render that mode indispensably necessary.

OCTOBER 2, 1780.

On motion of Mr. Henry, seconded by Mr. S. Adams,

Resolved, That bills of exchange be drawn on the honourable Henry Laurens, to the amount of ten thousand pounds sterling, and on the honourable John Jay, minister plenipotentiary of the United States, at Madrid, to the amount of ten thousand pounds sterling.

payable at 90 days sight; and that out of said bills the debts due to Messrs. Freney and company be discharged; and the amount of seven thousand pounds sterling, advanced by Mr. W. Bingham, in part payment of his account as agent of the United States.

OCTOBER 4, 1780.

A letter from governour Jefferson being read—

Resolved, That the same be referred to the board of war; and

That so much of the twenty thousand pounds sterling, directed by a resolution of the 2d to be drawn on the honourable John Jay and the honourable H. Laurens, as shall remain after discharging the debts due to Tracy and Co. and advancing seven thousand pounds sterling to W. Bingham, be appropriated to the providing and transporting arms for the troops raising in Virginia for continental service.

OCTOBER 21, 1780.

A letter of 10th from governour Jefferson was read :
Whereupon,

Resolved, That the reasons assigned by his excellency governour Jefferson, for inviting Ocanostota and a few other principal warriors of the Cherokee nation to visit Congress, and the commander in chief and army, are wise and prudent; and that governour Jefferson's letter, with the papers enclosed, be referred to the board of war, who are directed to take order

for the accomodation of the said chiefs on their arrival.

OCTOBER 25, 1780.

The committee, consisting of Mr. Cornell, Mr. Matlock, Mr. Houston, Mr. Duane, and Mr. Henry, report—

That from the report of the board of war of the 16th September, referred to them, it appears that the troops are again in danger of suffering distress from the want of clothing; and that Congress are called upon to make every possible exertion to prevent a calamity which may be productive of the worst consequences. That from the returns of the clothier general of the 1st June last, referred to in the report of the board of war, it appears that there were in the store one thousand one hundred and ninety-six coats, two thousand and twenty-seven vests, five hundred and eighty-six woollen, nine hundred and seventy-one leathern, and one thousand two hundred and fifty-six drilling and linen breeches, and twenty-four thousand six hundred and forty-five pair of shoes. That from an examination of different returns of the agents, the committee are of opinion there is a quantity of made shirts, and linen on hand sufficient in the whole for thirty-five thousand shirts; and that there are also on hand fourteen thousand blankets; but what part of the articles mentioned in the said returns are since expended, the committee are uninformed.

That it appears from the abovementioned report of the said board, that they know of no addition to the

quantities of clothing specified in the clothier general's return, except the articles agreed for by Otis and Henly, with monsieur Tracy and Co., which lie at Boston, and cannot be made use of, for want of money to pay the workmen; and except a small quantity of clothing arrived in the French fleet, which they are informed is sent off to headquarters, the quantity or species they are unacquainted with; but that the whole stock of clothing on hand will bear a small proportion to the quantities requisite. That from an estimate made by Otis and Henly, the goods purchased from them will make up two thousand three hundred suits of clothes, four thousand six hundred and fifty vests, and two hundred and sixty-seven pair of cloth breeches, exclusive of their contract for three hundred pair of leather breeches.

The committee find that Mr. de Beaumarchais, under the name of Roderique Hortalez and Co. did, in the month of May, 1777, lade on board of the ship *La Therese*, at Nantes, a large quantity of clothing for the United States, consigned to Mr. Carabasse, the correspondent of Mr. de Beaumarchais, at Cape Francois, in the island of St. Domingo. That part of the said clothing has, from time to time, been shipped by Mr. Carabasse in different small vessels consigned to the agents of Congress, most of which, it is said, have safely arrived in North and South Carolina.

That it further appears to the committee, that there still remains in the hands of Mr. Carabasse a considerable part of the said clothing, viz. ninety-eight bales of woollen cloths, fifty-five bales of thin woollen cloths, seventy bales of white linen, twenty-five bales of worst-

ed hose, twenty-three bales of blankets, twenty bales of worsted caps, and a quantity of buttons, silk, thread, and trimmings. That by a letter from Mr. Carabasse, of the 18th May, it appears, that it was not in his power to remit the said goods for want of vessels; and that he is very importunate to be reimbursed for his advances on account of the United States: Whereupon,

Resolved, That the board of admiralty be, and hereby is directed to despatch one of the continental frigates, as soon as can be done with any prospect of safety, to Cape Francois, for the clothing and other publick effects now in the care of Mr. Carabasse; and to bring the same into such port as the said board shall judge to be most safe and convenient. That it be referred to the commercial committee to report the ways and means for reimbursing Mr. Carabasse the money he has advanced for the United States.

NOVEMBER 1, 1780.

A letter of this day from major general Greene was read: Whereupon,

Resolved, That Congress will cause bills of exchange to be drawn on the minister of these United States at the court of Versailles, at ninety days sight, to a sufficient amount to pay for five thousand suits of clothes for the southern army; provided the same can be obtained upon reasonable terms.

On the question to agree to this, the yeas and nays having been required by Mr. Lovell—

| | | |
|-----------------|---|-----------------------------|
| Massachusetts, | Mr. Lovell, Mr. Ward, | No. } No. } No. |
| Rhode Island, | Mr. Cornel, | Ay. } Ay. |
| Connecticut, | Mr. S. Huntington, | Ay. } Ay. |
| New Jersey, | Mr. Fell, Mr. Clark, | No. } Ay. } DIVIDED. |
| Pennsylvania, | Mr. Ingersol, Mr. Matlock, | Ay. } No. } DIVIDED. |
| Maryland, | Mr. Plater, Mr. Hanson, Mr. Henry, | Ay. } Ay. } Ay. Ay. } |
| Virginia, | Mr. Madison, Mr. Walker, Mr. Bland, | Ay. } Ay. } Ay. Ay. } |
| North Carolina, | Mr. W. Jones, Mr. Hill, Mr. Sharpe, | Ay. } Ay. } Ay. Ay. } |
| South Carolina, | Mr. Matthews, Mr. Bee, Mr. Motte, | Ay. } Ay. } Ay. Ay. } |
| Georgia, | Mr. Walton, Mr. Few, Mr. Howly, | Ay. } Ay. } Ay. Ay. } |

So it was resolved in the affirmative.

Ordered, That a committee of three be appointed to inquire upon what terms a contract can be made for the purpose abovementioned ; and that the committee be directed also to inquire on what terms the same can be procured, on condition to be paid for in specie at the end of one year after the war, with an interest of

six per cent. per annum, in specie, in the mean time; or in tobacco, to be delivered in Virginia or Maryland.

The members—Mr. Hanson, Mr. Cornell, Mr. Matlock.

NOVEMBER 7, 1780.

On the report of a committee to whom was referred a letter of the 7th, from general Washington—

Resolved, That general Washington be and hereby is authorized and instructed, to effect an exchange of all continental prisoners of war, and now in possession of the enemy, and of the hostages given in Canada, as well as of all officers on parole, and officers violators of parole, and militia actually taken in arms and remaining prisoners of war, for an equal number of the convention troops and other prisoners in our hands, rank for rank; and where similar rank will not apply, to pursue the exchange on the footing of composition, according to the valuation or tariff, agreed on by the commissioners at Amboy in March last.

That the exchange of officers next in rank to such as cannot be exchanged on the principle of equality be considered and made on the principles of composition.

That all prisoners taken by the American forces in the northern department, and permitted to return home on parole, be considered and exchanged agreeably to their rank and order of capture.

That the expense incurred for removing and supporting the convention troops, from the time of their capture, be adjusted by commissioners to be appoint-

ed for effecting the said exchange ; and the balance, after deducting the expense due for support of our prisoners in the hands of the enemy, paid prior to the exchange of any part of the said troops.

That general Washington empower the commissioners appointed on his part, in case any dispute should arise respecting the support of the convention troops, to submit the same to some proper arbitrating power for determination, and to give hostages as a security to refund, in case any part thereof shall be adjudged to have been overpaid. But in case the commissioners which may be appointed by the British commander in chief will not accede to the above terms, the commissioners appointed by general Washington may propose to them the exchanging the said troops without payment of expense, upon their submitting the same as aforesaid, and giving hostages for securing the payment of such sums as may be adjudged justly due.

That all officers be exchanged according to the rank they held at the time of capture ; and such of the military as have no regimental rank, by composition, to be settled by the commissioners.

That a brigadier general be exchanged with each division of the convention troops, one major general with the first, and one with the last divisions ; and that lieutenant general Burgoyne be included in and exchanged with the second division, as his remaining to be exchanged with the third or last is altogether un-military and inadmissible.

That hostages be mutually given as a security that the convention troops, and those received in exchange

for them, do not bear arms prior to the first day of May next.

That general Washington be informed it is not the sense of Congress to make this last article an ultimatum, unless from the present state of our army, the improbability of his being joined by the French troops, or other circumstances, he shall be convinced that the convention troops will, by the exchange, be put in a situation to act with the British army at the southward prior to our having an equal force in readiness to oppose them.

On passing this last clause, the yeas and nays having been required by Mr. Willie Jones—

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|--------------------|---|----------------------------------|----------|
| Massachusetts Bay, | Mr. S. Adams, Mr. Ward, | Ay. } Ay. } | Ay. |
| Connecticut, | Mr. S. Huntington, | Ay. | > Ay. |
| New York, | Mr. Duane, | Ay. | > Ay. |
| New Jersey, | Mr. Fell, Mr. Clark, | Ay. } No. } | DIVIDED. |
| Pennsylvania, | Mr. Ingersol, | Ay. | > Ay. |
| Maryland, | Mr. Plater, Mr. Hanson, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Madison, Mr. Bland, | Ay. } Ay. } | Ay. |
| North Carolina, | Mr. W. Jones, Mr. Sharpe, | No. } No. } | No. |
| South Carolina, | Mr. Matthews, Mr. Bee, Mr. Kinlock, Mr. Motte, | Ay. } Ay. } Ay. } Ay. } | Ay. |

| | | | |
|----------|-------------|-------|-------|
| Georgia, | Mr. Walton, | Ay.) | } Ay. |
| | Mr. Few, | Ay.) | |
| | Mr. Howly, | Ay.) | |

So it was resolved in the affirmative.

Resolved, That the commander in chief be directed to insist upon the exchange of those persons, prisoners of war under the capitulation of Charleston, alluded to in the order of the 23d day of September last.

NOVEMBER 9, 1780.

A circular letter to the states, accompanying the resolutions and requisitions of 4th November :

SIR,

Fully convinced of our inability to obtain the grand object of the federal union without the vigorous exertions of the several states, we have thought it our duty to make the requisitions contained in the enclosed resolutions; and we wish our constituents to be impressed with the necessity of a speedy and punctual compliance. For although, by the blessing of Providence, we have been conducted thus far in the war with a powerful and enraged enemy, yet the events of the present year have not enabled us to speak the language of triumph. This indeed may be attributed to a variety of causes; but we cannot refrain from observing, that the unpunctuality of the states in their supplies of men, money, and provisions, is not one of the least. It is unnecessary to point out the publick wants and distresses. They are too well known, too generally felt. Hitherto the war has been carried on

principally by emissions of paper money. This being depreciated, and Congress having, in compliance with the general inclination and voice of their constituents, resolved to stop further emissions, we are compelled to call upon the states for taxes and specifick supplies.

An opinion seems to prevail, that foreign loans can be obtained; and we perceive with regret that some are disposed to place too great reliance on this source. Duty compels us to be explicit with our constituents on a subject of such interesting importance. Every effort has been made for the purpose of procuring loans, but without sufficient success to justify a relaxation of our own most vigorous exertions.

It is to be observed, that a powerful armed neutrality appears to be formed in Europe, determined to support the freedom of commerce. Should overtures of peace be the result of a convention of the neutral powers, is it not our interest, is it not our indispensable duty, to be prepared for such an event? Our object is of the greatest magnitude—the security, freedom and independence of the United States; and experience evinces that no nation can promise itself a safe and honourable peace which is not in condition to maintain a war with vigour. We are confident there is no want of ability in the states to do this. Can arguments then be necessary to call forth every internal resource, which may contribute to put a happy period to the war? Is it not high time to expel from our country an enemy, whose progress is marked with blood and desolation, and whose successes inspire them only with redoubled vengeance.

The estimates may appear large, but we conceive them to be absolutely necessary. To the utmost of our power we have endeavoured to correct abuses in the publick expenditures. We have called for the aid of the respective executives. Again we recommend this essential object to their attention. Nothing on our part shall be wanting which may contribute to promote the strictest economy in dispensing the supplies now required. We have only to add our earnest desire that no time may be lost; and should the legislature of your state not be in session on the receipt of this letter, that it may be immediately convened.

By order, and on behalf of the United States in Congress assembled.

JANUARY 1, 1781.

A report on a letter of 23d August last, from Mr. J. Adams, being read and recommitted—

A motion was made by Mr. Madison, seconded by Mr. Bee,

That so much of the letter from Mr. Adams as relates to the probable operations of the enemy against the southern states be transmitted to the commander in chief.

And that he be informed it is the desire of Congress, that he should immediately make such distribution of the forces under his command, including those of our allies under the count Rochambeau, as will most effectually counteract the views of the enemy, and support the southern states.

A motion was made by Mr. Sharpe, seconded by Mr. Varnum, to strike out the latter clause, "And that he be informed," &c. And on the question, Shall that clause stand, the yeas and nays being required by Mr. Howly—

| | | |
|--------------------|-----------------|-----------|
| New Hampshire, | Mr. Sullivan, | No. } No. |
| Massachusetts Bay, | Mr. Ward, | No. } × |
| Rhode Island, | Mr. Varnum, | No. } No. |
| Connecticut, | Mr. Huntington, | Ay. } No. |
| | Mr. Root, | No. } No. |
| | Mr. Wolcott, | No. } No. |
| New York, | Mr. Floyd, | No. } No. |
| Pennsylvania, | Mr. Montgomery, | No. } No. |
| | Mr. Clymer, | No. } No. |
| Virginia, | Mr. Madison, | Ay. } Ay. |
| | Mr. Bland, | Ay. } Ay. |
| North Carolina, | Mr. Burke, | No. } No. |
| | Mr. Sharpe, | No. } No. |
| | Mr. Johnston, | No. } No. |
| South Carolina, | Mr. Matthews, | No. } Ay. |
| | Mr. Bee, | Ay. } Ay. |
| | Mr. Motte, | Ay. } Ay. |
| Georgia, | Mr. Walton, | Ay. } Ay. |
| | Mr. Few, | No. } Ay. |
| | Mr. Howly, | Ay. } Ay. |

So it passed in the negative, and the clause was struck out.

It was then moved by Mr. Burke, seconded by Mr. Sharpe, in lieu of the words struck out to insert

“And that he be desired to give his opinion to Congress on the expediency of ordering the forces of his most christian majesty now at Newport, in Rhode Island, to take post in Virginia”—

Which was agreed to. And on the question—

Ordered, That so much of the letter from Mr. Adams as relates to the probable operations of the enemy against the southern states be transmitted to the commander in chief; and that he be desired to give his opinion to Congress on the expediency of ordering the forces of his most christian majesty now at Newport, in Rhode Island, to take post in Virginia.

JANUARY 4, 1781.

On the report of a committee to whom was referred a memorial of Peter January—

Resolved, That a passport be given to Peter January to enable him to go to Ireland, and to bring his property from thence to America; he finding security to engage in no trade further than what is necessary to the transportation of his property now in that kingdom.

JANUARY 5, 1781.

On the report of a committee to whom was referred a letter from J. M'Combe—

Resolved, That bills of exchange on the minister plenipotentiary of these United States at the court of

Versailles for twelve hundred pounds sterling, payable at ninety days sight, be prepared by the board of treasury, and delivered to the board of war, and negotiated, for purchasing under their direction, clothing for the New Jersey line.

JANUARY 16, 1781.

It being represented to Congress by the delegates of South Carolina and Georgia, that all the treasury and publick papers belonging to those states were deposited some time since in Virginia; and they have reason to apprehend they may be in danger of falling into the enemy's hands: Therefore,

Ordered, That on the application of the delegates aforesaid, a warrant issue in their favour on Thomas Smith, commissioner of the continental loan office for the state of Pennsylvania, for twenty thousand dollars of the old emissions, to enable them to remove the said publick papers to some place of greater security; and for which sum the said states are respectively to be accountable—South Carolina for two thirds, and Georgia for one third of the said sum.

JANUARY 18, 1781.

A report from the board of war was read.

Ordered, That it be recommitted to the board; and that they take order for having imported from France with all convenient speed the brass howitzers mentioned in brigadier general Knox's letter of 27th December.

JANUARY 29, 1781.

Resolved, That the clause in the act of Congress of the 5th, which directs “that the board of admiralty “issue orders not to exchange any British sea officers “or seamen, until the enemy shall have returned to “some of their garrisons in America, such seamen as “they have taken upon the American coasts and sent “to Great Britain, or other parts beyond sea,” be and is hereby repealed.

FEBRUARY 19, 1781.

On motion of the delegates of Virginia—

Ordered, That the quartermaster general transport to fort Pitt four tons of powder, to be delivered to the order of the state of Virginia; and for which the said state is to be accountable. That the expense of such transportation be charged to the said state; and that a warrant be issued by the board of treasury in favour of the said quartermaster general, on the treasury of Virginia, for twelve hundred dollars, in bills emitted pursuant to the resolution of 18th March last, for which the said state is to be credited.

FEBRUARY 20, 1781.

Ordered, That a committee of three be appointed to draft a letter to the commander in chief, informing him of the arrival of the enemy's reinforcement in North Carolina; and requesting him to confer with

the naval and land commanders of his most christian majesty's forces at Rhode Island; and if it shall appear, that the loss sustained by the British navy in the late storm has rendered the French naval force superior, that he urge the necessity of sending the French forces to the southward.

FEBRUARY 28, 1781.

On motion of Mr. M'Dougall, seconded by Mr. Bland—

Whereas it is the policy of all wise nations to discourage extravagance and promote economy in their publick officers, and an attention to this policy is indispensably necessary in republicks; and whereas it is improper for the officers of the army or navy of these states to manifest the least disposition to imitate the enemy in any respect which will not promote the service of these states, especially to wear the uniform of the enemy's army or navy:

Resolved, That after the first day of January next, no officer whatsoever, in the service of the United States, shall in any of them wear on his clothes any gold or silver lace, embroidery, or vellum, other than such as Congress or the commander in chief of the army or navy shall direct for the uniform of the corps, and badges to distinguish officers.

Resolved, That after the said first day of January next, no officer of any description in the army or navy of the United States, or any other officer in their service, shall wear any uniform usually worn by the British army or navy.

MARCH 8, 1781.

IN COMMITTEE OF THE WHOLE.

On the subject of finance.

Papers read.—The letter of T. Pickering, quartermaster general, March, 3, 1781, on the subject of salary and certificates, payable in specie or other money equivalent.

Resolution, August 23, 1780, respecting issuing certificates.

“ Sept. 25, Explaining *equivalent*.

“ “ 26, Reconsidered.

“ Nov. 22, Recommended.

MARCH 9, 1781.

IN COMMITTEE OF THE WHOLE.

Resolved, That all debts now due from the United States, which have been liquidated in specie value, and all debts which have been or shall be made payable in specie, or other money equivalent, shall be actually paid, either in specie, or in other money equal thereto, according to the current exchange between such money and specie.

That it be and is hereby earnestly recommended to the several states, to amend all laws making the bills of credit emitted under the authority of Congress, a legal tender, so that such bills shall not be a tender in any

other manner than at their current value compared with gold or silver.

MARCH 10, 1781.

IN COMMITTEE OF THE WHOLE.

Resolved, That the states be immediately called upon to furnish for the publick expense, and carrying on the war, their proportions of one million five hundred thousand dollars, quarterly; the first quarterly payment to be made on the first day of June next.

MARCH 13, 1781.

IN COMMITTEE OF THE WHOLE.

Resolved, That in the discharge of *all* this requisition, as well as those made by Congress
Amended. on the 26th August and the 4th November, on the states, for defraying the expenses of the war, except those for sinking the bills emitted by Congress prior to the 18th March, the bills of credit emitted pursuant to the said resolutions of the 18th of March last, shall be received at the treasury of the United States as equal to and in lieu of the like sum of specie, whether the same shall have been issued by the states paying them, or by any other state; and that interest be computed thereon in favour of the states from whom such bills shall be received, to the time assigned for discharging the several requisitions respectively.

MARCH 14, 1781.

IN COMMITTEE OF THE WHOLE.

Resolved, That the certificates issued by the commissary and quartermaster general, under the authority of Congress, in pursuance of the resolution of 23d August last, to be paid in specie or other money equivalent, shall be received from the states within which the same shall have been issued, towards the discharge of their quotas respectively; and that interest be computed thereon in favour of such states to the time assigned for discharging such quotas.

That the respective states make exact returns to the board of war by the first day of June next, of all articles by them supplied, agreeably to the resolution of the 25th day of February, 1780.

That the United States in Congress assembled will then call upon the deficient states for the full amount of their deficiencies in value, to be paid into the treasury of the United States by the first day of September, 1781; and the product thereof shall be appropriated to make good the deficiency that may arise by receiving the certificates of the commissary and quartermaster general, in payment of taxes for the current year; but if there shall happen to be an overplus, it shall be credited in a just proportion to the states in advance toward their payment of the last quarterly tax for the current year.

APRIL 7, 1781.

IN COMMITTEE OF THE WHOLE.

Mr. Matthews in the chair.

Resolved, That there ought to be one general currency in bills of credit in these United States, in aid of the circulating medium in specie, to enable the United States in Congress assembled effectually to prosecute the present war.

SUNDAY, APRIL 8, 1781.

The United States in Congress assembled having received intelligence that an embarkation of a body of troops is in forwardness at New York, the object of which is the taking possession of the neck of land lying between the head of the Chesapeake Bay and the river Delaware, whereby all the stores and provisions on the peninsula may fall into the hands of the enemy, unless immediately removed—

Ordered, That the board of war take immediate measures for the removal of the publick stores within the said peninsula; and that it be and is hereby recommended to the executives of the states of Delaware, Maryland, and Virginia, to take the like measures with respect to all the provisions and forage belonging to the said states respectively, or to the citizens thereof, which will not be necessary for the consumption of the inhabitants.

APRIL 18, 1781.

The committee, consisting of Mr. Duane, Mr. Sharpe, and Mr. Wolcott, appointed to estimate and state the amount of the debts due from the United States, with the necessary estimates for the current year, as near as can be done, in order that the same may be laid before the respective legislatures, report,

That they have attended to this business ; but from the unsettled condition of the publick accounts they can only give a general view of the publick debts.

[See next page.]

| | Dollars: | An. Interest. |
|---|-------------------|---|
| Brought forward | 3,481,972 | 736,528 $\frac{60}{96}$ |
| Supplies by them purchased and sent over, for which payment has not been made, and of which no exact returns have yet been obtained, together with expenses of commissioners and ministers abroad, estimated at | 1,518,028 | 360,000 |
| | <u>6,000,000</u> | - |
| | 18,275,478 | - |
| Deduct for depreciation on money borrowed from 1st Sept. 1777, to 1st March, 1778 | - | 883,914 |
| Principal sum specie (Carried forward) | <u>17,391,564</u> | <u>An. Interest 1,096,528$\frac{2}{3}$</u> |

| | Dollars. |
|--|------------------|
| Brought forward | 17,391,564 |
| Due to the army for pay and subsistence, up to the last of December, 1780, estimated | - - - 1,000,000 |
| | <hr/> 18,391,564 |
| Due to the civil officers of government | 98,927 |
| Besides the above, there are large debts contracted by the quartermaster and commissary, for part of which they have settled with the persons who have furnished the supplies, and given them certificates, bearing interest, viz : The late quartermaster has returned debts settled | 20,758,850 |
| | <hr/> 20,857,777 |
| Carried forward | <hr/> 18,391,564 |

Brought forward
 Unsettled, (excluding those con-
 tracted in North Carolina, South
 Carolina and Georgia) estimat-
 ed at
 The present quartermaster has not
 made returns; but as it is well
 known that he has not been sup-
 plied with money, whatever exer-
 tions have been made or supplies
 furnished in that department must
 have been on credit. It is to be
 presumed that the debts by him
 contracted up to 1st Jan. 1781,
 amount in specie to

| | Dollars. |
|-----------------|------------|
| 20,857,777 | 18,391,564 |
| 27,149,870 | |
| - - - - - | 500,000 |
| 48,007,647 | 18,391,564 |
| Carried forward | |

| | | | |
|---|-------------------|----------|---|
| Brought forward | 48,007,647 | Dollars. | 18,891,564 |
| The commissary of purchases has made returns of debts due in his department amounting to - | 11,388,903 | | |
| To this is to be added what yet remains of the old currency undecreed, suppose - | 160,000,000 | | |
| To which may be added for navy debts, &c., for debts due in the departments of the board, of the commissary general of military stores and the clothier general, estimated at - | <u>10,702,377</u> | | |
| Total in continental at 75 for 1 | 230,000,000 | is | 3,066,666 $\frac{2}{3}$ |
| To which added the new money issued in lieu of the old which is called in and destroyed | - - - | - - - | 2,000,000 |
| Total debts in specie | | | <u>24,057,157$\frac{2}{3}$</u> |

The distresses of the army for want of provisions, and their uneasiness and dissatisfaction for want of pay, have been so great and so notorious, and the clamours of publick creditors so loud, that it is become necessary to state the measures which Congress have pursued, and the steps they have taken from time to time to support the war, to provide for publick exigencies, and to guard against the dangers and embarrassments with which we are now threatened for want of timely supplies of money.

It cannot be forgotten that these United States were plunged into a war, and that an army was drawn together before any money was provided, or funds established for defraying the expense thereof. Arms, ammunition and implements of war were all to be procured, as well as provisions, subsistence, and pay for the troops, suddenly called forth to oppose an enemy already in the heart of our country, and in possession of one of our capital towns. In this situation of affairs Congress met in **May, 1775**. They had no resource from whence to derive present supplies but that of emitting bills of credit, redeemable at a future day. This was an expedient which was well known, and had often been practised to good effect in the several colonies. Accordingly, on the 22d of June, 1775, they agreed to emit bills of credit to the amount of two millions; and on the 25th of July following increased the sum to three millions of dollars;—for the redemption of which they pledged the confederated colonies; and directed each colony to provide ways and means to sink its proportion or quota, which was then ascertained, in such manner as would be most effectual and

best adapted to the condition, circumstances and equal mode of levying taxes in such colony, in four annual payments; the first to be made on or before the last of November, 1779, before which time it was hoped the contest might be brought to a conclusion. On the 29th of November following, an estimate having been formed of the publick expenses already arisen, and which might accrue in the defence of America, to the 10th of June, 1776, Congress resolved to emit a further sum of three millions of dollars, to be redeemed as the former, by four annual payments, the first to be made on or before the last day of November, 1783. It was at the same time resolved, that the proportion or quota of each respective state should be determined according to the number of inhabitants of all ages, including negroes and mulattoes in each colony; and for this purpose it was recommended to the several assemblies, &c. to ascertain by the most impartial means in their power the number of inhabitants in each respective colony, and make returns thereof to Congress as soon as possible.

At this time a hope was still entertained that an accommodation would take place, and that hostilities would soon cease. But having received advice, in the winter following, that Great Britain had contracted for a large body of Hessians, and other German mercenaries, which were to be sent over to subdue America, Congress found it necessary to make suitable preparations, which consequently increased the expense; and therefore, on the 17th of February, they ordered four millions of dollars to be emitted on the same security

as the former sums ; and on the 9th of May following, emitted five millions more on the like security.

The powerful fleet and army sent against America in the summer of 1776, and the professed design of Great Britain to subdue by force, or to bring the colonies to unconditional submission, obliged Congress to declare Independence, and to call in the aid of militia, and consequently increased the expense ; and therefore, on the 22d July, they emitted five millions more.

But as it was foreseen that such repeated issues of bills of credit would increase the quantity to too great a degree, and consequently occasion their depreciation, it was resolved on the third of October following to borrow five millions of dollars ; and in November, a lottery was set on foot for raising a further sum on loan.

As the governments of the several states were not yet sufficiently organized and in vigour, and as the expenses of arraying and equipping the militia were great, and the resources from commerce cut off, it was not thought proper to proceed to taxation. And as neither loans nor the lottery were sufficiently productive, necessity compelled to further emissions of bills of credit. By this means the paper currency being multiplied, began to depreciate. It was therefore resolved on the 10th of September, 1777, to prepare an earnest recommendation to the states to proceed to taxation. The invasion of Pennsylvania, and the removal of Congress from Philadelphia, prevented this from being done as soon as might have been wished ; but on the 22d of November, 1777, it was recommended to the states to raise by taxes, for the service of the year 1778, the sum of five millions of dollars, and

to pay the same into the publick treasury in four quarterly payments. Previous to this it had been resolved to borrow larger sums; and to encourage the money holders to lend, it was agreed to pay the interest by bills of exchange drawn on our commissioners in France.

Unfortunately the tax failed, and the sums obtained from loans were greatly inadequate to the expenditure: consequently more money was emitted; and notwithstanding the favourable turn in our affairs in 1778, depreciation increased with amazing rapidity.

At the close of the year, 1778, the sums emitted and borrowed amounted to about one hundred and eight millions. Congress, anxious to put a stop to any farther emissions, and to provide a fund for redeeming what was issued, called upon the states on the first of January, 1779, to pay into the continental treasury their respective quotas of fifteen millions of dollars for the service of that year, and of six millions annually, from and after the year 1779, as a fund for sinking the emissions and loans to the 31st of December, 1778; and on the 21st of May following, in addition to the above, on account of the great depreciation of the paper, the states were called on to furnish for the service of the year 1779, their respective quotas of forty-five millions—the whole to be paid into the continental treasury before the first of January, 1780. A compliance with these requisitions would not only have answered the necessary exigencies of the year, but would have arrested depreciation in its progress. But as these were not complied with in due time, and as the demands of the publick were pressing and constant.

the prospect of future taxes served only as a stimulus to urge those who had in their possession the supplies and necessaries wanted, to enhance the price, in order to pay their taxes with greater ease : while at the same time the publick treasury, receiving no recruit from taxes, was from time to time replenished with new emissions ; and from these causes combined, depreciation, instead of receiving a check, proceeded with redoubled vigour.

As the failure of the states was attributed to their not having received the requisitions in due time, Congress resolved in future to remedy that defect ; and therefore, early in the fall of 1779, took into consideration the means of providing for the ensuing year ; and on the 6th of October, accommodating themselves to the depreciation as it then stood, and still flattering themselves that the taxes already called for, if duly collected, would stop it where it was, and answer demands on the publick till February following, they called upon the states to pay into the publick treasury on the first day of February, 1780, and on the first day of each succeeding month, to the first of October inclusive, their respective quotas of fifteen millions.

It should be observed that on the first of September, 1779, the sum emitted and in circulation amounted to one hundred and fifty-nine millions nine hundred and forty-eight thousand eight hundred and eighty dollars ; and as there was a general outcry on account of the depreciation and the floods of money emitted, Congress resolved that they would on no account whatever emit more bills of credit than to make the whole amount of such bills two hundred millions. And as

forty millions fifty-one thousand one hundred and twenty dollars remained to complete the two hundred millions, they on the 3d of the same month resolved that they would emit such part only of the said forty millions fifty-one thousand one hundred and twenty dollars as should be absolutely necessary for the publick exigencies, before adequate supplies could be otherwise obtained, relying for such supplies on the exertions of the several states.

This was represented to the states in an address dated the 13th September; and they were earnestly entreated not to leave Congress without supplies, nor to let in that flood of evils which would follow from such a neglect. Notwithstanding this earnest address and representation, Congress were compelled by necessity to issue the remainder of the two hundred millions; and the army was in such extremity for want of provisions, that the commander in chief was reduced to the sad alternative, either to suffer it to disband, or to collect supplies by military force. He preferred the latter, and the inhabitants of New York and New Jersey, though they felt the injury, saw the necessity, and patiently submitted.

To prevent the like evils in future, Congress, on the 25th of February, 1780, called on the states forthwith to procure their respective quotas of supplies in enumerated articles for the ensuing campaign. And as by the continual depreciation of the continental currency, the community was suffering great injustice, the publick finances were deranged, and the necessary dispositions for the defence of the commonwealth much impeded and perplexed, they on the 18th of

March, 1780, recommended that the fifteen million monthly tax should be continued from October to April, 1781, inclusive; and that thirteen of those monthly quotas, namely, from March, 1780, to April, 1781, both inclusive, should be applied solely to redeem or sink the old money, which was to be cancelled and burned as fast as brought in; and in lieu thereof, new money was to be emitted in the proportion of one of the new for twenty of the old; so that when the whole two hundred millions were drawn in and cancelled, ten millions new money would be thrown into circulation; of which four tenths were to have been subject to the order of Congress, and the other six tenths to belong to the several states. The effects of this resolution, if it had been punctually executed according to the intention of Congress, would have been—1st. The cancelling the old money; 2d, reducing the currency to a more fixed standard; 3d, supplying the states with money to purchase the supplies required from them by the act of the 25th February; and 4th, enabling Congress to pay the army, discharge the principal debts already contracted, and to provide for the exigencies of the ensuing campaign. But as this was not done, Congress was again driven into temporary expedients.

The enemy knew our situation, and were exerting their utmost efforts to take advantage of it. The southern states were invaded. A descent was threatened on New Jersey. The posts on Hudson's river were in danger.

In order to put the army in motion, Congress were obliged to raise money by drawing bills on their minis-

ters abroad ; although they had not sufficient assurances that those bills would be honoured. On the 19th May, Congress called upon the states, from New Hampshire to Virginia, both inclusive, to collect and pay into the publick treasury, in thirty days, ten millions continental currency, part of the sum required to be paid last year. The states, in order to comply with this, pressed the collection of taxes, which occasioned such a clamour from those who had furnished supplies on credit, that on the 27th of the same month Congress recommended to the legislatures of the several states to empower the collectors of continental taxes due before the 1st March, 1780, to receive in payment thereof the notes or certificates which had been given by the quartermaster and commissary of purchases for such supplies.

