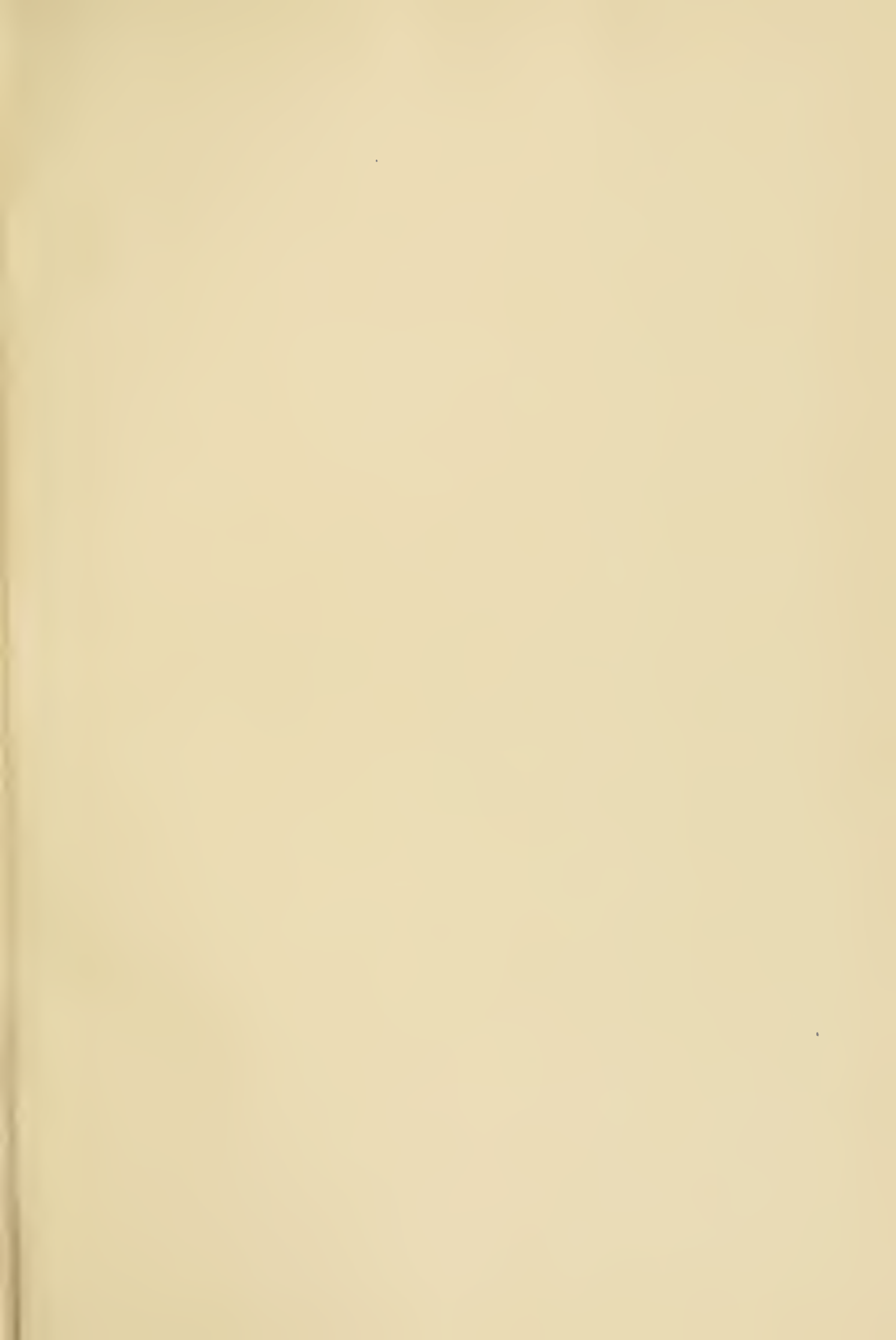




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JOURNALS OF THE
CONTINENTAL CONGRESS

1774-1789

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Volume XXVIII. 1785

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Page 16 *n*, line 8, and p. 132, line 12, for [John] Stewart read [Charles] Stewart; and on the following pages, for [Archibald] Stewart read [Charles] Stewart: p. 3, line 35; p. 16, line 15; p. 17 *n*, lines 5 and 10; p. 18, line 5; p. 24 *n*, line 19; p. 57, line 17; p. 61, line 11; p. 70 *n*, line 7; p. 73, line 1; p. 79, line 33; p. 92, line 4; p. 105 *n*, line 13; p. 109 *n*, lines 5 and 7; p. 120, line 24; p. 121 *n*, line 16; p. 165 *n*, line 3; p. 181, line 3; p. 185, line 12; p. 192, line 4; p. 208 *n*, line 4; p. 221, line 1; p. 224, line 23; p. 251, line 25; p. 362, line 9; p. 463 *n*, line 13; p. 472, line 23.

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PREFATORY NOTE

The Congress that convened in New York City, January 11, 1785, did not assemble with any noticeable amount of patriotic enthusiasm. The matters demanding its attention were, largely, legacies of unsettled difficulties bequeathed by the Congress of 1784 and, although these difficulties were examined and threshed over anew, few decisions of moment were made and few important matters settled in 1785.

Many claims of individuals against the general government were settled but many more were postponed, and the large question of the accounts of the States with the United States was advanced very little toward a satisfactory balance.

The important domestic problem of the western territory, its government and the mode of disposing of its western lands, consumed much time, but made slow progress. As these western lands were almost the sole reliance of Congress in its struggle to obtain revenue, the development of this question and the different pressures exerted are worthy of critical analysis.

The prohibition of slavery in the early drafts of the ordinance for the government of the western territory is to be credited to the Congress of 1785, some Indian treaties of importance were negotiated, and the national debt was once again clumsily handled.

It is not quite fair to criticise the Congress sharply, for its difficulties and deficiencies were not always of its own creation and it was far from being an incompetent body. The lack of representation, a matter over which it had no control, was responsible for much of its impotence, though the clogging method of voting by States was its own responsibility.

In foreign affairs the negotiations with the Barbary Powers and the navigation of the Mississippi stand out as major matters, though the little diplomatic tempest in a tea-pot which arose over Captain Stanhope's correspondence with the Governor of Massachusetts furnishes a refreshing gleam of humor in an otherwise rather drab record of official governmental proceedings.

As the year wore on, the Congress appeared more and more plainly as a board or committee of receivers whose primary duty lay in winding up the affairs of an expiring business. Some of its energy, perhaps too much, was expended upon its own internal affairs and of these the most significant was the regulation of the office of the Secretary of Congress. The inside history of the culmination of this struggle is only partially disclosed in the Journals, and though the basis of the criticism was sound and the complaints against the office well-founded, the ordinance which Congress adopted for the regulation of the Secretary's office did not improve the situation to any noticeable extent.

Because of Secretary Thomson's change of method of keeping the record it was necessary to amend the original editorial plan of printing the Journal, or rest content with publishing only a partial and therefore misleading record of the proceedings of the Congress.

At the end of September, 1779, Secretary Charles Thomson introduced a new plan of record. On the 24th of that month he opened a Despatch Book in which he entered the letters received or submitted to Congress and the boards, offices, or committees to which they were referred. The regular proceedings of Congress, the Journal, even from the beginning, had not been kept by Thomson with that complete attention to detail which we so ardently wish for to-day and this new plan, undoubtedly the result of criticism by some of the Delegates, while it added greatly to the completeness of the

record, enabled the Secretary to curtail the entries of the regular proceedings in the Journal.

By the first of January, 1781, Thomson seems to have been completely converted to the advantage of supplemental records and on that day he inaugurated another record called the Committee Book. In this he entered, day by day, all the matters referred to committees and government departments, gave the personnel of the committees and, more often than not, noted the date on which reports were rendered. At the same time he continued the Despatch Book record.

It is impossible to understand the Journal without recourse to these two additional records. Also the Resolve Book and the Secretary's Reports Book must be used. The entries are as much a part of the official record of the proceedings of Congress as the Journal itself, but the form in which these additional books were kept makes it difficult to introduce their information smoothly into the Journal text.

With this year 1785 close attention is paid, for the first time, to every one of the additional record books of the Secretary and the result has been decidedly gratifying. The text of the Journal proper, with the footnotes, gives the absolute and complete record of each legislative day in so far as it is possible to reconstruct it.

The principal departures in this year of 1785 from the former editorial plan are: (1) The printing of the committee and other reports on the days they were first read in Congress and following them through to the final adoptions, instead of printing, as heretofore, the adopted action only and endeavoring to explain the legislative development in a footnote; in many cases this was impossible. (2) The inclusion of the complete record of the Committee and other books under their proper dates.

Another departure from the former editorial plan has been to state briefly, in the footnotes, the subject of the paper there referred to.

The text of the Journal is continued with type and indentations as heretofore. The committee and other record-book entries of legislative action are entered in the footnotes and, as far as it is mechanically possible, the entries for each day are kept below the text of the Journal for that date. These various committee-book entries should, properly, have been entered by Thomson on the Journal itself and his keeping the record in the form he did was one of the causes of dissatisfaction which gave rise to the ordinance for the regulation of his office. By printing these record-book entries in the form devised as the best possible way of reproducing a complicated manuscript record in type, it is now possible to follow every piece of legislative business step by step as it progressed through Congress.

In a few instances, in the early part of 1785 it has been necessary to include matter that properly belonged in 1784 but was not there printed under the former editorial plan of entry under the date of the final action. An example of this will be seen under March 7, 1785, in the return of Benjamin Franklin to America, and under July 12 in lined type will be found an illustrative example of the way in which Thomson carried his Committee Book record.

Some discretion was used in printing the texts of communications read in Congress. Where such communications were mere letters of transmittal or of distinctly minor character a description of them was considered sufficient.

In nearly every case in the bibliographic notes it will be found helpful to refer to the Journal of those dates.

The lists of committees have not been deemed necessary or advantageous as the committees of the week are noted on the dates of their appointment, and all other committees are duly entered as they were created.

This renewal of the publication of the Journals, after a lapse of some years, was made possible by the patriotic

generosity of Mr. William Evarts Benjamin, who, in addition to the Benjamin endowment, arranged a subvention for the editorial and other work necessary for the preparation of copy for the printer. The proofs have been read by Dr. J. Franklin Jameson of the Benjamin Chair of American History in the Library of Congress, and Chief of the Manuscript Division, and the index has been prepared by that Division.

JOHN C. FITZPATRICK.

HERBERT PUTNAM

Librarian of Congress

FEBRUARY, 1933.

JOURNALS OF THE CONTINENTAL CONGRESS 1785

NEW YORK, TUESDAY, JANUARY 11, 1785.

According to adjournment, the following states assembled: New Hampshire, Massachusetts, Rhode Island, New York, New Jersey; and from the state of Virginia, Mr. [Richard Henry] Lee, and from North Carolina, Mr. [Hugh] Williamson.

Mr. Lambert Cadwallader, a delegate for New Jersey, Mr. Pierce Long, a delegate for New Hampshire, and Mr. Zephaniah Platt, a delegate for the state of New York, produced the credentials of their respective appointments.¹

The Sovereign and Independent State of

NEW HAMPSHIRE

To the Honorable Pierce Long Esquire Greeting.

WE the said STATE reposing special trust and confidence in Your wisdom, virtue and fidelity, do by these presents, constitute and appoint You the said Pierce Long Esquire a Delegate to represent this State in Congress untill the first Monday in November next agreeable to the rules and regulations established by Law. And We do hereby vest in you all the powers, authorities, rights and privileges appertaining or belonging to this your appointment, You governing Yourself from time to time agreeable to such orders as shall be transmitted to you by authority of our General Court. WITNESS MESHECH WEARE, Esquire, Our PRESIDENT and Commander in Chief in and over the said State, as given under his hand and the Great Seal of the State

¹ For Cadwallader's credentials see November 9, 1784, and Platt's under December 2, 1784.

this first day of December Anno Domini one thousand seven hundred and Eighty four and in the Ninth Year of Our INDEPENDENCE.

By His Excellency's command

M. WEARE.

Joseph Pearson Dep Sec^y

[SEAL]¹

WEDNESDAY, JANUARY 12, 1785.

Mr. James McHenry, a delegate for Maryland, attended, and produced credentials, by which it appears, that on the 4th of December last, the hon^{bl}. Samuel Chase, James McHenry and Gustavus Scott, were duly elected to represent that state in Congress the ensuing year.

Two states assembled: namely, New Hampshire and New Jersey; and from the state of Rhode Island, Mr. [David] Howell; from New York, Mr. [Zephaniah] Platt; from Maryland Mr. McHenry, and from Virginia, Mr. [Richard Henry] Lee.²

We hereby certify that the Honorable Samuel Chase James McHenry and Gustavus Scott Esquires were duly elected on the fourth Day of December seventeen hundred and eighty four to represent the State of Maryland in Congress the ensuing Year.

J. DORSEY, Cl. of the Senate.

WM. HARWOOD, Cl. H. Del.³

THURSDAY, JANUARY 13, 1785.

Mr. William Samuel Johnson, a delegate for the state of Connecticut, attended, and produced the credentials of his appointment, which were read.

¹ The original is in the *Papers of the Continental Congress*, New Hampshire, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal. The spelling of Long's first name varies in the Credentials. (See October 25, 1785, entered in the Journal of November 28, 1785.) His signature, as a witness to the privateer bond for the schooner *McClary*, of Portsmouth, September 2, 1776, is plainly Pierse Long; *Papers of the Continental Congress*, No. 196, IX, folio 110.

² On this or an approximate date was read a letter of Francis Cazeau, answering the objections made to his accounts. It is in the *Papers of the Continental Congress*, No. 78, VI, folio 243. Also, a letter of James Livingston on settlement of his claim of losses in the Quebec expedition. It is in No. 78, XIV, folio 607.

³ The original is in the *Papers of the Continental Congress*, Maryland, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

Congress assembled: Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Virginia; and from the State of Maryland, Mr. [James] McHenry.

STATE OF CONNECTICUT.

At a General Assembly of the State of Connecticut in America holden at New Haven on the second Thursday of October Anno Dom 1784.

This Assembly do appoint William Samuel Johnson Esq^r a Delegate to represent this State in the Congress of the United [SEAL] States for the Term of One Year from the first Monday of November, 1784, in the room of Charles Church Chandler Esq^r resigned.

A true Copy of Record

Examined

By GEORGE WYLLYS Secret^r¹

[Motion of Mr Elbridge Gerry, referred to Mr Elbridge Gerry, Mr William Ellery, Mr Hugh Williamson:]

That the Postmaster General and Secretary in the War Office be directed forthwith and that the officers of the several departments of the Treasury be directed on or before the 21st day of March next as they may deem it exped^t, to remove the papers of their respective offices to this City where they are to be Kept till the further orders of Congress.²

¹ The original is in the *Papers of the Continental Congress, Connecticut, Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

² This motion, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 19, 1, folio 527. See *post*, February 2.

According to Committee Book, No. 186, the committee on Gerry's motion also considered and reported this day on the letters of December 3 and 23, 1784, on post office matters, from Postmaster General Ebenezer Hazard. The letter of December 23 is in the *Papers of the Continental Congress*, No. 61, folio 181, which is indorsed as having been referred to the Committee on the Post Office. The Gerry committee reported February 2 and a resolve was adopted February 7.

JANUARY 13: On this day a letter of December 15, 1784, from Major L'Enfant, with inclosures was referred to Mr. [David] Howell, Mr. [Archibald] Stewart and Mr. [Hugh] Williamson, who reported January 24.

The report of the Commissioner for settling marine accounts of the advances made for the frigate *Confederacy* at Martinique was referred to Mr. [Rufus] King, Mr. [William S.] Johnson and Mr. [Pierse] Long, who reported February 18.

The letter of December 24, 1784, from the Governor of Connecticut and proceedings of the Connecticut legislature on the claims of the Wyoming settlers and

FRIDAY, JANUARY 14, 1785.

Congress assembled. Present as yesterday.

SATURDAY, JANUARY 15, 1785.

Congress assembled. Present as yesterday.¹

their memorial thereon was referred to the Committee of the Whole, to meet on Tuesday, January 25. See *post*, August 19.

Committee Book, No. 186.

Also, on this day, was read according to its indorsement, a letter from Samuel Purviance, Dec. 20, 1784, enclosing a letter from Arthur Campbell and a memorial from the inhabitants of the Western country on the expected attack of the Cherokees on the Kentucky settlements. The letter and enclosures are in the *Papers of the Continental Congress*, No. 48, folios 273-289.

Also on this day, according to indorsement, was read a "Memorial of the Freemen inhabiting the Country Westward of the Allegany or Apalachian Mountain and Southward of the Ouasioto," praying for the erection of the western territory, as bounded in the memorial, into a free and independent state. It is in No. 48, folio 281.

Also, a letter of December 3, 1784, from Meshech Weare, President of New Hampshire, transmitting an act of the general court of that state to invest Congress with additional powers for a limited term. It is in No. 64, folio 248.

Also, a letter of December 24, 1784, from Matthew Griswold, Governor of Connecticut, relative to the claims of settlers upon the Wyoming. It was referred to the committee of the whole house to meet Tuesday, January 25. It is in No. 66, II, folio 292.

Also, a letter of January 5 from Joseph Hardy applying for appointment as commissioner for adjusting accounts of the State of Maryland with the United States, which was referred, on January 17, to Mr. [John] Beatty, Mr. [David] Howell and Mr. [Samuel] Holten. On January 24 the committee was discharged and the letter ordered to be filed. The letter is in No. 78, XII, folio 357.

¹ On this day, as the indorsement states, was read a letter from Joseph Carleton, Secretary of the War Office, dated January 10, 1785, proposing to remove the War Office records to New York. It was referred to the committee on Mr. Gerry's motion: Mr. [Elbridge] Gerry, Mr. [William] Ellery and Mr. [Hugh] Williamson. It is in the *Papers of the Continental Congress*, No. 60, folio 111. The committee reported February 2.

Also on this day, according to Committee Book No. 186, a letter of M. de Marbois, respecting the portraits of the King and Queen of France, was referred to this same committee which reported February 1. The letter is in No. 96, 326.

Also a letter of January 14, 1785, from the Mayor of New York, was referred to Mr. [Samuel] Hardy, Mr. [Rufus] King and Mr. [Lambert] Cadwallader, who reported, January 18.

MONDAY, JANUARY 17, 1785.

Mr. John Sitgreaves, a delegate for the state of North Carolina, attended, and took his seat.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Virginia and North Carolina; and from the state of Pennsylvania, Mr. [Joseph] Gardner; from Maryland, Mr. [James] McHenry, and from South Carolina, Mr. [Charles] Pinckney.

Congress took into consideration the ordinance for ascertaining the powers and duty of the Secretary at War; and the same being read a second time,

Ordered, That Wednesday the 19th of the present month, be assigned for the third reading.

[Motion of Mr. David Howell:]

That Congress in future be supplied with such newspapers from each State as the Delegates representing such State in Congress for the time being shall point out to the Secretary.

[Motion of Mr. Hugh Williamson:]

It is unnecessary that Congress in future be supplied with any other newspapers than such as are published in the place of their present Residence.¹

¹ These motions, in the writing of Howell and Williamson respectively, are in the *Papers of the Continental Congress*, No. 23, folios 221 and 223. They were referred to Mr. Williamson, Mr. [Elbridge] Gerry and Mr. [Joseph] Gardner, who reported February 28.

On this day, according to the indorsement, was read a letter from William S. Smith, dated January 15, 1785, offering his services to Congress. It is in No. 92, folio 1.

JANUARY 17: On this day the Committee of the Week was designated as Mr. [John] Sitgreaves, Mr. [Joseph P.] Cook and Mr. [Pierse] Long.

The following committees were appointed:

A Grand Committee—Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [David] Howell, Mr. [Joseph P.] Cook, Mr. [Zephaniah] Platt, Mr. [Lambert] Cadwalader, Mr. [Joseph] Gardner, Mr. [John] Vining, Mr. [James] McHenry, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson, Mr. [Charles] Pinckney and Mr. [William] Houstoun, to whom was referred a letter of August 17, 1784, from the Superintendent of Finance, of August 30, on the Holland loan and of August 30 on duties payable in free ports of France; papers respecting a Mint, January 24, letter of November 11, 1784, from John Adams, Benjamin Franklin and Thomas Jefferson; letter of November 3 from John Adams; letter of January 15, 1782,

TUESDAY, JANUARY 18, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Virginia, North Carolina and South Carolina; and

from the Superintendent of Finance on a Mint and the instructions to the Massachusetts delegates respecting the regulation of gold and silver coins. This committee was renewed April 6.

Mr. [Charles] Pinckney, Mr. [Samuel] Hardy, Mr. [James] Monroe, Mr. [William S.] Johnson and Mr. [Zephaniah] Platt, on the instructions to the Massachusetts delegates to obtain the opinion of Congress on sundry parts of the Definitive Treaty. See *post*, August 19.

Mr. [Jacob] Read, Mr. [John] Beatty, Mr. [David] Howell, Mr. [Samuel] Hardy and Mr. [Rufus] King were appointed a standing committee on qualifications. See *post*, March 14.

Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [John] Beatty, on motion of Mr. Read for appointing five commissioners to survey the western country ceded to the United States. See *ante*, December 2, 1784, and *post*, April 13.

Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Zephaniah] Platt, Mr. [Pierse] Long and Mr. [James] McHenry, to review the regulations of the Treasury Department and report an ordinance for its future regulation, also a motion of Mr. [Charles] Pinckney that the Commissioners of the Board of Treasury give bond for the faithful discharge of the office. A report on Mr. Pinckney's motion was made January 31. This committee was renewed April 12.

Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. [Hugh] Williamson, Mr. [David] Howell and Mr. [Rufus] King, to report an ordinance to regulate the Indian trade. See *post*, May 16.

Mr. [John] Beatty, Mr. [David] Howell and Mr. [William Samuel] Johnson, on the accounts of John Hopkins, Commissary of Prisoners. Mr. Johnson took the place of Mr. Gunning Bedford on this committee which had been appointed December 7, 1784. A report was rendered February 1.

Mr. [Hugh] Williamson, Mr. [William Samuel] Johnson and Mr. [Pierse] Long, on the petition of James Rumsey, relating to his invention of a power boat. This committee took the place of Mr. Benson, Mr. Williamson and Mr. William Churchill Houston, who has been appointed December 8, 1784. A report was rendered May 11.

Mr. [Samuel] Holten, Mr. [Jacob] Read, Mr. [Samuel] Hardy, Mr. [Richard Dobbs] Spaight and Mr. [William Samuel] Johnson, on the note from the Minister of the United Netherlands, dated December 8, 1784, relative to a change in the form of sea letters. To this committee also was referred letters from William Carmichael, dated August 2, 1783, respecting commerce with Saxony, and Philip Thierot, commercial agent for Saxony. This was a change in personnel from the committee as originally appointed on December 9, 1784, which was Holten, W. C. Houston, Read, Bedford, and Hardy, which later became Holten, Read, Gerry, King, and W. Livingston and on January 17 as above. This com-

from Pennsylvania, Mr. [Joseph] Gardner, and from Maryland, Mr. [James] McHenry.

On the report of a committee, consisting of Mr. [Samuel] Hardy, Mr. [Rufus] King and Mr. [Lambert] Cadwallader,

mittee was discharged February 15. Van Berckel's letter is in No. 81, I, 491 and Carmichael's is in No. 88, II, folio 380. See *post*, February 15 and November 1.

Mr. [Elbridge] Gerry, Mr. [James] Monroe, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson and Mr. [William Samuel] Johnson, to revise the plan of a Convention for regulating the powers and privileges of consuls, vice consuls and agents which had been proposed to the Court of Versailles; also the letter of September 17, 1784, from Thomas Barclay. This committee had been appointed December 14 with Mr. John Jay as chairman.

Mr. [John] Beatty, Mr. [David] Howell and Mr. [Samuel] Holten, on letter of December 16, 1784, from John White, applying for appointment as commissioner for settling accounts between the United States and Maryland; also letter of January 5 from Joseph Hardy applying for the same commissionership or that for North Carolina. The committee was discharged of Hardy's letter January 24 and reported on White's letter January 26.

Mr. [Hugh] Williamson, Mr. [Jacob] Read, Mr. [Elbridge] Gerry, Mr. [Rufus] King and Mr. [William] Livingston, the Committee on Post Office, "To enquire fully into the proceedings of the post office & report agreeable to resolution 17 July, 1782. Reported up to 1 Jany." This was a change of personel from the committee appointed December 9, which consisted of Mr. Williamson, Mr. [William] Houstoun, Mr. [John F.] Mercer, Mr. [John] Jay and Mr. [Jacob] Read.

Mr. [Hugh] Williamson, Mr. [Samuel] Hardy, Mr. [George] Partridge, Mr. [Samuel] Holten and Mr. [Richard D.] Spaight, on papers respecting capture of the schooner *Good Fortune* belonging to R. Ellis. Mr. Richard D. Spaight had been added to this Committee which was appointed December 16, 1784 and Mr. William Houston dropped.

Mr. [John] Beatty, Mr. [Zephaniah] Platt and Mr. [Pierse] Long, on memorial of Mordecai Hale, surgeon's mate, for relief on account of disablement in service. This committee took the place of that appointed December 16, 1784, Mr. Egbert Benson, Mr. John Beatty and Mr. Samuel Dick. Report made January 24.

The following committees were renewed:

On report on reprinting the Journals with additions: Mr. [Samuel] Hardy, Mr. R. R. Livingston, Mr. [William C.] Houston, Mr. [David] Howell and Mr. [James] McHenry in place of Mr. Gunning Bedford. See *ante*, December 7, 1784.

On letter of August 26, 1783, from the Governor of Havana, Luis de Unzaga, on detention of Oliver Pollock and letter of September 30 from Pollock: Mr. [George] Partridge, Mr. [John] Beatty, Mr. [Joseph] Gardner, Mr. [Charles] Pinckney and Mr. [Elbridge] Gerry, with Gerry in the place of William Houston, the committee of December 1, 1784. Committee discharged February 9, and papers referred to Secretary for Foreign Affairs.

On letters from Superintendent of Finance, August 17, September 30, on loan in Holland, September 30, on duties payable in free ports in France. Com-

to whom was referred a letter of the 14th, from the Mayor of the city of New York, enclosing a resolution of the Common Council, "Offering to the United States in Congress assembled, such parts of the city-hall, or other public buildings belonging to the Corporation, as Congress shall deem

mittee "To meet in this room on Saturday next at 10 o'clock": Mr. [George] Partridge, Mr. [David] Howell, Mr. [William] Houston, Mr. [James] McHenry, Mr. [John] Vining, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson, Mr. [John] Beatty, Mr. [William C.] Houston, Mr. [Abiel] Foster, Mr. [Joseph P.] Cook and Mr. [Egbert] Benson.

On instructions to delegates of Massachusetts to take the opinion of Congress on sundry parts of the Definitive Treaty: Mr. [Charles] Pinckney, Mr. [Samuel] Hardy, Mr. [James] Monroe, Mr. [William] Gibbons and Mr. [Gunning] Bedford.

On motion of Mr. [Jacob] Read for appointing five Commissioners to survey the western territory ceded to the United States: Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [William] Houston.

Grand Committee on instructions to delegates of Massachusetts on regulation of gold and silver coins.

On revision of regulations of the Treasury Department and report on ordinance for its future regulation and motion of Mr. Pinckney that the Commissioner "give bond & security for faithful discharge of the office": Mr. [Egbert] Benson, Mr. [David] Howell, Mr. [William] Houston, Mr. [Gunning] Bedford and Mr. [Hugh] Williamson.

To report an ordinance for regulation of the Indian trade: Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. Egbert Benson, Mr. [Hugh] Williamson and Mr. [David] Howell.

On motion of Mr. John F. Mercer "That a Comtee. be appoin. to consider whether any and what measures may be necessary for Congress to adopt in pursuance of their recommendats. to the States of April 18th, 1783": Mr. [David] Howell, Mr. [James] Monroe and Mr. [Samuel] Holten in place of Mr. Mercer, Mr. John Jay and Mr. Howell, who had been appointed December 17, 1783. See *post*, February 14.

On letter of November 22, 1784, from the President of Pennsylvania; sentence of Longchamps and all papers respecting him: Mr. [Rufus] King, Mr. [Jacob] Read, Mr. R. R. Livingston, Mr. [William] Houston and Mr. [William S.] Johnson, this last in place of Mr. John F. Mercer, who with the others, had been appointed December 22. The committee was discharged February 11 and "all papers referred to Secy. for Foreign Affairs."

On letter of September 30, 1784, from Superintendent of Finance concerning Oliver Pollock and Morris' letter of resignation, November 1, 1784: Mr. [Jacob] Read, Mr. [James] Monroe and Mr. [James] McHenry. This committee was appointed December 1, 1784, on this renewal Mr. McHenry was appointed in place of Mr. [William] Houston. Committee was again renewed March 14.

Committee Book No. 186.

necessary, and best suited for their accommodation" brought in a report; Whereupon,

Resolved, That the Mayor and Corporation of the city of New York be informed, that Congress entertain a just sense of the attention which they have manifested to the interest of the federal union, in the offer they have made of such of the public buildings in the city as may be necessary for the transaction of public business; and that they accept of the several apartments in the city-hall, the whole of which (except the court and jury rooms) will be necessary for the session of Congress, and the accommodation of their officers.¹

The Committee consisting of Mr [William] Ellery, Mr [Elbridge] Gerry, and Mr [William] Houstoun, to whom a memorial of Jedediah Leeds & Co. was referred beg leave to report.

That from said Memorial and the papers accompanying it, it appears that the Memorialists were owners of a sloop called *Fortune* which in the year 1782 sailed from the State of Connecticut on a trading voyage to Martinico in the West Indias. That on her passage she was captured by a British cruizer, and soon after recaptured by John Barry Esq. Commander of the Continental Frigate *Alliance* and sent to Mr Ceronio, Agent in Hispaniola for the United States, who sold said vessel and cargo. That the said agent has charged the United States with one half of the nett proceeds of the said prize Sloop *Fortune* and Cargo amounting to 5063 livres, six sols, and 11 deniers, Hispaniola Currency. That the Memorialists, not knowing that the one half of the nett proceeds of said Sloop and cargo was transmitted to the Treasury of the United States for the use of said Company, commenced an action against Capt. Barry, and at a Superior Court held in New London in the State of Connecticut on the 4th Tuesday of Sept. A. D. 1784 recovered judgment against him for the sum of £471.5.10 Lawful Money and costs. That by an ordinance passed the 3rd day of December 1781 it is ordained that, "in all cases of recapture by an armed vessel, fitted out at the expense of the United States, of a vessel or other effects belonging to a citizen, the Court shall adjudge the proportion which would be due

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 20, I, folio 407. The letter of the mayor, James Duane, is in No. 67, II, folio 469.

to the United States to be remitted to such citizen, no regard being had to the time of possession by the enemy." That the Memorialists being informed of this ordinance applied to the late Superintendent of Finance and found that one half of the nett proceeds of said Sloop *Fortune* and Cargo amounting to 5063 livres 6 sols 11 Den. as before mentioned had been paid into the Treasury of the United States but that Mr. Morris being out of office did not consider himself authorized to pay the same to the Memorialists without a special order of Congress.

That notwithstanding your Memorialists have obtained Judgment against Captain Barry for a much larger sum then the nett proceeds of the one half of said Sloop *Fortune* and her Cargo, they are content to receive said sum of 5063 Livres 6 sols 11 Deniers and will thereupon discharge Captain Barry from said Judgement.

Wherefore your Committee are of opinion that the Treasurer of the United States should be directed to pay to Jedediah Leeds & Co. or their order to the amount of five thousand and sixty three livres, six sols, and eleven deniers Hispaniola currency, upon their giving to Captain Barry a full discharge from the judgement obtained against him by the sd. Jedediah Leeds & Co. at a Superior Court held at New London in the State of Connecticut on the 4th Tuesday of Sept. 1784.¹

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 525. Leeds & Co.'s memorial is in No. 41, V, folio 341. See *post*, February 24. This committee had been appointed December 14, 1784.

On this day, according to Committee Book No. 186, the following nominations were made for Commissioner under the Ordinance of December 23, for erecting federal buildings:

John Brown by Mr. [David] Howell.

Francis Hopkinson by Mr. [Hugh] Williamson.

James Christie by Mr. [Joseph] Gardner.

Philemon Dickinson by Mr. [Archibald] Stewart.

Robert Morris by Mr. [William] Ellery.

Govr. [William] Livingston by Mr. [Elbridge] Gerry, withdrawn by Mr. Gerry.

Genl. Gates by Mr. [James] Monroe.

Genl. Smallwood by Mr. Charles Pinckney.

Genl. the Baron Steuben by Mr. [Samuel] Hardy.

WEDNESDAY, JANUARY 19, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Virginia, North Carolina and South Carolina; and from the state of Pennsylvania, Mr. [Joseph] Gardner; from Maryland, Mr. [James] McHenry, and from Georgia, Mr. [William] Houstoun.

Congress proceeded to the election of another chaplain, and, the ballots being taken, the Rev^d Mr. Provost was elected, having been previously nominated by Mr. W[illiam] Livingston.¹

¹ On this day, as the indorsement states, was read a letter of David Humphreys asking for a continuance of his rank in the Regular Army. It is in No. 59, II, folio 251.

JANUARY 19: The following committees were appointed:

Mr. [Hugh] Williamson, Mr. [William] Ellery, Mr. [James] McHenry, Mr. [David] Howell and Mr. [William S.] Johnson, on letter of January 18, from Samuel Parsons, on his claims for services, etc. in Martinique. Report made March 4. Parsons' letter is in the *Papers of the Continental Congress*, No. 78, XVIII, folio 535.

Mr. [William S.] Johnson, Mr. [Samuel] Hardy and Mr. [Rufus] King, on memorial of George Meade respecting the brig *Hope* and also petition of Col. John Ely. Discharged of the Meade memorial February 22 which was then referred to the committee on the letter from Cyrus Griffin and J. Lowell, of December 23, 1784, Mr. [Jacob] Read, Mr. [Elbridge] Gerry and Mr. [Charles] Pinckney, which had been appointed December 24. This committee was renewed and augmented February 22. Report on the Ely petition was made February 18.

Mr. [George] Partridge, Mr. [John] Bull and Mr. [Samuel] Hardy, on letter of January 5, 1785, from Joseph Howell, Jr., on claims of Captain Ayott. Report made February 21. Howell's letter is in the *Papers of the Continental Congress*, No. 62, folio 99.

Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard D.] Spaight, on letter of November 3, from John Adams and of November 11 from Adams, Franklin and Jefferson with accompanying papers. Committee discharged January 24 and letters referred to the Grand Committee.

THURSDAY, JANUARY 20, 1785.

Congress assembled. Present as yesterday.

On the report of a committee, consisting of Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy, Mr. [Richard Dobbs] Spaight, to whom were referred a letter, of 3 November, 1784, from the hon^{ble} John Adams, and a letter, of the 11 of the same month, from the hon^{ble} John Adams, Benj. 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. LeGrand 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 ~~the most solemn~~ injunctions of secrecy.¹

¹ These two paragraphs were also entered in the manuscript Secret (Domestic) Journal, and in the manuscript Secret Journal, Foreign Affairs. A copy of the resolve, which was sent to one of the States, is in the *Papers of the Continental Congress, Miscellaneous*, in the Library of Congress; with it is the extract from the letter of Adams, Franklin and Jefferson of November 11, 1784.

The report, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 25, II, folio 405. See *post*, January 27, *note*.

To this same committee were also referred the letters from John Adams of October 20, 1784; from C. W. F. Dumas of September 18, October 8 and 12 and the letter from Thomas Barclay of November 15. The Committee was, this day, discharged and the "business transfered to Grand Comee." See *post*, January 24. The Barclay letter is in the *Papers of the Continental Congress*, No. 137, Appendix, folio 373.

JANUARY 20: The following committees were appointed:

Mr. [Zephaniah] Platt, Mr. [James] McHenry and Mr. [Samuel] Hardy, on the Address of the Tradesmen and Mechanics of New York. Report was rendered February 4.

Mr. [Samuel] Hardy, Mr. [Samuel] Holten, Mr. [William S.] Johnson, Mr. [Hugh] Williamson and Mr. [Jacob] Read, on letters of January 14, and 20, 1785, (the letter of January 14 was read this day; that of the 20th is indorsed as having been read the 24th) from James Milligan on "a forgery of settlemt. certificates." These letters are in the *Papers of the Continental Congress*, No. 35, folios 9 and 15,

FRIDAY, JANUARY 21, 1785.

Congress assembled. Present as yesterday.

On motion of the delegates from Massachusetts and New York,

Congress proceeded to determine ~~according to the mutual agreement of the agents of the said states of Massachusetts and New York the 24 Decr.~~ the place where the court shall be holden for determining the controversy between the states of Massachusetts and New York, and the ballots being taken,

The city of Williamsburgh, in the commonwealth of Virginia, was ~~fixed~~ determined to be the place for holding the said court, conformably to the agreement of the agents of the said states.

The committee, consisting of Mr. [Jacob] Read, Mr. [William] Ellery and Mr. [Samuel] Hardy, to whom were referred the letters of the 3^d and 16th of November last from Mr. Laurens, having reported in part,

That in conformity to the repeated wishes expressed by the hon^{ble} Benjamin Franklin, Esquire, Minister Plenipotentiary from the United States at the Court of Versailles, he be permitted to return to America as soon as convenient and that an early day be appointed for the election of a proper person to represent the United States at the Court of Versailles.

When this part of the report was under debate,

respectively. Also to this committee was referred the letter of January 15 from Joseph Pennell on the settlement of marine accounts and allowance to be made to marine agents. Reports were made, according to Committee Book, 186, on January 31 and May 13, but the report of the Board of Treasury, of June 10, was on Pennell's letters of January 15 and April 30. This report was read June 13.

Mr. [Samuel] Holten, Mr. [James] McHenry and Mr. [John] Beatty, on memorial of Capt. Giles Wolcott respecting settlement of his accounts as quartermaster in the Northern Department. A report was rendered January 28.

Committee Book, No. 186.

A motion was made by Mr. [Hugh] Williamson, seconded by Mr. [Charles] Pinckney, to strike out the words "as soon as convenient and that an early day be appointed for the election of a proper person to represent the United States at the Court of Versailles" and in lieu thereof to insert "as soon as a minister shall have been appointed to succeed him at that Court."

And on the question to agree to this amendment, the yeas and nays being required by Mr. [Samuel] Hardy—

<i>New Hampshire,</i>			<i>New Jersey,</i>			
Mr. Foster,	no	} no	Mr. Cadwallader,	ay	} ay	
Long	no		Stewart,	ay		
<i>Massachusetts,</i>			<i>Maryland,</i>			
Mr. Holten,	no	} no	Mr. McHenry,	ay	}*	
Partridge,	no		<i>Virginia,</i>			
King,	no		Mr. Hardy,	ay		} ay
<i>Rhode Island,</i>			Monroe,	ay		
Mr. Ellery,	no	} no	R. H. Lee,	ay		
Howell,	no		<i>North Carolina,</i>			
<i>Connecticut,</i>			Mr. Williamson,	ay	} ay	
Mr. Cook,	ay	} ay	Spaight,	ay		
Johnson,	ay		Sitgreaves,	ay		
<i>New York,</i>			<i>South Carolina,</i>			
Mr. Wal ^r Livingston,	ay	} ay	Mr. Read,	ay	} ay	
Platt,	ay		Bull,	ay		
			Pinckney,	ay		

So the question was lost.¹

¹ This proceeding was entered in the Secret Journal, Foreign Affairs, No. 5, v. 2, p. 1023, and in No. 6, v. 3, fol. 251.

On this day, as the indorsement states, was read a petition of the merchants of New York who have suffered by depreciation of paper currency and referred to Mr. [Samuel] Hardy, Mr. [James] Monroe, Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [James] McHenry. It is in the *Papers of the Continental Congress*, No. 42, V, folios 431-442, and was reported on March 28. Also a letter of John Brown Cutting asking for settlement of his accounts, which was referred to Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [Rufus] King. It is in No. 78, VI, folio 251. On folio 255 is a letter of Edward Fox of December 9, 1784, respecting Brown's accounts, which was read January 21 and referred, with a report thereon, to the same committee. A report was made February 5.

MONDAY, JANUARY 24, 1785.

Congress assembled. Present as before.

On motion of Mr. [David] Howell, seconded by Mr. [Jacob] Read,

Resolved, That the grand committee now existing, be, and are hereby instructed, to report a requisition on the states for the supplies of the present year.¹

[Motion of M^r Charles Pinckney, respecting Count de Grasse:]

That the Secretary of foreign affairs be directed to prepare the draught of a letter from Congress to his most christian Majesty expressive of the high sense Congress entertain of his Majesty's attachment and regard for these states and requesting that in consideration of the eminent services rendered to them by the Count de Grasse while Commanding his Majesty's fleet in the Chesapeake, his Majesty would be graciously pleased to restore the Count to his favour ~~and the military appointments he formerly held.~~²

[Report of Mr John Beatty, Mr Zephaniah Platt, Mr Pierse Long:]

The Committee to whom was referred the Memorial of Mordecai Hale late Surgeon's mate in Col. Lamb's Regiment of Artillery submit the following Report.

That the Act of Congress of the 26th Aug^t, 1776, having made ~~ample~~ provision for such officers and soldiers as may be wounded or disabled in the Service of the U. S. the application of Doctor Hale ~~ought to~~ should be referred to the Legislature of the State of which

¹ This motion, in the writing of David Howell, is in the *Papers of the Continental Congress, Miscellaneous*, in the Library of Congress. It is signed, headed, and dated by Chas. Thomson.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, II, folio 493. The indorsement states that it was referred on this day to Mr. [Rufus] King, Mr. [Charles] Pinckney and Mr. [David] Howell and the business transferred August 19.

On this day the committee appointed January 19 on the letters of Adams, Franklin, and Jefferson was discharged and the letters referred to the Grand Committee.

On this day also was read a letter from James Milligan, of January 20, referring to the forged certificates. It was referred to the Committee of January 20 on his letter of January 14. This Milligan letter is in the *Papers of the Continental Congress*, No. 35, I, folio 15.

he is a citizen, as thro' that channel the benefits accruing under the Act are to be obtained.

[The Secretary to communicate the substance of the foregoing report to Mr Hale.]¹

[Motion of Mr David Howell respecting contractors for Ox Teams:]

Resolved, That the Commissioner for settling the accounts of the State of Rhode Island and Providence Plantations with the U. States be ~~and he is hereby~~ directed forthwith to ascertain the sums due to the Contractors for ox teams in sd State and conductors employed in the Campaign of 1781, and that sd State be authorized to pay such sums to the respective individuals to whom they may be due and to charge the amount thereof, with interest from the time of payment, to the U. States as part of that State's Quota on the requisition of April 27, 1784.²

The Committee [consisting of Mr. David Howell, Mr. Archibald Stewart and Mr. Hugh Williamson] to whom was referred a letter dated Philada. Dec. 15, 1784, and signed P. Chrs. L'Enfant Engineer in the late Army of the U. States with its enclosures, a memorial on the necessity of establishing a Corps of Engineers, and a dissertation on the qualifications of an Engineer, being of opinion that the situation of the military posts in the U. States does not require the establishment of a Corps of Engineers on the plan of the memorialist, beg leave to submit the following resolution.

¹ This report, in the writing of John Beatty, except the part in brackets, which is in the writing of Charles Thomson, is in the *Papers of the Continental Congress*, No. 19, III, folio 1. The indorsement states that Thomson informed Hale of the decision January 24, 1785. Committee Book No. 191 notes that final action [vide the part in Thomson's handwriting] was taken on January 25.

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 22, folio 205. The indorsement states that it was referred on this day to Mr. [Hugh] Williamson, Mr. [John] Stewart and Mr. [William Samuel] Johnson. A report was rendered February 11.

On this day also the committee appointed January 17 was discharged of Joseph Hardy's letter of January 5.

On letter of September 30, 1784, from the Superintendent of Finance, on the accounts of Silas Deane. This committee had been appointed December 1, 1784, as Mr. [George] Partridge, Mr. John Beatty and Mr. [William] Henry; it was renewed with Mr. [William] Ellery in place of Henry and a report rendered February 21.

Resolved, That the papers be placed on file in the office of the Secretary of Congress.¹

TUESDAY, JANUARY 25, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey,

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, III, 539. See *post*, January 25. L'Enfant's letter, with enclosures, is in No. 78, XIV, folios 579-92.

JANUARY 24: The following committees were appointed:

Mr. [Archibald] Stewart, Mr. [John] Bull and Mr. [Joseph] Gardner, Committee of the Week.

Mr. [Rufus] King, Mr. [David] Howell and Mr. [James] Monroe, on memorial of Thomas Walker for losses sustained in Canada. It is in the *Papers of the Continental Congress*, No. 41, X, folio 665. Report was rendered April 11.

Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [Samuel] Hardy, on letter of William Denning, dated January 24, on settlement of accounts of the Quartermaster General's department. It is in No. 78, VIII, folio 93. Report was made February 11.

Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard Dobbs] Spaight, on letter of John Jay, January 23, on duties of the Secretary for Foreign Affairs. Jay's letter is in No. 80, I, folio 3. Report was rendered February 2.

Mr. [James] McHenry, Mr. [William S.] Johnson and Mr. [Robert R.] Livingston, on petition of Timothy Bradly for an addition to pay allowed in 1777-8. The petition is in No. 42, I, folios 320-324. Report rendered February 1.

Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh] Williamson and Mr. [Richard Dobbs] Spaight, on cases of Laurent Olivier and Jean Menard, Canadians. Olivier's letters are in the *Papers of the Continental Congress*, No. 35, I, folios 135-141, Menard's on folios 157-173. The committee was renewed March 9 and Lafayette's letter and various other papers respecting Canadians referred to it. It was discharged of the Olivier case April 28, and reported on the others May 2.

Mr. [David] Howell, Mr. [Jacob] Read and Mr. [James] McHenry, on memorial of Capt. Paschke for 300 dollars to enable him to return to his own country, which was read December 22, 1784. Report was rendered February 17.

Mr. [William] Ellery, Mr. [Samuel] Holten and Mr. [David] Williamson, on letter from Joseph Carleton, January 20, for funds to pay subsistence money to officers in service for the month of January. Report rendered January 26.

The following Committees were renewed: On motion of Mr. [James] Monroe for giving to the United States the general regulation of trade. This committee had been appointed December 6, 1784, as Mr. [John] Jay, Mr. [Elbridge] Gerry, Mr. [James] Monroe, Mr. [Richard Dobbs] Spaight and Mr. [William] Houstoun; it was renewed with Mr. [William S.] Johnson in place of Jay and a report rendered February 16.

Pennsylvania, Virginia, North Carolina and South Carolina; and from the state of Maryland, Mr. [James] McHenry, and from Georgia, Mr. [William] Houston.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Archibald] Stewart and Mr. [Hugh] Williamson, to whom was referred a letter of C. L'Enfant, Engineer in the late Army of the United States, with the papers enclosed; a memorial on the necessity of establishing a corps of Engineers, and a dissertation on the qualifications of an Engineer.

Resolved, That the said papers be placed on file in the Office of the Secretary of Congress.

Congress proceeded to the election of three Commissioners to constitute a board of Treasury, conformable to the Ordinance of the twenty eighth of May, 1784, and the ballots being taken, Mr. John Lewis Gervais, Mr. Samuel Osgood and Mr. Walter Livingston, were elected: the first having been previously nominated by Mr. [Jacob] Read, the second by Mr. [Samuel] Holten, and the third by Mr. [Archibald] Stewart.¹

¹ On this day, as the indorsement states, was read a letter of January 18 from John Dickinson, the President of Pennsylvania, relative to claims of Pennsylvania citizens against the United States and the Connecticut claimants to Pennsylvania lands. It is in No. 69, II, folio 487.

On this day also the committee, appointed December 22, 1784, on the letter from the Supreme Executive Council of Pennsylvania, of December 20, requesting two additional commissioners to settle accounts in that state, was renewed, with Mr. [Zephaniah] Platt in place of Mr. [Robert R.] Livingston. A report was rendered January 26.

On this day also, according to Committee Book, No. 190, a petition from Benjamin Rush, in behalf of the trustees of Dickinson College, to rent the public buildings at Carlisle was referred to Mr. [David] Howell, Mr. [James] McHenry and Mr. [William] Henry who reported February 7.

Also the address of the New York Chamber of Commerce was referred to Mr. [Zephaniah] Platt, Mr. [James] McHenry and Mr. [Samuel] Hardy who reported February 4.

Also the Committee of the Whole took into consideration the letter of December 24, 1784, from the Governor of Connecticut relative to claims of settlers in the Wyoming Valley, with a memorial of the inhabitants and the proceedings of the Connecticut legislature thereon. See *post*, August 19.

WEDNESDAY, JANUARY 26, 1785.

Congress assembled. Present, the same as yesterday.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [Samuel] Holten and Mr. [David] Williamson, to whom was referred a letter from the Secretary in the War Office, of the 20th January, 1785,

Resolved, That Michael Hillegas, esqr. continental treasurer, be directed to furnish Philip Audebert, deputy paymaster general, with the sum of three hundred and fifty nine dollars and forty two ninetieths of a dollar, being the amount of subsistence due to the officers in service for this present month of January, agreeably to an account enclosed in a letter of the Secy in the War Office to Congress, dated January 20, 1785.¹

Also was read a letter from Nathanael Greene, regarding Capt. Finnie, dated January 25, 1785. It is in the *Papers of the Continental Congress*, No. 155, II, folio 702.

On this day, according to the indorsement, Mr. [Zephaniah] Platt was substituted for Mr. R. R. Livingston on the committee of December 20, 1784, on the letter from the Supreme Executive Council of Pennsylvania (President John Dickinson). See *post*, January 26, January 28 and February 11.

Also, according to indorsement, the letter from the Superintendent of Finance, dated January 15, 1782, on the establishment of a mint, was this day referred to the Grand Committee. This was the Grand Committee of January 17, with a few changes in personnel, which, was renewed, according to Committee Book No. 186, on April 6.

¹ The report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 27, folio 271. Secretary Carleton's letter is in No. 60, folio 115.

On this day, as the indorsement states, was read a petition of Edward Antill for relief from depreciation of his pay, and referred to Mr. [David] Howell, Mr. [Hugh] Williamson and Mr. [Pierse] Long. It is in No. 42, I, folio 75. According to Committee Book No. 190, a report was made March 9 and Committee Book, No. 191, shows that the committee report was transferred; the indorsement on the petition states that it was filed September 19, 1786.

Also a petition of Michael Byrne for Congress's patronage of his invention which was reported on by the Committee of the Week and ordered to lie. It is in No. 42, I, folio 335.

Also, an address, signed by appointment, of a meeting of Quakers pleading for the abolition of negro slavery. It is in No. 43, folio 347.

Also, on this or an approximate date, a memorial of James Duane and Walter Livingston, agents for New York, protesting against holding a federal court to

The Committee [Mr. John Beatty, Mr. David Howell and Mr. Samuel Holten] to whom was referred a letter from the Governor of Maryland dated Annapolis, December 14th 1784, recommending M^r John White of Connecticut to be appointed Commissioner for settling accounts for the state of Maryland in the room of M^r Nourse, lately deceased, beg leave to submit the following report:

Your Committee find that the Commissioner to be appointed under the resolutions of February 20th 1782 were to “be nominated by the “Superintendent of the Finances of the United States, and approved of “by the legislature, or the executive of the particular state for which “he shall have been nominated, and upon the death ~~removal~~ refusal “or inability to act of such Commissioner, another person to supply his “place shall be nominated by the Superintendent of the Finances and “approved of by the executive, or the delegates attending in Congress “of the state for which he shall be nominated as the Legislature shall “direct.”

Your Committee also find that the Superintendent of Finance in a letter dated Philadelphia, Sept. 30th 1784, informed Congress that he had ceased to act in his official capacity—Whereupon your Committee beg leave to recommend that it be:

Resolved, That until the Board of Treasury be ready to proceed to business, the Commissioners to be appointed under the resolutions of February 20th 1782 be appointed by Congress with the concurrence of the delegates, representing the particular state in Congress, for which such Commissioner shall be nominated.¹

The Committee consisting of M^r [Hugh] Williamson, M^r [Joseph] Gardner [and Mr. Zephaniah Platt] to whom was referred a letter to the

determine the controversy between said state and Massachusetts at Williamsburg. It is in No. 67, II, folio 515.

Also, on this date, the memorial of Solomon Pellon was referred to Mr. [William] Ellery and the committee on Canadian Applications, which, according to Committee Book, No. 186, was Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh] Williamson, and Mr. [Richard Dobbs] Spaight, who had been appointed December 13, 1784; it was renewed March 9, 1785.

Also, was read, the petition of Colonel Edward Antill, dated January 20, for depreciated pay loss. It was referred to Mr. [David] Howell, Mr. [Hugh] Williamson and Mr. [Pierse] Long. See *post*, March 9. Antill's petition is in the *Papers of the Continental Congress*, No. 42, I, folio 75.

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 547. The indorsement states that it was read this day and negatived January 28.

President of Congress from the Supreme Executive of the State of Pennsylvania enclosing an act of the General Assembly dated 1st of December, 1784, and a subsequent resolution of the General Assembly dated 16th of December, beg leave to submit the following resolve,

That it is highly necessary that two or more commissioners be employed in some of the larger states for the sake of liquidating and settling the accounts of individuals against the U. S. in order that the amount of the national debt may be ascertained, and the most speedy and effectual methods may be adopted for doing equal justice to individuals who have trusted their property in the hands of the nation.

That till the Board of Treasury are ready to discharge the duties of their office it will be necessary for Congress to chuse Commissioners ~~who when approved of by the supreme executives of the state or other proper persons shall proceed on business~~ where they are wanted for settling accounts in the several states.

That the Commissioners thus chosen be instructed to settle the accounts of individuals according to the several acts of Congress on that subject and the regulations that have been made by the Superintendent of Finance.

That the Commissioners in each state be instructed to correspond with the Board of Treasury, with other Commissioners of Accounts and with each other in order to prevent confusion or frauds on the part of the claimants.¹

THURSDAY, JANUARY 27, 1785.

Congress assembled. Present as yesterday.

The ordinance for ascertaining the powers and duties of the Secretary at War, was taken up and being read a third time, was passed as follows:

An Ordinance for ascertaining the powers and duties of the Secretary at War.

Be it ordained by the United States in Congress Assembled, that the powers and duty of the Secretary at War shall be as follows, to wit: To examine into the present state of the war department, the returns

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, II, folio 67. According to the indorsement it was read this day.

and present state of the troops, ordnance, arms, ammunition, cloathing and supplies of the Troops of these states, and report the same to Congress: To keep exact and regular returns of all the forces of these states, and of all the military stores, equipments and supplies in the Magazines of the United States, or in other places for their use; and to receive into his care, from the officers in whose possession they may be, all such as are not in actual service; to form estimates of all such stores, equipments and supplies as may be requisite for the military service, and for keeping up competent magazines, and to report the same to the Commissioners of the treasury of the United States, that measures may be taken in due time, for procuring the same; to prepare estimates for paying and recruiting the troops of these United States; to carry into effect all ordinances and resolves of Congress for raising and equipping troops for the service of the United States, and for inspecting the said troops; and to direct the arrangement, destination and operation of such troops as are or may be in service, subject to the Orders of Congress or of the Committee of the States in the recess of Congress; to make out, seal and countersign the commissions of all such military officers as shall be employed in the service of the United States; to take order for the transportation, safe keeping and distributing the necessary supplies for such troops and garrisons as may be kept up by the United States. He shall appoint and remove at pleasure all persons employed under him, and shall be responsible for their conduct in office; all which appointments shall be immediately certified to Congress, and such certificate, or the substance thereof, registered in a book to be kept for that purpose in the office of the Secretary of Congress. He shall keep a public and convenient Office in the place where Congress shall reside. He shall, at least once a year, visit all the magazines and deposits of public stores, and report the state of them with proper arrangements to Congress; and shall twice a year, or oftner if thereto required, settle the accounts of his department. That as well the Secretary at war, as his assistants or clerks, before they shall enter on the duties of their Office, shall respectively take and subscribe an Oath or affirmation of fidelity to the United States, and for the faithful execution of the trust reposed in them; and which oaths or affirmations shall be administered by the Secretary of Congress, and a certificate thereof filed in his Office. The Oath of fidelity shall be in the words following: "I A. B. appointed to the office of
do acknowledge that I do owe faith and true allegiance to

the United States of America, and I do swear (or affirm) that I will, to the utmost of my power, support, maintain and defend the said United States in their freedom, sovereignty and independence, against all opposition whatsoever." And the Oath of Office shall be in the words following: "I, A. B. appointed to the office of do swear (or affirm) that I will faithfully, truly, and impartially execute the office of to which I am so appointed, according to the best of my skill and judgment; and that I will not disclose or reveal any thing, that shall come to my knowledge in the execution of the said office, or from the confidence I may thereby acquire, which, in my own judgment, or by the injunction of my superiors, ought to be kept secret." That the form of the oath of fidelity heretofore prescribed by Congress, and all former resolutions of Congress, relative to the department of war, be, and they are hereby repealed. Done by the United States in Congress assembled, &c.

On motion, *Resolved*, That whenever a question shall be depending between a larger and a smaller sum, a longer or a shorter time, the question shall first be put upon the largest sum and the longest time.¹

On motion of Mr. [David] Howell, seconded by Mr. [Hugh] Williamson,

Resolved, That Mr. Joseph Carleton, be continued with his present appointment, Secretary in the War Office, till Congress shall have elected a Secretary at War, who shall be ready to take charge of that Office.²

That the President issue a warrant on the Treasury in favour of Mr Jos. Carleton, Secretary in the War Office for the sum of ~~one~~ hundred

¹ This motion, in the handwriting of Pierse Long, with the caption: "Rule established on the 27th of Jany 1785" is in the *Papers of the Continental Congress*, No. 188. It bears the following memorandum, on its verso, in the handwriting of Charles Thomson: "The injunction of secrecy removed from so much of the joint letter of 11 Novr. from Messr. Adams, Franklin, and Jefferson as relates to the negotiation of par^{tr} bona fide debts so that the delegates may send extracts to the legislatures of their respective States. Jany. 27, 1785."

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, IV, folio 481. It is indorsed by Thomson as motion of "Mc-Henry Mr Howell."

eighty dollars to defray the expence of removing the books and papers of said office to this City for which sum he is to be accountable.¹

FRIDAY, JANUARY 28, 1785.

Congress assembled. Present as yesterday.

On the report of a committee, consisting of Mr. [Samuel] Holten, Mr. [James] M'Henry and Mr. [John] Beatty, to whom was referred a memorial of Giles Wolcott, with sundry papers relative to the settlement of his accounts as deputy quarter master in the Northern department,

Resolved, That the said memorial, and the accounts accompanying the same, be referred to the treasury Office to report.²

MONDAY, JANUARY 31, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Virginia, North Carolina and South Carolina;

¹ This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folios 497 and 513. The second paragraph is indorsed "passed."

On this day, as the indorsement states, was read a petition of John Fitch praying for appointment as district surveyor in one of the new western states. The indorsement states it was reported on by the committee of the week to be referred to the register of the first new state. It is in No. 42, III, folio 119.

² The report, in the writing of Samuel Holten, is in the *Papers of the Continental Congress*, No. 19, VI, folio 591. A copy is in No. 41, X, folio 663. Wolcott's memorial is in No. 41, X, folio 609.

On this day the Committee of the Week reported on the petitions of Michael Byrne and John Fitch as well as the memorial of Giles Wolcott. See *post*, February 1.

On this day, according to Committee Book No. 190, the petition of Capt. Bartholomew Von Heer, for depreciated pay and an advance to enable him to return to his own country, was referred to Mr. [David] Howell, Mr. [Hugh] Williamson and Mr. [Pierse] Long, who reported February 14. The petition is in No. 42, VIII, folio 55.

Also, Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [Samuel] Hardy were appointed to consider William Denning's letter of January 24 and the report (January 26) of the committee on the letter of December 20 from the Supreme Executive Council of Pennsylvania. They reported February 11. Denning's letter is in the *Papers of the Continental Congress*, No. 78, VIII, folio 93.

and from the state of Maryland, Mr. [James] M'Henry, and from Georgia, Mr. [William] Houstoun.

On motion of Mr. R. R. Livingston, seconded by Mr. [Charles] Pinckney,

Resolved, That ~~Monday next~~ be assigned for the election of a minister plenipotentiary be appointed to represent the United States of America, at the court of Great Britain; and that the Secretary for foreign Affairs report instructions for such Minister.¹

On motion of Mr. [Charles] Pinckney, seconded by Mr. [James] Monroe,

Resolved, That Monday next be assigned for the election of a Minister plenipotentiary, to represent these States at the court of London.²

The Committee consisting of M^r [Samuel] Hardy, M^r [Samuel] Holten, M^r [William Samuel] Johnson, M^r [Hugh] Williamson and

¹ This motion, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, II, folio 495. The words crossed out are in the original motion and were not entered in the Journal.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*. No. 36, II, folio 499. These two resolutions were also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal, No. 4. A copy is in Secret Journal, No. 6, Vol. III.

On this day, according to Committee Book No. 190, John Rutledge was nominated as Minister to the Court of Great Britain, by Mr. [Charles] Pinckney, and John Adams by Mr. [David] Howell. See *post*, February 24. Also James Madison was nominated as Minister to the Court of Madrid by Mr. [Richard Dobbs] Spaight and R. R. Livingston by Mr. Pinckney; his name was withdrawn February 2; also Thomas Johnson was nominated by Mr. [John Francis] Mercer and Thomas Jefferson by Mr. [Elbridge] Gerry.

On this day also a motion by Mr. Charles Pinckney that the Commissioners of the Board of Treasury "*give Bond and Security*" was referred to Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Zephaniah] Platt, Mr. [Pierse] Long and Mr. [James] McHenry, who reported January 31 and the report was adopted *verbatim* February 3.

JANUARY 31: The following committees were appointed:

Committee of the Week, Mr. [Pierse] Long, Mr. [Joseph] Gardner and Mr. [Samuel] Holten.

Mr. [Abiel] Foster, Mr. [James] McHenry and Mr. [Joseph] Gardner, on the petition of Benjamin Bankson (which is in the *Papers of the Continental Congress*,

Mr [Jacob] Read, to whom was referred a letter from the Comptroller of the treasury with its enclosures stating that a number of the Certificates issued by John Pierce Commissioner for liquidating the Claims of the Army, had been counterfeited: beg leave to submit the following report. That the honor as well as the interest of the federal government requires that the most efficacious measures should be taken to discover the persons who have been guilty of the said forgery, to the end that an Act which the laws of all well regulated governments have marked as an offence may in future be prevented, its injurious effects both to the United States and its Citizens as far as possible restrained, and the Mischievous and wicked Authors of it brought to punishment.—Whereupon resolved, that, the Comptroller be required to trace the said certificates as far back as possible through their several possessors on their progress to the Treasury.

Resolved that the following proclamation be issued offering a reward to any person who will discover the person or persons concerned in the said forgery, or his or their accomplices, and enjoining all officers civil and military to be aiding and assisting in making such discovery (the proclamation)

And the more effectually to guard the United States from farther injury in the present or any future instance of forgery that may be attempted. *Resolved*, that the Commissioners of the Treasury cause to be sent on as early as possible to the Executives of the different States an Account of all Certificates on liquidated debts, stating the number,—date—by whom issued—in whose favour—and for what sum.¹

No. 42, I, folio 338), for compensation for extra services. It was read this day. The committee reported February 3.

Mr. [David] Howell, Mr. [James] Monroe, Mr. [Charles] Pinckney, Mr. [Robert R.] Livingston and Mr. Gardner on revising the "Institution of the Secretary of Congress." They reported February 25.

Mr. [Hugh] Williamson, Mr. [Lambert] Cadwallader and Mr. [Samuel] Holten, on letters from John Jay January 29 and 31 on salary of Under Secretary in Office for Foreign Affairs and books for said office. This committee discharged February 1 and business referred to Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard Dobbs] Spaight. The letters are in the *Papers of the Continental Congress*, No. 80, I, folios 5-9.

Committee Book No. 190.

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 26, folio 495. According to the indorsement it was read this day and passed February 2, except the last clause which was recommitted. For text of the proclamation see that date.

TUESDAY, FEBRUARY 1, 1785.

Congress assembled. Present as yesterday.

On the report of a Grand Committee, consisting of Mr. [Jacob] Read, Mr. [Abiel] Foster, Mr. [George] Partridge, Mr. [David] Howell, Mr. [Joseph Platt] Cook, Mr. [Zephaniah] Platt, Mr. [Lambert] Cadwallader, Mr. [John] Henry, Mr. [James] McHenry, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson and Mr. [William] Houstoun, to whom was referred a letter of 30 Sept^r from the late Superintendant of finance, enclosing the terms of a loan of two Millions of Guilders, negotiated in the United Netherlands, by the hon^{ble} John Adams, and an obligation for the same, entered into the 9th of March, 1784, by him, on behalf of the United States of America,

Resolved, That three fair copies of the obligation be made out, and that a ratification be endorsed on each of them, duly attested; and that the Secretary for the department for foreign affairs, transmit the same, by several Conveyances, to the Minister of the United States, to their High Mightinesses the States general of the United Netherlands.

Resolved, That the ratification be in the following terms, viz.

Be it remembered, that the within Contract or engagement, entered into by the hon^{ble} John Adams, esquire, Minister plenipotentiary of the United States of America, to their High Mightinesses the Lords the States general of the United Netherlands, in behalf of the said States, with Messrs. Wilhelm, and Jan Willink, Nicholas and Jacob Van Staphorst and de la Lande and Fynje, and their successors or assignees, for a loan of two Million of Guilders, dated at the Hague, March the ninth, 1784, hath been read in Congress, approved and ratified, and declared obligatory on the United States of America. Done in the City Hall, in the city of New York, by the United States in Congress assembled, this first day of February, in the year of our Lord one thousand seven hun-

dred and eighty five and in the ninth year of our Sovereignty and Independence.¹

A motion being made by Mr. [Charles] Pinckney, seconded by Mr. [David] Howell, "that the salary of the Secretary at War be dollars per annum," and the blank being filled with the words, "twenty five hundred," so that it read, "that the salary of the Secretary at War be twenty five hundred dollars per Annum."

On the question to agree to this, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>New Jersey,</i>	
Mr. Foster,	no	}no	Mr. Beatty,	ay
Long,	no		Cadwallader,	ay
<i>Massachusetts,</i>			Stewart,	ay
Mr. Gerry,	ay	}ay	<i>Pennsylvania,</i>	
Holten,	ay		Mr. Gardner,	ay
Partridge,	ay		Henry,	ay
King,	ay		<i>Maryland,</i>	
<i>Rhode Island,</i>			Mr. McHenry,	ay
Mr. Ellery,	no	}no	<i>Virginia,</i>	
Howell,	no		Mr. Monroe,	ay
<i>Connecticut,</i>			Lee,	ay
Mr. Cook,	no	}no	<i>North Carolina,</i>	
Johnson,	no		Mr. Williamson,	ay
<i>New York,</i>			Sitgreaves,	ay
Mr. R. R. Livingston,	ay	}ay	<i>South Carolina,</i>	
Platt,	ay		Mr. Read,	ay
W. Livingston,	ay		Pinckney,	ay
			<i>Georgia,</i>	
			Mr. Houstoun	ay

So the question was lost.

[Motion of M^r James Monroe, Referred to M^r Robert R. Livingston, M^r John Beatty, M^r James Monroe, M^r William Samuel Johnson, M^r Elbridge Gerry, M^r John Henry, M^r Rufus King.]

Whereas by the Acts of several of the States, ceding vacant territory to the U. S. there is a comfortable prospect that by a proper disposi-

¹ This report was also entered in the manuscript Secret Journal, Foreign Affairs No. 5. The report, in the writing of Jacob Read, is in No. 29, folio 337.

tion of ~~of making it~~ it may be made a valuable fund for the discharge of the public debt, and whereas security to the persons and property of the settlers will contribute much to the facility and expedition of the sales, therefore

Resolved, That 1500 men be rais'd ~~for said purpose~~ to serve for the term of three years unless sooner discharg'd and quota'd on the States in the following proportions, viz.:

N. Hampshire.
 Massachusetts.
 R. Island.
 Connecticut.
 N. York.
 Jersey.
 Pensyl^a.
 Delaware.
 Maryland.
 Virginia.
 N^o Carolina.
 S^o Carolina.
 Georgia.¹

[Motion of Mr. Jacob Read, on the reading M^r Jay's letters of 31 Jan^y and 1st Feb^y, 1785. Referred to M^r James Monroe, M^r Zephaniah Platt, M^r Jacob Read, M^r Samuel Hardy and M^r Richard Dobbs Spaight.]

That the letters and papers from the Secretary of the Department of foreign Affairs be referred to the said Secretary in order to be translated.

That it is the sense of Congress that all papers written in any foreign language which may in future be Communicated to Congress from the Secretary of foreign affairs be accompanied by a fair translation into English.

That the Secretary of foreign Affairs be and he is hereby authorized to appoint an Interpreter to his Office who shall be entitled to receive a salary of Hundred Dollars per Annum for his services and previous to his entering on his duty, the Interpreter shall take the

¹ This motion, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 36, II, folio 501. The indorsement and Committee Book No. 190 state that it was offered this day and referred as above. See *post*, February 21.

usual Oath of fidelity and Secrecy a Copy of which shall be filed in the Office of the Secretary of the United States in Congress assembled.¹

The Committee of the Week Mr. Pierse Long, Mr. Joseph Gardner and Mr. Samuel Holten beg leave to report, that they have attentively perused the Petition of Michael Byrne relative to his new invented Instrument for solving problems and fixing Latitudes; but until the said Mr. Byrne give some proof of the utility of such Instrument and that the invention merits the notice of Congress, they recommend that his application lay on the Table.

Your Committee further report that the Testimonials produced by Mr. John Fitch as to his capacity in the business of surveying appear very sufficient, and that his application and Credentials be referred to the Register or Surveyor General of the first new State to be laid out.

Your Committee further report that the memorial of Giles Woolcott do lay on the Table until a Secretary at War be appointed.²

[Motion of M^r Robert R. Livingston for securing Western Territory:]

Resolved, That a Committee be appointed to consider of the best means to obtain possession of the Western and Northern Territory of these States and of the posts that it may be necessary to establish therein.³

¹ This motion, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 36, II, folio 519. The indorsement states that it was referred on this day. Committee Book No. 190 gives the committee as Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard Dobbs] Spaight. A report was made February 2.

² This report, in the writing of Pierse Long, is in the *Papers of the Continental Congress*, No. 32, folio 579. The indorsement states that it was reported January 28 and read February 1. See *post*, February 3.

³ This motion, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, IV, folio 101. According to the indorsement it was referred on this day to Mr. R[obert] R. Livingston, Mr. [John] Beatty, Mr. [James] Monroe, Mr. [William Samuel] Johnson, Mr. [Elbridge] Gerry, Mr. [John] Henry and Mr. [Rufus] King. See *post*, February 21. To this committee was referred also, according to Committee Book No. 190, the letter from Major William North, dated December 13, 1784.

According to Committee Book 186, the Committee of January 24, on the petition of Timothy Bradley, for additional pay for his services in 1777-8, brought in a report this day, which was read. It is in No. 19, I, folio 411, and was passed *verbatim* June 7.

Also, the committee of January 15 brought in a report this day, on the letter of Marbois respecting the removal of the portraits of the King and Queen of France, which was read. It is in No. 25, II, folio 411, and was adopted *verbatim* on February 11.

The Committee to whom was referred a letter dated Philadelphia 4th December, 1784, and signed Jno. Hopkins, late Deputy Com^r of Prisoners, praying an allowance of sundry charges objected to by the Comptroller in the settlement of his accounts—beg leave to submit the following report.

That your Committee on perusal of the letter and its several inclosures to them referred; first that on the 21st. day of November, 1779, Maj^r Hopkins received a Deputation from Jno. Beatty Esqr. then Acting as Com^r Gen^l of Prisoners, as a Deputy Com^r for the Department Eastward of the Connecticut River: that among sundry instructions given him at the same time on the nature and duties of his office, they find the following. “You are to employ only as many persons in the Department as are absolutely necessary and render them sufficient, tho’ not extravagant wages, they are each of them to receive one ration per day, and you are to be accountable for their good conduct”. That under this instruction he employed one person as a Clerk in his office, and another as Master or Captain of a Prison Ship: that he continued to execute the office of Dep^y Com^r of Prisoners untill the 24th day of July, 1782, when it was resolved by Congress “That all resolutions and appointments respecting the Department of the Commissary General of Prisoners be and hereby are repealed”: That Genl. Lincoln then Secretary at War, by virtue of powers vested in him by the Acts of Congress of the date last mentioned; did appoint and Commissionate Maj^r Hopkins, as Intendant of Prisoners for the States of New Hampshire and Massachusetts Bay, with a power to take to his assistance such persons as were necessary to the collecting and safe keeping of the Prisoners; that in this case also he continued in his employ, a Clerk and a Master of the Prison Ship: That from the remote and scattered situation of the Prisoners under his care, and the duties of the department frequently requiring his being absent from his office, your committee consider, that aids of this kind became absolutely necessary and beg leave to recommend that it be

Resolved, That the Comptroller in settling the Accts. of Maj^r Hopkins, be directed to pass to his credit, all such necessary sums of money, as may appear to have been disbursed by him in the hire of a Clerk and Master of the Prison Ship, while acting as Dep^y Com^r and Intendant of Prisoners.

Your Committee report further—that in Maj^r Hopkins acc^t of Disbursements they find the sums of £57 9 7 new Emission and £30 2 11 specie charged by him as necessarily expended in the

execution of his office and as coming within the Resolution of Congress of the 21st May, 1778, which recites, "That the necessary contingent charges of executing the office of Com^r General of Prisoners be allowed over and above the present pay". That these sums being for travelling expenses, the Comptroller does not think himself authorized to pass them under the head of contingencies: That your Committee from investigating the origin and causes which gave rise to this resolution, cannot but consider it as providing for the expenses of such extra travelling, as the duties of that office would unavoidably occasion:

Whereupon your Committee submit the following resolution.

Resolved, That the Comptroller be directed in settling the Acc^{ts} of Maj^r Hopkins, to allow such travelling charges, as were necessarily incurred in the execution of his Office.¹

WEDNESDAY, FEBRUARY 2, 1785.

Congress assembled. Present, as yesterday.

On the report of a committee, consisting of Mr. [Samuel] Hardy, Mr. [Samuel] Holten, Mr. [William Samuel] Johnson, Mr. [Hugh] Williamson and Mr. [Jacob] Read, to whom was referred a letter of 14th Jan^r, from the Comptroller of the treasury, with sundry papers enclosed, stating, that a number of the Certificates issued by John Pierce, commissioner for adjusting the claims of the Army, have been counterfeited,

Resolved, That the Comptroller be required to trace the said Certificates as far back as possible, through their several possessors, on their progress to the treasury.

Resolved, That the following proclamation be issued, offering a reward to any person who will discover the person or persons concerned in the said forgery, or his or their accomplices; and enjoining all officers, civil and military, to be aiding and assisting in making such discovery.

¹ This report, in the writing of John Beatty, is in the *Papers of the Continental Congress*, No. 19, III, folio 171. The indorsement states that it was read this day. See *post*, February 11.

PROCLAMATION.

BY THE UNITED STATES IN CONGRESS ASSEMBLED.

Whereas information has been received from the Comptroller of the treasury, that various certificates of final settlement issued by the Commissioner for settling the Accounts of the Army, to the Officers and soldiers of the United States, have been counterfeited by some fraudulent and wicked persons, by erasing the sums for which they were first given, and inserting others to a much greater amount. And whereas it is expedient, that the most effectual steps should be taken, to detect a villainy so injurious to the interest of the citizens of these States, and destructive of public credit; the United States in Congress assembled, have deemed it necessary to offer, and do hereby promise a reward of five hundred dollars to any person or persons, who shall discover and make known the person or persons guilty of the said forgery, or his or their accomplices, so that he or they may be legally convicted. And that the most speedy and effectual check may be given to a crime, tending in its consequences so materially to affect the credit of the said certificates, and the interest of the United States, they do hereby recommend it to the Executives of the different States, to be aiding and assisting in discovering and apprehending the author or authors of the forgery aforesaid, or his or their Accomplices, to the end, that the credit of the United States of America may be secured from farther injury, and the perpetrators of so atrocious an Offence brought to condign punishment.

Done at New York, this second day of Feb^r in the year of our Lord one thousand seven hundred and eighty-five, and of our Sovereignty and independence the ninth.¹

~~And whereas it is necessary that the most effectual security should be provided for the punishment of such person or persons as may hereafter be convicted of forging any certificate or certificates on the liquidated debts of the U. States.²~~

¹ The draft of this proclamation, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 26, folio 503. A fair copy, signed by Richard Henry Lee and Charles Thomson, is on folio 499.

² The words crossed out are in the motion of Samuel Hardy which is in the *Papers of the Continental Congress*, No. 26, folio 506, and do not so appear on the Journal.

Resolved, That it be recommended to the several States to revise their laws respecting forgery, and affix such penalties as they may adjudge necessary, to prevent the forgery of securities of every denomination issued by authority of the United States in Congress Assembled.

Ordered, That the remainder of the report be re-committed.

The Committee consisting of [Mr. Samuel Hardy, Mr. Samuel Holten, Mr. William Samuel Johnson, Mr. Hugh Williamson and Mr. Jacob Read] to whom was referred a Motion, submit the following Report.

To enable the commissioners of the continental loan-offices in the several states, to detect frauds in the negotiation of the certificates issued by the paymaster-general, and to pay the interest of such certificates agreeably to the appropriation of Congress.

Resolved, That the board of treasury, or previous to their meeting, the comptroller of the treasury, be directed to transmit from time to time, to the several commissioners of the continental loan-offices, lists of all the certificates issued by John Pierce, paymaster general; specifying the dates, numbers, names of persons to whom issued, and the amount of such certificates respectively: And that on the receipt of the lists of such certificates, or of any part thereof, the commissioner of the continental loan-office in each state, be authorized and directed to pay to the citizens thereof, the interest due to them to the last day of the year 1782, on such certificates, in the mode which the legislature of the state may direct, pursuant to the requisition of Congress of the 27th of April, and the resolution respecting facilities of the 28th of April, 1784, and to endorse on the back of each certificate, the time to which the interest shall have been paid, and amount thereof; provided that the date, number, name and sum shall correspond with lists to be so transmitted; and provided also, that the holders of the said certificates respectively, shall receive the interest due thereon as aforesaid, from the continental loan-officer of the state in which they reside, although the debt may not have been contracted in such state, upon producing to him a certificate from any justice of the peace of the said state, that they have taken the following oath or affirmation, viz. I do solemnly swear or affirm, that I am the true, real, and sole proprietor of the following certificates issued by John Pierce, paymaster general, or that I hold them in trust, as executor or admin-

istrator to late a citizen of the state of , viz. One certificate (as the case may be) dated No. payable to and amounting to &c.¹

The Com^e to whom was referred the Memorial of Ja^s Warren dated Boston 23rd Nov., 1784, praying an allowance of Depreciation on an acc^t, with the Commercial Com^{ee} in the years '77 and '78 —beg leave to submit the following report—

That they find on a similar application of Ja^s Tayler, Congress did on the 23rd day of March, come to the following Resolution;

“Resolved, That the Comptroller of Accounts be and he is hereby authorized and directed to cause a settlement to be made of the Acc^{ts} between the U. S. and the secret and commercial Committees of Congress and all others existing under Contracts made with the s^d Committees, according to the Usual mode of settling accounts at the Treasury, and to report such settlement to Congress”;

Whereupon your Com^{ee} have agreed to the following Resolution.

~~Resolved, That the Comptroller of Acc^{ts} be and he hereby is authorized and directed to cause the acc^{ts} of Ja^s Warren to be adjusted upon principles of equity agreeably to the usual mode of settling accounts at the Treasury, and to report such settlement to Congress.~~

Resolved, that the memorial of M^r Warren be referred to the Board of Treasury, who are authorized to revise his account, and ~~make such an adjustment as shall be consistent with Equity~~ to report thereon to Congress.²

¹ On this, or an approximate date, the above report was rendered and read. It is in printed form, undated, among the *Continental Congress Broadsides* in the Library of Congress. The committee was that of January 20 and this report is, apparently, on the recommitted clause of the report of January 31, *q. v.*, and a motion which was made during the consideration of said report.

On this, or an approximate date, a motion was offered to enable the Commissioners of the Continental Loan Offices in the several States to detect frauds in certificates, etc. It was referred, apparently, to the Committee of January 20 on the letters of James Milligan, but Thomson furnishes no further record of the matter. See *post*, May 13.

² This report, in the writing of John Beatty, is in the *Papers of the Continental Congress*, No. 19, VI, folios 163 and 167. See *post*, February 18.

On this day, according to Committee Book 190, Mr. Arthur Middleton was nominated for U. S. Minister to the Court of Madrid, by Mr. [Charles] Pinckney.

Also, the committee of January 24 on the letter of John Jay, of January 23, on the duties of the Secretary for Foreign Affairs, brought in a report this day.

Also, the committee of January 13, on the motion of Mr. Elbridge Gerry for the removal of papers in the Post Office, War Office, Treasury Office, etc., to New

The Committee &ca. [consisting of Mr. James Monroe, Mr. Zephaniah Platt, Mr. Jacob Read, Mr. Samuel Hardy and Mr. Richard Dobbs Spaight] to whom were referred sundry letters from the Secretary for Foreign Affairs submit the followg. resolves

Resolved that in pursuance of the Resolutions of the 22nd Feby 1782 all Communications as well to as from the United States in Congress Assembled on the subject of foreign affairs shoud be made thro the Secretary for the department for foreign affairs and that all Letters Memorials or other papers on the subject of foreign affairs for the U. S. in C assembled shoud be addressed to him

Resolved that all papers written in a foreign Language which may in future be communicated to Congress from the office of the department of foreign affairs shall be accompanied with a ~~fair~~ Translation into English

Resolved that the Sec^y for the departm^t of f:Af. be authorized to appoint an Interpreter ~~to the United States in Congress assembled~~ be appointed whose duty it shall be to Translate all such papers as may be referred to him as well by the United States in Congress assembled as by Committees of Congress the Secretary of the department of foreign Affairs the Secretary of ~~the U. S. in Congress assembled~~ the Board of Treasury of the Secretary for the Department of War who shall be entitled to receive such allowance as the Sec^y of f. Affairs may think sufficient, not to exceed the annual pay of a Clerk in the Office a salary of ~~hundred Dollars per annum~~ for his Services and who previous to his entering on this duty as Interpreter shall take the ~~usual~~ Oath of fidelity and ~~an~~ Oath of Secrecy and of office prescribed in an ordinance passed on the 27th day of January last a registry of which shall be kept in the office of the Sec^y of the United States in Congress assembled, and that it be referred to the said Sec^y of the Dep^t of foreign affairs to make inquiry for some fit and proper person to act as Interpreter.

Resolved that the Sec^y for the Deptm^t of Forⁿ Aff^s be and he is hereby authorized to appoint a door keeper to his office whose wages shall be 200 dollars 150 Dollars per annum

York, brought in a report. To this same committee (Gerry, Ellery, and Williamson) was referred, on January 15, the letter of Joseph Carleton, respecting the removal of the War Office to New York. A report on this letter was rendered this day, the business combined with Gerry's motion, and a report made on the whole, February 7.

Resolved that the Commissioners of the Treasury Treasurer of the U. S. do advance to the Sec^y of the Deptm^t of for Affr^s the Sum of 1000 Dollars for the Contingencies of his office he to be accountable

Resolved that the Wages of the Messenger Doorkeeper to the office of foreign affairs be considered as part of the contingent expences of said office.¹

The Committee consisting of Mess^{rs} [William] Ellery, [James] Monroe, [Jacob] Read, [Hugh] Williamson and [Richard Dobbs] Spaight to whom the petition of Alexander Stewart with its two enclosures, were referred—Report

That Alexander Stewart sets forth in his petition that he was a soldier in the service of the United States—that he was marched into the government of Canada and there made prisoner in the month of May, 1776, and detained as such until the 16th day of July, 1784,—that he was returned dead, and no pay drawn for him &c. Whereupon your Committee are of opinion, that the petition of Alexander Stewart, and its two enclosures should be referred to the Pay Master General, that he should enquire into the circumstances mentioned in said petition, and report thereon to Congress.²

THURSDAY, FEBRUARY 3, 1785.

Congress assembled. Present, as yesterday.

On the report of a committee, consisting of [Mr. David] Howell, Mr. [Hugh] Williamson, Mr. [Zephaniah] Platt, Mr. [Pierse] Long, Mr. [James] McHenry, to whom was referred a motion of Mr. [Charles] Pinckney:

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 25, II, folio 413. In addition to the letters from the Secretary for Foreign Affairs this report also disposed of Jacob Read's motion for the employment of an interpreter. According to the indorsement it was read this day and passed February 11. This report was also entered in the manuscript Secret Journal, Foreign Affairs.

² This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, V, folio 423. According to the indorsement it was passed March 21.

On this day also, according to Committee Book 186, Philip Schuyler was nominated by Mr. W[alter] Livingston for Commissioner for erecting the federal buildings and Pierre Charles L'Enfant by Mr. [Samuel] Hardy. Schuyler declined the appointment March 3.

Resolved, That each of the commissioners appointed in pursuance of the ordinance passed on the 28th day of May, 1784, to constitute a board of treasury previous to their entering on the business of their appointment, shall give bonds to the United States of America, ~~in trust for the use of the U. States~~ with two or more sureties for the faithful execution of the trust reposed in them, the principals each in the sum of ~~two~~ one hundred thousand dollars, ~~and each of the sureties in the sum of—~~and ~~two or more~~ the sureties in one or more bonds to the like amount, which bonds shall be registered and lodged in the Office of the Secretary of Congress.¹

[Motion by Mr. Rufus King:]

Resolved, That the resolution of Congress of the 3d day of Feby. 1785 relative to the bonds required of the Commissioners of the Treasury previous to their entering on the business of their appointment be and hereby is repealed and made void [so far as the Commissioners are thereby severally bound for the trust reposed in the Board].²

A motion being made by Mr. [Hugh] Williamson, seconded by Mr. [Jacob] Read, in the words following:

“Whereas, the place in which a fœderal court shall be holden, which is to hear and determine a controversy subsisting between the States of Massachusetts and New York,

¹ The words crossed out are so in the report, which is in the writing of David Howell and is in the *Papers of the Continental Congress*, No. 26, folio 507, but do not so appear in the Journal. See *ante*, January 31.

² This motion, in the writing of Mr. Rufus King, except the part in brackets, which is in that of Mr. David Howell, was referred, according to its indorsement, to Mr. King, Mr. [Charles] Pinckney and Mr. [Samuel] Hardy. It is in the *Papers of the Continental Congress*, No. 36, III, folio 97.

On this day, according to Committee Book No. 190, the petition of Lieut. Col. Jacob Gerhard Dericks, for payment of the certificates issued to him for services, and a letter of recommendation to their High Mightinesses, the States General, was referred to Mr. [John] Beatty, Mr. [Hugh] Williamson and Mr. [David] Howell, who reported March 14.

was fixed and determined on the 21 of January by five states only; and whereas such a mode of determining questions is extremely dangerous in precedent, being expressly contrary to a clause in the ninth of the Articles of the Confederation, by which it is provided that no question on any point except for adjourning from day to day shall be determined unless by the votes of a majority of the United States in Congress assembled,

Yeas and nays withdrawn, with the unanimous consent of the House, Monday, Feby. 7.

Resolved, That the act of the 21st of January last for fixing the place for holding a foederal court be and it is hereby declared to be void."

On this motion, a question of order being moved by Mr. [David] Howell in the words following:

Is a motion in order made by a member to reconsider, repeal or nullify a former resolution, unless made and seconded by members who did not vote against such former resolution?

To the question of Order the President answers: That he knows no written rule that applies to this question, but as he sees no objection in reason that forbids either party consenting to or differing from the original motion to propose a reconsideration, so the President conceives the present motion for reconsidering is in order.

An Appeal from the judgment of the President being made to the House by Mr. [William] Ellery, and on the question, Shall the judgment of the President be reversed the yeas and nays being required by Mr. W[alter] Livingston,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}ay	Mr. Gardner,	no
Long,	ay		Henry,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Gerry,	ay	}ay	Mr. McHenry,	no
Holten,	ay		<i>Virginia,</i>	
King,	ay		Mr. Hardy,	no
<i>Rhode Island,</i>			Monroe, excused, having	
Mr. Ellery,	ay	}ay	just come in.	
Howell,	ay		Lee, excused.	
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook	ay	}ay	Mr. Williamson,	no
Johnson,	ay		Sitgreaves,	no
<i>New York,</i>			<i>South Carolina,</i>	
Mr. R. R. Livingston,	no	}no	Mr. Read,	no
W. Livingston,	no		Bull,	no
Platt,	no		Pinckney,	no
<i>New Jersey,</i>			<i>Georgia,</i>	
Mr. Beatty,	no	}no	Mr. Houstoun,	no
Cadwallader,	no			
Stewart,	no			

So the question was lost.¹

The Committee of the Week [Mr. Pierser Long, Mr. Joseph Gardner and Mr. Samuel Holten] to whom was referred the Petition of Frederick Weissenfels, heretofore a lieutenant Colonel in the army of the United States, accompanied with a very honorable testimony from the late Commander in chief, Report,

That in their opinion lieutenant Colonel Weissenfels is highly deserving of the public notice, and recommend that Congress confer on him the first vacant office in their gift, which they may think him capable of filling. With respect to his being put on a footing with foreign officers, who were in the Service of the United States, the Committee are of opinion it cannot be done consistently with the principles of general justice.

On the petition of John Logan, setting forth that he contracted for supplying the Troops with provisions in 1782, that he is a considerable

¹ The proceedings on the Williamson motion and the vote thereon have been crossed out in the Journal.

loser by a performance of the said contract, as the amount of his purchases far exceeded that of the rate mentioned in the agreement, and praying Congress will grant him relief, the Committee report that they find the Petitioner was employed by one of the Contractors, who received full payment, agreeably to the tenor of his agreement with the late Financier they are therefore of opinion the Petitioner has no equitable claim on Congress in this instance.¹

The Committee consisting of Mr. [Abiel] Foster, Mr. [James] McHenry and Mr. [Joseph] Gardner, to whom was referred the Petition of Benjamin Bankson one of the Clerks in the Secretary's Office, report as their Opinion, that in consideration of the additional expenses which the said Bankson has been subjected to in consequence of the late removals of Congress, he be allowed the sum of 400 dollars for extra services.²

The report of the Com^{ee} on the Mem^l of Mr. B. Bankson being amended to read That in consideration of the additional expence to which Mr. Bankson has been exposed by the late removals of Congress and of the constant and hard duty which he has discharged being for a considerable time the sole Clerk in the Secretary's office he be allowed the sum of four hundred dollars.

Postponed till to Morrow—³

¹ This report, in the writing of Pierse Long, is in *Papers of the Continental Congress*, No. 32, folio 601. It is undated but belongs to this period. The indorsement states that it was postponed March 20, 1785.

² This report, in the writing of Abiel Foster, is in the *Papers of the Continental Congress*, No. 19, I, folio 203. According to the indorsement it was delivered this day and read. Bankson's petition is in No. 42, I, folio 338. See *ante*, January 31, and *post*, February 9.

³ This memorandum, in the writing of Charles Thomson, dated February 9, 1785, is in the *Papers of the Continental Congress*, No. 19, I, folio 203. It is indorsed as having been read this day and passed February 11.

On this day, according to Committee Book 191, the memorial of Giles Wolcott was ordered "to lie till Secy. at War is elected." See *ante*, February 1, and *post*, February 14.

Also the petition of Michael Byrne was ordered "To lie on the table" and John Fitch's petition was ordered "referred to the Register of the New State when formed." See *ante*, February 1.

FRIDAY, FEBRUARY 4, 1785.

Congress assembled. Present as yesterday.¹

The Committee consisting of [Mr. Zephaniah Platt, Mr. James McHenry and Mr. Samuel Hardy] to whom was referred the "address of the Corporation of the Chamber of commerce of the State of New York," beg leave to report the following answers.

That the Secretary of Congress inform the Corporation of the Chamber of Commerce of the State of New York, That the United States in Congress Assembled have received with pleasure ~~peculiar satisfaction~~ the address of so respectable a body of citizens, that they are duly impressed with a sense of their dispositions to render the sessions of Congress convenient and agreeable and to assure them that the extension and prosperity of trade shall not cease to be considered as intimately connected with the happiness and prosperity of the United States of America,

That the Secretary of Congress, inform "the artificers, tradesmen, and mechanics of the City of New York" that their cordial welcome and expressions of confidence could not fail to be agreeably received by the United States in Congress assembled, and that while Congress acknowledge the goodness of divine Providence in concluding the American Revolution, they experience additional gratitude in contemplating the happiness of those persons who have suffered so severely by the calamities of war.²

MONDAY, FEBRUARY 7, 1785.

Congress assembled. Present as before.

The committee, consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [Rufus] King, to whom was recommended a letter of Edward Fox, Commissioner of Accounts, of December 9, with a letter from J. B. Cutting, of the 30 October, and a Memorial from Mr. Cutting, of 20 January, 1785, report,

¹ On this day, according to the indorsement, a report was delivered in by the Committee appointed January 21 on the letters of Edward Fox and John Brown Cutting. It was adopted *verbatim* on February 7.

² This report, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 20, I, folio 411. The address, dated January 11, is in No. 43, folio 343. See *post*, February 18.

That it appears from affidavits and certificates in the hands of the committee, that on or before the 30 of November, 1780, Mr. Cutting, who had been Apothecary General in the Middle District, had settled his accounts with certain officers who had been appointed to that duty, and that a balance remained due to him. That on the last year being called on by Mr. Fox, the Commissioner of Hospital Accounts, to review his accounts and make a final settlement, he rendered his cash account, and a balance was found due to him of 2,473⁴/₁₀ dollars, but his expenditure of medicines, instruments and shop furniture, was also to be reviewed. On this head the committee observe, that it must in any case be very difficult to determine, whether the amount of medicines delivered exactly agreed with the drugs and medicines received, especially when the enquiry respects a period in which the hospital system was extremely imperfect. It appears however, that Mr. Cutting did not shun the enquiry: but readily delivered to Mr. Fox, a box containing a number of books and papers containing receipts and entries. These were produced as full vouchers, but Mr. Fox returned the books to Mr. Cutting, that he might arrange the papers in proper order. For this purpose he retired to Easton, where he cut the vouchers out of the books, and laying them in order, he placed them loose in a box to be returned for examination. On his way to Philadelphia, the box fell into the Delaware, by which all the vouchers were damaged, and some of them being on bad spungy paper, were rendered absolutely illegible. On the whole, as Mr. Cutting has not declined once and again to render an account, as he had readily delivered the whole of his vouchers to the proper officer for examination, and was re-possessed of them merely to alter their arrangement; the committee are bound to suppose that the injury which befel the papers was purely accidental, especially when they add that Mr. Cutting's general character is not only unimpeached, but

that he does not appear to have improved his estate, while he was charged with public property; Whereupon,

Resolved, That Mr. J. B. Cutting, be allowed to verify on Oath, his abstract of issues or expenditures in the hospital department, and that his cash account be finally settled.¹

On the report of a committee, consisting of Mr. [David] Howell, Mr. [James] McHenry and Mr. [John] Henry, to whom was referred a petition signed Benjamin Rush, in behalf of a committee of the trustees of Dickinson college, in the state of Pennsylvania,²

The Committee to whom was referred a petition signed Benjamin Rush, in behalf of a Committee of the trustees of Dickinson College, in the State of Pennsylvania and dated Philadelphia January 16, 1785, being of opinion that the undertaking of said trustees is laudable and merits the public patronage attention . . . and that securities for liquidated debts due from the U. States be made receivable in payment of such rents³

Resolved, That the Commissioners of the treasury be, and they are hereby authorized and directed to let by lease, in the name and on behalf of the United States of America, to the trustees of Dickinson College, on reasonable rents, for a term not exceeding ten years, the public buildings erected at the expense of the United States at Carlisle, in the state of Pennsylvania, during the late war, or such parts thereof as are not wanted for the public stores at that place, and are most remote from the Magazine.

[Motion of Mr. Jacob Reed:]

That the Injunction of secrecy on the joint Letter from the Minister plenipo: of the United States at Paris of the separate Letter from the

¹ The report, in the writing Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, I, folio 625. See *ante*, February 4.

² The petition is in the *Papers of the Continental Congress*, No. 42, II, folio 307.

³ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 20, II, folio 179. It was submitted to Congress this day and adopted *verbatim* as above.

Honble. John Adams of so far as they relate to the subject of payment of the Interest due by the United States to Holland &c. be taken of, and that Grand Committee be at liberty to communicate to R[obert] Morris Esq. late Supert. of Finance on the subject of his payments and arrangements in those matters.

Ordered, That the above motion be referred to the Grand Committee to take Order.¹

On the report of a committee, consisting of Mr. [Elbridge] Gerry, Mr. [William] Ellery and Mr. [Hugh] Williamson, to whom were referred a motion of Mr. Gerry, and a letter of 10 January from J. Carleton, Secretary in the War Office,

Resolved, That Joseph Carleton, Secretary in the War Office, be, and he is hereby directed to remove the books and papers belonging to that Office, to this city, as soon as the measure can be effected.

That the Post master general be directed to remove on or before the 21 of March next; and that the Officers of the several departments of the treasury now at Philadelphia, be directed to remove on or before the first of May next, the books and papers of their respective Offices to this city.²

Report of Instructions for the Ministers of to be sent by the United States to the Court of London.

You will in a respectful but firm manner insist that the United States be put without further Delay into Possession of all the Posts

¹ This motion and order is entered in the Resolve Book, No. 123. The original motion, in No. 31, folio 257, has the following on the verso: "That Ministers and Secretaries from the U: S: to foreign courts be appointed for the term of three years unless the U: S: in Congress should deem it necessary to recall them or either of them within that period or to extend their appointment to a more distant period." See *post*, February 17.

² This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 19, I, folio 525. Carleton's letter is in No. 60, folio 111. See *ante*, January 13 and February 2.

On this day, as the indorsement states, was read a memorial of Richard Morris for reimbursement for destruction of his house and ordered to lie on the table. It is in No. 41, VI, folio 377.

Also, a letter of Robert Aitken offering his services as printer and bookbinder. It is in No. 78, I, folio 447.

and Territories within their Limits, which are now held against them by british Garrisons. And you will take the earliest opportunity of transmitting the answer you may receive to this Requisition.

You will endeavour to make yourself acquainted with the Disposition of the british Cabinet to join with the United States in proper pacific measures for inducing Spain to cease opposing the free navigation of the Mississippi; and to that end a Display of the commercial advantages which would flow to them through that Channel, would probably prove a powerful Inducement.

You will remonstrate against the Infraction of the Treaty of Peace by the Exportation of Slaves and other american Property, contrary to the Stipulations on that Subject in the article of it. Upon this Head you will be supplied with various authentic Papers and Documents, particularly the Correspondence between General Washington and others on the one Part, and Sir Guy Carlton on the other.

You will represent to the british Ministry the strong and necessary Tendency of their Restrictions on our Trade, to incapacitate our merchants in a certain Degree, to make Remittances to theirs.

You will so manage your Conferences with the Minister on the Subject of Commerce, as to discover whether he is inclined to make a Treaty with us and on what Terms, taking care not to enter into any Engagements without the previous approbation of Congress.

You will represent in Strong Terms the Losses which many of our and also of their merchants will sustain if the former be unseasonably and immoderately pressed for the payment of Debts contracted before the war; and (if compliance should appear probable) you will solicit the Interposition and Influence of Government to prevent it. On this Subject you will be furnished with Papers in which it is amply discussed.¹

¹ This draft, in the writing of John Jay, is in the *Papers of the Continental Congress*, No. 25, II, folio 407. According to the indorsement it was read this day and passed March 7.

FEBRUARY 7: The following committees were appointed: Of the Week—Mr. [William] Houstoun, Mr. [Zephaniah] Platt and Mr. [Joseph] Gardner. Mr. [David] Howell, Mr. [John] Bull and Mr. [John] Henry, on the Memorial of John Story and letter from Nathanael Greene on depreciation and pay while settling accounts. They reported April 26. A report of the Board of Treasury on Story's memorial was rendered, February 1, 1788.

Mr. [Hugh] Williamson, Mr. [Elbridge] Gerry, Mr. [Rufus] King, Mr. [David] Howell and Mr. [William Samuel] Johnson, on the memorial of Moses Hazen on dispute with John Pierce over settling Hazen's accounts. Mr. S[amuel] Holten

TUESDAY, FEBRUARY 8, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the state of Georgia, Mr. [William] Houstoun.

Mr. William Hindman, a delegate for the state of Maryland, attended, and produced credentials under the seal of the state, and dated 4 December, 1784, by which it appears, that the said state have appointed the hon^{ble} Samuel Chase, James McHenry, Gustavus Scott, John Henry, William Hindman and Luther Martin, delegates to represent the said state in the United States in Congress assembled, for one year, from the date above-mentioned.

was added to this committee on March 14, in place of Mr. Gerry and a report was rendered April 20.

Mr. [Samuel] Hardy, Mr. [Charles] Pinckney and Mr. [David] Howell, on the memorial of Donald Campbell, for payment of the certificate given him on settlement of his account. A report was rendered April 7. Campbell's memorial is in the *Papers of the Continental Congress*, No. 42, II, folio 247.

Mr. [James] McHenry, Mr. [Hugh] Williamson, Mr. [David] Howell, Mr. [Jacob] Read, and Mr. [Samuel] Holten, on the report on Invalids. On March 14 the papers in the case of W. Burrows, an Invalid, were referred to this committee and Mr. [Joseph] Gardner substituted for Mr. Read. The committee was renewed April 8. See *post*, February 8.

Also, on this day, the letter of Blair McClenachan, of October 13, 1784, respecting his arrest on account of a capture made by a privateer of which he was owner in 1779, and also the letter of September 30, 1784, from the Superintendent of Finance and "a state of the duties payable by American vessels in Marseilles, Bayonne, L'Orient and Dunkirk and other communications from Marqs. de la Fayette," were referred to the Secretary for Foreign Affairs. He reported February 11. The original "State of the duties, etc.," in French is dated June 11, 1784, and is in No. 59, IV, folio 39; a translation and printed copy is on folios 59 and 99, respectively.

Also the memorial of Capt. Ayott was referred to the committee of January 19, Mr. Partridge, Mr. [John] Bull and Mr. [Samuel] Hardy, who reported February 21. *Committee Book* No. 190.

Also on this day, according to indorsement, was read a memorial of John Story, of this day, praying for depreciation of his pay. It was referred to Mr. [David] Howell, Mr. [John] Bull and Mr. [John] Henry. See *post*, June 7.

[Read February 8, 1785.]

To the Honorable Samuel Chase, James McHenry, Gustavus Scott,
John Henry, William Hindman, and Luther Martin Esquires,

The State of Maryland reposing special Trust and Confidence in your diligence, wisdom, and fidelity hath appointed you Delegates for this State in the United States in Congress assembled with full Power and Authority to you or any two or more of you to represent and act for this State in the United States in Congress assembled for one whole year from the Date hereof, and also you or either of you are fully empowered and authorised to represent and act for this State in a Committee of the States which may within the time aforesaid be appointed by the United States in Congress assembled.

WM. PACA
[With the Great Seal appendant] Given under my Hand and the Seal of the State at the City of Annapolis this fourth Day of December Anno Domini One thousand seven hundred and Eighty four.¹

The order of the day being called to proceed to the Election of three Commissioners, pursuant to the Ordinance of the 23 December, 1784,

A motion was made by Mr. [Hugh] Williamson, seconded by Mr. [John] Sitgreaves, to postpone the order of the day to take up the following:

“That the commissioners who may be appointed in pursuance of the Act of 23 December, 1784, be instructed to examine such places on the River Delaware, within the limits prescribed, as may be purchased, and such as they may judge proper for the site of public buildings, to cause one or more places to be surveyed on each side of the river, and report to Congress the situation and quantity of land offered them for sale, and the terms on which the several tracts may be purchased, properly authenticated by the different proprietors.”²

¹ The original is in the *Papers of the Continental Congress, Maryland, Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the *Journal*.

² This motion, in the writing of Williamson, is in the *Papers of the Continental Congress*, No. 36, IV, folio 489.

And on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardner,	no	}no
Long,	no		Henry,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	}no	Mr. McHenry,	no	}no
Partridge,	no		Hindman,	no	
King,	no				
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	no	}no	Mr. Hardy,	ay	}no
Howell,	no		Monroe,	no	
			Lee,	no	
<i>Connecticut,</i>			<i>North Carolina,</i>		
Mr. Cook,	no	}no	Mr. Williamson,	ay	}ay
Johnson,	no		Sitgreaves,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. R. R. Livingston,	no	}no	Mr. Read,	ay	}no
W. Livingston	no		Bull,	no	
Platt	no		Pinckney,	no	
<i>New Jersey,</i>			<i>Georgia,</i>		
Mr. Cadwallader,	no	}no	Mr. Houstoun,	no	}*
Stewart,	no				

So it passed in the negative.

A motion was then made by Mr. McHenry, seconded by Mr. [Abiel] Foster, that Congress do not proceed to the appointment of Commissioners to carry the Ordinance for founding the said town, into effect, till the delegates representing the several states can have time to consult, in a matter so important and momentous, the sense of their constituents.

This being objected to as out of order, and the president calling for the judgment of the house, the question to the house was stated by Mr. [Jacob] Read: Is the motion of Mr. McHenry in order?

A motion was made by Mr. [David] Howell, seconded by Mr. [Samuel] Hardy, to amend the statement of the question, by striking out "in" and in lieu thereof, inserting "out of" so that it stand "Is the motion of Mr. McHenry out of Order?"

And on the question to agree to this amendment, the yeas and nays being required by Mr. McHenry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>			
Mr. Foster,	no	}no	Mr. Gardner,	no	}div.	
Long,	no		Henry,	ay		
<i>Massachusetts,</i>			<i>Maryland,</i>			
Mr. Gerry,	no	}no	Mr. McHenry,	no	}no	
Holten,	no		Hindman,	no		
Partridge,	ay		<i>Virginia,</i>			
King,	no		Mr. Hardy,	ay	}ay	
<i>Rhode Island,</i>		Monroe,	ay			
Mr. Ellery,	no	Lee,	ay			
Howell	ay		<i>North Carolina,</i>			
<i>Connecticut,</i>			Mr. Williamson,	ay	}ay	
Mr. Cook,	ay	}ay	Sitgreaves,	ay		
Johnson,	ay		<i>South Carolina</i>			
<i>New York,</i>			Mr. Read,	no	}no	
Mr. R. R. Livingston,	ay	}ay	Bull,	no		
W. Livingston,	ay		Pinckney,	no		
Platt,	ay		<i>Georgia,</i>			
<i>New Jersey,</i>			Mr. Houstoun,	ay	*}	
Mr. Beatty,	no	}ay				
Cadwallader,	ay					
Stewart,	ay					

So the question was lost.

On the question, Is Mr. McHenry's motion in order? the yeas and nays being required by Mr. McHenry,

<i>New Hampshire,</i>			<i>Connecticut,</i>		
Mr. Foster,	ay	}ay	Mr. Cook,	ay	}ay
Long,	ay		Johnson,	ay	
<i>Massachusetts,</i>			<i>New York,</i>		
Mr. Gerry,	no	}div.	Mr. R. R. Livingston,	ay	}ay
Holten,	ay		W. Livingston,	no	
Partridge,	ay		Platt,	ay	
King,	no		<i>New Jersey,</i>		
<i>Rhode Island,</i>			Mr. Beatty,	no	}no
Mr. Ellery,	ay	}ay	Cadwallader,	no	
Howell,	ay		Stewart,	no	

<i>Pennsylvania,</i>			<i>North Carolina,</i>		
Mr. Gardner,	no	}no	Mr. Williamson,	ay	}ay
Henry,	no		Sitgreaves	ay	
<i>Maryland,</i>			<i>South Carolina,</i>		
Mr. McHenry,	ay	}ay	Mr. Read,	no	}no
Hindman,	ay		Bull,	no	
<i>Virginia,</i>			Pinckney,	no	
Mr. Hardy,	ay	}ay	<i>Georgia,</i>		
Monroe,	no		Mr. Houstou,	ay	*}
Lee,	ay				

So it was resolved in the affirmative,
That the motion of Mr. McHenry is in order.

Resolved, That it be recommended to the several states, to make provision for soldiers or seamen, who have been disabled in the service of the United States, in the following manner, viz.

1. A complete list shall be made out by proper officers in each state, of all the officers, soldiers, or seamen, who have served in the army or navy of the United States, or in the militia in the service of the United States, and have been disabled in such service, by wounds or otherwise, so as to be incapable of military duty, or of obtaining a livelihood by labour, in which list shall be expressed, the age, wound, or other disability of each invalid, also the regiment, corps, or ship to which he belonged, and a copy of the same shall be transmitted to the superintendant of finance, or to such other person as Congress may appoint to receive the same, within one year after each state shall pass a law for this purpose.

2. No officer, soldier, or seaman, shall be considered as an invalid, or entitled to pay, unless he can produce a certificate or document from the commanding officer or surgeon of the regiment, ship, corps, or company in which he served, or from a physician or surgeon of a military hospital, or other good and sufficient testimony, setting forth his inability, and that he was thus disabled while in the service of the United States.

3. That each state institute a mode of ascertaining, whether the person producing a document or certificate, setting forth that he is an invalid, be such in fact, and if such to what pay he is entitled, and thereupon, the persons appointed to make such enquiry, shall give a certificate to the invalid, and transmit a counterpart to the person who may be appointed by the state to receive and record the same.

4. That any state may form such invalids under the aforesaid description, as are citizens of the same, and are capable of garrison duty, into corps, to be employed in guarding military stores or prisoners, securing the police, or otherwise, as the state may direct.

5. That when invalids shall be formed into corps, there be quarterly returns, comprehending age, wound, or other disability, regiment, ship, or corps to which he formerly belonged, made out and signed by their commanding officer, and transmitted as aforesaid, that their pay may be ordered according to said return.

6. That all invalids, as well those formed into corps, as those who are not, shall annually apply themselves to a magistrate of the county in which they reside or may be stationed, and make the following oath viz: A. B. came before me, one of the justices for the county of _____ in the state of _____ and made oath, that he was examined by _____ appointed by the said state (or commonwealth) for that purpose, obtained a certificate, or had his certificate examined and countersigned, setting forth that he had served in _____ and that he now lives in the _____ and in the county of _____

7. That the affidavit drawn according to the above form, and dated and attested by a magistrate, besent by said magistrate, to the person or persons appointed by the state, to receive and record the same, and that a counterpart of said affidavit, be preserved by the invalid, to be exhibited to such persons as shall be appointed by the state to pay them.

8. That no officer who has accepted his commutation for half pay, shall be entered on the list of invalids, unless he shall first have returned his commutation.

9. That no private soldier or non-commissioned officer, shall in any case be allowed more than five dollars per month; nor shall any commissioned officer, be allowed more than half of his former whole pay, on account of the United States.

Resolved, That each state shall have credit in the payment of its annual quota to the United States, for such sum or sums as may be advanced to invalids, according to the foregoing regulations.¹

¹ This report, in printed form, is on McHenry's motion of April 20, 1784. It is in the *Papers of the Continental Congress*, No. 22, folio 255. Another copy on folio 249 is indorsed as referred, February 8, 1785, to Mr. [James] McHenry, Mr. [Hugh] Williamson, Mr. [Jacob] Read and Mr. [Samuel] Holten. See *post*, April 27.

On this day, according to Committee Book 186, Mark Bird was nominated by Mr. [David] Gardner as Commissioner for erecting the federal buildings, and John Cox by Mr. [Jacob] Read.

WEDNESDAY, FEBRUARY 9, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Virginia, North Carolina and South Carolina; and from the state of Pennsylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.

The order of the day being called to proceed to the election of three Commissioners, pursuant to the Ordinance of the 23 of December, 1784,

The same was postponed till to-morrow, by the state of Virginia.

[Motion of M^r Hugh Williamson and M^r David Howell:]

That the Minister for Foreign Affairs to whom are refer'd sundry letters and papers respecting illtreatment that citizens of the U. S. have lately suffered from the government at the Havannah, be instructed to enquire into a report circulated concerning the Commercial Agent at the Havannah, whether he has been concerned in attempts to smuggle goods in that Port ~~and whether any part of the ill-treatment since that time suffered by Citizens of the United States may be passed to the account of the conduct of commercial agent.~~

Ordered, That the above motion be referred to the Secretary for Foreign Affairs to take Order.¹

THURSDAY, FEBRUARY 10, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South

¹ This motion, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, II, folio 503. It is also entered in No. 123 where the order is recorded.

In consequence of this motion the committee of December 1, 1784, Mr. [George] Partridge, Mr. [John] Beatty, ~~Mr. [William] Churchill Houston,~~ Mr. [Elbridge] Gerry, Mr. [Charles] Pinckney and Mr. [Joseph] Gardner, to whom had been referred the letter of the Governor of Havana respecting Oliver Pollock, was discharged and the papers referred to the Secretary for Foreign Affairs to report, as was also a letter from Jay, dated February 8, and a letter and memorial from

Carolina; and from the state of Georgia, Mr. [William] Houstoun.

The order of the day to proceed to the Election of three Commissioners, pursuant to the ordinance of the 23 December, 1784, which was yesterday postponed by the State of Virginia, being taken up

A motion was made by Mr. [Abiel] Foster, seconded by Mr. [Pierse] Long, that it be further postponed, and the yeas and nays being required thereon,

<i>New Hampshire,</i>			<i>New York,</i>		
Mr. Foster,	ay	}ay	Mr. R. R. Livingston,	no	}no
Long,	ay		W. Livingston,	no	
<i>Massachusetts,</i>			Platt,	no	
Mr. Gerry,	no	}no	<i>New Jersey,</i>		
Holten,	ay		Mr. Beatty,	no	}no
Partridge,	no		Cadwallader,	no	
King,	no		Stewart,	no	
<i>Rhode Island,</i>			<i>Pennsylvania,</i>		
Mr. Ellery,	no	}no	Mr. Gardner,	no	}no
Howell,	no		Henry,	no	
<i>Connecticut,</i>			<i>Maryland,</i>		
Mr. Cook,	ay	}div.	Mr. McHenry,	ay	}ay
Johnson,	no		Hindman,	ay	

D. Beveridge respecting ill-treatment received at Havana. Jay reported on Pollock July 11 and on both September 16, 1785. The letter from the Governor is in No. 50, folio 493; that of Beveridge in No. 80, I, folio 25.

On this day, as the indorsement states, was read a memorial and petition of John Lamb offering his services to conduct negotiations with the Barbary States. It is in No. 42, IV, folio 368. It was referred, February 9, to the Secretary for Foreign Affairs.

On this day, according to Committee Book No. 186, Henry Knox was nominated by Mr. [Elbridge] Gerry as Commissioner for erecting the federal buildings and John Stevens by Mr. [John] Beatty.

On this day, according to Committee Book No. 190, the letter of January 26 from D. Pentecost with a petition and "sundry papers relative to Inhabitants on the Illinois" was referred to Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. [Egbert] Benson, Mr. [Hugh] Williamson and Mr. [David] Howell, who reported February 15. The petition is there noted as from Francois Carbonneaux. It is in the *Papers of the Continental Congress*, No. 30, folio 453, and the sundry papers are on folios 435, 463 and 467. See *ante*, December 4, 1784.

<i>Virginia,</i>			<i>South Carolina,</i>		
Mr. Hardy,	ay	}no	Mr. Read,	no	}no
Monroe,	no		Bull,	no	
Lee,	no		Pinckney,	no	
<i>North Carolina,</i>			<i>Georgia,</i>		
Mr. Williamson,	ay	}div.	Mr. Houstoun,	no	*
Sitgreaves,	no				

It passed in the negative.

Congress proceeded to the election of three Commissioners, pursuant to the Ordinance of the 23 December, 1784, and, the ballots being taken, Philip Schuyler, Esq^r was elected, having been previously nominated by Mr. W[alter] Livingston.¹

FRIDAY, FEBRUARY 11, 1785.

Congress assembled. Present as yesterday.

A concurrent resolve of the honorable the Senate and the house of Assembly of the State of New York, being laid before Congress and read

Resolved, That it be, and it is hereby recommended to the State of New York, to settle with Captains Hangury Tewa-hangahkan, John Otaawighton, James Wakarantharaw, and lieutenants Nicholas Kayhnatsho, Cornelius Kahiktotow, Cornelius Okoniota, Indians of the Oneida and Tuscarora Nations, late Officers in the Service of the United States, and pay their Accounts in like manner as other officers in the line of the said State.²

¹ On this day, according to Committee Book No. 190, the memorial of Peter Landais for gratuity and pay, was referred to Mr. [Rufus] King, Mr. [Samuel] Hardy and Mr. [John] Beatty, which committee was renewed April 12 as King, Beatty and [David] Howell, who reported April 18.

Also, the letter of October 12 from W. Carmichael, with various papers, was referred to the Secretary for Foreign Affairs to report a translation, which was made February 14.

² The resolution is in the *Papers of the Continental Congress*, No. 67, II, folio 481.

On this day, according to the indorsement, was read the report of the Secretary for Foreign Affairs on the petition of John Lamb. See *ante*, February 9, and *post*, February 14. It is in No. 80, I, folio 5.

On the report of a committee, consisting of Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard Dobbs] Spaight, to whom were referred sundry letters from the Secretary for foreign Affairs.

Resolved, That in pursuance of the resolutions of the 22d of February, 1782, All communications as well to as from the United States in Congress assembled, on the subject of foreign affairs, be made through the secretary for the department for foreign affairs, and that all letters, memorials or other papers on the subject of foreign affairs, for the United States in Congress assembled, be addressed to him.

Resolved, That all Papers written in a foreign language, which may in future be communicated to Congress, from the Office of the department of foreign affairs, shall be accompanied with a translation into English.

Resolved, That the Secretary for the department of foreign affairs be, and he is hereby authorized to appoint an interpreter, whose duty it shall be to translate all such papers as may be referred to him, as well by the United States in Congress assembled, as by committees of Congress, the Secretary for the department of foreign affairs, the secretary of Congress, the Board of Treasury, or the Secretary for the department of War; and who shall be entitled to receive such allowance as the Secretary for foreign affairs may think sufficient, not to exceed the annual pay of a clerk in the Office; and who, previous to his entering on his duty as interpreter, shall take the Oath of fidelity and the Oath of Office, prescribed in an Ordinance passed on the 27 day of January last, a registry of which oath shall be kept in the Office of the Secretary of Congress.

Resolved, That the wages of the door-keeper to the office for foreign Affairs, be considered as part of the contingent expenses of said Office.

Resolved, That the treasurer of the United States advance to the Secretary for the department of foreign Affairs, the

sum of one thousand dollars, for the contingencies of his Office, he to be accountable.

On the report of a committee, consisting of Mr. [Elbridge] Gerry, Mr. [William] Ellery and Mr. [Hugh] Williamson, to whom was referred a letter of the 29 December last, from Mr de Marbois, to the Secretary for foreign Affairs,

Resolved, That the Secretary for foreign Affairs, give orders for a careful removal of the portraits of his Most Christian Majesty and of the queen of France, from Philadelphia to the Hall in this City, in which Congress hold their sessions.¹

The Committee consisting of Mr [William] Ellery, Mr [James] Monroe, Mr [Jacob] Read, Mr [Hugh] Williamson, and Mr [Richard] Dobbs] Spaight to whom was referred a petition of Mr Jollibois with its enclosures,

Report, That Congress on the 15th day of April, 1784, resolved on the case of Mr. Jollibois, and thereupon request that they be discharged.²

The Committee [consisting of Mr. Hugh Williamson, Mr. Archibald Stewart and Mr. William Samuel Johnson] to whom was referd a motion made by Mr. [David] Howell respecting Ox Teams submit the following ~~Report~~ Resolve

That the Commissioners of the board of Treasury be directed ~~forthwith~~ to give orders for ascertaining the Sums due to the Contractors in the ~~Commonwealth~~ of State of Rhode Island and Providence Plantations for Ox Teams and Conductors employed in the Campaign of 1781 which State is hereby authorized to charge such Sums with Interest from the Time ~~of the same~~ of advancing the same ~~shall be paid~~ as Part of the Quota of the State which may be assigned ~~it~~ for the Year one Thousand seven hundred and Eighty-five.³

¹ This report was also entered in the manuscript Secret Journal, Foreign Affairs. See *ante*, January 15.

² This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 321. According to the indorsement it was passed June 7.

³ This report, in the writing of Hugh Williamson, was delivered and read, according to the indorsement, this day. It was passed February 16 as the motion of the delegates for the State of Rhode Island and Providence Plantations. It is in the *Papers of the Continental Congress*, No. 22, folio 203. A letter from Timothy Pickering to Hugh Williamson, on the subject, dated February 7, is on folio 207.