Until the opening of this campaign, the army had borne their sufferings with unparalleled patience and perseverance. What pay they had hitherto received had been chiefly depreciated money. Congress had not been unmindful of their sufferings and faithful services. As early as September, 1776, they had resolved to make provisions for granting lands in certain proportions to the officers and soldiers who would engage in the service, and continue therein to the close of the war, or until discharged by Congress, and to the representatives of such officers and soldiers as might be slain by the enemy. On the 15th of May, 1778, they resolved unanimously that all military officers commissioned by Congress, who then were, or thereafter might be, in the service of the United States, and continue therein during the war, should, after the conclu-

sion thereof, receive annually for the term of seven years, if they lived so long, one half of the pay then established for such officers, with a proviso, that general officers should not receive more than the half pay of a colonel; and it was also resolved, that non-commissioned officers and soldiers enlisted for the war should, at the expiration thereof, receive a reward of eighty dollars.

On the 17th August, 1779, having prefaced their resolution with a preamble setting forth that the army of the United States of America, by their patriotism, valour and perseverance in the defence of the rights and liberties of their country, were entitled to the gratitude as well as approbation of their fellow citizens, they recommended it to the several states to make such further provision for the officers and soldiers enlisted for the war, to them respectively belonging, and who should continue in service till the establishment of peace, as should be an adequate compensation for the many dangers, losses, and hardships they may have suffered in the course of the contest; either by granting to their officers half pay for life, and proper rewards to their soldiers, or in such other manner as might appear most expedient to the legislatures of the several states. And it was further recommended to the several states to make such provision for the widows of such of their officers and such of their soldiers enlisted for the war, as had died or might die in the service, as would secure to them the sweets of that liberty for the attainment of which their husbands had nobly laid down their lives.

On the 10th of April, 1780, they resolved, that as soon as the state of the publick finances would admit, they would make good to the line of the army, and the independent corps thereof, the deficiency of their original pay occasioned by the depreciation of the currency; but none were to derive benefit from this resolution except such as had engaged to serve during the war, or for three years, and were then in service, or should thereafter engage to serve during the war.

And now on the 13th August, 1780, they resolved that from and after the first of the said month, the army shall receive their pay in the new bills emitted pursuant to the resolution of the 18th March, 1780, and again recommended to such of the states as have not made compensation to their officers and soldiers, agreeably to the resolution of the 17th August, 1779, to do it as soon as possible. At the same time the provision for granting lands was extended to the general officers. And on the 24th of the same month the resolution of the 15th of May, 1778, granting half pay for seven years to the officers of the army who should continue in service to the end of the war, was extended to the generals, and such officers as had died or should thereafter die in the service, to commence from the time of such officer's death; or, if there should be no widow, or in case of her intermarriage, that it should go to the orphan children of such officer.

And it was recommended to the legislatures of the states to which such officers belonged to make provision for paying the same on account of the United States.

Still the publick treasury remained unsupplied ; and the army continued without pay, and oftentimes in great distress for want of provisions. Debts were accumulating, and the creditors more and more clamorous.

Under these circumstances Congress, on the 26th of August, 1780, earnestly recommended to the several states to take the most speedy and effectual measures in their power for drawing in their respective quotas of the continental bills of credit, by taxes or otherwise, in order that the new money might be issued. And at the same time it was recommended to the states to raise by taxes, payable in the said new bills, their respective quotas of three millions of dollars ; and to pay the same into the publick treasury as soon as possible, the payment to be fully completed by the last day of December following. From this it was hoped that Congress would draw a supply of money to enable them to pay the army, and carry on the war with vigour ; to discharge the unfunded debts ; and to pay the interest due on loan office certificates. Their expectations were again disappointed. The consequences that ensued from the failure, though alarming and painful to recollect, were far short of what might have been apprehended. Yet the requisition of the 15th January, 1781, after the mutiny in the Pennsylvania and Jersey lines, for eight hundred and seventy-nine thousand three hundred and forty-two dollars for the immediate pay of the arrears due to the army, has not yet been complied with.

This recapitulation is made, not with a view to criminate, but to show that Congress have done every

thing in their power to carry on the war, and to prevent the embarrassments under which our affairs now labour.

It now remains to estimate the supplies necessary for the current year; and to point out the measures already taken for obtaining those supplies.

Congress by their resolutions of the 3d and 21st of October last, have resolved that the army for the ensuing campaign shall consist of six legionary corps, four regiments of artillery, fifty regiments of infantry, and one regiment of artificers, amounting to thirty-five thousand seven hundred and forty-eight rank and file.

| | |
|--|---|
| The pay and subsistence according to the present establishment for one year amounts to | \$5,104,385 |
| Provisions for ditto, - - - - - | 4,357,012 |
| Quartermaster's department estimated, - - - - - | 4,000,000 |
| Hospital department, - - - - - | 200,000 |
| Ordnance department, - - - - - | 266,666 $\frac{2}{3}$ |
| Navy department, - - - - - | 400,000 |
| Debts due to the civil officers under Congress, - - - - - | 98,927 $\frac{4}{9}$ $\frac{5}{6}$ |
| Civil list and contingencies for the current year, - - - - - | 1,885,000 |
| Arrears due to the army up to the 31st December, 1780, - - - - - | 1,000,000 |
| Two years interest on certificates payable at the several loan offices, | 595,466 $\frac{2}{9}$ $\frac{5}{6}$ |
| Certificates given by quartermasters and commissaries, &c. estimated, | 1,500,000 |
| Total | \$19,407,457$\frac{7}{9}$$\frac{3}{6}$ |

No charge is made for clothing, new arms, or ammunition, as it is hoped the measures taken for procuring them will be effectual.

The measures taken for obtaining these supplies.

By the act of the 4th of November last, the states have been called upon to furnish the provisions necessary, amounting to - - - - \$4,357,012

By the same act they are called upon to raise and pay into the continental treasury, in four quarterly payments, the first payment to be made the 1st June next, - - - - 1,642,988

The requisition of the 26th August, 1780, which has not yet been received, is relied on as indispensable, - - - - 3,000,000

The old money must be called in and cancelled. For until that is done no regularity can be introduced into the finances, nor any dependence placed on any requisitions made. For as the old currency is daily depreciating, and as the same, by laws of many of the states, is made a standard by which to value the new money, unless it be speedily destroyed, it cannot fail to sink the new. It is therefore indispensably necessary, that it be called in without delay. This will give the United States in Congress assem-

| | |
|--|-----------|
| bled a command of new money to the amount of - - - - | 3,200,000 |
| The duties on imports and prizes, which, from the propriety as well as necessity of the measure, it is not to be doubted but the several states will readily grant on the terms proposed by Congress, will, it is presumed, produce in the course of the current year - - | 500,000 |
| And as it is to be presumed that the states have taken measures to com- ply with the requisitions of Janua- ry, May, and October, 1779, it is hoped they will now see the neces- sity of carrying those measures into effectual execution, or at least take the necessary steps for calling in the quartermasters' and commissar- ies' certificates to the amount of their respective deficiencies, which by a return from the board of trea- sury are - - - - | 468,201 |
| On the 16th March last the states were called on for their respective quotas of one and half million of dollars quarterly, the first payment to be made 1st June next. Three quarterly payments amount to - | 4,500,000 |

Suppose the foregoing funds productive, still there will be a deficiency to be provided for, amounting to - $1,739,256\frac{7}{90}$

Total $\$19,407,457\frac{7}{90}$

It will moreover be necessary to provide funds for paying the interest of the debts contracted in Europe. With a view to this, Congress. in their requisition of February, 1780, among other specifick supplies, called upon the states of Virginia and Maryland to furnish a quantity of tobacco, which it was expected might have been shipped to France, and been the beginning of a fund for defraying the expenses of our ministers at foreign courts, and paying the interest of moneys borrowed in Europe. But the want of ships last fall, and the naval superiority of the enemy in Chesapeake Bay this spring, have prevented the publick from deriving any advantage from that requisition.

It has been before observed, that the debts contracted abroad amount, by computation, to the sum of six millions of dollars, the annual interest of which is three hundred and sixty thousand dollars. The annual interest of the money borrowed on certificates previous to the first of March, 1778, and which is to be paid by bills drawn on our minister at the court of France, amounts to $438,798\frac{31}{90}$.

The credit and honour of the United States require that a fund should be provided not only for defraying this interest, but also for discharging the principal, or at least those certificates for the interest of which bills are to be drawn annually on our minister, who has no

fund to apply to that purpose, and who therefore has to depend on the success of his solicitations, as it becomes due.

And what equally concerns the honour of the United States, a fund should be provided for defraying the expenses of our ministers abroad. This shows the absolute necessity of the states immediately granting the duties on imports and prizes as requested by Congress.

Before we conclude it may not be amiss to observe, that from the constant depreciation of the currency, and the unpunctuality of the states in complying with the requisitions of Congress, the sums called for when paid in have heretofore always been greatly inadequate to the purposes designed.

The foregoing report being twice read and debated by paragraphs, was agreed to.

Ordered, That copies thereof be sent to the several states.

APRIL 19, 1781.

The report of a committee, consisting of Mr. S. Adams, Mr. Duane, and Mr. Wolcott, to whom was referred a letter of March 10th, in the name and behalf of the general court of Massachusetts, was taken into consideration, and the same being read twice, was agreed to, as follows :

The letter under consideration represents “ That
“ there is reason to suppose that the state of Massachu-
“ setts is called on for contributions in an undue pro-
“ portion to her abilities. That the duty on imports

“ and prizes required by Congress will be an unequal
“ burden on some of the states. That it is impossible,
“ if the proposition should be acceded to at all, that it
“ will be on any other plan, than that the produce shall
“ be passed to the credit of the state. And that its
“ mercantile interest object against it as partial, alleg-
“ ing that it is notorious that the commodities which
“ they import are vended below their cost.”

Your committee have deliberately considered these several objections ; and are persuaded of their insufficiency to justify any alteration in the act to which the objections are made, either as to the duty itself, or the manner of its application. Nothing is more to be wished, than that Congress was enabled to assign to the respective states their quotas of aids on fixed and equitable principles. The necessity of it, as early as the year 1775, was fully understood. The states were then called upon to sink by taxes their respective proportions of the bills of credit ordered to be emitted. It was directed that the quota of each should be determined according to the number of its inhabitants of all ages ; and the governments then in being were pressed to ascertain by the most impartial means in their power, and to return as soon as possible, the number of inhabitants. This recommendation was in vain attempted to be enforced. With very few exceptions, it has been neglected to this day. The confederation prescribed another rule for fixing the quotas of aids for the common defence, or general welfare, namely, that they shall be supplied by the several states in proportion to the value of all appropriated lands, and the houses, and buildings in the respective states.

But the attainment of such an estimate, *flagrante bello*, is difficult ; perhaps in some states, which are the seat of war, impracticable ; in every view it must be remote. Thus Congress, without an accurate knowledge of the comparative wealth and abilities of the respective states, were, from the necessity of the case, obliged not only to call for aids, but to apportion those aids on such information as they possessed. Apprized that the quotas might be unequal, they provided the best remedy in their power, and which will ultimately do justice to all the states, each being entitled, on a final settlement, to full credit for the principal and interest of all advances beyond their due proportion.

The ravages of the enemy in some of the states, and their possession of strong posts throughout South Carolina and Georgia, have unavoidably occasioned an increase of the quotas of such states as enjoy greater internal tranquillity and freedom of commerce. Whether Massachusetts in particular hath been called upon in an undue proportion to her abilities, as seems to be apprehended, cannot now be determined ; but their honourable court do justice in ascribing it, if it has happened, to error. That no partiality could have been intended, is as certain, as that the most punctual compliance with the respective requisitions is essential to the publick safety.

Imported commodities, it is affirmed, are vended in Massachusetts below their original cost ; and that therefore the proposed duty will operate partially against the mercantile interest. Information respecting imports into Philadelphia leads us to conclude

that the disadvantage pointed out in this objection arises from accidental circumstances, and not from any permanent cause. But it seems sufficient to observe, that either a profit will arise on foreign commodities, or the importation must cease. For no commerce can be long pursued, which, instead of enriching, impairs the substance of the merchant. Besides, the aid required ought not to be measured by the present hour. It will be contributed many years after peace shall be established, and when we may expect that our commerce will be secure and prosperous.

The honourable court seem to apprehend, that the duty will operate on the states themselves unequally. It may be necessary, in order to remove this objection, to recur to the motives which gave it a preference in the opinion of Congress.

The publick debts actually incurred on loan office certificates, and other loans, had created an annual interest of more than a million of dollars. Those engagements, although contracted on the faith and for the defence of the United States, Congress had no means to fulfil. It became then an indispensable act of justice, that funds should be provided by the states; that those funds should be productive, and of sufficient permanency to secure the publick creditors; and that the burden which they might impose should be uniformly and equally sustained. To combine so many states in one general system; to reconcile it to their opinions, their policy and their internal circumstances, will always be difficult. Without liberal sentiments with respect to each other; without confidence in the

general council, and a regard for the safety and happiness of the whole confederacy, it will be impracticable. What tax could have been pointed out, to which some of the states might not have raised objections? Had an excise, a land tax, or a capitation, been recommended, would either of them have been preferred to the duty under consideration? Could either of them have been carried so easily into effect, or have operated with so much impartiality? It is indeed the interest of a nation to leave trade as free and unincumbered as circumstances will permit; and yet we find that even those governments, which owe all their riches and grandeur to commerce, do not hesitate to draw from it contributions for the support of war. Considering then the great exertions which are necessary at this interesting conjuncture, ought these United States to plead an exemption? Surely a moderate duty on trade cannot give dissatisfaction to a people, who have nothing less at stake than their honour, good faith, liberty and independence. As a partial regulation of individual states there is no reason to think it will ever take place. The danger of transferring the trade from such as impose, to those which are exempt from the burden, will effectually prevent it. There is only one method in which it can be introduced—by the authority of the United States co-operating with the respective legislatures.

When this duty was debated, it was taken for granted, on the general maxim, that it would ultimately be borne by the consumer. In this view no tax could have been devised, under our present circumstances, which afforded a prospect of more equality and im-

partiality, or of less objection, or discontent. The states, whose commerce is the the most flourishing, will appear in the first instance to contribute largely to the common treasury. But remotely the consumer, wherever he resides, must bear the burden. And the merchant who advances it, will take care to receive full interest. Even if it should be admitted, that states which enjoy the greatest commercial advantage may be exposed to a share of the duty beyond their strict proportion, might it not be considered as a just tribute for peculiar blessings denied by the fortune of common war to their less happy sister states? Blessings purchased perhaps by their sufferings and secured by their resistance against invaders, who might otherwise have had leisure to close all the avenues to commerce.

The last objection implies, that if the proposition should in part be acceded to, it would be insisted on that the proceeds of the duties should be passed to the credit of the states from which it might arise. This objection was also fully considered when the subject was debated. A review of the situation and commerce of the several states, as well before the war as at this day, will be sufficient to remove it. Several states, and in every part of the continent, import for their neighbours. Is it reasonable that the duties on goods, which the latter consume, should be applied to the exclusive benefit of the state which has had the advantage of the importation? Would a measure so illiberal meet with approbation or acquiescence? Every system, which is to operate throughout the United States, must have equity for its basis ;

and if the consumer pays the taxes, and every state, whether it imports or not, contributes to the consumption, the produce of the duty ought to be credited to the United States; or it is easy to see that the proposition will be rejected.

Your committee are upon the whole of opinion, that the necessity of a compliance with the proposition in question should be strongly urged to the legislature of Massachusetts, as a measure just and expedient in itself, and which will operate with impartiality and facility, and better than any other afford a prospect of some satisfaction to the publick creditors, whose just complaints ought to be redressed without delay.

Ordered, That a copy of the foregoing report be transmitted to the general court of Massachusetts, in answer to their letter of the tenth of March last.

APRIL 3, 1781.

On motion of Mr. Bee, seconded by Mr. M'Kean—

Resolved, That the commander in chief be and he is hereby directed, to recall lieutenant general Burgoyne and all other British or German officers, prisoners of war, now absent on their paroles from America. to return immediately.

APRIL 23, 1781.

A letter of the 16th from general Washington was read: Whereupon,

Resolved, That the board of war be and they are hereby directed, to take effectual measures for the removal of all publick stores, and also all beef cattle.

and provisions and forage, collected, or stored, from the peninsula between the Delaware and Chesapeake Bays, and on the Jersey shore adjacent to the Delaware, which may probably fall into the hands of the enemy on an invasion. That the said cattle, provisions, and forage, be transported to places of security, and valued by proper persons, and certificates given by the commissary general of purchases to the owners thereof, specifying quantity, quality and value.

That it be, and hereby is recommended to the executives of New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, to give every assistance in their power to the officers appointed to secure the cattle, provisions and forage aforesaid.

Whereas it is represented by the commander in chief, that he has taken measures for the exchange of lieutenant general Burgoyne—

Resolved therefore, That he be authorized, if he shall think fit, to proceed in perfecting the said exchange, the resolution of the third instant notwithstanding.

MAY 8, 1781.

On motion of Mr. Sullivan, seconded by Mr. Sharpe—

Ordered, That a committee of five be appointed to devise further ways and means to defray the expenses of the ensuing campaign, and what further measures may be adopted for the better regulation of the publick finances.

The members chosen—Mr. Witherspoon, Mr. Sullivan, Mr. M. Smith, Mr. Clymer, and Mr. Rodney.

MAY 14, 1781.

The report of the committee on further ways and means to defray the expenses of the ensuing campaign, &c. was taken into consideration; and the following paragraph being under debate, viz.

“That the treasury be directed to issue no more
 “bills to the states in pursuance of the act of Con-
 “gress of March 18, 1780; that the states be required
 “to call out of circulation every year the same pro-
 “portions of what they have already issued as they
 “were in that act directed to redeem of the whole;
 “and that they be required to do this by taxes at
 “the nominal or full value of the bills, and by no
 “means to exchange them at a discount or by a scale
 “of depreciation”—

A division was called for; and on the question to agree to the first clause as far as “1780” inclusive, the yeas and nays being required by Mr. Ward—

| | | | |
|----------------|---------------------------------|----------------|----------|
| New Hampshire, | Mr. Sullivan, Mr. Livermore, | Ay. } No. } | DIVIDED. |
| Massachusetts, | Mr. Lovell, Mr. Ward, | No. } No. } | No. |
| Rhode Island, | Mr. Varnum, | Ay. } No. } | × |
| Connecticut, | Mr. Huntington, | No. } No. } | × |
| New Jersey, | Mr. Witherspoon, Mr. Clark, | Ay. } No. } | DIVIDED. |

| | | |
|-----------------|--|--------------------------------------|
| Pennsylvania, | Mr. Montgomery, Mr. Atlee, Mr. Clymer, | Ay. } Ay. } Ay. } Av. |
| Maryland, | Mr. Jenifer, Mr. Carroll, | No. } No. } No. |
| Virginia, | Mr. Jones, Mr. Madison, Mr. Bland, Mr. Smith, | No. } No. } No. } Ay. } No. |
| North Carolina, | Mr. Sharpe, Mr. Johnston, | No. } No. } No. |
| South Carolina, | Mr. Matthews, Mr. Motte, Mr. Eveleigh, | Ay. } No. } Ay. } Av. |
| Georgia, | Mr. Few, Mr. Howly, | No. } No. } No. |

So it passed in the negative; and the remaining clauses of the proposition fell of course.

The following proposition being under consideration, viz.

“That the states be called upon for their proportions of a tax, to be paid in the new money, or in gold and silver, of three millions of dollars, to be returned into the continental treasury on or before the first day of October next; and that whatever sum is paid in the new money, one half thereof shall be cancelled and the other half only applied to the publick service”—

A motion was made by Mr. Matthews, seconded by Mr. Sharpe, to strike out the words “in the new money or.” And on the question, Shall those words

stand, the yeas and nays being required by Mr. Clarke—

| | | | |
|-----------------|---|----------------------------------|----------|
| New Hampshire, | Mr. Sullivan, Mr. Livermore, | Ay. } Ay. } | Ay. |
| Massachusetts, | Mr. Lovell, Mr. Ward, | Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Varnum, | No. } × | |
| Connecticut, | Mr. Huntington, | Ay. } × | |
| New Jersey, | Mr. Witherspoon, Mr. Clark, | No. } Ay. } | DIVIDED. |
| Pennsylvania, | Mr. Montgomery, Mr. Atlee, Mr. Clymer, Mr. T. Smith, | Ay. } Ay. } No. } No. } | DIVIDED. |
| Maryland, | Mr. Jenifer, Mr. Carroll, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Jones, Mr. Madison, Mr. Bland, Mr. Smith, | Ay. } Ay. } No. } Ay. } | Ay. |
| North Carolina, | Mr. Sharpe, Mr. Johnston, | No. } Ay. } | DIVIDED. |
| South Carolina, | Mr. Matthews, Mr. Motte, Mr. Eveleigh, | No. } Ay. } No. } | No. |
| Georgia, | Mr. Few, | No. } × | |

So the question was lost, and the words were struck out.

MAY 22, 1781:

Resolved, That the committee appointed to devise further ways and means to carry on the present campaign, &c. be authorized to converse with the superintendent of finance; and in conjunction with him to take order for obtaining a sum of gold and silver for the most pressing exigencies of publick affairs, and provide for the punctual performance of the stipulations in such contract on the part of the United States.

JUNE 1, 1781.

The committee, consisting of Mr. Carroll, Mr. Jones, Mr. Witherspoon, Mr. Sullivan, and Mr. Matthews, to whom were referred the memorials of 25th and 26th April, from the minister of France, and who were instructed to confer with him and receive further communications, reported the draft of a letter to the several states, which was agreed as follows:

June 1, 1781.

SIR,

I AM directed to inform you that Congress have received undoubted intelligence, both from their minister at the court of Versailles, and the minister of France in America, by order of his court, that the courts of Vienna and Petersburg have offered their mediation to the belligerent powers for the re-establishment of peace; that these overtures have been

eagerly embraced on the part of Great Britain; that France had declined her full acceptance thereof until the concurrence of her allies could be obtained for that purpose; that France at the same time observes that should she again be pressed on this head, she would be obliged to enter into a previous plan of negotiation conditionally for herself and allies—that Spain had answered in such a manner to the proposals of the mediating powers as to show her eventual acceptance.

The intervention of such formidable powers will undoubtedly prove an event the most favourable to these United States, if by a great and timely exertion we sufficiently reduce the force of the enemy now operating in our country. But should languor and inaction subject us to the contempt of the negotiators, all the consequences will be chargeable upon ourselves. This therefore is a conjuncture that calls for the most serious consideration of these states.

Congress have not a doubt in their minds but that each state in the union is determined to support the confederacy that has been so solemnly entered into, through every difficulty, and hand it down unimpaired to their posterity. Under these impressions Congress can with confidence call on their constituents for such exertions as are proportionate to the truly critical situation of our affairs. The plan of operations for the present campaign having been preconcerted on the principle of obliging the enemy to abandon their possessions in every part of these states, an unequivocal compliance with the demands heretofore made by Congress for provisions, men, and money, is what we

have at present to ask for. Should these means be expeditiously and punctually put into our hands, we have the most pleasing prospect of putting a speedy and happy issue to the war, by driving the enemy from their present possessions in every part of these states, or at all events to confine them to the seacoasts, in order to give as little room as possible to the enemy's claim of *uti possidetis*; which will undoubtedly be most strenuously insisted on by them in the course of the negotiation—a claim totally inadmissible on our part. Of course, then, nothing should be left unessayed by these states to prevent the embarrassments that such a claim must inevitably produce; and of consequence it is become indispensably necessary by our immediate and, under Providence, successful efforts, to place ourselves in such a situation as to enable our negotiators to speak a firm and decided language, becoming the character of the ministers of free, sovereign and independent states.

We conclude with observing, that from the foregoing communications we are so thoroughly convinced of the most strenuous exertions of every state in the union to accomplish the great objects herein pointed out, that Congress will immediately proceed to carry into full execution their plans adopted for defeating the ambitious views of our enemy, and be prepared to accept of peace upon no other terms than the independence of the thirteen United States of America in all its parts.

On motion of Mr. Houston, seconded by Mr. Varnum—

Resolved, That no person whatsoever be permitted to take copies or extracts from the secret journal, or

from any papers directed by Congress to be entered therein, or from any papers with respect to which secrecy is enjoined, or to require from the Secretary such copies or extracts, without the permission of Congress.

JUNE 21, 1781.

On the report of a committee, consisting of Mr. Lovell, Mr. Sharpe, and Mr. Bee, to whom were referred a letter and memorial of the 7th May from John Ross—

Resolved, That Robert Morris, esquire, be and he is hereby empowered to deliver to John Ross, in part payment of his account, the bills of exchange which were committed to him to be disposed of by a resolution of the 4th of this month, the restrictions in the said resolution notwithstanding—the said John Ross, agreeable to his proposal, agreeing to receive them at par, and engaging to bring no charge for usual damages in case of non-payment, but merely to return them.

JUNE 27, 1781.

On motion of the delegates of South Carolina—

Resolved, That the President be authorized to furnish governour Rutledge with four sets of permits or passports for vessels to bring salt only into the state of South Carolina, or North Carolina, under the direction of the said governour Rutledge.

Resolved, That the said governour Rutledge engage for the return of the passports so furnished him to the President of Congress, after the purposes for which they are hereby granted shall have been fulfilled, so that no other use be thereafter made of the said papers; and that they be cancelled by the President of Congress when returned to him.

JULY 3, 1781.

On the report of a committee appointed to confer with the superintendent of finance, and to take order for procuring a sum of specie—

Resolved, That the superintendent of finance be and he is hereby empowered, to pursue such measures as he may think proper for exporting and importing goods, money, and other articles, at the risk and for the account of the United States, at such times and in such manner as he shall deem necessary and useful to the publick service.

AUGUST 14, 1781.

On the report of a committee to whom was referred a motion of the delegates of Virginia—

Resolved, That sixteen passports be granted to be employed by the governour of Virginia in protecting such number of vessels as shall be sufficient to import fifty thousand bushels of salt for the use of Virginia.

That eight passports be granted to be employed by the governour of Maryland in protecting such a number of vessels as shall be sufficient to import twenty-

five thousand bushels of salt for the use of the state of Maryland.

That the said passports continue in force for the space of six months from the date thereof, and no longer.

Resolved, That the President inform the said governours that nothing less than the pressing necessities of Virginia and Maryland could have induced Congress to relax the resolution made against farther intercourse with the enemy. That an abuse of this indulgence will highly injure the American cause; and that Congress rely on them to guard the same against misapplication by every possible precaution; and to cause the passports to be returned to the President after the accomplishment of the purposes for which they are now granted.

DECEMBER 5, 1781.

The committee, consisting of Mr. Lovell, Mr. Carroll, and Mr. Bee, to whom was referred a letter of 30th November last, from Thomas Edison, report—

“ That Thomas Edison has by an essential service to the United States, and a singular proof of his fidelity to their interests, recommended himself to the attention and reward of Congress:” Whereupon,

Ordered, That the sum of two hundred and sixty-six dollars and two thirds of a dollar be paid to Thomas Edison out of the treasury of the United States.

DECEMBER 17, 1781.

The committee, consisting of Mr. Randolph, Mr. ———, reported the draft of a circular letter to the states, which was agreed, and is as follows :

GENTLEMEN,

We are happy to observe that the present year hath been distinguished by the reduction of a powerful British garrison in Virginia, and that our arms have also been prosperous in other parts of the United States. But to infer that our inexorable foe is subdued beyond recovery, may be attended with ruinous consequences. These events will yield but momentary advantages, unless supported by vigorous measures in future.

From an assurance that peace is best attained by preparations for war, and that in the cabinet of negotiations those arguments carry with them the greatest weight which are enforced not only with a retrospect of important victories, but by a well grounded prospect of future successes, we have called upon you for eight millions of dollars, and for your respective deficiencies of the military establishment.

Seven years have nearly passed since the sword was first unsheathed. The sums expended in so long a period in a just and necessary war must appear moderate ; nor can any demand for pecuniary aid be deemed exorbitant by those who compute the extent of the publick exigencies and the proportion of the requisition to the abilities of the states. Suppose not that

funds exist for our relief beyond the limits of these states. As the possessions of the citizens constitute our natural resources, and from a sense of their sufficiency the standard of war was erected against Great Britain, so on them alone we now rely. But even if loans were attainable, their amount would be merely commensurate with our ability and inclination to repay; and by nothing can both be more satisfactorily evidenced than by a generous exertion amidst the languor of publick credit. Arguing from the former dilatoriness of supplies, the enemy, after having abandoned serious expectations of conquest by arms, anticipate it in imagination from the dissolution of our publick credit.

They cannot however deny the firmness of the basis on which it may be placed, when they survey the wide limits of this confederate country, the fruitfulness of its soil, and the industry of its people.

But the want of money is not the only source of our difficulties; nor do the enemy gather consolation from the state of our finances alone. We are distressed by the thinness of our battalions. So vulnerable does the boldness of navigation render the very bosom of these states, so dispersed in some parts is the population, and so rapid our enemy in transportation, that they seize and exhaust large districts before their ravages can be checked. The requisition for the completion of your battalions is therefore not only reasonable, but indispensable.

Tardiness in the collection of our troops has constantly encouraged in our enemy a suspicion that American opposition is on the decline. Hence money

from time to time is poured into the coffers of our enemy ; and the lender is perhaps allured by the prospect of receiving it with a usurious interest from the spoils of confiscation.

To whom then rather than yourselves, who are called to the guardianship and sovereignty of your country, can these considerations be addressed? Joint labourers as we are, in the work of independence, duty impels us to admonish you of the crisis. We possess no funds which do not originate with you. We can command no levies, which are not raised under your acts. Well shall we acquit ourselves to the world, should peace, towards the acquisition of which so illustrious a point hath been gained, now escape our embraces, by the inadequacy of our army, or our treasure : for an appeal to this exposition of your affairs will demonstrate our watchfulness of your happiness.

We conjure you to remember what confidence we shall establish in the breast of that great monarch, who has become a party in our political welfare, by a bold, energetick display of our ability.

We therefore trust in your attention and zeal to avail yourselves, at this important crisis, of the glorious advantages lately obtained, by a full compliance with these requisitions of men and money which we have made to you, and the necessity of which hath been pointed out to us by the maturest consideration on the present circumstances of these United States.

By order of Congress.

JOHN HANSON, President.

DECEMBER 20, 1781.

On the report of a committee appointed to confer with the commander in chief—

Resolved, That the commander in chief be informed that it is the earnest desire of Congress, that he should take the most effectual measures for procuring the exchange of his excellency Thomas Burke, governour of North Carolina, for some of the subjects of his Britannick majesty not military, who were made prisoners of war under the capitulation of York, in Virginia; and that he report to Congress his proceedings therein.

APRIL 5, 1782.

On the report of a committee, consisting of Mr. Clymer, Mr. Osgood, and Mr. Cornell, to whom was referred a letter of the 3d from the superintendent of finance—

Resolved, That Congress do approve of the motives which have induced the superintendent of finance to give the preference above all others to the contract offered by Comfort Sands and Co., Tench Francis, Oliver Phelps, Timothy Edwards, and Thomas Lowry, for the supply of the moving army.

APRIL 26, 1782.

On the report of a committee, consisting of Mr. Atlee, Mr. Bland, Mr. Partridge, Mr. Cornell, and

Mr. Clark, to whom was referred a letter of 11th from the secretary at war—

Resolved, That the secretary at war take order for establishing good and sufficient magazines for the reception of the publick ammunition, at the following places, to wit: At Springfield, in the state of Massachusetts, at West Point, in the state of New York, at the Yellow Spring, in the state of Pennsylvania, and at New London, in the state of Virginia.

MAY 24, 1782.

The superintendent of finance having, in a letter of this day, enclosed the copy of a letter of the 4th of March from the honourable doctor Franklin, minister plenipotentiary of the United States at the court of Versailles, and a copy of a letter of the 6th February from count de Vergennes to doctor Franklin, together with a state of the moneys obtained in Europe for account of the United States, from which he says—
“ Congress will perceive that every sous we can com-
“ mand during the year 1782 is already anticipated;
“ that the pecuniary supplies of 1781 and 1782
“ amount, after deducting the expenses on the loan, to
“ twenty-five and a half millions of livres; and that
“ there are (including the two millions two hundred
“ thousand livres appropriated to the interest of loan
“ office certificates) near ten millions, besides the sum
“ expended in Holland, which have already passed, and
“ are now passing through the hands of doctor Franklin,
“ and of which not a livre has been or ever will be ap-
“ plied to the current service. If to this be added

“ above two millions and a half due on Beaumarchais
 “ bills, we shall have an amount of about twelve and
 “ a half millions, being at least one half of all the mo-
 “ neys obtained abroad for the service of the years
 “ 1781 and 1782 ; and we shall find that this greater
 “ half is totally consumed in paying the principal of
 “ some, and the interest of other debts, which have
 “ been contracted before that period.”

The copy of the letter of 6th February, from count de Vergennes to doctor Franklin, being read, to which is annexed the following :

Sketch of the account of Congress with the royal treasury.