On the report of a committee, consisting of Mr. [John] Beatty, Mr. [David] Howell, and Mr. [William Samuel] Johnson, to whom was referred a letter of 4 December, 1784, from John Hopkins, praying an allowance of sundry charges objected to by the Comptroller in the settlement of his Accounts:

Resolved, That the comptroller, in settling the accounts of major Hopkins, be directed to pass to his credit, all such necessary sums of money as may appear to have been disbursed by him in the hire of a clerk, and master of the prisonship, while acting as deputy commissary and intendent of prisoners.

Resolved, That the comptroller be directed, in settling the accounts of major Hopkins, to allow such travelling charges as were necessarily incurred in the execution of his office.¹

On the report of a committee, consisting of Mr. [Abiel] Foster, Mr. [James] McHenry, and Mr. [Joseph] Gardner, to whom was referred a Memorial of Mr. Benjamin Bankson,

Resolved (by nine states) That in consideration of the additional expense to which Mr. Bankson has been exposed, by the late removals of Congress, and of the constant and hard duty which he has discharged, being, for a considerable time, the sole clerk in the secretary's Office, he be allowed the sum of four hundred dollars.²

Congress proceeded to the election of the two remaining commissioners, pursuant to the Ordinance of the 23 of December, 1784, and the ballots being taken, Mr. Philemon Dickinson and Mr. Robert Morris were elected; the former having been previously nominated by Mr. [Archibald] Stewart, and the latter by Mr. [William] Ellery.

The Commee. consisting of Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh] Williamson, and Mr. [Richard Dobbs] Spaight to whom the petition of Mr. L'Eglize was referred

¹ See *ante*, February 1.

² See *ante*, February 3.

are of opinion report that his petition should be dismissed, Congress having taken final measures on his pretensions as appears by their resolution of Aug^r 8, 1782 [that the petitioner have leave to withdraw his petition].¹

[Motion of M^r James Monroe, 11 February, 1785. Referred to M^r Robert R. Livingston, M^r John Beatty, M^r James Monroe, M^r William Samuel Johnson, M^r Elbridge Gerry, M^r John Henry, M^r Rufus King.]

Resolved, That upon all goods originally imported into the British province of Canada, and transported thence up the Lakes and landed either in publick or private stores or elsewhere [without the bounds of any of the 13 U. S. and] within the bounds of the U. S. shall be paid the duty of p^r c^m ad valorem, at the places where they may be landed; and that in cases of doubt the onus probandi lie upon the owner; except in cases of shipwreck, or wherein vessels have been forced on shore to avoid shipwreck [Recommended to U. S. to pass resolutions to charge a duty on goods, brought from Canada. That be recommended &c.] That the citizens or others, inhabitants of the U. S., are hereby authorized to build ships or other vessels, and to conduct their Commercial concerns thro' the lakes, with goods originally imported, into the ports of the U. S., without any restraint or limitation whatsoever.

That it be recommended to the people who may settle under the protection of the forts and garrisons of the U. S. without the bounds of any particular State to the west and no: west of fort Schlosser to erect a temporary form of govt. for themselves and to lay such reasonable duties on their eommeree as it will sustain, to defray as far as possible the expenses of said garrisons and that they appoint collectors to receive the same, to be applied agreeably to the orders of the U. S. in Congress assembled.

¹ This report, in the writing of William Ellery, except the part in brackets, which is in the writing of Richard Dobbs Spaight, is in the *Papers of the Continental Congress*, No. 19, III, folio 535. The indorsement states that it was read on this day, and acted on June 7, 1785.

On this day, according to the indorsement, was read the report of the Secretary for Foreign Affairs on the letter of Blair McClenachan of October 13, 1784. It is in No. 80, I, folio 9. Committee Book No. 191 states that it was filed. See *ante*, February 7.

That be instructed, provided they enter into a treaty of commerce with G. Britain, that the commercial intercourse between G. Britain, Ireland, the West Indies, or other possessions of his Britannick majesty and the U. S., be so regulated, as that the U. S. be laid under no restrictions with respect to the intercourse between the citizens of these States and his subjects in Canada or other possessions of his B^k majesty on this continent, but that either party be left at liberty to make such regulations respecting said comm^r intercourse as they may think proper.¹

OFFICE FOR FOREIGN AFFAIRS

February 9th. 1785

The Secretary of the United States for the Department of Foreign Affairs, to whom the following papers were on the 7th. day of February Inst. referred Viz

A letter from the Supert. of Finance to the President of Congress, dated 30 December 1784.

Copy of a Letter from the Marquis de la Fayette to Mons. de Calonne 31 Jan 1784.

Copy of a Letter from the same to the same 10 Februy. 1784

Copy of a Letter from the same to the same 26 Feby. 1784

Copy of a Letter from the same to the same 5 March 1784

Copy of a Letter from Mons. de Calonne to the Marquis de la Fayette 8 March 1784

Original Letter from the same to the same 17 May 1784

Original Letter from the same to the same 11 June 1784

Original Letter from the same to the same 16 June 1784

Original Letter from the Marshal de Castries to the Marquis 17 June 1784

¹ This motion, in the writing of James Monroe, except the words in brackets, which are in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, II, folio 507. See *post*, February 21.

On this day, according to the indorsement, was read a memorial of Baron von Steuben, dated February 5. It was referred to Mr. [David] Howell, Mr. [Elbridge] Gerry, Mr. [Hugh] Williamson, Mr. [Samuel] Hardy and Mr. [Lambert] Cadwallader, who delivered a report March 17. The memorial, dated February 5, 1785, is in No. 19, V, folio 549.

Also, according to Committee Book No. 186, the committee of January 17 on the case of Longchamps, was this day discharged and the papers referred to the Secretary for Foreign Affairs, who reported February 17.

Reports as his Opinion thereupon

That "the state of the duties payable by vessels of the United States at the ports of Marseilles, Bayonne, L'Orient and Dunkirk" ought to be immediately translated and published, for the Information of Americans trading there.

That copies of all these papers should be transmitted to the American plenipotentiaries in Europe for making Treaties of Commerce.

JOHN JAY.

Ordered That the above report be referred back with the papers to the Secretary for Foreign Affairs to take Order.¹

The Committee consisting of Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [Samuel] Hardy, to whom were referred a Letter from the Supreme Executive of the State of Pennsylvania, dated 20th December; a Letter dated 24th January, from William Denning, Esquire, Auditor of Accounts; and sundry other letters and papers—beg Leave to report,

That from the Evidence in their Possession, there is great Reason to believe that numerous Frauds are daily practiced against the U. S., by issuing or passing Certificates for which the public have received no Value. They find that many of the Deputies under the late Heads of Departments, have neglected to deliver to their Principals, according to the instructions of Congress, any Account of the Certificates they have issued. That they have hitherto declined to settle their Accounts and some of them refuse to deliver their Checks or give any Account of the Certificates they have issued. Some of them have attempted to settle their Cash accounts by the means of Receipts which they have taken for Certificates issued as cash, when no Cash was paid. And some of them are still possessed of printed blank Certificates, which they continue to fill up and issue.

Your Committee are very apprehensive, that under the present tedious process of settling public Accounts, fraudulent Certificates may be multiplied, the means of detecting such Frauds become more difficult, and the honest Creditor continue to suffer by the Delay of Justice; wherefore they submit the following Resolves

¹ This report and order thereon is entered in the Resolve Book, No. 123, p. 2; the report itself is in No. 80, I, folio 1.

On this day also, according to Committee Book No. 191, a motion of Mr. [Hugh] Williamson "for discharging the militia raised by the vote of June 3 [1784] who are not in service" [was referred to Mr. Williamson, Mr. Samuel Hardy and Mr. Jacob Read]. See *post*, February 25.

That two or more Commissioners be appointed in the larger states, for liquidating and settling the Acco^{ts} of individuals against the U. S. in Order that the amo^t of the national Debt may be ascertained and the most speedy and effectual methods adopted for doing equal Justice to those who have trusted the Nation with their Property.

That till the Board of Treasury are ready to discharge the Duties of their Office it will be necessary for Congress to chuse Commissioners where they are wanted for settling Acco^{ts} in the several States.

That the Commissioners in each State keep their Offices in such Places as may be proposed to them by the supreme Executives of the several States. That they confine their settlements to certain Counties or Districts. That they correspond with each other, with the Board of Treasury and *with the Commissioners who are appointed to settle the Accounts of particular Departments*, in order to prevent Confusion or frauds on the Part of the claimants.

That the late Heads of Departments, or their successors or Agents, be required without Delay to forward to the Board of Treasury, a List of their respective Deputies who have been duly authorized to issue Certificates

That the Heads of Departments afores^d and each of their Deputies who have not settled their Accounts, and all other Persons who have issued Certificates of Debts due by the U. S. Loan Office Certificates and Certificates of final Settlement excepted, be required forthwith to deliver to the board of Treasury, or to some Commissioner of Accounts in the State where such Persons reside, ~~their Check Books or~~ a fair abstract of all the Certificates which they have issued, and they shall specify those Certificates for which they have taken Receipts, as for Cash paid, and a Copy of those Abstracts ~~or Checks~~, shall be transmitted by the Board of Treasury, to the several Commissioners of Accounts to whom they may be of use in detecting Frauds.

Agreed

That if any officers shall refuse or neglect for the space of within two months of the date from the time when he shall receive notice from the Board of Treasury or the Comptroller, to deliver his Checks ~~or a full and just fair Account of the Certificates which he has issued,~~ the name of such Officer shall be transmitted to the Board of Treasury ~~or Comptroller~~ Congress that proper Steps may be taken for causing him to be prosecuted according to Law.

That the Commissioners of Accounts be instructed to be extremely careful how they admit Charges against the U. S. founded on Certifi-

cates which are not duly supported by the Authority of Congress and the Accounts of the Officers who have issued them.

That the Commissioners who have been appointed for settling the
 Postponed Accounts of the Commissary, the cloathing, medical
 and marine Departments, be discontinued from the
 and that they deliver the Books and Papers in their several
 Offices to the Board of Treasury.¹

MONDAY, FEBRUARY 14, 1785.

Congress assembled. Present, as before.

The Comptroller, to whom was referred a memorial of capt. Giles Wolcot, with the accounts accompanying it, having, according to order, reported thereon,

Ordered, That the said report, with the memorial and accounts, be referred to the Commissioners, for settling the accounts of the quartermaster's department; and that he report specially, if he find any difficulty in settling the accounts and claims of the said Giles Wolcott.²

The delegates for Maryland laid before Congress, the following Acts, passed by the legislature of that State, viz.

An Act respecting the appointment of Delegates to Congress.

An Act to authorize the delegates of this State in Congress, to consent to an alteration in the eighth of the Articles of the Confederation, and in its place to subscribe and ratify another.

An Act to invest Congress with certain powers respecting the Commerce of the United States; and,

A supplement to the Act to authorize the United States in Congress Assembled, to impose and levy a duty of 5 per cent. on imported for-

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, II, folio 63. According to the indorsement it was read this day and "Wednesday 16 Feby. assigned for consideration."

² The comptroller's report, dated February 9, with the order indorsed upon it by Charles Thomson, is in the *Papers of the Continental Congress*, No. 41, X, folio 621. It was read this day.

On this day, according to the indorsement, were read two letters from Col. Josiah Harmar, of December 5, 1784, and January 2, 1785, relating to Indian treaties and returns of troops. They were ordered to be filed and are in No. 163, folio 389 *et seq.*

eign goods, and all prizes and prize-goods, for the payment of the debt contracted by Congress during the war.¹

The Committee [Mr. David Howell, Mr. Hugh Williamson and Mr. Pierse Long] to whom was referred the petition of Bartholomew Van Heer, late Capⁿ of Light Dragoons in the Service of the U. States, dated Philad^a January 12, 1785 beg leave to submit the following report:

Your Committee find that the petitioner first joined the American Army under General Montgomery in Canada in the year 1775 and served as Lieutenant and Adjutant in the regiment of Canadians commanded by Colonel James Livingston. In 1777 he joined the northern Army and was appointed a Captain in Colonel Procter's regiment of Artillery, in which capacity he served till the Spring of 1778, when he was ordered to raise a Troop of light Dragons, which he completed in a short time, and commanded till it was disbanded at the close of the war, when he was promoted to the rank of Major by brevet; and that in these several services Major Van Heer has conducted himself as a zealous, active and good officer.

The prayers of Major Van Heer's petition are

1st. For payment of wages due to him as Brigade Major from Octo. 20, 1776, to March 14, 1777.

2. For payment of expences by him incurred in travelling from Philad^a to Albany, from Albany to Philad^a from thence to Morris Town, and from thence to Baltimore.

Your Committee are of opinion that, if these charges are well founded, the Pay-master-general is already cloathed with ample powers to admit them, and to make a final and just settlement.

3. For payment of interest on a Loan-office certificate issued to him for depreciation of pay, agreeably to the resolution of April 20, 1781.

As this certificate appears to have been issued by the keeper of the Loan-office in the State of Pennsylvania, and as the provision made in that State under the requisition of April 28, 1784, for payment of

¹ These acts are in the *Papers of the Continental Congress*, No. 75, folios 314-330.

On this day, according to the indorsement, the report of the Secretary for Foreign Affairs, on the petition of John Lamb, was referred to Mr. [James] Monroe, Mr. R. R. Livingston and Mr. [William Samuel] Johnson, who reported February 15.

Also, was read a letter from John Jay, dated February 11, with a letter from M. de Marbois on the subject of Mr. Longchamps, which was referred back to the Secretary for Foreign Affairs to report. It is in No. 80, I, folio 61. Also a letter of the same date from Jay on a letter from William Carmichael, was read and referred back to the Secretary. It is in No. 80, I, folio 69.

interest on L. O. certificates issued from that Office, has been extended to all holders thereof without limitation, the Committee are of opinion that it is unnecessary for Congress to take any further measures.

4. To be considered as a Foreign Officer and to have the benefit of a resolution passed on the 22nd day of January, 1784, extended to him.

Your Committee find by a certificate signed Fred. de Weissenfels, that Major Van Heer, previous to his coming to America, held a Commission in the Spanish Service, and that the documents, in proof hereof, after having been shewn to General Montgomery, were inevitably lost in the retreat from Quebec in the year 1776. Whereupon your Committee recommend to Congress the following resolution:

Resolved, That the Commissioners of the Board of Treasury, advance, on account of his pay, to Major B. Van Heer, late captain of light dragoons in the Service of the U. States, 500 Dollars, to enable him to return to his native Country.¹

On motion of Mr. R[obert] R. Livingston, seconded by Mr. [John] Sitgreaves,

Resolved, That the Ministers of the United States who are directed to form treaties with the Emperor of Morocco, and the Regencies of Algiers, Tunis and Tripoly, be empowered to apply so much of the money borrowed in Holland, or any other money in Europe belonging to the United States, to that use as they may deem necessary, not exceeding eighty thousand dollars; and to draw for the same accordingly.

That they be further empowered, if the situation of affairs should render it inexpedient for either of them to proceed to the above Courts, to appoint such persons as they may deem qualified to execute this trust.

That the Secretary for Foreign Affairs be directed to write to the above Ministers, pressing upon them the necessity of prosecuting this important business, and forwarding to them Commissions and Letters of Credence,

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 117. According to the indorsement it was passed February 15.

with a blank for the name of such person as may be directed to conclude the said Treaties.¹

TUESDAY, FEBRUARY 15, 1785.

Congress assembled. Present, as yesterday.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Hugh] Williamson and Mr. [Pierse] Long, to whom was referred a Memorial of Major Von Herr,

¹ This motion was entered only in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal, No. 4. A copy is in Secret Journal, No. 6, Vol. III. The motion is in the writing of Robert R. Livingston, and is in the *Papers of the Continental Congress*, No. 36, II, folio 509.

FEBRUARY 14: The following committees were appointed:

Committee of the Week—Mr. [Charles] Pinckney, Mr. [William] Hindman and Mr. [Pierse] Long.

Mr. [John] Bull, Mr. [William] Ellery and Mr. [John] Henry, on a letter of January 30 from several officers of the late Connecticut Line, praying for a settlement of the accounts of that Line. It is in the *Papers of the Continental Congress*, No. 78, I, folio 443. A report was made February 16. An indorsement and also Committee Book No. 190, refers to December 8, 1785.

Mr. [William] Livingston, Mr. [Richard Dobbs] Spaight and Mr. [Joseph] Gardner on a petition from Richard Phillips, for increase of his pay as steward to the President of Congress and also on a letter from Henry Remsen, Jr., asking for indemnification for public money stolen from him. Report was rendered February 21. Remsen's letter is in No. 78, XIX, folio 475. Phillips's is in No. 42, VI, folio 294 and is indorsed: "Answered by the Act: March 23d, 1788."

Mr. [William Samuel] Johnson, Mr. [James] McHenry, Mr. [David] Howell, Mr. [James] Monroe and Mr. [Hugh] Williamson, on the letter of January 28, from the Commissioners for Indian Affairs, with the treaty made by them with the Western Indians. They reported March 7. The letter from the Commissioners is in No. 30, folio 271.

Committee Book No. 190.

On this day, according to Committee Book No. 186, the committee of January 17 on the motion of Mr. John Francis Mercer was "renewed with addition of two members." Committee Book No. 190 shows that these were Mr. [William Samuel] Johnson and Mr. [John] Beatty. Mercer's motion, which was made December 17, 1784, was "That a Comtee. be appointd. to consider whether any and what measures may be necessary for Congress to adopt in pursuance of their recommendats. to the States of April 18, 1783." A report was rendered March 14.

Also, according to the indorsement, the petition of February 12, from Duncan Campbell, praying for reimbursement for pay losses through depreciation and for a settlement of his account, was read this day and referred to Mr. [William] Ellery, Mr. [John] Bull and Mr. [James] McHenry. See *post*, April 11. Campbell's petition is in No. 42, II, folio 251,

Resolved, That the Commissioners of the board of treasury, advance, on account of his pay, to Major B. Von Herr, late a captain of light dragoons in the service of the United States, five hundred dollars, to enable him to return to his native country.¹

On the question to agree to this, the yeas and nays being required by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	ay	} ay	Mr. Gardner,	ay	} ay
Long,	ay		Henry,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Gerry,	ay	} ay	Mr. McHenry,	ay	} ay
Holten,	ay		Hindman,	ay	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	ay	} ay	Mr. Hardy,	ay	} ay
Howell,	ay		Monroe,	ay	
<i>Connecticut,</i>			Lee,	ay	
Mr. Cook,	ay	} ay	<i>North Carolina,</i>		
Johnson,	ay		Mr. Williamson,	no	} ay
<i>New York,</i>			Spaight,	ay	
Mr. R. R. Livingston,	ay	} ay	Sitgreaves,	ay	
W. Livingston,	ay		<i>South Carolina,</i>		
Platt,	ay		Mr. Bull,	ay	} ay
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Beatty,	ay	} ay	<i>Georgia,</i>		
Cadwallader,	ay		Mr. Houstoun,	ay	✕
Stewart,	ay				

So it was resolved in the affirmative.

The Committee consisting of [Mr. Samuel Hardy, Mr. Charles Pinckney, Mr. Egbert Benson, Mr. Hugh Williamson and Mr. David Howell] to whom was referred a memorial from Francis Carboneaux

¹Committee Book No. 191 states that the report of the Secretary for Foreign Affairs on the petition of John Lamb was this day passed. See *ante*, February 11.

On this day also, according to Committee Book No. 190, a committee report on the petition of Col. James Livingston was referred to Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [William] Ellery, who reported February 17.

Also, the Secretary for Foreign Affairs was directed to take order on so much of his report on the letter from William Carmichael, as respects the draft of the

and the papers accompanying it beg leave to submit the following report. That as satisfactory documents have been produced by the said Carboneaux to shew that he has been deputed by the inhabitants of the Kaskaskie and Illinois settlements to represent to Congress the great inconvenience to which they are subject from the want of order and good government,

And as it is expedient that the most early steps should be taken to relieve the said inhabitants from ~~any~~ the difficulties ~~that may~~ which have arisen from the ~~present~~ unsettled state of their Affairs, untill more effectual arrangements can be made for extending to them a more regular establishment of security and good order,

Resolved, That ~~a commissioner~~ one or more Commissioners be appointed to repair to the Kaskaskie and Illinois settlements,

That he be charged to use his best endeavours to suppress those disorders and irregularities of which the said Inhabitants complain. And that in the exercise of his Authority and the administration of justice he pursue the mode which he may judge the best calculated to quiet the Minds of those people and secure their attachment to the federal government.

That he be required to adjust and settle all accounts of the said Inhabitants against the United States, taking care to have proper documents produced in support of their respective claims, and that he be invested with all the powers and Authorities of the other Commissioners for settling the acct^s of the several states, against the United States under the resolution of Congress of 22 feby, 1782.

And the more effectually to preserve peace and good order,

Resolved, That Men out of those to be raised for garrisoning our Western frontiers be stationed in the said district—

Resolved, That he be allowed dollars as a compensation for his trouble and expences.¹

letter reported. "The letter read and approved and referred back to the Secretary for foreign Affairs to take Order." It is in No. 80, I, folio 13.

Also, the President of Congress was directed to take order on the motion that the President draw a warrant on the Treasurer in favor of B. Bankson for 400 dollars allowed him by resolution of 11th instant.

Also, the note from the Minister of the United Netherlands on a change in sea letters, and the letter of August 2, 1783, from William Carmichael were referred to the Secretary for Foreign Affairs, who reported November 1.

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 30, folio 431. See *post*, February 21.

[Motion of Delegates for Connecticut]

[Mutilated] Connecticut having pursuant to the Recommendations [mutilated] certain Acts of their Legislature authorised and fully [mutilated] their Delegates in Congress in the Name and behalf of said [mutilated] and Execute Ample Deeds of Release and Cession of [mutilated] lands and Territory belonging to and Claimed by s^d State [mutilated] mits in s^d Acts mentioned and described to the United [States—mutilated—in Congr]ess assembled for the common benefit of the [mutilated]

The Delegates of s^d State now offer pursuant [mutilated] committed to them to make such Cession and Release and Move [mutilated] will Accept the same accordingly.¹

The Committee of the Week [Mr. Charles Pinckney, Mr. William Hindman and Mr. Pierse Long] having considered the Extract of a Letter from Col^o Bryan Bruin to the Secretary of War dated Jan^y 31st 1785, setting forth that He was Secretary and Aid de Camp to Maj^r Gen^l Sullivan, and that by a Law passed the Legislature of Virginia, He is precluded from his pay as such because Maj^r Gen^l Sullivan was not a Resident of that State, together with the Vouchers accompanying the same are of Opinion, should be referred to a Committee.

They further report that two Letters from Col^o Jos. Harmar to the President of Congress one dated 5th Dec^r 1784, the other 28th Jan^y, 1785, inclosing a Return of the pennsylvania and Jersey Troops in the Service of the United States 1785, be filed.

The Committee further report that a Letter from James Morrison to the President of Congress dated 1st Jan^y, 1785, enclosing an Account of Advances in Canada with the Vouchers be referred to the ~~auditor~~ comptroller of accounts to report thereon.²

¹ This motion, in the writing of William Samuel Johnson, is in the *Papers of the Continental Congress*, No. 30, folio 519½. The indorsement states that it was made this day and referred to ~~Mr. [Hugh] Williamson, Mr. [Samuel] Hardy, Mr. [Samuel] Holt, Mr. [William Samuel] Johnson, Mr. [John] Henry, and Mr. [Lambert] Cadwallader, Mr. [William] Grayson.~~ Committee Book No. 190 states that the Connecticut act was of January, 1784, and that a motion to accept Connecticut's offer was also, this day, referred to this committee, which was renewed April 11.

² This report, in the writing of William Hindman, is in the *Papers of the Continental Congress*, No. 32, folio 581. It belongs to this period. Committee Book No. 190 shows that a letter of the Secretary in the War Office respecting Peter B. Bruin was referred February 21 to Mr. [John] Henry, Mr. W[illiam] Livingston and Mr. [Pierse] Long. This committee was renewed August 8. An extract

WEDNESDAY, FEBRUARY 16, 1785.

Congress assembled. Present, Newhampshire, Massachusetts, Rhode island, Connecticut, New-York, New-Jersey, Maryland, Virginia, North Carolina and South Carolina; and from the state of Pensylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.¹

The Committee Consisting of Mr. [Jacob] Read, Mr. [Samuell] Holten and Mr. [James] Monroe to whom was referred a Letter of the 21st Dec^r 1784 from Mr. Joseph Carleton Secretary in the War Office inclosing an extract of a Letter from Lieut^t David Luckett dated 1st August 1784 Submit the following resolves²

The Committee [consisting of Mr. John Bull, Mr. William Ellery and Mr. William Henry] to whom was referred the letters from J. Sherman, Agent to the old 5, 6, 7, 8, and the late 2^d, 4, 5, and Cont^t Regiment of three years men—Nathan Beers Agent of the old 2^d, 9th, and the late 3^d Connecticut Regiments and Charles Fanning Agent to the old 3^d and the late first Connecticut Regiments—also the

of Bruin's letter is in No. 42, I, folio 377, and is indorsed as acted on February 3, 1786.

On this day, as the indorsement states, was read a petition of John Henderson for appointment as a deputy surveyor of western lands. It is in No. 42, III, folio 473.

Also, a letter of William Duer, on contract for supplying the troops in New York state, which was referred to Mr. W[illiam] Livingston, Mr. [Archibald] Stewart and Mr. [James] McHenry who reported February 18. It is in No. 78, VIII, folio 101.

Also on this day, according to Committee Book No. 190, the committee of January 17 on the letter of Van Berckel was discharged and the matter referred to the Secretary for Foreign Affairs to report, which he did November 1.

¹On this day, according to Committee Book 186, the committee of December 6, 1784, which was renewed January 24, on Monroe's motion for giving general regulation of trade to the United States, brought in a report and Committee Book No. 191 states that it was transferred. See *post*, March 28.

Also, according to Committee Book No. 190, the Instructions to the delegates of Virginia on the settlement of accounts, dated December 30 and 31, were read and referred to Mr. [James] Monroe, Mr. [Samuel] Hardy and Mr. [Samuel] Holten, who reported February 23. The instructions are in No. 71, II, folio 419.

² This report, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 19, III, folio 621. According to the indorsement it was delivered this day, entered, and read. The resolves were adopted verbatim June 7, *q. v.*

letter of John Blair Agent to the 1st, 3^d, and the Jersey Regiments—Observe that by a Resolve of Congress of the 3^d Novem^r 1783 the pay master Gen^l was directed to deposit in the hands of Regimental Agents the Certificates of the arrears of pay due to the Officers and Soldiers of the respective lines, to be by them delivered to the individuals to whom they belong, or deposited for their benefit as the Supreme executive of the State to which the respective Agents belong—shall direct—And thereupon submit the following Resolution

Resolved, That the ~~Executive~~ Legislature of the ~~several~~ respective States to which Regimental Agents belong, be requested to cause to be Examined into the Services of the said Agents, and to make them such allowances as they may think them intitled unto; and charge the same to the United States—that such agents deposit the Certificates that may remain in their hands with the Executive of the States to which they belong agreeable to the Resolution of Congress of 3^d Nov^r 1783.¹

On the report of a com^{te}, consisting of Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [William Samuel] Johnson, to whom was referred a motion of the Delegates for the State of Rhode island and Providence Plantations,

Resolved, That the Commissioners of the board of treasury be, and they are hereby directed to give orders for ascertaining the sums due to the Contractors in the State of Rhode island and Providence Plantations, for Ox teams and Conductors employed in the campaign of 1781, which State is hereby authorised to charge such sums with interest, from the time of advancing the same, as part of the quota of the state, which may be assigned for the year one thousand seven hundred and eighty five.

The Committee Consisting of Mr. [Jacob] Read, Mr. [William] Houstoun and Mr. [John] Bull, to whom was referred the Memorial of George Turner, late a Captain in the Federal Army, Submit the following report:

Your Committee find that the said George Turner in the Commencement of the late War was appointed a Lieutenant of Infantry

¹ This report, in the writing of John Bull, is in the *Papers of the Continental Congress*, No. 21, folio 385. It was entered and read this day and passed May 27.

in the line of the State of South Carolina, and duly promoted in April, 1777, to the Command of a Company.

That in 1778 he was appointed Aid de Camp with the rank of Major annexed to Gen. R^t Howe, retaining at the Same time his Commission in the line.

That Serving in the Northern Army under his Appointment as Aid de Camp, and hearing of the Enemy's preparations in New York for the attack of Charleston, he returned thither and resumed the Command of his Comp^y in the defence of that place, became a Prisoner of War on its Surrender, and was paroled in the year following to Philadelphia.

That being some time after exchanged, he was appointed Commissary of Marine Prisoners for the United States, and as such continued to reside in Philadelphia till the peace, never having resigned his Commission in the line of the Army.

That during his absence from his regiment the reform of the Southern Army took place, on which occasion the said George Turner (tho' a very old Captain in the line and entitled to continue in Service) was put upon the list of deranged officers without his knowledge or consent, and a junior Captain retained in his stead.

Your Committee conceive that the said George Turner, never having resigned or left the Service, was undeservedly injured in such derangement, as no officer can be deprived of his commission by a Superior Officer without the Sanction of a Court Martial; and as such derangement if not reversed by Congress would tend not only to ~~injure~~ deprive the said George Turner of Certain pecuniary advantages, but also of his right to the Brevet of a Major under the resolution of Congress of the 30th Sept^r 1783,

Your Committee recommend that it be

Resolved, That the said George Turner be considered as entitled to all and singular the emoluments and advantages of an officer continuing in Service to the end of the war; and that the Secretary in the War Office do make out and deliver to the said George Turner a Brevet Commission as Major in the late army of the United States.¹

¹ This report, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 19, VI, folios 97-99. The indorsement states that it was read on this day, and negatived on February 23. Turner's memorial was referred to the above committee December 8, 1784. It is in No. 41, X, folio 247.

On this day, as the indorsement states, was read a petition of Elenor Healy, praying for a pension and referred to Mr. [James] McHenry, [Mr. Hugh William-

The Committee consisting of M^r [Hugh] Williamson, M^r [Archibald] Stewart and M^r [Samuel] Hardy, to whom were referred a Letter from the Supreme Executive of the State of Pennsylvania, dated 20th December; a Letter dated 24th January, from William Denning, Esquire, Auditor of Accounts, and sundry other Letters and Papers—beg leave to report,

That from the evidence in their possession there is great reason to believe that numerous frauds are daily practised against the United States, by issuing or passing certificates for which the public have received no value. They find that many of the deputies under the late heads of departments, have neglected to deliver to their principals, according to the instructions of Congress, any account of the certificates they have issued. That they have hitherto declined to settle their accounts; and some of them refuse to deliver their checks, or to give any account of the certificates they have issued. Some of them have attempted to settle their cash accounts by the means of receipts which they have taken for certificates issued as cash, when no cash was paid. And some of them are still possessed of printed blank certificates, which they continue to fill up and issue.

Your committee are very apprehensive, that under the present tedious process of settling the public accounts, fraudulent certificates may be multiplied—the means of detecting such frauds become more difficult—and the honest creditor continue to suffer by the delay of justice; wherefore they submit the following resolves.—

That one additional commissioner be appointed in each of the states of Pennsylv^a and Virginia for liquidating and settling the accounts of individuals against the United States whose duties, powers and allowance shall be the same as those of the other Commissioners who have been appointed pursuant to the act of feb^r 20th 1782, and who shall not be an Inhabitant of the state for which he shall be appointed.

That till the board of treasury are ready to discharge the duties of their office, the Comptroller of the Treasury shall exercise the power of appointing such additional Commissrs. in the same manner as the late Superintendant of Finance was authorized to do.

son, Mr. David Howell, Mr. Jacob Read and Mr. Samuel Holten] the committee of February 7 on Invalids. It is in No. 41, IV, folio 253. See *post*, June 7, 1785.

Also was read a letter from John Jay of February 15, on the subject of Marbois' letter, see *ante*, February 14, and one of same date on the case of Stephen Sayre, which was referred to Mr. [William] Houstoun, [William Samuel] Johnson and Mr. R. R. Livingston. See *post*, February 22.

That the Quarter Master General, Commissary of Purchases, Commissary of issues, Commissary of forage and all the late heads of departments, or their successors or agents, be required without delay to forward to the board of treasury, or Controuler of Accounts a list of their respective deputies who have been duly authorized to issue certificates.

That the Commissioners in the States of Virg^a and Pennsylv^a confine their settlements to such counties or districts as the Supreme Executives may direct.

That the heads of departments aforesaid and each of their deputies, who have not settled their accounts, and all other persons who have issued certificates of debts due by the United States, loan office certificates and certificates of final settlement excepted be required forthwith to deliver to the board of treasury, or to some commissioner of accounts in the state where such persons reside, a fair abstract of all the certificates which they have issued, and they shall specify those certificates for which they have taken receipts, as for cash paid; and a copy of those abstracts, shall be transmitted by the board of treasury, to the several commissioners of accounts, to whom they may be of use in detecting frauds.

That a copy of these resolutions be published in the Gazettes or public newspapers of the several states and that if any person or persons so required as aforesaid shall refuse or neglect for the space of two months from such publication to deliver a full and just account of the certificates he or they have issued the board of treasury or in case it is not at the time organized the Comptroller shall take proper steps for causing him or them to be prosecuted according to law.

That the Commissioners of Accounts be instructed to be careful how they admit charges against the United States on certificates which are not duly supported by the authority of Congress and the accounts of the officers who have issued them

That the Commissioners who have been appointed for Settling the
Postponed. Accounts of the Commissary, the clothing, Medical and Marine Departments, be discontinued from the and that the[y] deliver the books and papers in their several offices to the board of treasury.¹

¹ This report, in the form of a printed copy of the report of February 11, amended in manuscript by Stewart and Charles Thomson, was the result of the consideration on February 16 or some subsequent date. It is in the *Papers of the Continental Congress*, No. 19, II, folio 59. For the final adopted form see *post*, February 23.

THURSDAY, FEBRUARY 17, 1785.

Congress assembled. Present, as yesterday.

A letter, of 14 from J. Carleton, sec^y in the war Office, was read,¹ requesting an Order on the treasurer for the sum of eighty dollars, to enable him to remove the records of the Office to the city of New York; Whereupon,

Resolved, That the president issue a warrant on the treasurer, in favour of Joseph Carleton, secretary in the War Office, for the sum of eighty dollars, to defray the expence of removing the books and papers of the said Office to this city, for which sum he is to be accountable.

A motion being made by Mr. [Charles] Pinckney, seconded by Mr. [David] Howell, in the words following:

That no future commission of a Minister, generally or specially, to any foreign court, [chargé des affaires] or of a Secretary to any foreign legation, shall continue in force for more than three years, the time from which it is to commence to be fixed in the commissions; at the expiration of which period, unless reappointed, such minister or secretary shall cease to exercise such Office. Provided always, that such minister or secretary shall be considered, at all times, as subject to the recal of Congress within the term above limited.²

A motion was made by Mr. [Jacob] Read, seconded by Mr. [Samuel] Hardy, to postpone the motion, in order to take up the following:

That as the power of recalling any minister to a foreign court, or secretary to a foreign legation, is always in Congress, and it is presumed will be exercised on every occasion of misconduct or neglect in any minister to a foreign court; and as the wisdom and virtue of the United States in Congress Assembled, will always be equal to a proper decision on every question that may be brought before them,

¹ This letter is in the *Papers of the Continental Congress*, No. 60, folio 121.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, II, folio 517, the words in brackets being in the original motion, but not in the Journal.

Resolved, That it is highly impolitic and unnecessary to fix any determinate time to the continuation in Office, of any resident or special minister or secretary to a legation to a foreign court.¹

On the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. [Jacob] Read,

<i>New Hampshire</i> ,			<i>Pensylvania</i> ,		
Mr. Foster,	no	}no	Mr. Gardner,	no	}*
Long,	no		<i>Maryland</i> ,		
<i>Massachusetts</i> ,			Mr. McHenry,	no	}no
Mr. Gerry,	no	}no	Hindman	no	
Holten,	no		<i>Virginia</i> ,		
Partridge,	no		Mr. Hardy	ay	}ay
King,	no	Monroe,	ay		
<i>Rhode Island</i> ,			Lec,	ay	
Mr. Ellery,	no	}no	<i>North Carolina</i> ,		
Howell,	no		Mr. Williamson,	no	}ay
<i>Connecticut</i> ,			Spaight,	ay	
Mr. Cook,	no	}no	Sitgreaves,	ay	
Johnson,	no		<i>South Carolina</i> ,		
<i>New York</i> ,			Mr. Read	ay	}no
Mr. R. R. Livingston,	ay	}no	Bull,	no	
W. Livingston,	no		Pinckney,	no	
Platt,	no		<i>Georgia</i> ,		
<i>New Jersey</i> ,			Mr. Houstoun,	ay	}*
Mr. Beatty,	no	}no			
Cadwallader,	no				
Stewart,	no				

So it passed in the negative.²

¹ These two motions, and the votes thereon, were also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal, No. 4. A copy is in Secret Journal, No. 6, Vol. III. The original motions are in No. 36, IV, folios 529 and 531.

On this day, according to Committee Book No. 191, the Secretary for Foreign Affairs reported on the case of Longchamps. "Application for delivering him up withdrawn." The report is in No. 80, I, folio 17. "Thursday 24 Feby 1785, assigned for consideration. The Secy for foreign Affairs to attend on that day." See *post*, August 23.

² On this day, according to Committee Book No. 190, Mrs. Elizabeth Thompson's letter of February 17 was referred to Mr. [James] McHenry, Mr. Rufus

On the question to agree to the motion of Mr. [Charles] Pinckney, the yeas and nays being required by the State of Massachusetts,

<i>New Hampshire,</i>			<i>Pensylvania,</i>		
Mr. Foster	ay	}ay	Mr. Gardner,	ay	}*
Long,	ay		<i>Maryland,</i>		
<i>Massachusetts,</i>			Mr. McHenry,	ay	}div.
Mr. Gerry,	ay	}ay	Hindman,	no	
Holten,	ay		<i>Virginia,</i>		
Partridge,	ay		Mr. Hardy,	no	}no
King,	ay		Monroe,	no	
<i>Rhode Island,</i>		Lee,	no		
Mr. Ellery,	ay	}ay	<i>North Carolina,</i>		
Howell,	ay		Mr. Williamson,	ay	}no
<i>Connecticut,</i>		Spaight,	no		
Mr. Cook,	ay	}ay	Sitgreaves,	no	
Johnson,	ay		<i>South Carolina,</i>		
<i>New York,</i>			Mr. Read,	no	}ay
Mr. R. R. Livingston,	no	}ay	Bull,	ay	
W. Livingston,	ay		Pinckney,	ay	
Platt,	ay		<i>Georgia,</i>		
<i>New Jersey,</i>			Mr. Houstoun,	no	}*
Mr. Beatty,	no	}no			
Cadwallader,	no				
Stewart,	ay				

So the question was lost.¹

King and Mr. [Charles] Pinckney, who reported February 18. It is in the *Papers of the Continental Congress*, No. 78, XXII, folio 297.

Also, a letter from R. Hoge respecting an American vessel taken by the Moors, was referred to the Secretary for Foreign Affairs to report.

¹ On this day, as the indorsement states, was read a memorial of Louis Atyatorongta, dated February 16, 1785, praying payment for war services. It is in the *Papers of the Continental Congress*, No. 41, I, folio 89. See *post*, March 4.

Also, a letter of Joseph Greenleaf for his commission as agent of officers and seamen of the *Alfred* and the *Providence*, in 1777. It is in No. 43, folio 95.

Also, a letter of February 3 from Patrick Henry, Governor of Virginia, submitting a plan for civilizing the Indians from Sir James Jay and the Countess of Huntingdon. It is in No. 71, II, folio 383.

Also, a letter of January 31 from Robert Hooe, on the capture of his brigantine *Betsy*, which was referred to the Secretary for Foreign Affairs. It is in No. 78, XII, folio 361.

Also, a letter of February 10 from John Holker to the Commissioners of the Treasury on Robert Morris's claim against Holker. It is in No. 78, XII, folio 367.

The Committee [consisting of Mr. David Howell, Mr. Jacob Read and Mr. James McHenry] to whom was referred a memorial signed, Fred. Paschke and dated Philad^a October 30, 1784, beg leave to offer to Congress the following report.

Your Committee find that on the 16th of May, 1780, Congress passed the following resolution—

“That the Sum of three thousand dollars currency of these States, and a bill of exchange for two hundred and fifty dollars in Specie, be paid to Captⁿ Paschke, late of Count Pulaski’s Legion (which being dissolved Congress have no means of employing Captⁿ Paschke, tho’ a deserving officer) to enable him to return to Europe.”

Your Committee also find that sd. Sums were paid to Captⁿ Paschke in consequence of sd. resolution; but that Captⁿ Paschke instead of returning to Europe entred the Staff-department in the Southern Army—and that on the Settlement of his account of pay and rations at the Treasury Sept. 1, 1783, he accounted for the afore-said Sums. Whereupon your committee recommended that it be—

Resolved, That the Settlement of Captain Paschke’s accounts made at the Treasury on the 1st Sept. 1783, be revised; and that in sd. Settlement he be not charged with the Sums of money ~~allowed~~ granted to him in the resolution of May 16, 1780.¹

The Committee consisting of M^r [Samuel] Hardy, M^r [John] Beatty, and M^r [William] Ellery,

To whom was referred a Memorial from Col^o James Livingston late a Col^o in the Army of the United States: setting forth that eight hundred pounds which he received on the balance of Acc^{ts} exhibited by him to the treasury board in 1776; which Acc^{ts} he afterwards delivered to the Commissioners of Acc^{ts} at Albany together with several other sums advanced to Canadian Officers, soldiers, and Militia are charged to his Acc^t by the Paymaster General who has not given him the proper Credits because neither the Acc^{ts} above referred to or the payrolls and warrants granted by the Commander in Chief in the Northern department in favor of the Canadian Officers, soldiers, and Militia are not in the paymaster general’s possession. That he served some time as a Volunteer in Canada previous to his receiving a Commission for which he has received no recompense; That he has lost the estate he possessed in Canada in consequence of the part he

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, V, folio 41. According to the indorsement it was read this day. The resolve was passed February 24.

has taken in the late War for which he has received no gratuity. And that there is five months pay due to him, together with the officers and Soldiers of his Regiment for the year 1780, which he prays the state of New York may be requested to discharge on Acc^t of the united States: beg leave to submit the following report

Resolved that in settling the Acc^{ts} of Col^o James Livingston, the Paymaster be and he is hereby directed to credit the said Col^o Livingston with all sums paid by him on Acc^{ts} already settled or on warrants for the pay of his own or other Corps; and that he admit of Col^o Livingston's oath or the best satisfactory evidence which the Nature of the Case will admit of.

Resolved that the eminent services which Col^o Livingston rendered the United States in Canada in the Character of an Officer previous to his receiving a Commission intitle him to the pay of a Col^o from the time of his joining the American Army in Canada; and that the paymaster in the settlement of his accts. is hereby directed to make him such allowance from that time.

Resolved, that it is inexpedient to direct a Mode for the settlement of the Arrears of pay due to Col^o Livingston or the Officers and Soldiers of his regiment different from that adopted for the army at large.

Resolved, that any Compensation for the losses which Col^o Livingston has sustained in Canada in consequence of his attachment to the American Cause cannot be ascertained by your Committee until Congress have decided on some general Arrangement respecting the Compensation which others in similar Circumstances shall receive.¹

FRIDAY, FEBRUARY 18, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Georgia, Mr. [William] Houstoun.

On the report of a com^{ee} consisting of Mr. W[illiam] Livingston, Mr. [Archibald] Stewart and Mr. [James] McHenry, to whom was referred a letter of the 14 Feb^y from Mr. Duer.

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 19, III, folio 603. It was acted on March 8.

That Robert Morris Esq^r late Superintendant of the finances of the united States or Michael Hillegas, Esq^r the treasurer of the U. S., be and is hereby directed to pay to William Duer, Esq^r, out of any public monies which may be in their hands the Treasury the amount of his Issues, for the months of January and February 1785, on his producing the proper certificate of the Comptroller of the Treasury ascertaining the Sum due.

That M^r Duer the present Contractor be authorised to supply the Rations which may be Issuable in the State of New York from the first day of March to the last day of December 1785, on the same terms as to price and payment at which he furnished the Rations from the first of May 1784 to the last of February 1785; Provided that if the said Rations should be required at any places more remote than the places of Issue specified in his former Contract it shall be at the Option of the Commissioners of the Treasury to disannul the said Contract giving to M^r Duer thirty days notice, unless he will agree to supply the said Rations at such an extra allowance for the amount of transportations, as in the opinion of the commissioners of the treasury shall be deemed equitable.

Provided, That if any time, after the last day of June next the Commissioners of the Treasury should judge it necessary to disannul the said contract they shall be at liberty to do the same on giving to the said William Duer Esq^r thirty days notice in writing, and paying such arrearages as may appear due on Settlement.

[And it appearing to your Committee that an immediate advance of money is necessary to enable the aforesaid contractor, [to] procure the supplies, Therefore Resolved, That] the Sum of three thousand dollars be advanced to the said William Duer on account of the aforesaid contract to be deducted from the amount of his Issues for the months of April and May.

That the President be directed to draw a Warrant on the Treasurer of the United States for the sum of three thousand dollars in favor of William Duer: and that it be Recommended to the Legislature of the State of New York to direct their Treasurer to advance the amount of the said Draft, it being indispensably necessary that means should be immediately taken for continuing the supply of Provisions.

And that the President draw a Warrant accordingly.¹

¹ This report, in the writing of Walter Livingston, except the part in brackets, which is in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 19, II, folio 145.

Resolved, That the treasurer of the United States be, and he is hereby directed to pay to William Duer, esquire out of any public monies which may be in the treasury, the Amount of his issues for the Months of January and february, 1785, on his producing the proper certificate of the Comptroller of the treasury, ascertaining the sum due.

Resolved, That Mr. Duer, the present Contractor, be authorised to supply the rations which may be issuable in the state of New York, from the first day of March to the last day of December, 1785, on the same terms as to price and payment, at which he furnished the rations from the first of May, 1784, to the last of February, 1785; provided that if at any time after the last day of June, the Commissioners of the treasury should judge it necessary to disannul the said Contract, they shall be at liberty to do the same on giving to the said William Duer, esquire thirty days notice in writing, and paying such arrearages as may appear due on settlement.

And whereas an immediate advance of Money is represented to be necessary, to enable the aforesaid Contractor to procure the supplies:

Resolved, That the sum of three thousand dollars be advanced to the said William Duer, on account of the aforesaid Contract, to be deducted from the amount of his issues, for the Months of April and May; and that the President draw a warrant accordingly.

The committee consisting [of Mr. Rufus King, Mr. William Samuel Johnson and Mr. Peirse Long] &c to whom was referred a report from M^r Pennel commissioner for the marine department relative to monies obtained in the island of martinique for the repairs and outfitts of the ship *Confederacy*, submit the following report—

That the S^r Borde correspondent of the commissary for naval supplies at the island of martinique furnished M^r Bingham, Agent of the U. S. in that island, with Bills of exchange drawn in his favor on the

commissary general, and paid by the Treasurer general of the French marine, to the amount of 64,067 Livres 12, 2½ which sum was requisite for the repairs and outfitts of the ship *Confederacy*, that M^r Bingham in a settlement of his accounts, charged the U. S. with that sum, as supplied through him by the Government of Martinique, which charge hath been allowed, and paid by the U. S. to M^r Bingham. Your committee cannot but presume that M^r Bingham before this time, must have paid over to the said correspondent of the Commissary General, or to such other person as may have had authority to receive the same, the aforesaid sum of 64,067.12.2½ paid him by the U. S. to discharge the Debt aforesaid

Whereupon they submit the following resolve—

Resolved, that the U. S. hold themselves eventually answerable to the S^r Borde correspondent of the commissary Gen^l of France for naval supplies for the sum of Ls 64,067.12.2½ Tournois, by him advanced to their agent M^r Bingham for the repairs and outfitts of their ship of war the *Confederacy*.

That the commissioners of the board of Treasury cause notice to be given to M^r Bingham late Agent of the U. S. in Martinique of the request made to Congress by the Treasurer general of the french marine for the payment of the aforesaid sum; and that they likewise communicate to M^r Bingham the direction of Congress that (provided the same is not already accomplished) he does without delay exonerate the U. S. from the debt aforesaid by applying for that purpose the monies by him received of the U. S. expressly for that object.¹

A motion being made by Mr. [Charles] Pinckney, seconded by Mr. [David] Howell, the same in substance as that moved yesterday by them; and on which the question being taken, was lost.

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, I, folio 355. The indorsement states that it was read on this day and January 11, 1786, referred to the Board of Treasury to take order.

On this day, the committee of January 17, on the letter from P. J. Van Berckel, of December 8, 1784, was discharged. The letter is in the *Papers of the Continental Congress*, No. 81, I, folio 491.

A Question of order was moved by Mr. [Jacob] Read, as follows:

The question before the house having been lost yesterday; is the Motion made by the hon^{ble} gentlemen from South Carolina in Order? ¹

The president calling for the judgment of the house; and on the question, the yeas and nays being required by Mr. [Elbridge] Gerry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}ay	Mr. Gardner,	ay
Long,	ay		Henry,	ay
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Gerry,	ay	}ay	Mr. McHenry,	ay
Holten,	ay		Hindman,	no
Partridge,	ay			
King,	ay			
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	}ay	Mr. Hardy,	ay
Howell,	ay		Monroe,	ay
			Lee,	ay
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook,	no	}div.	Mr. Williamson,	ay
Johnson,	ay		Spaight,	no
			Sitgreaves,	ay
<i>New York,</i>			<i>South Carolina,</i>	
Mr. W. Livingston,	ay	}ay	Mr. Read,	no
Platt,	ay		Bull,	ay
<i>New Jersey,</i>			Pinckney,	ay
Mr. Beatty,	no	}ay	<i>Georgia,</i>	
Cadwallader,	ay		Mr. Houstoun,	no
Stewart,	ay			*

So it was resolved in the affirmative.

The motion being then read; and on the question to agree to it, the yeas and nays being required by Mr. [Samuel] Hardy,

¹ This motion, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 36, II, folio 515.

<i>New Hampshire,</i>			<i>Pennsylvania,</i>			
Mr. Foster,	ay	}ay	Mr. Gardner,	ay	}ay	
Mr. Long,	ay		Henry,	ay		
<i>Massachusetts,</i>			<i>Maryland,</i>			
Mr. Gerry,	ay	}ay	Mr. McHenry,	ay	}div.	
Holten,	ay		Hindman,	no		
Partridge,	ay		<i>Virginia,</i>			
King,	ay		Mr. Hardy,	no	}no	
<i>Rhode Island,</i>		Monroe,	no			
Mr. Ellery,	ay	Lee,	no			
Howell,	ay	}ay	<i>North Carolina,</i>			
<i>Connecticut,</i>			Mr. Williamson,	ay	}no	
Mr. Cook,	ay		Spaight,	no		
Johnson,	ay	Sitgreaves,	no			
<i>New York,</i>			<i>South Carolina,</i>			
Mr. W. Livingston,	ay	}ay	Mr. Read,	no	}ay	
Platt,	ay		Bull,	ay		
<i>New Jersey,</i>			Pinckney,	ay		
Mr. Cadwallader,	no	}div.	<i>Georgia,</i>			
Stewart,	ay		Mr. Houstoun	no	*	

So it was

Resolved, That no future commission of a Minister, either generally or specially, to any foreign court, Charge des affaires or secretary to any foreign legation, shall continue in force for more than three years; the time from which it is to commence to be fixed in the Commission; at the expiration of which period, unless reappointed, such Minister or secretary shall cease to exercise such Office; provided always, that such Minister or secretary shall be considered as at all times subject to the recall of Congress within the term limited.¹

On the report of a Committee, Consisting of Mr. [James] McHenry, Mr. [Rufus] King and Mr. [Charles] Pinckney, to whom was referred a letter of the 17 from Elizabeth Thomp-

¹ This resolution was also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal, No. 4. A copy is in Secret Journal, No. 6, Vol. III.

son, late a domestic in the family of the Commander in Chief during the war, and who, by casualties, is reduced at the advanced age of 81 years to poverty and distress,

The committee, consisting of [Mr. James McHenry, Mr. Rufus King and Mr. Charles Pinckney] to whom were referred a letter signed Elizabeth Thomson, dated New York, 17 Feby., beg leave to report,

That it appears that Elizabeth Thomson was a respected and faithful domestic in the family of the late commander in chief, ~~that her property was destroyed by the fire in New York in 1776, by which calamity at a very advanced age~~ during the greatest part of the war and that through age and casualties she finds herself reduced to extreme poverty and distress, therefore,

Resolved, That the Board of treasury pay to Elizabeth Thomson ~~during her life~~ the sum of one hundred dollars ~~annually~~. (in hand [and] one hundred dollars annually in quarterly payments during her life.)¹

Unanimously resolved, That the board of treasury pay to Elizabeth Thompson, the sum of one hundred dollars immediately, and one hundred dollars annually, in quarterly payments, during her life.²

On the report of a com^{ee}, consisting of Mr. [John] Beatty, Mr. [Charles] Pinckney and Mr. [David] Howell, to whom was referred a Memorial of James Warren,

Resolved, That the Memorial of Mr. James Warren, be referred to the board of treasury, who are authorised to revise his Account, and to ~~make such an adjustment as shall be consistent with equity~~, report thereon to Congress.³

¹ This report, in the writing of Rufus King, except the words in parenthesis, which are in the writing of Charles Thomson, is in the *Papers of the Continental Congress*, No. 19, VI, folio 37. See *ante*, February 17.

² On this day, according to Committee Book 190, Mr. R. R. Livingston was nominated by Mr. [John] Beatty as U. S. Minister to the Court of London. The nomination was withdrawn February 24, renewed by Mr. [Walter] Livingston and again withdrawn.

³ This resolution, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 19, VI, folio 165. The words lined out are so in the resolution and are not in the Journal.

An Address of the Corporation of the Chamber of Commerce of the State of New York, to the United States in Congress Assembled, having been read;

Resolved, That the Secretary of Congress inform the Corporation of the Chamber of Commerce of the State of New York, "that the United States in Congress Assembled, have received with pleasure the address of so respectable a body of Citizens; that they are duly impressed with a sense of their dispositions to render the sessions of Congress convenient and agreeable; and to assure them that the extension and prosperity of trade shall not cease to be considered as intimately connected with the happiness and prosperity of the United States of America."

An Address of the Artificers, tradesmen and Mechanics of the City of New York, to the United States in Congress Assembled, having been read,

Resolved, That the secretary of Congress inform "The Artificers, tradesmen and Mechanics of the City of New York," that their cordial welcome and expressions of Confidence could not fail to be agreeably received by the United States in Congress Assembled; and that while Congress acknowledge the goodness of Divine Providence in concluding the American revolution, they experience additional gratitude in Contemplating the happiness of those who have suffered so severely by the calamities of war.¹

¹ This resolution, as the second paragraph to the report of the Committee reporting on the address of the Chamber of Commerce, is in the *Papers of the Continental Congress*, No. 20, I, folio 210. The address is in No. 43, folio 343.

Also, according to Committee Book No. 190, a petition of William Henry, clerk and steward on board the sloop *Hornet*, for a settlement of his accounts, was referred to the Secretary in the Marine Office. He reported March 14.

Also, the letters from Charles W. F. Dumas, Nos. 45, 46 and 50, were referred to the Secretary for Foreign Affairs.

Also, according to Committee Book No. 191, a report on the petition of Col. Ely was transferred.

MONDAY, FEBRUARY 21, 1785.

Congress assembled. Present as before.

On the report of a com^{ee}, consisting of Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. [Egbert] Benson, Mr. [Hugh] Williamson and Mr. [David] Howell, to whom were referred a Memorial from Francis Carboneaux, and the papers accompanying it,

Resolved, That one or more commissioners be appointed to repair to the Kaskaskies and Illionois settlements.

Ordered, That Thursday next be assigned for the election of one Com[missione]r.

Ordered, That the remainder of the report be committed.

The Delegates for South Carolina, laid before Congress a concurrent resolution of the house of Representatives and Senate, passed the 7 and 8 Feb^y, 1785, Authorizing and continuing the Delegates of that State now in Congress, to act as such until a New election takes place, and a sufficient number of the delegates so to be chosen, shall take their seats in Congress.

[Report of M^r Walter Livingston, M^r Richard Dobbs Spaight and M^r Joseph Gardner On petition of R. Phillips:]

That in consideration of the unavoidable expence to which M^r Phillips, Steward to the household of his Excellency the President of Congress has been exposed by several removals of Congress, he be allowed the Sum of dollars and that he be credited with the said Sum in the Settlement of his accounts.¹

¹ This report, in the writing of Walter Livingston, is in the *Papers of the Continental Congress*, No. 19, V, folio 153. The indorsement states that it was read on this day and "settled by Act 23 March 1787."

On this day, according to Committee Book 186, the committee of December 1, 1784, which was renewed January 24, on the letter of September 30, 1784, from the Superintendent of Finance regarding the Silas Deane accounts, brought in a report and Committee Book 191 notes that it was transferred.

Also, according to Committee Book No. 191, a report was delivered on the petition of Henry Remsen, Jr., which was acted upon March 22. See *ante*, February 14.

[Report of M^r Robert R. Livingston, M^r John Beatty, M^r James Monroe, M^r William Samuel Johnson, M^r Elbridge Gerry, M^r John Henry, M^r Rufus King:]

The Com: to whom was referred a motion of M^r Robert R. Livingston and two motions of M^r [James] Monroe relative to the western posts, together with a letter from Maj^r North, submit the following report:

That no measures having yet been taken by Great Britain for the evacuation of the western posts (as far as your committee have yet been able to learn) it becomes expedient in their opinion for the U. S. to pursue such steps as may tend to the security of their frontier, and facilitate their intercourse with the Indian nations within the same, as well as to promote and protect the navigation of the lakes by their Citizens.

That these objects will in the opinion of your Com: be in a great measure effected by taking posts on the Lakes Erie and Ontario as near as may be to those now occupied by the troops of his Britannick Majesty.

That a competent force for this purpose should be immediately raised and put under the command of a discreet and experienced Officer and that such arrangements should take place in the militia of these States, as will best enable them to give support to these measures if (unhappily) they should be productive of a rupture between the United States and his britannic majesty.

Your com: therefore report the following resolutions:

That 1,500 men be raised for three years in the following proportions—

New Hampshire	Delaware
Massachusetts	Maryland
Rhode Island	Virginia
Connecticut	N: Carolina
New York	S: Carolina
New Jersey	Georgia
Pensilvania	

That the Secretary in the war office immediately report the necessary arrangements for regimenting and officering them, dividing them into two regiments with a proper proportion of artillery, not being less than men.

That the States be respectively required to furnish their quota of Officers and men and to forward them to such place as the Secretary at War or the Officer that may be appointed to command shall direct.

That the pay of the privates be Dollars p^r Month exclusive of arms accoutrements and Cloathing; that the pay of the non commission officers bear the same proportion to that of the privates that it has heretofore done in the army of the U. S.

That it be recommended to such of the United States as border upon Canada to impose a duty of five per C^t ad Valorem at the place where they may be landed upon all goods imported from thence.

That it be recommended to the Citizens and Inhabitants of the U: S: to build vessels and to navigate the Lakes without restraint, the U S: engaging to extend to them their support and protection.

That the Ministers appointed to negotiate a treaty of commerce with Great Britain be instructed that it is the wish of Congress that the commercial intercourse to be established between the Subjects of his Britannick Majesty and these States be so regulated as that the U S: and his Britannick Majesty may be left at liberty to lay such restraints as they may respectively deem expedient on the commercial intercourse between these States and the inhabitants of Canada.

On the Letter from Major North, your com: report—

That he be referred to the Secretary in the war office to take order for the cleaning and repairing the arms in the magazines at Springfield and west point, and that he draw on the treasury for the necessary expence.

That if the Secretary in the war office should find it expedient to employ the troops at Albany or in its vicinity or those in Connecticut in this business that they be subject to his order and direction thereon.¹

¹ This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 30, folio 71. The indorsement states that it was read on this day. Committee Book, No. 191, states that it was filed. It was printed, and considered April 7, and referred to Mr. [James] Monroe, Mr. [William Samuel] Johnson, Mr. [Robert] R. Livingston, Mr. [Rufus] King, Mr. [John] Beatty, Mr. [John] Henry and Mr. [Gunning] Bedford, who reported April 11. A copy of the printed report is in No. 30, folio 397.

On this day, as the indorsement indicates, was read a petition of Anthony Broderick, Matthew Lindsley and John Dod, petitioning for a grant of land in the new state of Washington. On the report of the Committee of the Week it was filed. It is in No. 42, I, folio 342.

On this day, according to Committee Book 190, Isaac Smith was nominated by Mr. [John] Beatty for Commissioner to repair to Kaskaskies and Illinois.

Also, according to Committee Book 191, the committee of January 19, on the letter of January 5, from Joseph Howell respecting the claims of Captain Ayott, brought in a report which was passed *verbatim* February 24. It is in the *Papers of the Continental Congress*, No. 19, I, folio 187.

IN THE HOUSE OF REPRESENTATIVES
February the 7th, 1785.

On Motion,

Resolved, That the Delegates of this State now in Congress shall be authorized and continue to act as such until a new Election takes place and a sufficient number of the Delegates so to be chosen shall take their seats in Congress.

Ordered, That the Resolution be sent to the Honorable the Senate for their concurrence.

By order of the House,

JOHN SANDFORD DART
 C H R

IN THE SENATE 8 FEBY 1785

Resolved, That this House do concur with the House of Representatives in the above Resolution.

Ordered, That the said Resolution be sent to the House of Representatives

By order of the Senate

FELIX WARLEY
Clerk of the Senate.

IN THE HOUSE OF REPRESENTATIVES
February the 8th 1785

I do Certify that the within Resolutions are just and true, as taken from the Journals of the House of Representatives

By order of the House

JOHN SANDFORD DART
 C H R ¹

¹ The original is in the *Papers of the Continental Congress*, South Carolina, *Credentials of Delegates*. According to the indorsement it was read this day. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

FEBRUARY 21: The following committees were appointed: Mr. [Joseph P.] Cook, Mr. W. Livingston and Mr. [Zephaniah] Platt, Committee of the Week.

Mr. [James] McHenry, Mr. W. Livingston and Mr. [Pierse] Long, on letter of February 7 from the Secretary in the War Office regarding Peter B. Bruin. This committee was renewed August 8.

Mr. R. R. Livingston, Mr. [James] McHenry, Mr. [David] Howell, Mr. [Jacob] Read and Mr. [James] Monroe, on the report of the committee on the memorial of Francois Carbonneaux, respecting settlers at Kaskaskias and Illinois. A report was delivered March 14.

Mr. R. R. Livingston, Mr. [Jacob] Read, Mr. [James] Monroe, Mr. [Rufus] King and Mr. [John] Beatty, to consider and devise a plan for the general regula-

TUESDAY, FEBRUARY 22, 1785.

Congress assembled. Present as yesterday.¹

tion of the militia of these United States, in such manner as to render it most useful and least expensive to the respective States in order to ground thereon a recommendation relative to this object to the several States. The committee was discharged May 16 and the business referred to the Secretary at War.

Mr. [James] Monroe, Mr. [Zephaniah] Platt, Mr. [Jacob] Read, Mr. [Samuel] Hardy and Mr. [Richard Dobbs] Spaight on the letter from the Secretary for Foreign Affairs on the salary of an Under Secretary and books to be purchased for that Office. A report was rendered March 14. This seems to have been a recommitted report. See *ante*, February 2.

Committee Book, No. 190.

On this day, according to the indorsement, a report was rendered on a petition of Captain Pierre Ayott. It was passed on February 24, practically *verbatim*. See that date.

¹ On this day, according to the indorsement, was read a letter of May 15, 1784, from William Wikoff, respecting the claim of John Christian Buhler. It is in the *Papers of the Continental Congress*, No. 78, XXIV, folio 475.

Also, according to the indorsement, the committee to whom was referred John Jay's letter of February 15 and Stephen Sayre's, of the same date, moved the recommitment of the letters back to the Secretary for Foreign Affairs to investigate the facts and report thereon.

Also, according to Committee Book No. 186, the committee of January 19 on the memorial of George Meade, respecting the brig *Hope*, was this day discharged and the memorial referred to the committee on the letter from Cyrus Griffin and J. Lowell, which was appointed this day and consisted of Mr. [Jacob] Read, Mr. [Elbridge] Gerry, Mr. [Charles] Pinckney, Mr. [William Samuel] Johnson and Mr. R. R. Livingston. To this committee also was referred the letter of February 15 from the Secretary for Foreign Affairs on the "application of Mr. Prager for a rehearing of the cause Darby vs. brig *Aertsen*." This committee was renewed March 7.

Also, according to Committee Book No. 191, the committee of December 17, 1784, (Mr. John Bull, Mr. John Beatty and Mr. George Partridge) reported on the memorial of Henry Rutgers, Richard Lush and Jacob John Lansing, dated August 1, 1784, praying for pay for services rendered. The report was adopted, practically *verbatim*, on June 2. The memorial is in the *Papers of the Continental Congress*, No. 41, VIII, folio 339.

Also, on this day according to Committee Book No. 190, a letter of February 15 from the Secretary for Foreign Affairs and a letter of the same date from Stephen Sayre were referred to the Secretary for Foreign Affairs to investigate the facts and report. He reported April 7.

WEDNESDAY, FEBRUARY 23, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [Samuel] Hardy, to whom were referred a letter from the Supreme executive of the State of Pennsylvania, dated the 20 Dec^r; a letter of 24 Jan^r, from William Denning, Com^r for settling the accounts of the quarter Master's department, and sundry other letters and papers.

Resolved, That one additional commissioner be appointed in each of the states of Pennsylvania and Virginia, for liquidating and settling the accounts of individuals against the United States; whose duties, powers and allowance shall be the same as those of the other commissioners, who have been appointed pursuant to the act of the 20th of Feb^r 1782, and who shall not be an inhabitant of the State for which he shall be appointed.

That till the board of treasury are ready to discharge the duties of their Office, the Comptroller shall exercise the power of appointing such additional commissioners in the same manner as the late Superintendant of finance was authorised to do.

That the Commissioners in the states of Virginia and Pennsylvania, confine their settlements to such counties or districts as the supreme executives may direct.

Resolved, That the quartermaster general, Commissary of purchases, Commissary of issues, Commissary of forage, and all the late heads of departments or their successors or agents, be required without delay, to forward to the board of treasury or to the Comptroller, a list of their respective deputies who have been duly authorised to issue certificates. That the heads of departments aforesaid, and each of their deputies who have not settled their accounts, and all other persons who have issued certificates of debts due by the United

States, loan Office certificates, and certificates of final settlement excepted, be required forthwith to deliver to the board of treasury, or to some Commissioner of accounts in the State where such persons reside, a fair Abstract of all the certificates which they have issued, and they shall specify those certificates for which they have taken receipts as for cash paid, and a copy of those abstracts shall be transmitted by the board of treasury to the several Commissioners of Accounts to whom they may be of use in detecting frauds.

That a copy of these resolutions be published in the gazettes, or public News papers of the several States, and that if any person or persons so required as aforesaid, shall refuse or neglect, for the space of two Months from such publication, to deliver a full and just Account of the certificates he or they have issued, the board of treasury, or in case it is not at the time Organized, the Comptroller shall take proper steps for causing him or them to be prosecuted according to law.

Resolved, That the Commissioners of Accounts be instructed, to be careful how they admit charges against the United States, on certificates which are not duly supported by the Authority of Congress, and the accounts of the Officers who have issued them.

[Motion of Mr. George Partridge.]

Resolved, That the Act of Congress of the 25th of August, 1780, ordering "that the half pay of Gen^l officers shall be in proportion to their pay" ~~ought to~~ be considered as extending to the widows and Orphans of such Gen^l Officers as have lost their Lives in the service of the United States.¹

[Motion of Mr. Elbridge Gerry.]

Resolved, That all persons having unliquidated claims against the U. S. be required within twelve Months from the Date hereof to

¹ This motion, in the writing of George Partridge, is in the *Papers of the Continental Congress*, No. 21, folio 383. The indorsement gives it this date and states that it was referred to Mr. [George] Partridge, Mr. [David] Howell and Mr. [Hugh] Williamson, who reported February 28.

deliver such claims to the Commissioner in the State where such persons reside who is authorized to settle Accounts against the united States, and any person or persons neglecting or refusing to render their Claims as aforesaid, shall be precluded from any allowance adjustm^t thereof, unless ~~made by special~~ at the Board of Treasury

And whereas it is indispensibly necessary to ascertain the Amount of the foederal Debt and to provide for a faithful Discharge thereof, And inasmuch as a Delay of the Adjustment of the publick Acc^{ts} tends greatly to embarrass an Adjustment & the Measure and to encourage Fraud whereby the publick may be unjustly

Resolved, That ~~no longer than~~ twelve Months be allowed the Commissioners in the respective States to adjust ~~the~~ Accounts thereof, whether they respect the States or Individuals thereof, unless a further after which Time said Commissioners be discontinued unless in the opinion of the Legislature of any State the further Continuance in office of the respective Commissioner be necessary ¹

[Motion of Mr. David Howell.]

Resolved, That the Commissioners of accounts appointed under the resolution of Feb. 27, 1782 be instructed to keep their respective Offices in the place where Congress may hold their Sessions and that no person appointed or who may be appointed a Commissioner of accounts under the resolutions of Feb. 20, or 27, 1782, be permitted to be engaged either directly or indirectly in any trade or commerce whatsoever on pain of forfeiting his Office as Commissioner ²

¹ This motion, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 26, folios 523 and 533. It was referred, along with Howell's motion of this day, to Mr. Elbridge Gerry, Mr. Hugh Williamson and Mr. Samuel Hardy, who reported February 28.

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 26, folio 535. It was offered this day and referred, as was the Gerry motion above, to the same committee.

To this day was assigned the consideration of the report of a Grand Committee on a letter of October 28, 1783, from the Governor of Massachusetts relative to Continental bills of credit and old emissions. Thomson has so indorsed a broadside of the report which is in the Continental Congress broadsides in the Library of Congress.

On this day, according to the indorsement, the memorial of George Turner, praying for restoration of his rank in the Army, was negatived. It had been read December 8, 1784, and referred to Mr. [Jacob] Read, Mr. [William] Houstoun and Mr. [John] Bull, who reported February 16.

The Committee Consisting of M^r [Jacob] Read, M^r [Hugh] Williamson, and M^r [Samuel] Holten to whom was referred the Memorial and Petition of Henry Laurens Esq^r in behalf of Francis Eleanor Laurens, the orphan Daughter of John Laurens, Esquire deceased late a Lieut^t Colonel in the army of the United States and some time Commissioned by Congress Special Minister to the Court of France.

Beg leave to submit the following report,

Your Committee find that the Said L^t Col^o John Laurens deceased some time in the Month of August, 1777, entered as a Volunteer in the Service of the United States and acted as an Aid de Camp Extra to His Excellency Gen^l Washington.

That shortly after the Battle of Brandywine in September, 1777, he was given in public orders as an Aid de Camp to the Commander in Chief with the rank of Lieut^t Colonel.

That the said Lieu^t Col^o John Laurens Continued to Act in the Army, and so far gained the Attention of Congress that unsolicited by him Congress on the 5th Nov^r, 1778, *Resolved*, "That John Laurens, Esq^r, Aid de Camp to General Washington, be presented with a Continental Commission of Lieutenant Colonel in testimony of the Sense which Congress entertain of his Patriotic and Spirited Services as a Volunteer in the American Army, and of his brave Conduct in several actions, particularly in that of Rhode Island on the 29th of August last: and that General Washington be directed whenever an Opportunity should offer to give Lieu^t Colonel Laurens Command agreeable to his rank," which promotion and Commission he refused for the reasons set forth in his Letter contained in the Journals of Congress of the 6th November, 1778, and obtained on the day last Mentioned the high approbation of ~~that Honourable Body~~ the United States in Congress assembled for his disinterested and Patriotic principles Manifested on that occasion.

That on the 29th March, 1779, a Commission of Lieut^t Colonel was granted to the said John Laurens, who had till that period acted only as an Aid de Camp to the Commander in Chief.

That in December, 1780, the said L^t Col^o Laurens was Unanimously elected by the United States in Congress Assembled Special Minister to the Court of Versailles, and in obedience to the Instructions of Congress he without delay proceeded to France, accomplished the duties of his Mission and returned to America in August, 1781.

That on the 5th day of September, 1781, Congress *Resolved*, "That the Conduct of L^t Col^o Laurens in his Mission to the Court of Ver-

sailles, as Special Minister of the United States, is highly Agreeable to Congress and entitles him to public Approbation"; and at the same time at his request granted him leave to join the Army.

That the S^d L^t Col^o Laurens immediately repaired to his post of duty, was present and eminently Serviceable at the Siege and reduction of the British Army under the Command of Lieut^t Gen^l the Earl Cornwallis at York Town in Virginia in October, 1781, where he Acted as the Commissioner from his Excellency the Commander in Chief for settling the terms of Capitulation with the British General.

That the said Lieu^t Col^o John Laurens afterward joined the Army under Major General Greene in South Carolina, where he was particularly Active, had the Command of the light Troops and Advanced Corps of the Southern Army, and finally fell in bravely endeavoring with a small force to repel a Considerable detachment of the British Army, who were foraging on the River Combahee in the State of South Carolina on the 27th August, 1782.

Your Committee are informed and believe that the said L^t Col^o John Laurens never received any part of his pay as Lieut^t Col^o nor any Sallary or Allowance under his Commission of Specia. Minister excepting Certain sums which Appear Charged to his Account in the Treasurer's Books, Viz^t 8400 Livres paid him by Mons^r Grand in Paris by Orders from Doct^r Benjamin Franklin in the Spring of 1781, and 720 Spanish Dollars paid to him the 8th Sept^r 1781, By an order from the Honourable Robert Morris Esq^r Superintendant of Finance, Amounting in the whole to about £520 Sterling. That there is good ground to suppose these Sums were expended in defraying part of the Charges, which the deceased had incurred in the Active and expensive Service in which he had been employed in France, and on his return from thence by the way of Boston. Because it further appears, that for paying some part of his Expenses in France the deceased took up a Considerable sum of Money on the Credit of his Father the Hon^{ble} Henry Laurens Esquire.

That although it does not appear whether the said L^t Col^o Jn^o Laurens intended to demand either pay or Sallary from the United States, no Minutes or documents of Charge having as yet been found Among his papers or Come to the hands of the Honourable Henry Laurens his Father:

Yet your Committee are of opinion that as the deceased gallant and Meritorious Officer has left an orphan Daughter, the United

States should Consider themselves as bound to pay to the legal representative of the Said L^t Co^l John Laurens for his Child's use, all such sums as were in equity and justice due the Father.

Your Committee therefore recommend that it be *Resolved*—

That the Accounts of the late Lieut^t Col^o John Laurens be settled according to the rank he held in the Army of the United States to the time of his death.

That it be recommended to the State of South Carolina to allow the half pay of a Lieut^t Col^o to the Orphan Child of the late Lieut^t Colonel Laurens for the Term of Seven Years, and pass the same to the Account of the United States according to the Act of the 24th August, 1780.

That in settling the Accounts of the late Lieut^t Col^o Laurens as Special Minister to the Court of Versailles he be Allowed the same pay that was given at that period to the Ministers of the United States at foreign Courts from the time of his appointment to that Embassy until his return and that the Ballance remaining due for his Services as Minister be paid to his representatives.¹

The com^{ee} consisting of M^t [James] Monroe, M^t [Samuel] Hardy and M^t [Samuel] Holten to whom were referred the instructions from the State of Virginia to their delegates in Congress, dated 30 and 31 Dec^r, 1784, report as their Opinion:

Whereas it appears that the liquidation, and settlement of the Accounts between the U. S. and the State of Virginia and the inhabitants thereof is stopped by the resignation of M^t Turner the Com^t appointed pursuant to the act of the 20 feb^r 1782, And the Com^{rs} appointed to Constitute the board of treasury, are not yet ready to proceed in the execution of the duties of their Office.

[*Resolved*, That Andrew Dunsecomb be and he A. D. who was heretofore nominated by the late Superintendent and who has been since Approved by the State] be and he is hereby considered the Commissioner to settle to settle the Accounts between the U. S. and the State of Virginia and the inhabitants thereof and that his duties, powers and allowance be the same as those of the other Com^{rs} appointed under the Act of feb^r 1782. That the Comptroller notify the said A. D. of his Appointment and furnish him with a copy of the instructions

¹ This report, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 19, III, folios 471-475. It was acted on March 1.

given to the other com^{rs} and the several Acts and resolutions of Congress for his government, and direct him to proceed in the business with all suitable dispatch.¹

THURSDAY, FEBRUARY 24, 1785.

Congress assembled. Present as before.

Congress proceeded to the election of a Minister plenipotentiary, to represent the United States of America at the court of Great Britain; and, the ballots being taken, the hon^{ble} John Adams was elected, having been previously nominated by Mr. [David] Howell.²

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [Elbridge] Gerry and Mr. [William] Houstoun, to whom was referred a Memorial of Jedediah Leeds and Cy.

Resolved, That the treasurer of the United States be directed to pay to Jedediah Leeds and Cy. or their order, to the amount of five thousand and sixty three livres, six sols and eleven deniers, hispaniola currency, upon their giving to Capt. Barry a full discharge from the judgment obtained against him by the said Jedediah Leeds and Co^v at a superior court held at New London, in the State of Connecticut, on the fourth tuesday of Sept^r, 1784, and that the president issue his warrant accordingly.³

On the report of a committee, consisting of Mr. [George] Patridge, Mr. [John] Bull and Mr. [Samuel] Hardy, to whom was referred a petition of capt. Pierre Ayott, with sundry papers accompanying the same,

¹ This report, in the writing of Charles Thomson, except the part in brackets, which is in the writing of Samuel Holten, is in the *Papers of the Continental Congress*, No. 20, II, folio 315. It was passed March 10.

² This paragraph was also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

³ See *ante*, January 18.

On this day, according to Committee Book 190, the nomination of Mr. R. R. Livingston as Minister to the Court of London was withdrawn. It was renewed by Mr. W[alter] Livingston and again withdrawn.

Resolved, That the ~~paymaster gen^l~~ commissioner for settling the accounts of the Army be, and he is hereby directed, in settling the Accounts of capt. Pierre Ayott, to admit to his credit the pay of a captain, during the term of his serving as such in the army of the United States, or of his being held in a state of captivity, any want of form in his Commission notwithstanding: and that the president ~~be requested to~~ draw a warrant in his favour, on the treasurer of the United States, for three hundred dollars, to enable him to leave this city, and to return to Canada, which sum shall be deducted from the balance which may appear to be due to him on a settlement of his accounts.¹

On motion of Mr. [David] Howell, seconded by Mr. [Samuel] Hardy,

Resolved, That Monday next be assigned for the election of a secretary to the legation to the court of London.²

On the report of a committee, consisting of Mr. [Samuel] Hardy, Mr. [Hugh] Williamson and Mr. [John] Vining, to whom was referred a Memorial of William Finnie, late deputy quarter Master general in the southern department,

The Committee consisting of M^r [Samuel] Hardy, M^r [Hugh] Williamson and M^r [John] Vining to whom was referred the Memorial

¹ This report, in the writing of George Partridge, is in the *Papers of the Continental Congress*, No. 19, I, folio 187. The words lined out so appear in the report and not in the Journal.

On this day, according to the indorsement, was read Philemon Dickinson's letter, of February 18, of acceptance as a commissioner for the federal buildings. It is in the *Papers of the Continental Congress*, No. 78, VIII, folio 105.

The following memorandum, in the writing of David Howell, is in No. 81, I, folio 47. The formal demand for the delivery of Longchamps seems to have been made February 11:

"The Secretary for Foreign Affairs is requested to inform Congress when the Minister of France or Chargé des Affaires of France first made a demand that the person in question should be delivered up to his M. C. Majesty, to whom the demand was made, how often ~~and to whom~~ at what times and to whom the same may have been repeated previous to the present formal application to Congress?"

² This motion was also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

of William Finnie late deputy Quarter Master General in the Southern department beg leave to submit the following report, That it appears to your Committee that the said Finnie had a draft from the United States on the state of Virginia for five million three hundred and forty six thousand four hundred and thirty eight dollars, and 15/90. That he received from the treasury of Virginia the sum of two million four hundred thousand dollars. That under an expectation of receiving the remainder of the draft it appears that he entered into various Contracts in the line of his department, and among others with a certain Robert Gilbert of the City of Williamsburg for a number of boots to enable Col^o White's and Baylor's dragoons to join the Southern army; and which the said Gilbert refused to furnish unless the said Finnie would assume the payment for the same in his private Capacity. That the said Gilbert hath since commenced a Suit against the said Finnie, on his private Assumpsit and recovered judgement against him in the Court of Hustings in the City of Williamsburg for one hundred and ninety seven pounds specie. That the said Finnie preferred a Memorial to the Legislature of Virginia praying to be relieved against the said judgement And that a Committee of the said Legislature of Virginia, consisting of M^r Tazwell, M^r Carrington and M^r Maddison reported the Memorial reasonable, and directed the judgement and Costs to be discharged from the treasury of that Commonwealth, but which report was disagreed to by the House because the state of Virginia could receive no Credit for such an Advance in the Annual requisition from Congress without an order of Congress authorizing the same. Whereuppon your Committee came to the following resolution.

Resolved, That it be, and it is hereby recommended to the state of Virginia, to advance to William Finnie, late deputy quarter Master general, the sum of ~~one hundred and ninety seven pounds together with such further sum as shall reimburse him the cost~~ six hundred and fifty six dollars and two thirds of a dollar, the amount of a Judgment obtained against him by Robert Gilbert, for boots furnished col^o White's and Baylor's dragoons, together with the legal costs of the said suit and judgment; and that the same be credited to the State of Virginia, in the requisitions of Congress for the Year 1785.

Resolved, That the commissioners of the treasury, give Order for the settlement of the accounts of the said William Finnie, by the proper Commissioner, and take Order for the payment of what may be found due to him, or such part thereof as the state of the finances will admit, without giving him any undue preference to other creditors.¹

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Jacob] Read and Mr. [James] McHenry, to whom was referred a Memorial of capt. Paschke,

Resolved, That the settlement of captain Paschke's accounts, made at the treasury on the 1 Sept^r, 1783, be revised; and that in settlement he be not charged with the sums of Money granted to him in the resolution of May 16, 1780.

On Motion of Mr. [Jacob] Read, seconded by Mr. [Samuel] Hardy,

Resolved, by nine states, That in consideration of the zeal evidenced on many Octasions, for the service of the United States, by captain Paschke, the board of treasury do pay to him the sum of one hundred dollars, to enable him to return to his native country.²

FRIDAY, FEBRUARY 25, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Virginia, North Carolina and South Carolina; and from the State of Pennsylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.

The report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Samuel] Hardy and Mr. [Jacob] Read, to whom

¹ The report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 19, II, folio 271. It was read in Congress December 17, 1784. The words lined out are in the report and do not so appear on the Journal.

² On this day, as the indorsement states, was read a letter of Richard Butler on prevention of settlement on west side of the Ohio River. It is in No. 56, folio 145.

Also, a letter of February 18 from Robert Morris accepting appointment as Commissioner for federal buildings. It is in No. 137, appendix, folio 379.

had been referred a Motion of Mr. [Hugh] Williamson, being called for, and read as follows:

“That the Secretary in the War office be instructed to discharge such of the troops raised in pursuance of the Act of Congress of the 3^d of June last, as are not in actual service.”¹

The Committee of the Week [Mr. Joseph P. Cook, Mr. Walter Livingston and Mr. Zephaniah Platt] report, that the Petition of Anthony Broderick, Matthew Lindsey and John Dod; praying for lands in the state of Washington lay on the files.²

On the question to agree to the said report, the yeas and nays being called for by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}ay	Mr. Gardner,	ay
Long,	ay			
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Gerry,	ay	}ay	Mr. McHenry,	ay
Holton,	ay		Hindman,	ay
Patridge,	ay			
King,	no		<i>Virginia,</i>	
<i>Rhode Island,</i>			Mr. Hardy,	ay
Mr. Ellery,	no	}div.	Monroe,	no
Howell,	ay		Lee,	ay
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook,	no	}no	Mr. Williamson,	ay
Johnson,	no		Spaight,	ay
<i>New York,</i>			Sitgreaves,	ay
Mr. R. R. Livingston,	no	}ay	<i>South Carolina,</i>	
W. Livingston,	ay		Mr. Read,	no
Platt,	ay		Bull,	no
<i>New Jersey,</i>			Pinckney,	no
Mr. Cadwallader,	ay	}div.	<i>Georgia,</i>	
Stewart,	no		Mr. Houstoun,	no

So the question was lost.

¹ On this day, according to Committee Book No. 191, the Secretary for Foreign Affairs reported on the application of John M. Pintard for leave of absence to come to America. It was acted on July 14. It is in No. 80, I, folio 49.

² This report is in the *Papers of the Continental Congress*, No. 32, folio 593. It is undated, but belongs to this period. The petition from Broderick and others in behalf of certain inhabitants of New Jersey and Connecticut is in No. 42, I, folio 342.

[Motion of M^r James Monroe.]

Resolved, That agreeably to the condition of the act of cession from the State of Virg^a a commiss^r be appointed, who jointly with the com^r on the part of s^d State, shall be authoriz'd to appoint a third, and that they or a majority of them, shall be empowered to adjust and liquidate the acc^{ts} of s^d State agnst the U. S. for the necessary and reasonable expences incurred by that State for subduing any British posts or maintaining any forts or garrisons within, and for the defence or in acquiring any part of the territory ceded by s^d State to the U. S. ~~agreeably to s^d act of cession~~ That the advances of s^d State for the above purposes when liquidated ~~as above~~ and adjusted be deducted out of the requisition for the year 1785 ¹

The Committee consisting of M^r [David] Howell, M^r [James] Monroe, M^r [Charles] Pinckney, M^r R[obert] R. Livingston and M^r [Joseph] Gardner, appointed to revise the institution of the Office of the Secretary of Congress and to report such alterations as they may judge necessary—beg leave to report the following draft of an Ordinance:

An Ordinance for the regulation of the Office of Secretary of Congress ~~and for extending it to the Home Department.~~

Be it Ordained by the United States in Congress Assembled, that the Secretary of Congress ~~who~~ shall in future be charged with the ~~business of the home department~~, the following duties and shall keep his Office in or near the State House or building where the Sessions of Congress shall be holden.

He shall carefully preserve the Journals of Congress and all other Papers Committed to his charge, and such as are secret in their nature, or by special Order, shall not be communicated by him to any Person except Members of Congress and such Persons as may be entitled thereto by special resolutions.

He shall not deliver any original Journal out of his office nor shall he deliver any original Letter or Paper out of his Office without an order of Congress and a receipt therefor.

He shall deliver attested Copies of any resolutions of Congress, or public Papers in his Office not secret in their nature, or by Special Order to any Members of Congress, who may require the same ~~in~~ writing.

¹ This motion, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 19, I, folio 487. See *post*, February 28.

He shall transmit to the ~~Board of Treasury~~ Secretary for Foreign Affairs, to the Secretary for the War Department, to the Secretary of Marine, to the Commissioners of the Board of Treasury and to the Postmaster General all papers referred to them by Congress respectively, as well as an authenticated Copy of all Acts, Ordinances and resolutions of Congress touching their respective Departments.

He shall keep a daily account of all Memorials, Petitions and Communications received by Congress, noting therein their object and the steps taken respecting them, and lay the said Account, or register every day on the Table in Congress for the inspection of the Members.

He shall return such answers as Congress shall direct to be given to the Memorials, Petitions, and communications, except where Congress shall judge it proper that the same be given by their President, or where it shall be the duty of any of the Executive Departments to return such answer.

He shall transmit to the several States all Acts, Ordinances, resolutions and recommendations of Congress ~~attend to the execution of them~~ correspond with the States for the purpose of receiving communications from them ~~touching~~ relative to the execution of the same, and make report thereof to Congress, keeping a Book in which shall be entered copies of all such Letters and Communications.

He shall attend Congress during their session, and in their recess the Committee of the States, either in Person or by his Deputy, read the public dispatches, Acts, Ordinances and reports of Committees and make the proper Entries on the Journals.

He shall authenticate all Acts and proceedings of Congress not specially directed to be authenticated by their President, and keep a Register of all Treaties, Conventions, Ordinances and permanent Acts of Congress.

He shall cause to be made and laid upon the Table for every State represented in Congress, and for every Member appearing for any State unrepresented, a Copy of every Ordinance or report upon a matter of importance and not of a secret Nature, for the consideration of which a day is assigned.

He shall keep the Great Seal of the Federal Union and cause the same to be affixed, to every Act, Ordinance, or Paper Congress shall direct. He shall superintend the printing of the Journals, and other Publications ordered by Congress.

He shall keep a Book in which shall be noted in Columns the names of the several Members of Congress, the State which they represent, the date of their Appointment, and the term for which they are appointed.

Be it also Ordained, that the Salary of the Secretary of Congress and for the Home department shall be dollars per annum. That a Deputy Secretary in his Office shall be appointed by Congress, and allowed a Salary of Dollars per annum. That he be also authorised to appoint an Under Secretary in his Office who shall be allowed a Salary of dollars per annum, and such a number of Clerks as Congress may from time to time direct, each with an allowance of dollars, per annum.

That as well the Secretary of Congress and for the home Department, as the Deputy Secretary and Under Secretary Clerks previous to their entering on the duties of their respective Appointments shall take and subscribe the Oaths or Affirmation of fidelity and of Office prescribed in an Ordinance passed on the 27th day of Jan^y 1785 which Oaths shall be taken by the said Secretary before the President of Congress. And that all former resolutions for regulating the duties of the Office of the Secretary of Congress be and they are hereby repealed.¹

The Committee of the Week [Mr. Joseph P. Cook, Mr. Walter Livingston and Mr. Zephaniah Platt] report that a memorial purporting to be the petition of Samuel Warren, but without signature, lay on the files.²

¹ This report, in the writing of Benjamin Bankson, is in the *Papers of the Continental Congress*, No. 31, folio 275. The indorsement states that it was read on this day and Friday, March 4, assigned for consideration. See *post*, March 18 and March 31.

² This report is in the *Papers of the Continental Congress*, No. 32, folio 591. It is undated but Samuel Warren's petition praying for reimbursement for losses from an unpaid note of Benedict Arnold was read February 25. It is in No. 42, VIII, folio 314.

FEBRUARY 25: The following committees were appointed:

Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [Elbridge] Gerry, on letter from George Clinton, February 23, asking for reimbursement for advances made in 1776 and 1777. A report was rendered March 7.

Mr. [Rufus] King, Mr. [George] Partridge and Mr. [Archibald] Stewart, on the petition of Joanna Young, for half-pay. Mr. [William] Houstoun was added to this committee March 14 and a report was rendered March 22.

MONDAY, FEBRUARY 28, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Connecticut, Mr. [Joseph Platt] Cook, and from Georgia, Mr. [William] Houstoun.

On the report of a com^{ee} consisting of Mr. [George] Partridge, Mr. [David] Howell and Mr. [Hugh] Williamson, to whom was referred a Motion relative to the half-pay for seven years, to which the widows of Officers who have died in the service are entitled,

Resolved, by Nine States, That the act of Congress of the 25 August, 1780, on the half pay of general Officers, ought to refer, and the same is hereby declared to refer, as well to the resolution of the next preceding day relative to the same subject, as to that of the 15 of May, 1778.¹

The Comm^{ee} to whom was referred a Motion made in Congress relative to half pay for seven years &c. report.

Your Comm^{ee} find that on the 15th of May, 1778, Congress passed the following resolution, viz., that all military Officers commissioned by Congress who now are or hereafter may be in the service of the

Mrs. Young's petition is in the *Papers of the Continental Congress*, No. 42, VIII, folio 467.

Mr. [David] Howell, Mr. [Richard Dobbs] Spaight and Mr. R. R. Livingston, on the report on letter from Arthur Lee, March 10, 1784, asking compensation for services as corresponding agent. See *post*, March 1.

Mr. [Elbridge] Gerry, Mr. [Rufus] King and Mr. [John] Beatty, on the motion of Mr. [James] Monroe, for appointing the commissioners to settle the accounts of Virginia for expences in occupying and defending the western territory ceded by Virginia to the United States. A report was rendered February 28.

¹ On this day, as the indorsement states, was read a petition of Stacy Potts, praying appointment as Register of the new state to be formed on the Ohio River. It is in the *Papers of the Continental Congress*, No. 42, VI, folio 298. See *post*, March 4.

Also, on this day, according to Committee Book No. 190, Mr. Henry Marchant was nominated by Mr. [William] Ellery as Commissioner to repair to Kaskaskies and the Illinois, and Col. William S. Smith was nominated by Mr. [James] McHenry.

United States and shall continue therein during the war and not hold any office of profit under these states or any of them shall after the conclusion of the War be entitled to receive annually for the term of seven years if they live so long one half of the present pay of such Officers, provided that no Gen^l Officer of the Cavalry, infantry or artillery shall be entitled to receive more, than one half part of the pay of a Col^o of such corps respectively; and provided that this resolution shall not extend to any Officers in the U. States unless he shall take the oath of allegiance to, and shall actually reside within some one of the U. States—That on the 24th of Aug^t, 1780, Congress passed the following act viz. That the Resolution of the 15th of May, 1778, granting half pay for seven years to the Officers of the Army who should continue in the service to the end of the war be extended to the Widows of those Officers Who have dyed or shall hereafter dye in the service to commence from the time of such Officer's Death and continue for the term of seven years, or if there be no widow, or in case of her intermarriage, the half pay to be given to the Orphan Children of the Officer dying as aforesaid, if he shall have left any, and that it be recommended to the Legislatures of the respective states to which Officers belong to make provision for the paying the same on Account of the United States.

Your Comm^{es} also find that on the next Day viz. on the 25th of Aug^t, 1780, Congress passed a Resolution in the words following viz. Resolved, that the half pay of General Officers be in proportion to their pay

Whereupon your Comm^{es} submit the following Resolution.¹

The Committee consisting of Mr. [Elbridge] Gerry, Mr. [Hugh] Williamson and Mr. [Samuel] Hardy to whom was referred a motion of Mr. Gerry and a Motion of Mr. [David] Howell submit the following resolves:

Whereas it must conduce to the preservation of public Credit and the equal distribution of Justice that the amount of the national Debt be ascertain'd with the utmost expedition And as delay in the settlement of Accounts tends to render them obscure and to encourage Frauds by preventing the means of detecting them, resolved

That all Persons having unliquidated claims against the U. S. be required within 12 months from the date hereof to deliver such Claims

¹ This report, in the writing of George Partridge, is in the *Papers of the Continental Congress*, No. 21, II, folio 373. According to the indorsement it was entered, read, and passed this day,

to some Commissioner in the State in which they respectively reside who is authorized to settle accounts against the U. S; and any Person or Persons neglecting ~~refusing~~ to deliver their Claims as aforesaid shall be precluded from any adjustment of the same except at the Board of Treasury.

Resolved that all Persons who shall neglect to deliver in their Claims as aforesaid to the Commissioner of Accounts within one Year or to the Board of Treasury within two Years from the date hereof shall be excluded from the Benefit of settlement or allowance.

Resolved that the Commissioners of Acco^{ts} appointed under the Resolutions of 27th Feb^y 1782 be instructed to remove their respective Offices to the Place in which Congress resides before the first of May next unless such of them as by special Order of Congress have been appointed to settle Accounts in some other Place.¹

The Committee [Mr. Hugh Williamson, Mr. Elbridge Gerry and Mr. Joseph Gardner] to whom were referred a motion of M^r [Hugh] Williamson and a motion of M^r [David] Howell respecting News Papers submit the following Resolves.

That Congress be supply'd with three Copies of such News Paper from each state, as may be published by the Printer for the State, or by such other Printer as the Delegates from the state may recommend, which Papers shall be filed in the Office of the Secretary and in the Committee Rooms in such manner that they may be preserved and ready for occasional Inspection.

That Congress be supply'd every day on which a News Paper is published in the Place of their Residence with a Copy for each Member and three Copies to be filed of such Paper as may be recommended by the Delegates from the State.

That the Instructions given the Sec^y on the 2 Dec^r 1784, respecting News Papers be repealed. Ordered, That the foregoing report be referred to the Secretary of Congress to take Order. ²

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 26, folio 527. According to the indorsement, it was read this day and Thursday March 17 assigned for consideration. It was so considered and passed that day. A rough draft by Williamson, with changes by Gerry, is on folio 519. A printed copy with ms. alterations to the final, adopted form is on folio 515.

² This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 23, folio 217; the order is entered in Resolve Book No. 123, p. 1.

[Report of the Committee on the administration of the Department of the Post Office.]

The Committee consisting of M^r [Hugh] Williamson, M^r [Jacob] Read, M^r [Elbridge] Gerry, M^r [Rufus] King, and M^r W[illiam] Livingston who were appointed pursuant to the Act of June 17th, 1782, to enquire into the Proceedings of the Department of the Post Office beg leave to Report,

That it appears by a Letter from the Post Master Gen^l that after defraying the Expences of the Post Office during the last Year there was a Balance remaining in favour of the Office of 1,981 Dlrs. which has been paid into the Treasury of the U. S. which Payment completes 5,878 Dollars, that have lately been paid in Discharge of Debts contracted during the War by the Post Office.

Your Committee nevertheless think it their duty to report that they have heard many Complaints of the want of Expedition in the Postage of Letters and they have observed some Instances of very exceptionable Delay. Your Committee have also heard Complaints that sufficient Regard is not had to the Safety of Letters and Packets which are committed to the Post Office and they apprehend that those Complaints which are very frequent may have some Foundation, Wherefore they submit,

That a Committee be appointed to prepare an additional Ordinance for the better regulating of the Post Office.¹

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 61, folio 529. The indorsement states that it was read on this day and passed.

FEBRUARY 28: The following committees were appointed:

Of the Week Mr. [Abiel] Foster, Mr. [Archibald] Stewart and Mr. [William] Hindman.

Mr. [Hugh] Williamson, Mr. [Archibald] Stewart and Mr. [David] Howell, on the memorial of Dr. John Morgan for payment of the balance due him. A report was rendered April 1. Morgan's memorial is in No. 41, VI, folio 385.

Mr. [Zephaniah] Platt, Mr. [Hugh] Williamson, Mr. R. R. Livingston, Mr. [Lambert] Cadwallader and Mr. [Samuel] Hardy, on the memorial of the Contractors for the Moving Army, 1782, on the failure of contract on the part of the U. S. and praying to settle the matter by arbitration. A report was rendered and the committee renewed April 5.

Mr. [Pierse] Long, Mr. [George] Gardner and Mr. [Samuel] Hardy, on the memorial of Jotham Blanchard, who is being sued for contracts made to supply the army in 1779, and a petition of Robert Patton for compensation for services.

TUESDAY, MARCH 1, 1785.

Congress assembled. Present as yesterday.

A motion being before the house, That the Salary of the Secretary for the war department shall be 3000 dollars per Annum.

On the question to agree to this, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardner,	no	}no
Long,	no		Henry,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Gerry,	ay	}ay	Mr. M ^c Henry,	ay	}ay
Holten,	no		Hindman,	ay	
King,	ay		<i>Virginia,</i>		
<i>Rhode Island,</i>			Mr. Hardy,	ay	}ay
Mr. Ellery,	no	}no	Monroe,	ay	
Howell,	no		Lee,	ay	
<i>Connecticut,</i>			<i>North Carolina,</i>		
Mr. Cook,	no	}*	Mr. Spaight,	ay	}ay
<i>New York,</i>			Sitgreaves,	ay	
Mr. W. Livingston,	ay	}ay	<i>South Carolina,</i>		
Platt,	ay		Mr. Read,	ay	}ay
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Cadwallader,	ay	}div.	<i>Georgia,</i>		
Stewart,	no		Mr. Houstoun,	ay	}*

So the question was lost.

A report was rendered on Blanchard's memorial March 4 and on Patton's March 28.

Mr. [Samuel] Hardy, Mr. [Elbridge] Gerry, Mr. [Hugh] Williamson, Mr. [Jacob] Read and Mr. [William] Houstoun, to prepare an additional ordinance for the better regulating of the post office. This committee was renewed March 14.

Committee Book No. 190.

Also on this day "all the letters and papers this day received from Ministers at Paris, Dumas and Brannmuller" were referred to the Secretary for Foreign Affairs. See *post*, May 11.

On this day, also, according to the indorsement, a report was rendered by the committee of February 25, on the motion of Mr. [James] Monroe, of that date. It is in No. 30, folio 571. It was read this day and Monday next assigned for electing the commissioner. The report was passed, *verbatim*, April 13.

It was then moved, that the Salary of the Secretary at war be two thousand five hundred dollars per Annum.

On the question to agree to this, the yeas and nays being required by Mr. [Samuel] Holten,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	ay	}ay	Mr. Gardner,	ay	}ay
Long,	ay		Henry,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Gerry,	ay	}ay	Mr. M ^c Henry,	ay	}ay
Holten,	ay		Hindman,	ay	
King,	ay		<i>Virginia,</i>		
<i>Rhode Island,</i>			Mr. Hardy,	ay	}ay
Mr. Ellery,	no	}no	Monroe,	ay	
Howell,	no		Lee,	ay	
<i>Connecticut,</i>			<i>North Carolina,</i>		
Mr. Cook,	ay	}*	Mr. Williamson,	ay	}ay
<i>New York,</i>			Spaight,	ay	
Mr. W. Livingston,	ay	}ay	Sitgreaves,	ay	
Platt,	ay		<i>South Carolina,</i>		
<i>New Jersey,</i>			Mr. Read,	ay	}div.
Mr. Cadwallader,	ay	}ay	Pinckney,	no	
Stewart,	ay		<i>Georgia,</i>		
			Mr. Houstoun,	ay	}*

So the question was lost.

Congress proceeded to the election of a Secretary to the legation to the court of Great Britain, and, the ballots being taken, Col. William Smith was elected, having been previously nominated by Mr. [James] McHenry.¹

On the report of a com^{ee}, consisting of Mr. [Jacob] Read, Mr. [Hugh] Williamson and Mr. [Samuel] Holten, to whom was referred a Memorial and petition of Henry Laurens, Esq^r in behalf of Frances Eleanor Laurens, the orphan daughter of John Laurens, esq^r deceased, late a lieut: col. in the army of the United States, and sometime since commissioned by Congress special Minister to the Court of France;

¹ This paragraph was also entered in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

Resolved, That the accounts of the late lieut. colonel John Laurens, be settled according to the rank he held in the army of the United States, to the time of his death.

Resolved, That it be, and it hereby is recommended to the State of South Carolina, to allow the half pay of a lieut. col., to the orphan child of the late lieut: colonel J. Laurens, for the term of seven years, and pass the same to the account of the United States, according to the act of the 24 August, 1780.

Resolved, That in settling the accounts of the late lieut. col. J. Laurens, as special Minister to the court of Versailles, he be allowed the same pay that was given at that period to the Ministers plenipotentiary of the United States at foreign courts, from the time of his appointment to that Embassy, until his return, and that the balance remaining due for his services as Minister, be paid to his representatives.¹

The Committee [consisting of Mr. David Howell, Mr. Richard Dobbs Spaight and Mr. R. R. Livingston] to whom was recommitted a report on a Letter from M^r Arthur Lee dated March 10, 1784, requesting compensation for his services and expences, as corresponding Agent in London, beg leave to submit the following report.

Your Committee find that M^r Arthur Lee being Agent for one or more of the Colonies at the Court of G. Britain, the Congress held in the year 1774 employed him with the other Colony Agents to transact their affairs in England and to transmit intelligence of the conduct and designs of the British Ministry and parliament. That about Nov., 1775, he was by a Committee of Congress for Foreign Correspondence appointed a corresponding Agent in London, that he faithfully executed that trust, and from time to time, both before and after that appointment gave early and authentic accounts of the designs and plans of the British Administration against these States,

¹ On this day, according to Committee Book No. 190, Col. William S. Smith was elected a commissioner to repair to Kaskaskies and Illinois. See *ante*, February 28.

On this day, as the indorsement states, was read a memorial of Thomas Wylie and John Jordan and referred to the Commissioners for settling the accounts of the army to report. On August 9, 1785, the report of the commissioners was referred to Mr. [William] Grayson, Mr. [Samuel] Hardy and Mr. [Elbridge] Gerry. The memorial is in No. 41, X, folio 669. Committee Book No. 190 shows that the report of the committee was filed.

Also a petition of Ephraim Darby, for appointment as surveyor, which is in No. 42, II, folio 317.

at considerable risque of his personal safety, and rendered them other essential Services well known to those who were then of the Secret Committee in Congress. That he continued in that office untill he was appointed by Congress one of the Ministers of the U. States at the Court of France in October, 1776. That the said Committee engaged to make him compensation for his services and expenses and advanced to him two hundred pounds Sterling on that account, and that he has exhibited to your Committee an account of extra expenses amounting to one hundred and forty-five pounds Sterling, £145.0.0 Stg. which your Committee are of opinion should be allowed, and that he be allowed for his services and ordinary expenses as corresponding Agent from Nov., 1775, to Oct^r 1776, the Sum of and that deducting the Sum of two hundred pounds paid by the Committee there remains due to M^r Lee the Sum of

Whereupon your Committee recommend to Congress the following resolution,

Resolved, That the Hon. Arthur Lee Esquire be allowed the Sum of £445 Sterling in addition to the Sum of two hundred pounds Sterling which he received of the Committee of Foreign correspondence in full compensation for his services and expences as corresponding Agent in London for the U. States previous to his appointment as one of their commissioners at the Court of Versailles in October, 1776.¹

¹This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, III, folio 515. According to Committee Book No. 191 it was acted on March 4.

MARCH 1: The following committees were appointed:

Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [Elbridge] Gerry, on a report on a letter from Mr. R. R. Livingston as to money in his hands and expenses in his office. Report was rendered March 7.

Mr. [Elbridge] Gerry, Mr. [James] Monroe and Mr. [Samuel] Hardy, on a motion made this day for transmitting to Loan Officers lists of the final settlements of the army "to detect frauds in the negotiation of the certificates"; and that the Loan Officers pay the interest. Report was rendered March 4.

Mr. [Richard Dobbs] Spaight, Mr. [James] Monroe and Mr. [Rufus] King, on the petition of Col. Silas Talbot for half pay or commutation. Report was rendered March 7. Talbot's petition is in 42, VII, folio 467.

Mr. [Samuel] Hardy, Mr. [Jacob] Read and Mr. R. R. Livingston, on "Motions for adjourning from tuesday to thursday and for assigning particular days to part. subjects." The committee was discharged August 8.

Committee Book No. 190.

Also, John Adams' letter of June 22, 1784, respecting a circular letter to the sovereigns of Europe, was this day referred to the Secretary for Foreign Affairs, who reported March 4.

THURSDAY, MARCH 3, 1785.

Only six states attending; namely, New Hampshire, Rhode Island, New York, Maryland, Virginia and North Carolina; and from the State of Pennsylvania, Mr. [Joseph] Gardner; and from South Carolina, Mr. [Jacob] Read.

The president adjourned Congress till ten o'clock to-morrow.

FRIDAY, MARCH 4, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Connecticut, Mr. [Joseph Platt] Cook, and from Georgia, Mr. [William] Houstoun.

An Ordinance for ascertaining the Mode of locating and disposing of Lands in the Western territory, was read a first time:

Ordered, That tuesday next be assigned for the second reading of the said Ordinance.¹

The committee consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery, Mr. [James] McHenry, Mr. [David] Howell and Mr. [William Samuel] Johnson to whom was referred the Petition of Mr. Sam^l Parsons submit the following Resolves

That the Comptroller of Accounts in the Treasury be instructed to settle the Accounts of Mr. Samuel Parsons against the U. S. according to the Act of 2nd July, 1782.

That Mr. Parsons be refer'd to the State of South Carolina for the settlement of his Account for such goods as he may have ship'd at the Instance of the Honble John Rutledge Esq^r then Governor, for the Use of that State.²

On the report of a com^{ee}, consisting of Mr. [David] Howell, Mr. [Richard Dobbs] Spaight and Mr. R. R. Livingston, to

¹ See Bibliographical Notes for 1785.

² This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 21. According to the indorsement it was delivered March 1, read March 5 and passed March 8. Committee Book No. 191, however, records the report as having been made March 4.

whom was recommitted a report on a letter from Mr. Arthur Lee, dated March 10, 1784, corresponding agent in London,

Resolved, by nine States, That Arthur Lee, esquire be allowed the sum of one thousand nine hundred and seventy seven dollars and seventy ninetieths of a dollar, in addition to the sum of two hundred pounds sterling, which he received of the Committee of Secret Correspondence, in full compensation for his services and expences, as corresponding Agent in London for the United States, previous to his appointment as one of their Commissioners at the court of Versailles, in October, 1776.¹

On the report of a com^{ee} consisting of Mr. R. R. Livingston, Mr. [James] McHenry, Mr. [David] Howell, Mr. [Jacob] Read and Mr. [James] Monroe, to whom was referred a Memorial of Mr. Carboneaux,

Resolved, (by nine States) That three hundred dollars be advanced to Francois Carbonneaux, Agent for the Inhabitants of the Kaskaskies and St. Vincents, for which sum he is to be accountable; and that the president draw a warrant accordingly.

On Motion of Mr. [Samuel] Hardy, seconded by Mr. [Samuel] Holten,

Resolved, by nine States That in future the salary of the Secretary at War, be twenty four hundred and fifty dollars annually.²

~~On the report of a committee consisting of Mr. Monroe, Mr. Hardy and Mr. Holten, to whom were referred the instructions from the State of Virginia to their delegates in Congress, dated 30 and 31 Dec^r 1784,~~

¹ This resolution was also entered in the manuscript Secret Journal, Foreign Affairs, No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

² On this day, according to Committee Book No. 191, the report of the Secretary for Foreign Affairs on John Adams' letter of June 22, 1784, was delivered, read and filed. It is in No. 81, I, folio 53.

The Committee consisting of &c. [Mr. Pierse Long, Mr. Joseph Gardner and Mr. Samuel Hardy] to whom was referred the memorial of Jotham Blanchard, Report, That on the final settlement of said Blanchard's Acc^{ts} a Ballance remains due to him of 2,573⁶/₁₀ Dollars, some considerable part of which he represents to have been advanced by him in cash to procure a quantity of salt for which he was obliged to make use of the Credit of one Rob^t Fletcher Esq, who is now sued for the money, and will soon be distressed therefor, unless he the s^d Blanchard can receive the Ballance due to him. They therefore beg leave to submit the following resolution

That when the Board of Treasury shall be formed, they take order for the payment of as much of the Ballance due to Jotham Blanchard as the State of the treasury will admit—without giving him any undue preference to other Creditors.¹

[Motion—for informing the States respecting Barbary Nations. Referred to M^r Jacob Read, M^r Robert R. Livingston, M^r Lambert Cadwallader.]

That the Secretary do forthwith Communicate to the Executive of the Sev^l States, that Congress ever Mindful of the Safety and Welfare of the Citizens of the U. S. have taken the most Effectual Means in their power to carry into Execution their Instructions of the day of 1783 to their Minister Plenipotentiary in Europe, for ~~im-~~mediately speedily forming Treaties of Amity with the Emperor of Morocco, and the Regencies of Algiers, Tunis and Tripoli, and for ascertaining the forms of Sea Letters, passed, and other proper Documents for the free Navigation of the Mediterranean Sea. ²

[Motion of Mr. R. R. Livingston.]

That the Secretary for foreign Affairs be directed to transmit to the Gov^{rs} of the respective States a copy of the instructions given to the Ministers of these States in Europe so far as they relate to forming treaties with the Barbary powers together with the subsequent resolu-

¹ This report, in the writing of Pierse Long, is in the *Papers of the Continental Congress*, No. 19, I, folio 391. According to the indorsement it was read this day and acted on March 7. Blanchard's memorial is in No. 41, I, folio 395.

² This motion, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 36, II, folio 523. The committee reported March 14.

tions of Congress on that subject without however specifying the sum ~~voted~~ appropriated by Congress for that purpose.¹

The Committee consisting of [Mr. Elbridge Gerry, Mr. James Monroe and Mr. Samuel Hardy] to whom was referred a Motion [of March 1] submit the following Report,

To enable the Commissioners of the continental Loan offices in the several States to detect Frauds in the Negotiation of the Certificates issued by the paymaster General, and to pay the Interest of such Certificates agreeably to the Appropriations of Congress.

Resolved, That the Board of Treasury or previous to their Meeting, the Comptroller of the Treasury be directed to ~~forthwith~~ transmit from Time to Time to the several Commissioners of the continental Loan offices Lists of all the Certificates issued by John Peirce paymaster General, specifying the Dates, Numbers, Names of persons to whom issued, and Amount of such Certificates respectively, and that on the Receipt of the Lists of such Certificates, or of any part thereof, the Commissioner of the continental Loan office in each State be authorized and directed to pay to the Citizens thereof the Interest due to them to the last Day of the Year 1782 on such Certificates in the Mode which the Legislature of the State may direct pursuant to the Requisition of Congress of the 27th of april and a Resolution respecting Facilities of the 28th of april, 1784, and to endorse on the back of each Certificate the Time to which the Interest shall have been paid and Amount thereof, provided that the Date, Numbr, Name and Sum shall correspond with lists to be so transmitted, and provided also that the Holders of the said Certificates respectively, shall receive the Interest due thereon as aforesaid from the continental loan officer of the State in which they reside, although the Debt may not have been contracted in such State upon producing to him a Certificate from any Justice of the peace of the s^d State, that they have taken the foll^s oath or affirmation Viz.

I do solemnly swear or ~~(if a Quaker)~~ affirm, that I am the ~~bona fide~~ true real and sole proprietor of the foll^s certificates issued by John Peirce paymaster General (or that I hold them in Trust as Executor or Administrator to late a Citizen of the State of)

¹ This motion, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, II, folio 521. It was referred, along with Mr. Jacob Read's motion, to the same committee, and a report on both was rendered March 14.

(as the case may be) viz^t 1 Certificate dated N^o pay^d
to and amounting to &c.¹

The Committee consisting of Mr. [Samuel] Hardy, Mr. [William] Houston, Mr. [Jacob] Read, Mr. [Hugh] Williamson and Mr. [Samuel] Holten, to whom was referred the Report of a Committee on the State of SOUTHERN INDIAN AFFAIRS, beg leave to submit the following Report:

That commissioners, with the same pay that is allowed the commissioners for treating with the northern Indians, be immediately appointed to form a treaty or treaties with the Indians in the southern department, for the purpose of making peace with them, receiving them into the favor of the United States, and ascertaining the boundary lines by which the settlements of the citizens of the United States are or ought to be separated and divided from the Indian villages and hunting grounds; and thereby if possible extinguishing animosity, and preventing in future any contention or disquiet.

That the southern department be considered as extending so far north as to include the Cherokees, and so far south as to include all the other nations or tribes of Indians who reside within the limits of the United States, or have been at war with them, or any of them.

1. That the commissioners be instructed as a preliminary, to require that all prisoners of whatever age or sex among the Indians, and all slaves or other fugitives, shall be delivered up.

2. That the Indians be informed that their former ally the king of Great Britain unprovoked, waged a cruel and bloody war against the United States; that he equipped and sent forth powerful fleets upon our coasts to destroy our trade, and great armies amongst us to waste our country; but that after a conflict of eight years, during which two of those armies were defeated and captured, Great Britain has been compelled to relinquish to the United States, by a treaty which was signed on the 3d of September, 1783, all claim to that vast country which is included between St. Croix and St. Mary's rivers, and between the ocean and the great lakes; that is to say, (here describe the bounds according to the 2d article in the treaty of peace.) That

¹ This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 26, folio 513. Committee Book No. 190 states that the report was made March 4. The indorsement of the report says that it was read March 5, Wednesday 9 March assigned for consideration and 19 Sept. 1786 filed. Committee Book No. 191 states that it was referred to the Grand Committee.

the Indians who taking advantage of our troubles, have assisted the British king, and waged war against the frontier inhabitants, are now in our power and at our mercy; that we might return their cruelty on their own heads, but that we prefer clemency to severity, and are perfectly willing to bury in perpetual oblivion, all remembrance of past injuries, and to consider them as friends and allies; that we assuredly shall not violate our promises to them, or suffer others to molest them with impunity.

3. That the commissioners be instructed to enquire what are the true limits of the lands which have been purchased at different times from the Indians in the southern states, by persons having lawful authority to make such purchases; and when the limits are described and agreed on to the satisfaction of the commissioners, measures shall be taken for running a line of division where there is not any natural boundary, in order to prevent mistakes or the plea of ignorance.

4. That the commissioners, previous to their holding any treaty, shall give due notice of the time and place where it is to be held, to the supreme executives of the four southern states, in order that they may each of them appoint one or more persons to attend during the treaty, to explain the extent of the different purchases which have been made from the Indian tribes for the use of their respective states.

5. That the Indians be informed, that we shall not encourage any of our citizens who may presume to hunt or settle on their side of the boundary line, nor shall any of them cross it unless for the friendly purpose of supplying their wants and partaking of their trade. That if any of our citizens shall settle on their lands, they shall immediately warn such persons or persons to remove, and shall complain of the offence to Congress, or the Commissioners of Congress, or to the governor of the nearest state; and if the offenders shall not remove within six months after such warning and complaint, the Indians may consider them as disorderly persons and compel them to retire. But the Indians are to be careful that they do not injure the innocent trader on account of the offences of disorderly settlers; nor are they in any case to injure one man for the crimes of another, nor under any pretence to cross the boundary line to injure a citizen of the United States. For an offence against any state or any citizen of the United States will be considered as an offence against all, and punished accordingly.

6. That the commissioners be instructed to encourage the Indians to give notice to Congress, or some of their officers, of any designs that may be formed in any neighbouring tribe against the peace of the United States, and if any persons shall come among them under the pretence of trading, or for other purposes, and shall propagate evil reports or endeavour to promote quarrels between them and the citizens of the United States, they shall consider such persons as enemies, who for private and wicked purposes wish to involve them in a destructive war, and they shall expel such persons from their country. So shall peace be preserved, and a friendly intercourse maintained between the citizens of the United States, and the Indians who are their faithful allies, as long as the waters continue to flow, or the sun to shine.

7. That agents be appointed to reside occasionally among the Indians, to superintend their trade, to be informed of their wants, and to prevent frauds from being practised against them. Each of those agents shall attend to the affairs of such district as may be pointed out by the commissioners, and receive dollars per annum for their trouble and expence.

8. That the commissioners be authorised to draw on the state of South Carolina, for dollars, to enable them to carry the proposed treaty into effect; and that the said state be allowed credit for the same out of the requisitions for year.¹

The Committee of the Week [Mr. Abiel Foster, Mr. Archibald Stewart and Mr. William Hindman] report, that the Proposition of Stacy Potts, relative to purchasing Timber for shipbuilding at or near the Falls of Ohio, from the settlers of the Western Country, and his Petition for the Office of Register lay on the files.²

¹ A printed copy of this report is in the *Papers of the Continental Congress*, No. 30, folio 247. The committee had been appointed December 15, 1784. According to the indorsement, this report was read March 4, 1785. Committee Book No. 190 shows that it was recommitted on March 10, Mr. [David] Howell replacing Read on the committee, and an amended report was delivered March 11. Thomson has corrected this printed copy to bring it into conformity with the later action of Congress.

² This report is in the *Papers of the Continental Congress*, No. 32, folio 593. It is dated March, 1785. Potts' letter is on folio 583. The indorsement states that it was read February 28; the petition of Potts, read February 28, is in No. 42, VI, folio 298.

Also, a letter of Joseph Carleton, Secretary to the War Office, announcing his arrival and asking what he shall do with the records of his office. The indorse-

MONDAY, MARCH 7, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [Pierse] Long, Mr. [Joseph] Gardner and Mr. [Samuel] Hardy, to whom was referred a Memorial from Jotham Blanchard,

Resolved, That when the board of treasury shall be formed, they take Order for the payment of as much of the balance due to Jotham Blanchard, as the State of the treasury will admit, without giving him any undue preference to other creditors.

The Committee Consisting of M^r [Jacob] Read, M^r [William] Ellery and M^r [Samuel] Hardy, to whom were referred the Letters of the 3rd and 16th of November last from M^r Laurens.

Beg leave to report in part.

ment states "To hold his office in the house where the Secretary for foreign affairs holds his office." The letter is in No. 60, folio 125.

On this day, according to Committee Book No. 136, the following nominations were made for Secretary at War:

Maj. Gen. Alexander McDougall by Mr. [David] Howell.

Joseph Carleton by Mr. [William] Ellery, and

Col. Benjamin Walker by Mr. [Jacob] Read.

MARCH 4: The following committees were appointed:

Mr. [James] McHenry, Mr. [Samuel] Hardy and Mr. [Charles] Pinckney, on letter from Secretary for Foreign Affairs, of March 2, on the conduct of Richard Soderstrom toward Sears & Smith, merchants of New York. The committee was discharged May 26. Jay's letter is in the *Papers of the Continental Congress*, No. 80, I, folio 89.