1781. *Receipts.*

| | | | |
|-----------------------|-------|-------------------|------------|
| The king has advanced | - | 4,000,000 | |
| Gratuitous subsidy | - - - | 6,000,000 | |
| Loan in Holland | - - | 10,000,000 | |
| | | <u> </u> | 20,000,000 |

Application.

| | | | |
|---|-----------|-------------------|-------------------|
| Remitted to Mr. Franklin at different times by the de- partment of foreign af- fairs | - - - - - | 4,000,000 | |
| Furnished in cash to colo- nel Laurens | - - - - | 2,500,000 | |
| Price of goods sent in May and June | - - - - | 2,069,109 | |
| Price of goods intended to be sent in March, 1782 | | 2,570,000 | |
| | | <u> </u> | <u> </u> |
| Carried forward, | | 11,139,109 | 20,000,000 |

| | | |
|--|------------|-----------------|
| Brought forward, | 11,139,109 | 20,000,000 |
| N. B. Those for Virginia are not included. | | |
| Bills of Mr. Morris on Messrs. Le Conteulx - | 1,000,000 | |
| Money sent to Holland, and remitted to Mr. Franklin | 1,430,000 | |
| To Mr. Le Grand for ac- count of Mr. Franklin - | 2,216,000 | |
| | <hr/> | 15,785,109 |
| | Balance | <hr/> 4,214,891 |

N. B. There remains to be taken from that sum—
First, The price of goods bought for the state of
Virginia.

Second, The charges for the loan in Holland.

Mr. Franklin must provide for the bills drawn by
Mr. Morris on Mr. Le Conteulx.

The letter of 4th March, from Mr. Franklin to the
superintendent of finance, being also read, wherein is
the following paragraph and postscript :

“ Friday last the minister was so good as to inform
“ me we should have six millions paid quarterly, of
“ which one million five hundred thousand would be
“ ready for us at the end of this month. I hope I shall
“ now be able to face the loan office and other bills,
“ and my acceptances in favour of Mr. Beaumarchais ;
“ and I will do as much as I can out of the loan to-
“ wards fulfilling your orders of paying and deposit-
“ ing money in other hands. But when you observe
“ that the Dutch loan, which you conceived might be
“ entire with me, and at your disposition, has suffered

“ such large deductions, you will not expect much ;
 “ and your hopes of twelve millions for the present
 “ year falling short by one half, as far as appears at
 “ present, you will arrange your affairs accordingly,
 “ and prevail on our people, if possible, to do more
 “ for themselves.”

“ P. S. By the 15th of this month another million
 “ of the Dutch loan will be consumed in paying bills,
 “ &c. so that I fear it will be difficult for me to pay
 “ those in favour of Mr. Ross ; but I will try.”

The superintendent's account of the moneys in
 France being also read as follows :

| | | |
|--|-------------|------------|
| Due on the Dutch loan, ac- cording to the sketch given by count de Vergennes | \$4,214,891 | |
| To be advanced in quarterly payments during the year 1782 - - - | 6,000,000 | |
| | <hr/> | 10,214,891 |

DEDUCTIONS.

| | | |
|---|-----------|------------------|
| 1. So much payable by Dr. Franklin the 15th March, 1782, - - - | 1,000,000 | |
| 2. Expenses of negotiating the loan in Holland, esti- mated at - - - | 500,000 | |
| 3. Amount of articles furnish- ed to Virginia, estimated at | 700,000 | |
| 4. Bills drawn on Le Con- teulx & Co. last year, men- tioned in the count's letter, | 200,000 | |
| | <hr/> | |
| Carried forward, | 2,400,000 | <hr/> 10,214,891 |

| | | |
|---|-----------|-----------------|
| Brought forward, | 2,400,000 | 10,214,891 |
| 5. Amount of interest bills, | 2,200,000 | |
| 6. Amount of orders in favour of Messrs. Bingham and Ross, in December last, being for a part of their advances, - - | 300,000 | |
| 7. Amount of clothing purchased by me the last autumn from necessity, the payments for which are now falling due, - - | 700,000 | |
| 8. Moneys due to Mr. W. Lee, which I directed Mr. Franklin to pay with the interest, say about - - | 45,000 | |
| 9. Amount of bills drawn by me on Mr. Grand, since 1st January last, - | 1,085,000 | |
| 10. Bills drawn by Congress in favour of Mr. Beaumarchais three years ago, and which are payable 22d June next, - - | 2,544,000 | |
| 11. Expenses of foreign ministers, and contingencies, | 400,000 | |
| 12. Expenses of negotiating at $\frac{1}{2}$ per cent. - - | 60,000 | |
| | | <hr/> 9,734,000 |
| Remains | | <hr/> \$480,891 |

The expenses of hiring transports, maintaining prisoners, &c. will more than consume that balance.

A motion was made by Mr. Bland, seconded by Mr. Telfair,

That a committee be appointed, to whom shall be referred the letter of the superintendent of finance, the letter of Dr. Franklin to the said superintendent, and the accounts this day laid before Congress by the superintendent of finance ; which committee are directed to make inquiry into the loans and subsidies from France, Holland, &c. and the authority under which the appropriation of the said loans and subsidies has been made ; and report thereon to Congress.

A motion was made by Mr. Lowell, seconded by Mr. Ellery, to amend the motion by striking out the words " which committee," &c. to the end, and in lieu thereof inserting, " And that the said committee be instructed to inquire concerning the appropriation and application of the moneys procured in Europe on loan or otherwise ; and that they confer with the superintendent of finance on the subject, and report thereon."

On the question to agree to this amendment, the yeas and nays being required by Mr. Bland—

| | | |
|----------------|-----------------------------|--------------------|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | } Ay. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | Ay. } Ay. } Ay. |
| Connecticut, | Mr. Root, | Ay. >× |
| New York, | Mr. Scott, | Ay. >× |
| New Jersey, | Mr. Clark, | Ay >× |

| | | | |
|-----------------|--|----------------------------------|------------|
| Pennsylvania, | Mr. Montgomery, Mr. Smith, Mr. Clymer, Mr. Atlee, | Ay. } Ay. } Ay. } Ay. } | } Ay. |
| Maryland, | Mr. Hanson, Mr. Wright, | Ay. } Ay. } | } Ay. |
| Virginia, | Mr. Madison, Mr. Bland, | Ay. } No. } | } DIVIDED. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | Ay. } Ay. } No. } | } Ay. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | No. } Ay. } Ay. } | } Ay. |

So it was lost.

A motion was then made by Mr. Cornell, seconded by Mr. Atlee, to amend the motion by striking out the words "And the authority under which the appropriation of the said loans and subsidies has been made;" And on the question, Shall those words stand, the yeas and nays being required by Mr. Bland—

| | | | |
|----------------|--|----------------------------------|-------|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | No. } No. } | } No. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | No. } No. } | } No. |
| Connecticut, | Mr. Root, | No. } No. } | } >× |
| New York, | Mr. Scott, | No. } No. } | } >× |
| Pennsylvania, | Mr. Montgomery, Mr. Smith, Mr. Clymer, Mr. Atlee, | No. } No. } No. } No. } | } No. |

| | | | |
|-----------------|--|-------------------------|----------|
| Maryland, | Mr. Hanson, Mr. Wright, | No. } No. } | No. |
| Virginia, | Mr. Madison, Mr. Bland, | No. } Ay. } | DIVIDED. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } No. } Ay. } | No. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | Ay. } No. } No. } | No. |

So it passed in the negative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Bland—

| | | | |
|-----------------|--|----------------------------------|----------|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | No. } No. } | No. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | No. } No. } | No. |
| Connecticut, | Mr. Root, | No. } No. } | × |
| New York, | Mr. Scott, | No. } No. } | × |
| Pennsylvania, | Mr. Montgomery, Mr. Smith, Mr. Clymer, Mr. Atlee, | No. } No. } No. } No. } | No. |
| Maryland, | Mr. Hanson, Mr. Wright, | No. } No. } | No. |
| Virginia, | Mr. Madison, Mr. Bland, | No. } Ay. } | DIVIDED. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } No. } Ay. } | No. |

| | | | |
|----------|--|-------------------------|-----|
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | Ay. } No. } No. } | No. |
|----------|--|-------------------------|-----|

So the question was lost.

A motion was then made by Mr. Rutledge, seconded by Mr. Madison—

That the superintendent of finance lay before Congress an account of all money borrowed or granted in Europe, by or to the United States, antecedent to the 4th day of March last; and also a general state of the purposes to which the same has been applied.

On the question to agree to this, the yeas and nays being required by Mr. Telfair—

| | | | |
|-----------------|--|-------------------------|-----|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | Ay. } Ay. } | Ay. |
| Connecticut, | Mr. Root, | Ay. } No. } | No. |
| New York, | Mr. Scott, | Ay. } No. } | No. |
| Pennsylvania, | Mr. Smith, Mr. Clymer, Mr. Atlee, | Ay. } Ay. } Ay. } | Ay. |
| Maryland, | Mr. Hanson, Mr. Wright, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Madison, Mr. Bland, | Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | Ay. } Ay. } Ay. } | Ay. |

| | | | |
|----------|--------------|-------|-------|
| Georgia, | Mr. Telfair, | Ay. } | } Ay. |
| | Mr. Jones, | Ay. } | |
| | Mr. Few, | Ay. } | |

So it was resolved in the affirmative.

MAY 25, 1782.

A motion was made by Mr. Cornell, seconded by Mr. Ellery,

That the entry of yesterday be transferred to the secret journal.

A motion was made by Mr. Bland, seconded by Mr. Telfair, to strike out the words "transferred to the "secret journal;" and in lieu thereof insert "not "printed until the further order of Congress."

A motion was then made by Mr. Ellery, seconded by Mr. Lowell, to amend the amendment by adding "nor copies delivered out."

On the question to agree to this amendment to the amendment, the yeas and nays being required by Mr. Telfair—

| | | | |
|----------------|--------------|---------|------------|
| Massachusetts, | Mr. Osgood, | Ay. } | } DIVIDED. |
| | Mr. Lowell, | No. } | |
| Rhode Island, | Mr. Ellery, | Ay. } | } AY. |
| | Mr. Cornell, | Ay. } | |
| New York, | Mr. Scott, | Ay. } × | |
| Pennsylvania, | Mr. Smith, | Ay. } | } AY. |
| | Mr. Atlee, | Ay. } | |
| Maryland, | Mr. Hanson, | Ay. } | } AY. |
| | Mr. Wright, | Ay. } | |

| | | | |
|-----------------|--|-------------------------|-----|
| Virginia, | Mr. Madison, Mr. Bland, | No. } No. } | No. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } No. } No. } | No. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | No. } Ay. } Ay. } | Ay. |

So the question was lost.

On the question to agree to the amendment, the yeas and nays being required by Mr. Lowell—

| | | | |
|-----------------|--|-------------------------|----------|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | No. } Ay. } | DIVIDED. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | No. } No. } | No. |
| New York, | Mr. Scott, | No. } x | |
| Pennsylvania, | Mr. Smith, Mr. Atlee, | No. } No. } | No. |
| Maryland, | Mr. Hanson, Mr. Wright, | No. } Ay. } | DIVIDED. |
| Virginia, | Mr. Madison, Mr. Bland, | Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } Ay. } Ay. } | Ay. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | No. } Ay. } Ay. } | Ay. |

So the question was lost.

On the question to agree to the original motion, the yeas and nays being required by Mr. Telfair—

| | | | |
|-----------------|--|-------------------------|-----|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | Ay. } Ay. } | Ay. |
| New York, | Mr. Scott, | Ay. } x | |
| Pennsylvania, | Mr. Smith, Mr. Atlee, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Hanson, Mr. Wright, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Madison, Mr. Bland, | No. } No. } | No. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } No. } No. } | No. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | No. } No. } No. } | No. |

So the question was lost.

A motion was then made by Mr. Ellery, seconded by Mr. Osgood,

That the entry of yesterday of the letters of Dr. Franklin, and the superintendent of finance, be published, and copies thereof be delivered to such members of Congress as shall apply for the same.

On the question to agree to the motion, the yeas and nays being required by Mr. Ellery—

| | | |
|-----------------|--|-----------------------------|
| Massachusetts, | Mr. Osgood, Mr. Lowell, | No. } No. } No. |
| Rhode Island, | Mr. Ellery, Mr. Cornell, | No. } No. } No. |
| New York, | Mr. Scott, | No. } × |
| Pennsylvania, | Mr. Smith, Mr. Atlee, | No. } No. } No. |
| Maryland, | Mr. Hanson, Mr. Wright, | No. } No. } No. |
| Virginia, | Mr. Madison, Mr. Bland, | No. } No. } No. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Middleton, | No. } No. } Ay. } No. |
| Georgia, | Mr. Telfair, Mr. Jones, Mr. Few, | Ay. } No. } No. } No. |

So it passed in the negative.

JUNE 7, 1782.

On motion of Mr. Ramsay, seconded by Mr. Cornell—

Resolved, That the secretary at war and superintendent of finance be directed to take such means as they may think proper to convey in the speediest manner, by land or by water, clothing and other necessaries to the southern army.

JULY 18, 1782.

On motion of Mr. Ramsay, seconded by Mr. Wither-
spoon,

Resolved, That the postmaster-general take the most speedy and effectual methods to apprehend the robbers of the publick mail, and that he shall be reimbursed by these United States any sums of money, not exceeding two hundred and thirty-three dollars and one third, which he shall bona fide expend on this business.

JULY 25, 1782.

On a report from the superintendent of finance, as agent of marine, to whom was referred a report of the secretary at war on a memorial of Musco Livingston—

Resolved, That the agent of marine be and he is hereby directed, to grant letters of passport and safe conduct to such vessel as may be employed by Musco Livingston, to sail from some port of the United States, in ballast, to the island of Jamaica, and to bring from thence the family and effects of the said Musco Livingston; provided, that nothing in such passport contained shall authorize the importation into these United States, or any of them, of any goods, wares, or merchandises, excepting money, plate, household furniture, and wearing apparel for the use of his family; and that the said Musco Livingston give bond, with sufficient sureties, to be lodged in the office of finance, in such a sum as the superintendent of finance shall think proper, not to contravene in any respect the true intent and meaning of this resolution.

NOVEMBER 27, 1782.

On the report of a committee, consisting of Mr. Osgood, Mr. Carroll, and Mr. Rutledge, to whom was referred a letter of the 19th from the commander in chief, enclosing a paper endorsed, "Information of Christopher Osgood"—

Resolved, That the commander in chief be and he is hereby empowered and directed, to take immediate measures for apprehending and securing Lake Knowlton, of Newfane, and Samuel Wells, of Brattleborough, both of the district of country commonly called the New Hampshire Grants, west of Connecticut river, and such others within the district aforesaid as there may be good reason to apprehend have been concerned with the said Knowlton and Wells in a dangerous correspondence and intercourse with the enemy; and that the commander in chief be authorized to communicate this resolution, and the information on which it is grounded, to such persons exercising authority in the district aforesaid, and at such time as he shall think proper.

DECEMBER 3, 1782.

Resolved, That the supreme executives of the states of New Hampshire, Massachusetts, Connecticut and New York, be furnished with a copy of Christopher Osgood's declaration, in order that they may have due information of the treasonable practices with which some of their subjects are charged, no less

dangerous to their own safety than that of the United States. And that the executive of the state in which the said Christopher Osgood may reside, or be, be requested to take such measures for the appearance of the said Christopher Osgood at any trial to be had of the persons mentioned in his declaration, as to the said executive may seem proper.

DECEMBER 11, 1782.

On a report from the secretary at war—

Resolved, That the secretary at war be empowered to permit any British prisoner of war to hire himself as a labourer, provided the person who employs him shall give sufficient security for his appearance when called for, in a penal bond of one hundred pounds current money of Pennsylvania; and that he pay to the superintendent of finance four dollars monthly for the hire of such prisoner while retained in his service.

JANUARY 3, 1783.

A motion was made by Mr. Arnold, seconded by Mr. Collins—

That the secretary for foreign affairs be directed to transmit to the executive of the state of Rhode Island and Providence Plantations, certified copies of the following extracts of publick letters from Europe, viz.

Extract of a Letter from the Minister of the United States at the Court of Versailles, directed to the Secretary for Foreign Affairs, dated Passy, August 12, 1782.

“All ranks of this nation appear to be in good
“humour with us, and our reputation rises throughout
“Europe.”

Extract of a letter from the Minister at the Court of Versailles, to the Secretary for Foreign Affairs, dated Passy, September 3, 1782.

“It affords me much satisfaction to find the conduct
“of Congress approved by all that hear, or speak of
“it; and to see all the marks of a constantly growing
“regard for us, and confidence in us, among those in
“whom such sentiments are most to be desired.”

Extract of a Letter from the Minister at the Court of Versailles, to the Superintendent of Finance, dated Passy, April 3, 1782, read in Congress, December 27, 1782.

“Our publick affairs go on swimmingly in Hol-
“land.”

Extract of a Letter from the Minister at the Court of Versailles, to the Superintendent of Finance, dated Passy, August 12, 1782, read in Congress, December 27, 1782.

“Your conduct, activity and address as financier
“and provider for the exigencies of the state, is much
“admired and praised here, its good consequences be-
“ing so evident, particularly with regard to the rising
“credit of our country, and the value of bills.”

Extract of a Letter from the Minister of the United States at the Hague, to the Secretary for Foreign Affairs, dated Hague, July 5, 1782.

“Although I was obliged to engage with them for five millions of guilders, I don’t expect we shall obtain that sum for a long time. If we get a million and a half by Christmas it will be more than I expect.”

Extract of Letter from the Marquis de la Fayette to the Secretary for Foreign Affairs, dated Paris, October 5, 1782.

“In a letter from Mr. Adams to me, dated the Hague, September 29, I had the following intelligence : ‘ We have at length the consent of all the cities and provinces, and have adjusted and agreed upon every article, word, syllable, letter, and point, in the treaty of commerce ; and clerks are employed in making out fair copies for the signature, which will be done this week. Amidst the innumerable crowd of loans which are opened in this country, many of which have little success, I was afraid that ours would have failed. I have, however, the pleasure to inform you that I am at least one million and a half in cash, about three millions of livres, which will be an aid to the operations of our finances.’ From this it appears that Mr. Adams has well employed his time in Holland, and I beg you will please to communicate this extract to Mr. Morris.”

That the said secretary also transmit to the said executive certified copies of the several letters that have been received from Mr. Adams, the minister at the Hague, in the course of the last six months, as well as those from Mr. Dumas, and the sundry letters which have been received from the ministers at Versailles and Madrid, on the subject of loans, in the course of the year 1782, and of all other letters respecting applications for foreign loans, and the result thereof; and respecting which secrecy is not enjoined by Congress.

A motion was made by Mr. Wolcott, seconded by Mr. Carroll, to amend by prefixing the following preamble :

Whereas the delegates of the state of Rhode Island have frequently interrupted and delayed the important business of Congress, by their solicitations to obtain certain extracts from letters received by Congress from their ministers, to have them transmitted to the state of Rhode Island; and whereas although such extracts being taken without the connexion which they bear to other parts of such letters will be very liable to misguide those to whom such extracts shall be sent; yet considering the interruption which such frequent motions occasion to the necessary business of the United States, Resolved—

A motion was made by Mr. Gilman, seconded by Mr. —, to amend the amendment, by inserting before the words “the delegates,” the words “some of.”

A motion was then made by Mr. Rutledge, seconded by Mr. Hawkins, as follows :

Congress having, on the 20th December last, directed the secretary for foreign affairs to transmit to the executive authority of Rhode Island, an authenticated state of the several applications for foreign loans, and the result thereof—

Resolved, That the foregoing motions be postponed.

A motion was then made by Mr. Hamilton, seconded by Mr. Gilman, that the whole be committed. And on the question for commitment, the yeas and nays being required by Mr. Howell—

| | | | |
|----------------|---|-------------------------|-----|
| New Hampshire, | Mr. Gilman, Mr. White, | Ay. } Ay. } | Ay. |
| Massachusetts, | Mr. Osgood, Mr. Gorham, | Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Collins, Mr. Arnold, Mr. Howell, | No. } No. } No. } | No. |
| Connecticut, | Mr. Ellsworth, Mr. Wolcott, Mr. Dyer, | Ay. } Ay. } Ay. } | Ay. |
| New York, | Mr. Floyd, Mr. Hamilton, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Boudinot, Mr. Elmer, Mr. Condict, | Ay. } Ay. } Ay. } | Ay. |

| | | | |
|-----------------|------------------|-----|-------|
| Pennsylvania, | Mr. Mifflin, | Ay. | } Ay. |
| | Mr. Fitzsimmons, | Ay. | |
| | Mr. Wilson, | Ay. | |
| | Mr. Montgomery, | Ay. | |
| | Mr. Peters, | Ay. | |
| Delaware, | Mr. Dickinson, | Ay. | } Ay. |
| | Mr. Wharton, | Ay. | |
| Maryland, | Mr. Carroll, | Ay. | > X |
| North Carolina, | Mr. Hawkins, | Ay. | } Ay. |
| | Mr. Nash, | Ay. | |
| | Mr. Williamson, | Ay. | |
| South Carolina, | Mr. Rutledge, | Ay. | } Ay. |
| | Mr. Ramsay, | Ay. | |
| | Mr. Izard, | Ay. | |
| | Mr. Gervais, | Ay. | |

So it was resolved in the affirmative.

The committee—Mr. Gilman, Mr. Hamilton, Mr. Ellsworth.

A motion was then made by Mr. Osgood, seconded by Mr. Hamilton, that the entry of this proceeding be made on the secret journal; and on the question to agree to this, the yeas and nays being required by Mr. Howell—

| | | | |
|----------------|--------------|-----|-------|
| New Hampshire, | Mr. Gilman, | Ay. | } Ay. |
| | Mr. White, | Ay. | |
| Massachusetts, | Mr. Osgood, | Ay. | } Ay. |
| | Mr. Gorham, | Ay. | |
| Rhode Island, | Mr. Collins, | No. | } No. |
| | Mr. Arnold, | No. | |
| | Mr. Howell, | No. | |

| | | | |
|-----------------|---|---|----------|
| Connecticut, | Mr. Ellsworth, Mr. Wolcott, Mr. Dyer, | No. } Ay. } Ay. } | Ay. |
| New York, | Mr. Floyd, Mr. Hamilton, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Boudinot, Mr. Elmer, Mr. Condict, | Ay. } Ay. } Ay. } | Ay. |
| Pennsylvania, | Mr. Mifflin, Mr. Fitzsimmons, Mr. Wilson, Mr. Montgomery, Mr. Peters, | Ay. } Ay. } Ay. } Ay. } Ay. } | Ay. |
| Delaware, | Mr. Dickinson, Mr. Wharton, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Carroll, | Ay. | >X |
| Virginia, | Mr. Madison, | Ay. | >X |
| North Carolina, | Mr. Hawkins, Mr. Nash, Mr. Williamson, Mr. Blount, | Ay. } Ay. } Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Rutledge, Mr. Ramsay, Mr. Izard, Mr. Gervais, | No. } Ay. } Ay. } No. } | DIVIDED. |

So it was resolved in the affirmative.

JANUARY 10, 1783.

The committee, consisting of Mr. Rutledge, Mr. Osgood, and Mr. Madison, to whom was referred a letter

of January 9, 1783, from the superintendent of finance, to confer with him thereon, report—

That they have conferred with the superintendent, who communicated to them the subject referred to in his letter, under their promise of secrecy until Congress shall direct them to communicate the same to them; and request the sense of Congress whether the committee shall now make such communication: Whereupon,

Ordered, That the committee make the communication.

The committee then informed Congress, that he has been under the necessity of drawing bills to an amount beyond the known funds procured in Europe, owing to sundry large sums which were not known to him, or not taken into his estimates, having been paid out of the sums obtained: Whereupon,

Resolved unanimously, That the superintendent of finance, be and he is hereby authorized, to draw bills of exchange, from time to time, according to his discretion upon the credit of the loans which the ministers of the United States have been instructed to procure in Europe, for such sums, not exceeding the amount of the money directed to be borrowed, as the publick service may require.

Resolved unanimously, That the whole of this matter be kept secret.

JANUARY 17, 1783.

The committee, consisting of Mr. Gorham, Mr. Peters, and Mr. Izard, appointed on a motion of Mr.

Peters, to consider and report to Congress the propriety of attempting farther loans in Europe, report—

That they conferred with the superintendent of finance, and fully informed themselves of the situation of the applications for foreign loans, which if complied with would be fully sufficient for the purposes to which those loans were intended to be applied ; but from the small prospect there seems to be of obtaining the moneys already directed to be borrowed, it appears not only hopeless, but embarrassing to the business already in train, to attempt farther loans until solid funds are put into the hands of Congress in support of the national faith and credit ; the committee therefore report, That it is at present inexpedient to take any farther order on the said motion.

Resolved, That Congress agree to the said report.

FEBRUARY 20, 1783.

On the report of a committee, consisting of Mr. Hamilton, Mr. Peters, Mr. Bland, Mr. Rutledge, and Mr. Mifflin, to whom was referred a letter of 30th January last, from the commander in chief—

Resolved, That the commander in chief be informed that Congress, always happy to receive his sentiments either on the political or military affairs of these states, the utility of which they have upon so many occasions experienced, have paid all the attention to his letter of the 30th of January which the importance of it demands.

That should the war continue another campaign, every motive of policy and economy would operate in

favour of the enterprise suggested; but that such are the present situation and prospects of these states, that it would be inexpedient at this time to determine upon the plan, or to enter upon the expensive preparations which it would require.

That the official accounts received by Congress corresponding with other intelligence, afford appearances of an approaching peace.

Ordered, That the secretary for foreign affairs make a confidential communication to the commander in chief of the state of the negotiations for peace, when the last advices were received.

OCTOBER 15, 1783.

After the resolution for holding a convention with the Indians in the northern and middle departments, it was resolved as follows :

That first, and as a preliminary, it shall be required that all prisoners of whatever age or sex among these Indians shall be delivered up.

Secondly, That the Indians be informed that after a contest of eight years for the sovereignty of this country, Great Britain has relinquished to the United States all claim to the country within the limits described by the second article of the provisional treaty between the United States and the king of Great Britain, on the thirtieth day of November, in the year 1782—that is to say—From the north-west angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint Croix river to the highlands, along the said highlands which divide

those rivers that empty themselves into the river Saint Lawrence from those which fall into the Atlantick ocean, to the north-westernmost head of Connecticut river; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois, or Cataraqui; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into lake Huron; thence through the middle of the said lake to the water communication between that lake and lake Superiour; thence through lake Superiour northward of the isles Royal and Philipeaux to the Long lake; thence through the middle of said Long lake, and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof; and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude; south by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola, or Catahouche; thence along the middle thereof to its junction with the Flint river; thence strait to the head

of St. Mary's river ; and thence down along the middle of St. Mary's river to the Atlantick ocean ; east, by a line to be drawn along the middle of the river St. Croix from its mouth in the bay of Fundy to its source ; and from its source directly north to the aforesaid highlands, which divide the rivers that fall into the Atlantick ocean from those which fall into the river St. Lawrence ;—comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy and the Atlantick ocean, excepting such islands as now are or heretofore have been, within the limits of the said province of Nova Scotia.

Thirdly, That as the Indians, notwithstanding a solemn treaty of neutrality with Congress at the commencement of the war, notwithstanding all the advice and admonition given them during its prosecution, could not be restrained from acts of hostility and wanton devastation, but were determined to join their arms to those of Great Britain, and to share their fortunes, so consequently with a less generous people than Americans, they might be compelled to retire beyond the lakes ; but as we prefer clemency to rigour, as we persuade ourselves that their eyes are open to their error, and that they have found by fatal experience that their true interest and safety must depend upon our friendship ; as the country is large enough to contain and support us all, and as we are disposed to be kind to them, to supply their wants, and to partake of their

trade, we, from these considerations, and from motives of compassion, draw a veil over what is passed, and will establish a boundary line between them and us, beyond which we will restrain our citizens from hunting and settling, and within which the Indians shall not come, but for the purpose of trading, treating, or other business equally unexceptionable.

Fourthly, That the following lines shall be proposed to be mutually agreed upon and established between the United States and the several tribes of Indians who shall be affected thereby; beginning at the mouth of the Great Miami river, which empties into the Ohio; thence along the said river Miami to its confluence with the Mad river; thence by a direct line to the Miami fort at the village of that name on the other Miami river which empties into lake Erie; thence along the lastmentioned river to lake Erie, comprehending all the lands between the abovementioned lines and the state of Pennsylvania on the east, lake Erie on the north, and the river Ohio on the south-east.

Fifthly, That the commissioners for the northern and middle departments, or such other persons as may be appointed by Congress, unite together in holding one convention with the Indians inhabiting the districts aforesaid, and their allies and dependents, for the purposes aforesaid; and only yield to separate conventions in case of inevitable necessity.

Sixthly, And whereas the Oneida and Tuscarora tribes have adhered to the cause of America, and joined her arms in the course of the late war, and Congress have frequently assured them of peculiar marks of favour and friendship, the said commission-

ers are therefore instructed to reassure the said tribes of the friendship of the United States, and that they may rely that the land which they claim as their inheritance will be reserved for their sole use and benefit, until they may think it for their own advantage to dispose of the same.

Seventhly, That the said commissioners be and they are hereby instructed, to obtain a particular account of the French inhabitants of Detroit, Illinois, and other villages within the territories of the United States; and that they give assurances in the name of the United States to those inhabitants who shall profess their allegiance to the United States, that they shall be protected in the full enjoyment of their liberty and their just and lawful property.

Eighthly, That the said commissioners be and they are hereby instructed, not to admit into a treaty with the said Indians, or suffer to be in any manner connected with it, any article, stipulation, or condition whatsoever, making or confirming, or tending to make or confirm, to any individual, or individuals, any grant or grants of land, whether real or pretended, within the bounds of the United States as before described.

Ninthly, That the said commissioners be and they are hereby also instructed, to obtain information of the number and places of residence of the citizens of the United States who have seated themselves on the north-west side of the Ohio; to signify to them the displeasure of Congress that they have taken this step, with which the publick interest and repose are so intimately connected, without permission or authority, and to discourage, to the utmost of their power, all intrusions

into any of the territories of the United States within their respective departments.

DECEMBER 22, 1783.

On the report of a committee, consisting of Mr. Jefferson, Mr. Gerry, and Mr. M'Henry, appointed to make the necessary arrangements for the publick audience of general Washington—

Resolved, That the order for the publick audience of general Washington be as follows :

1. The President and members are to be seated and covered, and the Secretary to be standing by the side of the President.

2d. The arrival of the General is to be announced by the messenger to the Secretary, who is thereupon to introduce the General, attended by his aids, to the hall of Congress.

3d. The General, being conducted to a chair by the Secretary, is to be seated with an aid on each side standing, and the Secretary is to resume his place.

4th. After a proper time for the arrangement of spectators, silence is to be ordered by the Secretary, if necessary, and the President is to address the General in the following words :

“ SIR,

“ The United States in Congress assembled are prepared to receive your communications :”

Whereupon the General is to arise, and address Congress. After which he is to deliver his commission and a copy of his address to the President.

5th. The General, having resumed his place, the President is to deliver the answer of Congress, which the General is to receive standing.

6th. The President having finished, the Secretary is to deliver the General a copy of the answer. The General is then to take his leave.

When the General rises to make his address, and also when he retires, he is to bow to Congress, which they are to return by uncovering without bowing.

MARCH 19, 1784.

On the report of a committee, consisting of Mr. Jefferson, Mr. Howell, and Mr. Williamson, to whom were referred the fourth and fifth of the instructions of the 15th of October, 1783, to the commissioners for negotiating with the Indians—

Resolved, That the said fourth and fifth articles of the instructions of the 15th of October, 1783, to the commissioners for negotiating with the Indians, be and they are repealed; and in lieu thereof the following be substituted:

Fourthly, That a meridian line passing through the lowest point of the rapids of Ohio to the northern boundary of these United States shall be proposed as the line of division between the several Indian tribes and these states; so that all the lands comprehended between the said boundary on the north, the Ohio on the south, the said meridian on the west, and Pennsylvania on the east, or so much thereof as the tribes having title thereto may be induced to part with, shall be ceded to the United States; and possession thereof,

or of any parts thereof, be given to the United States at such times as may be agreed upon in the treaty.

Fifthly, The said commissioners are instructed, as far as they shall find it convenient, to treat with the several nations at different times and places; and where necessity shall oblige them to bring two or more nations together, that they still keep their treaties and conferences as distinct as may be. That they countenance every disposition in any one of the Six Nations to treat and act separately and independently; and that in general they discourage every coalition and consultation which might tend to involve any one nation in the wars of the others.

MARCH 30, 1784.

The grand committee, consisting of Mr. Jefferson, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Stone, Mr. Williamson, and Mr. Read, to whom was referred a letter of the 19th March, 1784, from the superintendent of finance, with sundry papers enclosed, and who were instructed to revise the institution of the treasury department, and report such alterations as they may think necessary, reported the draft of a circular letter to the supreme executives of the several states, which was agreed to as follows:

[CIRCULAR.]

SIR,

The subject of this address claims the attention of your excellency on the principle of the most urgent necessity.

The state of our finances is such as to require the united efforts of Congress and of the several states, for obtaining immediately a supply of money to prevent the loss of publick credit.

When the army were furloughed, they had the promise of three months pay ; and as there was not money in the treasury, the superintendent of finance was under the necessity of issuing his notes to discharge this and other demands. The notes becoming due, part of them were redeemed with money supplied by the several states ; but this being inadequate, the financier drew bills on Holland for the deficiency. A considerable proportion of these drafts have been paid by loans obtained there on the credit of the United States. But the letters from our bankers to the superintendent of finance inform, that they had been under the necessity, for the want of funds, to suffer so many of his bills to be protested for non-acceptance as, with the damages on protest in case of non-payment, will amount to the sum of six hundred and thirty-six thousand dollars.

We expect the return of these bills under a protest for non-payment ; and should there not be money in the treasury of the United States to discharge them, your excellency may easily conceive the deplorable consequences.

Under such circumstances Congress think it their duty to communicate the matter confidentially to the supreme executive of each state, and to request in the most pressing terms their influence and exertion to furnish with all possible despatch, on requisitions unsatis-

fied, their respective quotas of the sum mentioned according to the apportionment herewith transmitted.

I shall only add, sir, that Congress rely on your wisdom for accomplishing their views with as much despatch as possible, and that the estimates and requisitions for the year will be soon transmitted to your excellency.

I am, &c.

(To be signed by the President.)