Mr. [Hugh] Williamson, Mr. [Joseph P.] Cook and Mr. [Abiel] Foster, on the petition of Seth Harding. Report was rendered March 14.

Mr. [Archibald] Stewart, Mr. [William] Hindman and Mr. [Abiel] Foster, on the memorial of Colonel Louis Atayataghronghta, an Indian, praying for pay for his war services. It is in No. 41, I, folio 93. Report was rendered March 9.

Committee Book No. 190.

Also, on this day, the letter of November 16, 1784, from Giacomo Francisco Crocco respecting a treaty with the Emperor of Morocco was referred to the Secretary for Foreign Affairs, who reported March 8 and the papers referred back to the Secretary March 11, to take order. A translation of Crocco's letter is in No. 81, I, folio 87, and Jay's report is on folio 57.

Also, the memorial of sundry merchants of New York, respecting interest on loan office certificates, was referred to the Grand Committee of January 17. A report was rendered March 28. The memorial is in No. 41, VII, folio 114.

That in Conformity to the repeated wishes heretofore expressed By His Excellency the honorable Benjamin Franklin Esquire, Minister Plenipotentiary from the United States at the Court of Versailles, He be permitted to return to America as soon as Convenient and that ~~Monday~~ Wednesday next be appointed for the Election of a Minister Plenipotentiary to represent the United States at the Court of Versailles.

Your Committee further beg leave to report that a proper passage at the Charge of the United States be provided for the accommodation of Mr. Franklin on his return to the United States and that the Secretary of the Department of Foreign Affairs take order for making the necessary Communications to Mr. Franklin on the subject of his permission to retire and for providing for his passage.¹

On the report of a com^{ee}, consisting of Mr. [Jacob] Read, Mr. [William] Ellery and Mr. [Samuel] Hardy, to whom were referred the letters of the 3 and 16 of Nov^r, from Mr. Laurens, *Resolved*, by nine States, That in Conformity to the repeated wishes heretofore expressed by the hon^{ble} Benjamin Franklin, esquire Minister plenipotentiary from the United States, at the court of Versailles, he be permitted to return to America as soon as convenient; and that Wednesday next be assigned for the election of a ~~proper person~~ minister plenipotentiary, to represent the United States at the court of Versailles.

On motion of Mr. [Rufus] King, seconded by Mr. [Charles] Pinckney,

Resolved, By nine states, That it is expedient to appoint a Minister plenipotentiary to succeed Mr. J. Adams, at the court of the United Netherlands, and that Monday next be assigned for the election of such Minister.²

¹ This report, in the writing of Jacob Read, is in the *Papers of the Continental Congress*, No. 19, III, folio 477. According to the indorsement, it was read December 23, 1784, and passed this day.

² These two resolutions were also entered in the manuscript Secret Journal, Foreign Affairs, No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III. The motion of Mr. King, in his writing, is in No. 36, II, folio 525. A memorandum, on the motion, in the writing of Charles Thomson, notes that it was postponed by the state of Rhode Island.

Congress took into consideration a report of the Secretary for Foreign Affairs; and thereupon agreed to the following

INSTRUCTIONS

For a Minister Plenipotentiary appointed to represent the United States of America at the Court of Great Britain.

Sir,

You will in a respectful but firm manner insist, that the United States be put without further delay in possession of all the posts and territories within their limits which are now held by British Garrisons: and you will take the earliest opportunity of transmitting the answer you may receive to this requisition.

You will remonstrate against the infraction of the treaty of peace by the exportation of negroes and other American property, contrary to the stipulations on that subject in the Seventh Article of it. Upon this head you will be supplied with various authentick papers and documents, particularly the correspondence between General Washington and others on the one part, and Sir Guy Carleton on the other.

You will represent to the British Ministry the strong and necessary tendency of their restrictions on our trade to incapacitate our Merchants in a certain degree to make remittances to theirs.

You will represent in strong terms the losses which many of our and also of their Merchants will sustain, if the former be unseasonably and immoderately pressed for the payment of debts contracted before the war. On this subject you will be furnished with papers, in which it is amply discussed.¹

¹ These instructions were also entered in the manuscript Secret Journal, Foreign Affairs, No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

The Committee consisting of [Mr. Samuel Hardy, Mr. John Beatty and Mr. Elbridge Gerry] to whom was referred a letter from his Excellency Governor Clinton beg leave to submit the following report—

That it appears to your Committee that in the year 1776. when he commanded a brigade in the Continental Army, he was applied to by the then Commissary General for his advice and assistance in procuring a supply of flour for the American Army. That in consequence of this application he sent an officer up the North River for the purpose of making a purchase of five thousand bushels of wheat, or an equivalent in flour; that the said purchase was actually made on his Credit, that in his private Character he has made an advance in part payment for the same, and by his private assumpsit remains liable for the residue. It appears farther to your Committee that he has been reimbursed by the Commissary General in continental Money a considerable part of what he advanced; and that the balance now remaining due and for which he is lyable, is as appears from the note of W^m Paulding; one thousand and three pounds nine shillings and seven pence New York currency, which with the legal interest amounts to thirteen hundred and six pounds thirteen and three pence. Whereupon your Committee came to the following Resolution,

Resolved, that ~~the President issue his warrant to the loan officer of the State of New York for the sum~~ the Commissioners of the Treasury take order for the immediate payment of three thousand one hundred and twenty five dollars to his his Excellency Governor Clinton (being the amount of the said sums;) ~~to be paid in bills of credit emitted agreeable to the resolutions of the 18 of March 1780~~ and that the said William Paulding in the settlement of his Acc^{ts} be charged with the same.¹

[Motion respecting the Treasury. Referred to M^r James McHenry, M^r David Howell, M^r James Monroe, M^r Samuel Holten and M^r Lambert Cadwallader.]

Resolved, That two members of Congress be elected to act with any one of the Commissioners of the Board of Treasury, who may accept and qualify himself to enter on the duties of his appointment, until

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 20, I, folio 413. The indorsement shows that it was read this day and passed March 17.

another Commissioner may appear to take a Seat at the Board—And that the Board so constituted be authorized to exercise all the powers vested in the Board of Treasury by the Ordinance of May 28, 1784.¹

The committee consisting of [William Samuel Johnson, James McHenry, David Howell, James Monroe and Hugh Williamson] to whom were referred a letter and sundry papers from the commissioners for negotiating treaties with the Indians pursuant to the act of 15 Oct 1783, beg leave to report the following resolutions.

That in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Poto-watama, Twieghtwee, Piankishaw and other western nations, a treaty be held with the said Indians at Post Vincent on the Wabash river, or at such other place as the commissioners may find most convenient on the 20 June 1785.

That 18,429 pounds weight of beef, 21,047 lbs of flour and salt in proportion, in addition to the rations now in store at Fort McIntosh will be necessary for the said treaty, and that take order to furnish the same.

That furnish the commissioners for holding the aforesaid treaty with such goods as they may judge necessary in addition to the goods in store at fort McIntosh, to an amount not exceeding dollars.

That advance to the commissioners aforesaid the sum of dollars for the use and to be accounted for by the said commissioners.

¹ This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 527. The indorsement states that it was made this day and the committee discharged April 13, 1785.

On this day, as the indorsement indicates, was read a letter of February 24 from Thomas Cushing, Governor of Massachusetts, reporting the arrest by the Inquisition of Spain of Jonas Hartwell, a citizen of Massachusetts. It was referred to the Secretary for Foreign Affairs who reported March 18. It is in No. 65, II, folio 265.

Also, a letter of February 15 from Robert Hanson Harrison declining to act as one of the judges of the federal court to settle the dispute between Massachusetts and New York. It is in No. 78, XII, folio 379.

Also, a letter of February 15 from Thomas Johnson, accepting appointment as one of the judges in the Massachusetts-New York dispute. It is in No. 78, XIII, folio 321.

Also, a letter of March 7 from Samuel B. Webb, offering himself for employment in the public service. It is in No. 78, XXIV, folio 507.

That the troops at Fort McIntosh be subject to the order of the aforesaid commissioners during the holding of the aforesaid treaty.¹

The Committee consisting of [Mr. Richard Dobbs Spaight, Mr. James Monroe and Mr. Rufus King] to whom was referred the memorial of Mr. Silas Talbot of Providence in the State of Rhode Island, late an Officer in the Army of the United States, setting forth that he was deranged on the 1st day of January, 1782, pursuant to a resolve of Congress of the 31st of December, 1781, and that the paymaster General on the Settlement of his Accounts refused to allow him the half pay or Commutation promised to the Army by the resolves of Congress of the day of 1780, giving as a reason for so doing that the resolve of 21st October, 1780, extended only to such Officers as were deranged under that Act of Congress, and to such Officers and Soldiers as should continue in service to the End of the War; and that he was not Authorised to Allow it to any others, but those to whom it was expressly granted.

The Committee have examined the different resolves of Congress respecting the half pay or Commutation, and those for the reform of the Army, and find that Congress in their resolve of the 31st Decem^r 1781, expressly Provided "that nothing contained in these resolutions shall be construed so as to prevent or hinder any Officer that shall retire as aforesaid from enjoying all the Emoluments that he may, upon retiring, be entitled to by any former Acts of Congress"; and that for the Officers who retired under the resolve of the 7th August, 1782, it is "*Resolved*, That the Officers retiring under the foregoing resolutions, and not employed in the staff department as afore said, shall, until called into service with their proper Command, be entitled to all the emoluments to which the Officers are entitled, who retired under the resolutions of the 3rd and 21st October, 1780."

Whereupon Your Committee are of Opinion that the Officers who retired under the resolve of the 31st. of Decem^r 1781, are equally

¹ This report, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 30, folio 255. The indorsement shows that it was read on this day, and Monday, 14th March, assigned for consideration. The report was printed and in this form considered and amended on March 17. The printed copy is on folio 249 and these manuscript amendments thereon bring it into conformity with the resolves as passed March 18. Two of the incorporated changes, in separate form, are on folio 261.

entitled to the halfpay or Commutation as those Officers who retired under the resolves of the 3^d and 21 October, 1780.¹

The Committee consisting of [Mr. Samuel Hardy, Mr. John Beatty and Mr. Elbridge Gerry] to whom was referred the Report of a Committee on the letter from the late secretary of foreign Affairs of the 28 of March, 1783, submit the following Report:

That as it appears from the letter of the said secretary bearing date the 3rd of December, 1782, that he informed Congress that the Office he held under the state of New York rendered it inexpedient for him to continue longer in the Office of foreign Affairs. That as he stated to them in the said letter that with the utmost œconomy which his situation would admit of he had been compelled to expend more than three thousand dollars beyond the Allowance of Congress, And as they after such information deemed it necessary from the state of public Affairs to request his Continuance in Office for the term of six Months longer, your Committee are of Opinion that any expence during that time over and above the sallary annexed to the Office of foreign Affairs ought in justice to be reimbursed him. Upon this principle your Committee decide that he is entitled to the sum of fifteen hundred dollars, the amount of the extra expences beyond his sallary for the said term of six Months.

And as it appears to your Committee from a Number of letters in the Office of foreign Affairs, that he acted as Agent for the foreign Ministers and other Officers of Congress in Europe, at the particular request of the late superintendant of finance, and out of the line of his department; that he stated their Acc^{ts} drew their sallary, vested it in bills of exchange, and remitted it to them; that in the whole of this transaction he informed them he acted as their Agent and that they by their letters recognized him in that Character, and requested him to continue his Agency. And as it appears that in the Negotiation of the bills of exchange a considerable profit accrued to our

¹ This report, in the writing of Richard Dobbs Spaight, is in the *Papers of the Continental Congress*, No. 19, VI, folio 1. It was read this day and acted on March 8.

On this day, according to Committee Book No. 186, Brig. Gen. Samuel Blatchley Webb was nominated for Secretary at War by Mr. [Samuel] Holten.

According to Committee Book No. 186 a report was rendered this day by the committee on William North's letter of December 16, 1784. See *post*, December 19. Committee Book No. 190 refers the matter, on March 7, to March 22, *q. v.*

Ministers out of which he might with propriety and appeared to have designed to have charged the usual Commission of two and a half P. Cent.; And as it appears farther to your Committee from a letter he addressed to our Ministers in Europe, that he was restrained from doing it only by the Retrospective Resolutions of Congress of March, 1783, which deprived the said Ministers of the advantage made by the exchange by directing their bills to be paid at par; your Committee are of Opinion that it is reasonable that a Commission of two and a half P. Cent on the remittances made by him to our Ministers in Europe (amounting to 1,625 Dollars as appears by the Books of Acc^{ts} of the Office of foreign Affairs) should be allowed him by the United States.

Whereupon Resolved, That the President issue his Warrant to the loan Officer of the state of New York for the sum of three thousand one hundred and twenty five dollars to be paid in bills of credit Emitted agreeable to the Resolution of the 18 of March, 1780.¹

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 19, III, folio 593. According to Committee Book No. 191, it was read this day and acted on March 16.

MARCH 7: The following committees were appointed:

Committee of the Week: Mr. [William] Ellery, Mr. [David] Howell and [Lambert] Cadwallader.

Mr. [William] Houstoun, Mr. [John] Beatty and Mr. [David] Howell, on the letter of March 7 from Thomas Hutchins informing of his return from ascertaining the boundary line between Virginia and Pennsylvania and entreating action on his memorial of September 8, 1783. Hutchins' letter is in No. 60, folio 177. A later indorsement by Thomson reads: "with report May 25, 1785." See *post*, June 7.

Mr. [Charles] Pinckney, Mr. R. R. Livingston, Mr. [Rufus] King, Mr. [James] Monroe and Mr. [John] Beatty, on letter of December 23, 1784, from C. Griffin and J. Lowell. This was a renewal of the committee of February 22 and to it was referred, this day, the memorial of G. Meade respecting the brig *Hope*; letter of February 13 from the Secretary for Foreign Affairs on application of Prager for a rehearing; memorial of Ellis & Hugg for a rehearing. This committee reported March 28.

Mr. [Hugh] Williamson, Mr. [Richard Dobbs] Spaight and Mr. [William] Hindman, on memorials of Regnier de Roussi and William Burrows. A report was made on Burrows March 14 and on de Roussi April 19. Burrows' memorial, which is dated March 7 and was for a pension as a wounded soldier, is in the *Papers of the Continental Congress*, No. 41, I, folio 399. See *post*, March 14. De Roussi's, for pay and dated March 4, is in No. 41, VIII, folio 343, and is indorsed as acted on February 3, 1786.

Committee Book No. 190.

TUESDAY, MARCH 8, 1785.

Congress assembled. Present, as yesterday.

On the report of a com^{es} consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery, Mr. [James] McHenry, Mr. [David] Howell and Mr. [William Samuel] Johnson, to whom was referred a petition of Mr. Samuel Parsons,

Resolved, That the Comptroller of Accounts in the treasury, be instructed to settle the accounts of Mr. Samuel Parsons, against the United States, according to the act of 2d July, 1782.

That Mr. Parsons be referred to the state of South Carolina for the settlement of his account, for such goods as he may have shipped at the instance of the honorable John Rutledge, then governor, for the use of that State.¹

Congress proceeded to the election of a Secretary at War, and, the ballots being taken, Gen^l Henry Knox, Esq^r was elected, having been previously nominated by Mr. [James] Monroe.

On the report of a committee, consisting of Mr. [Richard Dobbs] Spaight, Mr. [James] Monroe and Mr. [Rufus] King, to whom was referred a petition of Mr. Silas Talbot,

Resolved, by nine States, That the Officers who retired under the resolve of the 31 December, 1781, are equally entitled to the half pay or Commutation with those officers who retired under the resolves of the 3 and 21 Oct. 1780

On the report of a com^{es}, consisting of Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [William] Ellery, to whom was

¹ See *ante*, March 4.

On this day, according to Committee Book No. 190, the Secretary for Foreign Affairs reported on the letter from Giacomo Francisco Crocco. The report is in the *Papers of the Continental Congress*, No. 81, I, folio 87. See *ante*, March 4.

Also was read a letter from the Secretary for Foreign Affairs, dated March 8, transmitting a letter from the Minister of the United Netherlands regarding the controversy between the Netherlands and the Emperor of Germany. It is in No. 80, I, folio 93.

referred a Memorial of James Livingston, late a colonel in the army of the United States,

Resolved, by nine States, That the eminent services which col. Livingston rendered the United States in Canada, in the character of an Officer, previous to his receiving a commission, entitle him to the pay of a colonel, from the time of his joining the American Army in Canada, and the pay master, in the settlement of his Accounts, is hereby directed to make him such allowance from that time.¹

On Application of Mr. [Jacob] Read, a delegate for South Carolina,

Ordered, That he have leave of Absence.

¹ On this day, as the indorsement states, was read a petition of William Dewees for reimbursement for destruction of his property at Valley Forge, by the British and American troops, in 1777 and 1778. It was ordered to be filed and is in No. 42, II, folio 320.

On this day also, according to Committee Book No. 191, the Comptroller reported on the claim of James Morrison, which was acted on June 20.

MARCH 8: The following committees were appointed:

Mr. [William] Ellery, Mr. [Joseph P.] Gardner, and Mr. [Hugh] Williamson, on the petition of John Jordan and letter from James Smith, March 7. Report was rendered on Smith's letter March 11.

Mr. [Rufus] King, Mr. [Hugh] Williamson and Mr. [William] Livingston, on the petition of Samuel A. Otis regarding the settlement of the accounts of Otis & Andrews. Report was rendered April 13. The petition, dated February 1, was read March 8. It is in No. 42, VI, folio 109.

Mr. [Samuel] Hardy, Mr. [James] Monroe and Mr. R. R. Livingston, on a motion in favor of Benjamin Walker, late of General Washington's household. Report was rendered March 14.

Committee Book No. 190.

Also, on this day, the petition of John Buchanan, for the balance of pay due him, was referred to the committee for settling the accounts of the army, which reported August 30.

Also, the letter from the Minister from the United Netherlands on the controversy between that country and the Emperor of Germany was referred to the Secretary for Foreign Affairs to report. See *ante*, March 7.

WEDNESDAY, MARCH 9, 1785.

Congress assembled. Present as yesterday.¹

The Com^{eo} [consisting of Mr. David Howell, Mr. Hugh Williamson and Mr. Pierse Long] to whom was referred the petition of Edward Antill, late an officer in the Canadian old regiment commanded by the late Brig^d Gen^l Hazen submit the following report:

Your Com^{eo} find that measures have been taken by the late Superintendent of Finance to make payments for two years interest on the depreciation certificates issued to General Hazens Corps in pursuance of the resolution of April 20, 1781, and of course, that only two years more interest was payable on the first day of January last.

Your Com^{eo} also find that on the 12 Aug., 1780, Congress resolved to "take speedy measures for liquidating and paying what is due on account of depreciation to the officers and soldiers who do not belong to the Quota of any State." Whereupon your Com^{eo} beg leave to recommend the following resolution—

Resolved, That the commissioners of the Board of Treasury pay to the late Brig^d Gen^l Hazen and to the several officers of his late Corps ~~the arrears of rations~~ who are possessed of Loan Office Certificates issued to them for depreciation of Pay to the first day of January, 1785, in pursuance of the Resolution of April 20th, 1781 [One Years Interest and that the several late Officers in that Corps cease to draw Rations or Subsistence from the first of May next] and that said officers cease to draw rations or subsistence from the time of their receiving such payment.

And in order that the officers and men of s^d Corps may, in future, be on similar footing in respect to depreciation of their pay with

¹ On this day, as the indorsement states, was read a petition of Belcher P. Smith, for reimbursement for loss through depreciation of pay, which was referred to Mr. [John] Beatty, Mr. [Hugh] Williamson and Mr. [Pierse] Long. It is in the *Papers of the Continental Congress*, No. 42, VII, folio 207. Committee Book No. 190 shows that a report was made April 1.

Also, a letter of March 8 from Arthur Lee, urging the necessity of measures for obtaining goods, etc., for the Indian treaty to be held at Vincennes. It is in No. 78, XIV, folio 615.

Also, according to Committee Book No. 190, the committee of January 24, on memorials of Laurent Olivier, Baintamon and other Canadians, along with Lafayette's and the War Office letters regarding the same, were this day renewed with Mr. [James] McHenry in place of Mr. [Jacob] Read. See *post*, April 28 and May 2.

others who have been in the service of the U. States—your Committee offer to Congress the following resolution

Resolved, That it be recommended to the several States ~~to pass laws whereby such of the officers~~ in which any of the Officers or Soldiers of the late Corps commanded by the late Brig^d Gen^l Hazen may be inhabitants to make the same provision for payment on the certificates for depreciation issued to them in pursuance of the resolution of April 20, 1781, as the officers and soldiers of their respective lines have received or may be entitled to receive from such States in pursuance of the resolution of Congress of April 20, 1781, and to charge the amount thereof to the U. States.¹

The Committee consisting of M^r [John] Stewart, M^r [William] Hindman and M^r [Abiel] Foster, to whom was referred the Petition of Lieutenant Colonel Lewis Atayataghronghtha, beg Leave to report—

That Lieut^t Col^l Lewis Atayataghronghtha entered as a Volunteer in the Service of the United States, at the Commencement of the War with Great Britain, and continued in that Character untill the 14th Day of June, 1779, for which He has made no Charge against the United States; at which Time He was promoted to the Rank of a Lieutenant Colonel, and remained as such in the American Army until the End of the War, that He behaved himself as a good and faithful Soldier, and rendered very essential Services to the United States, and in Consequence of the active Part which he took in their Favor, has been obliged to relinquish his own Country, and now resides with his Family among the Oneida Tribe of Indians; that there appears to be due to him from Continental Certificates issued in his Name and now in his Possession, three thousand six hundred and twenty seven Dollars: That he is indebted to sundry Persons to the Amount of about 800 or 1,000 Dollars which He is very solicitous of discharging, and unless assisted by Congress will be altogether unable to do—Your Committee therefore are of Opinion—

That two Certificates issued in his Name by the Paymaster General for his final Settlement, one for six hundred Dollars dated Jan^y 1st, 1783, the other for three hundred and sixty six Dollars dated Nov^r 4, 1783, amounting with the Interest thereon to eleven hundred and

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, I, folio 83. The words in brackets show the variation in the wording of the resolve as drafted by Hugh Williamson and wafered to the report. According to indorsement the report was read March 9. Antill's petition (see *ante*, January 26) was filed September 19, 1786.

two Dollars be immediately paid to him in Order to relieve him from his present Embarrassment.

Whereupon,

Resolved, That the President issue his Warrant to the Treasurer of the United States in favor of Lieut^t Col^o Atayatagrongtha for the Sum of One thousand one hundred and two Dollars [amount of his certificate dated Nov^r 4, 1783, for 366 dollars together with the interest thereon arising till the time of this report to the 18th day of March, 1785.]¹

THURSDAY, MARCH 10, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland, Virginia, North Carolina and South Carolina; and from the State of Connecticut, Mr. [Joseph Platt] Cook; from Pennsylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.

The Commissions of Mr. [Jacob] Read, Mr. [John] Bull and Mr. [Charles] Pinckney, under the hand of the Governor and great Seal of the State of South Carolina, and dated the 21 day of febr^y 1785, were read, empowering them to represent the said State in Congress, until the first Monday in November next, and to Act in Congress as delegates until they shall be relieved by the legislature of the said State.

On the report of a com^{es}, consisting of Mr. [James] Monroe, Mr. [Samuel] Hardy, and Mr. [Samuel] Holten, to whom were referred the instructions from the legislature of Virginia, to their delegates in Congress, dated 30 and 31 Dec^r, 1784:

Whereas it appears, that the liquidation and settlement of the Accounts between the United States and the State of Virginia, and the inhabitants thereof, is stopped by the resignation of Mr. Zephaniah Turner, the commissioner

¹ This report, in the writing of William Hindman, except the words in brackets, which are in that of David Howell, is in the *Papers of the Continental Congress*, No. 30, folio 359. It was read this day and passed on March 18.

appointed pursuant to the act of the 20 febr^y, 1782: and it further appearing, that Mr. Andrew Dunscomb was, on the 18 Oct^r last, nominated to that Office by the late Superintendent of finance, and has been approved by the said State;

Resolved, That the Comptroller notify the said Andrew Dunscomb of his appointment, furnish him with a copy of the Instructions, given to the Commissioners for settling the Accounts between the United States and each particular State, and the creditors of the United States within the same, and the several Acts and resolutions of Congress for their government, and direct him to proceed in the execution of the business, with all suitable dispatch.

Congress proceeded to the election of a Minister plenipotentiary to represent the United States at the Court of Versailles; and, the ballots being taken, the hon^{ble} Thomas Jefferson was unanimously elected, having been previously nominated by Mr. [David] Howell.¹

A letter, of the 3^d from Mr. P. Schuyler, was read, wherein he declines the Office of Commissioner, for carrying into effect the act for fœderal buildings.²

¹ This paragraph was also entered in the manuscript Secret Journal, Foreign Affairs, No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

² Schuyler's letter is in No. 153, III, folio 637.

On this day, according to Committee Book No. 190, the petition of John Vincent, a Huron Indian, dated March 5, for money due him, was read and referred to Mr. [David] Howell, Mr. [Pierse] Long and Mr. [Samuel] Holten, who reported April 1. It is in the *Papers of the Continental Congress*, No. 42, VIII, folio 77.

Also, the report on the Southern Indians was recommitted to Mr. [Samuel] Hardy, Mr. [William] Houstoun, Mr. [Hugh] Williamson, Mr. [Samuel] Holten and Mr. [David] Howell, who reported March 11.

Also, was read, a letter from Lieut. Col. Josiah Harmar, of February 6, forwarding returns of troops. It is in No. 163, folio 413.

On this day, as the indorsement states, was read a petition of Dorsey Penticost, dated March 10, for appointment of Register in one of the new states. It was ordered to be filed. It is in the *Papers of the Continental Congress*, No. 42, VI, folio 306.

Also, a letter of February 28 from Samuel Osgood, acknowledging appointment as Commissioner of the Board of Treasury. It is in No. 78, XVII, folio 365.

FRIDAY, MARCH 11, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Georgia Mr. [William] Houstoun.

Mr. William Grayson, a delegate for the State of Virginia, attended, and produced Credentials, by which it appears, that on the 22 of June, 1784, he was elected a delegate to serve in Congress, for one year, to commence the first Monday in November next, ensuing the date of his appointment.

VIRGINIA: By his Excellency Benjamin Harrison, Esquire, Governor and Commander in Chief of the Commonwealth

[SEAL]

It is hereby certified to all to whom these presents shall come, that—

The General Assembly of this Commonwealth on the twenty second Day of June One thousand seven hundred and eighty four by joint ballot of both Houses, elected William Grayson esquire, a Delegate to serve in Congress for one year, to commence from the first Monday in November next ensuing the Date of his appointment

Given under my hand and the Seal of the Commonwealth this twenty eighth Day of August One thousand seven hundred and eighty four

BENJ. HARRISON.¹

On motion of Mr. [David] Howell, seconded by Mr. [John] Beatty,

Resolved, That tuesday next be assigned for the election of a Commissioner for carrying into execution the purposes mentioned in the Ordinance of Dec^r 23, 1784, in the place of Philip Schuyler, esq^r who has declined to accept that appointment.²

¹ The original of this credential is in the *Papers of the Continental Congress*, Credentials. It is not entered in the *Record of Credentials*, No. 179. According to the indorsement it was read this day.

² This motion, in the writing of Howell, is in the *Papers of the Continental Congress*, No. 36, IV, folio 471.

While the foregoing motion was under debate, a Motion was made by the delegates of Maryland, to strike out "tuesday," and in lieu thereof, to insert "the first Monday in May:" And on the question to agree to this Amendment, the yeas and nays being required by Mr. [James] McHenry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardner,	no	}no
Long,	no		Henry,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	}no	Mr. McHenry,	ay	}ay
King,	no		Hindman,	ay	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	no	}no	Mr. Hardy,	ay	}div.
Howell,	no		Monroe,	no	
<i>Connecticut,</i>			Lee,	no	
Mr. Cook,	no	}no	Grayson,	ay	
Johnson,	no		<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	no	}no
Mr. W. Livingston,	no	}no	Spaight,	no	
Platt,	no		Sitgreaves,	no	
<i>New Jersey,</i>			<i>South Carolina,</i>		
Mr. Beatty,	no	}no	Mr. Bull,	no	}no
Cadwallader,	no		Pinckney,	no	
Stewart,	no		<i>Georgia,</i>		
			Mr. Houstoun,	no	*}

So it passed in the negative.

Mr. John Henry, a delegate for Maryland, attended, and took his seat in Congress.

[The Committee, consisting of Mr. Samuel Hardy, Mr. William Houstoun, Mr. Hugh Williamson, Mr. Samuel Holten and Mr. David Howell, to whom was recommitted the report on the Southern Indians, submit the following report.]

[Resolved,] That three Commissioners with the same pay as is allowed to the Com^{rs} appointed for treating with the Northern Indians, be appointed to treat with the Cherokees and all other Indians southward of them within the limits of the United States, or who have been at war with them, for the purpose of making peace with them, receiving them into the favour and protection of the U. S. and removing, as far as may be all causes of future contention or quarrels.

That the commissioners be instructed as a preliminary, to require that all prisoners of whatever age or sex among the Indians, shall be delivered up and they are further instructed to demand the negroes and other property belonging to the Citizens of the U. S. which have been captured during the war.

That they be instructed to inform the Indians of the great occurrences of the last war and of the extent of Country relinquished by the late treaty of Peace with G. B.

That the commissioners previous to their holding any treaty, shall give due notice of the time and place where it is to be held, to the supreme executives of Virginia N. Carolina, So. C. and G., in order that they may each of them appoint one or more persons to attend during the treaty if they think proper.

That the commissioners be instructed to encourage the Indians to give notice to Congress, or some of their officers, of any designs that may be formed in any neighbouring tribe, or by any person whatever against the peace of the United States.

That the Commissioners be authorized to ~~draw upon the~~ apply to the supream Executive ~~either~~ of Virg^a North Carolina or South Carolina or Georgia for 150 men or such part thereof as they may deem necessary of their Militia for the purpose of protecting the Commissioners whilst engaged in concluding the s^d treaties; and that they be authorized to ~~call on~~ draw on ~~either~~ any of the said States and draw for the same on the Comm^{rs} of the treasury who are hereby directed to pay such Draft for ~~dollars to enable them to procure such goods for the purpose of making presents as shall be necessary to carry such treaty into effect~~ and that ~~such~~ the said state have credit for such advance out of the requisitions for the year 1786 ~~in addition to~~ and also the amount of the goods purchased as above.

That Monday next be assigned for the appointm^t of three Commissioners to form a treaty or treaties with the Indians in the southern department agreeable to the foregoing ~~resolution~~ report and for the purposes specified in the same.¹

¹ This report, in the writing of Charles Thomson, on the printed report of March 4, and the last two paragraphs in the writing of Samuel Hardy and William Houstoun, respectively, is in the *Papers of the Continental Congress*, No. 30, folios 247 and 245½ and 254. The provision for drawing on the Commissioners of the Treasury to meet the treaty expense is in the writing of Thomson on a vote, presumably taken during the debate on this report, folio 254. As amended during the debate, the report was finally adopted March 15. The commissioners were appointed March 21.

Congress took into Consideration the report of a com^o, consisting of Mr. [Samuel] Hardy, Mr. [William] Houstoun, Mr. [Hugh] Williamson, Mr. [Samuel] Holten and Mr. [David] Howell, to whom was recommitted a report on the State of the Southern Indian Affairs.

And the following paragraph being under debate,

That the Commissioners, previous to their holding any treaty, shall give due notice of the time and place where it is to be held, to the supreme executives of the States of Virginia, North Carolina, South Carolina and Georgia, in order that they may each of them appoint one or More persons to attend during the treaty, if they think proper.

A Motion was made by Mr. J[ohn] Henry, seconded by Mr. [William] Ellery, to strike out that paragraph: And on the question, shall that paragraph stand the yeas and nays being required by Mr. [James] McHenry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	no	} div.	Mr. Gardner,	ay
Long,	ay		W. Henry,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} ay	Mr. McHenry,	no
King,	ay		J. Henry,	no
<i>Rhode Island,</i>			Hindman,	no
Mr. Ellery,	no	} no	<i>Virginia,</i>	
Howell,	no		Mr. Hardy,	ay
<i>Connecticut,</i>			Monroe,	ay
Mr. Cook,	ay	} ay	Lee,	ay
Johnson,	ay		Grayson,	ay
<i>New York,</i>			<i>North Carolina,</i>	
Mr. R. R. Livingston,	ay	} ay	Mr. Williamson,	ay
W. Livingston,	ay		Spaight,	ay
Platt,	ay		Sitgreaves,	ay
<i>New Jersey,</i>			<i>South Carolina,</i>	
Mr. Beatty,	no	} ay	Mr. Bull,	ay
Cadwallader,	ay		Pinckney,	ay
Stewart,	ay		<i>Georgia,</i>	
			Mr. Houstoun,	ay

So it was resolved in the affirmative.

A Motion was then made by Mr. [James] McHenry, seconded by Mr. [William] Ellery, to strike out the before mentioned paragraph, and in lieu thereof to insert: That the Commissioners previous to their holding any treaty, shall give notice of the time and place where it is to be held, to the supreme executives of the states of Virginia, North Carolina, South Carolina and Georgia, in order that they may make dispositions to render such assistance and countenance to the commissioners, as may be judged proper and necessary.

And on the question to agree to this Amendment, the yeas and nays being required by Mr. [James] McHenry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardiner,	no	}no
Long,	no		W. Henry,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	}no	Mr. McHenry,	ay	}ay
King,	no		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	no	
Mr. Ellery,	ay	}div.	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	no	}no
<i>Connecticut,</i>			Monroe,	no	
Mr. Cook,	no	}no	Lee,	no	
Johnson,	no		Grayson,	no	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. R. R. Livingston,	no	}no	Mr. Williamson,	no	}no
W. Livingston,	no		Sitgreaves,	no	
Platt,	no		<i>South Carolina,</i>		
<i>New Jersey,</i>			Mr. Bull,	no	}no
Mr. Beatty,	no	}no	Pinckney,	no	
Cadwallader,	no		<i>Georgia,</i>		
Stewart,	no		Mr. Houstoun,	no	*

So it passed in the Negative.

The Secretary for Foreign Affairs having reported, that in his opinion it will be proper to transmit to our Ministers, who are to negotiate treaties with the Emperor of Morocco

and the regencies of Tunis, Algiers and Tripoli, the following papers, to wit:

No. 1.

Draft of a Commission to the joint Ministers to appoint Agents to be employed in their Negotiations with Morocco and the States of Barbary.

The United States in Congress Assembled. To all to whom these presents shall come, or be made known, send Greeting.

Whereas we, reposing special trust and Confidence in the integrity, prudence and ability of our trusty and well beloved the honorable John Adams, late one of our Ministers plenipotentiary for negotiating a peace, and heretofore a delegate in Congress from the State of Massachusetts, and Chief justice of the said State, The honorable Doctor Benjamin Franklin, our Minister plenipotentiary at the Court of Versailles, and late another of our Ministers plenipotentiary for negotiating a peace, and The honorable Thomas Jefferson, a Delegate in Congress from the State of Virginia, and late Governor of the said State, Did by our Commission under the Seal of the United States, and the signature of our then President, bearing date the 12th day of May, in the year of our Lord, 1784, constitute and appoint them the said John Adams, Benjamin Franklin and Thomas Jefferson, our Ministers Plenipotentiary, giving to them or a majority of them full power and authority for us and in our name to confer, treat and negotiate with the Ambassador, Minister or Commissioner of the Regency or Government of Tunis, vested with full and sufficient powers of and concerning a treaty of Amity and Commerce (as the case may be) to make and receive propositions for such treaty, and conclude and sign, transmitting it to

the United States in Congress Assembled for their final ratification: And whereas it may so happen that the other great and various affairs which we have committed to the care and management of our said Ministers Plenipotentiary may not admit of their meeting the Minister or Commissioner which the regency or Government of Tunis may appoint to treat with them of and concerning such treaty, at a time and place that might otherwise be most convenient:

Therefore Know Ye, That we do hereby authorise and empower our said three Ministers Plenipotentiary and the majority of them, by writing under their hands and Seals to appoint and employ, and at pleasure to remove, such Agent in the said business as they or the majority of them may think proper, which said Agent shall have authority, under the directions and instructions of our said Ministers, to commence and prosecute Negotiations and conferences for the said Treaty, with such Person or Persons on the part of the regency or Government of Tunis as to our said Ministers or the Majority of them shall appear proper. Provided always, that the treaty in question shall be signed by our said Ministers; but that preliminary articles thereto may, if previously approved of by our said Ministers or the majority of them, be signed by the said Agent.

In testimony whereof we have caused the Seal of the United States to be hereunto affixed. Witness, His Excellency Richard Henry Lee, our President, this
day of in the year of our Lord, 178 and of the
Sovereignty and Independence of the United States of
America, the Ninth.

Draft of a letter of Credence from Congress to the Regencies of Tunis, Tripoli and Algiers.

To the Lords, Regents and Governors of Tunis.

We, the United States of America in Congress Assembled, being desirous of cultivating and establishing peace and harmony between our nation and the regency and government of Tunis, have appointed the honorable John Adams, late one of our Ministers plenipotentiary for negotiating a peace, and heretofore a Delegate in Congress from the State of Massachusetts, and Chief Justice of the said State, The honorable Doctor Benjamin Franklin, our Minister plenipotentiary at the Court of Versailles, and late another of our Ministers plenipotentiary for negotiating a peace, and the hon^{ble} Thomas Jefferson, a Delegate in Congress for the State of Virginia, and late Governor of the said State, our Ministers plenipotentiary, giving to them or a Majority of them full power in our name to negotiate and conclude a treaty of Amity and Commerce with your Lordships; and we have also authorized them or a majority of them to appoint such agent in the said business as circumstances may in their judgment render expedient.

We desire you, my Lords, to give full credit to whatever shall be delivered to you by or from our said Ministers; and we hope you will readily concur with us in forming such a Treaty as may be permanent and mutually beneficial. We wish you health and prosperity.

Done in Congress, at their Chamber in the City of New York, on the day of One thousand seven hundred and Eighty-five, and signed by their Unanimous order.

No. 3.

Draft of a Letter from Congress to the Emperor of Morocco.

Great, Noble and Imperial Sovereign,

While the flames of the late war continued to spread danger and destruction not only along the borders, but also through the most interior parts of the thirteen United States of America, it was constantly and indispensably necessary for us to turn all our attention and resources to the immediate defence and protection of these different Countries.

Hence it happened, that it was not in our power to cultivate Your Majesty's friendship by such legations and other measures, as might fully manifest the high sense we entertain of that magnanimity which induced your Majesty to open your ports and shew kindness to us at a period when our affairs wore the least promising aspect.

All that we then could do was to read and admire your Majesty's liberal Manifestoes and declarations of the day of December, 1780, "of our earnest desire to cultivate a sincere peace and friendship with your Majesty," and that proper steps for that purpose would be taken on our part.

As We have not been favoured by your Majesty with an answer to that Letter, we are apprehensive that it has miscarried; and therefore subjoin a copy of it to this.

That Great and Almighty being "from whom all wisdom and power proceeds," having crowned our Counsels and our arms with victory and peace, we are now blessed with leisure and opportunities to shew our respect and regard for such of the Princes and Nations of the World

as gave proof of their kindness and good will to us when encompassed with hostile Armies and a great variety of difficulties.

While many other Nations yet viewed our fate as doubtful, You, most noble Prince, extended your friendly regards from an Empire on the Eastern side of the World, across an amazing length of Ocean, to us who dwell under the Beams of the setting Sun. For these generous marks of your early friendship accept our sincere and cordial thanks; and be assured of our desire so to establish peace and regulate Commerce between us, as that your Empire may derive advantages from the various productions of our different Countries. In time, when the waste of war shall be repaired, they will be great and useful; and we will teach our people to be kind to yours.

Impelled by these considerations, we have appointed three from among our well beloved and most distinguished Subjects, whom we have long honored with our confidence, and intrusted with the conduct of great affairs, to establish on our part with your Majesty the most liberal and permanent Treaties of Peace and Amity, viz. Our well beloved The Honorable John Adams, Chief Justice of one of these United States, a delegate from the same to our Body, one of our late Commissioners to the Court of France, our Minister plenipotentiary to the United Netherlands, and one of our Ministers plenipotentiary for making peace with Great Britain, &c. Also our well beloved The honorable Doctor Benjamin Franklin, President of the Convention of another of the said States, and a delegate from the same to our Body, our Minister plenipotentiary to the Court of France, and also one of our plenipotentiaries for making peace with Great Britain, &c. and also our well beloved The honorable Thomas Jefferson, Governour of another of the said

States, and a Delegate from the same to our Body, and one of our Ministers plenipotentiary, together with the said John Adams and Benjamin Franklin, for transacting certain great affairs, which we have committed to them, &c.

We have given them our Commission under the Seal of the United States, and under the signature of his Excellency our President, to treat with your Majesty in our behalf, and in our name to sign and seal such Treaties and Conventions as may thereupon be agreed upon. We recommend them to your Majesty's especial favour and confidence, and we promise to ratify, confirm and fulfil whatever they shall on our part conclude and agree to. And inasmuch as the other great affairs which we have confided to their management may cause delays which might be disagreeable to your Majesty, we have authorized them in such case to appoint and send to your Majesty a trusty and respectable agent, by means of whom they may deliver this Letter to your Majesty, and commence the negotiations in question. We request your Majesty to transmit to us your answer through the same channel; and we assure you that it is our sincere wish and desire, that the Emperor of Morocco and the Sovereign Council of these thirteen Countries may continue to regard each other as friends and brothers from age to age. May your Majesty be always happy.

Signed by the Unanimous Order of the United States in Congress Assembled, at the Chamber of the States, in the City of New York, on the day of in the year of our Lord, one thousand seven hundred and Eighty-five, and in the year of their Sovereignty —

No. 4.

Copy of a former Letter of Congress to the Emperor to be enclosed in the above.

The Congress of the thirteen United States of North America to the High, Potent and Most Noble Prince, the King and Emperor of Morocco.

Most Noble and Puissant Prince,

We, the Congress of the thirteen United States of North America, have been informed of your Majesty's favourable regard to the interests of the people we represent, which has been communicated by Mons^r Etienne D'Audibert Caille, of Salé, Consul for foreign nations unrepresented in your Majesty's States. We assure you of our earnest desire to cultivate a sincere and firm peace and friendship with your Majesty, and to make it lasting to all posterity.

In order that we may demonstrate more fully the high value we place upon the Amity of so enlightened and magnanimous a Prince, we have given the necessary Orders to our Minister plenipotentiary at the Court of his Most Christian Majesty the King of France; and a proper person will receive powers to enter into negotiations for settling a treaty of peace and Commerce with such representative of your Majesty as you may please to appoint. This, from your Majesty's great wisdom and generosity, we have no doubt will be adjusted to the mutual advantages of both Nations.

In the mean time should any of the Subjects of our States come within the ports of your Majesty's ports or Territories, we flatter ourselves they will receive the benefit of your protection and benevolence. You may assure yourself of every protection and assistance to your Subjects from the people of these States whenever

and wherever they may have it in their power. We pray your Majesty may enjoy long life and uninterrupted prosperity.

Signed in and by order of the Congress of the thirteen United States in North America, day of the month December, in the year of our Lord Christ, 1780, and of our Independence 5.

No. 5.

Draft of a Letter from the Secretary for Foreign Affairs to our Ministers.

No. 6.

Copy of a Letter from Giacomo Francisco Crocco to Congress, November 16th 1784.

No. 7.

Draft of a Letter from the Secretary for Foreign Affairs to Mr. Crocco in answer to the above.

No. 8.

Copy of a Letter from Messieurs Franklin, Lee and Adams, 7th November, 1778, and one of 26th May, 1779, from Mr. Franklin.

No. 9.

Copy of a Letter from D'Audibert de Caille to Mr. Jay, 21st April, 1780, and Mr. Jay's answer.

No. 10.

Copy of Mr. D'Audibert Caille's letter to Congress, 6th September, 1779, and their answer, December, 1780.

No. 11.

Copy of the appointment of D'Audibert Caille, 1st November, 1779, by the Emperor of Morocco, to act as Consul for such foreign nations as had none in his dominions.

No. 12.

Copy of the Emperor of Morocco's declaration, 20th
Febru^y, 1778.

No. 13.

One of D'Audibert Caille's printed Certificates.

Ordered, That the beforementioned papers be referred
back to the Secretary for Foreign Affairs to take order.¹

[Motion of Mr. [Hugh] Williamson.]

That in making out the Commission of Mr. Smith he be stiled
William Smith esqr. lately a lieutenant Colonel in the Armies of the
United States.²

¹ The report of the Secretary for Foreign Affairs and the order thereon were
entered only in the manuscript Secret Journal, Foreign Affairs, No. 5, and in
Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

MARCH 11: The following committees were appointed:

Mr. [Samuel] Holten, Mr. [Richard Dobbs] Spaight and Mr. [Zephaniah]
Platt, on Fleury Mesplet's memorial which was read this day. This committee
was renewed April 11. The petition is in No. 41, VI, folio 361.

Mr. [William] Ellery, Mr. [Joseph] Gardner and Mr. [Hugh] Williamson, on
the petitions of Joseph King for commutation or half pay. A report was rendered
March 24.

Mr. [James] Monroe, Mr. [Richard Dobbs] Spaight, Mr. [William] Houstoun,
Mr. [William Samuel] Johnson and Mr. [Rufus] King, on the report on the motion
"for investing Congress with power to regulate trade. Instructed to report a
circular letter to accompany the recommendation proposed in the report." The
committee reported March 28.

Committee Book No. 190.

Also, on this day, as the indorsement states, was read a petition of John Simp-
son, dated March 4, praying appointment as Deputy Surveyor in one of the new
states. It was ordered filed and is in No. 42, VII, folio 211.

Also, was read a letter from Joseph Carleton, Secretary in the War Office,
dated March 11 and asking if he shall continue his services until General Knox
arrives. The indorsement states that it was acted on March 11. It is in No. 60,
folio 129.

Also, according to Committee Book No. 191, a report was delivered on the
claim of James Smith, which was acted on March 21.

² This motion, in the writing of Charles Thomson, is indorsed on the letter of
March 11, from the Secretary for Foreign Affairs respecting Smith's appointment
as Secretary to the United States legation at London. A further indorsement
states that the motion was referred to the Secretary for Foreign Affairs to take
order. Jay's letter of March 11 is in the *Papers of the Continental Congress*, No.
80, I, folio 101.

MONDAY, MARCH 14, 1785.

Congress assembled: Present, as before.¹

The Secretary for the department of Foreign Affairs having reported the form of a Commission to Mr. Adams, appointed to represent the United States at the Court of London, and to Mr. W. Smith, appointed Secretary to the s^d legation; and the same being amended to read as follows:

The United States of America in Congress Assembled.

To our trusty and well beloved John Adams, Esquire, send Greeting.

We, reposing special trust and confidence in your integrity, prudence and ability, have nominated, constituted and appointed, and by these presents do nominate, constitute and appoint you, the said John Adams, our Minister plenipotentiary to reside at the Court of his Britannic majesty; and do give you full power and authority there to represent us, and to do and to perform all such matters and things as to the said place or Office doth appertain, or as may by our instructions be given unto you in charge. This Commission to continue in force for the space of three Years from this day, unless sooner revoked.

In Testimony whereof, we have caused the Seal of the United States to be hereunto affixed. Witness, His Excellency R. H. Lee, our President, at the City of New York, this day of in the year of our Lord, 1785, and of our Sovereignty and Independence, the Ninth.

¹ The proceedings for March 14 were entered only in the manuscript Secret Journal, Foreign Affairs, No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

The United States of America in Congress Assembled.

To our trusty and beloved William S. Smith, Esq.,
send Greeting.

We, reposing special trust and confidence in your integrity, prudence and ability, have nominated, constituted and appointed, and by these presents do nominate, constitute and appoint you, the said William S. Smith, Secretary to our legation to his Britannic Majesty. This Commission to continue in force for the space of three Years from this day, unless sooner revoked.

In Testimony whereof, we have caused the Seal of the United States to be hereunto affixed. Witness, His Excellency R. H. Lee, our President, at the City of New York, this day of in the year of our Lord, 1785, and of our Sovereignty and Independence, the 9th.

Ordered, That the said forms be referred to the Secretary for Foreign Affairs to take order.

The Secretary for Foreign Affairs having also reported a Letter of Credence for Mr. J. Adams,

Ordered, That it be referred back to the Secretary for Foreign Affairs, and that he make out a Letter of Credence for Mr. Adams in the common manner, taking care not to have any reference to former disputes.¹

The Committee consisting of M^r [Jacob] Read, M^r [Elbridge] Gerry, and M^r [Charles] Pinckney to whom was referred a Letter of the 29th January, 1785, from the Secretary for foreign Affairs, Report,

That by the Act of Congress of the 22^d February, 1782, the Secretary for the Department of foreign Affairs is authorised to appoint a Secretary with a Salary of one thousand Dollars a Year, and one or if necessary more Clerks whose Salaries should be five hundred Dollars each per annum.

¹ The letter from the Secretary for Foreign Affairs transmitting above forms is in the *Papers of the Continental Congress*, No. 80, I, folio 159. The drafts of the commissions, bearing the amendments by Congress in Charles Thomson's writing, are on folios 161 and 165. Jay's draft of a letter to King George III is on folio 163. This was not approved by Congress.

That by a subsequent Act of Congress of the 1st March, 1782, the Secretary for foreign Affairs is authorised to appoint two under Secretaries, with a Salary to the first of 800 Dollars a Year and to the second of 700 Dollars—and so much of the Act of the 22^d Feb^d, 1782, is thereby repealed as annexes the Salary of 1000 Dollars to that Appointment.

That the latter Arrangement appears to have taken place, at the Instance of the then Sec^y for foreign Affairs, in order to enable him to take a Gentleman into the Office whom he found very proper, and who declined serving in the Capacity of a Clerk.

That after a Suspension of the Department for foreign Affairs for nine Months, Congress on the 1st March, 1784, appointed an Under Secretary, who in Obedience to their Orders took charge of the Papers, and has acted in the Office continually since as under Secretary and Clerk without other aid, till the appointment of the present Secretary for foreign Affairs.

Your Committee conceive that when Congress elected the under Secretary he ought to have been entitled to the Salary annexed, at the first Establishment of the Departm^t to the Office of under Secretary.

Your Committee therefore recommend that it be

Resolved, That the Act of Congress of the 1st Day of March, 1782, authorising the Secretary for foreign Affairs to appoint two under Secretaries be repealed, and that so much of the Act of the 22^d February, 1782, as was repealed by the said Act of the 1st March, 1782, be declared to be of full Force and Effect, and so construed and taken from the 1st Day of March, 1784.¹

The Committee to whom was referred the Memorial of J. G. Dericks, report,

That on Nov^r, 1776, J. G. Dericks, rec^d the Commission of a Cap^{tn} in one of the Pensylv^a Regiments in the Line of the Army.

That on the next Year conceiving the Pay of a Captⁿ insufficient he requested an Appointm^t in the Staf Departm^t and was accordingly appointed Dep. Q^r Mast^r under Gen^l Mifflin with the Rank of a Lieut. Col. the Duties of which Office he discharged for some Time.

That on the 16th of Oct^r, 1778, M^r Gosuinus Erkelins of Holland, who was then occasionally in Connecticut, formed a Plan of borrowing

¹ The report, in the writing of a clerk, is in the *Papers of the Continental Congress*, No. 25, II, folio 423. According to the indorsement it was read this day and passed April 12.

2 mill^{ns} Sterl^s in Holland, he proposed that M^r Diricks should be sent to the United Netherlands to attempt the Loan and proposed to follow himself and take Charge of the Money if any could be obtained. They prevaild on Gov^r Trumbull by a Letter of that date to recommend them and their Scheme to Congress.

It appears by the Letter of Gov^r Trumbull and by a Letter of M^r Erkelens that M^r Diricks proposed to go and return at his private Expen^{ce}. The ostensible object at that Time was to get Honorary Promotion or some public Character.

That on the 5th of Nov^r 1778, M^r Diricks was gratified with the Rank of Lieut. Col. by Brevet *as a Testimony of his merit and Services in the Armies of the U. S.* and was permitted to return to the Netherlands, but Congress resolved at the same Time *that they were not prepared to adopt the Scheme of a Negotiation of a Loan.*

That after Col. Dirick's Return from Holland he seems to have altered his Propositions, for instead of serving the U. S. without Reward, he requested Pay though he had not been in their Service, and he was gratified, for on the 29th Dec^r, 1779, Congress

Resolved, That—In consideration of the peculiar Circumstances attending the Case of Lieut. Col. Dirick, that Gentleman, receives the Pay and subsistence of a Lieut. Col., in the Army of the U. S. from the date of his Brevet until further orders of Congress.

On the following Year Col. Diricks, seems again desirous of visiting his friends in Holland for on the 12th of Aug^t 1780 it was Resolved,

That Col. Diricks have leave of absence, according to his Request till further Order of Congress, and in order to enable him to return Home it appears that on the 18th of the same Month he was furnished with a draught on M^r Jay in Europe for 450 Dls. on Acco^{ts}.

Your Committee observe that on the following year, Col. Diricks seems to have been desirous of returning to the Line of the Army, for they find that on the 17th May 1781, it was *Resolved, That L. C. Diricks, be informed that though Congress have the most satisfactory Proofs of his Zeal and Capacity to serve the U. S. it is impracticable to employ him in the Service of these states consistent with the Arrangen^t of the Army; that his Acco^{ts} for Pay and subsistence be settled by the Board of Treasury, up to this day, that they take Order for the Paym^t of the Balance that shall be due to him together with a Sum of One Years Pay, and that henceforward he be no longer entitl'd to pay and Subsistence.*

Your Committee are therefore of the Opinion, that Col. Diricks has no remaining Claims against the U. S. Congress having long since taken their final Resolutions on that Subject.

As Col. Diricks seems desirous to obtain some certificate which may be of Use to him in obtaining military Rank in his native Country, Your Committee submit the following Resolve,

That the Sec^y at War or in his absence the Sec^y in the War Office be instructed to grant a Certificate to J. G. Diricks Esq^r lately a Lieut. Col. in the Army of the U. S. signifying that he has served the U. S. for some Time in the Line of the Army, and afterwards as an Assistant to the Q^r M^r Gen^l: That as a military Officer he has been justly esteemed for his Bravery and Vigilance, and that in all Cases he has recommended himself by his Zeal, Industry and Integrity.¹

The Committee consisting of M^r [Hugh] Williamson, M^r [Richard Dobbs] Spaight [and] M^r [William] Hindman to whom was referred a Memorial of W^m Burrows beg leave to Report.

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, II, folio 103. Dericks' memorial is in No. 41, II, folio 573.

The following undated memorandum, in the writing of Hugh Williamson, is on folio 95:

By the Journal of Congress it appears that on the 18th May 1778, J. G. Derricks Petition to be appointed Colonel was ordered to lye on the Table 19th D' it was dismiss'd.

Nov^r 5th 1778, J. G. Derricks promoted to the Rank of Lieut. Col. by Brevet as a Testimony of his merit and services, and permitted to return to the United Netherlands, at same Time, resolved, that Congress are not prepared to adopt a scheme proposed for negotiating a Loan in the united Netherlands.

Dec^r 23^d, 1778, Coll. Derrick having informed Congress that on his arrival in Holland he should correspond with D^r Franklin in Paris and wished that his Name might be mentioned to that Minister, Ordered, *that it be comply'd with*, Dec^r 28th/29th, 1779. Resolved, *that in Consideration of the peculiar Circumstances attending the Case of Lieut. Col. Derick that Gentlemen receive the pay and subsistence of a Lieut. Col. in the Army of the U. S. from the date of his Brevet until further order of Congress.*

July 12th 1780, Resolved, That Col. Derricks, have leave of absence according to his Request till the further Order of Congress.

July 18th Bills of Exchange for 450 Dls. drawn on M^r Jay were advanced him on Acco^t of his Pay.

May 17th 1781, Resolved, That L. C. Derricks be informed that though Congress have the most satisfactory Proofs of his Zeal and Capacity to serve the U. S. it is impracticable to employ him—that his Pay and Subsistence be settled by the Board of Treasury in Specie Value, and that the Bord of D' [Treasury] take order for paym^t of the Balance due him together with a Sum equal to one Year's Pay. This discharged.

That from sundry affidavits and Certificates, accompanied by an Act of the Gen^l Assembly of the State of Connecticut it appears that William Burrows was a Soldier in the Third Regm^t of the Connecticut Line. While on Duty he rec^d a wound in his Knee by which he was rendered lame and unfit for Field or Garrison Duty on which Acco^t he was discharged the 10th of April, 1783. The wound proving incurable his Leg has since been cut off. As said Burrows is certainly disabled in consequence of a wound that he received while he was in the public Service your Committee are of the Opinion that he ought to be and is entitled to the Pension of 5 Dls. pr. month allowed by the Act of 23 April, 1782, to disabled Soldiers.¹

[Report of M^r [Jacob] Read, M^r R.[obert R.] Livingston, M^r [Lambert] Cadwallader.]

The Com: to whom were referred a motion from M^r [Jacob] Read, and a motion from M^r R[obert] R. Livingston relative to the communication of the measures that Congress have taken to obtain treaties with the barbary powers, Report:

That the Secretary for foreign Affairs be directed to transmit to the Gov^{rs} or chief executive magistrates of the respective States a copy of the instructions given to the Ministers of these States in Europe as far as they relate to entering into treaties with the States of Barbary, together with such other subsequent resolutions of Congress as have been entered into on that subject excepting however out of such communication any mention of the sum appropriated by Congress for these purposes.²

The Committee, consisting of Mr. [Hugh] Williamson, Mr. [Joseph Platt] Cooke and Mr. [Abiel] Foster, to whom was refer'd the Memorial of Captⁿ Seth Harding, who states that in fitting out the Frigate *Confederacy* he advanced money to the U. S. which has not hitherto been repaid him. That in the early Part of the War he was very successful in cruising against the Enemy but he afterwards lost by

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 22, folio 237. The indorsement states that it was read this day. Committee Book No. 191 states that the report was filed, the case being "comprehended in the act of 7 June respecting Invalids." Burrows' memorial is in No. 41, I, folio 399 and the papers relating thereto are on folios 413-422.

² This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 25, II, folio 421. The indorsement indicates that it was read on this day.

Depretiation a great Part of the Money he had gain'd. That when he was captured in the *Confederacy* he lost his Share of the Prizes which he had taken in that Ship.

That the Balance due him for Wages and other Acco^{ts} is from twelve to thirteen hundred Pounds counting the Doll^r at 7/6 with Interest which Balance he requests may be paid him immediately submit the following Report:

That though Captⁿ Harding appears to have been an active and in many Instances a successful Officer there does not appear to be any thing in his Case which gives him a Claim to immediate Payment in Preference to other Officers of the Army or Navy.¹

The Com: [Mr. Robert R. Livingston, Mr. James McHenry, Mr. David Howell, and Mr. James Monroe] to whom were ref^d the petition of the Inhabitants of the Kaskaskies and its vicinity, and the papers relative thereto, Report,

That the Com^r to be appointed by Congress agreeable to their resolution of the of Feb^r last, be invested with full power to Examine into the titles and possessions of those Inhabitants of the country whose rights were designed to be saved by the treaty entered into with them by Gen^l Clarke; to judge of them upon the best evidence which he can collect, and to be governed therein by the laws and customs which have heretofore prevailed among them, always inclining to support antient possessions against recent claims.

That he cause to be surveyed every tract of land so claimed or possessed, a record of which survey shall be kept in the office of the clerk or register to be appointed for that purpose, which shall be satisfactory evidence of title, unless an appeal is lodged within four (4) months from the time of making such record; in which cause such appeal shall be tried by Courts to be instituted on the future organization of the government of that country.

That he adjust interfering claims among the settlers, subsequent to the date of the aforesaid capitulation, in such mode as he conceives most equitable; that he assign Lands as well to those as to others who shall migrate thither, provided that no Lands be assigned to any other than to settlers, and not more than acres to each family; and that the persons occupying such Lands agree to pay therefor such consideration as Congress may direct, when the federal Land

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, III, folio 47. The indorsement states that it was read this day.