The apportionment of the six hundred and thirty-six thousand dollars is as follows:

| | | | | |
|-----------------|---|---|-------|---------|
| New Hampshire, | - | - | - | 22,348 |
| Massachusetts, | - | - | - | 95,157 |
| Rhode Island, | - | - | - | 13,703 |
| Connecticut, | - | - | - | 56,007 |
| New York, | - | - | - | 54,375 |
| New Jersey, | - | - | - | 35,344 |
| Pennsylvania, | - | - | - | 87,000 |
| Delaware, | - | - | - | 9,516 |
| Maryland, | - | - | - | 60,003 |
| Virginia, | - | - | - | 108,750 |
| North Carolina, | - | - | - | 46,213 |
| South Carolina, | - | - | - | 40,732 |
| Georgia, | - | - | - | 6,797 |
| | | | <hr/> | 636,000 |

APRIL 16, 1784.

On the report of a committee, consisting of Mr. Hand, Mr. Williamson, and Mr. Howell, to whom was referred a motion of Mr. Hand—

Resolved, That the commissioners for treating with the Indian nations be informed, that as Congress are desirous of having that important business effected with the utmost despatch, and at as little expense as possible, the fifth article of their instructions, so far as it enjoins the holding of separate and distinct treaties with the several nations, is dispensed with; and that they the said commissioners are hereby authorized to treat with the said several nations of Indians collectively, or at different times and places, as they shall find most conducive to the interest of the United States.

APRIL 22, 1784.

Resolved, That as the command of the legion did not devolve on colonel Ternant upon the promotion of general Armand, he be not entitled to any other pay or commutation than that to which he was entitled as lieutenant colonel in the said corps.

JANUARY 20, 1785.

On the report of a committee, consisting of Mr. Monroe, Mr. Platt, Mr. Read, Mr. Hardy, and Mr. Spaight, to whom were referred a letter of third November, 1784, from the honourable John Adams, and a letter of the 11th of the same month from the honourable John Adams, Benjamin Franklin, and Thomas Jefferson—

Resolved, That the paragraph in the joint letter respecting the communications they have received from the count de Vergennes upon the subject of the Dutch

loans guarantied by France, and the particular loans of France, as also the paragraph respecting the letter of Mr. le Grand to Mr. Franklin, and the letter of Mr. Adams, be transmitted to the several executives, and that they be requested to lay them before their respective legislatures, for their information upon the subjects on which they treat, under injunctions of secrecy.

SEPTEMBER 7, 1785.

On motion of Mr. Pinckney—

Resolved, That whenever it shall appear to the Secretary of the United States of America for the department of foreign affairs, that their safety or interest require the inspection of any letters in any of the post-offices, he be authorized and empowered to inspect the said letters, excepting from the operation of this resolution, which is to continue for the term of twelve months, all letters franked by, or addressed to, members of Congress.

SEPTEMBER 29, 1786.

On motion of Mr. Houstoun, seconded by Mr. Lee—

Resolved, That the secretary at war be and hereby is authorized and directed forthwith to repair to Springfield, in the state of Massachusetts, and to take such measures as may be necessary for the protection and safety of the federal magazine in that place.

On the question to agree to this, the yeas and nays being required by Mr. Pinckney—

| | | | |
|-----------------|--|-------------------------|----------|
| Massachusetts, | Mr. Gorham, Mr. King, Mr. Dane, | Ay. } Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Manning, Mr. Miller, | Ay. } Ay. } | Ay. |
| Connecticut, | Mr. Johnson, Mr. Sturges, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Cadwallader, Mr. Symmes, Mr. Hornblower, | Ay. } No. } Ay. } | Ay. |
| Pennsylvania, | Mr. Pettit, Mr. St. Clair, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Henry, Mr. Ramsay, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. Monroe, Mr. Carrington, Mr. Lee, | Ay. } Ay. } Ay. } | Ay. |
| North Carolina, | Mr. Bloodworth, Mr. White, | No. } Ay. } | DIVIDED. |
| South Carolina, | Mr. Pinckney, Mr. Parker, | No. } Ay. } | DIVIDED. |
| Georgia, | Mr. Houstoun, Mr. Few, | Ay. } Ay. } | Ay. |

So it was resolved in the affirmative.

OCTOBER 21, 1786.

Present—Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, and Georgia.

The committee, consisting of Mr. Pettit, Mr. Lee, Mr. Pinckney, Mr. Henry, and Mr. Smith, to whom were referred a letter from the war office, with the papers enclosed, containing intelligence of the hostile movements of the Indians in the western country, and a letter of the 18th inst. from the secretary at war, suggesting the imminent danger of the publick stores deposited in the arsenal at Springfield, in the state of Massachusetts, from the insurrections and disorders prevailing in that state, having reported—

That from the facts stated in the said letter from the secretary of war, and other authentick information, it appears that a dangerous insurrection has taken place in divers parts of the state of Massachusetts, which is rapidly extending its influence; that the insurgents have already, by force of arms, suppressed the administration of justice in several counties; that though the legislature of the said state is now in session, yet from the circumstances attending it, it would undoubtedly defeat the object of the federal interposition, should a formal application for the same be made; that nevertheless it appears to the committee that the aid of the federal government is necessary to stop the progress of the insurgents, and that there is the greatest reason to believe that unless speedy and effectual measures shall be taken to defeat their designs, they will possess themselves of the arsenal at Springfield, subvert the government, and not only reduce that commonwealth to a state of anarchy and confusion, but probably involve the United States in the calamities of a civil war. Under such circumstances, the committee conceive that the United States are not

only bound by the confederation and good faith, but strongly prompted by friendship, affection, and sound policy, to be prepared to extend such aid to the state of Massachusetts as may be necessary to restore the government to the full exercise of its constitutional authority, and to afford protection to the important publick stores deposited within that state. For these purposes the committee think it proper that a body of troops should be immediately raised under the authority of the United States; but as it is not expedient that these causes should be publickly assigned for the raising of such troops, especially as the other matters referred to the consideration of the committee afford sufficient ground to authorize the measure, they have thought it proper in a separate report on the intelligence received from the western country, to recommend the augmentation of the troops in the service of the United States. And as these troops are proposed to be raised chiefly in the eastern states, they may probably effect these salutary purposes before they are moved to the western country.

Resolved, unanimously, That Congress agree to the said report.

Resolved, unanimously, That although the present condition of Massachusetts demand immediate preparatory arrangements for the interposition of the union when called for, and the happiness of the United States require the adoption of measures calculated to crush the insurrection in that state, still in the present embarrassments of the federal finance, Congress would not hazard the perilous step of putting arms into the hands of men whose fidelity must in some degree de-

pend on the faithful payment of their wages, had they not the fullest confidence, from authentick and respectable information, of the most liberal exertions of the money holders in the state of Massachusetts and the other states in filling the loans authorized by the resolve of this date.

OCTOBER 23, 1786.

Present—Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, South Carolina, and Georgia, and from Maryland, Mr. Ramsay, from Virginia, Mr. Lee.

Resolved, unanimously, That whenever it shall appear to the Secretary of the United States of America for the department of foreign affairs that their safety or interest require the inspection of any letters in any of the postoffices, he be authorized and empowered to inspect the said letters, excepting from the operation of this resolution all letters franked by, or addressed to, members of Congress.

FEBRUARY 16, 1787.

Congress being assembled, present—Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Virginia, North Carolina, South Carolina, and Georgia, and from R. Island, Mr. Varnum, and from Maryland, Mr. Forrest.

The committee, consisting of Mr. Pinckney, Mr. Madison, Mr. King, Mr. Johnson, and Mr. Bingham, to whom was referred a motion for directing the sec-

retary at war to issue instructions immediately to the officers in the recruiting service to suspend any future enlistments of troops under the resolutions of Congress of the 20th October, 1786, until the farther direction of Congress, having reported—

“That in their opinion the present situation, and
“circumstances of the United States make it prudent
“to postpone for a short time a decision on the subject
“which has been referred to them :” and this report
having been made the order, was called for by the
state of South Carolina; and being under debate, a
motion was made by Mr. Pinckney, seconded by Mr.
Few, That the farther consideration of the report be
postponed, in order to take up the following proposi-
tion, namely,

“Whereas neither the requisition of the 21st of Oc-
“tober, 1786, nor the loans which the board of treasu-
“ry were directed to make in consequence thereof for
“paying and subsisting the troops directed to be raised
“by the resolutions of the 20th of October last, have
“yielded the sums expected from the same, and on the
“prospect of obtaining which the additional number of
“one thousand three hundred and forty men were alone
“determined to be raised; and as the present critical
“and embarrassed situation of the funds of the United
“States is such as not to permit the raising and equip-
“ping the whole number of troops mentioned in the
“said resolutions without interfering with the more
“necessary and important purposes of collecting sup-
“plies for the maintenance of the civil list and the
“contingencies of the federal government, the pay-
“ment of the interest and such parts of the capital

“ as are and will become due on the foreign loans ;
 “ and as it would be highly dangerous and impolitick
 “ either to apply the sums appropriated to these pur-
 “ poses to the maintenance of an additional military
 “ establishment in itself not necessary to the full ex-
 “ tent, or to place arms in the hands of a body of dis-
 “ ciplined troops for whose pay and subsistence the
 “ United States are not at present nor will soon pro-
 “ bably be in a situation to provide: Therefore,

“ Resolved, That the secretary at war be and he is
 “ hereby ordered, to issue immediate instructions to
 “ the officers in the recruiting service to suspend any
 “ future enlistments under the resolutions of the 20th
 “ of October until the farther direction of Congress,
 “ except so far as to complete the corps now in service
 “ on the Ohio or its neighbourhood to the number of
 “ non-commissioned officers and privates ;
 “ that he direct the troops already raised, with a suita-
 “ ble proportion of commissioned officers, to rendez-
 “ vous at ; and that he report to Congress
 “ the arrangements necessary for completing the said
 “ corps, and for discharging the officers who may
 “ have been commissioned but whose services are by
 “ this reduction rendered unnecessary.”

On the question to postpone for the purpose above-
 mentioned, the yeas and nays being required by Mr.
 Pinckney—

| | | |
|----------------|------------------------|--------------------|
| Massachusetts, | Mr. King, Mr. Dane, | No. } No. } No. |
| Rhode Island, | Mr. Varnum, | No. } × |

| | | | |
|-----------------|--|---|----------|
| Connecticut, | Mr. Johnson, Mr. S. M. Mitchell, | No. } No. } | No. |
| New York, | Mr. Smith, Mr. Benson, | No. } No. } | No. |
| New Jersey, | Mr. Cadwallader, Mr. Clark, Mr. Scheurman, | Ay. } Ay. } Ay. } | Ay. |
| Pennsylvania, | Mr. Irvine, Mr. Meredith, Mr. Bingham, | Ay. } Ay. } Ay. } | Ay. |
| Maryland, | Mr. Forrest, | No. } No. } | No. |
| Virginia, | Mr. Grayson, Mr. Madison, | Ay. } No. } | DIVIDED. |
| North Carolina, | Mr. Blount, Mr. Hawkins, | Ay. } Ay. } | Ay. |
| South Carolina, | Mr. Bull, Mr. Pinckney, Mr. Kean, Mr. Huger, Mr. Parker, | Ay. } Ay. } Ay. } Ay. } Ay. } | Ay. |
| Georgia, | Mr. Few, Mr. Pierce, | Ay. } Ay. } | Ay. |

So the question was lost.

On motion of Mr. Madison, seconded by Mr. King,
Ordered, That this be under the injunction of se-
crecy for two months.

Ordered, That the consideration of the report be
postponed.

OCTOBER 13, 1787.

On a report of the secretary at war, to whom was referred an extract of a report of the secretary for foreign affairs on the case of John Sullivan—

Whereas a certain John Sullivan, styling himself “late captain fourth regiment American light Dragoons,” has written an inflammatory and unwarrantable letter to the encargado de negocios of his catholick majesty, bearing date the first day of March, 1787, tending to interrupt and injure the peace and mutual confidence which so happily subsist between the United States and his said catholick majesty: Therefore,

Resolved, That the secretary at war direct the commanding officer of the troops of the United States on the Ohio, that, if the said John Sullivan come within the federal territory, he cause the said John Sullivan to be seized and confined, in order that he may be legally tried and punished according to the nature and degree of his crime.

OCTOBER 26, 1787.

Instructions to the Commissioners for negotiating a Treaty with the Tribes of Indians in the Southern department, for the purpose of establishing Peace between the United States and the said Tribes.

GENTLEMEN,

Several circumstances rendering it probable that hostilities may have commenced, or are on the eve of

commencing, between the state of North Carolina and the Cherokee nation of Indians, and between the state of Georgia and the Creek nation of Indians, you are to use every endeavour to restore peace and harmony between the said states and the said nations, on terms of justice and humanity.

The great source of contention between the said states and the Indian tribes being boundaries, you will carefully inquire into and ascertain the boundaries claimed by the respective states. And although Congress are of opinion that they might constitutionally fix the bounds between any state and an independent tribe of Indians, yet unwilling to have a difference subsist between the general government and that of the individual states, they wish you so to conduct the matter, that the states may not conceive their legislative rights in any manner infringed; taking care at the same time that whatever bounds are agreed upon, they may be described in such terms as shall not be liable to misconstruction and misrepresentation, but may be made clear to the conceptions of the Indians as well as whites.

The present treaty having for its principal object the restoration of peace, no cession of land is to be demanded of the Indian tribes.

You will use the utmost care to ascertain who are the leading men among the several tribes—the real head men and warriors. These you will spare no pains to attach to the interest of the United States; by removing as far as may be all causes of future contention or quarrels; by kind treatment, and assurances of protection; by presents of a permanent nature;

and by using every endeavour to conciliate the affections of the white people inhabiting the frontiers, towards them.

You will encourage the Indians to give notice to the superintendent of Indian affairs of any designs that may be formed by any neighbouring Indian tribe, or by any person whatever, against the peace of the United States.

You will insist that all prisoners of whatever age, sex, or complexion, be delivered up; and that all fugitive slaves belonging to citizens of the United States be restored.

Instructions to the Governour of the Territory of the United States north-west of the River Ohio, relative to an Indian Treaty in the Northern Department.

SIR,

You are carefully to examine into the real temper of the Indian tribes inhabiting the northern Indian department of the United States. If you find it hostile, and that the welfare of the frontiers and the settlements forming in that country demand a treaty, you will then in conjunction with the superintendent of Indian affairs for the northern department, unless the attendance of the said superintendent shall be prevented by any unforeseen event, hold as general a one as you can with all the tribes.

The primary objects of the treaty are the removing all causes of controversy, so that peace and harmony may continue between the United States and the Indian tribes; the regulating trade and settling boun-

daries. For these purposes you will do every thing that is right and proper.

The treaties which have been made may be examined, but must not be departed from, unless a change of boundary beneficial to the United States can be obtained.

Although the purchase of the Indian right of soil is not a primary object of holding this treaty, yet you will not neglect any opportunity that may offer of extinguishing the Indian rights to the westward as far as the river Mississippi.

You may stipulate that the east and west line, ordered to be run by the ordinance of the 20th May, 1785, shall be the boundary between the United States and the Indian tribes; provided they stipulate that it shall run throughout unto the river Mississippi. And you may stipulate that any white persons going over the said boundary, without a license from the proper officer of the United States, may be treated in such manner as the Indians shall think proper.

You will use every possible endeavour to ascertain who are the real head men and the warriors of the several tribes, and who have the greatest influence among them. These men you will attach to the United States by every means in your power.

Every exertion must be made to defeat all confederations and combinations among the tribes, and to conciliate the white people inhabiting the frontier towards them.

Resolved, That if under the authority given the 22d day of the present month to the governour of the

territory of the United States north-west of the river Ohio, he shall think it expedient to hold a treaty with the Indian tribes in the northern department, he shall apply to the commanding officer of the troops of the United States for such number of men as he may deem proper for guarding and protecting the stores and goods necessary for holding the said treaty; and the commanding officer of the troops of the United States shall cause the said number of men to be marched to such place, and at such time, as shall be directed by the governour.

JULY 2, 1788.

On the report of a committee, consisting of Mr. Dane, Mr. Irvine, Mr. S. M. Mitchell, Mr. Carrington, and Mr. Brown, to whom was referred the report of the secretary at war on a letter of the 14th of March, from the governour of the western territory, Congress agreed to the following

Additional Instructions to the Governour of the Territory of the United States north-west of the River Ohio, relative to the Treaty to be held with the Western Indians, in pursuance of the Resolutions of Congress passed in October last.

SIR,

An additional sum of twenty thousand dollars has been appropriated for the purposes of procuring a permanent peace with the Indian tribes with which you are authorized to hold a treaty.

This sum, and six thousand dollars out of the fourteen thousand heretofore appropriated for holding the said treaty, are particularly directed to be applied solely to the purpose of obtaining a boundary advantageous to the United States between them and the said Indian tribes; and for further extinguishing by purchase Indian titles, in case it can be done on terms beneficial to the union.

But it is not expected that any further purchase of lands will be made, unless on terms evidently advantageous to the United States; or that any part of the said additional sum will be expended, but in cases apparently necessary.

In fixing a boundary between the United States and the Indian tribes, instead of the east and west line mentioned in your instructions, you will endeavour to establish an east and west line as far north as the completion of the forty-first degree of north latitude.

In your negotiations with the Indians you will make immediate payments, so far as you shall have moneys in hand. But in case you shall find it necessary to engage any considerable part of the said additional sum, you are to stipulate that the payments thereof be made in two or three equal annual instalments, the first to be as late in the year 1789 as can be obtained.

[End of Domestick Journal.]

HISTORY
OF
THE CONFEDERATION.

HISTORY
OF
THE CONFEDERATION.

JULY 21, 1775.

AGREEABLY to order, the Congress resolved itself into a committee of the whole to take into consideration the state of America ; when Dr. B. Franklin submitted to their consideration the following sketch of articles of confederation.

ARTICLES

OF CONFEDERATION AND PERPETUAL UNION,

Proposed by the delegates of the several colonies of New Hampshire, &c. in General Congress met at Philadelphia, May 10, 1775.

ARTICLE I.

The name of this confederacy shall henceforth be
THE UNITED COLONIES OF NORTH AMERICA.

ARTICLE II.

The said United Colonies hereby severally enter into a firm league of friendship with each other, bind-

ing on themselves and their posterity, for their common defence against their enemies, for the securities of their liberties and properties, the safety of their persons and families, and their mutual and general welfare.

ARTICLE III.

That each colony shall enjoy and retain as much as it may think fit of its own present laws, customs, rights, privileges and peculiar jurisdictions within its own limits; and may amend its own constitution as shall seem best to its own assembly or convention.

ARTICLE IV.

That for the more convenient management of general interests, delegates shall be annually elected in each colony, to meet in general Congress at such time and place as shall be agreed on in the next preceding Congress. Only where particular circumstances do not make a duration necessary, it is understood to be a rule, that each succeeding Congress be held in a different colony, till the whole number be gone through; and so in perpetual rotation; and that accordingly the next Congress after the present shall be held at Annapolis, in Maryland.

ARTICLE V.

That the power and duty of the Congress shall extend to the determining on war and peace; the sending and receiving ambassadors, and entering into alliances

(the reconciliation with Great Britain;) the settling all disputes and differences between colony and colony, about limits or any other cause, if such should arise; and the planting of new colonies when proper. The Congress shall also make such general ordinances as, though necessary to the general welfare, particular assemblies cannot be competent to, viz.—Those that may relate to our general commerce, or general currency; the establishment of posts; and the regulation of our common forces. The Congress shall also have the appointment of all general officers, civil and military, appertaining to the general confederacy, such as general treasurer, secretary, &c.

ARTICLE VI.

All charges of wars, and all other general expenses to be incurred for the common welfare, shall be defrayed out of a common treasury, which is to be supplied by each colony in proportion to its number of male polls between sixteen and sixty years of age. The taxes for paying that proportion are to be laid and levied by the laws of each colony.

ARTICLE VII.

The number of delegates to be elected and sent to Congress by each colony shall be regulated, from time to time, by the number of such polls returned; so as that one delegate be allowed for every five thousand polls. And the delegates are to bring with them to every Congress an authenticated return of the number

of polls in the respective provinces, which is to be taken triennially, for the purposes abovementioned.

ARTICLE VIII.

At every meeting of the Congress, one half of the members returned, exclusive of proxies, shall be necessary to make a quorum; and each delegate at the Congress shall have a vote in all cases, and if necessarily absent, shall be allowed to appoint any other delegate from the same colony to be his proxy, who may vote for him.

ARTICLE IX.

An executive council shall be appointed by the Congress out of their own body, consisting of twelve persons; of whom, in the first appointment, one third, viz. four shall be for one year, four for two years, and four for three years; and as the said terms expire, the vacancies shall be filled by appointments for three years; whereby one third of the members will be changed annually. This council, of whom two thirds shall be a quorum in the recess of Congress, is to execute what shall have been enjoined thereby; to manage the general continental business and interests; to receive applications from foreign countries; to prepare matters for the consideration of the Congress; to fill up, pro tempore, continental offices that fall vacant; and to draw on the general treasurer for such moneys as may be necessary for general services, and appropriated by the Congress to such services.

ARTICLE X.

No colony shall engage in an offensive war with any nation of Indians without the consent of the Congress, or grand council abovementioned, who are first to consider the justice and necessity of such war.

ARTICLE XI.

A perpetual alliance, offensive and defensive, is to be entered into as soon as may be with the Six Nations; their limits to be ascertained and secured to them; their land not to be encroached on, nor any private or colony purchases made of them hereafter to be held good; nor any contract for lands to be made, but between the great council of the Indians at Onondaga and the general Congress. The boundaries and lands of all the other Indians shall also be ascertained and secured to them in the same manner, and persons appointed to reside among them in proper districts; and shall take care to prevent injustice in the trade with them; and be enabled at our general expense, by occasional small supplies, to relieve their personal wants and distresses. And all purchases from them shall be by the Congress, for the general advantage and benefit of the United Colonies.

ARTICLE XII.

As all new institutions may have imperfections, which only time and experience can discover, it is agreed that the general Congress, from time to time,

shall propose such amendments of this constitution as may be found necessary; which being approved by a majority of the colony assemblies, shall be equally binding with the rest of the articles of this confederation.

ARTICLE XIII.

Any and every colony from Great Britain upon the continent of North America, not at present engaged in our association, may, upon application and joining the said association, be received into the confederation, viz. Ireland, the West India islands, Quebeck, St. John's, Nova Scotia, Bermudas, and the East and West Floridas; and shall thereupon be entitled to all the advantages of our union, mutual assistance and commerce.

These articles shall be proposed to the several provincial conventions or assemblies, to be by them considered; and if approved, they are advised to empower their delegates to agree to and ratify the same in the ensuing Congress. After which the union thereby established is to continue firm, till the terms of reconciliation proposed in the petition of the last Congress to the king are agreed to; till the acts since made, restraining the American commerce and fisheries are repealed; till reparation is made for the injury done to Boston, by shutting up its port; for the burning of Charlestown; and for the expense of this unjust war; and till all the British troops are withdrawn from America. On the arrival of these events, the colonies will return to their former connexion and friendship with

Britain: but on failure thereof, this confederation is to be perpetual.

JUNE 10, 1776.

Agreeable to order, the Congress resolved itself into a committee of the whole to take into their farther consideration the resolutions to them referred; and after some time spent thereon, the President resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the resolutions to them referred, and have come to a resolution, which he read.

The Congress took into consideration the report from the committee of the whole: Whereupon,

Resolved, That the consideration of the first resolution be postponed to this day three weeks; and in the mean while, that no time be lost, in case the Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said first resolution, which is in these words: "That these
" United Colonies are, and of right ought to be, free
" and independent states; that they are absolved from
" all allegiance to the British crown; and that all political connexion between them and the state of Great
" Britain, is, and ought to be, totally dissolved."

JUNE 11, 1776.

Resolved, That a committee be appointed to prepare and digest the form of a confederation to be entered into between these colonies.

JUNE 12, 1776.

Resolved, That the committee, to prepare and digest the form of a confederation to be entered into between these colonies, consist of a member from each colony.

| | |
|-----------------|--------------------|
| New Hampshire, | Mr. Bartlett. |
| Massachusetts, | Mr. S. Adams. |
| Rhode Island, | Mr. Hopkins. |
| Connecticut, | Mr. Sherman. |
| New York, | Mr. R. Livingston. |
| New Jersey, | |
| Pennsylvania, | Mr. Dickinson. |
| Delaware, | Mr. M'Kean. |
| Maryland, | Mr. Stone. |
| Virginia, | Mr. Nelson. |
| North Carolina, | Mr. Hewes. |
| South Carolina, | Mr. Rutledge. |
| Georgia, | Mr. Gwinnet. |

JULY 12, 1776.

The committee appointed to prepare articles of confederation, brought in a draft (*in the hand-writing of J. Dickinson,*) which was read, and is as follows :

ARTICLES
OF CONFEDERATION AND PERPETUAL UNION,
BETWEEN THE COLONIES OF

| | |
|--------------------|--------------|
| New Hampshire, | Connecticut, |
| Massachusetts Bay, | New York, |
| Rhode Island, | New Jersey, |

| | |
|---------------------|---------------------|
| Pennsylvania, | Maryland, |
| The counties of New | Virginia, |
| Castle, Kent, and | North Carolina, |
| Sussex, on Dela- | South Carolina, and |
| ware, | Georgia. |

ARTICLE I.

The name of this confederacy shall be, THE UNITED STATES OF AMERICA.

ARTICLE II.

The said colonies unite themselves so as never to be divided by any act whatever ; and hereby severally enter into a firm league of friendship with each other for their common defence, the security of their liberties, and their mutual and general welfare, binding the said colonies to assist one another against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE III.

Each colony shall retain and enjoy as much of its present laws, rights and customs, as it may think fit ; and reserves to itself the sole and exclusive regulation and government of its internal police, in all matters that shall not interfere with the articles of this confederation.

ARTICLE IV.

No colony or colonies, without the consent of the United States assembled, shall send any embassy to, or receive any embassy from, or enter into any treaty, convention, or conference with the king or kingdom of Great Britain, or any foreign prince or state; nor shall any colony or colonies, nor any servant or servants of the United States, or of any colony or colonies, accept of any present, emolument, office, or title of any kind whatever, from the king or kingdom of Great Britain, or any foreign prince or state; nor shall the United States assembled, or any colony, grant any title of nobility.

ARTICLE V.

No two or more colonies shall enter into any treaty, confederation or alliance whatever between them, without the previous and free consent and allowance of the United States assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

ARTICLE VI.

The inhabitants of each colony shall henceforth always enjoy the same rights, liberties, privileges, immunities and advantages, in the other colonies, which the said inhabitants now have, in all cases whatever, except in those provided for by the next following article.

ARTICLE VII.

The inhabitants of each colony shall enjoy all the rights, liberties, privileges, immunities and advantages, in trade, navigation and commerce in any other colony, and in going to and from the same, from and to any part of the world, which the natives of such colony enjoy.

ARTICLE VIII.

Each colony may assess or lay such imposts or duties as it thinks proper, on importations or exportations ; provided such imposts or duties do not interfere with any stipulations in treaties hereafter entered into by the United States assembled, with the king or kingdom of Great Britain, or any foreign prince or state.

ARTICLE IX.

No standing army, or body of forces, shall be kept up by any colony or colonies, in times of peace, except such a number only as may be requisite to garrison the forts necessary for the defence of such colony or colonies. But every colony shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred ; and shall provide and constantly have ready for use in publick stores, a due number of field pieces and tents, and a proper quantity of ammunition and camp equipage.

ARTICLE X.

When troops are raised in any of the colonies for the common defence, the commission officers proper for the troops raised in each colony, except the general officers, shall be appointed by the legislature of each colony respectively, or in such manner as shall by them be directed.

ARTICLE XI.

All charges of wars, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes, in each colony, a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the assembly of the United States. Taxes for paying that proportion shall be laid and levied by the authority and direction of the legislature of the several colonies within the time agreed upon by the United States assembled.

ARTICLE XII.

Every colony shall abide by the determinations of the United States assembled, concerning the services performed and losses or expenses incurred by every

colony for the common defence, or general welfare; and no colony or colonies shall, in any case whatever, endeavour by force to procure redress of any injury or injustice supposed to be done by the United States to such colony or colonies, in not granting such satisfactions, indemnifications, compensations, retributions, exemptions, or benefits, of any kind, as such colony or colonies may think just or reasonable.

ARTICLE XIII.

No colony or colonies shall engage in any war, without the previous consent of the United States assembled, unless such colony or colonies be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nations of Indians to invade such colony or colonies, and the danger is so imminent as not to admit of a delay till the other colonies can be consulted. Nor shall any colony or colonies grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States assembled, and then only against the kingdom or state, and the subjects thereof, against which war has been so declared; and under such regulations as shall be established by the United States assembled.

ARTICLE XIV.

No purchases of lands, hereafter to be made of the Indians, by colonies or private persons, before the limits of the colonies are ascertained, to be valid.

All purchases of lands not included within those limits, where ascertained, to be made by contracts between the United States assembled, or by persons for that purpose authorized by them and the great councils of the Indians, for the general benefit of all the United Colonies.

ARTICLE XV.

When the boundaries of any colony shall be ascertained by agreement, or in the manner hereinafter directed, all the other colonies shall guaranty to such colony the full and peaceable possession of, and the free and entire jurisdiction in, and over the territory included within such boundaries.

ARTICLE XVI.

For the more convenient management of the general interests of the United States, delegates should be annually appointed in such mannner as the legislature of each colony shall direct, to meet at the city of Philadelphia, in the colony of Pennsylvania, until otherwise ordered by the United States assembled; which meeting shall be on the first Monday of November in every year, with a power reserved to those who appointed the said delegates, respectively, to recall them or any of them at any time within the year, and to send new delegates in their stead for the remainder of the year. Each colony shall support its own delegates in a meeting of the states, and while they act as members of the council of state, hereinafter mentioned.

ARTICLE XVII.

In determining questions, each colony shall have one vote.

ARTICLE XVIII.

The United States assembled shall have the sole and exclusive right and power—of determining on peace and war, except in the cases mentioned in the thirteenth article : Of establishing rules for deciding in all cases what captures on land or water shall be legal : In what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated : Granting letters of marque and reprisal in times of peace : Appointing courts for the trial of all crimes, frauds and piracies committed on the high seas, or on any navigable river not within the body of a county or parish : Establishing the courts for receiving and determining finally appeals in all cases of captures : Sending and receiving ambassadors under any character : Entering into treaties and alliances : Settling all disputes and differences now subsisting, or that hereafter may arise, between two or more colonies concerning boundaries, jurisdictions, or any other cause whatever : Coining money, and regulating the value thereof : Regulating the trade, and managing all affairs with the Indians : Limiting the bounds of those colonies which, by charter or proclamation, or under any pretence, are said to extend to the south sea ; and ascertaining those bounds of any

other colony that appear to be indeterminate : Assigning territories for new colonies, either in lands to be thus separated from colonies and heretofore purchased, or obtained by the crown of Great Britain from the Indians, or hereafter to be purchased or obtained from them : Disposing of all such lands for the general benefit of all the United Colonies : Ascertaining boundaries to such new colonies within which forms of government are to be established on the principles of liberty : Establishing and regulating postoffices throughout all the United Colonies, on the lines of communication from one colony to another : Appointing general officers of the land forces in the service of the United States : Commissioning such other officers of the said forces as shall be appointed by virtue of the tenth article : Appointing all the officers of the naval forces in the service of the United States : Making rules for the government and regulation of the said land and naval forces : Appointing a council of state, and such committees and civil officers as may be necessary for managing the general affairs of the United States under their direction, while assembled, and in their recess of the council of state : Appointing one of their number to preside, and a suitable person for secretary : And adjourning to any time within the year.

The United States assembled shall have authority, for the defence and welfare of the United Colonies and every of them, to agree upon and fix the necessary sums and expenses ; to emit bills, or to borrow money, on the credit of the United Colonies ; to raise naval forces ; to agree upon the number of land forces to be

raised, and to make requisitions from the legislature of each colony, or the persons therein authorized by the legislature to execute such requisitions, for the quota of each colony, which is to be in proportion to the number of white inhabitants in that colony; which requisitions shall be binding; and thereupon the legislature of each colony, or the persons authorized as aforesaid, shall appoint the regimental officers, raise the men, and arm and equip them in a soldierlike manner; and the officers and men so armed and equipped shall march to the place appointed, and within the time agreed on by the United States assembled.

But if the United States assembled shall, on consideration of circumstances, judge proper that any colony or colonies should not raise men, or should raise a smaller number than the quota or quotas of such colony or colonies, and that any other colony or colonies should raise a greater number of men than the quota or quotas thereof, such extra numbers shall be raised, officered, armed, and equipped, in the same manner as the quota or quotas of such colony or colonies, unless the legislature of such colony or colonies respectively, shall judge that such extra numbers cannot be safely spared out of the same; in which case they shall raise, officer, arm and equip as many of such extra numbers as they judge can be safely spared; and the officers and men so armed and equipped, shall march to the place appointed, and within the time agreed on by the United States assembled.

To establish the same weights and measures throughout the United Colonies.

But the United States assembled shall never impose or levy any taxes or duties, except in managing the postoffice; nor interfere in the internal police of any colony any further than such police may be affected by the articles of this confederation.

The United States assembled shall never engage the United Colonies in a war; nor grant letters of marque and reprisal in time of peace; nor enter into treaties or alliances; nor coin money; nor regulate the value thereof; nor agree upon nor fix the sums and expenses necessary for the defence and welfare of the United Colonies, or any of them; nor emit bills; nor borrow money on the credit of the United Colonies; nor raise naval forces; nor agree upon the number of land forces to be raised—unless the delegates of nine colonies freely assent to the same: nor shall a question on any other point, except for adjourning, be determined, unless the delegates of seven colonies vote in the affirmative.

No person shall be capable of being a delegate for more than three years in any term of six years.

No person holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emoluments of any kind, shall be capable of being a delegate.

The assembly of the United States to publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy. The yeas and nays of the delegates of each colony on any question to be entered on the journal, where it is desired by any delegate; and the delegates of a colony,

or any of them, at his or their request, to be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several colonies.

ARTICLE XIX.

The council of state shall consist of one delegate from each colony, to be named annually by the delegates of each colony; and where they cannot agree, by the United States assembled.

This council shall have power to receive and open all letters directed to the United States, and to return proper answers; but not to make any engagements that shall be binding on the United States: To correspond with the legislature of every colony, and all persons acting under the authority of the United States, or of the said legislatures: To apply to such legislatures, or to the officers in the several colonies who are intrusted with the executive powers of government, for occasional aid, whenever and wherever necessary: To give council to the commanding officers, and to direct military operations by sea and land, not changing any objects or expeditions determined on by the United States assembled, unless an alteration of circumstances, which shall come to the knowledge of the council after the recess of the states, shall make such change absolutely necessary: To attend to the defence and preservation of forts and strong posts, and to prevent the enemy from acquiring new holds: To procure intelligence of the condition and designs of the enemy: To expedite the execution of such measures as may be

resolved on by the United States assembled, in pursuance of the powers hereby given to them: To draw upon the treasurers for such sums as may be appropriated by the United States assembled, and for the payment of such contracts as the said council may make in pursuance of the powers hereby given to them: To superintend, and control, or suspend, all officers civil and military, acting under the authority of the United States: In case of the death or removal of any officer within the appointment of the United States assembled, to employ a person to fulfil the duties of such office until the assembly of the states meet: To publish and disperse authentick accounts of military operations: To summon an assembly of the states at an earlier day than that appointed for their next meeting, if any great and unexpected emergency should render it necessary for the safety or welfare of the United Colonies, or any of them: To prepare matters for the consideration of the United States, and to lay before them at their next meeting all letters and advices received by the council, with a report of their proceedings: To appoint a proper person for their clerk, who shall take an oath of secrecy and fidelity before he enters on the exercise of his office. Seven members shall have power to act. In case of the death of any member, the council shall immediately apply to his surviving colleagues to appoint some one of themselves to be a member thereof till the meeting of the states; and if only one survives, they shall give immediate notice, that he may take his seat as a counsellor till such meeting.

ARTICLE XX.

Canada acceding to this confederation, and entirely joining in the measures of the United Colonies, shall be admitted into, and entitled to all the advantages of this union. But no other colony shall be admitted into the same, unless such admission be agreed to by the delegates of nine colonies.

These articles shall be proposed to the legislatures of all the United Colonies, to be by them considered; and if approved by them, they are advised to authorize their delegates to ratify the same in the assembly of the United States; which being done, the articles of this confederation shall inviolably be observed by every colony; and the union is to be perpetual. Nor shall any alteration be at any time hereafter made in these articles, or any of them, unless such alteration be agreed to in an assembly of the United States, and be afterwards confirmed by the legislatures of every colony.

Resolved, That eighty copies, and no more, of the confederation, as brought in by the committee, be immediately printed and deposited with the Secretary, who shall deliver one copy to each member.

That the printer be under oath to deliver all the copies which he shall print, together with the copy sheet, to the Secretary; and not to disclose, either directly or indirectly, the contents of the said confederation.

That no member furnish any person with his copy, or take any steps by which the said confederation may

be reprinted; and that the Secretary be under the like injunction.

AUGUST 20, 1776.

On the 22d July the Congress resolved itself into a committee of the whole to consider the articles of confederation; and proceeded to debate the same, in committee, on the 23d, 24th, 25th, 26th, 29th, 30th, and 31st of that month, and on the 1st, 2d, 6th, 7th, 8th, and 20th of August, 1776. On the day last mentioned, they reported a new draft, which was read and ordered to be printed for the use of the members, under the same injunctions and restrictions as the former draft.

The draft of the articles of confederation reported by the committee of the whole is as follows :

ARTICLES

OF CONFEDERATION AND PERPETUAL UNION,

BETWEEN THE STATES OF

| | |
|---------------------|--------------------------|
| New Hampshire, | Castle, Kent, and Sussex |
| Massachusetts Bay, | on Delaware, |
| Rhode Island, | Maryland, |
| Connecticut, | Virginia, |
| New York, | North Carolina, |
| New Jersey, | South Carolina, and |
| Pennsylvania, | Georgia. |
| The counties of New | |

ARTICLE 1.

The name of this confederacy shall be, THE UNITED STATES OF AMERICA.

ARTICLE II.

The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare ; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE III.

Each state reserves to itself the sole and exclusive regulations and government of its internal police in all matters that shall not interfere with the articles of this confederation.

ARTICLE IV.

No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with, any king, prince or state, nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever, from any king, prince or foreign state ; nor shall the United States assembled, or any of them, grant any title of nobility.

ARTICLE V.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

ARTICLE VI.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties hereafter entered into by the United States assembled with any king, prince, or state.

ARTICLE VII.

No vessels of war shall be kept up in time of peace by any state, except such number only as shall be deemed necessary by the United States assembled for the defence of such state, or its trade; nor shall any body of forces be kept up by any state in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defence of such state. But every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred; and shall provide, and constantly have ready for use in publick stores,

a due number of field pieces and tents, and a proper quantity of ammunition and camp equipage.

ARTICLE VIII.

When land forces are raised by any state for the common defence, all officers of or under the rank of colonel shall be appointed by the legislatures of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE IX.

All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes in each state; a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the assembly of the United States. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the United States assembled.

ARTICLE X.

Every state shall abide by the determinations of the United States in Congress assembled on all questions which by this confederation are submitted to them.

ARTICLE XI.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of delay till the other states can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque, or reprisal, except it be after a declaration of war by the United States assembled; and then only against the kingdom or state and the subjects thereof against which war has been so declared, and under such regulations as shall be established by the United States assembled.

ARTICLE XII.

For the more convenient management of the general interests of the United States, the delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet at the city of Philadelphia, in Pennsylvania, until otherwise ordered by the United States in Congress assembled; which

meeting shall be on the first Monday in November in every year; with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year. Each state shall support its own delegates in a meeting of the states, and while they act as members of the council of state hereinafter mentioned.

ARTICLE XIII.

In determining questions each state shall have one vote.

ARTICLE XIV.

The United States assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the eleventh article: Of establishing rules for deciding, in all cases, what captures on land or water shall be legal: In what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated: Granting letters of marque and reprisal in times of peace: Appointing courts for the trial of piracies and felonies committed on the high seas: Establishing courts for receiving and determining finally appeals in all cases of captures: Sending and receiving ambassadors: Entering into treaties and alliances: Deciding all disputes and differences now subsisting, or that hereafter may arise, between two or more states, concerning boundaries, jurisdictions, or any other

cause whatever: Coining money and regulating the value thereof: Fixing the standard of weights and measures throughout the United States: Regulating the trade and managing all affairs with the Indians, not members of any of the states: Establishing and regulating postoffices from one state to another, throughout all the United States; and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of said office: Appointing general officers of the land forces in the service of the United States: Commissioning such other officers of the said forces as shall be appointed by virtue of the eighth article: Appointing all the officers of the naval forces in the service of the United States: Making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a council of state, and such committees and civil officers as may be necessary for managing the general affairs of the United States under their direction, while assembled, and their recess under that of the council of state: To appoint one of their number to preside; and a suitable person for secretary; and to adjourn to any time within the year, and to any place within the United States: To agree upon and fix the necessary sums and expenses: To borrow money, or emit bills on the credit of the United States: To build and equip a navy: To agree upon the number of land forces; and to make requisitions from each state for its quota in proportion to the number of white inhabitants in such state; which requisitions shall be binding; and thereupon the legislature

of each state shall appoint the regimental officers, raise the men, and arm and equip them in a soldier-like manner; and the officers and men so armed and equipped shall march to the place appointed, and within the time agreed on, by the United States assembled.

But if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any state or states should not raise men, or should raise a smaller number than the quota or quotas of such state or states, and that any other state or states should raise a greater number of men than the quota or quotas thereof, such extra numbers shall be raised, officered, armed and equipped, in the same manner as the quota or quotas of such state or states, unless the legislature of such state or states respectively shall judge that such extra numbers cannot be safely spared out of the same, in which case they shall raise, officer, arm and equip as many of such extra numbers as they judge can be safely spared. And the officers and men, so armed and equipped, shall march to the place appointed, and within the time agreed on by the United States assembled.

The United States in Congress assembled shall never engage in a war; nor grant letters of marque and reprisal in time of peace; nor enter into any treaties or alliances, except for peace; nor coin money, nor regulate the value thereof; nor agree upon nor fix the sums and expenses necessary for the defence and welfare of the United States, or any of them; nor emit bills; nor borrow money on the credit of the United States; nor appropriate money; nor agree upon the

number of vessels of war to be built or purchased, or the number of land or sea forces to be raised ; nor appoint a commander in chief of the army or navy— unless nine states assent to the same : nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States.

No person shall be capable of being a delegate for more than three years in any term of six years.

No person holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind, shall be capable of being a delegate.

The assembly of the United States to publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy ; the yeas and nays of the delegates of each state on any question to be entered on the journal when it is desired by any delegate ; and the delegates of a state, or any of them, at his or their request, to be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE XV.

The council of state shall consist of one delegate from each state, to be named annually by the delegates of each state, and where they cannot agree, by the United States assembled.

This council shall have power to receive and open all letters directed to the United States, and to return proper answers; but not to make any engagements that shall be binding on the United States; to correspond with the legislature of every state, and all persons acting under the authority of the United States, or of the said legislatures; to apply to such legislatures, or to the officers in the several states, who are intrusted with the executive powers of government, for occasional aid whenever and wherever necessary; to give council to the commanding officers, and to direct military operations by sea and land, not changing any objects or expeditions determined on by the United States assembled, unless an alteration of circumstances which shall come to the knowledge of the council after the recess of the states shall make such change absolutely necessary; to attend to the defence and preservation of forts and strong posts; to procure intelligence of the condition and designs of the enemy; to expedite the execution of such measures as may be resolved on by the United States assembled, in pursuance of the powers hereby given to them; to draw upon the treasurers for such sums as may be appropriated by the United States assembled, and for the payment of such contracts as the said council may make in pursuance of the powers hereby given to them; to superintend and control or suspend all officers, civil and military, acting under the authority of the United States. In case of the death or removal of any officer within the appointment of the United States assembled, to employ a person to fulfil the duties of such office, until the assembly of the states

meet; to publish and disperse authentick accounts of military operations; to summon an assembly of the states at an earlier day than that appointed for their next meeting, if any great and unexpected emergency should render it necessary for the safety or welfare of the United States or any of them; to prepare matters for the consideration of the United States, and to lay before them at their next meeting all letters and advices received by the council, with a report of their proceedings; to appoint a proper person for their clerk, who shall take an oath of secrecy and fidelity before he enters on the exercise of his office. Seven members shall have power to act. In case of the death of any member, the council shall immediately apply to his surviving colleagues to appoint some one of themselves to be a member thereof, till the meeting of the states; and if only one survives, they shall give immediate notice, that he may take his seat as a counselor till such meeting.

ARTICLE XVI.

Canada acceding to this confederation, and entirely joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this union. But no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

These articles shall be proposed to the legislatures of all the United States, to be by them considered; and if approved by them, they are advised to authorize their delegates to ratify the same in the assembly

of the United States ; which being done, the articles of this confederation shall inviolably be observed by every state ; and the union is to be perpetual. Nor shall any alteration, at any time hereafter, be made in these articles, or any of them, unless such alteration be agreed to in an assembly of the United States, and be afterwards confirmed by the legislatures of every state.

TUESDAY, APRIL 8, 1777.

Ordered, That the report of the committee of the whole house on the articles of confederation, be taken into consideration on Monday next ; and that two days in each week be employed on that subject until it shall be wholly discussed in Congress.

MONDAY, APRIL 21, 1777.

According to the order of the day, Congress proceeded to the consideration of the articles of confederation, as reported from the committee of the whole house ; and after debate thereon,

Resolved, That the farther consideration thereof be postponed to Friday next.

FRIDAY, APRIL 25, 1777.

According to the order of the day, Congress resumed the consideration of the articles of confederation as reported by a committee of the whole ; and after debate,

Resolved, That the farther consideration thereof be postponed to Monday next.

MONDAY, MAY 5, 1777.

Congress resumed the consideration of the articles of confederation, as reported by the committee of the whole ; and after debate thereon,

Resolved, That the farther consideration thereof be postponed.

MONDAY, JUNE 23, 1777.

According to the order of the day, Congress took into consideration the articles of confederation ; and after debate,

Resolved, That the farther consideration thereof be postponed till to-morrow.

WEDNESDAY, JUNE 25, 1777.

Resolved, That to-morrow be assigned for taking into consideration the articles of confederation.

THURSDAY, JUNE 26, 1777.

According to the order of the day, Congress took into consideration the articles of confederation ; and after debate thereon,

Resolved, That the farther consideration thereof be postponed.

THURSDAY, OCTOBER 2, 1777.

Resolved, That the articles of confederation be taken into consideration to-morrow morning, at eleven o'clock.

MONDAY, OCTOBER 6, 1777.

FOUR O'CLOCK, P. M.

Ordered, That to-morrow morning, at eleven o'clock, Congress take into consideration that part of the article of confederation which relates to the mode of voting in Congress.

TUESDAY, OCTOBER 7, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles of confederation relative to the mode of voting in Congress: Whereupon, it was moved,

That in determining questions, Rhode Island, Delaware, and Georgia, shall have one vote, and every other state shall have one vote for every fifty thousand white inhabitants therein, taken and transmitted according to the directions of the ninth article; and when the white inhabitants of Rhode Island, Delaware and Georgia shall exceed fifty thousand, the number of votes to be given by such state shall be increased in the proportion of one vote for every fifty thousand such inhabitants, that an equality in this national assembly may be preserved as nearly as possible; and

that those who are bound by measures, and are to pay taxes demanded by an assembly, the members of which are elected, not by all the people, but by those of a particular district, may have the same proportionable number of votes as they would have if they were personally present. If in process of time the people shall so multiply as that the Congress, consisting of one delegate for every fifty thousand white inhabitants, would be too numerous, the proportions shall be again adjusted, wherein the same rule of equality in the representation shall be observed.

| | | |
|--------------------|--|-----------------------------|
| New Hampshire, | Mr. Folsom, | No. >No. |
| Massachusetts Bay, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, | No. } No. } No. No. } |
| Rhode Island, | Mr. Marchant, | No. >No. |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } No. } No. No. } |
| New York, | Mr. Duane, Mr. Duer, | No. } No. } No. |
| New Jersey, | Mr. Witherspoon, | No. >No. |
| Pennsylvania, | Mr. Roberdeau, | Ay. >Ay. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | No. } No. } No. No. } |

| | | |
|-----------------|---|---|
| Virginia, | Mr. Harrison, Mr. F. L. Lee, Mr. Jones, Mr. R. H. Lee, | Ay. } Ay. } Ay. } Ay. } Ay. |
| North Carolina, | Mr. Penn, Mr. Harnett, | Ay. } No. } DIVIDED. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | No. } No. } No. } No. |
| Georgia, | Mr. Walton, Mr. Brownson, | No. } No. } No. |

So it passed in the negative.

It was then moved,

That each state shall have a right to send one delegate to Congress for every thirty thousand of its inhabitants; and in determining questions in Congress, each delegate shall have one vote.

| | | |
|--------------------|--|--------------------------------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, | No. } Ay. } No. } No. |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } No } No. } No. |
| New York, | Mr. Duane, Mr. Duer, | No. } No. } No. |
| New Jersey, | Mr. Witherspoon, | No. } No. |

| | | |
|-----------------|---|--------------------------------------|
| Pennsylvania, | Mr. Roberdeau, | No. } No. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | No. } No. } No. No. } |
| Virginia, | Mr. Harrison, Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | Ay. } Ay. } Ay. } AY. Ay. } |
| North Carolina, | Mr. Penn, Mr. Harnett, | Ay. } No. } DIVIDED. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | Ay. } No. } No. No. } |
| Georgia, | Mr. Walton, Mr. Brownson, | No. } No. } No. |

So it passed in the negative.

It was then moved,

That the quantum of representation of each state shall be computed by numbers proportioned according to its contribution of money or tax levied, agreeable to this confederation, and paid into the publick treasury towards the annual expenses necessary for the support of the union.

| | | |
|--------------------|--|----------------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, | Ay. } No. } |
| Rhode Island, | Mr. Marchant, | No. } |

| | | |
|-----------------|---|--------------------------------------|
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } No. } No. } No. |
| New York, | Mr. Duane, Mr. Duer, | No. } No. } No. |
| New Jersey, | Mr. Witherspoon, | No. } No. |
| Pennsylvania, | Mr. Morris, Mr. Roberdeau, | No. } No. } No. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | No. } No. } No. } No. |
| Virginia, | Mr. Harrison, Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | Ay. } Ay. } Ay. } Ay. } Ay. |
| North Carolina, | Mr. Penn, Mr. Harnett, | No. } No. } No. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | Ay. } No. } No. } No. |
| Georgia, | Mr. Walton, Mr. Brownson, | No. } No. } No. |

So it passed in the negative.

The question put on the article as reported—

| | | |
|----------------|--|-----------------------------|
| New Hampshire, | Mr. Folsom, | Ay. } Ay. |
| Massachusetts, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, | Ay. } No. } Ay. } Ay. |
| Rhode Island, | Mr. Marchant, | Ay. } Ay. |

| | | | |
|-----------------|---|----------------------------------|----------|
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | Ay. } Ay. } Ay. } | Ay. |
| New York, | Mr. Duane, Mr. Duer, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Witherspoon, | Ay. | Ay. |
| Pennsylvania, | Mr. Morris, Mr. Roberdeau, | Ay. } Ay. } | Ay. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | Ay. } Ay. } Ay. } | Ay. |
| Virginia, | Mr. Harrison, Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | No. } No. } No. } No. } | No. |
| North Carolina, | Mr. Penn, Mr. Harnett, | No. } Ay. } | DIVIDED. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | No. } Ay. } Ay. } | Ay. |
| Georgia, | Mr. Walton, Mr. Brownson, | Ay. } Ay. } | Ay. |

So it was

Resolved, That in determining questions each state shall have one vote.

WEDNESDAY, OCTOBER 8, 1777.

FOUR O'CLOCK, P. M.

Resolved, That to-morrow Congress take into consideration that part of the articles of confederation that relates to taxation.

THURSDAY, OCTOBER, 9, 1777.

FOUR O'CLOCK, P. M.

The article relating to taxation in the confederation reported by the committee of the whole Congress was read as follows :

“ All charges of war, and all other expenses that
“ shall be incurred for the common defence or general
“ welfare, and allowed by the United States assembled,
“ shall be defrayed out of a common treasury, which
“ shall be supplied by the several states in proportion
“ to the number of inhabitants of every age, sex and
“ quality, except Indians not paying taxes, in each
“ state ; a true account of which, distinguishing the
“ white inhabitants, shall be triennially taken and
“ transmitted to the assembly of the United States.
“ The taxes for paying that proportion shall be laid
“ and levied by the authority and direction of the le-
“ gislatures of the several states within the time agreed
“ upon by the United States assembled.”

After debate thereon,

Resolved, That the farther consideration thereof be postponed till to-morrow.

FRIDAY, OCTOBER 10, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles of confederation under debate yesterday; and after some time,

Resolved, That the farther consideration thereof be postponed till to-morrow.

SATURDAY, OCTOBER 11, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article of confederation last under debate; and after some time spent thereon,

Resolved, That the farther consideration thereof be postponed to Monday next.

MONDAY, OCTOBER 13, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article of confederation under debate: Whereupon, it was moved,

That the proportion of the publick expense incurred by the United States for their common defence and general welfare, to be paid by each state into the treasury, be ascertained by the value of all property, except household goods and wearing apparel, within each state, to be ascertained agreeable to the directions of Congress.

Question put, passed in the negative.

Another amendment was moved; and after debate, the determination thereof, at the request of a state, was postponed till to-morrow.

TUESDAY, OCTOBER 14, 1777.

Congress resumed the consideration of the amendment moved yesterday, viz. "That the proportion of the publick expense incurred by the United States for their common defence and general welfare, to be paid by each state into the treasury, be ascertained by the value of all land within each state granted to, or surveyed for any person, as such land, the build- ings and improvements thereon, shall be estimated according to such mode as Congress shall from time to time direct and appoint."

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| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. S. Adams, | No. } |
| | Mr. J. Adams, | No. } No. |
| | Mr. Gerry, | No. } |
| | Mr. Lovell, | No. } |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Dyer, | No. } |
| | Mr. Law, | No. } No. |
| | Mr. Williams, | No. } |
| New York, | Mr. Duane, | No. } |
| | Mr. Duer, | Ay. } DIVIDED. |
| New Jersey, | Mr. Witherspoon, | Ay. } |
| | Mr. Elmer, | Ay. } AY. |

| | | | |
|-----------------|--|-------------------------|------------|
| Pennsylvania, | Mr. Morris, Mr. Roberdeau, | Ay. } No. } | } DIVIDED. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | Ay. } Ay. } Ay. } | |
| Virginia, | Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | Ay. } Ay. } Ay. } | } AY. |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Harnett, | Ay. } Ay. } Ay. } | |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | Ay. } Ay. } Ay. } | } AY. |

So it was resolved in the affirmative.

FOUR O'CLOCK, P. M.

Congress took into consideration that part of the articles of confederation relative to the manner of constituting the Congress of the United States.

On the question put,

Resolved, That no person shall be capable of being a delegate for more than three years in any term of six years.

It was then moved,

That no state shall be represented in Congress by less than two, nor by more than seven members.

New Hampshire, Mr. Folsom, No. } No.

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|--------------------|---|----------------------------------|-------|
| Massachusetts Bay, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, Mr. Lovell, | Ay. } No. } Ay. } Ay. } | } Ay. |
| Rhode Island, | Mr. Marchant, | No. } No. | |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | Ay. } Ay. } Ay. } | } Ay. |
| New York, | Mr. Duane, Mr. Duer, | Ay. } Ay. } | } Ay. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, | No. } No. } | } No. |
| Pennsylvania, | Mr. Morris, Mr. Roberdeau, | Ay. } Ay. } | } Ay. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | Ay. } Ay. } Ay. } | } Ay. |
| Virginia, | Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | Ay. } Ay. } Ay. } | } Ay. |
| North Carolina, | Mr. Penn, Mr. Burke, Mr. Harnett, | Ay. } Ay. } Ay. } | } Ay. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | Ay. } Ay. } Ay. } | } Ay. |

So it was resolved in the affirmative.

WEDNESDAY, OCTOBER 15, 1777.

Congress took into consideration the article of confederation relative to the powers of Congress; and after debate,

Resolved, That the farther consideration thereof be postponed to the afternoon.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article of confederation under debate this morning: Whereon, it was moved,

That in order to render the present union and confederacy firm and perpetual, it is essential that the limits of each respective territorial jurisdiction should be ascertained by the articles of confederation; and therefore it is recommended to the legislatures of every state to lay before Congress a description of the territorial lands of each of their respective states, and a summary of the grants, treaties, and proofs, upon which they are claimed, or established.

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| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. S. Adams, | No.) |
| | Mr. J. Adams, | No.) No. |
| | Mr. Gerry, | No.) |
| | Mr. Lovell, | No.) |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Dyer, | No.) |
| | Mr. Law, | No.) No. |
| | Mr. Williams, | Ay.) |

| | | | |
|-----------------|--|-------------------------|-----|
| New York, | Mr. Duane, Mr. Duer, | Ay. } Ay. } | Ay. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, | No. } No. } | No. |
| Pennsylvania, | Mr. Morris, | Ay. }> | Ay. |
| Maryland, | Mr. Chase, Mr. Carroll, Mr. Smith, | Ay. } Ay. } No. } | Ay. |
| Virginia, | Mr. Jones, Mr. F. L. Lee, Mr. R. H. Lee, | No. } No. } No. } | No. |
| North Carolina, | Mr. Penn, Mr. Harnett, | No. } No. } | No. |
| South Carolina, | Mr. Middleton, Mr. Heyward, Mr. Laurens, | No. } No. } No. } | No. |

So it passed in the negative.

It was then moved,

That the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim to the South Sea; and to dispose of all land beyond the boundary so ascertained for the benefit of the United States.

Question put,

Passed in the negative.

It was then moved,

That the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim

to the Mississippi, or South Sea, and lay out the land beyond the boundary so ascertained into separate and independent states, from time to time, as the numbers and circumstances of the people thereof may require.

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| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts, | Mr. S. Adams, | No. } |
| | Mr. J. Adams, | No. } No. |
| | Mr. Geiry, | No. } |
| | Mr. Lovell, | No. } |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Dyer, | No. } |
| | Mr. Law, | No. } No. |
| | Mr. Williams, | No. } |
| New York, | Mr. Duane, | No. } |
| | Mr. Duer, | No. } No. |
| New Jersey, | Mr. Witherspoon, | No. } |
| | Mr. Elmer, | Ay. } DIVIDED. |
| Pennsylvania, | Mr. Morris, | No. } No. |
| Maryland, | Mr. Chase, | Ay. } |
| | Mr. Carroll, | Ay. } Ay. |
| | Mr. Smith, | Ay. } |
| Virginia, | Mr. Jones, | No. } |
| | Mr. F. L. Lee, | No. } No. |
| | Mr. R. H. Lee, | No. } |
| | Mr. Harvie, | No. } |
| North Carolina, | Mr. Penn, | No. } |
| | Mr. Harnett, | No. } No. |
| South Carolina, | Mr. Middleton, | No. } |
| | Mr. Heyward, | No. } No. |
| | Mr. Laurens, | No. } |

So it passed in the negative.

TUESDAY, OCTOBER 21, 1777.

Congress resumed the consideration of the articles of confederation as reported by the committee of the whole. In debating the sixth article it was moved,

That instead of "No state shall lay any imposts or duties which may interfere with any stipulations in treaties hereafter entered into by the United States assembled with any king, prince or state," it should run thus—"No state shall lay any imposts or duties upon goods, wares or merchandise imported or exported by any foreign nation with whom the United States assembled shall enter into any commercial treaty, other than what shall be laid upon the inhabitants of such state; provided that any state may totally prohibit the exportation or importation of any particular species of goods, wares or merchandise; and provided also, that if any foreign nation shall not allow the same privileges, exemptions or advantages to the people and vessels of any state trading in their ports, as to their own people and vessels, the said state may disallow the like privileges, exemptions and advantages to those foreigners." After some debate thereon, the consideration thereof was postponed to the afternoon.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the amendment moved this morning; and the question being put, the states were equally divided.

THURSDAY, OCTOBER 23, 1777.

Congress resumed the consideration of the articles of confederation.

A motion was made to strike out the word "hereafter," and to add to the paragraph under debate on Tuesday these words, "in pursuance of any treaties already proposed by Congress to the courts of France or Spain:"

And on the question put,

Resolved in the affirmative.

On the paragraph restraining the several states from granting commissions to vessels of war, or letters of marque and reprisal, it was moved to add "unless such state be infested by pirates; in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise."

On the question put,

Resolved in the affirmative.

On the article respecting the powers of Congress, a motion was made to add to the first paragraph "provided that no member of Congress shall be appointed a judge of any of the said courts."

Question put,

Resolved in the affirmative.

Another amendment was moved after the word "entering into treaties and alliances," to insert "provided that no treaty of commerce shall be made whereby the legislative power of the respective

“ states shall be restrained from imposing such im-
 “ posts and duties on foreigners, as their own people
 “ are subjected to, or from prohibiting the exportation
 “ or importation of any species of goods or commodi-
 “ ties whatsoever.”

After debate, the farther consideration thereof was postponed to the afternoon.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the paragraph in the confederation under debate this morning; which being divided, and the question being put on the first part as far as the disjunctive “ or”—

| | | |
|--------------------|---|-----------------------------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts Bay, | Mr. S. Adams, Mr. J. Adams, Mr. Lovell, | Ay. } Ay. } Ay. Ay. } |
| Rhode Island, | Mr. Marchant, | No. } No. |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } No. } No. } |
| New York, | Mr. Duane, Mr. Duer, | Ay. } Ay. } Ay. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, | No. } Ay. } DIVIDED. |
| Pennsylvania, | Mr. Morris, Mr. Roberdeau, | Ay. } Ay. } Ay. |
| Maryland, | Mr. Smith, | Ay. } Ay. |

| | | | |
|-----------------|---|----------------------------------|------------|
| Virginia, | Mr. Jones, Mr. R. H. Lee, Mr. F. L. Lee, Mr. Harvie, | Ay. } Ay. } Ay. } Ay. } | } AY. |
| North Carolina, | Mr. Penn, Mr. Harnett, | Ay. } Ay. } | } AY. |
| South Carolina, | Mr. Heyward, Mr. Laurens, | Ay. } No. } | } DIVIDED. |

So it was resolved in the affirmative.

The question was then put on the second part, and resolved in the affirmative.

Resolved, That the farther consideration of the article be postponed till to-morrow.

FRIDAY, OCTOBER 24, 1777.

Congress resumed the consideration of the article of confederation respecting the powers of Congress; and after some time the farther consideration thereof was postponed.

Congress resumed the consideration of the article of confederation relative to the powers of Congress; and after some time spent thereon, adjourned to ten o'clock to-morrow.

SATURDAY, OCTOBER 25, 1777.

Congress resumed the consideration of the article of confederation respecting the powers of Congress: Whereupon,

It was moved to strike out “coining money, and regulating the value thereof,” and insert, “regulating the alloy and value of coin struck by their own authority, or by that of the respective states.”

And the question being put,
Resolved in the affirmative.

Resolved, That the farther consideration of the articles of confederation be postponed to Monday next.

MONDAY, OCTOBER 27, 1777.

Congress resumed the consideration of the article of confederation respecting the powers of Congress :
Whereupon,

It was moved, to strike out these words, “deciding all disputes and differences now subsisting, or that hereafter may arise between two or more states concerning boundaries, jurisdictions, or any other cause whatever;” and instead thereof, to insert “The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting, or that may hereafter arise, between two or more states, concerning boundaries, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following : Whenever the legislature or executive authority, or lawful agent of any state in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy ; and a day assigned for the appearance of the parties by their lawful agents.

“ who shall then be directed to appoint by joint consent
“ commissioners or judges to constitute a court for
“ hearing and determining the matter in question ; but
“ if they cannot agree, Congress shall name three per-
“ sons out of each of the United States, and from the list
“ of such persons, each party shall alternately strike
“ out one, the petitioners beginning, until the number
“ shall be reduced to thirteen ; and from that number not
“ less than seven, nor more than nine names, as Con-
“ gress shall direct, shall in the presence of Congress
“ be drawn out by lot ; and the persons whose names
“ shall be so drawn, or any five of them, shall be com-
“ missioners or judges to hear and finally determine the
“ controversy ; so always as a major part of the judges
“ who shall hear the cause, shall agree in the determi-
“ nation. And if either party shall neglect to attend at
“ the day appointed, without showing reasons which
“ Congress shall judge sufficient, or, being present,
“ shall refuse to strike, the Secretary of Congress
“ shall do it in behalf of such party ; and the judgment
“ and sentence of the court to be appointed in the man-
“ ner before prescribed, shall be final and conclusive.
“ And if any of the parties shall refuse to submit to
“ the authority of such court, or to appear, or defend
“ their claim or cause, the court shall nevertheless
“ proceed to pronounce sentence or judgment, which
“ shall in like manner be final and decisive ; the judg-
“ ment or sentence and other proceedings being, in
“ either case, transmitted to Congress, and lodged
“ among the acts of Congress for the security of the
“ parties concerned : Provided, that every commission-
“ er, before he sits in judgment, shall take an oath, to

“ be administered by one of the judges of the supreme
 “ or superiour court of the state where the cause shall
 “ be tried, well and truly to hear and determine the
 “ matter in question according to the best of his judg-
 “ ment, without favour, affection, or hope of reward;
 “ provided also, that no state shall be deprived of ter-
 “ ritory for the benefit of the United States.

| | | |
|-----------------|---|--------------------------------------|
| New Hampshire, | Mr. Folsom, | No. } No. |
| Massachusetts, | Mr. S. Adams, Mr. J. Adams, Mr. Gerry, | Ay. } Ay. } Ay. Ay. } |
| Rhode Island, | Mr. Marchant, | Ay. } Ay. |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } |
| New York, | Mr. Duane, Mr. Duer, | Ay. } Ay. } Ay. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, | No. } Ay. } DIVIDED. |
| Pennsylvania, | Mr. Roberdeau, | Ay. } Ay. |
| Virginia, | Mr. Jones, Mr. R. H. Lee, Mr. F. L. Lee, Mr. Harvie, | Ay. } Ay. } Ay. } Ay. Ay. } |
| North Carolina, | Mr. Penn, Mr. Harnett, | Ay. } Ay. } Ay. |
| South Carolina, | Mr. Heyward, Mr. Laurens, | Ay. } No. } DIVIDED. |

So it was resolved in the affirmative.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the article in confederation last under debate.

A motion was made to strike out the words "not members of any of the states;" and instead thereof to insert "not residing within the limits of any of the United States."

Another motion was made to amend the clause, so as to read thus: "managing all affairs relative to war and peace with all Indians not members of any particular state; and regulating the trade with such nations and tribes as are not resident within such limits wherein a particular state claims and actually exercises jurisdiction." After debate,

Resolved, That the farther consideration thereof be postponed till to-morrow.

TUESDAY, OCTOBER 28, 1777.

Congress resumed the consideration of the articles of confederation; and after debating on the amendments moved yesterday, adjourned to four o'clock.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles of confederation; and instead of the two amendments proposed, it was moved to add to the clause, these words: "Provided, that the legislative right of any

“ state within its own limits be not infringed or violated.”

And the question being put,

Resolved in the affirmative.

WEDNESDAY, OCTOBER 29, 1777.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to :

Instead of “ general officers,” to read “ all officers.”
After “ United States,” to add, “ excepting regimental officers, and commissioning all officers whatever.”