Office shall be opened in such State. That he mark out convenient districts, and summon the inhabitants of each to elect three or more magistrates, who shall be invested with power and authority to hear and determine all civil Controversies not relative to the property in Lands, agreeably to the Laws, usages and customs that prevail in such districts. That the Commissioner, with not less than three of the said magistrates, the whole being summoned and having a right to attend, be a court of criminal jurisdiction; provided that the punishment to be adjudged by the said Court, shall in no case extend to the loss of life, limb or member, except where such punishment might legally have been inflicted by the laws that heretofore prevailed in the late Colony and now State of Virginia; and provided also, that at least three-fourths of the magistrates and the said Commissioner concur in the sentence.

That the Commissioner, with the advice and consent of the above magistrates, appoint executive Officers in the respective districts to carry their decrees into execution.

That he explain to the inhabitants of the said district, such resolutions and proceedings of the United States in Congress, as respect the same, and endeavour to form their habits for the reception of a free republican government.

That he preserve peace with the Indian Nations, not permitting any settlement upon their Lands until a previous purchase has been made from them with all due solemnity.

That he arrange, officer and command the militia of the district, taking such posts as may be necessary for their protection and security. That he make early and accurate returns to Congress, of the nature, advantages and disadvantages of the Country, the number of its inhabitants, their military force, their customs and their dispositions with respect to the United States, their wealth, agriculture and commerce. That he extend his inquiries to the settlements in his vicinity on the Western side of the Missisipi, and make returns to Congress of the result thereof, relative to all the objects above-mentioned—

That previous to his entering upon Office, he take and subscribe an oath of fidelity to the United States, and for the true and faithful discharge of the above powers, before the Commanding Officer at fort Pitt, who is empowered to administer the same, and directed to transmit a copy thereof to the Secretary of Congress,

That he continue in office three years unless sooner discharged by Congress.

That a Secretary who shall act as register of the said district be appointed by Congress to attend the said Commissioner, and discharge the duties above assigned to the register. That he continue in Office three years unless sooner recalled by Congress.

That the yearly Salary of the said Commissioner be dollars including his expences.

That the yearly Salary of the Secretary including his expences be dollars.

That the Secretary in the war Office furnish the said Commissioner with 25 Men out of those already inlisted, and that the Com^r endeavour to engage them to reenlist for the term of two years.¹

¹ This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 30, folio 483. The indorsement states that it was read on this day and Thursday, March — assigned for consideration; but Committee Book No. 191 has a later note that it was “rendered unnecessary by act of 17 June, 1785.”

MARCH 14: The following committees were appointed:

Of the Week: Mr. J[ohn] Henry, Mr. [William] Grayson and Mr. [James] Monroe.

Mr. [William] Ellery, Mr. [Samuel] Hardy and Mr. [Pierse] Long, on letter of March 11, from Joseph Pennell, commissioner for settling marine accounts, relative to William Henry's petition. It was read this day and is in the *Papers of the Continental Congress*, No. 31, folio 113. The committee reported March 16.

Mr. [Rufus] King, Mr. [Samuel] Hardy and Mr. [David] Howell, on the memorial of Augustin Prevost, Jr., dated March 11, claiming lands on right of his wife, who was the daughter of Col. George Croghan. It was read this day and is in No. 41, VIII, folio 205. The committee reported May 2.

Mr. [Samuel] Holten, Mr. [Samuel] Hardy, Mr. [William] Ellery, Mr. [William Samuel] Johnson and Mr. J[ohn] Henry, on the letter of J. Davidson and proceedings of the Admiralty court in the case of the sloop *Chester* and the representation of the Minister of the Netherlands. This business had been referred December 1, 1784, to the committee of that date on the letters from the Ministers of the United States abroad. The membership then was Mr. [Samuel] Holten, Mr. [William C.] Houston, Mr. [Jacob] Read, Mr. Gunning Bedford and Mr. [Samuel] Hardy. The committee of March 14 was discharged March 18 and the business referred to the Secretary for Foreign Affairs.

Mr. [William] Houstoun, Mr. [John] Bull and Mr. [Charles] Pinckney, on the petitions of Job Whipple and Josiah Converse. Reports were rendered April 18. This was a renewal of the committee of December 8, Mr. [Jacob] Read, Mr. [William C.] Houston and Mr. Bull.

Mr. [Samuel] Holten, Mr. [James] Monroe and Mr. [William Samuel] Johnson, on the letter of December 19, 1784, from the War Office regarding courts martial

TUESDAY, MARCH 15, 1785.

Congress assembled. Present as yesterday.

Resolved, That the resolution of the third day of Feby last, for taking security from the commissioners of the treasury, extend only so far as to compel each of the said commissioners to give security for the due execution of his trust, without

and deserters. The business was, later, referred to the Secretary at War to report. This committee was a renewal of the committee of December 22, 1784, which was Mr. [Jacob] Read, Mr. [Samuel] Holten and Mr. [James] Monroe.

Mr. [James] Monroe and Mr. [Rufus] King, on the letter of September 30, 1784, from the Superintendent of Finance, and his letter of November 1 tendering his resignation. This was a renewal of the committee of January 17. The letter of November 1, 1784, is in No. 137, III, folio 753 and Morris's commission is on folio 751.

Mr. [John] Beatty, Mr. [David] Howell, Mr. [Samuel] Hardy, Mr. [Rufus] King and Mr. [William Samuel] Johnson, on qualifications. This was a renewal of the committee of January 17.

Mr. [William Samuel] Johnson, Mr. [Rufus] King, Mr. [David] Howell, Mr. [Hugh] Williamson and Mr. [Samuel] Hardy, to enquire fully into the proceedings of the Department of Finance, "including the several branches of the same." See resolve of June 17, 1782.

Mr. [James] Monroe, Mr. R. R. Livingston, Mr. [Samuel] Holten, Mr. [William] Ellery and Mr. [John] Henry, to enquire into the proceedings of the Department of Foreign Affairs and report thereon. See resolve of June 17, 1782.

Mr. [Lambert] Cadwallader, Mr. [Pierse] Long, Mr. [William] Grayson, Mr. [James] McHenry and Mr. [Richard Dobbs] Spaight, to enquire into the proceedings of the Department of War and report thereon. See resolve of June 17, 1782.

Mr. [William] Ellery, Mr. [John] Sitgreaves, Mr. [Abiel] Foster, Mr. [Charles] Pinckney and Mr. [William] Hindman, to enquire into the proceedings of the Marine Department and report thereon. See resolve of June 17, 1782.

Mr. [Zephaniah] Platt, Mr. [Joseph P.] Cook, Mr. [John] Bull, Mr. [William] Henry and Mr. [Joseph] Gardner, to enquire into the proceedings of the Post Office and report thereon. See resolve of June 17, 1782.

Mr. [James] Monroe, Mr. [Samuel] Hardy, Mr. [William S.] Johnson, and Mr. [Rufus] King, to revise the plan of a convention for regulating the powers and privileges of consuls, vice-consuls and agents which has been sent to the Ministers of the U. S. to be proposed to the Court of Versailles and also the letter of September 17, 1784, from Thomas Barclay. This was a renewal of the committee of January 17. Mr. [William] Ellery was added to the committee June 20 and the committee discharged June 24.

Mr. [Hugh] Williamson, Mr. [Samuel] Hardy, Mr. [Samuel] Holten, Mr. [Richard Dobbs] Spaight and Mr. [William] Ellery, on papers respecting the capture of the schooner *Good Fortune* and condemnation of said schooner by the

being answerable for such acts of the board, or his associates, as he did not consent to or acquiesce in.

Congress resumed the consideration of the report of the committee, on the state of the Southern Indians; and the following paragraph being under debate:

That the Commissioners be authorised to apply to the supreme executive, either of Virginia, North Carolina, South Carolina or Georgia, for 150 men, or such part thereof as they may deem necessary, of their Militia, for the purpose of protecting the Com^{rs} whilst engaged in concluding the said trea-

court of admiralty at Cape François. This was a renewal of the committee of January 17, and this March 14 committee was renewed August 8.

Mr. [William] Houstoun, Mr. [David] Howell and Mr. [Samuel] Holten, to prepare an ordinance for the better regulating the Post Office. This was a renewal of the committee of February 28 and Mr. [William] Grayson was added to this committee April 8, Mr. [Samuel] Dick May 18, and the committee renewed December 27.

Mr. [Rufus] King, Mr. [William] Pinckney and Mr. [Samuel] Hardy, for repealing the resolve of February 3 "so far as the Com^{rs} are severally bound for the trust reposed in the board." A report was rendered March 15.

On Qualifications: Mr. [John] Beatty, Mr. [David] Howell, Mr. [Samuel] Hardy, Mr. [Rufus] King, and Mr. [William Samuel] Johnson. This committee was renewed May 2. See *ante*, January 17.

Committee Book No. 190.

Also, according to Committee Book No. 190, and the indorsement thereon, the letter from James Read, Secretary of the Marine Office, dated March 7, enclosing a copy of a letter from John Paul Jones, of December 17, 1784, asking for copies of the muster rolls of the *Bonhomme Richard* and the *Alliance*, was referred to the Secretary for Foreign Affairs to take order. Read's letter is in the *Papers of the Continental Congress*, No. 168, I, folio 484, and the copy of Jones' letter is on folio 486.

Also, the committee of November 30, 1784 (Mr. John Bull, Mr. William Ellery and Mr. William Henry) reported on the letters of John Pierce, of November 6, 1784, and of B. Thompson, of November 22, 1784. Committee Book No. 191 states that the report on Pierce's letter was recommitted on April 4.

Also, Mr. [Joseph] Gardner was this day substituted for Mr. [Jacob] Read on the committee of February 7, on the report on Invalids.

Also, on this day, according to Committee Book No. 191, the report on Benjamin Walker's petition was recommitted. The same committee reported again March 28.

Also, according to Committee Book No. 186, a report was rendered on Mr. John Francis Mercer's motion of December 17, 1784. See *ante*, January 17, 1785 and *post*, March 15.

ties, And that they be authorised to draw on either of the said states, for a sum not exceeding dollars, to discharge the expense of holding a treaty, including the pay and Subsistence of the guard for the Com^{rs}, and a sum not exceeding dollars, to be expended in Making presents to the Indians, and that the said state have credit for such advance out of the requisition for the year 1786.

A Motion was made by Mr. [Hugh] Williamson, seconded by Mr. [Richard Dobbs] Spaight, to fill the first blank with "Nine thousand:" And on the question to agree to this, the yeas and nays being required by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardner,	ay	}ay
Long,	no		W. Henry,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	}ay	Mr. M'Henry,	no	}no
King,	ay		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	*	<i>Virginia,</i>		
<i>Connecticut,</i>			Mr. Hardy,	ay	}ay
Mr. Cook,	ay	}ay	Lee,	ay	
Johnson,	ay		Grayson,	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. R. R. Livingston,	ay	}ay	Mr. Williamson,	ay	}ay
W. Livingston,	ay		Spaight,	ay	
Platt,	ay		Sitgreaves,	ay	
<i>New Jersey,</i>			<i>South Carolina,</i>		
Mr. Beatty,	ay	}ay	Mr. Bull,	ay	}ay
Cadwallader,	ay		Pinckney,	ay	
Stewart,	ay		<i>Georgia,</i>		
			Mr. Houstoun,	ay	*

So it was resolved in the affirmative.

The other blanks being filled, and the report being amended, was, on the question, agreed to as follows:¹

Resolved, By nine States, That three Commissioners, with the same pay as is allowed to the Commissioners appointed

¹ At this point Benjamin Bankson begins the entries in the Journal.

for treating with the Northern Indians, be appointed to treat with the Cherokees and all other Indians southward of them, within the limits of the United States, or who have been at War with them, for the purpose of making Peace with them, receiving them into the favour and protection of the United States, and removing as far as may be all causes of future contention or quarrels.

That the commissioners be instructed as a preliminary, to require that all prisoners of whatever age or sex among the Indians, shall be delivered up, and they are further instructed to demand the Negroes and other property belonging to the Citizens of the United States, which have been captured during the War.

That they be instructed to inform the Indians of the great occurrences of the last War, and of the extent of Country relinquished by the late treaty of peace with Great Britain.

That the Commissioners, previous to their holding any Treaty, shall give due notice of the time and place where it is to be held, to the Supreme Executives of Virginia, North Carolina, South Carolina and Georgia; in order that they may each of them appoint one or more persons to attend during the Treaty, if they think proper.

That the Commissioners be instructed to encourage the Indians to give notice to Congress or some of their Officers, of any designs that may be formed in any neighbouring tribe, or by any person whatever against the peace of the United States.

That the Commissioners be authorised to apply to the Supreme Executive of Virginia, North Carolina, South Carolina or Georgia, for one hundred and fifty men, or such part thereof as they may deem necessary of their Militia, for the purpose of protecting the Commissioners whilst engaged in concluding the said Treaties; and that they be authorised to draw on any

of the said States [for a sum not exceeding nine thousand dollars, to discharge the expences of holding the treaties, including the pay of the Commissioners, and the pay and subsistence of the guard for the Commissioners; and a sum not exceeding four thousand dollars, to be expended in making presents to the Indians, and that the said State have credit for such advance out of the requisition for the year 1786.]¹

Resolved, That Monday next be assigned for the appointment of three Commissioners, to form a treaty or treaties with the Indians in the Southern Department, agreeably to the foregoing Act, for the purposes specified in the same.²

The Committee appointed to consider whether any, and what measures may be necessary for Congress to adopt in pursuance of their recommendations to the several States of March [April] 18, 1783, beg leave to offer to Congress the following resolutions:

Resolved, That a deputation of _____ members of Congress be appointed to repair to and confer with the Legislatures of Rhode Island and Providence Plantations, New York and Georgia, provided they are now in session, or at their next sessions respectively, to state to them the public embarrassments for want of money, and urge on them the necessity of an immediate compliance with the recommendations of April 18th, 1783.

Resolved, That a circular letter be written to all the States excepting Delaware urging the necessity of a full and perfect compliance with that part of the System of April 18th 1783, which recommends to the States to establish for the term of 25 years substantial and effectual revenues of such nature as they may judge most convenient for supplying their respective proportions of 1,500,000 annually to be appropriated and collected in like manner with the Impost of 5 pr. C^t.³

¹ The words in brackets are in Charles Thomson's writing.

² On this day, according to Committee Book No. 190, Mr. [Samuel] Holten was added to the committee of February 7 on Moses Hazen's memorial, in place of Mr. [Elbridge] Gerry.

³ This report, in the writing of a clerk, is in the *Papers of the Continental Congress*, No. 24, folio 123. It is indorsed in the writing of David Howell, "Report of a committee on Mr. Mercer's motion relative to the impost of five pr. C^t." The indorsement by Thomson says it was the report of Mr. [David] Howell, Mr. [James] Monroe, ~~Mr. [Samuel] Holten~~, Mr. [William Samuel] Johnson and ~~Mr.~~

The committee of the Week consisting of M^r [John] Henry, M^r [James] Monroe and [William] Grayson,¹

Report—

P. That the Memorials of Alexander Fowler and Daniel Elliot requesting to be paid for their advances to the Troops at Fort Pitt be referred to a Committee.

FILES. That the Petition of Timothy Divine be referred to the Committee on Canada affairs.

FILES. That the Letter from Col. Smith, requesting to be informed of the manner in which his Salary is to be paid, be referred to a Committee.

P. That the Letter from Daniel Elliot, stating that he is engaged on the part of Virginia to run the Western Boundary of Pennsylvania as far as the Ohio, and that as Congress is interested in the remainder of the line, he will continue in their Service if agreeable, be referred to a Committee for opening the Land office.

[John] Beatty, read on this day and on January 27, 1786, recommitted to Mr. [James] Monroe, Mr. [William Samuel] Johnson, Mr. [Nathaniel] Gorham, Mr. [John Cleves] Symmes and Mr. [Samuel] Livermore. On folio 124 Thomson has copied Mercer's motion of December 17, 1784.

¹ This report, in the writing of John Henry, is in the *Papers of the Continental Congress*, No. 32, folio 625. It is undated, but from the indorsements on the various petitions considered, seems to have been rendered this day.

Fowler's memorial is in No. 41, III, folio 300; Elliot's is in No. 42, II, folio 426. Both were read this day and referred on April 4 to Mr. [James] McHenry, Mr. [Samuel] Hardy and Mr. [Abiel] Foster. This committee was renewed August 8. Divine's petition was read on this day. It is in No. 41, II, folio 517.

The petition from the officers of the late American Regiment is in No. 42, VI, folio 113, was read this day and referred to Mr. [John] Bull, Mr. [William] Ellery and Mr. [James] McHenry. This committee had reported, March 14, on John Pierce's letter of November 6, 1784, on this same subject and that report was recommitted to the committee on April 4. The committee was renewed July 20.

Adams' petition was read this day. It is in No. 42, I, folio 59.

MARCH 15: The following committees were appointed:

Mr. [Rufus] King, Mr. R. R. Livingston and Mr. [William] Ellery, on the memorial of Samuel Fraunces. The memorial is dated March 5, 1785, prayed for financial assistance and was read this day. Committee Book No. 191 states that a report was rendered March 28. Fraunces' memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 292.

Mr. [William Samuel] Johnson, Mr. [Rufus] King and Mr. [Abiel] Foster, on the letter from Lieutenant Augustus Christian George Elholm, of Pulaski's legion, for payment of balance due him. Report was rendered March 21.

Committee Book No. 190.

That the Petition of the Officers of the late American Regiment, stating that Doctor Heart the Surgeon of their Regi^t had received, on an order from the paymaster General a Sum of
 P. Money for the Regimental paymaster, to be applied to the subsistence of the said officers, that on the return of Doctor Heart from Boston and in the absence of the paymaster, they with the approbation of the Doctor distributed to each officer six weeks pay, and gave receipts for so much, as if received of the regimental paymaster which receipts they pray, after considering all the circumstances of their situation and distress, may be allowed by the Comptroller as vouchers to the pay master for the said six weeks pay, be referred to a Committee.

That the petition of William Adams praying for a compensation for his losses by the enemy he entered on the files
 P.

¹ WEDNESDAY, MARCH 16, 1785.

Congress assembled. Present as yesterday.

A motion was made by Mr. [Rufus] King, seconded by Mr. [William] Ellery, that the following proposition be committed.

That there shall be neither Slavery nor involuntary servitude in any of the States, described in the resolve of Congress of the 23 April, 1784, otherwise than in punishment of crimes, whereof the party shall have been personally guilty: And that this regulation shall be an article of compact, and remain a fundamental principle of the Constitutions between the 13 Original States, and each of the States described in the said resolve of the 23 April, 1784.²

On the question for commitment, the yeas and nays being required by Mr. [Rufus] King,

¹ At this point the entries are resumed by Charles Thomson.

² This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 31, folio 327. The indorsement states that it was referred to Mr. [Rufus] King, Mr. [David] Howell and Mr. [William] Ellery, who reported, according to Committee Book No. 190, on April 6.

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}ay	Mr. Gardner,	ay
Long,	ay		W. Henry,	ay
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	}ay	Mr. M'Henry,	no
King,	ay		J. Henry,	ay
<i>Rhode Island,</i>			Hindman,	ay
Mr. Ellery,	ay	}ay	<i>Virginia,</i>	
Howell,	ay		Mr. Hardy,	no
<i>Connecticut,</i>			Lee,	no
Mr. Cook,	ay	}ay	Grayson,	ay
Johnson,	ay		<i>North Carolina,</i>	
<i>New York,</i>			Mr. Spaight,	no
Mr. W. Livingston,	ay	}ay	Sitgreaves,	no
Platt,	ay		<i>South Carolina,</i>	
<i>New Jersey,</i>			Mr. Bull,	no
Mr. Beatty,	ay	}ay	Pinckney,	no
Cadwallader,	ay		<i>Georgia,</i>	
Stewart,	ay		Mr. Houstoun,	no

So it was resolved in the affirmative.

Congress proceeded to the election of a Commissioner for carrying into execution the purposes mentioned in the Ordinance of the 23 Dec^r, 1784, in the room of Philip Schuyler, Esq^r who has declined; and, the ballots being taken, Mr. John Brown was elected, having been previously nominated by Mr. [John] Beatty.

The ordinance for ascertaining the mode of locating and disposing of lands in the Western territory, being taken up for a second reading; after debate,

Ordered, That it be referred to a com^{ee} of a member from each State.¹

¹ On this day also, according to Committee Book No. 190, Mr. [Pierse] Long, Mr. [Rufus] King, Mr. [David] Howell, Mr. [William Samuel] Johnson, Mr. R. R. Livingston, Mr. [Archibald] Stewart, Mr. [Joseph] Gardner, ~~Mr. W. Henry~~, Mr. [John] Henry, Mr. [William] Grayson, Mr. [Hugh] Williamson, Mr. [John] Bull and Mr. [William] Houstoun, were appointed to prepare an ordinance for locating lands in the Western territory. They reported April 12.

On the report of a committee, consisting of Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [Elbridge] Gerry, to whom was referred the report of a committee on a letter of 28 March, 1783, from Mr. R. R. Livingston, late secretary for foreign affairs,

Resolved, (by nine States) That the said Secretary is intitled to the sum of fifteen hundred dollars, the Amount of the extra expences beyond his salary for the last six months he continued in Office.¹

The Committee [Mr. John Bull, Mr. William Ellery and Mr. William Henry] to whom was referred a letter from Charles Stockley setting forth that on the 30th or 31st of October after the reduction of Charleston, he was appointed pay master to the Virginia Line, and desiring that Congress would determine what additional pay should be allowed him while he acted in said Capacity,—

Report,

That Charles Stockley should receive the pay allowed to a pay-Master taken from the line by the resolution of Congress of the 27th of May, 1778, in addition to his pay as officer in the line during the time he Acted as pay-Master to the Virginia line.²

THURSDAY, MARCH 17, 1785.

Congress assembled. Present as before.

Congress took into consideration the report of the com^{oo}, consisting of Mr. [Elbridge] Gerry, Mr. [Hugh] Williamson and Mr. [Samuel] Hardy, on a Motion for expediting the settlement of public Accounts, and limiting the time for bringing in claims:

¹ This resolution was also entered in the manuscript Secret Journal, Foreign Affairs. See *ante*, March 7 and March 31, 1783.

On this day, according to the indorsement, was read a letter of March 10 from Robert Howe, praying for financial relief. It was referred to Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Samuel] Hardy and Mr. [Lambert] Cadwallader. They reported April 5 and April 6 the report was read. Howe's letter is in the *Papers of the Continental Congress*, No. 160, folio 531.

² This report, in the writing of a clerk, is in the *Papers of the Continental Congress*, No. 19, V, folio 433. The indorsement states that it was read this day.

And the following paragraph being under debate,

Whereas it must conduce to the preservation of public credit and the equal distribution of Justice that the amount of the national debt be ascertained with the utmost expedition, and as delay in the settlement of accounts tends to render them obscure and to encourage frauds by preventing the means of detecting them, *Resolved,*

That all persons having unliquidated claims against the United States, be required within *twelve Months* from the date hereof, to deliver a particular abstract of such claims to some commissioner in the State in which they respectively reside, who is authorised to settle accounts against the United States; And any person or persons, neglecting to deliver their claims as aforesaid, shall be precluded from any adjustment of the same, except at the board of treasury: Provided that in those states where there is no commissioner of Accounts, the citizens of such State or States, shall be allowed one year for delivering their claims, from the time when a Com^r shall have been appointed and enter on the duties of his Office.

A Motion was made by Mr. [Richard Dobbs] Spaight, seconded by Mr. [John] Sitgreaves, to strike out "twelve," and insert "twenty three:" And on the question to agree to this amendm^t, the yeas and nays being required by Mr. [Richard Dobbs] Spaight,

New Hampshire,

Mr. Foster,	no	}no
Long,	no	

Massachusetts,

Mr. Holten,	no	}no
King,	no	

Rhode Island,

Mr. Ellery,	no	}no
Howell,	no	

Connecticut,

Mr. Cook,	no	}no
Johnson,	no	

New York,

Mr. R. R. Livingston,	ay	}no
W. Livingston,	no	
Platt,	no	

New Jersey,

Mr. Beatty,	ay	}ay
Cadwallader,	ay	
Stewart,	no	

Pennsylvania,

Mr. Gardner,	ay	}ay
W. Henry,	ay	

<i>Maryland,</i>			<i>North Carolina,</i>	
Mr. M'Henry,	ay	}	Mr. Williamson,	ay
J. Henry,	ay		Spaight,	ay
Hindman,	ay		Sitgreaves,	ay
<i>Virginia,</i>			<i>South Carolina,</i>	
Mr. Hardy,	ay	}	Mr. Bull,	no
Lee,	ay		Pinckney,	ay
Grayson,	ay		<i>Georgia,</i>	
			Mr. Houstoun,	ay

So the question was lost.

On the Question to agree to the clause, the yeas and nays being required by Mr. [Richard Dobbs] Spaight,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}	Mr. Gardner,	no
Long,	ay		W. Henry,	no
<i>Massachusetts</i>			<i>Maryland,</i>	
Mr. Holten,	ay	}	Mr. M'Henry,	ay
King,	ay		J. Henry,	ay
<i>Rhode Island,</i>			Hindman,	ay
Mr. Ellery,	ay	}	<i>Virginia,</i>	
Howell,	ay		Mr. Hardy,	ay
<i>Connecticut,</i>			Lee,	ay
Mr. Cook,	ay	}	Grayson,	ay
Johnson,	ay		<i>North Carolina,</i>	
<i>New York,</i>			Mr. Williamson,	ay
Mr. R. R. Livingston,	ay	}	Spaight,	no
W. Livingston,	ay		Sitgreaves,	no
Platt,	ay		<i>South Carolina,</i>	
<i>New Jersey,</i>			Mr. Bull,	ay
Mr. Beatty,	ay	}	Pinckney,	no
Cadwallader,	ay		<i>Georgia,</i>	
Stewart,	ay		Mr. Houstoun,	ay

So it was resolved in the affirmative.

The report being amended, was agreed to as follows:

Whereas it must conduce to the preservation of public credit, and the equal distribution of Justice, that the Amount of the National debt be ascertained with the utmost expedi-

tion; and as delay in the settlement of accounts, tends to render them obscure, and to encourage frauds, by preventing the means of detecting them:

Resolved, That all persons having unliquidated claims against the United States, be, and they are hereby required, within twelve Months from the date hereof, to deliver a particular abstract of such claims to some Commissioner in the State in which they respectively reside, who is authorised to settle accounts against the United States; And any person or persons, neglecting to deliver their claims as aforesaid, shall be precluded from any adjustment of the same, except at the board of treasury: Provided that in those states where there is no Commissioner of Accounts, the citizens of such state or states, shall be allowed one year for delivering their claims, from the time when a Commissioner shall have been appointed and enter on the duties of his Office.

That all persons who shall neglect to deliver in a particular abstract of their claims as aforesaid, shall be excluded from the benefit of settlement or allowance.

Resolved, That the commissioners of accounts, appointed under the resolutions of the 27 february, 1782, be, and they are hereby instructed to remove their respective Offices to the place in which Congress resides before the first of May next, except such of them as by special order of Congress have been appointed to settle accounts in some other place.¹

17 MARCH: A motion by Mr. R. R. Livingston seconded by Mr. [William S.] Johnson to refer the above [report of the committee on Indian treaties, March 7] to the com^{eo} to whom was referred an Ordinance for ascertaining the mode of locating lands.

When the question was about to be put the determination thereof was postponed by the State of ~~Pennsylvania~~ Rhode Island.²

The committee, consisting of Mr. [Samuel] Hardy, Mr. [John] Beatty and Mr. [Elbridge] Gerry, to whom was re-

¹ See *ante*, February 28.

² This memorandum, in the writing of Charles Thomson, is entered on the printed committee report of February 18. It is in the *Papers of the Continental Congress*, No. 30, folio 249. See *post*, March 18.

ferred a letter from his Excellency governor Clinton, having reported,

“That in the year 1776, when he commanded a brigade in the continental army, he was applied to by the Commissary general, for advice and assistance in procuring a supply of flour for the American Army: That in consequence of this application he sent an Officer up the North river, for the purpose of making a purchase of five thousand bushels of wheat or an equivalent in flour: That the said purchase was made on his credit, and that in his private character he has made an advance in part payment for the same, and by his private assumpsit remains liable for the residue: That a considerable part of what he advanced, has been reimbursed by the commissary gen^l in continental Money, and that the balance now remaining due, and for which he is liable, is, as appears from the note of William Paulding, £1003 : 9 : 7, New York currency, which with the legal interest, amounts to thirteen hundred and six pounds thirteen shillings and three pence,” thereupon,

Resolved, (by nine States) That the Commissioners of the treasury take Order for the immediate payment of three thousand two hundred and sixty six dollars and 66 ninetieths of a dollar, to his excellency governor Clinton (being the amount of the said sum) and that the said William Paulding, in the settlement of his accounts, be charged with the same.

The Committee [Mr. David Howell, Mr. Elbridge Gerry, Mr. Hugh Williamson, Mr. Samuel Hardy and Mr. Lambert Cadwallader] to whom were referred a letter from Baron de Steuben, dated New York, February 5, 1785, beg leave to submit the following report:

Your committee find a report of a committee of Congress, entered on the journal of December 30th, 1782, in the following words, viz. “That the baron de Steuben was in Europe possessed of respectable military rank, and different posts of honor and emolument, which he relinquished to come to America, and offer his services at a critical period of the war, and without any previous stipulations; that on his arrival he actually engaged in the army in a very disinterested manner, and without compensations similar to those which had been

made to several other foreign officers; that under singular difficulties and embarrassments in the department in which he has been employed, he has rendered very important and substantial services, by introducing into the army a regular formation and exact discipline, and by establishing a spirit of order and oeconomy in the interior administration of the regiments, which, besides other advantages, have been productive of immense savings to the United States; that in the commands in which he has been employed, he has upon all occasions conducted himself like a brave and experienced officer. The committee are therefore of opinion, that the sacrifices and services of the baron de Steuben, justly entitle him to the distinguished notice of Congress, and to a generous compensation, whenever the situation of public affairs will admit." With which report your committee entirely agree, and thereupon recommend to Congress the following resolutions.

Resolved, That the commissioners of the board of treasury, pay to baron de Steuben, late major general and inspector general in the ~~armies of the United States, the amount of two~~ ^{several liquidated debts due to him from the United States, one of which was due March 21st, 1782, being 6,000 dollars; the other June 10th, 1784, being 1,826.53-90 dollars, together with the interest thereon at the time of payment. [which Payment shall be forwarded made out of the Requisitions for the present Year].}

Resolved, That in consideration of the baron de Steuben's having relinquished different posts of honor and emolument in Europe, and rendered to the United States most essential services, he be allowed and paid out of the treasury of the United States, the sum of [Twenty five thousand dollars to be paid by installments in manner hereafter mentioned].¹

¹ This report, in broadside form, with ms. changes by Charles Pinckney and Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 539. The ms. additions, which are enclosed in brackets above, and also the words lined out, were changes made on March 23 and subsequent dates while the report was under consideration and before it was recommitted. A ms. copy, in the handwriting of a clerk, is in No. 164, folio 266. It was read this day and Wednesday March 23 assigned. The indorsement states that: "23 March part agreed to—Passed March 1785 with amendments. 7 July, 1785 Recommited."

On this day, according to Committee Book No. 190, the report of the committee, consisting of Mr. [Samuel] Hardy, Mr. [James] Monroe and Mr. R. [R.] Livingston, on Mr. Monroe's motion "in favour of Mr. [Benjamin] Walker," was recommitted to them, along with a motion "in favour of Mr. [Hodijah] Baylies and Mr. [David] Cobb." A report was rendered March 28.

The Commee consist^g of Mess^{rs} [William] Ellery, [Hugh] Williamson, [James] Munroe, [Richard Dobbs] Spaight and [James] M^eHenry to whom the Petition of D^r Pellon with its inclosures were committed, beg leave to represent. That D^r Pellon ~~appears to be~~ a refugee from Canada has exhibited an account agst these States to a considerable amount, and that his distresses appear to be so great as to require immediate relief, And thereupon they report, in part, upon his application, That the President draw a warrant upon the Treasurer in favour of D^r Pellon for ~~three hundred~~ sixty dollars for which he is to be charged.¹

FRIDAY, MARCH 18, 1785.

Congress assembled. Present, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia and North Carolina; and from Massachusetts, Mr. [Samuel] Holten, and from Delaware, Mr. [Gunning] Bedford.

The report of a com^{ee}, consisting of Mr. [William Samuel] Johnson, Mr. [James] M^eHenry, Mr. [David] Howell, Mr. [James] Monroe and Mr. [Hugh] Williamson, to whom were referred a letter and sundry papers from the Commissioners for negotiating treaties with the Indians, pursuant to the Act of the 15 October, 1783, having been yesterday debated and amended to read as follows:

“That in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Potowatama, Twightwees, Piankishaw and other western nations, a treaty be held with the said Indians

¹ This report in the writing of William Ellery is in the *Papers of the Continental Congress*, No. 19, V, folio 67. According to the indorsement it was read this day and passed March 21.

On this day, according to Committee Book No. 190, the memorial of James Willing, praying for a settlement of his accounts, was referred to Mr. [John] Beatty, Mr. [William Samuel] Johnson and Mr. W[illiam] Henry. This committee was renewed June 14.

Also, the Committee consisting of Mr. [William] Ellery, Mr. [Samuel] Hardy and Mr. [Pierse] Long, brought in a report on the letter of March 11, from Joseph Pennell. See *ante*, March 14.

at post Vincent, on the Wabash river, on the 20th day of June, 1785, or at such time or place as the commissioners may find more convenient. That 18,429 pounds weight of beef, 21,047 lb. of flour, and salt in proportion, in addition to the rations now in use at Fort McIntosh, will be necessary for the said treaty; and that the Commissioners of the treasury take order to furnish the same by contract. That the commissioners for holding the aforesaid treaty, purchase such goods as they may judge necessary, in addition to the goods in store at Fort McIntosh, to an amount not exceeding three thousand dollars; and that they be empowered to draw out of the public Magazines, if they think proper, such a quantity of powder as they may find necessary for the purposes of the treaty."

That the commissioners of the treasury take order to advance to the Commissioners aforesaid, the sum of three thousand dollars, for which they are to account. That the troops at the Western posts, or so many of them as may be required, be subject to the Order of the aforesaid commissioners for holding the treaty, during the time of the said treaty.

And a Motion having been made by Mr. R[obert] R. Livingston, seconded by Mr. [William Samuel] Johnson, to refer the same to the Com^{es}, to whom was referred an Ordinance ascertaining the Mode of locating lands, and when the question was about to be put, the determination thereof being postponed by the state of Rhode Island;

The question to agree to the motion for committing was now put, the yeas and nays being required by Mr. [James] M^cHenry,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	}no	Mr. Gardner,	ay	}ay
Long,	no		W. Henry,	ay	
<i>Massachusetts,</i>			<i>Delaware,</i>		
Mr. Holten,	no	*}	Mr. Bedford,	no	*}
<i>Rhode Island,</i>			<i>Maryland,</i>		
Mr. Ellery,	no	}no	Mr. M ^c Henry,	no	}no
Howell,	no		Hindman,	no	
<i>Connecticut,</i>			<i>Virginia,</i>		
Mr. Cook,	no	}div.	Mr. Hardy,	no	}no
Johnson,	ay		Lee,	no	
<i>New York,</i>			Grayson,	ay	
Mr. W. Livingston,	no	}no	<i>North Carolina,</i>		
Platt,	no		Mr. Williamson,	no	}no
<i>New Jersey,</i>			Spaight,	no	
Mr. Beatty,	no		Sitgreaves,	no	
Cadwallader,	no				
Stewart,	no				

So it passed in the negative.

Ordered, That the further Consideration of the report be for the present postponed.

Congress took into consideration the following report of a com^{es}, consisting of¹ Mr. [David] Howell, Mr. [James] Monroe, Mr. [Charles] Pinckney, Mr. R. R. Livingston and Mr. [Joseph] Gardner, appointed to revise the institution of the Office of the Secretary of Congress, and to report such Alterations as they may judge necessary.

An Ordinance for the regulation of the Office of Secretary of Congress, and for extending it to the Home Department.

Be it Ordained by the United States in Congress Assembled, That the Secretary of Congress shall also in future be charged with the business of the Home Department, and shall keep his Office in or near the State-house or building where the sessions of Congress shall be holden.

¹ From this point the entries are in the writing of Benjamin Bankson.

He shall carefully preserve the Journals of Congress, and all other papers committed to his charge; and such as are secret in their nature, or by special order, shall not be communicated by him to any person, except members of Congress, and such persons as may be entitled thereto by special resolutions.

He shall not deliver any original Journal, letter or paper out of his Office, without an order of Congress, and a receipt therefor.

He shall deliver attested Copies of any resolutions of Congress, or public papers in his Office, not secret in their nature, or by special order, to any members of Congress who may require the same in writing.

He shall transmit to the Secretary for Foreign Affairs, to the Secretary for the War department, to the Secretary of Marine, to the Commissioners of the Board of Treasury, and to the post-master General, all papers referred to them by Congress respectively, as well as an authenticated Copy of all Acts, Ordinances and resolutions of Congress, touching their respective departments.

He shall keep a daily account of all memorials, Petitions and Communications received by Congress, noting therein their object, and the steps taken respecting them; and lay the said account or register every day on the table in Congress, for the inspection of the Members.

He shall return such answers as Congress shall direct to be given to the memorials, petitions and communications, except where Congress shall judge it proper, that the same be given by their President, or where it shall be the duty of any of the executive departments to return such answer.

He shall transmit to the several States, all Acts, Ordinances, resolutions and recommendations of Congress; attend to the execution of them; correspond with the States, and receive communications from them, touching the same, and make report thereof to Congress; keeping a book in which shall be entered copies of all such Letters and communications.

He shall attend Congress during their session, and, in their recess, the Committee of the States, either in person or by his deputy; read the public despatches, Acts, Ordinances and reports of Committees, and make the proper entries on the Journals.

He shall authenticate all Acts and proceedings of Congress not specially directed to be authenticated by their President; and keep a register of all treaties, conventions, Ordinances and permanent Acts of Congress.

He shall cause to be made and laid upon the table, for every State represented in Congress, and for every member appearing for any State unrepresented, a copy of every Ordinance, or report upon a matter of importance and not of a secret nature, for the consideration of which a day is assigned.

He shall keep the great seal of the fœderal Union, and cause the same to be affixed to every Act, Ordinance or paper Congress shall direct. He shall superintend the Printing of the Journals, and other publications ordered by Congress.

He shall keep a book, in which shall be noted in Columns, the names of the several Members of Congress, the State which they represent, the date of their Appointment, and the term for which they are appointed.

Be it also Ordained, That the salary of the Secretary of Congress and for the home department shall be dollars per annum. That a deputy Secretary in his Office shall be appointed by Congress, and allowed a salary of dollars per annum. That he be also authorised to appoint an under Secretary in his Office, who shall be allowed a Salary of dollars per annum, and such a number of Clerks as Congress may, from time to time, direct, each with an allowance of dollars per annum. That as well the Secretary of Congress and for the home department, as the deputy Secretary, under Secretary and Clerks, previous to their entering on the duties of their respective Appointments, shall take and subscribe the Oaths or Affirmations of fidelity and of Office, prescribed in an Ordinance passed on the 28th day of May, 1784; which Oaths shall be taken by the said Secretary before the president of Congress. And that all former resolutions for regulating the Office of the Secretary of Congress, be, and they are hereby repealed.¹

² After some debate, a Motion was made by Mr. [Charles] Pinckney, seconded by Mr. [William] Houstoun, in the following words:

“That the Ordinance now under debate be committed, for the purpose of ascertaining the duties of the secretary of

¹ The February 25 report of the committee was printed and, probably, it was the broadside that was considered on this day. This broadside is in the *Papers of the Continental Congress*, No. 31, folio 279. See *post*, March 31.

² At this point Thomson resumes the entries.

Congress, and for reporting their opinions upon the propriety of creating a secretary for the home department."

A division being called for, and on the question to agree to the first clause, as far as the word "Congress" inclusive; the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>			
Mr. Foster,	no	}no	Mr. Bedford,	ay	}*	
Long,	no		<i>Maryland,</i>			
<i>Massachusetts,</i>			Mr. McHenry,	no	}no	
Mr. Holten,	no		J. Henry,	no		
King,	no		Hindman,	no		
<i>Rhode Island,</i>			<i>Virginia,</i>			
Mr. Ellery,	no	}no	Mr. Haray,	no	}ay	
Howell,	no			Lee,		ay
<i>Connecticut,</i>			Grayson,	ay		
Mr. Cook,	no	}no	<i>North Carolina,</i>			
Johnson,	no			Mr. Williamson,	ay	}ay
<i>New York,</i>			Spaight,	ay		
Mr. R. R. Livingston,	ay	}no	Sitgreaves,	ay		
W. Livingston,	no			<i>South Carolina,</i>		
Platt,	no			Mr. Bull,	ay	}ay
<i>New Jersey,</i>			Pinckney,	ay		
Mr. Beatty,	no	}no	<i>Georgia,</i>			
Cadwallader,	ay			Mr. Houstoun,	ay	}*
Stewart,	no					
<i>Pennsylvania,</i>						
Mr. Gardner,	no	}no				
W. Henry,	no					

So it passed in the negative.

On the question to agree to the second clause, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	}no	Mr. Bedford,	ay	}*
Long,	no		<i>Maryland,</i>		
<i>Massachusetts,</i>			Mr. McHenry,	no	}no
Mr. Holten,	no	}no	J. Henry,	no	
King,	no		Hindman,	no	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	no	}no	Mr. Hardy,	no	}ay
Howell,	no		Lee,	ay	
<i>Connecticut,</i>			Grayson,	ay	
Mr. Cook,	no	}no	<i>North Carolina,</i>		
Johnson,	no		Mr. Williamson,	no	}ay
<i>New York,</i>			Spaight,	ay	
Mr. R. R. Livingston,	ay	}no	Sitgreaves,	ay	
W. Livingston,	no		<i>South Carolina,</i>		
Platt,	no		Mr. Bull,	ay	}ay
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Beatty,	no	}no	<i>Georgia,</i>		
Cadwallader,	no		Mr. Houstoun,	ay	}*
Stewart,	ay				
<i>Pennsylvania,</i>					
Mr. Gardner,	no	}no			
W. Henry,	no				

So it passed in the negative.

Ordered, That the farther consideration of the Ordinance be postponed till tuesday next.

Congress resumed the Consideration of the report of the Committee on the letters and papers from the Commissioners for negotiating treaties with the Indians, pursuant to the Act of the 15 of October, 1783.

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [John] Bull, that the farther consideration thereof be postponed till thursday next.

And on the question for postponing, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	}no	Mr. Bedford,	ay	}*
Long,	no		<i>Maryland,</i>		
<i>Massachusetts,</i>			Mr. McHenry,	no	}no
Mr. Holten,	no	}no	J. Henry,	no	
King,	no		Hindman,	no	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	no	}no	Mr. Hardy,	ay	}ay
Howell,	no		Lee,	ay	
<i>Connecticut,</i>			Grayson,	ay	
Mr. Cook,	no	}no	<i>North Carolina,</i>		
Johnson,	no		Mr. Williamson,	no	}no
<i>New York,</i>			Spaight,	no	
Mr. R. R. Livingston,	ay	}no	Sitgreaves,	ay	
W. Livingston,	no		<i>South Carolina,</i>		
Platt,	no		Mr. Bull,	ay	}ay
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Beatty,	no	}no	<i>Georgia,</i>		
Cadwallader,	no		Mr. Houstoun,	ay	}*
Stewart,	no				
<i>Pennsylvania,</i>					
Mr. Gardner,	no	}no			
W. Henry,	no				

So it passed in the negative.

On the question to agree to the report as amended, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>New York,</i>		
Mr. Foster,	ay	}ay	Mr. R. R. Livingston,	ay	}ay
Long,	ay		W. Livingston,	ay	
<i>Massachusetts,</i>			Platt,	ay	
Mr. Holten,	ay	}ay	<i>New Jersey,</i>		
King,	ay		Mr. Beatty,	ay	}ay
<i>Rhode Island,</i>			Cadwallader,	ay	
Mr. Ellery,	ay	}ay	Stewart,	ay	
Howell,	ay		<i>Pennsylvania,</i>		
<i>Connecticut,</i>			Mr. Gardner,	ay	}ay
Mr. Cook,	ay	}ay	W. Henry,	ay	
Johnson,	ay				

<i>Delaware,</i>			<i>North Carolina,</i>	
Mr. Bedford,	ay }*		Mr. Williamson,	ay }
<i>Maryland,</i>			Spaight,	ay }ay
Mr. M ^c Henry,	ay }		Sitgreaves,	ay }
J. Henry,	ay }ay		<i>South Carolina,</i>	
Hindman,	ay }		Mr. Bull,	no }
<i>Virginia,</i>			Pinckney,	no }
Mr. Hardy,	ay }		<i>Georgia,</i>	
Lee,	ay }ay		Mr. Houstoun,	ay }*
Grayson,	ay }			

So it was *Resolved*, That in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Potowatama, Twightwee, Piankishaw and other western nations, a treaty be held with the said Indians at post Vincent, on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the Commissioners may find more convenient.

That 18,429 pounds weight of beef, 21,047 pounds of flour, and salt in proportion, in addition to the rations now in use at fort M^cIntosh, will be necessary for the said treaty; and that the Commissioners of the treasury take Order to furnish the same by contract.

That the Commissioners for hold^g the aforesaid treaty, purchase and cause to be transported, such goods as they may judge necessary in addition to the goods in store at fort M^cIntosh, to an Amount not exceeding three thousand dollars, and that they be empowered to draw out of the public Magazines, if they think proper, such a quantity of powder as they may find necessary for the purposes of the treaty.

That the Commissioners of the treasury take Order to advance to the Commissioners aforesaid, the sum of three thousand dollars, for which they are to account, in addition to the amount of the goods to be purchased as aforesaid.

That the troops at the western posts, or so many of them as may be required, be subject to the order of the aforesaid

Commissioners for holding the treaty, during the time of the said treaty.¹

On the report of a committee, consisting of Mr. [Archibald] Stewart, Mr. [William] Hindman and Mr. [Abiel] Foster, to whom was referred a petition of lieut. Colonel Lewis Atayataghronghtha,

Resolved, That the president issue his warrant to the treasurer of the United States, in favour of lieut. Colonel Lewis Atayataghronghtha, for the amount of his certificate, dated Nov^r 4 1783, for 366 dollars, together with the interest thereon arising to this 18 day of March, 1785.

A letter, of 23 febr^y, from G. Wythe, esq^r and one of 27 Feb^y from Thomas Johnson, esq^r were read, informing that they have severally received the official notice of their Appointment as judges of the court for hearing and determining the Controversy between the states of Massachusetts and New-York, and that they accept the appointment.²

The Secretary for Foreign Affairs, to whom was referred a Letter from the Lieut. Governor of Massachusetts of the 24th of February last, together with the papers that came enclosed respecting the arrest and imprisonment of Jonas Hartwell, of that Commonwealth, by the inquisition in Spain, having reported, and the report being amended to read as follows:

That Copies of the said papers should be transmitted to the Chargé des Affaires of the United States at the

¹ On this day, according to Committee Book No. 190, the committee, renewed on March 14, on J. Davidson, the case of the sloop *Chester* and the representation of the Minister of the Netherlands, was discharged and the business referred to the Secretary for Foreign Affairs, who reported July 24, 1786.

² From this point the proceedings for the day were entered only in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

Johnson's letter is in No. 78, XIII, folio 333.

On this day, as the indorsement states, was read a letter of March 3 from Robert H. Harrison declining to serve as a judge in the controversy between Massachusetts and New York. It is in the *Papers of the Continental Congress*, No. 78, XII, folio 385.

Wythe's letter is in No. 78, XXIV, folio 503.

Court of Madrid; that he be instructed to enquire diligently into the truth of the facts stated in them; and in case he shall have good reason to think that Mr. Hartwell continues imprisoned for the causes assigned in the said papers, that then he make such representations to the Minister as the nature of the case and the accustomed practice on similar occasions may render adviseable: That he also be informed that Congress cannot object to Mr. Hartwell's being tried and treated agreeable to the laws of the Country, for crimes committed there, and that if his imprisonment is in consequence of his having violated them, they apply for his liberation not as a matter of right but of favour:

Ordered, That it be recommended to the Secretary for Foreign Affairs to take order.

N. B. The Obligation of secrecy is taken off so far as that a Copy of the foregoing instruction may be communicated to the Father of Mr. Jonas Hartwell, by the Delegates of Massachusetts.¹

MONDAY, MARCH 21, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from Georgia Mr. [William] Houstoun.

A letter, of 20, from James Monroe Esq^r was read, informing that he accepts the appointment of one of the judges of the fœderal court, for hearing and determining the controversy between the states of Massachusetts and New York.²

¹ This report, order and note is entered only in Secret Journal, Foreign Affairs, No. 5.

Committee Book No. 191 states that on March 20, 1785, the report on the petitions of Frederick Weissenfels and John Logan, was postponed. The report itself is so indorsed. See *ante*, February 3.

² This letter is in the *Papers of the Continental Congress*, No. 78, XVI, folio 431.

On this day, according to Committee Book No. 191, the report on Lieut. Elholm was recommitted. See *post*, April 4.

Congress proceeded to the election of three Commissioners to treat with the Cherokees, and all other Indians southward of them, within the limits of the United States, pursuant to the act of the 15th of the present Month, and, the ballots being taken, Benjamin Hawkins, Esq^r was elected, having been nominated by the delegates of North Carolina; Daniel Carroll, Esq^r having been nominated by Mr. M^cHenry; William Peery, esq^r having been nominated by Mr. [Gunning] Bedford.

STATE OF SOUTH CAROLINA

By His Excellency WILLIAM MOULTRIE Esquire Governor and Commander in Chief in and over the State aforesaid.

To the Honorable JACOB READ Esquire

Know Ye that by Virtue of the Power and Authority in me Vested by the Honorable the Legislature of this State YOU are hereby Commissioned as a DELEGATE to represent this State in CONGRESS and you are to Continue in your Delegation until the first Monday in November next.

And to obviate the Inconveniencies which may arise from the State being at that time unrepresented YOU are hereby authorised to act in CONGRESS as DELEGATE until you shall be relieved by the Legislature of this State.

Given under my hand and the Great Seal of the State in Charleston this twenty first day of February in the Year of Our Lord One thousand Seven hundred and Eighty five and of the Sovereignty and Independence of the United States of America the Ninth.

By His Excellency's Command

JOHN VANDERHORST,
Secretary,

WILL^m MOULTRIE
[With the Great Seal appendant]¹

On motion of Mr. [Charles] Pinckney, seconded by Mr. [Richard Dobbs] Spaight,

¹ A similar commission to John Bull and one to Charles Pinckney were read the same day. The originals are in the *Papers of the Continental Congress*, South Carolina, *Credentials of Delegates*. Read's commission was entered in No. 179, *Record of Credentials*, with a note that the other two were also read on this day.

Resolved, That two additional Commissioners be appointed for holding treaties with the Southern Indians, agreeable to the Act of the 15th instant, and that any three shall form a quorum.

On the question to agree to this, the yeas and nays having been required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	}ay	Mr. Vining,	ay	}ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	}ay	Mr. McHenry,	ay	}ay
King,	ay		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	}no	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	ay	}ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Cook,	ay	}ay	Grayson,	ay	
Johnson,	ay		<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	ay	}ay
Mr. W. Livingston,	ay	}ay	Spaight,	ay	
Platt,	ay		Sitgreaves,	ay	
<i>New Jersey,</i>			<i>South Carolina,</i>		
Mr. Beatty,	ay	}ay	Mr. Bull,	ay	}ay
Cadwallader,	ay		Pinckney,	ay	
Stewart,	ay		<i>Georgia,</i>		
<i>Pennsylvania,</i>			Mr. Houstoun,	ay	}*
Mr. Gardner,	ay	}div.			
W. Henry,	no				

So it was resolved in the affirmative.

Congress proceeded to the election of the two additional Commissioners, and, the ballots being taken, Andrew Pickens, esq^r was elected, having been nominated by Mr. [Charles] Pinckney; Joseph Martin, Esq^r having been nominated by Mr. [Samuel] Hardy.¹

¹ The form of a commission to Hawkins, Pickens, and others, in Charles Thomson's handwriting, is in No. 49, folio 273.

On motion of Mr. [David] Howell, seconded by Mr. [Hugh] Williamson,

Resolved, That the Secretary in the War Office take Order for discharging such of the troops raised in pursuance of the resolution of June 3, 1784, as are not in actual service ~~and that the States to which such Troops belong be authorized to pay the ballance that may be due to the said troops raised by such States and to deduct the same from their quota of the requisition of April 27, 1784,~~ [and that the board of treasury take order for paying the said troops out of the requisitions for the year 1784.]¹

On Motion of Mr. [Archibald] Stewart, seconded by Mr. [Gunning] Bedford,

Resolved, (by 9 states) That in order the more effectually to relieve lieut. colonel Lewis Atayataghronghtha, from the distresses in which his zeal for the service of the United States has involved him, the president draw a warrant on the treasurer of the United States, for the sum of six hundred dollars, and the interest now due thereon, being in full of a certificate for that sum, signed by Mr. Pierce, dated the first day of Jan^y, 1783.²

On Motion of Mr. [Samuel] Holten, seconded by Mr. [Charles] Pinckney,

Resolved, That Monday next be assigned for the election of another chaplain, in the place of the rev^d Mr. Jones, who has resigned.

On the report of a com^{ee} consisting of Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh]

¹ This motion, in the writing of David Howell, except the part in brackets, which is in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, II, folio 531. The words lined out so appear in the original motion and not in the Journal.

² This motion, in the writing of Archibald Stewart, is in the *Papers of the Continental Congress*, No. 36, II, folio 531.

Williamson and Mr. [Richard Dobbs] Spaight, on a Memorial of Alexander Stewart.

Ordered, That the said Memorial, with the papers enclosed, be referred to the paymaster general, to enquire into the circumstances therein mentioned, and report thereon.¹

The Comm^{ee} consist^s of M^r [William] Ellery, M^r [James] Monroe, M^r [Hugh] Williamson, M^r [Richard Dobbs] Spaight, and M^r [James] McHenry to whom the petition of Timothy Divine and its inclosures were referred, beg leave to state to Congress,

That the said Divine (while the late army of these States was in Canada) furnished the same with a quantity of Sea-cole [coal], bricks and lumber, for which he rec^d no satisfaction.

That he is worn down with years, sickness and distress, and prays that Congress would relieve him by ordering payment of his account. Whereupon your Comm^{ee} submit the following Report.

Resolved, that the President draw an order upon the Treasurer in favour of Timothy Divine, a Canadian Refugee, for Sixty dollars for which his account is to be debited.²

On a report of the said committee, on a petition of Timothy Devine and a petition of doct. Pellon, canadian refugees,

Resolved, by nine states, That the president draw a warrant on the treasurer, in favour of Timothy Devine, a Canadian refugee, for sixty dollars, for which his account is to be debited.

Resolved, That the president draw a warrant on the treasurer, in favour of Doct^r Pellon, for sixty dollars, for which he is to be charged.

A report of a com^{ee}, on a letter from James Smith, being read,

¹ Committee Book No. 190 states that on "July 25, 1788 on motion of Mr. [Abraham] Clark in behalf of the petitioner A. S. has leave to withdraw his petition."

² This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, II, folio 113. According to the indorsement it was read and passed this day.

Ordered, That it be referred to the Commissioners of the treasury to take Order.¹

On the report of a Committee, consisting of Mr. [Samuel] Holten, Mr. [William] C[hurchill] Houston, Mr. [Jacob] Read, Mr. [Gunning] Bedford and Mr. [Samuel] Hardy, to whom were referred sundry Letters from the Ministers of the United States at foreign Courts,

Resolved, That the Minister Plenipotentiary from the United States to the States General of the United Netherlands be instructed to communicate to Mons^r de St. Saphorin, Envoy extraordinary from his Danish Majesty to the States General, the high sense the United States in Congress Assembled entertain of the liberal decision made by his Majesty on the question proposed to his Majesty's Minister at the Hague by Mr. Adams, Minister from the United States, respecting the Ordination of American Candidates for holy Orders in the episcopal Church, commonly called the Church of England.

Ordered, That the Secretary for Foreign Affairs transmit to the Executives of the several States Copies of Mr. Adams's Letter of the 22^d day of April, 1784, as well as of the papers therein enclosed relative to episcopal Ordination.²

¹ From this point, the proceedings for March 21 were entered only in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

On this day, as the indorsement states, was read a letter of March 21, from William Grayson declining to act as Commissioner in the boundary dispute between New York and Massachusetts. It is in No. 78, X, folio 495.

Also a letter of March 17 from Andrew Porter dated March 17, applying for appointment as Register in one of the new states. It was ordered to be filed. It is in No. 78, XVIII, folio 539.

² This report and order are entered in the Secret Journal, Foreign Affairs, No. 5.

MARCH 21: The following committees were appointed:

Committee of the Week, Mr. [John] Vining, Mr. [Gunning] Bedford and Mr. [William] Grayson.

Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Hugh] Williamson, Mr. [Richard] Dobbs] Spaight and Mr. [James] McHenry, on the petition of Duncan Camp-

TUESDAY, MARCH 22, 1785.

Congress assembled. Present as yesterday.

A letter, of this day, from the Secretary in the War Office,¹ was read; Whereupon,

Resolved, That Michael Hillegas, esquire Continental treasurer, be directed to furnish Philip Audibert, deputy pay master general, with the sum of six hundred and eight dollars, being the Amount of the subsistence due to the Officers in service, for the Months of February and March, agreeably to an Account enclosed in the letter of the Secretary in the War Office of this date.

On Motion of Mr. [David] Howell, seconded by Mr. [Rufus] King,

Resolved, That the delegates representing each of the United States in Congress Assembled, be, and they are hereby authorised to receive from the Secretary of Congress, and to transmit to such College, University or public Seminary of learning in their States respectively, as they may judge proper, to be deposited in the library ~~for the use of the Master & Scholars~~ thereof, one Set of the works of Thomas Wilson, D. D. and late bishop of Soder and Man, presented to Congress by his son Doct: Wilson, Prebendary of Westminster.²

bell dated March 15. A report was rendered April 11. This petition is in No. 42, II, folio 247, and is similar to that of February 12. See *ante*, February 14.

Mr. [James] McHenry, Mr. [Rufus] King, Mr. [Hugh] Williamson, Mr. [Gunning] Bedford and Mr. [William Churchill] Houston, on the letter from John Jay, March 19, and the note from de Marbois respecting the interest due to French holders of Loan Office certificates. Jay's letter was read this day and is in the *Papers of the Continental Congress*, No. 80, I, folio 105. It is indorsed as referred to the Grand Committee as given, but Committee Book No. 190 states that it was referred to the Grand Committee of January 17.

Committee Book No. 190.

¹ The letter from Joseph Carleton, Secretary in the War Office, dated this day is in No. 60, folio 133. It states: "The Commissioners of the Treasury having not yet formed a Board for the dispatch of public Business, I am under the necessity of applying to Congress for the sum of six hundred and eight dollars. . . ."

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 535. The words lined out so appear in the motion and not in the Journal.

The Secretary for Foreign Affairs reported the following Commission to Mr. Jefferson, to which the Seal was affixed.

The United States of America in Congress Assembled.

To our trusty and well beloved Thomas Jefferson,
Esquire, send Greeting.

We, reposing special trust and confidence in your integrity, prudence and ability, have nominated, constituted and appointed, and by these Presents do nominate, constitute and appoint you, the said Thomas Jefferson, our Minister Plenipotentiary to reside at the court of his Most Christian Majesty; and do give you full power and authority there to represent us, and to do and perform all such matters and things as to the said place or Office doth appertain, or as may by our instructions be given unto you in charge. This Commission to continue in force for the space of three Years from this day, unless sooner revoked.

In Testimony whereof we have caused the Seal of the United States to be hereunto affixed. Witness, His Excellency Richard Henry Lee, [our] President, at the city of New York, this tenth day of March, 1785, and of our Sovereignty and Independence, the Ninth.

(Signed) RICH^D HENRY LEE.

[SEAL]

Attest, CHAS. THOMSON.

The Secretary for Foreign Affairs farther reported the draught of a Letter of Credence, which was agreed to as follows:

Great and beloved Friend,

We the United States of America in Congress Assembled, having complied with the request of Doctor Benjamin Franklin for leave to return to this Country, have appointed Thomas Jefferson, Esquire, to succeed

him as our Minister Plenipotentiary at your Majesty's Court; and we beseech your Majesty to give entire credit to whatever he shall deliver on our part, especially when he shall assure you of the sincerity of our friendship. We pray God to keep your Majesty under his [most] holy protection.

Done at the City of New York, the tenth day of March, in the year of our Lord, one thousand seven hundred and Eighty five, and of our Sovereignty and Independence, the Ninth.

By the Congress of the [said] United States, Your good Friends.