FOUR O’CLOCK, P. M.

Congress resumed the consideration of the articles of confederation ; and after some time spent thereon, adjourned to ten o’clock to-morrow.

THURSDAY, OCTOBER 30, 1777.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to, viz. Strike out “ council of state,” &c. and read, “ The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be nominated a *committee of the states*, and to consist of one delegate from each state, and to appoint such other committees,” &c.

In the next clause, strike out, “and a suitable person for secretary,” and read, “to appoint one of their number to preside.” To change the words “agree on and fix,” for the word “ascertain;” and to amend the clause to read thus—“To ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the publick expenses.”

On the clause for adjournment to add, “so that no period of adjournment be for a longer duration than the space of six months.”

In the clause for borrowing or emitting money, to add, “transmitting every half year to the respective states an account of the sums of money so borrowed or emitted.”

To amend the clause for calling upon the states for their quota of troops, so that each state may “clothe” as well as arm, &c. its quota of troops.

It was then moved after the words “unless nine states shall assent to the same,” to insert “Provided, that the nine states so assenting shall comprehend a majority of the people of the United States, excluding negroes and Indians; for which purpose a true account of the number of free people in each state shall be triennially taken and transmitted to the assembly of the United States.”

| | | | |
|--------------------|---------------|-----|-------|
| New Hampshire, | Mr. Folsom, | No. | } No. |
| Massachusetts Bay, | Mr. S. Adams, | Ay. | |
| | Mr. J. Adams, | No. | } No. |
| | Mr. Gerry, | No. | |
| | Mr. Lovell, | No. | |

| | | |
|-----------------|---|--------------------------------------|
| Rhode Island, | Mr. Marchant, | No. }> |
| Connecticut, | Mr. Dyer, Mr. Law, Mr. Williams, | No. } No. } No. No. } |
| New York, | Mr. Duane, Mr. Duer, | No. } No. } No. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, | No. } No. } No. |
| Pennsylvania, | Mr. Roberdeau, | No. }> |
| Maryland, | Mr. Smith, | Ay. }>× |
| Virginia, | Mr. Jones, Mr. R. H. Lee, Mr. F. L. Lee, Mr. Harvie, | Ay. } Ay. } Ay. Ay. } Ay. } |
| North Carolina, | Mr. Penn, Mr. Harnett, | No. } No. } No. |
| South Carolina, | Mr. Heyward, Mr. Laurens, | No. } No. } No. |

So it passed in the negative.

It was then moved and agreed to amend the clause,
 “No person holding any office under the United States
 “for which he or another for his benefit receives any
 “salary, fees or emolument of any kind, shall be capa-
 “ble of being a delegate,” and read “no person being
 “a delegate shall be capable of holding any office
 “under the United States for which he or any other
 “for his benefit receives any salary, fees or emolument
 “of any kind.”

On the clause for entering the yeas and nays, it was moved, after the words "on any question," to insert, "except on a previous question;" and instead of "when it is desired by any delegate," to read, when "it is desired by any state."

And a question being severally put,
Passed in the negative.

The question was then put to agree to the clause.

| | | |
|--------------------|------------------|-----------|
| New Hampshire, | Mr. Folsom, | Ay. } × |
| Massachusetts Bay, | Mr. S. Adams, | Ay. } |
| | Mr. J. Adams, | Ay. } Ay. |
| | Mr. Gerry, | Ay. } |
| | Mr. Lovell, | Ay. } |
| Rhode Island, | Mr. Marchant, | No. } × |
| Connecticut, | Mr. Dyer, | Ay. } |
| | Mr. Law, | |
| | Mr. Williams, | |
| New York, | Mr. Duane, | Ay. } |
| | Mr. Duer, | Ay. } Ay. |
| New Jersey, | Mr. Witherspoon, | Ay. } |
| | Mr. Elmer, | Ay. } Ay. |
| Pennsylvania, | Mr. Roberdeau, | Ay. } × |
| Maryland, | Mr. Smith, | Ay. } × |
| Virginia, | Mr. Jones, | Ay. } |
| | Mr. R. H. Lee, | Ay. } Ay. |
| | Mr. F. L. Lee, | Ay. } |
| | Mr. Harvie, | Ay. } |
| North Carolina, | Mr. Penn, | Ay. } |
| | Mr. Harnett, | Ay. } Ay. |

| | | | |
|-----------------|------------------------------|----------------|------------|
| South Carolina, | Mr. Heyward, Mr. Laurens, | Ay. } No. } | } DIVIDED. |
|-----------------|------------------------------|----------------|------------|

So it was resolved in the affirmative.

FRIDAY, NOVEMBER 7, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles of confederation: Whereupon, it was moved,

After the words "to appoint one of their number to preside," to add, "provided that no person be allowed to serve in that office more than one year in any term of three years."

And the yeas and nays being required—

| | | |
|--------------------|----------------|---------|
| New Hampshire, | Mr. Folsom, | Ay. } × |
| Massachusetts Bay, | Mr. S. Adams, | Ay. } |
| | Mr. J. Adams, | Ay. } |
| | Mr. Gerry, | Ay. } |
| | Mr. Lovell, | Ay. } |
| | | } Ay. |
| Rhode Island, | Mr. Marchant, | Ay. } × |
| Connecticut, | Mr. Dyer, | No. } |
| | Mr. Law, | No. } |
| | Mr. Williams, | No. } |
| | | } No. |
| New York, | Mr. Duane, | No. } |
| | Mr. Duer, | No. } |
| | | } No. |
| New Jersey, | Mr. Elmer, | Ay. } × |
| Pennsylvania, | Mr. Morris, | No. } |
| | Mr. Roberdeau, | Ay. } |
| | Mr. Clingan, | Ay. } |
| | | } Ay. |

| | | | |
|-----------------|---|-------------------------|------------|
| Maryland, | Mr. Smith, Mr. Rumsey, | No. } Ay. } | } DIVIDED. |
| Virginia, | Mr. Jones, Mr. F. L. Lee, Mr. Harvie, | Ay. } Ay. } Ay. } | |
| North Carolina, | Mr. Penn, Mr. Harnett, | Ay. } Ay. } | } AY. |
| South Carolina, | Mr. Laurens, | Ay. } | |

So it was resolved in the affirmative.

A motion was made to strike out the whole article relative to the powers of the committee of the states ; and instead thereof to substitute “ The committee of “ the states, or any nine of them, shall be authorized “ to execute, in the recess of Congress, such of the “ powers of Congress as the United States in Con- “ gress assembled by the consent of nine states, shall “ from time to time think expedient to vest them with : “ Provided, no power be delegated to the said com- “ mittee for the exercise of which, by the articles of “ confederation, the voice of nine states in the Con- “ gress of the United States assembled is requisite.”

And the question being put,

Resolved in the affirmative.

MONDAY, NOVEMBER 10, 1777.

FOUR O’CLOCK, P. M.

Sundry propositions being laid before Congress, in addition to the articles of confederation,

Resolved, That a committee of three be appointed to take the same into consideration, and report such as they shall judge proper to be added to the articles of confederation; not changing, or altering any of the articles already agreed on.

The members chosen—Mr. Law, Mr. Richard Henry Lee, and Mr. Duane.

WEDNESDAY, NOVEMBER 12, 1777.

Congress took into consideration the articles proposed to be added to the confederation: Whereupon,

Resolved, That the following be included :

“Freedom of speech and debate in Congress shall
“not be impeached or questioned in any court or place
“out of Congress.

“The members of Congress shall be protected in
“their persons from arrests and imprisonments during
“the time of their going to and from and attendance
“on Congress, except for treason, felony, or breach
“of the peace.”

Adjourned to four o'clock.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles proposed to be added to the confederation: Whereupon,

Resolved, That the following be included therein :

“If any person guilty of, or charged with treason, or
“felony, or other high misdemeanour, in any state,
“shall flee from justice, and be found in any of the

“ United States, he shall, upon demand of the gover-
 “ nour or executive power of the state from which he
 “ fled, be delivered up and removed to the state hav-
 “ ing jurisdiction of his offence.

“ Full faith and credit shall be given in each of the
 “ states to the records, acts and judicial proceedings
 “ of the courts and magistrates of every other state.”

It was then moved to add, “ An action of debt may
 “ be commenced in a court of law of any state for the
 “ recovery of a debt due on judgment of any court in
 “ any other state ; provided the judgment creditor shall
 “ give bond with sufficient sureties before the said
 “ court, in which the action shall be brought, to answer
 “ in damages to the adverse party, in case the original
 “ judgment should be afterwards revised, and set aside ;
 “ and provided, the party against whom such judgment
 “ may have been obtained had notice in fact of the
 “ service of the original writ upon which such judg-
 “ ment shall be founded.”

| | | |
|--------------------|----------------|-------------------------------------|
| New Hampshire, | Mr. Folsom, | No. } × |
| Massachusetts Bay, | Mr. Gerry, | No. } × |
| Rhode Island, | Mr. Marchant, | Ay. } × |
| Connecticut, | Mr. Dyer, | Ay. } No. } Ay. Mr. Williams, |
| | | Ay. } |
| New York, | Mr. Duane, | No. } × |
| New Jersey, | Mr. Elmer, | No. } × |
| Pennsylvania, | Mr. Roberdeau, | Ay. } No. } DIVIDED. |
| | Mr. Clingan, | |

| | | | |
|-----------------|---|----------------------------------|------------|
| Maryland, | Mr. Smith, Mr. Rumsey, | No. } Ay. } | } DIVIDED. |
| Virginia, | Mr. Jones, Mr. R. H. Lee, Mr. F. L. Lee, Mr. Harvie, | No. } No. } No. } No. } | |
| North Carolina, | Mr. Penn, Mr. Harnett, | No. } No. } | } No. |
| South Carolina, | Mr. Laurens, | No. } X | |

So it passed in the negative.

THURSDAY, NOVEMBER 13, 1777.

FOUR O'CLOCK, P. M.

Congress resumed the consideration of the articles proposed to be added to the confederation; and the following were agreed to :

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the respective states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions, as the inhabitants thereof respectively; provided, that such restriction shall not extend so far as to prevent the removal of property imported into any state to any other state of which the owner is an inhabitant; pro-

vided also, that no imposition, duties, or restrictions, shall be laid by any state on the property of the United states or either of them.

All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States; for payment and satisfaction whereof the said United States and the publick faith are hereby solemnly pledged. All controversies concerning the private right of soil, claimed under different grants of two or more states, whose jurisdictions, as they may respect such lands, and the states which passed such grants, are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined in the same manner, as near as may be, as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

Resolved, That a committee of three be appointed to revise and arrange the articles of confederation agreed to; and to prepare a circular letter to the respective states to accompany the said articles.

The members chosen—Mr. Richard Henry Lee, Mr. Duane, and Mr. Lovell.

FRIDAY, NOVEMBER 14, 1777.

The committee appointed to revise and arrange the articles of confederation, reported a draft, which was read and agreed to.

Ordered, That a fair copy be made out accordingly.

SATURDAY, NOVEMBER 15, 1777.

A copy of the confederation being made out, and sundry amendments made in the diction, without altering the sense, the same was agreed to, and is as follows :

ARTICLES

OF CONFEDERATION AND PERPETUAL UNION,

BETWEEN THE STATES OF

| | |
|-------------------------|---------------------|
| New Hampshire, | Pennsylvania, |
| Massachusetts Bay, | Delaware, |
| Rhode Island and Provi- | Maryland, |
| dence Plantations, | Virginia, |
| Connecticut, | North Carolina, |
| New York, | South Carolina, and |
| New Jersey, | Georgia. |

ARTICLE I.

The style of this confederacy shall be, THE UNITED STATES OF AMERICA.

ARTICLE II.

Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III.

The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV.

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states (paupers, vagabonds, and fugitives from justice excepted) shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions, as the inhabitants thereof respectively; provided, that such restrictions shall not extend so far as to prevent

the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also, that no imposition, duties, or restrictions, shall be laid by any state on the property of the United States, or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanour, in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governour, or executive power of the state from which he fled, be delivered up, and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V.

For the more convenient management of the general interests of the United States, delegates shall be annually appointed, in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No state shall be represented in Congress by less than two, nor more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he or any

other for his benefit receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in any meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from and attendance on Congress, except for treason, felony, or breach of the peace.

ARTICLE VI.

No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any king, prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever, from any king, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for

which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States in Congress assembled with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessels of war shall be kept in time of peace by any state, except such number only as shall be deemed necessary by the United States in Congress assembled for the defence of such state or its trade; nor shall any body of forces be kept up by any state in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and have constantly ready for use, in publick stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or re-

prisal, except it be after a declaration of war by the United States in Congress assembled; and then only against the kingdom or state and the subjects thereof against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled; unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept up so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII.

When land forces are raised by any state for the common defence, all officers of or under the rank of colonel shall be appointed by the legislature of each state respectively by whom such officers shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII.

All charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state granted to, or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in

Congress assembled shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX.

The United States in Congress assembled shall have the sole and exclusive right and power—Of determining on peace and war, except in the cases mentioned in the sixth article: Of sending and receiving ambassadors: Entering into treaties and alliances; provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever: Of establishing rules for deciding in all cases what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated: Of granting letters of marque and reprisal in time of peace, appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally appeals in all cases of captures; provided, that no member of Congress shall be appointed judge of any of the said courts.

The United States in Congress assembled shall also be the last resort, on appeal, in all disputes and differences now subsisting, or that hereafter may arise, between two or more states concerning boundary, jurisdiction, or any other cause whatever, which authority shall always be exercised in the manner following :

Whenever the legislative or executive authority, or lawful agent of any state in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given, by order of Congress, to the legislative or executive authority of the other state in controversy ; and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent commissioners or judges to constitute a court for hearing and determining the matter in question ; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons, each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen ; and from that number not less than seven, nor more than nine names, as Congress shall direct, shall in the presence of Congress be drawn out by lot ; and the persons whose names shall be so drawn, or any five of them, shall be commissioners, or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination. And if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or, being present, shall refuse to strike, the Congress shall

proceed to nominate three persons out of each state ; and the Secretary of Congress shall strike in behalf of such party absent or refusing ; and the judgment and sentence of the court to be appointed in the manner before prescribed, shall be final and conclusive. And if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall, in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: Provided, that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superiour court of the state where the cause shall be tried, “ well and truly
“ to hear and determine the matter in question, ac-
“ cording to the best of his judgment, without favour,
“ affection, or hope of reward :” Provided, also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands and the states which passed such grants are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states: Fixing the standard of weights and measures throughout the United States: Regulating the trade and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated: Establishing and regulating postoffices from one state to another throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office: Appointing all officers of the land forces in the service of the United States, excepting regimental officers: Appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States: Making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated A COMMITTEE OF THE STATES, and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction: To appoint one of their number to preside, provided that no person be allowed to serve in the office of President more than one year in any term of three years: To ascertain the necessary sums of money to be raised for the service of the United States, and to appropri-

ate and apply the same for defraying the publick expenses : To borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of moneey so borrowed or emitted : To build and equip a navy : To agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding ; and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldierlike manner, at the expense of the United States ; and the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled : but if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped, in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same ; in which case they shall raise, officer, clothe, arm, and equip, as many of such extra number as they judge can be safely spared : and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war ; nor grant letters of marque and reprisal in time of peace ; nor enter into any treaties, or alliances ; nor coin money, nor regulate the value thereof ; nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them ; nor emit bills ; nor borrow money on the credit of the United States ; nor appropriate money ; nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised ; nor appoint a commander in chief of the army or navy—unless nine states assent to the same : nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have the power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months ; and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy ; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate ; and the delegates of a state, or any of them, at his or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X.

The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with: Provided, that no power be delegated to the said committee for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite.

ARTICLE XI.

Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII.

All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of Congress before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the publick faith are hereby solemnly pledged.

ARTICLE XIII.

Every state shall abide by the determination of the United States in Congress assembled on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every state; and the union shall be perpetual: Nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every state.

These articles shall be proposed to the legislatures of all the United States, to be considered; and if approved of by them, they are advised to authorize their delegates to ratify the same in the Congress of the United States; which being done, the same shall become conclusive.

Ordered, That the committee appointed to revise and arrange the articles of confederation have three hundred copies printed and lodged with the Secretary, to be subject to the future orders of Congress.

MONDAY, NOVEMBER 17, 1777.

The committee, appointed to prepare a circular letter to accompany the articles of confederation, brought in the following draft:

In Congress, York Town, November 17, 1777.

Congress having agreed upon a plan of confederacy for securing the freedom, sovereignty, and inde-

pendence of the United States, authentick copies are now transmitted for the consideration of the respective legislatures.

This business, equally intricate and important, has in its progress been attended with uncommon embarrassments and delay, which the most anxious solicitude and persevering diligence could not prevent.

To form a permanent union, accommodated to the opinion and wishes of the delegates of so many states, differing in habits, produce, commerce, and internal police, was found to be a work which nothing but time and reflection, conspiring with a disposition to conciliate, could mature and accomplish.

Hardly is it to be expected that any plan, in the variety of provisions essential to our union, should exactly correspond with the maxims and political views of every particular state. Let it be remarked, that after the most careful inquiry, and the fullest information, this is proposed as the best which could be adapted to the circumstances of all, and as that alone which affords any tolerable prospect of general ratification.

Permit us then earnestly to recommend these articles to the immediate and dispassionate attention of the legislatures of the respective states. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength to maintain and defend our common liberties. Let them be examined with a liberality becoming brethren and fellow citizens sur-

rounded by the same imminent dangers, contending for the same illustrious prize, and deeply interested in being for ever bound and connected together by ties the most intimate and indissoluble. And finally, let them be adjusted with the temper and magnanimity of wise and patriotick legislators, who, while they are concerned for the prosperity of their own more immediate circle, are capable of rising superiour to local attachments when they may be incompatible with the safety, happiness and glory of the general confederacy.

We have reason to regret the time which has elapsed in preparing this plan for consideration. With additional solicitude we look forward to that which must be necessarily spent before it can be ratified. Every motive loudly calls upon us to hasten its conclusion.

More than any other consideration, it will confound our foreign enemies, defeat the flagitious practices of the disaffected, strengthen and confirm our friends, support our publick credit, restore the value of our money, enable us to maintain our fleets and armies, and add weight and respect to our councils at home, and to our treaties abroad.

In short, this salutary measure can no longer be deferred. It seems essential to our very existence as a free people ; and without it we may soon be constrained to bid adieu to independence, to liberty, and safety—blessings which, from the justice of our cause and the favour of our Almighty Creator visibly manifested in our protection, we have reason to expect, if, in an humble dependence on his divine providence, we strenuously exert the means which are placed in our power.

To conclude, if the legislature of any state shall not be assembled, Congress recommend to the executive authority to convene it without delay; and to each respective legislature, it is recommended to invest its delegates with competent powers ultimately, in the name and behalf of the state, to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose, on or before the
day

On motion to fill up the blanks with "first," and "May next"—

| | | |
|--------------------|----------------|-----------|
| New Hampshire, | Mr. Folsom, | Ay. } Ay. |
| Massachusetts Bay, | Mr. Gerry, | Ay. } |
| | Mr. Lovell, | Ay. } Ay. |
| | Mr. Dana, | No. } |
| Rhode Island, | Mr. Marchant, | No. } |
| | Mr. Ellery, | No. } No. |
| Connecticut, | Mr. Dyer, | No. } |
| | Mr. Law, | No. } No. |
| | Mr. Williams, | Ay. } |
| New York, | Mr. Duane, | No. } × |
| New Jersey, | Mr. Elmer, | No. } No. |
| Pennsylvania, | Mr. Roberdeau, | No. } |
| | Mr. Clingan, | No. } |
| Maryland, | Mr. Rumsey, | No. } × |
| Virginia, | Mr. R. H. Lee, | No. } |
| | Mr. F. L. Lee, | No. } No. |
| | Mr. Harvie, | No. } |
| North Carolina, | Mr. Penn, | } No. |
| | Mr. Harnett, | |

South Carolina, Mr. Laurens, No. } No.

Georgia, Mr. Langworthy, No. }
Mr. Wood, No. } No.

So it passed in the negative.

Resolved, That the first blank be filled with "tenth," and the second with "March next."

It was then moved after "next," to add "if practicable"—

New Hampshire, Mr. Folsom, Ay. } Ay.

Massachusetts Bay, Mr. Gerry, Ay. }
Mr. Lovell, Ay. } Ay.
Mr. Dana, Ay. }

Rhode Island, Mr. Marchant, No. }
Mr. Ellery, No. } No.

Connecticut, Mr. Dyer, No. }
Mr. Law, No. } No.
Mr. Williams, Ay. }

New York, Mr. Duane, No. } No. x

New Jersey, Mr. Elmer, No. } No.

Pennsylvania, Mr. Roberdeau, No. }
Mr. Clingan, No. } No.

Maryland, Mr. Rumsey, No. } x

Virginia, Mr. R. H. Lee, No. }
Mr. F. L. Lee, No. } No.
Mr. Harvie, No. }

North Carolina, Mr. Penn, No. }
Mr. Harnett, No. } No.

| | | |
|-----------------|------------------------------|--------------------|
| South Carolina, | Mr. Laurens, | No. } No. |
| Georgia, | Mr. Langworthy, Mr. Wood, | No. } No. } No. |

So it passed in the negative.

The letter being agreed to,

Ordered, That thirteen copies be made out, signed by the President, and forwarded to the several states, with copies of the confederation.

SATURDAY, NOVEMBER 29, 1777.

Resolved, That a committee of three be appointed to procure a translation to be made of the articles of confederation into the French language; and to report an address to the inhabitants of Canada, &c. &c.

The members chosen—Mr. Duer, Mr. Lovell, and Mr. F. L. Lee.

TUESDAY, DECEMBER 2, 1777.

The committee, appointed to procure a translation of the articles of confederation; to prepare an address to the inhabitants of Canada, &c., brought in a partial report, which was read—

Ordered, That the consideration thereof be postponed to Monday next.

MONDAY, MAY 18, 1778.

A letter of April 26, from governour Caswell, of North Carolina, was read, informing that the two

houses of assembly of that state have unanimously acceded to the confederation.

MONDAY, JUNE 22, 1778.

Congress proceeded to consider the objections of the states to the articles of confederation: Whereupon the delegates of Maryland read to Congress instructions that they had just received from their constituents, and moved,

That the objections from the state of Maryland to the confederation be immediately taken up and considered by Congress, that delegates from Maryland may transmit to that state, with all possible despatch, the determination of Congress on those objections.

Question put,

Resolved in the affirmative.

A motion was then made in behalf of Maryland:

In Article iv. strike out the word "paupers," and after the words "or either of them," insert "that one state shall not be burdened with the maintenance of the poor who may remove into it from any of the others in the union."

Question put,

Passed in the negative, one state only answering Ay.

Another amendment was moved in behalf of Maryland:

Article viii. After the words "granted to or surveyed for," insert "or which shall hereafter be granted to or surveyed for any person."

Question put,

Passed in the negative. Four ayes, eight noes.

A third amendment was moved in behalf of Maryland :

Article ix. After the words " shall be deprived of " territory for the benefit of the United States," insert " the United States in Congress assembled shall have " the power to appoint commissioners, who shall be " fully authorized and empowered to ascertain and re- " strict the boundaries of such of the confederated " states which claim to extend to the river Mississippi " or South Sea."

After debate,

Resolved, That the consideration thereof be postponed till to-morrow.

TUESDAY, JUNE 23, 1778.

Congress proceeded to consider the amendment of the articles of confederation moved in behalf of Maryland.

On the question to agree, the ayes and nays being required by Mr. Marchant—

| | | | |
|--------------------|---------------|-----|-------|
| New Hampshire, | Mr. Bartlett, | No. | } No. |
| Massachusetts Bay, | Mr. Hancock, | No. | |
| | Mr. S. Adams, | No. | } No. |
| | Mr. Gerry, | No. | |
| | Mr. Dana, | No. | |
| | Mr. Lovell, | No. | |
| | Mr. Holten, | No. | |
| Rhode Island, | Mr. Ellery, | Ay. | } Ay. |
| | Mr. Marchant, | Ay. | |
| | Mr. Collins, | Ay. | |

| | | | |
|-----------------|--|---|----------|
| Connecticut, | Mr. Sherman, Mr. Huntington, Mr. Hosmer, Mr. Wolcott, | No. } No. } No. } No. } | No. |
| New York, | Mr. Lewis, Mr. G. Morris, | Ay. } No. } | DIVIDED. |
| New Jersey, | Mr. Witherspoon, Mr. Elmer, Mr. Scudder, | Ay. } Ay. } Ay. } | Ay. |
| Pennsylvania, | Mr. Roberdeau, Mr. James Smith, Mr. Clingan, | Ay. } Ay. } No. } | Ay. |
| Delaware, | Mr. M'Kean, | Ay. } | Ay. |
| Maryland, | Mr. Plater, Mr. Carroll, | Ay. } Ay. } | Ay. |
| Virginia, | Mr. R. H. Lee, Mr. Banister, Mr. T. Adams. | No. } No. } No. } | No. |
| South Carolina, | Mr. Laurens, Mr. Drayton, Mr. Matthews, Mr. Hutson, Mr. Heyward, | No. } No. } No. } No. } No. } | No. |
| Georgia, | Mr. Langworthy, | No. } | No. |

So it passed in the negative.

The delegates from New Hampshire, being called on, informed Congress, that the state of New Hampshire have, in their general assembly, agreed to the articles of confederation as they now stand; and have empowered their delegates to ratify the same in behalf of their state.

The delegates of Massachusetts Bay, being called on, read sundry objections, transmitted to them by their constituents, to the articles of confederation; and thereupon moved in behalf of their state :

1. That the eighth article be reconsidered, so far as relates to the criterion fixed on for settling the proportion of taxes to be paid by each state, that an amendment may be made, so that the rule of apportionment may be varied from time to time, by Congress, until experience shall have showed what rule of apportionment will be most equal, and consequently most just.

Question put,

Passed in the negative. Two ayes, eight noes.

2. That the fifth section of the ninth article be reconsidered so far as relates to the rule of apportioning the number of forces to be raised by each state on the requisitions of Congress.

Question put,

Passed in the negative. Three ayes, seven noes.

3. That the sixth section of the ninth article be reconsidered so far as it makes the assent of nine states necessary to exercise the powers with which Congress are thereby invested.

Question put,

Passed in the negative.

The delegates for Rhode Island, being called, produced instructions from their constituents; and thereupon moved the following amendments :

1. In the fifth article, after the word "two," insert "members, unless by sickness, death, or any other

“unavoidable accident, but one of the members of a
 “state can attend Congress ; in which case, such state
 “may be represented in Congress by one member for
 “the space of months.”

Question put,

Passed in the negative. One ay, nine noes.

2. In the eighth article, after the word “appoint,”
 insert “such estimate to be taken and made once in
 “every five years.”

Question put,

Passed in the negative. Four ayes, six noes.

3. In the ninth article, at the end of the second pa-
 ragraph, after the words “for the benefit of the Unit-
 “ed States,” add “provided nevertheless, that all
 “lands within these states, the property of which be-
 “fore the present war was vested in the crown of
 “Great Britain, or out of which revenues from quit-
 “rents arise, payable to the said crown, shall be deem-
 “ed, taken, and considered, as the property of these
 “United States ; and be disposed of and appropriated
 “by Congress, for the benefit of the whole confedera-
 “cy, reserving, however, to the states within whose
 “limits such crown lands may be, the entire and com-
 “plete jurisdiction thereof.”

Question put,

Passed in the negative. One ay, nine noes.

The delegates from Connecticut, being called on,
 produced instructions ; and thereupon moved the fol-
 lowing amendments :

1. In the eighth article, after the words "in proportion to," strike out what follows to the end of the sentence; and in lieu thereof insert "the number of inhabitants in each state."

Question put,

Passed in the negative. Three ayes, nine noes.

2. In the ninth article, at the end of the fifth paragraph, add the words following: "provided that no land army shall be kept up by the United States in time of peace, nor any officers or pensioners kept in pay by them who are not in actual service, except such as are, or may be rendered unable to support themselves by wounds received in battle in the service of the said states, agreeable to the provisions already made by a resolution of Congress."

Question put,

Passed in the negative. One ay, eleven noes.

The delegates of New York, being called on, produced under the great seal of their state an exemplification of an act of the legislature thereof, ratifying the articles of confederation as passed by Congress, with a proviso, that the same shall not be binding on the state until all the other states in the union ratify the same.

The delegates from New Jersey, being called on, laid before Congress a representation of the legislative council and general assembly of their state, respecting the articles of confederation.

Adjourned to ten o'clock to-morrow.

TUESDAY, JUNE 25, 1778.

THREE O'CLOCK, P. M.

Congress took into consideration the representation from New Jersey, on the articles of confederation, which was read as follows :

To the United States in Congress assembled.

The Representation of the Legislative Council and General Assembly of the State of New Jersey, showeth—

That the articles of confederation and perpetual union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, proposed by the honourable the Congress of the said states, severally for their consideration, have been by us fully and attentively considered ; on which we beg leave to remark as follows :—

1. In the fifth article, where, among other things, the qualifications of the delegates from the several states are described, there is no mention of any oath, test, or declaration, to be taken or made by them previous to their admission to seats in Congress. It is indeed to be presumed the respective states will be care-

ful that the delegates they send to assist in managing the general interest of the union, take the oaths to the government from which they derive their authority, but as the United States, collectively considered, have interests, as well as each particular state, we are of opinion that some test or obligation binding upon each delegate while he continues in the trust, to consult and pursue the former as well as the latter, and particularly to assent to no vote or proceeding which may violate the general confederation, is necessary. The laws and usages of all civilized nations evince the propriety of an oath on such occasions; and the more solemn and important the deposit, the more strong and explicit ought the obligation to be.

2. By the sixth and ninth articles, the regulation of trade seems to be committed to the several states within their separate jurisdictions, in such a degree as may involve many difficulties and embarrassments, and be attended with injustice to some states in the union. We are of opinion that the sole and exclusive power of regulating the trade of the United States with foreign nations ought to be clearly vested in the Congress; and that the revenue arising from all duties and customs imposed thereon, ought to be appropriated to the building, equipping, and manning a navy for the protection of the trade and defence of the coasts, and to such other publick and general purposes as to the Congress shall seem proper, and for the common benefit of the states. This principle appears to us to be just; and it may be added, that a great security will by this means be derived to the union from the establishment of a common and mutual interest.

3. It is wisely provided in the sixth article, that no body of forces shall be kept up by any state in time of peace, except such number only as, in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such states. We think it ought also to be provided and clearly expressed, that no body of troops be kept up by the United States in time of peace, except such number only as shall be allowed by the assent of nine states. A standing army, a military establishment, and every appendage thereof, in time of peace, is totally abhorrent from the ideas and principles of this state. In the memorable act of Congress declaring the United Colonies free and independent states, it is emphatically mentioned, as one of the causes of separation from Great Britain, that the sovereign thereof had kept up among us, in time of peace, standing armies without the consent of the legislatures. It is to be wished the liberties and happiness of the people may by the confederation be carefully and explicitly guarded in this respect.

4. On the eighth article we observe, that as frequent settlements of the quotas for supplies and aids to be furnished by the several states in support of the general treasury, will be requisite, so they ought to be secured. It cannot be thought improper, or unnecessary, to have them struck once at least in every five years, and oftener if circumstances will allow. The quantity or value of real property in some states may increase much more rapidly than in others; and therefore the quota which is at one time just, will at another be disproportionate.

5. The boundaries and limits of each state ought to be fully and finally fixed and made known. This we apprehend would be attended with very salutary effects, by preventing jealousies, as well as controversies, and promoting harmony and confidence among the states. If the circumstances of the times would not admit of this, previous to the proposal of the confederation to the several states, the establishment of the principles upon which and the rule and mode by which the determination might be conducted at a time more convenient and favourable for despatching the same at an early period, not exceeding five years from the final ratification of the confederation, would be satisfactory.

6. The ninth article provides, that no state shall be deprived of territory for the benefit of the United States. Whether we are to understand that by territory is intended any land, the property of which was heretofore vested in the crown of Great Britain, or that no mention of such land is made in the confederation, we are constrained to observe, that the present war, as we always apprehended, was undertaken for the general defence and interest of the confederating colonies, now the United States. It was ever the confident expectation of this state, that the benefits derived from a successful contest were to be general and proportionate; and that the property of the common enemy, falling in consequence of a prosperous issue of the war, would belong to the United States, and be appropriated to their use. We are therefore greatly disappointed in finding no provision made in the confederation for empowering the Congress to dispose of such property,

but especially the vacant and impatented lands, commonly called the crown lands, for defraying the expenses of the war, and for such other publick and general purposes. The jurisdiction ought in every instance to belong to the respective states within the charter or determined limits of which such lands may be seated; but reason and justice must decide, that the property which existed in the crown of Great Britain, previous to the present revolution, ought now to belong to the Congress, in trust for the use and benefit of the United States. They have fought and bled for it in proportion to their respective abilities; and therefore the reward ought not to be predilectionally distributed. Shall such states as are shut out by situation from availing themselves of the least advantage from this quarter, be left to sink under an enormous debt, whilst others are enabled, in a short period, to replace all their expenditures from the hard earnings of the whole confederacy?

7. The ninth article also provides that requisitions for the land forces to be furnished by the several states shall be proportioned to the number of *white* inhabitants in each. In the act of Independence we find the following declaration: "We hold these truths to be self evident, that all men are created equal; that they are endued by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness." Of this doctrine, it is not a very remote consequence, that all the inhabitants of every society, be the colour of their complexion what it may, are bound to promote the interest thereof, according to their respective abilities. They

ought therefore to be brought into the account on this occasion. But admitting necessity or expediency to justify the refusal of liberty in certain circumstances to persons of a peculiar colour, we think it unequal to reckon upon such in this case. Should it be improper, for special local reasons, to admit them in arms for the defence of the nation; yet we conceive the proportion of forces to be embodied ought to be fixed according to the whole number of inhabitants in the state, from whatever class they may be raised. If the whole number of inhabitants in a state, whose inhabitants are all whites, both those who are called into the field, and those who remain to till the ground and labour in the mechanical arts and otherwise, are reckoned in the estimate for striking the proportion of forces to be furnished by that state, ought even a part of the latter description to be left out in another? As it is of indispensable necessity in every war, that a part of the inhabitants be employed for the uses of husbandry and otherwise at home, while others are called into the field, there must be the same propriety that the owners of a different colour who are employed for this purpose in one state, while whites are employed for the same purpose in another, be reckoned in the account of the inhabitants in the present instance.

8. In order that the quota of troops to be furnished in each state on occasion of a war may be equitably ascertained, we are of opinion, that the inhabitants of the several states ought to be numbered as frequently as the nature of the case will admit, once at least every five years. The disproportioned increase in the popu-

lation of different states may render such provision absolutely necessary.

9. It is provided in the ninth article, that the assent of nine states out of the thirteen, shall be necessary to determine in sundry cases of the highest concern. If this proportion be proper and just, it ought to be kept up, should the states increase in number, and a declaration thereof be made for the satisfaction of the union.

That we think it our indispensable duty to solicit the attention of Congress to these considerations and remarks, and to request that the purport and meaning of them be adopted as part of the general confederation; by which means we apprehend the mutual interests of all the states will be better secured and promoted, and that the legislature of this state will then be justified in ratifying the same.

Whereupon it was moved, that the several articles in the confederation referred to in the foregoing representation be so far reconsidered as to admit the purport and meaning of the additions, alterations and amendments proposed in the said representation.

Question put,

Passed in the negative. Three ayes, six noes, one divided.

The delegates of Pennsylvania, being called on, moved the following amendments in behalf of their state:

1. In the first paragraph of the fifth article, dele the words " for the remainder of the year."

Question put,

Passed in the negative. Two ayes, eight noes, one divided.

2. That such part of the ninth article as respects the postoffice, be altered or amended, so as that Congress be obliged to lay the accounts annually before the legislatures of the several states.

Question put,

Passed in the negative. Two ayes, nine noes.

3. In the fifth paragraph of the ninth article, expunge the word " white."

Question put,

Passed in the negative. Three ayes, seven noes, one divided.

4. In the last section of the ninth article, after the word " delegates," add " respectively."

Question put,

Passed in the negative. One ay, ten noes.

The delegates from Virginia, being called on, informed Congress, that they are empowered to ratify, in behalf of their state, the articles of confederation as they now stand.

The delegates from South Carolina, being called on, moved the following amendments in behalf of their state :

1. In article fourth, between the words " free inhabitants," insert " white."

Passed in the negative. Two ayes, eight noes, one divided.

2. In the next line after the words "these states," insert "those who refuse to take up arms in defence of the confederacy."

Passed in the negative. Three ayes, eight noes.

3. After the words "several states," insert "according to the law of such states respectively for the government of their own free white inhabitants."

Passed in the negative. Two ayes, eight noes, one divided.

4. After the words "of which the owner is an inhabitant," insert "except in such cases of embargo."

Passed in the negative. Two ayes, nine noes.

5. In the first paragraph of the fifth article, strike out "first Monday in November," and insert "ninteenth day of April."

Passed in the negative. One ay, nine noes, one divided.

6. In the second paragraph of the fifth article substitute "three" in the place of "two," and "two" in the place of "three," and "four" in the place of "six."

Passed in the negative. Two ayes, nine noes.

7. In the third paragraph for "committee" read "grand council."

Passed in the negative. One ay, nine noes, one divided.

8. In the first paragraph of the sixth article, for "prince or state," read "prince or foreign state, except the same be upon the subject of commerce, nor then so as to interfere with any treaty or alliance

“ with the United States made or treaty proposed by
“ Congress.”

Passed in the negative. Two ayes, nine noes.

9. In the second paragraph of the sixth article, strike out “ by some nation of Indians,” and after the words “ to invade such state,” insert “ or upon requisition to assist a sister state, actually invaded or “ threatened with an invasion.”

Passed in the negative. Three ayes, eight noes.

10. In the first paragraph of the seventh article, strike out “ of or under the rank of colonel,” and after “ shall be appointed” insert “ commissioned.”

Passed in the negative. Two ayes, eight noes, one divided.

11. At the end of the seventh article add “ The
“ troops to be raised shall be deemed the troops of
“ that state by which they are raised. The Congress
“ or grand council of the states may, when they think
“ proper, make requisition to any state for two thirds
“ of the troops to be raised; which requisition shall
“ be binding upon the said states respectively; but the
“ remaining third shall not be liable to be drawn out
“ of the state in which they are raised, without the
“ consent of the executive authority of the same.
“ When any forces are raised, they shall be under the
“ command of the executive authority of the state in
“ which they are so raised, unless they be joined by
“ troops from any other state, in which the Congress or
“ grand council of the states may appoint a general offi-
“ cer to take the command of the whole; and until the
“ same can be done, the command shall be in the se-
“ nior officer present, who shall be amenable for his

“conduct to the executive authority of the state in which the troops are, and shall be liable to be suspended thereby. The expenses of the troops so to be raised shall be defrayed by the state to which they belong; but when called into service by the United States, they shall be fed and paid at the expense of the United States.”

Passed in the negative. Two ayes, nine noes.

12. In the first line of the eighth article strike out “charges of war and all other.”

Passed in the negative. Two ayes, eight noes, one divided.

13. In the same article strike out “according to such mode as the United States in Congress assembled shall from time to time direct and appoint;” and instead “and improvements thereon shall be estimated,” read “and improvements thereon shall, by periods of years not exceeding ten, as often as may be required by Congress, be generally estimated by persons to be appointed by the legislatures of the respective states to value the same upon oath.”

Passed in the negative. Two ayes, nine noes.

14. In the first paragraph of article ninth, strike out “appointing courts for the trial of piracies and felonies committed on the high seas,” and in lieu thereof insert “declaring what acts committed on the high seas shall be deemed piracies or felonies.”

Passed in the negative. Two ayes, nine noes.

15. In the second paragraph of the ninth article, for “be the last resort on appeal,” read “decide and determine,” and strike out all that relates to the mode

of settling differences between states and controversies concerning private right of soil.

Passed in the negative. Two ayes, nine noes.

16. In the fifth paragraph of the ninth article, after the words "in any term" strike out "three," and insert "two."

Passed in the negative. Three ayes, seven noes, one divided.

17. In the sixth paragraph of the ninth article, for "unless nine states," read "unless eleven states."

Passed in the negative. Two ayes, nine noes.

18. At the end of the same paragraph, strike out the words "in Congress assembled."

Passed in the negative. One ay, ten noes.

19. In the last paragraph of the ninth article, after the words "and the yeas and nays of the delegates of each state on," for "any" read "every," and strike out the words "when it is desired by any delegate."

Passed in the negative. Two ayes, nine noes.

20. In the same sentence, strike out "a state or," and also "at his or their request," and after the words "and the" insert "respective states or the," and after "shall," insert "upon requisition."

Passed in the negative. One ay, ten noes.

21. Amend the last clause of the thirteenth article, so as to read "unless such alteration be agreed to by eleven of the United States in Congress assembled, and be afterwards confirmed by the legislatures of eleven of the United States."

Passed in the negative. Three ayes, six noes, two divided.

The delegate from Georgia, being called on, informed Congress that he has not yet received any instructions or orders from his constituents respecting the articles of confederation; but that his state having shown so much readiness to ratify them, even in an imperfect state, and it being so much for their interest that the confederation should be ratified, he had no doubt of their agreeing to the articles as they now stand.

Delaware and North Carolina, not having delegates present in Congress, no report was received from them, saving what is contained in Governour Caswell's letter informing that the legislature of North Carolina have agreed to the articles of confederation.

Ordered, That a committee of three be appointed to prepare the form of a ratification of the articles of confederation.

The members chosen—Mr. R. H. Lee, Mr. G. Morris, and Mr. Dana.

Adjourned to 10 o'clock to-morrow.

FRIDAY, JUNE 26, 1778.

The committee appointed to prepare the form of a ratification of the articles of confederation brought in a draft, which was agreed to as follows :

To all to whom these presents shall come.

We, the delegates of the states affixed to our names,
send greeting.

Whereas the delegates of the United States of America in Congress assembled did, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain articles of confederation and perpetual union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, namely,

ARTICLES
OF CONFEDERATION AND PERPETUAL UNION,

BETWEEN THE STATES OF

| | |
|-------------------------|---------------------|
| New Hampshire, | Pennsylvania, |
| Massachusetts Bay, | Delaware, |
| Rhode Island and | Maryland, |
| Providence Plantations, | Virginia, |
| Connecticut, | North Carolina, |
| New York, | South Carolina, and |
| New Jersey, | Georgia. |

ARTICLE I.

The style of this confederacy shall be, **THE UNITED STATES OF AMERICA.**

ARTICLE II.

Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III.

The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare ; binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV.

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states ; and the people of each state shall have free ingress and regress to and from any other state ; and shall enjoy

therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively; provided, that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also, that no imposition, duties or restriction shall be laid by any state, on the property of the United States, or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor, in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governour or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V.

For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and send others in their stead for the remainder of the year.

No state shall be represented in Congress, by less than two, nor by more than seven members; and no

person shall be capable of being a delegate for more than three years in any term of six years ; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court, or place out of Congress ; and the members of Congress shall be protected in their persons from arrests and imprisonment, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

ARTICLE VI.

No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince or state ; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state ; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into, by the United States in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessels of war shall be kept up, in time of peace, by any state, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defence of such state: but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred; and shall provide and constantly have ready for use, in publick stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war, without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such

state, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted : nor shall any state grant commissions to any ship or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled ; and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled ; unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII.

When land forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct ; and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII.

All charges of war, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in

proportion to the value of all land within each state, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX.

The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article : Of sending and receiving ambassadors : Entering into treaties and alliances ; provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatever : Of establishing rules for deciding in all cases what captures on land or water shall be legal ; and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated : Of granting letters of marque and reprisal in times of peace : Appointing courts for the trial of piracies and felonies committed on the high seas ; and establishing courts for receiving and determining finally appeals in

all cases of captures; provided, that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort, on appeal, in all disputes and differences now subsisting, or that hereafter may arise, between two or more states concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following:— Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy; and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States; and from the list of such persons, each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number, not less than seven nor more than nine names, as Congress shall direct, shall in the presence of Congress be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause, shall agree in the determination. And if either party shall

neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each state; and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive. And if any of the parties shall refuse to submit to the authority of such court, or to appear, or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive; the judgment, or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: Provided, that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superiour court of the state where the cause shall be tried, "Well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection, or hope of reward:" Provided also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands and the states which passed such grants are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of

either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states: Fixing the standard of weights and measures throughout the United States: Regulating the trade and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated: Establishing and regulating postoffices from one state to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office: Appointing all officers of the land forces in the service of the United States, excepting regimental officers: Appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States: Making rules for the government and regulation of the land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated A COMMITTEE OF THE STATES, and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction: To

appoint one of their number to preside; provided, that no person be allowed to serve in the office of President more than one year in any term of three years: To ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the publick expenses: To borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted: To build and equip a navy: To agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding; and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them, in a soldierlike manner, at the expense of the United States; and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than its quota thereof, such extra number shall be raised, officered, clothed, armed and equipped, in the same manner as the quota of such state; unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same; in which case they shall raise, officer, clothe, arm and equip as many of such extra number as they judge can

be safely spared: and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war; nor grant letters of marque and reprisal in time of peace; nor enter into any treaties or alliances; nor coin money; nor regulate the value thereof; nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them; nor emit bills; nor borrow money on the credit of the United States; nor appropriate money; nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised; nor appoint a commander in chief of the army or navy—unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months; and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request, shall be furnished with a tran-

script of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X.

The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with; provided, that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite.

ARTICLE XI.

Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this union. But no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII.

All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of Congress, before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered as a charge against the United

States, for payment and satisfaction whereof the said United States and the publick faith are hereby solemnly pledged.

ARTICLE XIII.

Every state shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every state ; and the union shall be perpetual. Nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every state.

Which articles were by Congress proposed to the legislatures of all the United States, to be considered ; and if approved of by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States.

And whereas it hath pleased the great Governour of the world to incline the hearts of the legislatures we respectively represent in Congress to approve of, and to authorize us to ratify the said articles of confederation and perpetual union :

Know YE, That we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the

said articles of confederation and perpetual union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions which by the said confederation are submitted to them; and that the articles thereof shall be inviolably observed by the states we respectively represent; and that the union shall be perpetual.

In witness whereof, we have hereunto set our hands, this day of in the year of our Lord one thousand seven hundred and seventy-eight, and in the year of the Independence of the United States of America.

SATURDAY, JUNE 27, 1778.

The engrossed copy of the articles of confederation, with the ratification agreed to, was laid before Congress; and the same upon examination being found incorrect—

Ordered, That another copy be made, and laid before Congress on before the 4th of July next; and that the delegates of the respective states lodge with the Secretary their powers for ratifying the same.

POWERS OF THE STATES

TO THEIR DELEGATES TO RATIFY THE ARTICLES OF
CONFEDERATION.

STATE OF NEW HAMPSHIRE.

In the House of Representatives, March 4, 1778.

The house took into consideration the thirteen articles of confederation and perpetual union between the thirteen United States of America, as agreed to by the honourable Congress of said states, and came to the following resolutions thereon, namely,

Resolved, That we do agree to the said articles of confederation, perpetual union, &c. &c. and do, for ourselves and constituents, engage that the same shall be inviolably observed by this state. And the delegates of this state for the time being, at the Congress aforesaid, are hereby empowered and instructed to ratify the same in behalf of this state.

Sent up for concurrence.

JOHN DUDLEY, Speaker pro tem.

In Council, the same day, read and concurred.

E. THOMPSON, Secretary.

Copy attest.

MESHECH WEARE, President.

MASSACHUSETTS.

Council Chamber, Boston, March 10, 1778.

The general court of the state of Massachusetts Bay, having attentively considered the articles of confederation and perpetual union between the United States of America, recommended to our attention by the honourable the Congress, do approve of them in general as well calculated to secure the freedom, sovereignty and independence of the United States. Perhaps no plan could have been proposed better adapted to the circumstances of all: We, therefore, the council and house of representatives of this state in general court assembled, do, in the name and behalf of the good people of this state, instruct you their delegates to subscribe said articles of confederation and perpetual union, as they were recommended by Congress, unless the following alterations, or such as may be proposed by the other states can be received and adopted without endangering the union proposed.

In the name and behalf of the general assembly.

JEREMIAH POWELL, President.

To the Delegates of the State of Massachusetts Bay
in Congress.

RHODE ISLAND AND PROVIDENCE PLANTATIONS.

By His Excellency, Nicholas Cook, Esquire, Governour, Captain General and Commander in Chief in and over the State of Rhode Island and Providence Plantations.

Be it known that Henry Ward, esquire, who hath under his hand certified that the annexed copy purporting an act of the general assembly of the state aforesaid, empowering the delegates of the said state in Congress to accede to and sign the articles of confederation and perpetual union between the thirteen United States, is a true copy, is Secretary of the said state, duly elected and engaged according to law: Wherefore unto his certificate of that matter full faith and absolute credit is and ought to be universally rendered.

Given under my hand, and the seal of the said state, at Providence, this eighteenth day of February, in the year of our Lord, one thousand seven hundred and seventy-eight.

[L. s.]

NICHOLAS COOKE.

By His Excellency's Command.

HENRY WARD, Secretary.

At the general assembly of the governour and company of the state of Rhode Island and Providence Plantations, begun and holden by adjournment at East

Greenwich, within and for the state aforesaid, on the second Monday in February, in the year of our Lord one thousand seven hundred and seventy-eight.

This assembly having taken into consideration the articles of confederation and perpetual union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, transmitted by Congress to this state; and having had them repeatedly read; and having maturely weighed, and most seriously deliberated upon them, as their importance to this and the other states and to posterity deserves; and considering also the pressing necessity of completing the union as a measure essential to the preservation of the independence and safety of the said states—

Do vote and resolve, and it is voted and resolved, That the honourable Stephen Hopkins, esquire, William Ellery, esquire, and Henry Marchant, esquire, the delegates to represent this state in Congress, or any one of them, be, and they are hereby fully authorized and empowered, on the part and behalf of this state, to accede to and sign the said articles of confederation and perpetual union, in such solemn form and manner as Congress shall think best adapted to a transaction so important to the present and future generations; Provided that the same be acceded to by eight of the other states. And in case any alterations in, or additions to, the said articles of confederation and perpetual union shall be made by nine of the said states in Congress assembled, that the said delegates, or any

one of them, be, and they are hereby authorized and empowered, in like manner to accede to and sign the said articles of confederation and perpetual union, with the alterations and additions that shall be so made.

It is further voted and resolved, That this assembly will and do hereby, in behalf of the said state of Rhode Island and Providence Plantations, in the most solemn manner, pledge the faith of the said state to hold and consider the acts of the said delegates, or any one of them, in so acceding to and signing the said articles of confederation and perpetual union, as valid and binding upon the said state in all future time.

And it is further voted and resolved, That a fair copy of this act be made and authenticated under the publick seal of this state, with the signature of his excellency the governour, and be transmitted to the delegates; and that the same shall be sufficient warrant and authority to the said delegates, or any one of them, for the purposes aforesaid.

A true copy duly examined.

Witness.

HENRY WARD, Secretary.

CONNECTICUT.

At a general assembly of the governour and company of the state of Connecticut, holden at Hartford,

by adjournment, on the twelfth day of February, 1778.

The articles of confederation and perpetual union proposed by Congress to be entered into by the thirteen United States of America, being laid before this assembly by his excellency the governour, were read and mutually considered : Whereupon,

Resolved, That the delegates of this state, who shall be present in Congress, be, and they are hereby fully authorized and empowered, in behalf of this state, to agree to, and ratify the said articles of confederation with such amendments, if any be, as by them, in conjunction of the delegates of the other states in Congress shall be thought proper.

A true copy of record.

Examined by

GEORGE WYLLYS, Secretary.

NEW YORK.

The people of the State of New York, one of the United States of America, by the grace of God free and independent, to their brethren of the other of the said States in Congress assembled, and to all others who shall see these our letters patent, send Greeting :

KNOW YE, That among the acts of our senate and assembly of our said state we have inspected a certain

act of the said senate and assembly, the tenor whereof is as follows, to wit :

“ An act of accession to and approbation of certain
“ proposed articles of confederation and perpetual
“ union between the United States of America, and to
“ authorize the delegates of the state of New York to
“ ratify the same on the part and behalf of this state in
“ the Congress of the said United States.

“ Whereas the freedom, sovereignty and independ-
“ dence of the said states, which with a magnanimity,
“ fortitude, constancy and love of liberty, hitherto un-
“ paralleled, they have asserted and maintained against
“ their cruel and unrelenting enemies, the king and
“ parliament of the realm of Great Britian, will, for
“ their lasting and unshaken security in a great mea-
“ sure depend, under God, on a wise and well concert-
“ ed, intimate and equal confederation of the United
“ States :

“ And whereas the honourable the Congress of the
“ said United States have transmitted, for the consi-
“ deration of the legislature of this state, and for rati-
“ fication, in case they should approve of the same,
“ the following articles of confederation, to wit :
[Here the articles are recited verbatim.]

“ And whereas the senate and assembly of this state
“ of New York in legislature convened, have separately
“ taken the said articles of confederation into their re-
“ spective, most deliberate, and mature consideration,
“ and by their several and respective resolutions, de-
“ liberately made and entered into for the purpose,
“ have fully and entirely approved of the same. In
“ order, therefore, that such approval may be pub-

“ lished, and made known to the whole world, with all
“ the solemnities of law; and that all the subjects of
“ this state and others inhabiting and residing therein
“ from time to time, and at all times thereafter, as
“ long as the said confederation shall subsist and en-
“ dure, may be bound by and held to the due obser-
“ vance of the said articles of confederation as a law
“ of this state, if the same shall be duly ratified by all
“ the said United States in Congress assembled :

“ Be it enacted and declared by the people of the
“ state of New York, represented in the senate and
“ assembly, and it is hereby enacted by the authority
“ of the same, That the said several above recited ar-
“ ticles of confederation, and all and singular the
“ clauses, matters and things in the same contained, be
“ and the same are hereby fully accepted, received,
“ and approved of, for and in behalf of the people of
“ this state.

“ And to the end that the same may, with all due
“ form and solemnity be ratified and confirmed by this
“ state in Congress,

“ Be it further enacted by the authority aforesaid,
“ That the delegates of this state in the said Congress
“ of the United States of America, or any two of the
“ said delegates, shall be, and hereby are fully autho-
“ rized, empowered and required wholly, entirely and
“ absolutely, for and in behalf of the people of this
“ state, and in such manner under such formalities as
“ shall be determined in Congress, to ratify and con-
“ firm all and every of the said above recited articles
“ of confederation, and all and singular the clauses,
“ matters and things in the same contained; and that

“ an exemplification of this act, tested by his excel-
 “ lency the governour or the lieutenant governour, or
 “ president of the senate of the state for the time being,
 “ administering the government, and authenticated
 “ with the great seal of this state, shall be full and
 “ conclusive evidence of this act. Provided always,
 “ that nothing in this act, or the said above recited
 “ articles of confederation contained, nor any act,
 “ matter or thing to be done and transacted by the
 “ delegates of this state in Congress in and concern-
 “ ing the premises, or any part thereof, shall bind or
 “ oblige, or be deemed, construed or esteemed to bind
 “ or oblige the government, legislature, people, sub-
 “ jects, inhabitants or residents of this state, until the
 “ said above recited articles have been duly ratified
 “ and confirmed by or in behalf of all the said United
 “ States in Congress assembled, any thing herein, or in
 “ the said above recited articles of confederation con-
 “ tained to the contrary thereof in any wise notwith-
 “ standing.”

At the bottom of which act, we find the following certificate, to wit :

“ In senate, Thursday, January 29, 1778. This
 “ bill having been read three times, Resolved, That the
 “ bill do pass. By order of the senate. Pierre Van
 “ Cortland, president. In assembly, Tuesday, Febru-
 “ ary 3, 1778. This bill having been read three times,
 “ Resolved, That the bill do pass. By order of the
 “ assembly. Walter Livingston, speaker.”

And on the back of the said bill we find the follow-
 ing endorsement in writing, to wit :

“ In the council for revising all bills about to be
“ passed into laws by the legislature of the state of
“ New York, on Friday, the 6th day of February, 1778,
“ Resolved, That it does not appear improper to this
“ council that the bill entitled ‘ An act of accession to
“ and approbation of certain proposed articles of con-
“ federation and perpetual union between the United
“ States of America, and to authorize the delegates of
“ the state of New York to ratify the same on the
“ part and behalf of this state in the Congress of the
“ United States,’ should become a law of this state.
“ George Clinton.”

In testimony whereof we the said people of the state of New York, have caused the said act of our said senate and assembly to be exemplified by these presents; and our great seal of our said state to be hereunto appended. Witness, our trusty and well beloved George Clinton, esquire, our governour of our said state, general and commander in chief of all the militia, and admiral of our navy of the same, the sixteenth day of February, in the second year of our independence and sovereignty, and in the year of our Lord, one thousand seven hundred and seventy-eight.

GEORGE CLINTON.

By His Excellency's command.

RICHARD HATFIELD, Secretary.

PENNSYLVANIA.

The Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met, to the Honourable Benjamin Franklin, Doctor of Laws, Robert Morris, Esq., Daniel Roberdeau, Esq., Jonathan B. Smith, Esq., James Smith, Esq., of Yorktown, William Clingan, Esq., Joseph Reed, Esq., Delegates for the said Commonwealth in the Congress of the United States of America, send Greeting.

KNOW YE, That we the said representatives, having taken into our most serious and weighty consideration and deliberation, the articles of confederation between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, lately transmitted to us by the honourable Henry Laurens, Esq. president of the said Congress, do by this present instrument, signed by our speaker, and sealed with the seal of the laws of this commonwealth, accede to, ratify, confirm and agree to the said articles; which said articles are as follow, to wit: [Here the articles are recited verbatim.]

And we the said representatives do hereby authorize, empower, require and enjoin you the said Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, James Smith, William Clingan and Joseph Reed, or any two of you, in the name of the said

commonwealth of Pennsylvania, to accede to, ratify, confirm and agree to the said articles of confederation. In testimony whereof, we have caused the seal of the laws of Pennsylvania to be hereunto affixed, in general assembly, at Lancaster, the fifth day of March, in the year of our Lord, one thousand seven hundred and seventy-eight.

JOHN BAYARD, Speaker.

Seal appended.

VIRGINIA.

In General Assembly, Dec. 15, 1778.

Resolved, *nemine contradicente*, That a speedy ratification of the articles of confederation between the United States of America will confound the devices of their foreign, and frustrate the machinations of their domestick enemies, encourage their firm friends, and fix the wavering, contribute much to the support of their publick credit, and the restoration of the value of their paper money, produce unanimity in their councils at home, and add weight to their negotiations abroad; and, completing the independence of their country, establish the best foundation of its prosperity.

Resolved, *nemine contradicente*, That the articles of confederation and perpetual union proposed by Congress, the 7th day of November last, between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New

York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, and referred for approbation to the consideration of the several legislatures of the said states, be approved and ratified on the part of this commonwealth; and that our delegates in Congress be accordingly authorized and instructed to ratify the same, in the name and on the behalf of this commonwealth; and that they attend for that purpose on or before the tenth day of March next.

ARCHIBALD CARY, Speaker of
the Senate.

G. WYTHE, Speaker of the House
of Delegates.

NORTH CAROLINA.

State of North Carolina. In Senate, April 25, 1778.
To His Excellency Richard Caswell, Esquire, Captain
General, Governour and Commander in Chief, &c.
&c.

SIR,

THE two houses of the general assembly have taken into consideration the confederacy proposed to the United States by the continental Congress; and have unanimously acceded thereto; and request your excellency will be pleased to inform the President of the

continental Congress thereof by the earliest opportunity.

WHITMILL HILL, S. S.

JOHN WILLIAMS, S. C.

By order.

J. SITGREAVES, C. S.

SOUTH CAROLINA.

In the General Assembly, the fourth day of
February, 1778.

Resolved, nemine contradicente, That the delegates of this state in the continental Congress, or any three of them, be and they are hereby authorized, on the part of this state, to agree to, and ratify articles of confederation between the United States of America.

Ordered, That the foregoing resolution be sent to the honourable the legislative council, for their concurrence, and to his excellency the president for his assent.

By order of the House.

THOMAS BEE, Speaker.

In the Legislative Council, the fifth day of
February, 1778.

Read the foregoing resolution of the general assembly. Resolved, That this house do concur with the general assembly in the said resolution.

Ordered, That it be sent to his excellency the president for his assent.

Attended to, February 5, 1778.

J. RUTLEDGE.

By order of the House.

HUGH RUTLEDGE, Speaker.

GEORGIA.

House of Assembly, Thursday, February 26, 1778.

The house resolved itself into a committee of the whole house to take into consideration the articles of confederation and perpetual union; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Whitefield from the committee of the whole reported, they had taken the said articles into consideration, and gone through the same, and made several amendments thereto, which were read and agreed to.

Extract from the minutes.

GEORGE CUTHBERT, Clerk.

Report of the Amendments to the Articles of Confederation and perpetual Union.

ARTICLE IV. 4th page, 4th line, add the words "white inhabitants." 6th line, between the words "vagabonds and," add "all persons who refuse to bear arms in defence of the state to which they belong, and all persons who have been, or shall be at-

“tainted and judged guilty of high treason in any of
“the United States.”

ARTICLE IX. 20th page, 20th line, between the
words “emitted to,” add, “and the expenditure of
“the same.”

ARTICLE XI. 25th page, between the words “Cana-
“da acceding” add, “and the colonies of East and
“West Florida.”

A true copy from the original, taken the 24th May,
and examined by

GEORGE CUTHBERT, C. H. A.

House of Assembly, Thursday, February 26, 1778.

Resolved, That the delegates for this state be au-
thorized and required to lay before the general Con-
gress of the United States, the several alterations pro-
posed and agreed upon by this house this day in the
articles of confederation, and that they do use their
exertions to have such alterations agreed to and con-
firmed in Congress.

Resolved, That in case all or none of such altera-
tions shall be agreed to and confirmed in Congress,
that then, and notwithstanding, they be empowered
and required in behalf of this state, to sign, ratify and
confirm the several articles of the confederation re-
commended to the respective legislatures of the United
States by Congress, or any other plan of a general
confederation which shall be agreed upon by nine of
the United States.

GEORGE CUTHBERT, Clerk.

THURSDAY, JULY, 9, 1778.

Resolved, That in the ratification of the articles of confederation to be signed by the delegates, the following words to be omitted, to wit: "Which articles were by Congress proposed to the legislatures of all the United States, to be considered; and if approved of by them, they are advised to authorize their delegates to ratify the same in the Congress of the United States."

The ratification of the articles of confederation, engrossed on a roll of parchment, being laid before Congress, was examined; and the blanks in the third line from the bottom being filled up at the table with the words "ninth" and "July," and the blank in the last line, with the word "third," the same was signed, on the part and in behalf of their respective states, by the delegates of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virginia and South Carolina, agreeably to the powers vested in them.

The delegates of the state of New Jersey, Delaware and Maryland, informed Congress that they have not yet received powers to ratify and sign.

North Carolina, whose legislature has ratified the articles of confederation, and the state of Georgia, were not at this time represented in Congress.

Resolved, That a committee of three be appointed to prepare a circular letter to the states in this union that have not hitherto authorized their delegates in Congress to ratify the confederation, informing such

states how many and what states have already ratified the same ; and desiring that such states will, with all convenient despatch, authorize their delegates to ratify the confederation in the Congress of the United States.

The members chosen—Mr. Lee, Mr. Dana, and Mr. G. Morris.

FRIDAY, JULY 10, 1778.

The committee appointed to prepare a circular letter to the states in this union who have not hitherto authorized their delegates to ratify the confederation, brought in a draft, which being read and amended, was agreed to as follows :

SIR,

Congress, intent upon the present and future security of these United States, has never ceased to consider a confederacy as the great principle of union, which can alone establish the liberty of America, and exclude for ever the hopes of its enemies. Influenced by considerations so powerful, and duly weighing the difficulties which oppose the expectation of any plan being formed that can exactly meet the wishes and obtain the approbation of so many states, differing essentially in various points, Congress have, after mature deliberation, agreed to adopt without amendments the confederation transmitted to the several states for their approbation. The states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virgi-

nia, North Carolina and South Carolina, have ratified the same, and it remains only with your state, with those of to conclude the glorious compact, which, by uniting the wealth, strength, and councils of the whole, may bid defiance to external violence and internal dissensions, whilst it secures the publick credit, both at home and abroad.

Congress is willing to hope, that the patriotism and good sense of your state will be influenced by motives so important; and they request, sir, that you will be pleased to lay this letter before the legislature of in order that, if they judge it proper, their delegates may be instructed to ratify the confederation with all convenient despatch; trusting to future deliberations to make such alterations and amendments, as experience may show to be expedient and just.

I have the honour to be, &c.

TUESDAY, JULY 21, 1778.

Pursuant to the powers in them vested, the delegates of North Carolina signed the ratification of the confederation, in behalf of that state.

FRIDAY, JULY 24, 1778.

Pursuant to the powers in them vested, the delegates of Georgia signed the ratification of the confederation.

WEDNESDAY, NOVEMBER 25, 1778.

NEW JERSEY.

Mr. Witherspoon, a delegate from the state of New Jersey, attended and laid before Congress powers to the delegates of that state to ratify the confederation, which were read as follows :

By His Excellency William Livingston, Esquire, Governour, Captain General and Commander in Chief, in and over the State [L.S.] of New Jersey and Territories thereunto belonging, Chancellor and Ordinary in the same.

To all to whom these presents shall come—Greeting.

KNOW YE, That among the records in the secretary's office in the state of New Jersey, there is a certain instrument of writing, purporting to be an act of the council and general assembly of the said state, which said act is contained in the words and tenor here following, to wit :

“ An act to authorize and empower the delegates of
“ the state of New Jersey in Congress to subscribe
“ and ratify the articles of confederation and perpetual
“ union between the several states.

“ Whereas articles of confederation and perpetual
“ union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, signed in the Con-

“ gress of the said states by the honourable Henry
“ Laurens, esquire, their President, have been laid
“ before the legislature of this state, to be ratified by
“ the same, if approved: And whereas notwithstanding
“ the terms of the said articles of confederation
“ and perpetual union are considered as in divers
“ respects unequal and disadvantageous to this state,
“ and the objections to several of the said articles
“ lately stated and sent to the general Congress afore-
“ said, on the part of this state, are still viewed as
“ just and reasonable, and sundry of them as of the
“ most essential moment to the welfare and happiness
“ of the good people thereof; yet, under the full con-
“ viction of the present necessity of acceding to the
“ confederacy proposed, and that every separate and
“ detached state interest ought to be postponed to
“ the general good of the union; and moreover, in
“ firm reliance that the candour and justice of the
“ several states will, in due time, remove as far as
“ possible the inequality which now subsists:

“ SECT. 1. Be it enacted by the council and general
“ assembly of this state, and it is hereby enacted by
“ the authority of the same, That the honourable John
“ Witherspoon, Abraham Clark, Nathaniel Scudder
“ and Elias Boudinot, esquires, delegates representing
“ this state in the Congress of the United States, or
“ any one or more of them, be and they are hereby
“ authorized, empowered and directed, on behalf of
“ this state, to subscribe and ratify the said articles of
“ confederation and perpetual union between the states
“ aforesaid.

“ SECT. 2. And be it further enacted by the authority aforesaid, That the said articles of confederation and perpetual union, so as aforesaid subscribed and ratified, shall thenceforth become conclusive as to this state, and obligatory thereon.