R. H. L., *President*.¹

C. T., *Sec^y*.

On the report of a committee, consisting of Mr. [John] Beatty, Mr. [Hugh] Williamson and Mr. [David] Howell, to whom was referred a memorial of J. G. Derricks:

Resolved, That the secretary at war, or in his absence, the Secretary in the War Office, be instructed to grant a certificate to J. G. Derricks, esquire late a lieut. colonel in the army of the United States, signifying that he has served the United States for some time in the line of the army, and afterwards as an assistant to the quarter master gen^l: That as a Military Officer he has been justly esteemed for his bravery and vigilance, and that in all cases he has recommended himself by his zeal, industry and integrity.

¹ Jay's letter transmitting the drafts is dated March 22 and is in No. 80, I, folio 117. The drafts are on folios 177 and 173, respectively. The words in brackets are in the drafts and were struck out by Congress. In the letter of credence the word "said" was in place of "United" in the draft. According to Committee Book No. 190, the amended drafts were referred back to the Secretary for Foreign Affairs to take order.

On this day, as the indorsement states, a memorial of James Byers, dated March 21, praying compensation for his services in casting brass cannon during the war, though he has surrendered his contract, was read and referred to Mr. [David] Howell, Mr. [William] Ellery and Mr. [Charles] Pineckney. It is in the *Papers of the Continental Congress*, No. 41, I, folios 403-411.

On the report of a com^{ee}, consisting of Mr. [William] Ellery, Mr. [David] Howell and Mr. [Hugh] Williamson, to whom a letter from Major North, was referred.

Resolved, That in addition to the pay and emoluments of a captain in the line of the army, Major North receive the Monthly pay of thirty dollars, allowed to an inspector of a separate army, by the resolution of the 10 Jan^y, 1782.¹

The com^{ee}, consisting of Mr. [Rufus] King, Mr. [David] Howell, and Mr. [Samuel] Hardy, to whom was referred a Motion for granting to William Rotch,² a Sea letter for the Ship *Canton*, William Mooers, Master, the sole property of, and navigated by citizens of the United States of America, report, that they have evidence that the Owners, Officers and Mariners of the said Ship *Canton*, are citizens of the United States of America, and that the said ship is bound on a voyage, in the course of which a sea letter may be beneficial; Whereupon,

Resolved, That a Sea letter be granted for the Ship *Canton*, William Mooers, master, in the form of the Sea letter granted for the ship *Empress of China*, John Green, Master, *mutatis mutandis*.

The report of a com^{ee}, consisting of Mr. [William] Ellery, Mr. [Samuel] Hardy and Mr. [Pierse] Long, to whom was referred a letter of 11 March, from J. Pennel, being called for and read:

Ordered, That it be referred to the commissioner for settling the Accounts of the Marine department to take Order.

A report of a com^{ee}, consisting of Mr. W[illiam] Livingston, Mr. [Richard Dobbs] Spaight and Mr. [Joseph] Gardner, on a petition from Henry Remsen, jun^r being read:

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, IV, folio 511.

² According to Committee Book No. 190, the motion was made by Mr. [Rufus] King and the name is there given as Roach.

Ordered, That it be referred to the Comptroller to take Order.¹

The committee &c. [consisting of Mr. Rufus King, Mr. George Partridge and Mr. Archibald Stewart] to whom was referred a memorial of Joanna Young praying an extension of the Resolves of Congress on the subject of Half pay to the widows of Officers in the Navy who died in Service during the late war, submit the following Report.

That nothing but the danger of a total dissolution of the Army induced the Resolutions of Congress on the subject of Half pay—that notwithstanding said Resolutions were fully to be justified on the Principles of public safety, yet it has been with many difficulties that some of the States have submitted to the measure—and any extension of those Resolves, might produce ill consequences to the peace of the federal Union. The committee are therefore of Opinion that the Resolves of Congress on the Subject of Half pay or commutation be not so extended as to include Officers of the Navy their widows or children.

The committee more readily assent to this proposition from a consideration of the difference of Emoluments in the army, and Navy departments, the former being subjected to arduous Duty without a prospect of Booty, whilst the latter in a less severe service were in a situation of realising Substantial Riches.

Resolved that it is inexpedient to comply with the prayer of the Petitioner.²

The Committee consisting of &c. [M^r Samuel Hardy, M^r Charles Pinckney, M^r David Howell,] to whom was referred the memorial of Col^o Donald Campbel, setting forth, that on the settlement of his Acc^{ts} as a quarter Master General to the Northern department (in which Character he acted during the Campaigns of 1775 and 1776) there was found to be a balance due him of four thousand dollars exclusive of his pay, forage or subsistence (as appears from a Certificate from M^r Nourse late an Auditor for the settlement of Acc^{ts})—beg leave to submit the following report,

¹ From this point, the proceedings for the day were entered only in the manuscript Secret Journal, Foreign Affairs, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

² This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, VI, folio 603. The indorsement states that it was delivered and read this day. The lined words show the action taken by Congress on May 16.

That as Col^o Campbel has received no part of the pay, forage or subsistence to which he is entitled, as he was not adopted by any particular state as an Officer of their line and consequently deprived of those emolluments and advantages which flow from the provision made by particular states; And as it was stated that he was eminently servicable as a Quarter Master General in aiding the Operations carried on in Canada by General Montgommery, it is reasonable he should receive the amount of the Certificate issued in his favor by M^r Nourse or such part thereof as may be sufficient to relieve his present distress and the state of our finances may admit of.—Whereupon,

Resolved, That the Memorial of Donald Cammel so far as relates to the discharge of the Certificate granted by M^r Nourse, be referred to the Board of Treasury to take Order.¹

WEDNESDAY, MARCH 23, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Elbridge] Gerry, Mr. [Hugh] Williamson, Mr. [Samuel] Hardy and Mr. [Lambert] Cadwallader, to whom was referred a letter, of 5 February, from baron Steuben.

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 19, I, folio 501.

Campbell's memorial is in No. 41, II, folios 380-396. See *post*, June 1.

MARCH 22: The following committees were appointed:

Mr. [Samuel] Hardy, Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Gunning] Bedford and Mr. [John] Henry, on the motion for additional instructions to the Commissioners for negotiating with the Western Indians. This motion appears to have been made this day but the text has not been found. It is questionable if the motion of Rufus King (No. 30, folio 287) which is indorsed by Thomson with the date of June 23, 1785, may not be the motion offered March 22. The committee was renewed June 23.

Mr. [John] Beatty, Mr. [Zephaniah] Platt and Mr. [Rufus] King, on the memorial of inhabitants of Long Island respecting money advanced to American prisoners. This committee was renewed August 30.

Committee Book No. 190.

On this day also, according to Committee Book No. 190, a report on the "mode of detecting frauds in the negotiation of certificates issued by the paymaster genl. and paying the interest thereof" was referred to the Grand Committee of January 17.

Resolved, That the commissioners of the treasury pay to baron de Steuben, late major general and inspector general in the armies of the United States, the amount of two several liquidated debts due to him from the United States, one of which was due March 21, 1782, being six thousand dollars, and the other June 10, 1784, being eighteen hundred and twenty-six dollars and $\frac{5}{90}$ of a dollr., together with the interest thereon, which payment shall be made out of the requisition for the present year.

The following paragraph being under debate:

That in consideration of the baron Steuben's having relinquished different posts of honor and emolument in Europe, and rendered to the United States most essential services, he be allowed and paid the sum of

A motion was made by Mr. [Lambert] Cadwallader, seconded by Mr. [John] Vining, to amend by adding, "Twenty five thousand dollars to be paid as aforesaid." A motion was made by Mr. [Rufus] King, seconded by Mr. [Samuel] Holten, to amend the amendment, by striking out the words "as aforesaid," and, in lieu thereof, inserting "by instalments in manner hereafter mentioned."

And on the question to agree to the amendment to the amendment, the yeas and nays being required by Mr. [Samuel] Holten,

New Hampshire,

Mr. Foster, ay }
Long, ay } ay

Massachusetts,

Mr. Holten, ay }
King, ay } ay

Rhode Island,

Mr. Ellery, no }
Howell, ay } div.

Connecticut,

Mr. Cook, ay }
Johnson, ay } ay

New York,

Mr. R. R. Livingston, ay }
Platt, ay } ay

New Jersey,

Mr. Cadwallader, ay }
Stewart, ay } ay

Pennsylvania,

Mr. Gardner, ay }
W. Henry, ay } ay

Delaware,

Mr. Vining, ay }
Bedford, ay } ay

<i>Maryland,</i>			<i>North Carolina,</i>	
Mr. M'Henry,	ay	}	Mr. Spaight,	ay }*
J. Henry,	ay		<i>South Carolina,</i>	
Hindman,	ay		Mr. Bull,	ay }ay
<i>Virginia,</i>			Pinckney,	ay }
Mr. Hardy,	ay	}	<i>Georgia,</i>	
Lee,	ay		Mr. Houstoun,	ay }*
Grayson,	ay			

So it was resolved in the affirmative.

Ordered, That the further consideration of the report be postponed till to morrow.¹

THURSDAY, MARCH 24, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of Pennsylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.

A letter of 17th, from H. Knox, esq. was read, accepting the office of Secretary at War.²

On motion of Mr. [Hugh] Williamson, seconded by Mr. [John] Sitgreaves,

Ordered, That the Secretary of Congress inform the Commissioners who are appointed to negotiate a peace with the Southern Indians, that it is the pleasure of Congress that

¹ MARCH 23: The following committees were appointed:

Mr. [John] Beatty, Mr. [David] Howell and Mr. [John] Vining, on the memorial of Marianne McClure, for compensation for losses and sundry tools and iron taken for use of the American Army. Also to this committee was referred the claim of Duchenceaux for 892½ dollars. The committee was renewed June 14.

Mr. [Samuel] Hardy, Mr. [David] Howell, and Mr. [Gunning] Bedford, on letter from William Winder, March 17, requesting instructions as to payments in certain cases in the Delaware accounts. It is in the *Papers of the Continental Congress*, No. 78, XXIV, folio 525. It appears to have been read this day. See *post*, April 28.

Committee Book No. 190.

² This letter, dated March 17 and addressed to Charles Thomson, is in the *Papers of the Continental Congress*, No. 78, XIII, folio 591.

they meet at Charleston, South Carolina, on the 16 day of May, and there fix on the time and place for holding a treaty or treaties with the Southern Indians, take the proper steps for giving due notice thereof to the several Nations or tribes concerned and make the necessary preparations for executing the further duties of the Commission, with all possible and convenient dispatch.¹

The committee consisting of [Mr. William Ellery, Mr. Joseph Gardner and Mr. Hugh Williamson] to whom was referred the memorial of several Officer of the late Corps of Artificers praying that in settling their Accounts they be allowed the Commutation of half pay as founded on Justice or on the Acts of Congress, beg leave to Report

That the Claims of those Officers does not appear to be founded on the usage of Nations nor in Equity. They believe that half pay has been allowed to Military Officers partly from a regard to the hardships and personal dangers to which they were exposed, but chiefly from a consideration that by a long continuance in the Military line, they may have lost those habits by which they formerly had been enabled to provide for themselves or families which reasons does not apply so fully to the Officers of Artificers.

Your Com^{tee} are of opinion that their sole rule on this occasion must be the Acts of Congress respecting the Officers in the Corps of Artificers, and they do not find any Resolution by which they are entitled to half pay or Commutation, on the contrary they seem to be expressly cut off from any such Claim.

The Original Act of Congress of May 15, 1778, by which half pay was promised for 7 years; confines the same to *Military Officers* which certainly did not include the Artificers and your Com^{tee} are of opinion that all subsequent Acts which relate to half pay, the same denomination of Officers must be intended, unless in cases where other Officers are expressly mentioned. Surely the Act of October 2, 1780, promising half pay to Officers who might be deranged, never could be construed as giving half pay to any Class of Officers who had no Claim to

¹ This motion, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, II, folio 537. See *ante*, March 22 and *post*, June 15.

On this day, according to the indorsements and Committee Book No. 190, the report on the memorial of John Halsted for a settlement of his accounts which was read in Congress, April 22, 1784, was referred to Mr. [William] Ellery, Mr. [John] Bull and Mr. [Samuel] Holten, together with another memorial from Halsted, dated March 23, 1785. The committee reported March 28

half pay had they continued in service to the end of the War. If any doubts could have arisen "Whether the Artificers were intended in the promise of half pay it must be fully removed by the Act of the 16th November, 1779, it was there Resolved—That it be recommended to the several States, to allow the Corps of Artificers established by Congress the 12 Inst., all the benefits provided for Officers and Soldiers in the line of their quotas of the Continental Battalions except the half pay." After this pointed and express exclusion of those Officers from the allowance of half pay your Committee are of opinion that nothing but a subsequent promise equally pointed and express can give them a title to the same—none such has been made, Wherefore they submit the following Resolve—

That the Officers of the late Corps of Artificers in the service of the United States are not entitled to half pay or the Commutation for half pay.¹

The Committee [Mr. Rufus King, Mr. William Samuel Johnson and Mr. Arthur St. Clair] to whom was referred the memorial of Turnbull, Marmie & Co., alledging themselves proprietors of the land on which Fort Pitt is erected, and praying that possession thereof may be delivered to them by the United States, submit the following resolution:

Resolved, That the prayer of the memorial of Turnbull, Marmie & Co. cannot be granted, it being necessary under present circumstances that the Post of Fort Pitt should remain in the possession of the troops of the United States.²

Congress resumed the consideration of the 'paragraph in the report of the committee on the letter of 5 February, from

¹ This report, in the writing of a clerk and marked "Copy", is in the *Papers of the Continental Congress*, No. 62, folio 63. It is indorsed as the report on half pay and commutation to Artificers and "On Memorial of Joseph King, John Jordan & Wiley &ca." According to Committee Book No. 191, it was submitted this day. See *ante*, March 8 and 11, and *post*, October 19.

² This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, VI, folio 107. The indorsement shows that it was read on this day.

On this day, according to Committee Book No. 190, Mr. [Rufus] King, Mr. J[ohn] Henry and Mr. [David] Howell were appointed to examine Benjamin Davison on the plot to forge army pay settlement certificates. They reported March 28.

Also, according to Committee Book No. 190, the report on Captain Harding's claim was referred to Mr. [William] Grayson, Mr. [William Samuel] Johnson and Mr. [William] Ellery, who reported April 4.

Baron Steuben, which was yesterday under debate, and a motion was made by Mr. [Lambert] Cadwallader, seconded by Mr. [Charles] Pinckney, after the words "sum of," to add, "twenty five thousand dollars:"

And on the question to agree to this, the yeas and nays being required by Mr. [William] Ellery and Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	}no	Mr. Vining,	ay	}ay
Long,	no		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	}no	Mr. M'Henry,	no	}no
King,	no		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	no	
Mr. Ellery,	no	}no	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	ay	}ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Cook,	no	}no	Grayson,	ay	
Johnson,	no		<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	no	}ay
Mr. R. R. Livingston,	ay	}div.	Spaight,	ay	
W. Livingston,	no		Sitgreaves,	ay	
<i>New Jersey,</i>			<i>South Carolina,</i>		
Mr. Cadwallader,	ay	}ay	Mr. Bull,	ay	}ay
Stewart,	ay		Pinckney,	ay	
<i>Pennsylvania,</i>			<i>Georgia,</i>		
Mr. Gardner,	no	}*	Mr. Houstoun,	ay	}*

So the question was lost.

Ordered, That the further consideration of the report be postponed till Monday next.¹

Adjourned to Monday next, ten o'Clock.

¹ See *post*, July 7.

On this day, as the indorsement states, was read a letter of March 14 from W. Greene, Governor of Rhode Island, announcing the passage by the assembly of that state of an act to raise revenue and another empowering congress to regulate foreign trade. It is in the *Papers of the Continental Congress*, No. 64, folio 544.

Also, a letter of March 17 from Joseph Greene forwarding application of Thomas Hickling for appointment as consul to the Azores. It is in No. 78, X, folio 487.

Also, a letter of March 24 from Adam Hoops requesting appointment as surveyor in one of the new states. It is in No. 78, XII, folio 391, and was filed.

MONDAY, MARCH 28, 1785.

Congress assembled. Present, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the State of Massachusetts, Mr. [Rufus] King, and from Georgia, Mr. [William] Houstoun.

A letter, of 6, from Isaac Smith, esq. was read, informing, that he accepts the appointment of one of the judges of the federal court, for hearing and determining the controversy between the States of Massachusetts and New York.¹

The committee, consisting of Mr. [Samuel] Hardy, Mr. [James] Monroe, Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [James] M'Henry, to whom was referred a memorial from the merchants of New York, setting forth the peculiar losses they have sustained during the late war, by their exertions to support the credit of the paper currency, report,

That they have had the said memorial under their consideration, and have weighed the subject matter with that degree of attention which an application from so respectable a class of citizens deserved. That they are impressed with a thorough conviction of the heavy losses they have sustained during the late war, from the depreciation of the paper currency, loan-office certificates, and other public securities. That when the Committee, in addition to such losses, contemplate the merit of those who suffered them, it cannot but increase their concern, that the power of relief is not ~~at present~~ within the compass of the federal resources, without making a discrimination between them and other citizens in different parts of the Union, who have sustained losses of the same nature and in ~~the same~~ a similar extent. But that whilst they view such a discrimination as inconsistent with the principles of private justice and the public

¹ This letter is in the *Papers of the Continental Congress*, No. 78, XXI, folio 367.

interest and under this impression forbear to advise it, they entertain so ~~perfect~~ strong a sense of the losses sustained by the said memorialists and their claim to every degree of attention, that they deem it expedient to recommend them to the notice of the legislature of the state of New York. Whereupon,

Resolved, That the claim of the said Memorialists be referred to the legislature of the state of New York, and that it be recommended to them to make such provision for ~~them~~ the memorialists, as ~~the situation of the government will admit~~ of they may judge proper, in consideration of their merits.¹

The Committee consisting of [Mr. Pierse Long, Mr. Joseph Gardner and Mr. Samuel Hardy] to whom was referred the petition of Rob^t Patton beg leave to Report, That they find he has served Congress sometimes as Messenger at other times as doorkeeper and often in both capacities for a number of years past, and has had the extra allowance of ten dollars per month, therefore up to the 26th May last. But it appear to your Committee that said Patton has been without an assistant from said time till Congress came to this City—Induces them to submit the following resolution—

That Robert Patton be allowed seventy five dollars for 7 & ½ months extra services from the 26th May last to the time Congress met in this City.²

The Committee consisting of Mess^{rs} [William] Ellery, [James] Monroe, [Jacob] Read, [Hugh] Williamson and [Richard Dobbs] Speight to whom was referred the petition of Jonathan Eddy and others, refugees from Nova Scotia, setting [forth] that on accounts of their opposition to British measures they were exiled from their habitation and proscribed by their enemies, their houses were burned and their stock and other personal property wasted and destroyed and considerable rewards offered for the heads of the most active among them,

¹ The report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 20, I, folio 417. The words lined out so appear in the report and not in the Journal.

² This report, in the writing of Pierse Long, is in the *Papers of the Continental Congress*, No. 19, V, folio 51. It was acted on May 27. Patton's memorial is in No. 42, VI, folio 304.

that ever since their misfortune they have been inhabitants of the United States and have served the cause of America in the field or in such other way as their abilities permitted—That they now find themselves destitute of a home for their retirement, of property for their support and of all hope of assistance but from the justice and humanity of Congress; and pray that they may receive some compensation for their losses. Whereupon your Committee submit the following resolution—

That Jonathan Eddy and other refugees from Nova Scotia on account of their attachment to the interest of the United States be recommended to the humanity & particular attention of the several states in which they respectively reside and that they be [informed that whenever Congress can consistently make grants of land they will reward in this way as far as may be consistent such refugees from Nova Scotia, as may be disposed to live in the Western Country.]¹

The Committee consisting of [Mr. James Monroe, Mr. Richard Dobbs Spaight, Mr. William Houstoun, Mr. William Samuel Johnson and Mr. Rufus King] to whom was referred the motion of M^r [James] Monroe, submit the following report.

That the first paragraph of the 9th of the Articles of Confederation be altered so as to Read thus—viz.

“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, of regulating the trade of the States, as well with foreign Nations, as with each other, and of laying such imposts and duties upon imports and exports, as may be necessary for the purpose; provided that the Citizens of the States shall in no instance be subjected to pay higher imposts and duties, than those imposed on the subjects of foreign powers; provided also that the Legislative power of the several States shall not be restrained from prohibiting the importation or exportation of any species of goods or commodities whatsoever; provided also that all such duties as may be imposed, shall be collected under the authority and accrue to the use of the State in which the same shall be payable. And provided lastly that every Act of Congress for the above purpose shall have the assent of nine States in Congress assembled—of estab-

¹ This report, in the writing of William Ellery, except the part in brackets which is in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, II, folio 197. It was read this day and the resolve passed April 13.

lishing 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.”

That the following Letter be addressed to the Legislatures of the several States shewing the principles on which the above alteration is proposed.

“The United States having formed treaties of commerce with the most Christian King, the King of Sweden, and the States General of the United Netherlands, and having appointed Ministers with full authority to enter into treaties with other powers, upon such principles of reciprocity as may promote their peace, harmony and respective interests, it becomes necessary that such internal arrangements should be made, as may strictly comply with the faith of those treaties and insure success to their future negotiations. But in the pursuit of the means necessary for the attainment of those ends, considerable difficulties arise. If the Legislature of each State adopts its own measures many and very eminent disadvantages must in their opinion necessarily result therefrom. They apprehend it will be difficult for thirteen different Legislatures acting separately and distinctly to agree in the same interpretation of a treaty, to take the same measures, for carrying it into effect and to conduct their several operations upon such principles as to satisfy those powers, and at the same time preserve the harmony and interests of the Union: Or to concur in those measures which may be necessary to counteract the policy of those powers with whom they shall not be able to form Commercial treaties, and who avoid it merely from an opinion of their imbecility and indecision. And if the several States levy different duties upon their particular produce, exported to the ports of those powers, or upon the produce and manufactures of those powers imported into each State, either in Vessels navigated by and belonging to the Citizens of these States, or the Subjects of those powers, it will, they apprehend, induce on their part, similar discriminations in the duties upon the Commercial intercourse with each State, and thereby defeat the object of those treaties, and promote the designs of those who wish to profit from their embarrassment.

Unless the United States in Congress assembled are authorized to make those arrangements which became necessary under their Treaties, and are enabled to carry them into effect, they cannot complain of a violation of them on the part of other powers. And unless they act in concert in the system of policy, which may be necessary to frustrate the designs of those powers who lay injurious restraints on their trade, they must necessarily become the victims of their own indiscretion.

The common principle upon which a friendly Commercial intercourse is conducted, between independant nations is that of reciprocal advantage, and if this is not obtained, it becomes the duty of the losing party, to make such further regulations consistently with the faith of treaties as will remedy the evil, and secure its interests. If then the Commercial regulations, of any foreign power, contravene the interests of any particular State, if they refuse admittance to its produce into its ports, upon the same terms that the State admits its manufactures here, what course, will it take to remedy the evil? If it makes similar regulations to counteract those of that power by reciprocating the disadvantages which it feels, by imposts or otherwise, will it produce the desired effect? What operation will it have upon the neighbouring States? Will they enter into similar regulations, and make it a common Cause? On the contrary will they not in pursuit of the same local policy avail themselves of this circumstance, to turn it to their particular advantage? Thus then we behold the several States taking separate measures in pursuit of their particular interests, in opposition to the regulations of foreign powers, and separately aiding those powers to defeat the regulations of each other; for unless the States act together there is no plan of policy into which they can seperately enter which they will not be seperately interested to defeat, and of Course all their measures, must prove vain and abortive.

The policy of each nation in its commercial intercourse with other powers is to obtain, if possible, the principal share of the carriage of the materials of either party and this can only be effected by laying higher duties upon imports and exports in foreign Vessels, Navigated by the subjects of foreign powers, than in those which belong to and are Navigated by those of its own dominions. This principle prevails in a greater or less degree in the regulations of the oldest and wisest commercial nations with respect to each other, and will of course be extended to these States. Unless therefore they possess a reciprocal

power, its operation must produce the most mischievous effects. Unable to counteract the restrictions of those powers by similar restrictions here, or to support the interests of their Citizens by discriminations in their favour, their system will prevail. Possessing no advantages in the ports of his own Country, and subjected to much higher duties and restrictions, in those of other powers, it will Necessarily become the interest of the American Merchant to ship his produce in Foreign bottoms; of course their prospects of National consequence must decline, their merchants become only the agents and retailers of those of foreign powers, their extensive forrests be hewn down and laid waste to add to their strength and National resources, and the American flag be rarely seen upon the face of the Seas.

But if they Act as a nation the prospect is more favourable to them. The particular interest of every State will then be brought forward and receive a fœderal support. Happily for them no measures can be taken to promote the interests of either, which will not equally promote that of the whole. If their commerce is laid under injurious restrictions, in foreign ports, by going hand in hand in confidence together, by wise and equitable regulations they will the more easily sustain the inconvenience or remedy the evil. If they wish to cement the Union by the Strongest ties of interest and affection, if they wish to promote its strength and grandeur founded upon that of each individual State, every consideration of local, as well as of fœderal policy urge them to adopt the following recommendation.

The situation of the Commercial affairs of the Union requires that the several Legislatures should come to the earliest decision on the subject, which they now submit to their consideration. They have weighed it with that profound attention which is due to so important an object, and are fully convinced of its expedience. A further delay must be productive of inconvenience. The interests which will vest in every part of the Union, must soon take root and have their influence. The produce raised upon the banks of those great Rivers and Lakes which have their sources high up in the interior parts of the Continent will empty itself into the Atlantic in different directions, and of course as the States rearing to the Westward, attain maturity and get admission into the Confederation, will their government become more complicated. Whether this will be the source of strength and wealth to the Union must therefore in a great degree depend upon the measures which may be now adopted.

A temporary power would not in their opinion enable the United States to establish the interests nor attain the salutary objects which they propose; the expectation that it will revert to the States and remain with them for the future would lessen its weight with foreign powers, and while the interests of each State and of the foederal government continue to be the same, the same evils will always require the same correction; and of course the necessary power should always be lodged in the same hands. They have therefore thought proper to propose an efficient and perpetual remedy.¹

The Committee [Mr. Samuel Hardy, Mr. James Monroe and Mr. Robert R. Livingston] to whom were recommitted the report on Mr. [James] Monroe's motion, together with a motion from Mr. [Rufus King, submit the following report:

That from the expressions in General Washington's address to Congress at the time of his resignation, relative to an attention to the Army in general, and the patronage of the Officers of his family in particular, your Committee are of opinion that neither the intention of General Washington or the engagement of Congress can be construed to apply to any Officers of his family except those who attended on his person at the time of his resignation, and consequently that only Col^o Humphreys and Major Walker are entitled to any advantages arising from such recommendation.

This opinion your Committee conceive is warranted by two considerations: first, that the recommendation of Gen. Washington and the engagement of Congress seem to have had for their object promotion to office and not any pecuniary reward. And secondly that if construed to comprehend all those who had been of his family during the course of the war, the stipulation would throw men of one particular description only into all the offices that may be created under such a peace establishment as will probably be formed, and also most others within the gift of Congress, which your Committee conceive could never have been intended by either Congress or Gen. Washington.

Whereupon Resolved, That the Commissioners of the Treasury be instructed to receive from Major Walker, certificates to the amount

¹ This report, in the writing of clerks, is in the *Papers of the Continental Congress*, No. 24, folios 125-134. The indorsement states that it was read this day, and Tuesday April 6 [5] assigned for its consideration. On folio 135 is a printed copy of the report and the indorsement states that on July 13, 1785, it was referred to the committee of the whole and filed October 26, 1787.

of the pay due him for his services in the late war, and to advance him in lieu thereof, specie to such amount.¹

The committee consisting of Mr. [Rufus] King, Mr. J[ohn] Henry and Mr. [David] Howell charged with the examination of Benjamin Davison touching his knowledge of the practice of certain persons in counterfeiting the certificates issued by the paymaster General Mr. Pierce submit the following report—

The committee have carefully examined Benjamin Davison, voluntarily offering himself to give information, relative to the counterfeits of the certificates of the paymaster General of the late Army Mr. Pierce, and have caused the said Davison's deposition to be taken and sworn to before Mr. Alderman Wool of this City, which the committee herewith deliver. In addition to the persons mentioned in the Deposition of Davison, he named one William Denis and one Joshua Marsh, as connected in passing the counterfeits aforesaid, who are at this time, as Davison informs, in Gaol at Providence in the state of R. Island, upon a charge of knowingly passing counterfeits of the aforesaid certificates. From the particular, and circumstantial, information of Davison, the committee are of opinion, that Credit should so far be given to the same, that farther measures should be adopted to investigate the Truth of it, and thereupon submit the following order—That the Secretary of Congress be directed without delay, to transmit a copy of the Deposition of the aforesaid Davison, and of this Report, to the respective Executives of N. Hampshire, Massachusetts, and Rh. Island and that he state to them respectively, the great importance of adopting the most cautious and speedy measures to secure and bring to Justice the individuals, of a combination so dangerous to public credit and individual safety injurious to private property and dangerous to the Public Credit.²

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 19, VI, folio 139. The indorsement states that it was read on this day. See *ante*, March 8, and Committee Book No. 191 states that it was transferred.

On this day, according to the indorsement, was read a memorial from John Denny, dated March 8, 1785, praying for assistance. It is in No. 41, II, folio 525. See *post*, March 31.

Also, was read a memorial of William McCormick, of Ireland, asking the patronage of Congress in establishing a cotton manufacture in the United States. It is in No. 41, VI, folio 397. See *post*, March 31.

² This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 167, folio 189. According to the indorsement, it was read this day and referred to the Secretary of Congress to take order.

The Com̄tee consisting of Mr. [William] Ellery, Mr. [John] Bull and Mr. [Samuel] Holten to whom a memorial of John Halsted of the 23^d March 1785, and another of the 11th of Feb^r, 1784, with its inclosures and a report thereon were committed, Report,

That the memorialist acted as commissary to the army in Canada at the request and by the appointment of Gen^l Montgomery, that on the sudden retreat of the army from before Quebec he lost a considerable part of his vouchers for supplies, that in consequence of a reference on the 20th of Sep^r 1783, of a memorial of the said John Halsted (the memorialist) to the late Super-int^t of finance he directed the Commis^{rs} of accounts for the Commy's department to report to him a state of facts and his opinion; which the s^d Superintend^t inclosed in a letter to Congress dated Sep^r 29th 1783 for their inspection, and that thereupon Congress on the 1st of Oct^r 1783 Resolved "that the accounts of John Halsted be settled on the principles stated in the said report."

That from the said Statement of Jonathan Burrall, Commissioner for the Commy's department it appears that the ballance of thirteen hundred and twenty six dollars and $\frac{8}{100}$ became due to the Memorialist in May 1776; And it further appears that the memorialist had, on the 30th Oc^r 1783, received of the late Superint^t of finance four hundred dollars.

Whereupon your Com̄tee submit the following resolution,

Resolved, That the Com̄rs of the Treasury take order for paying to John Halsted the sum of thirteen hun^d and twenty six dollars and $\frac{8}{100}$ being the ballance which became due to him May 1776, according to an adjustment of his account by Jonathan Burrall Commr of the Commy department, with the interest thereof, or such part of said ballance as the state of the finances will admit; first deducting therefrom the sum of four hundred dollars paid to the said Halsted by the late Super-intend^t of finance on the 30th of Oc^r 1783.¹

The Committee [consisting of M^r Rufus King, M^r R. R. Livingston and M^r William Ellery] to whom were referred the Memorial of Samuel Frauncis, report.

That it appears to them from authentic papers that the memorialist has been uniformly and steadily attached to the interests of America.

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 13. Halsted's memorials are in No. 42, III, folios 461 and 463, which last is indorsed "June 12th papers enclosed transmitted to the B^d of Treasury." The report was "Passed June 4."

That they have reason to believe that he was instrumental in discovering and defeating a design upon the life of Gen^l Washington. That he frequently communicated the most important intelligence to the Commander in Chief. That his house was an asylum to our countrymen when prisoners as well as to the subjects of our ally as appears by a variety of certificates. That he expended considerable sums acquired by his daily labour in the support of the captive Americans. That in order to render their situation more easy he advanced them specie upon certificates without any of profit thereon. That from these circumstances the memorialist is greatly reduced that his house now occupied by the Secretary for the Department of Foreign affairs, and the Secretary in the War Office is under mortgage for the sum of £650 New York currency, that unless Congress afford him the means of discharging the mortgage it must be disposed of at much less than its value.

Your Committee are therefore of opinion that Congress come to the following resolutions:—

1st *Resolved*, That the Secretary of Congress take a lease from M^r Samuel Frauncis for his house now occupied by the public for the term of two years at the rate of three hundred and twenty five pounds a year.

2^d That an order pass in favor of the said Samuel Frauncis for the sum of £650 upon the treasury of the United States in order to enable him discharge the mortgage and that the same be charged to the account of the rent on house.

That in consideration of the singular services of the said Samuel Frauncis and of his advances to the American prisoners, that the sum of 2,000 dollars be paid to the said Samuel Frauncis on account of the Loan offices Certificates in his hands, and they be delivered up and cancelled.¹

¹ This report, in the writing of R. R. Livingston, is in the *Papers of the Continental Congress*, No. 19, II, folio 325. It was acted on April 4.

MARCH 28: The following committees were appointed:

Committee of the Week: Mr. [Archibald] Stewart, Mr. [John] Vining and Mr. [Hugh] Williamson.

Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [James] McHenry, on the petition of Samuel Parsons, dated March 22, for payment of balance due him. It was read this day and the committee reported March 31. The petition is in the *Papers of the Continental Congress*, No. 42, VI, folio 310.

Mr. [Joseph Platt] Cook, Mr. [William] Grayson and Mr. [David] Howell, on a letter of March 25 from Giles Wolcott, with William Denny's report on Wol-

TUESDAY, MARCH 29, 1785.

Congress assembled. Present as yesterday.

Mr. Melancton Smith, a delegate for the State of New York, attended and produced credentials under the seal of the state, by which it appears, that on the 19th of this present month, the hon. John Lawrance, John Haring and the said Melancton Smith, were appointed additional delegates to represent the said state in the United States in Congress assembled, until the first Monday in November next.

THE PEOPLE of the State of New York, by the Grace of God, Free and Independent: To ALL to whom these presents shall come send Greeting:

KNOW YE that We having inspected the Records remaining in the Secretary's Office of our said State do find there a certain Commission in the Words following to wit, "The People of the State of New York, by the Grace of God, Free and Independent: To all to whom these presents shall come send Greeting: Whereas our Senate and Assembly have, on the nineteenth day of this present month of March nominated and appointed the Honorable John Lawrance, John Haring and Melancton Smith, Esquires, additional Delegates to represent our said State in the United States of America in Congress assembled from the Day of the Date hereof until the first Monday in November next: Now therefore Know Ye that in pursuance of the said Nomination and Appointment We have by these Presents Commissioned the said John Lawrance, John Haring and Melancton Smith to represent

cott's accounts, which were read this day and reported on April 4. Wolcott's letter is in No. 41, X, folio 613.

Mr. [Charles] Pinckney, Mr. R. R. Livingston, Mr. [Rufus] King, Mr. [James] Monroe and Mr. [John] Beatty, on a motion of Mr. [David] Howell on rehearings in the court of appeals. The report of the committee of March 7 on the letter of December 23, 1784, from C. Griffin and J. Lowell and on the memorials of G. Meade, Prager, Ellis and Huggs was also referred to this committee who reported April 4.

Committee Book No. 190.

Also, on this day, according to the indorsement, a letter from John Jay, dated March 25, relating to sundry letters from the French chargé d'affaires, on the subject of monies advanced by the French Treasury to the United States, was read and referred back to the Secretary for Foreign Affairs to report. It is in No. 80, I, folio 121. Jay reported March 31.

our said State in the said Congress accordingly: In Testimony whereof We have caused these our Letters to be made patent and the Great Seal of our said State to be hereunto affixed. Witness our Trusty and well beloved George Clinton, Esquire, Governor of our said State, General and Commander in Chief of all the Militia and Admiral of the Navy of the same, at our City of New York, the nineteenth Day of March in the year of our Lord one thousand seven hundred and eighty five, and of our Independence the Ninth. Geo: Clinton." ALL WHICH We have caused to be exemplified by these presents: IN TESTIMONY whereof We have caused these our Letters to be made patent and the Great Seal of our said State to be hereunto affixed: WITNESS our Trusty and well beloved GEORGE CLINTON, Esquire, Governor of our said State, General and Commander in Chief of all the Militia and Admiral of the Navy of the same, at our City of New York, the twenty first Day of March in the year of our Lord one thousand seven hundred and eighty five, and of our Independence the ninth.

GEO: CLINTON,

[With the Great Seal appendant.]

Passed the Secretary's Office
the 21st March 1785.

ROBT HARPUR, *D. Secr*^u¹

WEDNESDAY, MARCH 30, 1785.

Six states only attending namely, New Hampshire, Connecticut, New York, New Jersey, Maryland and North Carolina and from the state of Massachusetts, Mr. [Rufus]

¹ The original is in the *Papers of the Continental Congress*, New York, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal. There is a copy filed with the *Credentials of Delegates*; and a third, containing the Commission of March 19 only, and omitting the parts added March 21.

On this day, according to the indorsement, the reports of the Secretary for Foreign Affairs, read February 17, on the case of Longchamps and also the motion of Mr. R. R. Livingston thereon, were referred to Mr. R. R. Livingston, Mr. [William Samuel] Johnson, Mr. [Samuel] Hardy, Mr. [Rufus] King, Mr. J[ohn] Henry, Mr. [Gunning] Bedford and Mr. [Charles] Pinckney. This committee was renewed April 28.

Also, according to Committee Book No. 190, the petition of Hezekiah Wetmore respecting his pay, was referred to Mr. [Melancton] Smith, Mr. [William Samuel] Johnson and Mr. [Hugh] Williamson, who reported June 13.

King, from Rhode Island, Mr. [David] Howell, from Delaware, Mr. [Gunning] Bedford, from Virginia, Mr. [Richard Henry] Lee, and from South Carolina, Mr. [Charles] Pinckney, the president adjourned Congress to 10 o'clock to Morrow.

THURSDAY, MARCH 31, 1785.

Congress assembled. Present, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of Massachusetts, Mr. [Rufus] King, and from Georgia, Mr. [William] Houstoun.

A letter, of 26 March, from William Patterson, esq. was read, informing, that he accepts the office of a Judge of the federal court, for hearing and determining the controversy between the States of Massachusetts and New York.¹

The Ordinance on the Office of the Secretary of Congress being taken up for a second reading:

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [John] Bull,

That as the Ordinance now under debate is calculated to extend the powers and increase the duties of the Secretary of Congress, and may preclude Congress from determining without great inconvenience upon the propriety of creating a secretary, who shall be charged with the business of the home department; as there is no necessity for pressing this question to an immediate decision, and as there is reason to believe there will soon be a full representation of all the states in the Union, when it may be more amply considered and determined, it be *Resolved*, That the further consideration of the Ordinance be postponed until the ~~second~~ fourth Tuesday in April next.²

¹ This letter is in the *Papers of the Continental Congress*, No. 42, folio 277.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, II, folio 539. The word lined out is so in the motion and not in the Journal.

On the question to agree to this, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>			
Mr. Foster,	no	}no	Mr. Vining,	no	}no	
Long,	no		Bedford,	no		
<i>Massachusetts,</i>			<i>Maryland,</i>			
Mr. King,	no	}*	Mr. M'Henry,	no	}no	
<i>Rhode Island,</i>				J. Henry,		no
Mr. Ellery,	no	}no	Hindman	no		
Howell,	no			<i>Virginia,</i>		
<i>Connecticut,</i>			Mr. Hardy,	no	}no	
Mr. Johnson,	no	}*	Monroe,	no		
<i>New York,</i>				Lee,		no
Mr. R. R. Livingston,	no	}no	Grayson,	no		
W. Livingston,	no			<i>North Carolina,</i>		
Smith,	no			Mr. Williamson,	no	}no
<i>New Jersey,</i>			Sitgreaves,	no		
Mr. Beatty,	no	}no	<i>South Carolina,</i>			
Cadwallader,	no			Mr. Bull,	ay	}ay
Stewart,	no			Pinckney,	ay	
<i>Pennsylvania,</i>						
Mr. Gardner,	no	}no				
W. Henry,	no					

So it passed in the negative.

Congress proceeded in the second reading of the Ordinance, and the same being gone through and amended,

Ordered, That it be read a third time.

The same being read a third time, was agreed to as follows:

An Ordinance for the regulation of the Office of the Secretary of Congress.

Be it ordained by the United States in Congress assembled, that the Secretary of Congress shall in future be charged with the following duties, and shall keep his office in or near the State house or Building where the Sessions of Congress shall be holden.

He shall carefully preserve the journals of Congress, and all other papers committed to his charge and such as are secret in their nature, or by special Order, shall not be communicated by him to any person,

except members of Congress, and such persons as may be entitled thereto by special resolutions.

He shall not deliver any original Journal out of his Office, nor shall he deliver any original letter or paper out of his Office, without an Order of Congress, and a receipt therefor.

He shall deliver attested copies of any resolutions of Congress, or public papers in his Office, not secret in their nature, or by special Order, to any member of Congress who may require the same.

He shall transmit to the Secretary for foreign Affairs, to the Secretary for the war department, to the Secretary of marine, to the Commissioners of the board of treasury, and to the postmaster general, all papers referred to them by Congress respectively, as well as an authenticated copy of all acts, Ordinances and resolutions of Congress, touching their respective departments.

He shall keep a daily account of all memorials, petitions and communications received by Congress, noting therein their object, and the steps taken respecting them and lay the said account or register every day on the table in Congress, for the inspection of the members.

He shall return such answers as Congress shall direct to be given to the memorials, petitions and communications, except where Congress shall judge it proper, that the same be given by their president, or where it shall be the duty of any of the executive departments to return such answer.

He shall transmit to the several states, all acts, Ordinances, resolutions and recommendations of Congress, correspond with the States, for the purpose of receiving communications from them, relative to the execution of the same, and make report thereof to Congress, keeping a book, in which shall be entered copies of all such letters and communications.

He shall attend Congress during their session, and in their recess, the committee of the states, either in person or by his deputy, read the public despatches, acts, ordinances and reports of Committees, and make the proper entries on the Journals.

He shall authenticate all acts and proceedings of Congress not specially directed to be authenticated by their president; and keep a register of all treaties, Conventions, Ordinances and permanent Acts of Congress.

He shall cause to be made and laid upon the table for every state represented in Congress, and for every member appearing for any state unrepresented, a copy of every Ordinance, or report upon a

matter of importance and not of a secret nature, for the consideration of which a day is assigned.

He shall keep the great Seal of the federal Union, and cause the same to be affixed to every act, Ordinance or paper Congress shall direct. He shall superintend the printing of the Journals, and other publications ordered by Congress.

He shall keep a book, in which shall be noted in Columns, the names of the several Members of Congress, the State which they represent, the date of their appointment, and the term for which they are appointed.

That as well the Secretary of Congress, as the deputy secretary and clerks, shall take and subscribe the Oath or affirmation of fidelity and of Office, prescribed in an Ordinance passed on the 27th day of January, 1785;¹ which oaths shall be taken by the said Secretary before the president of Congress, and that all former resolutions for regulating the duties of the Office of the Secretary of Congress be, and they are hereby repealed.² Done, &c.

Resolved, That Thursday next be assigned for the election of a deputy Secretary.

The Grand Committee consisting of Mr. [David] Howell, Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [Joseph Platt] Cook, Mr. [Zephaniah] Platt, Mr. [Lambert] Cadwallader, Mr. [John] Henry, Mr. [Gunning] Bedford, Mr. [James] McHenry, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson, Mr. [Charles] Pinckney and Mr. [William] Houstoun, appointed to report a requisition on the States for supplies of the present Year beg leave to lay before Congress, the following report.

That for the services of the present year 1785 and for the payment of one years Interest on the foreign and domestic debts of the United States, it will be necessary that the sum of three millions of Dollars be paid into the common Treasury, on or before the 31st day of December next, to be appropriated and applied to the following purposes, viz.

¹ This was the ordinance for ascertaining the powers and duties of the Secretary at War, *q. v.*

² The printed broadside of this Ordinance, as adopted, is in the *Papers of the Continental Congress*, No. 55, folio 267.

	Dollars
To the Civil Department.....	122, 331
The Military Department.....	187, 224. 33
The Marine Department.....	30, 000
Indian Treaties.....	5, 000
Federal Buildings.....	30, 000
Contingent Expences.....	60, 000
	434, 555. 33

FOREIGN DEBT

On 10,000,000 Livres, loaned in Holland, guaranteed by France, payable 5th November, 1785, One year's Interest..	74, 074
24,000,000 ditto, loaned by Royal Treasury of France, including the Loan of 1783, One year's Interest at 5 per cent 1,200,000 Livres, at 5 liv. 8 s. payable September 5, 1785.....	222, 222. 20
174,000 Dollars, borrowed in Spain, One year's Interest thereon payable, 31st December 1785.....	8, 700
3,481,000 Florins, loaned in Holland at 5 per cent. One year's interest payable on the first day of June, 1785, Florins 175,016.13.5 at 34d. $\frac{3}{4}$	66, 803. 59
1,762,000 ditto, loaned in ditto, at 4 per cent, whereof becomes payable January 1st 1785, Florins 56,550.3.5 at 34d. $\frac{3}{4}$	21, 834. 58
One year's interest on ditto, becoming payable January 1st, 1786.....	27, 212. 30
Foreign Interest.....	420, 846. 67

DOMESTIC DEBT

Liquidated	One year's Interest.
77, 064. 22 Dollars, to the Credit of sundries in the Treasury Book.	
124, 811. 22 ditto, Specie Loan Office Certificates.	
516, 266. 57 ditto, Funded debt from 31st December, 1780.	
48, 450. 32 ditto, General Lincoln's drafts on the President of Congress, from December 31st 1780.	
191, 444. 4 ditto, Certificates issued by the Commissioners for settling the Staff Departments from 1st January, 1780.	
559, 178. 81 ditto, Certificates issued by the Commissioners for adjusting the accounts of Individuals with the United States.	
8, 039, 540 ditto, Certificates issued by the Commissioners for adjusting the Army accounts, computed from various periods by estimates from the pay-office.	
167, 156. 67 ditto, Certificates issued to Foreign Officers on final settlement.	
9, 723, 912. 21 Amount liquidated. One year's Interest. -----	583, 434

Unliquidated	One year's Interest
3, 778, 900	Dollars, Loan Office Certificates issued to 1st September 1777.
2, 538, 571. 7	ditto ditto to 1st March, 1778.
5, 083, 014. 5	ditto ditto, issued from the 1st March 1778, to the close of the Loan Office.
63, 316. 57	ditto, The Specie value of Lottery loaned Certificates.
4, 823, 724	ditto, Army debt. The estimated amount of Certificates to be issued to the lines of Maryland, Virginia, No. Carolina, So. Carolina and Georgia.
9, 731, 904	ditto. Due on unliquidated accounts and for deficiencies. This may include the arrearages of Interest.
<hr/>	
26, 019, 430. 77	Dollars, amount unliquidated—One year's Interest. . . 1, 561, 164
Total amount..... 3, 000, 000	

The Committee find that the requisition of April 27th 1784 provides for the services of the year 1784—for the payment of the interest on the foreign debt to the last day of that year, and on the domestic debt to the last day of the year 1783, and that for these purposes, in addition to the sum of 2,670,987.89 dollars, then specially required, Congress relied also on the payment of the requisition of September 4th, 1782, for 1,200,000 dollars, both of which requisitions they called on the States, in the most pressing terms, to ~~send forward to the Treasury~~ comply with in the course of the last year. The present requisition will, therefore, provide payment for the services of the year 1785, for the interest on the foreign debt, to the last day of the same, and on the domestic debt to the last day of the year 1784.

The Committee find that for reasons stated in the last requisitions, there yet remains a moiety of the requisition of October 30th, 1781, for eight millions of Dollars—and the whole of the requisition of October 16th, 1782, for two millions of Dollars, to be applied to the common uses of the United States, before any new requisition ought to be made. They are therefore of opinion, that the three quarters of the remaining moiety aforesaid, be required of the several States, and called into actual payment, in the course of the present year.

The Committee have not been able to obtain information how many States have complied with the resolution of February 17th, or that of April 18th, 1783, relative to a rule, or measure for quotaing federal requisitions. They are therefore of opinion, that the several States which have not decided on that subject, be again solicited to come to

a decision thereon, and to send forward the same, as a measure indispensably necessary to enable Congress to effect a settlement of Accounts with the several States, and to apportion to each a just quota of the public expences: But in the meantime, as the exigencies of the public render it the duty of Congress to continue their annual requisitions, the Committee are of opinion, that in such requisitions the several States ought to be quotaed agreeably to equity, on the best information Congress may have at the time of the demand, and therefore beg leave to recommend to Congress, that the sum of three millions of Dollars to be required of the States, as three quarters of the remaining moiety of the requisition of October 30th, 1781, be apportioned to the several states, as follows, viz.

	Dollars
New Hampshire.....	105, 416
Massachusetts.....	448, 854
Rhode Island and Providence Plantations.....	64, 636
Connecticut.....	264, 182
New York.....	256, 486
New Jersey.....	166, 716
Pennsylvania.....	410, 378
Delaware.....	44, 886
Maryland.....	283, 034
Virginia.....	512, 974
North Carolina.....	218, 012
South Carolina.....	192, 366
Georgia.....	32, 060

Dollars 3, 000, 000

Which sums, when paid, shall be passed to the Credit of the States, respectively, on interest, to be hereafter adjusted agreeably to the resolution of October 6th 1779, and applied in conformity with the several appropriations in the preceding part of this report giving preference according to the order in which they are stated.

As more than a moiety of the sum required is to be applied to the payment of interest on the domestic debt, the Committee are of opinion that the several Legislatures be admitted so to model the collection of the sums called for that *one half* of any sum being paid in actual money, the other half may be discharged by the interest arising on Loan Office Certificates—the Army debt, and other liquidated debts of the United States. That to ascertain the evidences of the interest arising on Certificates of the aforesaid descriptions receivable in taxes in lieu of money, the holders be at liberty to carry

the same to the keeper of the Loan Office in the State of which he is a Citizen, or if a Foreigner to the Keeper of the Loan Office in any of the United States and to have the interest due thereon settled and Certified to the last day of the year 1783, that the Commissioners of the Treasury cause to be made a *Bank-paper* and thereon to be struck a form of a Certificate which shall specify the interest due as aforesaid, and transmit to the Keepers of the several Loan Offices a sufficient number of said Certificates with proper blanks. That the Commissioners of the Treasury transmit to the Keepers of the several Loan Offices such checks and instructions from time to time as they may judge necessary to prevent counterfeited evidences of debts from obtaining a settlement of interest, and to the receivers of federal taxes in each State such checks and instructions as may enable them to detect counterfeit evidences of interest and avoid receiving them in payment of taxes as aforesaid. That the Certificates of interest be receivable from the Bearer in lieu of money, as aforesaid in any other State in the Union as well as in the State in which they were issued. That the State receiving such Certificates in the aforesaid proportion and paying the same into the common Treasury have credit therefor in the aforesaid proportion, which payment by the State shall be considered as a discharge of the interest due on the domestic debt in the proportion that each State avails itself of the aforesaid evidences and should any State pay into the common Treasury a greater proportion, in actual money, than one-half of its quota, that the same be applied according to the estimate giving preference to the discharge of the expences of internal government and the interest due upon the foreign debt.

By a Letter from the late Superintendent of Finance dated Philadelphia February 23^d 1785, the Committee have been informed that from December 31st, 1783, to October 30th, 1784, he had received in payment of Taxes from the several States 559,032⁷/₁₀ dollars, and that he had drawn orders on the receivers of Taxes for 143,892⁷/₁₀ dollars more; that he had not been in capacity to make any payments due in France the last year; that after deducting the sums necessary to make all the payments falling due in Holland in the course of the last year, there remained in the hands of the Commissioners of the late Loan on the 30th of September last the sum of 502,928 Florins; that on the 30th day of October last a balance remained in the common Treasury of 21,986⁷/₁₀ Dollars, and that the public accounts from February, 1781, when he was appointed, to October the 30th, 1784,

when he resigned his Commission, have been prepared and delivered to the printer for publication.

When the Commissioners of the Treasury shall have entered on the duties of their appointment, an account of the expenditures of the whole of the last year, of the payments made by the several States during the same and of the actual state of the Treasury may be expected; and in the opinion of your Committee ought to be transmitted to the Supreme Executives of the several States.

When the Committee reflect on the great exertions of these States during the late War, and their consequent exhausted condition at the return of peace, the variety of demands with which they were embarrassed, their want of experience in affairs of revenue, the actual contributions made by those States whose governments have acquired energy and whose resources have become productive, the zeal of all to apply with effect to their respective resources to relieve the distresses of their Citizens and to contribute their just proportion of federal supplies, when they consider that justice and good faith are the solid pillars on which these rising States are to be supported, they are induced to ascribe the failure of some of the States and the tardiness and deficiencies of others in complying with federal requisitions to the operation of temporary causes ~~rather than~~ and not to any defect in our new Constitutions, or to any want of virtue in our Citizens, and confidently to hope that, in due time, all necessary arrangements will be made for supporting the National faith and maintaining the dignity of the Federal Union.

The Committee find that the revenue system of April 18th, 1783, has not yet been adopted, even in part, by all the States, nor fully by more than one or two States, and being of opinion that it is ~~in~~expedient for Congress to urge at this time to ~~relinquish~~ that plan, which has been so long under reference to the States and ~~so generally approved of~~, recommend to Congress to ~~urge those States which have complied only in part to reconsider their Acts and those which have not complied to pass Acts in conformity~~ which after the most mature consideration they conceive essentially necessary to the establishment of public credit submit it to Congress to recommend earnestly to those States which have complied only in part to adopt the same completely and to those which have not yet complied to pass laws as early as possible in conformity thereto.

When the domestic Creditors attend to the circumstances under which the foreign debts were contracted and are to be paid and to the

necessity of prompt payment for the services of the current year it is presumed they will easily see the propriety of the preference given to those demands in the appropriations—they will however find a balance in the discounts to be admitted in their favour.

In order to admit foreigners and citizens holding Loan Office Certificates which issued from Offices, other than those in their respective States to an equal participation in the benefit of those discounts, the Committee have found it necessary that the Certificates of interest should be made receivable in any of the States and have ~~printed~~ directed the necessary checks to prevent frauds.

In fixing the amount of the present demand the Committee had regard to the abilities of the debtors as well as the Claims of the Creditors—the sum demanded is indeed greater than that of last year; but the greater proportion of discount admitted will render it less impoverishing to the Individual States.

As a motive for the cheerful payment of this requisition as well as the arrearages on that of April 27th 1784, the Committee are of opinion that the States be informed that Congress are about soon to open a Land Office to dispose of their Western Territory, and that the proceeds thereof will be applied as a sinking fund to extinguish the principal of the domestic debts; succeeding requisitions for interest on the domestic debt will therefore be reduced, in future in proportion as this fund may be rendered productive. And while on this subject the Committee beg leave to mention, ~~and they are not able to mention it without much regret that they have received information that the State of North Carolina has repealed the Cession of her claim to the Lands over the Alleghany mountains, once made to Congress and that they cannot learn that any of the other States have made the expected Cessions that they cannot learn that any of the States claiming Western Territory have made the expected Cessions during the last year, they are therefore obliged [to recommend] that this subject be again presented to the attention of said States, and that they be again solicited, in the strongest terms to consider with candour and magnanimity the expectations of their Sister States, and the earnest and repeated applications made to them by Congress on that subject.~~¹

¹ This report, in the writing of Benjamin Bankson, with corrections and changes by David Howell, is in the *Papers of the Continental Congress, Miscellaneous*, in the Library of Congress. It is indorsed by Thomson: "Ent^d read 31. March, 1785 Tuesday 5 April assigned." A rough, preliminary draft of the estimates,

The Committee of the Week [Mr. Archibald Stewart, Mr. John Vining and Mr. Hugh Williamson] having considered the memorial of W^m M^cCormick of Glasheen near the City of Cork in the Kingdom of Ireland who is a manufacturer of Cotton velvets and such other goods of cotton as are usually manufactured at Manchester in England and proposes to remove himself to some of the States in this Union and to Pennsylvania in preference, where he will establish a cotton Manufactory in case he shall be duly authorized by Congress, report that the same shall lye on the table.

The Committee of the week have also considered the memorial of John Denny formerly a Lieutenant in Col. Van Schaick's Regiment, and who States that he resigned on the 7th oct. 1778. that he has served for a considerable time since that period in the Quarter Master General's Department. That not having received the depreciation of pay nor lands he is much reduced in his circumstances and requests that Congress would afford him relief: Your Committee do not find that any thing is due to M^r John Denny according to the subsisting acts of Congress and they believe it would not consist with the present state of the public Treasury to attempt the relief of families merely because they are indigent, wherefore they submit that said Memorial lye on the Table.¹

The Committee consisting of [Mr. Hugh Williamson, Mr. William Ellery and Mr. James McHenry] to whom was referred a memorial of Samuel Parsons of 22^d March, 1785, requesting that he may be allowed the sum of 29,700 Livres for his services 4½ years as Agent for the United States at Martinique also an allowance of 3,000 Livres for coming over to obtain a settlement of his Accounts, and that a special

in the writing of Jacob Read and David Howell, is in the same Miscellany. After the estimates Howell has written: "That this requisition be made as part of the requisition for 8,000,000 of 1782. That this requisition be subjected to a new apportionment on the States according to their present faculties of contribution agreeably to justice upon the best information Congress may have. That facilities be admitted in the payment of the requisition. That those facilities be extended to two thirds of the requisition. That the States be again pressed to comply with the resolve of Feb. 17 or April 18, 1783, relative to a rule of quotaing the States. That the revenue systems adopted April 18, 1783, be again urged on the States and a compliance with all its parts insisted upon. That cessions of western claims be again urged on the States." See *post*, April 5 and April 6.

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 32, folio 605. It is undated but belongs to this period. The indorsement states that it was filed April 4, 1785. See *ante*, March 28.

order be issued for paying him out of the Treasury the balance that has been found due him in pursuance of former Acts of Congress, beg leave to Report—

That Congress on the 2^d July, 1782, having resolved on the application of M^r Sam^l Parsons, that the business to be done in Martinique did not require the services of any person holding a public character & M^r Parsons never having received any appointment from Congress his claims for salary or other pay as their Agent cannot be admitted. Your Committee do not find that the attendance of M^r Parsons to obtain the settlement of his Accounts was necessary nor that Congress has at any time required such attendance & they are of opinion that no allowance can be made for his expences on that business. With respect to the balance that is due to M^r Sam^l Parsons, your Committee are of the opinion that the Board of Treasury should be instructed to take orders for payment of the same as soon as the situation of the Finances will permit.¹

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 23. According to the indorsement it was read this day and passed April 12.

On this day, according to the indorsement, the report of the Secretary for Foreign Affairs, on his letter of March 25, which had been referred back to him on March 28, was read. It is in No. 80, I, folio 121, and is indorsed to refer to said Secretary's report of March 31 on his letter of March 30. The papers mentioned in the letter of March 25 were transmitted to the Board of Treasury November 12, 1787.

On this day, also, was read the letter of March 30, from the Secretary for Foreign Affairs, on the subject of monies advanced by France to the United States. It is indorsed as acted on July 7, 1785, "the papers being then referred to a com^o No report the papers sent to the board of treasury 7 Nov^r 1787."

MARCH 31: The following committees were appointed:

Mr. [Hugh] Williamson, Mr. [Rufus] King, Mr. [David] Howell, Mr. [William Samuel] Johnson and Mr. [Samuel] Holten, on the memorial of Moses Hazen, dated March 30, 1785, which was read this day. It is in No. 42, III, folio 512. The committee reported April 20.

Mr. R. R. Livingston, Mr. [John] Vining and Mr. [Hugh] Williamson, on letter of March 31 from the Secretary for Foreign Affairs, on the salary of William Stephens Smith and his starting on his mission, which was read this day. It is in No. 80, I, folio 125. The committee reported April 4.

Also on this day the letter of January 10, 1785, from John Adams was referred to the Secretary for Foreign Affairs to report, which he did on April 5.

Committee Book No. 190.

FRIDAY, APRIL 1, 1785.

Congress assembled. Present as yesterday.

A letter, of the 16 March, from John Lewis Gervais, Esq. was read, declining to accept the Office of a commissioner of the board of treasury; Whereupon,¹

Resolved, That Tuesday next be assigned for electing another commissioner in the room of Mr. Gervais, who has declined.