“ Council Chamber, November 19, 1778.

“ This bill having been three times read in Council,
“ Resolved, That the same do pass.

“ By order of the House.

“ W. LIVINGSTON, President.

“ House of Assembly, November 20, 1778.

“ This bill having been three times read in the House
“ of Assembly,

“ Resolved, That the same do pass.

“ By order of the House.

“ CALEB CAMP, Speaker pro tem.”

All which, by the tenor of these presents, I have caused to be exemplified.

In testimony whereof the great seal of the said state of New Jersey is hereunto affixed, at Trenton, the 20th day of November, in the year of our Lord, one thousand seven hundred and seventy-eight, and in the third year of the independence of the United States of America.

WILLIAM LIVINGSTON.

By His Excellency's command.

BOWES REED, Secretary.

THURSDAY, NOVEMBER 26, 1778.

In pursuance of the powers to them granted, the delegates of New Jersey signed the ratification of the articles of confederation and perpetual union.

THURSDAY, FEBRUARY 16, 1779.

DELAWARE.

Mr. M'Kean, a delegate for Delaware, laid before Congress the following instrument, empowering the delegates of that state, or any of them, to ratify and sign the articles of confederation.

His Excellency Cesar Rodney, Esquire, President, Captain General and Commander in Chief of the Delaware State, to all to whom these Presents shall come—Greeting.

KNOW YE, That among the records remaining in the rolls office in the Delaware state, there is a certain instrument of writing, purporting to be an act of the general assembly of the said state, which said act is contained in the words and tenor here following, to wit :

Anno Millesimo Septengentesimo Septuagesimo nono.

“ An act to authorize and empower the delegates of the
“ Delaware state to subscribe and ratify the articles
“ of confederation and perpetual union between the
“ several states.

“ Whereas articles of confederation and perpetual
“ union between the states of New Hampshire, Massa-
“ chusetts Bay, Rhode Island and Providence Planta-
“ tions, Connecticut, New York, New Jersey, Pennsyl-
“ vania, Delaware, Maryland, Virginia, North Caroli-
“ na, South Carolina, and Georgia, signed in the
“ general Congress of the said states, by the honoura-
“ ble Henry Laurens, esquire, their then President,
“ have been laid before the legislature of this state,
“ to be ratified by the same, if approved: And
“ whereas notwithstanding the terms of the articles of
“ confederation and perpetual union are considered as
“ in divers respects unequal and disadvantageous to
“ this state; and the objections stated on the part of
“ this state are viewed as just and reasonable, and
“ of great moment to the welfare and happiness of the
“ good people thereof; yet, under the full conviction
“ of the present necessity of acceding to the present
“ confederacy proposed, and that the interest of parti-
“ cular states ought to be postponed to the general
“ good of the union; and moreover, in firm reliance
“ that the candour and justice of the several states
“ will in due time remove as far as possible the ob-
“ jectionable parts thereof:

“ Be it enacted by the general assembly of Dela-
“ ware, and it is hereby enacted by the authority of
“ the same, That the honourable John Dickinson,
“ Nicholas Van Dyke, and Thomas M·Kean, esquires,
“ delegates appointed to represent this state in Con-
“ gress, or any one or more of them, be, and they
“ hereby are authorized, empowered and directed, on

“behalf of this state, to subscribe and ratify the said articles of confederation and perpetual union between the several states aforesaid.

“And be it further enacted by the authority aforesaid, That the said articles of confederation and perpetual union, so as aforesaid subscribed and ratified, shall thenceforth become obligatory on this state.

“Signed by order of the House of Assembly.

“NICHOLAS VAN DYKE, Speaker.

“Signed by order of the Council.

“THOMAS COLLINS, Speaker.

“Passed at Dover, February 1, 1779.”

All which, by the tenor of these presents, I have caused to be exemplified.

In testimony whereof, the great seal of the Delaware state is hereunto affixed, at Dover, the sixth day of February, in the year of our Lord, one thousand seven hundred and seventy-nine, and in the third year of the Independence of the United States of America.

CESAR RODNEY.

By His Excellency's command.

JAMES BOOTH, Secretary.

MONDAY, FEBRUARY 22, 1779.

In pursuance of the powers vested in him, Mr. M'Kean, a delegate of the state of Delaware, signed and ratified the articles of confederation in behalf of that state.

TUESDAY, FEBRUARY 23, 1779.

The delegate of Delaware laid before Congress sundry resolutions passed by the council of that state, January 23, 1779, respecting the articles of confederation and perpetual union, and concurred in by the house of assembly, January 28, 1779, previous to their passing a law to empower their delegates to sign and ratify the said articles of confederation and perpetual union.

On which it was moved, that the same be filed: To which it was moved, as an amendment, to add, "Provided, that it shall never be considered as admitting any claim by the same set up or intended to be set up."

On this amendment the yeas and nays being required by Mr. Ellery—

| | | | |
|----------------|---|----------------------------------|-----|
| New Hampshire, | Mr. Whipple, Mr. Frost, | Ay. } Ay. } | Ay. |
| Massachusetts, | Mr. S. Adams, Mr. Lovell, Mr. Holten, | Ay. } Ay. } Ay. } | Ay. |
| Rhode Island, | Mr. Ellery, Mr. Collins, | Ay. } Ay. } | Ay. |
| Connecticut, | Mr. Root, | Ay. } x | |
| New York, | Mr. Jay, Mr. Morris, Mr. Floyd, Mr. Lewis, | Ay. } No. } Ay. } Ay. } | Ay. |

| | | |
|-----------------|---|-----------|
| New Jersey, | Mr. Witherspoon, No. } Mr. Frelinghausen, No. } | No. } |
| Pennsylvania, | Mr. Clingan, Ay. } Mr. Atlee, No. } Mr. Shippen, Ay. } Mr. Searle, Ay. } | |
| Delaware, | Mr. M'Kean, | No. } No. |
| Maryland, | Mr. Paca, No. } Mr. Henry, No. } | No. } |
| Virginia, | Mr. T. Adams, Ay. } Mr. F. L. Lee, Ay. } Mr. M. Smith, Ay. } Mr. Griffin, Ay. } Mr. R. H. Lee, Ay. } Mr. Nelson, Ay. } | Ay. } |
| North Carolina, | Mr. Penn, Ay. } Mr. Burke, Ay. } | Ay. } |
| South Carolina, | Mr. Drayton, | Ay. } Ay. |

So it passed in the affirmative.

On the question,

Resolved, That the paper laid before Congress by the delegate from Delaware and read, be filed; provided, that it shall never be considered as admitting any claim by the same set up or intended to be set up.

The paper is as follows, viz.

In the Council, Saturday, January 23, 1779. P. M.

The council having resumed the consideration of the committee's report on the articles of confederation and

perpetual union, &c. came to the following resolutions therein :

Resolved, That this state think it necessary for the peace and safety of the states to be included in the union ; that a moderate extent of limits should be assigned for such of those states as claim to the Mississippi or South Sea ; and that the United States in Congress assembled, should and ought to have the power of fixing their western limits.

Resolved also, That this state consider themselves justly entitled to a right, in common with the members of the union, to that extensive tract of country which lies to the westward of the frontiers of the United States, the property of which was not vested in, or granted to, individuals at the commencement of the present war : That the same hath been, or may be, gained from the king of Great Britain, or the native Indians, by the blood and treasure of all, and ought therefore to be a common estate, to be granted out on terms beneficial to the United States.

Resolved also, That the courts of law established within this state are competent for the purpose of determining all controversies concerning the private right of soil claimed within the same ; and they now, and at all times hereafter, ought to have cognizance of all such controversies : That the indeterminate provision proposed in the ninth article of the confederation for deciding upon controversies that may arise about some of those private rights of soil tends to take away such cognizance, and is contrary to the declaration of rights of this state ; and therefore ought to receive an alteration.

The council, then, taking into consideration the strong and earnest recommendations of Congress forthwith to accede to the present plan of confederacy, and the probable disadvantages that may attend the further delaying a ratification thereof—

Resolved, That notwithstanding the terms of the articles of confederation aforesaid are considered as in divers respects unequal and disadvantageous to this state, and the objections in the report of the committee of this house, and the resolves made thereon, are viewed as just and reasonable, and of great moment to the welfare and happiness of the good people thereof; yet, under the full conviction of the present necessity of acceding to the confederacy proposed, and in firm reliance that the candour and justice of the several states will in due time remove as far as possible the objectionable parts thereof, the delegates appointed to represent this state in Congress, or any one or more of them, be authorized, empowered and directed, on behalf of this state, to subscribe and ratify the said articles of confederation and perpetual union between the several states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia; and that the said articles, when so subscribed and ratified, shall be obligatory on this state.

Extract from the Minutes.

BENJAMIN VINING, Clerk of the Council.

Sent for concurrence.

In House of Assembly, Thursday, Jan. 28, 1779.

The foregoing resolutions being read three times, and considered, are concurred in.

NICHOLAS VAN DYKE, Speaker.

I do hereby certify that the above and foregoing to be a true extract from the minutes of the council.

BENJAMIN VINING, Clerk of the Council.

THURSDAY, MAY 20, 1779.

The delegates of Virginia laid before Congress certain powers and instructions to them given by the general assembly of their state, which were read and are as follows :

In General Assembly, Saturday, Dec. 19, 1778.

Resolved, nemine contradicente, That our delegates in Congress be instructed to propose to Congress, that they recommend to each of the states named as parties in the articles of confederation heretofore laid before and ratified by this assembly, that they authorize their delegates in Congress to ratify the said articles, together with the delegates of so many other of the said states as shall be willing, so that the same shall be for ever binding on the states so ratifying, notwithstanding that a part of those named shall decline to ratify the same ; allowing, nevertheless, to the said states so declining, either a given or indefinite time.

as to Congress shall seem best, for acceding to the said confederation, and making themselves thereby members of the Union.

Resolved, nemine contradicente, That our said delegates now in office, or hereafter to be appointed, be authorized and required, and are hereby authorized and required, to ratify the said articles of confederation on the part of this commonwealth, with so many of the other states named in them as parties, as shall on their part ratify the same.

Test.

A. CARY, S. S.

B. HARRISON, S. S.

In pursuance of the above powers and instructions, the said delegates moved in the words following :

“Whereas it is of the greatest importance to the safety, honour, and interest of the United States named as parties in the confederation, that they authorize their delegates in Congress to ratify the same, on or before the day of next, in conjunction with the delegates of so many other of the said states as shall be willing ; to the end that the same may be thenceforward for ever binding on the states so ratifying, notwithstanding that a part of those named shall decline to ratify the same.”

The delegates of Virginia then delivered in a paper signed by them in the words following :

“In consequence of the foregoing instructions and powers to us given, we do hereby declare, that we are ready and willing to ratify the confederation with any one or more states named therein, so that

“ the same shall be for ever binding upon the state of
 “ Virginia.

“ (Signed)

“ MEREWETHER SMITH,

“ CYRUS GRIFFIN,

“ RICHARD HENRY LEE,

“ WILLIAM FLEMING.”

FRIDAY, MAY 21, 1779.

MARYLAND.

The delegates of Maryland informed Congress, that they have received instructions respecting the articles of confederation which they are directed to lay before Congress, and have entered on their journals. The instructions being read, are as follows :

Instructions of the General Assembly of Maryland, to George Plater, William Paca, William Carmichael, John Henry, James Forbes, and Daniel of St. Thomas Jenifer, Esquires.

GENTLEMEN,

Having conferred upon you a trust of the highest nature, it is evident we place great confidence in your integrity, abilities and zeal to promote the general welfare of the United States, and the particular interest of this state, where the latter is not incompatible with the former ; but to add greater weight to your proceedings in Congress, and take away all suspicion that the opinions you there deliver and the votes you give may be the

mere opinions of individuals, and not resulting from your knowledge of the sense and deliberate judgment of the state you represent, we think it our duty to instruct as followeth on the subject of the confederation, a subject in which, unfortunately, a supposed difference of interest has produced an almost equal division of sentiments among the several states composing the union. We say a supposed difference of interests; for if local attachments and prejudices, and the avarice and ambition of individuals, would give way to the dictates of a sound policy, founded on the principles of justice (and no other policy but what is founded on those immutable principles deserves to be called sound) we flatter ourselves, this apparent diversity of interests would soon vanish, and all the states would confederate on terms mutually advantageous to all; for they would then perceive that no other confederation than one so formed can be lasting. Although the pressure of immediate calamities, the dread of their continuance from the appearance of disunion, and some other peculiar circumstances, may have induced some states to accede to the present confederation, contrary to their own interests and judgments, it requires no great share of foresight to predict, that when those causes cease to operate, the states which have thus acceded to the confederation will consider it as no longer binding, and will eagerly embrace the first occasion of asserting their just rights, and securing their independence. Is it possible that those states who are ambitiously grasping at territories, to which in our judgment they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power

derived from those territories, when acquired, than what they have displayed in their endeavours to acquire them? We think not. We are convinced the same spirit which hath prompted them to insist on a claim so extravagant, so repugnant to every principle of justice, so incompatible with the general welfare of all the states, will urge them on to add oppression to injustice. If they should not be incited by a superiority of wealth and strength to oppress by open force their less wealthy and less powerful neighbours; yet depopulation and consequently the impoverishment of those states will necessarily follow, which, by an unfair construction of the confederation, may be stripped of a common interest, and the common benefits derivable from the western country. Suppose, for instance, Virginia indisputably possessed of the extensive and fertile country to which she has set up a claim, what would be the probable consequences to Maryland of such an undisturbed and undisputed possession? They cannot escape the least discerning.

Virginia, by selling on the most moderate terms a small proportion of the lands in question, would draw into her treasury vast sums of money; and in proportion to the sums arising from such sales, would be enabled to lessen her taxes. Lands comparatively cheap, and taxes comparatively low, with the lands and taxes of an adjacent state, would quickly drain the state thus disadvantageously circumstanced of its most useful inhabitants; its wealth and its consequence in the scale of the confederated states would sink of course. A claim so injurious to more than one half, if not to the whole of the United States, ought to be supported by

the clearest evidence of the right. Yet what evidences of that right have been produced? What arguments alleged in support either of the evidence or the right? None that we have heard of deserving a serious refutation.

It has been said, that some of the delegates of a neighbouring state have declared their opinion of the impracticability of governing the extensive dominion claimed by that state. Hence also the necessity was admitted of dividing its territory, and erecting a new state under the auspices and direction of the elder, from whom no doubt it would receive its form of government, to whom it would be bound by some alliance or confederacy, and by whose councils it would be influenced. Such a measure, if ever attempted, would certainly be opposed by the other states as inconsistent with the letter and spirit of the proposed confederation. Should it take place by establishing a sub-confederacy, *imperium in imperio*, the state possessed of this extensive dominion must then either submit to all the inconveniences of an overgrown and unwieldy government, or suffer the authority of Congress to interpose at a future time, and to lop off a part of its territory to be erected into a new and free state, and admitted into a confederation on such conditions as shall be settled by nine states. If it is necessary for the happiness and tranquillity of a state thus overgrown, that Congress should hereafter interfere and divide its territory, why is the claim to that territory now made, and so pertinaciously insisted on? We can suggest to ourselves but two motives; either the declaration of relinquishing at some future period a proportion of the

country now contended for, was made to lull suspicion asleep, and to cover the designs of a secret ambition, or, if the thought was seriously entertained, the lands are now claimed to reap an immediate profit from the sale. We are convinced, policy and justice require, that a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty of Paris, if wrested from the common enemy by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress into free, convenient and independent governments, in such manner and at such times as the wisdom of that assembly shall hereafter direct.

Thus convinced, we should betray the trust reposed in us by our constituents, were we to authorize you to ratify on their behalf the confederation, unless it be farther explained. We have coolly and dispassionately considered the subject; we have weighed probable inconveniences and hardships against the sacrifice of just and essential rights; and do instruct you not to agree to the confederation, unless an article or articles be added thereto in conformity with our declaration. Should we succeed in obtaining such article or articles, then you are hereby fully empowered to accede to the confederation.

That these our sentiments respecting our confederation may be more publickly known, and more explicitly and concisely declared, we have drawn up the annexed declaration, which we instruct you to lay before Congress, to have it printed, and to deliver to each of the delegates of the other states in Congress assembled, copies thereof signed by yourselves, or by such

of you as may be present at the time of delivery; to the intent and purpose that the copies aforesaid may be communicated to our brethren of the United States, and the contents of the said declaration taken into their serious and candid consideration.

Also we desire and instruct you to move, at a proper time, that these instructions be read to Congress by their Secretary, and entered on the journals of Congress.

We have spoken with freedom, as become free men; and we sincerely wish that these our representations may make such an impression on that assembly as to induce them to make such addition to the articles of confederation as may bring about a permanent union.

A true copy from the proceeding of December 15, 1778.

Test. T. DUCKETT, C. H. D.

MAY 21, 1779.

The delegates for the state of Connecticut laid before Congress farther powers relative to the articles of confederation, which were read, and are as follows :

STATE OF CONNECTICUT, ss.

At a general assembly of the governour and company of the state of Connecticut, in America, holden at Hartford, by special order of the governour of said state, on Wednesday the seventh day of April, Anno Domini, 1779. [L. s.]

It appearing to this assembly to be essentially necessary for the preservation, safety, independence and sovereignty of the United States of America, that the articles of confederation and perpetual union be acceded to, ratified and confirmed: And whereas all of the said states, except Maryland, have agreed to and confirmed said articles of confederation; and Maryland hath not acceded to said articles as drawn up, for reasons heretofore published: And whereas the confederation of thirteen states may not be considered as obligatory on twelve states only:

Resolved, That the delegates of this state in Congress be directed and empowered, and full power and authority is hereby given and granted to the said delegates, in the name and behalf of this state, to enter into, ratify, and confirm said articles of confederation and perpetual union with the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, New York, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina and Georgia, in the most full and ample manner: Always provided, that the state of Maryland be not thereby excluded from acceding to said confederation at any time hereafter.

A true copy of record.

Examined by

GEORGE WYLLYS, Secretary.

SATURDAY, APRIL 1, 1780.

The committee, to whom was referred the act of the legislature of the state of New York, entitled “ An act
“ to facilitate the completion of the articles of confede-
“ ration and perpetual union among the United States
“ of America”—report,

That having met on the business, but not being able to agree to any resolution thereon, desire to be discharged : which act is in the words following, viz.

An act to facilitate the completion of the articles of confederation and perpetual union among the United States of America.

Whereas nothing under divine Providence can more effectually contribute to the tranquillity and safety of the United States of America than a federal alliance, on such liberal principles as will give satisfaction to its respective members : And whereas the articles of confederation and perpetual union recommended by the honourable the Congress of the United States of America have not proved acceptable to all the states, it having been conceived that a portion of the waste and uncultivated territory, within the limits or claims of certain states, ought to be appropriated as a common fund for the expenses of the war : And the people of the state of New York, being on all occasions disposed to manifest their regard for their sister states, and their earnest desire to promote the general interest and security ; and more especially to accelerate the federal alliance, by removing, as far as it depends upon them,

the beforementioned impediment to its final accomplishment :

Be it therefore enacted, by the people of the state of New York, represented in senate and assembly, and it is hereby enacted by the authority of the same, That it shall and may be lawful to and for the delegates of this state, in the honourable Congress of the United States of America, or the major part of such of them as shall be assembled in Congress, and they the said delegates or a major part of them, so assembled, are hereby fully authorized and empowered, for and on behalf of this state, and by proper and authentick acts or instruments to limit and restrict the boundaries of this state, in the western parts thereof, by such line or lines, and in such manner and form, as they shall judge to be expedient, either with respect to the jurisdiction as well as the right or pre-emption of soil, or reserving the jurisdiction in part, or in the whole, over the lands which may be ceded, or relinquished, with respect only to the right or pre-emption of the soil.

And be it further enacted by the authority aforesaid, That the territory which may be ceded or relinquished by virtue of this act, either with respect to the jurisdiction as well as the right or pre-emption of soil, or the right or pre-emption of soil only, shall be and enure for the use and benefit of such of the United States as shall become members of the federal alliance of the said states, and for no other use or purpose whatever.

And be it further enacted by the authority aforesaid, That all the lands to be ceded and relinquished by virtue of this act, for the benefit of the United States, with respect to property, but which shall nevertheless re-

main under the jurisdiction of this state, shall be disposed of and appropriated in such manner only as the Congress of the said states shall direct ; and that a warrant under the authority of Congress for surveying and laying out any part thereof, shall entitle the party in whose favour it shall issue to cause the same to be surveyed and laid out and returned, according to the directions of such warrant ; and thereupon letters patent under the great seal of this state shall pass to the grantee for the estate specified in the said warrant ; for which no other fee or reward shall be demanded or received than such as shall be allowed by Congress.

Provided always, and be it further enacted by the authority aforesaid, That the trust reposed by virtue of this act, shall not be executed by the delegates of this state, unless at least three of the said delegates shall be present in Congress.

STATE OF NEW YORK, ss.

I do hereby certify that the foregoing is a true copy of the original act passed the 19th of February, 1780, and lodged in the secretary's office.

ROBERT HARPUR, D'y. Sec'y. State.

WEDNESDAY, SEPTEMBER 6, 1780.

Congress took into consideration the report of the committee to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress respecting the articles of confederation, and the declaration therein referred to ; the act of the legislature of New York on the same subject ; and the

remonstrance of the general assembly of Virginia— which report was agreed to, and is in the words following :

That having duly considered the several matters to them submitted, they conceive it unnecessary to examine into the merits or policy of the instructions or declaration of the general assembly of Maryland, or of the remonstrances of the general assembly of Virginia, as they involve questions, a discussion of which was declined, on mature consideration, when the articles of confederation were debated ; nor, in the opinion of the committee, can such questions be now revived with any prospect of conciliation : That it appears more advisable to press upon these states which can remove the embarrassments respecting the western country, a liberal surrender of a portion of their territorial claims, since they cannot be preserved entire without endangering the stability of the general confederacy ; to remind them how indispensably necessary it is to establish the federal union on a fixed and permanent basis, and on principles acceptable to all its respective members ; how essential to publick credit and confidence, to the support of our army, to the vigour of our councils, and success of our measures, to our tranquillity at home, our reputation abroad, to our very existence as a free, sovereign and independent people ; that we are fully persuaded the wisdom of the respective legislatures will lead them to a full and impartial consideration of a subject so interesting to the United States, and so necessary to the happy establishment of the federal union ; that they are confirmed in these expectations by a view of the beforemention-

ed act of the legislature of New York, submitted to their consideration; that this act is expressly calculated to accelerate the federal alliance by removing as far as depends on that state, the impediment arising from the western country, and for that purpose to yield up a portion of territorial claim for the general benefit: Whereupon,

Resolved, That copies of the several papers referred to the committee be transmitted, with a copy of the report, to the legislatures of the several states; and that it be earnestly recommended to these states who have claims to the western country, to pass such laws, and give their delegates in Congress such powers, as may effectually remove the only obstacle to a final ratification of the articles of confederation: And that the legislature of Maryland be earnestly requested to authorize their delegates in Congress to subscribe the said articles.

DECEMBER 29, 1780.

Resolved, That a committee of three be appointed to collect, and cause to be published, two hundred correct copies of the declaration of independence, the articles of confederation and perpetual union, the alliances between these United States and his most christian majesty, with the constitutions or forms of government of the several states, to be bound together in boards.

The members—Mr. Bee, Mr. Witherspoon, and Mr. Wolcott.

MONDAY, FEBRUARY 12, 1781.

The delegates of Maryland laid before Congress a certified copy of an act of the legislature of that state, which was read as follows :

An act to empower the delegates of this state in Congress to subscribe and ratify the articles of confederation.

Whereas it hath been said that the common enemy is encouraged, by this state not acceding to the confederation, to hope that the union of the sister states may be dissolved ; and therefore prosecute the war in expectation of an event so disgraceful to America : And our friends and illustrious ally are impressed with an idea, that the common cause would be promoted by our formally acceding to the confederation : This general assembly, conscious that this state hath from the commencement of the war strenuously exerted herself in the common cause, and fully satisfied that if no formal confederation was to take place it is the fixed determination of this state to continue her exertions to the utmost, agreeable to the faith pledged in the union—from an earnest desire to conciliate the affection of the sister states, to convince all the world of our unalterable resolution to support the independence of the United States, and the alliance with his most christian majesty ; and to destroy for ever any apprehension of our friends, or hope in our enemies, of this state being again united to Great Britain :

Be it enacted by the general assembly of Maryland, That the delegates of this state in Congress, or

any two or three of them, shall be, and are hereby empowered and required, on behalf of this state, to subscribe the articles of confederation and perpetual union, between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, signed in the general Congress of the said states by the honourable Henry Laurens, esquire, their then president, and laid before the legislature of this state to be ratified, if approved: and that the said articles of confederation and perpetual union, so as aforesaid subscribed, shall thenceforth be ratified and become conclusive as to this state, and obligatory thereon.

And it is hereby declared, that by acceding to the said confederation, this state doth not relinquish, or intend to relinquish, any right or interest she hath with the other united or confederated states to the back country; but claims the same as fully as was done by the legislature of this state in their declaration which stands entered on the journals of Congress: this state relying on the justice of the several states hereafter, as to the said claim made by this state.

And it is further declared, That no article in the said confederation can or ought to bind this or any other state, to guaranty any exclusive claim of any particular state to the soil of the said back lands, or

any such claim of jurisdiction over the said lands, or the inhabitants thereof.

By the House of Delegates, January 30, 1781.

Read and assented to.

By order.

F. GREEN, Clerk.

By the Senate, February 2, 1781.

Read and assented to.

By order.

JAS. MACCUBBIN, Clerk.

THOMAS LEE. [L. S.]

THURSDAY, FEBRUARY 22, 1781.

The delegates of Maryland having taken their seats in Congress with powers to sign the articles of confederation—

Ordered, That Thursday next be assigned for completing the confederation; and that a committee of three be appointed to consider and report a mode for announcing the same to the publick.

The members—Mr. Walton, Mr. Madison, Mr. Matthews.

SATURDAY, FEBRUARY 24, 1781.

On the report of the committee appointed to report the mode of announcing the final ratification of the articles of confederation,

Resolved, That on Thursday next, at twelve o'clock, the final ratification of the confederation of the United States of America be announced to the publick :

and that the board of war and board of admiralty take order according.

That this important event be communicated to the executives of the several states.

That the several ministers of these states in Europe be informed of the complete and final ratification of the said confederation; and they be ordered to notify the same to the respective courts at which they reside.

That it also be notified to the honourable the minister plenipotentiary of France.

That information of the completion of the said confederation be transmitted to the commander in chief; and that he be directed to announce the same to the army under his command.

THURSDAY, MARCH 1, 1781.

According to the order of the day, the honourable John Hanson and Daniel Carroll, two of the delegates for the state of Maryland, in pursuance of the act of the legislature of that state, entitled "An act to empower the delegates of this state in Congress to subscribe and ratify the articles of confederation," which was read in Congress on the 12th of February last, and a copy thereof entered on the minutes, did, in behalf of the said state of Maryland, sign and ratify the said articles; by which act, the confederation of the United States of America was completed, each and every of the thirteen United States from New Hampshire to Georgia, both included, having adopted

and confirmed, and by their delegates in Congress ratified the same, which is in the words following :

To all to whom these presents shall come: We, the undersigned delegates of the states affixed to our names, send greeting.

Whereas the delegates of the United States of America in Congress assembled did, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain articles of confederation and perpetual union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, namely,

ARTICLES

OF CONFEDERATION AND PERPETUAL UNION,

BETWEEN THE STATES OF

| | |
|--|---------------------|
| New Hampshire, | Pennsylvania, |
| Massachusetts Bay, | Delaware, |
| Rhode Island and Providence Plantations, | Maryland, |
| Connecticut, | Virginia, |
| New York, | North Carolina, |
| New Jersey, | South Carolina, and |
| | Georgia. |

ARTICLE I.

The style of this confederacy shall be, THE UNITED STATES OF AMERICA.

ARTICLE II.

Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III.

The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV.

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state; and shall enjoy

therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively; provided, that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also, that no imposition, duties or restriction shall be laid by any state, on the property of the United States, or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor, in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governour or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V.

For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and send others in their stead for the remainder of the year.

No state shall be represented in Congress, by less than two, nor by more than seven members; and no

person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonment, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

ARTICLE VI.

No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into, by the United States in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessels of war shall be kept up, in time of peace, by any state, except such number only as shall be deemed necessary, by the United States in Congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defence of such state: but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred; and shall provide and constantly have ready for use, in publick stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war, without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such

state, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any state grant commissions to any ship or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled; and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled; unless such state be infested by pirates, in which vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII.

When land forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII.

All charges of war, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in

proportion to the value of all land within each state, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX.

The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article : Of sending and receiving ambassadors : Entering into treaties and alliances ; provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatever : Of establishing rules for deciding in all cases what captures on land or water shall be legal ; and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated : Of granting letters of marque and reprisal in times of peace : Appointing courts for the trial of piracies and felonies committed on the high seas ; and establishing courts for receiving and determining finally appeals in

all cases of captures; provided, that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort, on appeal, in all disputes and differences now subsisting, or that hereafter may arise, between two or more states concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following:— Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy; and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States; and from the list of such persons, each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number, not less than seven nor more than nine names, as Congress shall direct, shall in the presence of Congress be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause, shall agree in the determination. And if either party shall

neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each state ; and the Secretary of Congress shall strike in behalf of such party absent or refusing ; and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive. And if any of the parties shall refuse to submit to the authority of such court, or to appear, or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive ; the judgment, or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: Provided, that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superiour court of the state where the cause shall be tried, “ Well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection, or hope of reward :” Provided also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands and the states which passed such grants are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of

either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states : Fixing the standard of weights and measures throughout the United States : Regulating the trade and managing all affairs with the Indians, not members of any of the states ; provided that the legislative right of any state within its own limits be not infringed or violated : Establishing and regulating postoffices from one state to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office : Appointing all officers of the land forces in the service of the United States, excepting regimental officers : Appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States : Making rules for the government and regulation of the land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated A COMMITTEE OF THE STATES, and to consist of one delegate from each state ; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction : To

appoint one of their number to preside ; provided, that no person be allowed to serve in the office of President more than one year in any term of three years : To ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the publick expenses : To borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted : To build and equip a navy : To agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding ; and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm and equip them, in a soldierlike manner, at the expense of the United States ; and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled : but if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than its quota thereof, such extra number shall be raised, officered, clothed, armed and equipped, in the same manner as the quota of such state ; unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same ; in which case they shall raise, officer, clothe, arm and equip as many of such extra number as they judge can

be safely spared : and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war ; nor grant letters of marque and reprisal in time of peace ; nor enter into any treaties or alliances ; nor coin money ; nor regulate the value thereof ; nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them ; nor emit bills ; nor borrow money on the credit of the United States ; nor appropriate money ; nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised ; nor appoint a commander in chief of the army or navy—unless nine states assent to the same : nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months ; and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy ; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate ; and the delegates of a state, or any of them, at his or their request, shall be furnished with a tran-

script of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X.

The committee of the states, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with; provided, that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite.

ARTICLE XI.

Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this union. But no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII.

All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of Congress, before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered as a charge against the United

States, for payment and satisfaction whereof the said United States and the publick faith are hereby solemnly pledged.

ARTICLE XIII.

Every state shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every state; and the union shall be perpetual. Nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every state.

And whereas it hath pleased the great Governour of the world to incline the hearts of the legislatures we respectively represent in Congress to approve of, and to authorize us to ratify the said articles of confederation and perpetual union :

KNOW YE, That we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States

in Congress assembled, on all questions which by the said confederation are submitted to them; and that the articles thereof shall be inviolably observed by the states we respectively represent; and that the union shall be perpetual.

In witness whereof, we have hereunto set our hands
in Congress.

Done at Philadelphia, in the state of Pennsylvania,
the ninth day of July, in the year of our Lord
one thousand seven hundred and seventy-eight,
and in the third year of the independence of
America.

Josiah Bartlett,
John Wentworth,
August 8, 1778.

} On the part and behalf of
the state of NewHamp-
shire.

John Hancock,
Samuel Adams,
Elbridge Gerry,
Francis Dana,
James Lovell,
Samuel Holten,

} On the part and behalf of
the state of Massachu-
setts Bay.

William Ellery,
Henry Marchant,
John Collins,

} On the part and behalf
of the state of Rhode
Island and Providence
Plantations.

Roger Sherman,
Samuel Huntington,
Oliver Wolcott,
Titus Hosmer,
Andrew Adams,

} On the part and behalf of
the state of Connecti-
cut.

James Duane,
Francis Lewis,
William Duer,
Gouverneur Morris,

} On the part and behalf of
the state of New York.

- John Witherspoon,
Nathaniel Scudder, } On the part and behalf of
the state of New Jersey.
November 26, 1778.
- Robert Morris,
Daniel Roberdeau,
Jonathan Bayard Smith,
William Clingan,
Joseph Reed, } On the part and behalf of
the state of Pennsylvan-
ia. July 22, 1778.
- Thomas M'Kean,
February 22, 1779.
John Dickinson,
May 5, 1779.
Nicholas Van Dyke, } On the part and behalf of
the state of Delaware.
- John Hanson,
Daniel Carroll, } On the part and behalf of
the state of Maryland.
March 1, 1781.
- Richard Henry Lee,
John Banister,
Thomas Adams,
John Harvie,
Francis Lightfoot Lee, } On the part and behalf of
the state of Virginia.
- John Penn,
July 21, 1778.
Cornelius Harnett,
Thomas Williams, } On the part and behalf of
the state of North Car-
olina.
- Henry Laurens,
William Henry Drayton,
John Matthews,
Richard Hutson,
Thomas Heyward, jr. } On the part and behalf of
the state of South Caro-
lina.
- John Walton,
July 24, 1778.
Edward Telfair,
Edward Langworthy, } On the part and behalf of
the state of Georgia.