Congress took into consideration the report of a committee, to whom were referred sundry motions relative to the western frontiers, and a paragraph thereof relative to the raising of troops being under debate, a motion was made by Mr. [David] Howell, seconded by Mr. [John] Beatty, that the same be postponed, in order to take up the following: "That it is necessary, that a body of troops, consisting of non-commissioned officers and privates, be raised to serve for the term of three years, unless sooner discharged, for the protection of the north western frontiers, and for guarding public stores; to be raised by the States in the following proportions, viz. N. H. &c.

It is the opinion of the Committee that the United States in Congress assembled should proceed to establish such Garrisons to make requisitions on the states for men and money in order to establish such garrisons.²

On the question, the paragraphs of the report being postponed, and the motion taken up and amended, a division was called for, and on the question to agree to the first clause as amended,

Resolved, That it is necessary that a body of troops consisting of 700 noncommissioned officers and privates, be

¹ This letter is in the *Papers of the Continental Congress*, No. 78, X, folio 483.

² This report, in the writing of Charles Thomson and another, is in the *Papers of the Continental Congress*, No. 38, folio 369¹. It is undated but seems to belong to this matter.

raised to serve for the term of three years, unless sooner discharged, for the protection of the northwestern frontiers, to defend the settlers on the land belonging to the United States, from the depredations of the Indians, and to prevent unwarrantable intrusions thereon, and for guarding the public stores.

After debate on the latter clause of the motion,

Ordered, That the further consideration thereof be postponed.¹

The Committee consisting of [Mr. David Howell, Mr. Pierse Long and Mr. Samuel Holten] to whom was refer'd the petition of John Vincent, a Native Indian of the Huron Tribe, Submit the following report.

That as said Vincent does not support said Petition by any substantial documents they are of opinion it lay on file; but that as the Com^{ee} have been informed by Col. Louis that the s^d John Vincent has been a faithful friend to the U. States during the late war, and rendered them valuable services, they recommend that it be

Resolved. That in consideration of the faithful services of John Vincent a native Indian of the Huron Tribe in the course of the late war he be allowed and paid by the Commissioners of the Treasury the sum of 600 one hundred dollars.²

The Committee consisting of [Mr. Hugh Williamson, Mr. Archibald Stewart and Mr. David Howell] to whom was referred a Petition of Dr. Morgan, who alledges that on settling his Accounts there appeared a Balance due him of near 476 Dls. which he entreats may be paid, submit the following Resolve.

That whenever Dr. John Morgan, shall have accounted for the Stores delivered to his Care, or when the several Charges against his former Department shall have been delivered in, and it shall appear to the Commissioner of Hospital Accounts, that the Doctor's Papers

¹ On this day, according to Committee Book No. 190, Mr. [Rufus] King was added to the committee of March 16 on Robert Howe's letter.

² This report, in the writing of Pierse Long and David Howell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 121. According to the indorsement and according to Committee Book No. 191, it was read this day and passed April 8.

and Books were unavoidably destroyed, or that he has rendered the best account of the Stores committed to his Care, of which the Circumstances of the Case would admit, he shall obtain a Certificate for the Balance due him.¹

The Committee consisting of [Mr. John Beatty, Mr. Hugh Williamson and Mr. Pierse Long] to whom was referred the Memorial of Belcher P. Smith praying that he may be allowed depreciation of his pay while he acted as Secretary of Congress beg leave to report—

That B. P. Smith having served as clerk in the Office of the Secretary of Congress retired on the 17th of April, 1779, and has been paid for his services according to the subsisting Acts of Congress—

That Congress have since that time, Vizt—on the 13th and 25th of Sept^r, 1780, fixed the pay of civil Officers then in their service to be made quarterly in specie or equivalent money, and on the 15th of Nov^r Congress for the couragement of civil Officers who had continued some time in their service allowed them the benefit of the Acts of 13th and 25th Sept^r from the 2^d of Nov^r 1778 and on the 4th of Dec^r Congress gave their civil Officers the further gratuity or indulgence of reaping the benefit of the Acts of September 13th and 25th from the 1st Sept^r 1777—

Your Committee are aware that many Officers civil and Military and numberless other Citizens of the U. S. have suffered greatly by the depreciation of money, which, however, they have received out of choice or under the obligations of law, but they conceive it would be extremely difficult and perhaps dangerous to attempt a revisal of all these Accounts and payments with the hope of rendering equal justice, and if the revisal of a single Account is admitted under a claim of the suffering party, they do not see why all accounts shall not be revised: on which they submit the following Resolve—

~~That Mr. Belcher P. Smith who was a Clerk in the office of the Secretary of Congress and retired on the 17th of April 1779 is not entitled to the benefits which Congress extended to their civil officers by their acts of 1780 on that subject.~~

That M^r Belcher P. Smith who was a clerk in the Office of the Secretary of Congress and retired on the 17th of April 1779, and has had his accounts settled according to the existing Resolutions of

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, IV, folio 189. It was passed on June 20.

Congress is not entitled to the benefits which Congress extended to their civil Officers by subsequent Acts of 1780 on that subject.¹

MONDAY, APRIL 4, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [Joseph Platt] Cook, Mr. [William] Grayson and Mr. [David] Howell, to whom was referred a letter of the 25 March, from Mr. Giles Wolcott,

The Committee consisting of M^r [Joseph Platt] Cook, M^r [William] Grayson, and M^r [David] Howell, to whom was referred the Memorial of Giles Wolcott, representing that in the year 1777 he was appointed by Gen^l Schuyler an Assistant Deputy Quarter Master General in the Northern Department, in which office he continued for about two years, and expended considerable sums of money in the public service for which he has received no compensation not being able hitherto to effect a settlement of his accounts by reason of some peculiar embarrassments and praying that some method to be adopted by which he may be relieved &c. submit the following Report.

That they are informed by said Wolcott that sometime in the year 1779 he applied to the Commissioners at Albany to settle his accounts, but that they through a multiplicity of business, being unable at that time to attend to his matters, advised him to leave his papers in their hands and call upon them at some other time; that he accordingly left his papers among which were all his vouchers, and through ill

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 363. The indorsement gives it this date. According to Committee Book No. 191, it was filed.

On this day, according to Committee Book No. 190, the letter of the Secretary of Congress respecting the bust of General Washington, taken in pursuance of the act of August 7, 1783, was referred to Mr. [Thomas] Johnson, Mr. [Gunning] Bedford and Mr. [David] Howell, who reported April 6. Thomson's letter is in No. 19, VI, folio 473.

Also, according to the indorsement on the letter of January 10, 1785, from John Adams: "The original of this Letter was reported on by the Secy. for for: affairs 1st. Apl. 1785 and sent to Congress and has not since been found on the Files by the Dep^y Sec^y Jan. 29th 1788". A copy of a copy of this letter, which dealt with the state of the Holland loan and payment of salaries of the United States Ministers abroad, is in No. 84, V, folio 367.

state of health was unable to attend again until the Commissioners broke up, and that M^r Chinn, the last of them that left Albany committed the papers to M^r Vander Heyden of that city, in whose custody they still remain, and he declines to deliver them unless to some person properly authorized to receive him—

Whereupon your Committee submit the following Resolve,

Resolved, That Mr. W. Denning be directed to draw an Order on Mr. Vander Heyden, of Albany, to deliver to capt. Giles Wolcott, or his order, all the papers belonging to the said G. Wolcott, which were left in the custody of the said Vander Heyden, by Mr. Chinn, one of the late commissioners for settling accounts in the Northern department, and that Mr. Denning proceed to settle said Wolcott's quarter master's accounts in the usual manner.¹

On the report of a committee, consisting of Mr. R. R. Livingston, Mr. [John] Vining and Mr. [Hugh] Williamson, to whom was referred a letter of 31 March, from the Secretary for foreign Affairs,

The Committee to whom were referred the letters from the Secretary of foreign Affairs relative to W. Smith, Report—

**REFERRED TO
SECRY. FOR FOR-
EIGN AFFAIRS
TO TAKE
ORDER.** That Colonel Smith be informed that it is the wish of Congress that he should embark in the next Packet for England—

PASSED. Resolved, that one thousand dollars be advanced to Colonel Smith on account of his salary, and that the President draw a warrant accordingly.

**REFERRED TO
THE SECRETARY
FOR FOREIGN
AFFAIRS TO TAKE
ORDER.** Resolved That the Committee upon M^r Adams's letter be directed to report arrangements for the regular payment of the salaries of the Officers of the United States at foreign Courts.²—

Resolved, That one thousand dollars be advanced to W. Smith, Esq. on account of his Salary; and that the president draw a warrant accordingly.

¹ The report, in the writing of Joseph Platt Cook, is in the *Papers of the Continental Congress*, No. 19, VI, folio 589.

² This report, in the writing of John Vining, is in the *Papers of the Continental Congress*, No. 19, V, folio 359. It was entered also in the Resolve Book No. 123.

Ordered, That the remainder of the report be referred to the Secretary for foreign Affairs to take Order.

On the report of a committee, consisting of Mr. [Rufus] King, Mr. R. R. Livingston and Mr. [William] Ellery, to whom was referred a memorial of Samuel Frauncis,

Resolved, by nine states, That the Secretary of Congress take a lease from Samuel Frauncis for his house, now occupied by the public, for the term of two years, at the rate of eight hundred and twelve dollars and one half of a dollar a year:

That a warrant be drawn in favour of the said Samuel Frauncis for the sum of sixteen hundred and twenty five dollars, on account of the said rent, and to discharge a mortgage on said house:

By nine States: That in consideration of the singular services of the said Samuel Frauncis, and of his advances to the American prisoners, the sum of two thousand dollars be paid to the said Samuel Frauncis, on account of the loan office certificates in his hands, and that they be delivered up and cancelled.¹

[Motion of M^r David Howell. For sale of Frigate *Alliance*, April 4th 1785, Referred to M^r Rufus King, M^r David Howell, M^r Charles Pinckney.]

That the Commissioners of the Treasury be authorized and directed to make sale at public auction of the Frigate *Alliance* with her appurtenances, giving previous notice of the time and place of sale by public advertizement.²

The Committee consisting of Messrs. [William] Grayson, [Samuel] Johnson and [William] Ellery to whom a petition of Capt. Seth Harding and a report thereon were committed, Report that it appears from the allegations of the said petition and other information that

¹ The committee's report, *see* March 28, is indorsed "on a second application August 21, 1788 ordered that Mr. Frauncis have leave to withdraw his petition—All his papers delivered *see* rece^t Aug. 29, 1788."

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 559. The committee reported May 23.

a balance is due Capt. Harding of twelve hundred pounds, rating dollars at seven shillings and sixpence.

That he had come on to this City with a view of going to Philadelphia to settle his accounts, but finding that the Commissioner of the Marine was about to remove to the Eastward, he addressed Congress to furnish him with a sum of money to satisfy his creditors—

That before Congress could determine upon his application he was arrested and thrown into goal, where he is now confined, and must remain in that situation unless he receives some relief, and thereupon he prays that Congress would order the balance that is due him to be paid without delay—your Committee on this Statement are of opinion,

That the President should issue a warrant on the treasury in favor of Seth Harding, for twelve hundred dollars, and that the same be charged to his Acct.¹

[Motion of Mr. Charles Pinckney]

That the account of Lieut. Elholm (late of Count Pulaski's legion) against the United States be referred to the paymaster general to settle and adjust and that he report thereon to Congress and that the executive of the State of South Carolina be requested to advance the said Lieut. Elholm one thousand dollars on account of the United States and that the said State be credited for that sum in the next requisition.²

[Motion of Mr. James Monroe]

That a committee be appointed to revise and report what alterations, if any, are necessary to be made in the instructions given to the commiss^{rs}, authoriz'd to enter into commercial treaties with powers.³

¹ This report, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 19, III, folio 45. The indorsement states that it was read on this day.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 167, folio 219. It was offered on this or an approximate date and, with the report on Elholm's claim, was recommitted to the committee of April 4.

³ This motion, in the writing of Monroe, is in the *Papers of the Continental Congress*, No. 36, II, folio 553. It is indorsed, by Monroe, as referred to Mr. [James] Monroe, Mr. [Rufus] King, Mr. [Charles] Pinckney, Mr. [William Samuel] Johnson and Mr. [John] Lawrance. Committee Book No. 190 states that a report was made June 2.

The Committee [consisting of Mr. Charles Pinckney, Mr. R. R. Livingston, Mr. Rufus King, Mr. James Monroe and Mr. John Beatty] to whom were referred a Letter of the of December from the honorable Cyrus Griffin and John Lowell, Esquires, Judges of the Court of Appeals, and a Motion of Mr. [David] Howell's, Report,

That in the opinion of your committee, the present judges of the court of appeals must still be considered as in commission, no information having been communicated to Congress of their intention to resign. They farther report as their opinion, that it will be necessary the court of appeals should remain upon the present establishment, except with respect to the salaries of the judges, and that in lieu thereof they shall be entitled to dollars per day, during the time they shall attend the sitting of the courts, and including the time they shall be necessarily employed in travelling to and from the said courts. That the present judges should be acquainted with the resolution of Congress upon this subject.¹

The Committee to whom was referred the Petition of Joseph Elliss, praying a re-hearing in the Case of the Sloop Hannah, condemned in the Court of Admiralty of the State of New-Jersey, a Reversal of which Decree was obtained before the Judges of Appeal; together with a Report of the Secretary of Foreign Affairs, in the Case between Daniel Darby, qui tam, Appellant, and the Imperial Brig Ersten and her Cargo, Pd. Thomson, Master, &c. beg leave to recommend that it be

Resolve, That the court of appeals be authorized in these and in every other cause before them, to grant rehearing of the same, when-ever justice may in their opinion, require it; provided that such rehearing is applied for within months after sentence; and provided also that an order for a rehearing shall in no case suspend the execution of the first sentence, if the party in whose favor it may be, shall give satisfactory security for the payment of such costs and damages as the court, on rehearing the cause and reversing the sentence given in it, may think proper to award.²

¹ This report, in the form of a printed broadside, is in the *Continental Congress Broadsides*, in the Library of Congress. According to Committee Book No. 190, the report was rendered this day. It was printed after April 4 in preparation for future consideration and on April 13 was recommitted. See *ante*, March 28.

² This report, in the form of a printed broadside, is in the *Continental Congress Broadsides*, in the Library of Congress. According to Committee Book No. 190, the report was rendered this day, and on April 13 was recommitted. See *ante*,

TUESDAY, APRIL 5, 1785.

Congress assembled. Present as before.

Congress took into consideration the report of a grand Committee, consisting of Mr. [David] Howell, Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [Joseph Platt] Cook, Mr. [Zephaniah] Platt, Mr. [Lambert] Cadwallader, Mr. [William] Henry, Mr. [Gunning] Bedford, Mr. [James] M'Henry, Mr.

March 28. The report is printed as the bottom half of the broadside, the top being the committee report on the letter of Cyrus Griffin and John Lowell and David Howell's motion.

APRIL 4: The following committees were appointed:

Committee of the Week: Mr. [Melancton] Smith, Mr. [William] Henry and Mr. [Pierse] Long.

Mr. [William Samuel] Johnson, Mr. [Rufus] King and Mr. [Abiel] Foster, on their report on the case of Lieutenant Elholm. See *post*, April 18.

Mr. [William] Henry, Mr. [Samuel] Hardy and Mr. [Abiel] Foster, on the petition of Daniel Elliot and Alexander Fowler "to be paid for advances made to troops at Fort Pitt." This committee was renewed August 8, and on September 28 the matter was referred to the Board of Treasury, which reported October 7.

Mr. [James] Monroe, Mr. [William] Grayson and Mr. [John] Henry, on letter of April 1, 1785, from John Jamison, "payment of money, settlement of accounts for advances for a body of horse ordered to the Southward." A report was rendered June 27.

Mr. [Samuel] Hardy, Mr. [William] Houstoun, Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [William] Grayson, on the memorial of Nathaniel Twining "offering a contract to carry the mails from N. York southward." The committee was discharged August 8 and the matter apparently transferred to the committee appointed on that day to enquire fully into the affairs of the Post Office and report. Twining's memorial is in the *Papers of the Continental Congress*, No. 41, X, folio 199, and his contract estimate is on folio 203. According to the indorsement his memorial was referred to ~~Mr. Hardy, Mr. Williamson~~, Mr. Houstoun, Mr. Howell, Mr. Holten, Mr. Grayson and Mr. [Samuel] Dick.

Mr. [David] Howell, Mr. [Gunning] Bedford, Mr. [John] Henry, Mr. [Charles] Pinckney and Mr. [William Samuel] Johnson, on the "Cession offered by delegates of Massachusetts in behalf of s^d State to the U. S." Report was rendered April 13. The Massachusetts act, authorizing this cession, dated March 17, 1785, is in No. 74, folio 217, and the form of the deed of cession of the western lands which was referred to this committee is in No. 30, folio 609.

Mr. [David] Howell, Mr. [Gunning] Bedford, Mr. [William] Ellery, on letter of March 26 from Robert Morris "with statement of public Expenditures during administration of Sup: f." The committee reported April 11. Morris's letter is in No. 137, Appendix, folio 381. A copy of the printed statement which accompanied it is in the Robert Morris Papers, in the Library of Congress.

Mr. [John] Beatty, Mr. [William] Grayson, and Mr. [Gunning] Bedford, on petition of William Popham, praying for reimbursement for pay depreciation

[Samuel] Hardy, Mr. [Hugh] Williamson, Mr. [Charles] Pinckney and Mr. [William] Houstoun, appointed to report a requisition on the States, for the Supplies of the present year:

And the following paragraph being under debate, "Federal buildings, 30,000 dollars." A motion was made by Mr. [William] Grayson, seconded by Mr. [Abiel] Foster, that the same be struck out:

And on the question, shall that paragraph stand? the yeas and nays being required by Mr. [John] Beatty,

while he was aide to Brig. Gen. James Clinton. The committee was renewed August 8. The petition is in No. 42, VI, folio 314.

Mr. [Samuel] Holten, Mr. [William] Ellery, Mr. [Samuel] Hardy, Mr. [James] Monroe and Mr. [Hugh] Williamson, on the letter, April 4, 1785, from John Mercer relative to his arrest for executing the orders of the Commissioners for negotiating with Indians in the Northern Department. It is in No. 78, XVI, folio 435. It is dated April 4 and was read this day. The committee was discharged May 26.

Mr. [Charles] Pinckney, Mr. [David] Howell, Mr. [John] Henry and Mr. [William Samuel] Johnson, on the memorial of General John Sullivan, for reimbursement for loss of pay by depreciation. The committee was renewed November 30. See also *post*, May 16. The memorial, dated March 10, 1785, was read April 4 and is in No. 41, IX, 325.

Mr. [John] Bull, Mr. [William] Ellery and Mr. [William] Henry, on the petition of officers of the late American regiment to be debited for the money they received from Dr. Hart and also this committee's report on Pierce's letter on the same subject. The committee was renewed July 20. The petition is in No. 42, VI, folio 113.

Also the petition of Dennis Leary, of the *Andrew Doria*, for pay, and the petition of Captain Seth Harding, were this day referred to Joseph Pennell, Commissioner for settling accounts in the Marine Department. He reported April 18.

Also, the letter of Dorsey Pentecost, of March 31, on intrusion on lands north-west of the Ohio, and the letter of March 10 from Andrew Ellicott, offering to continue the line between Pennsylvania and the United States west of Ohio, were referred to the committee of March 16 on locating lands in the Western Territory.

Also, "two paragraphs of report on his letter of 31 March" was referred to the Secretary for Foreign Affairs to take order. These paragraphs referred to William Stephens Smith and his mission abroad.

Also the following nominations were made for a Commissioner of the Board of Treasury "in room of Mr. Gervais." Nicholas Evelygh [Eveleigh] by Mr. [Charles] Pinckney, withdrawn June 23; Thomas Tillotson by Mr. [John] Vining; Thomas Johnson by Mr. [John] Henry, withdrawn 30 May; Arthur Lee by Mr. [William Samuel] Johnson, elected July 27, 1785.

Committee Book No. 190.

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	}no	Mr. Vining,	no	}no
Long,			Bedford,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. King,	ay	}*	Mr. J. Henry,	no	}no
<i>Rhode Island,</i>			Hindman,	no	
Mr. Ellery,	ay	}ay	<i>Virginia,</i>		
Howell,	ay		Mr. Hardy,	no	}div.
<i>Connecticut,</i>		Monroe,	ay		
Mr. Cook,	ay	Lee,	ay		
Johnson,	ay	Grayson,	no		
<i>New York,</i>			<i>North Carolina,</i>		
Mr. R. R. Livingston,	ay	}ay	Mr. Sitgreaves	ay	}*
W. Livingston,	ay		<i>South Carolina,</i>		
Smith,	ay		Mr. Bull,	ay	}ay
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Beatty,	ay	}ay	<i>Georgia,</i>		
Stewart,	ay		Mr. Houstoun,	ay	*}
<i>Pennsylvania,</i>					
Mr. Gardner,	ay	*}			

So the question was lost.

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [David] Howell, that the motion be reconsidered.

The Committee [consisting of Mr. Zephaniah Platt, Mr. Hugh Williamson, Mr. R. R. Livingston, Mr. Lambert Cadwallader and Mr. Samuel Hardy] to whom was referred a memorial of the late contractors for the main army &c. report

That the Contractors having complained of considerable damage sustained by the Superintendent of Finance not making good his payments according to contract he proposed to Congress on the of as the means of terminating their complaints and doing justice that the question in suspence should be determined by arbitration. Congress not having taken any steps on that subject the Financier appointed an accomptant who should with another person chosen by the parties hear and determine the case. A third person was chosen by the two first named. They having signed bonds set all the time for giving in their award was expired and the Financier did not think fit to renew the bonds. On which the committee submit the following resolve;

That three persons be appointed by Congress to be approved of by the contractors who shall hear the allegations and proofs of said contractors concerning the losses they have sustained by the Superintendent of Finance not having made his payments according to contract and that they shall determine what damages if any they ought to be allowed and the U. S. will compensate them accordingly.¹

WEDNESDAY, APRIL 6, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, and South Carolina, and from the State of Georgia, Mr. [William] Houstoun.

A motion having been made yesterday by Mr. [Hugh] Williamson, seconded by Mr. [John] Sitgreaves, "That no

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 21, folio 379. According to Committee Book No. 190, the committee was renewed this day as Mr. [Hugh] Williamson, Mr. R. R. Livingston, Mr. [Samuel] Hardy, Mr. [Melancton] Smith and Mr. [John] Beatty, and this committee was renewed April 29.

APRIL 5: The following committees were appointed:

Mr. [Gunning] Bedford, Mr. [William] Grayson and Mr. [Rufus] King, on the letter of April 5 from William Duer on "Deficiency in the payment of the money ordered & want of money to pay for issues of March." Report was rendered April 11. Duer's letter was read in Congress April 5.

Mr. [William] Ellery, Mr. [Hugh] Williamson and Mr. [David] Howell, on memorial of "E. Waters com^r in Canada under Halsted. Settlement of his acc^{ts} Loss of his vouchers & claim for services." Report was rendered April 29.

Mr. [David] Howell, Mr. [John] Beatty and Mr. [William] Grayson, on the memorial of Michael Connolly, agent for New York troops, on the loss of his vouchers at Fort Stanwix. It was read this day and a report was rendered April 12. Connolly's memorial is in No. 41, II, folio 164.

On this day the letter of March 21, 1785, from Richard Soderstrom was referred to the Secretary for Foreign Affairs to report.

Committee Book No. 190.

Also, according to the indorsement, was read a letter of April 5, from John Runyon, requesting appointment as deputy surveyor in one of the new States It is in No. 78, XIX, folio 487.

Also the Secretary for Foreign Affairs reported this day on the letter from John Adams, dated January 10. The letter from Jay is in No. 80, I, folio 129, and his report is in No. 81, I, 183. Committee Book No. 191 states that the report was filed.

purchase which may have been made from the Indians at the late treaty at Fort Stanwix, of their claim to soil within the limits of any State, ought to be considered as interfering with the claim of such State to the jurisdiction or soil."¹ A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [Samuel] Hardy, to commit the same. When the question was about to be put, the determination thereof was postponed by the State of Rhode Island and the question for commitment being this day put, and the yeas and nays required thereon by Mr. W[illiam] Livingston,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	} no	Mr. Vining,	no	} div.
Long,	no		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. King,	ay	} *	Mr. J. Henry,	ay	} div.
<i>Rhode Island,</i>			Hindman,	no	
Mr. Ellery,	no	} no	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	ay	} ay
<i>Connecticut,</i>		Monroe,	ay		
Mr. Cook,	ay	Lee,	ay		
Johnson,	ay	Grayson,	ay		
<i>New York,</i>			<i>North Carolina,</i>		
Mr. W. Livingston,	ay	} div.	Mr. Williamson,	no	} div.
Smith,	no		Sitgreaves,	ay	
<i>New Jersey,</i>			<i>South Carolina,</i>		
Mr. Beatty,	ay	} ay	Mr. Bull,	ay	} ay
Stewart,	ay		Pinckney,	ay	
<i>Pennsylvania,</i>					
Mr. Gardner,	ay	} div.			
W. Henry,	no				

So the question was lost.

A motion was then made by Mr. [David] Howell, seconded by Mr. [William] Ellery, in the words following:

Whereas the article of confederation provides that no state shall be deprived of territory, for the benefit of the United States, and

¹ This motion, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, II, folio 555.

the said article provides a mode of deciding upon the interfering claims of individual states, relatively to territorial or jurisdictional boundaries: And whereas the United States in Congress assembled, have accepted the Cessions of claims to Western territory, made by the States of Virginia and New York, and made purchases of the natives, of certain lands which they are about to expose to sale. And whereas the motion before Congress tends to draw out a decision from Congress, on a subject not submitted to them in the confederation, and of course would be nugatory, and might eventually prejudice the sale of the lands to be disposed of for the benefit of the federal Union. *Resolved*, That the motion before Congress be postponed.

A motion was made by Mr. [Rufus] King, seconded by Mr. [Melancton] Smith, to strike out all that precedes, "*Resolved*," from, "Whereas the article," &c. to "federal Union," both inclusive: And on the question, shall that part of the motion stand? the yeas and nays being required by Mr. [David] Howell,

<i>New Hampshire</i> ,			<i>Pennsylvania</i> ,		
Mr. Foster,	ay	} ay	Mr. Gardner,	no	} div.
Long,	ay		W. Henry,	ay	
<i>Massachusetts</i> ,			<i>Delaware</i> ,		
Mr. Holten,	ay	} div.	Mr. Vining,	no	} no
King,	no		Bedford,	no	
<i>Rhode Island</i> ,			<i>Maryland</i> ,		
Mr. Ellery,	ay	} ay	Mr. J. Henry,	ay	} ay
Howell,	ay		Hindman,	ay	
<i>Connecticut</i> ,			<i>Virginia</i> ,		
Mr. Cook,	no	} no	Mr. Monroe,	no	} no
Johnson,	no		Lee,	no	
<i>New York</i> ,			Grayson,	no	
Mr. W. Livingston,	no	} no	<i>North Carolina</i> ,		
Smith,	no		Mr. Williamson,	no	} no
<i>New Jersey</i> ,			Sitgreaves,	no	
Mr. Beatty,	no	} div.	<i>South Carolina</i> ,		
Stewart,	ay		Mr. Bull,	no	} no
			Pinckney,	no	

So it passed in the negative, and the words were struck out.

The motion as amended being, "That the motion before Congress be postponed;" A motion was then made by Mr.

[John] Beatty, seconded by Mr. [John] Vining, to amend the motion farther by adding "*until Monday next.*" And when the question was about to be put on the amendment, the determination thereof was postponed by the state of Rhode Island till tomorrow.

The Committee [consisting of Mr. David Howell, Mr. Hugh Williamson, Mr. Samuel Hardy, Mr. Lambert Cadwallader, and Mr. Rufus King] to whom was referred a Memorial from Robert Howe, Esq., late a Major General in the Armies of the United States, dated March 10, 1785, submit the following report:

Your Committee find that the Memorialist from peculiar circumstances has not been settled with or satisfied by any particular State for the depreciation on his pay as an officer in the public service and that the paymaster Genl. is not authorised to settle with him for the same by any existing resolutions of Congress—that from this cause as well as from the nature of the Commands devolved on him and which he executed with assiduity and constancy to the close of the war, he has been exposed to incur heavy debts which he has not been in capacity to discharge.

Your Committee also find from the shewing of the Memorialist to their satisfaction that he has demands on unliquidated account against the United States to a very large amount—and that he hath attended on the paymaster General for settlement but could not at that time obtain it—and that his present necessities call loudly on the public for relief.

Whereupon they beg leave to submit to Congress the following resolutions.

Res^d, That the paymaster Gen^l be authorised and directed to settle with the late Major Gen^l Robert Howe for the depreciation of his pay on the principles of the resolution of the 7th day of September, 1780.

Res^d, That the Commissioners of the Treasury be and they are hereby authorised and directed to advance to the late Major Gen^l R. Howe the sum of 7000 Dollars for which sum he is to be accountable.¹

The report of the grand committee, on the requisition for the supplies of the present year, was taken up and on the

¹ This report, in the writing of a clerk, is in the *Papers of the Continental Congress*, No. 19, III, folio 209. According to the indorsement it was read this day and Thursday next assigned for consideration. It was passed April 12.

question to reconsider the motion to strike out the words and figures, "Federal buildings, 30,000," resolved in the affirmative.

After debate, *Ordered*, That the report of the grand committee be recommitted.¹

On the report of a committee, consisting of Mr. [William Samuel] Johnson, Mr. [Gunning] Bedford and Mr. [David] Howell, to whom was referred a report of the Secretary of Congress, respecting a bust of General Washington, procured in pursuance of the act of the 7 August, 1783:

That it appearing to them, the Bust of General Washington is now finished and ready to be delivered, and that Mr. Wright the artist who executed the same is about to remove from the city of Philadelphia your committee are of opinion that some immediate disposition should be made of the said Bust: therefore submit the following resolve.

Resolved, That his excellency the president draw an order on the treasury of the United States, in favour of Joseph Wright, for two hundred and thirty three dollars and one third of a dollar, it being the sum charged by him, for modeling and compleating the said Bust.

That the Secretary of Congress take Order for causing the said Bust to be brought to this city, and wait the further order of Congress."²

¹ According to Committee Book No. 190, the Grand Committee of January 17, which brought in this report, was this day renewed as Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [David] Howell, Mr. [Joseph Platt] Cook, Mr. [Melancton] Smith, Mr. [John] Beatty, Mr. [Joseph] Gardner, Mr. [John] Vining, Mr. [William] Hindman, Mr. [James] Monroe, Mr. [Hugh] Williamson, Mr. [Charles] Pinckney and Mr. [William] Houstoun and to it the report was recommitted. See *ante*, March 31, and *post*, April 14.

² This report, in the writing of Gunning Bedford, is in the *Papers of the Continental Congress*, No. 19, VI, folio 471.

On this day, as the indorsement states, was read a letter of March 29 from Jabez Bowen, Deputy Governor of Rhode Island, concerning the uttering and passing of false final settlement notes. It is in No. 64, folio 548.

On this day, according to the indorsement, was read a petition from Captain Seth Harding, dated April 5, for relief. It was referred to Mr. [William] Ellery, Mr. [William Samuel] Johnson and Mr. [David] Howell. It is in No. 42, III, folio 475. Report was rendered April 11.

The Committee consisting of &c. [Mr. Rufus King, Mr. David Howell and Mr. William Ellery] to whom was referred a motion from M^r King for the exclusion of Involuntary servitude in the States described in the Resolve of Congress of the 23^d day of April, 1784, submit the following Resolve—

Resolved, That after the year 1800 of the christian Era there shall be neither slavery nor involuntary servitude in any of the states described in the Resolve of Congress of the 23^d day of April 1784, otherwise than in punishment of crimes whereof the party shall have been personally guilty, and that this Regulation shall be an Article of Compact, and remain a fundamental principle of the constitutions between the 13 original states, and each of the states described in the said Resolve of Congress of the 23^d day of April 1784, any implication or construction of the said Resolve to the contrary notwithstanding— Provided always, that upon the escape of any person into any of the states described in the said Resolve of Congress of the 23^d Day of Apl. 1784, from whom labor or service is lawfully claimed in any one of the 13 orig^l states, such fugitive may be lawfully reclaimed, and carried back to the person claiming his labor or service as aforesaid this Resolve notwithstanding.¹

THURSDAY, APRIL 7, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Virginia, and South Carolina; and from North Carolina, Mr. [Hugh] Williamson.

On motion of Mr. [Melancton] Smith,

Resolved, That the determination of the question which was yesterday postponed by the state of Rhode Island, be further postponed till to Morrow.

Congress resumed the Consideration of the report on the motions relative to the western frontiers, and a motion being made by Mr. [David] Howell, seconded by Mr. [John] Beatty,

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 31, folio 329. The indorsement states that it was read on this day and Thursday April 14 assigned for consideration. A printed copy is on folio 331, indorsed by Thomson: "To prevent slavery in the new states. Included in substance in the Ordinance for a temporary government of western territory passed the 13 July, 1787."

That the 700 non commissioned officers and privates determined to be necessary, by the act of 1 April, be raised by the following states, in the following proportions:

A motion was made by Mr. [William] Ellery, seconded by Mr. [Rufus] King, to postpone that motion, in order to take up the following:

That it be recommended to the states hereafter named, as most conveniently situated, to furnish forthwith, from their militia, the seven hundred non commissioned officers and men, agreed to be raised by the resolution of 1 April, in the following proportions, viz.¹

And on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. [Rufus] King,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	}ay	Mr. Gardner,	ay
Long,	ay		W. Henry,	ay
<i>Massachusetts,</i>			<i>Delaware,</i>	
Mr. Holten,	ay	}ay	Mr. Vining,	no
King,	ay		Bedford,	no
<i>Rhode Island,</i>			<i>Maryland,</i>	
Mr. Ellery,	ay	}ay	Mr. J. Henry,	no
Howell,	ay		Hindman,	no
<i>Connecticut,</i>			<i>Virginia,</i>	
Mr. Cook,	no	}no	Mr. Monroe,	no
Johnson,	no		Lee,	no
<i>New York,</i>			<i>North Carolina,</i>	
Mr. R. R. Livingston,	no	}no	Mr. Williamson,	no
Smith,	no		<i>South Carolina,</i>	
<i>New Jersey,</i>			Mr. Bull,	no
Mr. Beatty,	no	}no	Pinckney,	no
Stewart,	no			

So the question was lost.

¹ This motion, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 30, folio 399, in which the words, "from their militia," have been crossed out.

After further debate the original motion was withdrawn, and thereupon,

On motion of Mr. [William] Ellery, seconded by Mr. [Rufus] King,

Resolved, That it be recommended to the states hereafter named, as most conveniently situated, to furnish forthwith, the seven hundred non commissioned officers and men, agreed to be raised by the resolution of 1 April, in the following proportions:

Ordered, That the remainder of the report be committed, and that the committee be instructed to report the states to be called upon, and the proportions to be furnished by them respectively.¹

A letter, of this day, from Mr. S. Osgood, was read, accepting the Office of Commissioner of the board of treasury.²

FRIDAY, APRIL 8, 1785.

Congress assembled. Present, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of Massachusetts, Mr. [Rufus] King; from

¹ "What states to be called upon to furnish men and in what proportions referred to a committee."

This motion is in the *Papers of the Continental Congress*, No. 30, folio 399. See *ante*, February 21, 1785. Committee Book No. 190 shows that the "remainder of the report" was committed to Mr. [James] Monroe, Mr. [William Samuel] Johnson, Mr. R[obert R.] Livingston, Mr. [Rufus] King, Mr. [John] Beatty, Mr. J[ohn] Henry and Mr. [Gunning] Bedford, who reported April 11.

² This letter is in No. 78, XVII, folio 369.

On this day, according to Committee Book No. 190, the committee of February 7 on the memorial of Donald Campbell, for payment of the certificate given him on settlement of his account, brought in a report. See *post*, June 1.

On this day, according to the indorsement, the Secretary for Foreign Affairs delivered in a report on a letter from Stephen Sayre, dated February 15, 1785. The report was read and referred, this day, to Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [John] Beatty. It is in No. 81, I, folio 187, and bears also an indorsement by Roger Alden "Letter from Mr. Sayre & all the papers transmitted to the Office f: f: Affairs Decr 1787."

Pensylvania, Mr. [Joseph] Gardner, and from Georgia, Mr. [William] Houstoun.

A letter of 8, from Mr. W. Livingston, was read, accepting the Office of Commissioner of the board of treasury.¹

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Pierse] Long and Mr. [Samuel] Holten, to whom was referred a petition of John Vincent, an Indian of the Huron tribe,

Resolved, by 9 States, That in consideration of the faithful services of John Vincent, an Indian of the Huron tribe, in the course of the late war, he be allowed and paid by the Commissioners of the treasury, the sum of one hundred dollars.

[Motion of M^r Robert R. Livingston April 8th 1785, Referred to Sec^y for Foreign Affairs to Report.]

Resolved, That the Secretary for Foreign Affairs collect the evidence of the debt due to these states from the court of Great Britain, in order to ground thereon an instruction to M^r Adams, to apply for and receive the same.

Ordered, That the Commissioners of the Treasury, supply the Sec^y for Foreign Affairs with a state of the debt due from the Court of G. B. on account of prisoners.²

The Committee of the Week [Mr. Melancthon Smith, Mr. William Henry and Mr. Pierse Long] Report as their Opinion That the Letter from Ebenezer Hazard, Post master General, requesting leave to remain in Philadelphia until the ensuing Year, be referred to the Committee on the Post Office.

¹ This letter is in the *Papers of the Continental Congress*, No. 78, XIV, folio 631.

² This report, in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 36, II, folio 557. According to Committee Book No. 190 it was referred to the Secretary for Foreign Affairs to report.

On this, or an approximate date, was presented a letter of Pellon in behalf of a claim of Dutour, for payment claimed as due, for losses sustained at Chambly, as a result of aiding the American troops. It is in No. 78, VIII, folio 113.

On this day, according to Committee Book No. 190, the committee of February 7 on the report on Invalids, was renewed as Mr. [Hugh] Williamson, Mr. [David] Howell, Mr. [Samuel] Holten, Mr. [Joseph] Gardner and Mr. [William Samuel] Johnson. A report was rendered April 20.

That the Letter from Edward Williams late Commissioner to adjust the Accounts, between the State of Georgia and the United States, resigning his appointment be referred to the Board of Treasury to take Order.¹

MONDAY, APRIL 11, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from Georgia, Mr. [William] Houstoun.

Mr. John Haring, a delegate for the state of New York, attended, and took his seat in Congress.²

[Motion of Mr. David Howell]

That the Com^o be instructed to report a reduction in the pay of the commissioned officers to ~~raise the corps to be employed~~ be appointed to command the troops to be raised in pursuance of the resolution of April 1st.³

The Committee consisting of Messrs. [William] Ellery, Mr. [William Samuel] Johnson and Mr. [David] Howell to whom was referred a petition of Seth Harding of the 5th April, 1785, setting forth that he is confined in the Gaol in this city and praying that Congress would grant him such a part of his just demands as will enable him to procure the necessaries of life, and defray the expenses he has been at for about six weeks past, report,

¹ This report, in the writing of Melancton Smith, is in the *Papers of the Continental Congress*, No. 32, folio 589. See *post*, April 11.

On this day, according to Committee Book No. 190, Mr. [William] Grayson was added to the committee of March 14, to prepare an ordinance for the better regulation of the Post Office.

Also the report of the committee of January 17 on reprinting the Journals of Congress was referred to Mr. [William] Houstoun, Mr. [David] Howell, Mr. [William] Hindman, Mr. [William] Grayson and Mr. [William] Ellery, who reported June 1.

Also the report on the Eastern boundary and Massachusetts was referred to the Secretary for Foreign Affairs, who reported April 21.

² For Haring's credential see *ante*, March 29.

³ This motion, in the writing of Howell, is in the *Papers of the Continental Congress*, No. 30, folio 401. It is indorsed by Thomson "Referred to the Com^o to whom their report was recom^d on raising 700 men." See *ante*, April 7, and *post*, April 12.

That the board of Treasury take order for paying Captain Seth Harding 500 dollars, for which his account is to be debited.¹

The Committee consisting &c. [Mr. Gunning Bedford, Mr. William Grayson and Mr. Rufus King] to whom was referred a letter from W^m Duer, Esq., of the 5th of April instant, report—

That they have conferred with M^r Duer, and find that the sum of 3,000 dollars was ordered to be paid to him by a resolve of Congress of the 18th day of February last as a necessary advance on his contract; of this sum one thousand was paid on the 26th of February and owing to a deficiency of money in the Treasury, the other two thirds remain still unpaid to M^r Duer.

As this sum was intended as an advance, but hath not been paid, they think it unreasonable to deduct the same from the amount of issues for the months of April and May, conformably to the Resolve of the 18th of February, and thereupon submit the following resolve—

That the sum of three thousand dollars ordered to be advanced to M^r Duer by the Resolve of Congress of the 18th Day of February last be deducted from the amount of Issues for the two last months of his contract the former resolve of the 18th to the contrary notwithstanding.²

The Committee [consisting of Mr. David Howell, Mr. Gunning Bedford and Mr. William Ellery] to whom was referred a Letter signed Robert Morris and dated Philadelphia, March 26, 1785, containing information that he had caused five hundred copies of “A statement of the Accounts of the U. States of America during the administration of the late Superintendant of Finance” to be printed and offering as many thereof to Congress as they might deem necessary, beg leave to report—

That the accounts exhibited to Congress in the printed book accompanying the Letter referred to your Committee do not appear to have been examined and adjusted, since the resignation of the late Superintendant, by any person duly authorized for that purpose, and this measure being previously necessary, in the opinion of your Committee to enable Congress to determine, with propriety on the Subject of s^d Letter, they beg leave to recommend the following resolution—

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 51. It was adopted April 15, q. v.

² This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, II, folio 149. According to the indorsement it was read this day. See *post*, April 12.

Resolved that be and they are hereby authorized and directed to examine and adjust the public accounts of the Superintendant of Finance during his Administration. And to report a Statement thereof to Congress.¹

The Commee. consisting of Mr. [William] Ellery, Mr. [John] Bull, and Mr. [John] Sitgreaves to whom the petition of Duncan Campbell and its inclosures were referred, Report That the petition of Duncan Campbell with its inclosures be referred to the ~~Paymaster general~~ Commr. of Army accounts to report.²

The Committee [consisting of Mr. Rufus King, Mr. David Howell, and Mr. James Monroe] to whom was referred the Memorial of M^r Thomas Walker praying compensation for his great sufferings and losses in Canada, submit the following Report:

That M^r Walker for many years previous to the late war was of the Magistracy of the Province of Quebec and a reputable merchant at Montreal. That at the earliest period of disagreement between the late Colonies and Great Britain M^r Walker took a decided part in favor of the principles that justify the separation of the two Countries, and by an uniform conduct gave an example of patriotism to the friends of liberty in Canada, which drew upon him the barbarous resentment of the Military then stationed in that Country.

M^r Walker industriously circulated the address of Congress to the people of the Province of Quebec in the year under circumstances of ~~hazard and~~ imminent danger and for his active support of the measures recommended by Congress, was imprisoned by Gen^l Carleton on a charge of treason, loaded with heavy irons and liberated only by the arrival of General Montgomery in Canada. His house and store were burnt at the time of his arrest, and his goods plundered by a party of armed men.

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, IV, folio 441-2. It is indorsed by Thomson: "Ent^d read 11 April 1785 Wednesday 13, 1785 Assigned for consideration. 13 copies to be made of this. passed 20 June 1785." A copy, in the handwriting of a clerk, is in No. 31, folio 311.

² The report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, I, folio 515. It is indorsed by Thomson "Mr. Ellery, Mr. Monroe, Mr. Williamson, Mr. Spaight, Mr. McHenry. Ent^d read 11 April 1785" and in a different hand "passed April 26, 1785". The above report was referred to the committee named by Thomson's indorsement and to this committee was also referred Campbell's petition of March 15. The action recorded in the Journal April 26 implies that the committee of April 11 coincided in its view with that of the committee of February 14.

Upon obtaining his freedom he aided the forces sent against Quebec, and advanced of his remaining property for their convenience. The Committee are sensible that Congress by a resolve of April 23rd, 1783, pointed out a mode of compensating Canadians for sufferings during the late war; but they are of opinion that the great losses and peculiar suffering of M^r Walker, and his present situation, authorize a compensation in addition to that proposed by the resolve aforesaid; and therefore submit that it be

Resolved, that the ~~sum of 2000 dollars be granted~~ Board of Treasury take order for the payment of 1500 Dollars to M^r Thomas Walker ~~towards a compensation for his losses and sufferings in Canada; and that it be and hereby is recommended to the Commonwealth of Massachusetts to pay and deduct the same from their quota of the requisition of the year 1785.~~ on account

The Committee ask further to recommend that the memorial of M^r Walker be referred to the Committee on Canada applications.¹

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, VI, folio 141. According to the indorsement it was read this day. See *post*, April 15.

APRIL 11: The following committees were appointed:

Committee of the Week: Mr. [John] Haring, Mr. [Melancton] Smith and Mr. [Rufus] King.

Mr. [Samuel] Holten, Mr. [John] Henry and Mr. [Pierse] Long, on Fleury Mesplet's memorial. This was a renewal of the Committee of March 11, with Henry and Long in place of Richard Dobbs Spaight and Zephaniah Platt. The committee was discharged April 15 and the memorial referred to the Board of Treasury.

Mr. [Hugh] Williamson, Mr. [Samuel] Holten, Mr. [William Samuel] Johnson, Mr. [John] Henry and Mr. [Gunning] Bedford, on the offer of the Connecticut delegates in conformity to an Act of that State, January, 1784, ceding western lands to the United States, and a motion that Congress accept the cession. This was a renewal of the committee of February 15, and this committee was again renewed May 2.

Mr. [Rufus] King, Mr. [John] Henry, Mr. [Charles] Pinckney, Mr. [William Samuel] Johnson and Mr. [David] Howell, on the motion for reducing the Civil List. This committee was renewed July 20.

On this day also Postmaster General Ebenezer Hazard's letter of April 4, 1785, requesting leave to reside in Philadelphia, was referred to the committee of March 14 on the Post Office. See *ante*, April 8.

Also Edward Williams's letter resigning as Commissioner for settling accounts between the United States and the State of Georgia was referred to the Board of Treasury to take order; both letter and order are entered in Resolve Book, No. 123. See *ante*, April 8.

TUESDAY, APRIL 12, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Virginia and South Carolina; and from the state of Pennsylvania, Mr. W[illiam] Henry; from Delaware, Mr. [Gunning] Bedford; from North Carolina, Mr. [Hugh] Williamson, and from Georgia, Mr. [William] Houstoun.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Hugh] Williamson, Mr. [Samuel] Hardy, Mr. [Lambert] Cadwallader and Mr. [Rufus] King, to whom was referred a memorial of R. Howe, esq. late a major general in the army of the United States,

Resolved (by nine States), That the pay master general be authorized and directed to settle with the late major general Robert Howe, for the depreciation of his pay, on the principles of the resolution of the 7th day of September, 1780.

Resolved (by nine States), That the Commissioners of the treasury be, and they are hereby authorized and directed to advance to the late major general R. Howe, the sum of seven thousand dollars, for which sum his account is to be debited.

On the report of a committee, consisting of Mr. [James] Monroe, Mr. [William Samuel] Johnson, Mr. R. R. Livingston, Mr. [Rufus] King, Mr. [John] Beatty, Mr. J[ohn] Henry and Mr. [Gunning] Bedford,

Resolved, That the non commissioned Officers and privates to be raised by the resolution of the seventh day of the present month April, be furnished by the states hereinafter mentioned, in the following proportions:

Connecticut,	165		New Jersey,	110
New York,	165		Pennsylvania,	260
				—700

That the following commissioned Officers be furnished by the said States, for the said troops, in the following proportions:

One lieutenant colonel from Pennsylvania.

Two majors, one from Connecticut, and one from New York, each to command a company.

Eight captains, ten lieutenants, one to act as adjutant, one as quarter master, and one as pay master. Ten ensigns, one surgeon and four mates, to be furnished by the said States in proportion to the number of privates which they respectively furnish.

That the pay of the lieutenant colonel be 50 dollars per month; that of the Major, 45 do; Captain, 35; lieutenant, 26; Ensign, 20; Serjeant, 6; Corporal, 5; Drum, 5; Fife, 5; private, 4; Surgeon, 45; Mate, 30.

That the lieutenants acting as adjutant, quarter master and pay master, shall receive, in consideration of the said extra duty, each 10 dollars per month.

That each Officer and soldier shall receive one month's pay after they are embodied, before their march.

That the Secretary at War be directed to form the said troops when raised into one regiment, consisting of eight companies of infantry, and two of artillery, to appoint their places of rendezvous, direct their subsequent operations, and make all other inferior necessary arrangements not herein particularly mentioned, subject to the Order of Congress, and of the Committee of the States in the recess of Congress; and That the Commissioners of the treasury be instructed to furnish on his warrant, the sums necessary for carrying the same into effect.

That the said troops when embodied, on their march, on duty, or in garrison, shall be subject to all the rules and regulations formed for the government of the late army, or such other rules as Congress or a Committee of the States may form.

That the Secretary at War ascertain the necessary clothing and rations proper for the troops, and report the same to Congress.

That the Commissioners of the treasury contract for the supply of rations at such places and in such quantities as the Secretary at War shall judge necessary.¹

¹ This report, in the writing of James Monroe, except the last two paragraphs which are in the writing of Robert R. Livingston, is in the *Papers of the Continental Congress*, No. 30, folios 395, 399 and 403.

On the report of a committee, consisting of Mr. [Jacob] Read, Mr. [Elbridge] Gerry and Mr. [Charles] Pinckney, to whom was referred a letter of the 29 January, from the Secretary for foreign Affairs,

Resolved, That the act of Congress of the 1st March, 1782, authorizing the Secretary for foreign Affairs, to appoint two under secretaries, be, and it is hereby repealed; and that so much of the act of the 22 February, 1782, as was repealed by the said act of the first of March, 1782, be, and it is hereby declared to be of full force and effect, and so construed and taken from the first day of March, 1784.

On the report of a committee, consisting of Mr. Howell, Mr. Beatty and Mr. Grayson, to whom was referred a memorial of Michael Connolly,

Resolved, That any State which shall have settled with and paid the officers or privates of their late lines in the army of the United States on the principles of the resolution of June 1st, 1784, relative to the proof of claims to be admitted by the pay master general, shall be empowered to charge such payments to the United States; provided that such payments shall appear to have been made for services which shall not have been settled for by the paymaster general.

The Committee [Mr. David Howell, Mr. John Beatty and Mr. William Grayson] to whom was referred the memorial of Michael Conolly, Agent for the Troops of the State of New York, dated New York April 5, 1785, beg leave to report the following resolution,

Resolved, That the commissioners appointed by the State of New York to settle and liquidate the pay of the troops of that state in the service of the United States from the 1st of August, 1780 to the 1st January 1782 be and they are hereby authorized to settle and liquidate said claims for pay agreeably to the principles of the resolutions of the 1st day of June 1784

Resolved, That the Commissioners appointed by the State of New York to settle and liquidate the pay of the troops of that State in the service of the United States from the 1st Aug., 1780, to the 1st

January, 1782, be and they are hereby authorised to settle and liquidate said claims for pay agreeably to the principles of the resolution of June 1, 1784, provided that it shall appear to said Commissioners that said troops shall not have been settled with for said time or any part thereof by the Pay Master General ¹

The Committee to whom was recommitted their report on the memorial of Michael Conolly Agent for the troops of the State of New York, dated New York April 5 1785, and a motion of M^r Williamson relative thereto—beg leave to report the following resolution—

Resolved, that any State, which shall have settled with and paid the officers, or privates of their late lines in the Army of the U. States on the principles of the resolution of June 1st 1784, relative to the proofs of claims to be admitted by the P. M. General, shall be empowered to charge such payments to the U. States. Provided that such payments shall appear to have been made for services, which shall not have been settled for by the P. M. General ²

[Motion of Mr. Hugh Williamson]

That the state of New York [or] any other state shall obtain a Credit for whatever sums of Money she has paid or may pay to the late Line of her Army, having caused the Accounts of the Troops to be settled according to the Rules laid down for the P. M. G^l in settling the Army Accounts and in Cases where the Troops are not settled with for the same Service by the U. S.³

The Committee, consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [James] M^rHenry, to whom was referred a petition of Samuel Parsons, report,

That Congress, upon the 2d of July, 1782, having resolved on the application of Mr. Samuel Parsons, that the business to be done in Martinique, did not require the services of any

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, I, folio 595. The indorsement states that it was read this day. It was recommitted and, apparently, again reported on this same day. See *post*, April 13.

² This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, I, folio 591. According to the indorsement, it was read this day and passed April 13.

³ This motion, undated, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, I, folio 593.

person holding a public character, and Mr. Parsons never having received any appointment from Congress, his claims for Salary or other pay as their agent cannot be admitted. The Committee further report, that they do not find that the attendance of Mr. Parsons, to obtain the settlement of his accounts, was necessary, nor that Congress have at any time required such attendance, and are therefore of opinion, that no allowance can be made for his expenses on that business. That with respect to the balance that is due to Mr. Samuel Parsons, they are of opinion that the board of treasury be instructed to take order for the payment of the same, as soon as the situation of the finances will admit. Whereupon,

Resolved, That Congress agree to the said report.

On the report of a committee, consisting of Mr. [Gunning] Bedford, Mr. [William] Grayson and Mr. [Rufus] King, to whom was referred a letter of 5 April, from Mr. W. Duer,

Resolved, That the sum of three thousand dollars ordered to be advanced to Mr. Duer, by the resolve of Congress of the 18 of February last, be deducted from the amount of issues for the two last months of his contracts, the former resolve of the 18th February, to the contrary notwithstanding.

[Report of the committee consisting of Mr. Pierse Long, Mr. Rufus King, Mr. David Howell, Mr. William Samuel Johnson, Mr. R. R. Livingston, Mr. Archibald Stewart, Mr. Joseph Gardner, Mr. John Henry, Mr. William Grayson, Mr. Hugh Williamson, Mr. John Bull and Mr. William Houstoun.]

An Ordinance for ascertaining the mode of disposing of lands in the Western territory.

Be it ordained by the United States in Congress assembled that the territory ceded by individual States to the United States which has been purchas'd of the Indian inhabitants, shall be dispos'd of in the following manner:

Thirteen or more surveyors shall be appointed by the Geographer of the United States who shall be approved of by Congress and who shall

enter into bond with good security, the sufficiency of which shall be determined by the said Geographer conditioned for the faithful discharge of their duty respectively [Congress who shall take an Oath for the faithful Discharge of their Duty to be administered by the Geographer who is hereby impowered to administer the same] and if any surveyor being [appointed shall be unable to act from any cause whatever as afs^d shall decline or become incapable to discharge his Duty] the Geographer shall appoint another in his place.

The Geographer (under whose direction the said surveyors shall act) shall form such regulations for their conduct as he shall deem necessary, and shall have authority to suspend them from Office until Congress shall be informed thereof to direct the proper inquiries [for misconduct in Office and shall make Report of the same to Congress.]

The Surveyors shall proceed to divide the said territorys into townships of seven miles square, by lines running due North and South and others crossing these at right angles, unless where the boundaries of the late Indian purchase may render the same impracticable, and then departing from this instruction Rule no farther than such particular circumstances may require.

The Geographer shall be allowed dollars p annum for his salary.

There shall be allowed for the surveying of every township dollars, including the wages of chain carriers, markers and every other expense and so in proportion for a part of a township.

The first Line running North and South as aforesaid shall begin on the Ohio, at a point that shall be found to be due North from the termination of a line which has been run as the Southern boundary of the State of Pennsylvania, and the first line running East and West shall begin at the same point, and shall extend throughout the whole territory. The Geographer shall designate the Townships or parts of townships by numbers progressively from South to North, always beginning each Range with N^o 1 [and the Ranges shall be distinguished by their progressive numbers to the Westward, the first Range extending from the Ohio to the Lake Erie, being marked No. 1.]

The lines shall be measured with a chain, shall be plainly marked by chops on the trees and exactly described on a plat whereon shall be noted at their proper distance all water courses, mountains and other remarkable and permanent things over or near which such lines shall pass.

The Plats of the districts respectively shall be subdivided [as the Case may require] into sections of one mile square, or 640 acres, in the same direction as the external lines, and numbered from one to 49, always beginning the succeeding range of sections with the number next to that with which the preceeding one concluded and where from the causes before mentioned only a part of a township shall be surveyed, the sections protracted thereon shall bear the same numbers as if the Township had been intire [and those Sections shall be subdivided into Lots of 320 a^s.]

The Geographer and surveyors ~~under his direction~~ shall pay the utmost attention to the variation of the magnetic needle, and shall run and note all lines by the true meridian, certifying with every platt what was the variation at the times of running the lines thereon noted.

As soon as ~~four~~ ranges of townships and parts of townships in the direction from South to North shall have been survey'd, the Geographer shall transmit plats thereof to the Comm^{rs} of the Treasury, who shall record the same with the report in well bound books to be kept for that purpose. The Secretary at War shall take by lot therefrom a number of townships and parts of townships equal to one part of the whole for the use of the late Continental Army, to be applied in manner herein after directed. The Comm^{rs} of the Treasury shall then cause the remaining numbers to be ~~drawn~~ for in the name of the thirteen states, according to ~~such proportions as nearly as may be as are allotted in rating the Quotas of the different States~~ [the Quotas in the last preceding Requisition on the States,] provided if more land than its Proportion is allotted for sale in any ~~one individual state than a due proportion~~ [State] at any ~~one division~~ a deduction be made therefor at the ~~one next succeeding~~ [division].

The Comm^{rs} shall transmit duplicates of the said original plats so ~~drawn~~ for, to the loan Officer of the individual States respectively, who after giving proper notice shall proceed to sell the same at public vendue, excepting only such townships and parts of townships as may be herein after particularly reserved provided that none of the lands within the said territory be sold under the price of one dollar the acre to be paid in specie or loan Office certificates reduced to specie value by the scale of depreciation or certificates of liquidated debts of the United States, besides the expence of the survey and other proceedings thereon, which are hereby rated at ~~forty~~ dollars the

township in specie or certificates as aforesaid and so in the same proportion for a part thereof.

When any Township or part of a township shall have been sold as aforesaid and the money or Certificates recieved therefor, the loan Officer shall deliver a deed in the following terms:

To all whom these presents shall come greeting:

Know ye that for a ~~valuable consideration~~ [the consideration of] the United States of America have granted unto C. D. the Township or part of Township numbered to hold to the said C. D. his heirs and assigns for ever, subject nevertheless to such reservations as are contained in an ordinance bearing date the day of in the year

In witness whereof the said A. B. loan Officer of the said State hath hereunto set his hand and affix'd the seal of his office this day of in the year and of the independance of the United States the which deeds shall be recorded in proper books, & shall be certified to have been recorded previous to ~~the delivery~~ its being delivered to the purchasers.

The loan Officers respectively shall make returns to the Comm^{rs} of the Treasury every ~~three~~ months of the sales of the townships or parts of townships committed to their charge with the persons' names to whom sold; and shall transmit all sums of money or certificates as aforesaid recieved for the same, which shall be duly entered in the books of the treasury.

If any township or part of township remains unsold for ~~six~~ months after the platt shall have been recieved by the loan Officer, the same shall be return'd to the Comm. of the Treas^r and shall be sold in such manner, as Congress may hereafter direct ~~in which case the said Comm^{rs} shall grant deeds for the same.~~

There shall be reserv'd for the United States out of every Township the four corner sections being numbered, and out of every part of a township so many sections of the same numbers as shall be found thereon.

Also one part of all gold, silver, lead, Copper and Coal mines, and all salt licks and salt springs and a square of one hundred acres of land, of which the said salt lick or salt spring shall be the centre for the purpose of special sale at such times and places as Congress may hereafter direct.

There shall be reserv'd the Central section of every township for the maintenance of public schools and the ~~lot~~ [Section] immediately

adjoining the same to the Northward, for the support of religion, the ~~revenues~~ [Profits] arising therefrom in both instances to be applied for ever according to the will of the majority of male residents of full age within the same. And whereas Congress by their resolutions of Sept. 16 and 18. in the year 1776, and the 12 of Aug., 1780, stipulated grants of land to the Officers and soldiers who had engaged or should engage in the service of the United States during the war and continue therein to the close of the same or until discharg'd by Congress and to the representatives of such Officers and soldiers as should be slain by the Enemy, in the following proportions to wit:

To a Maj^r Gen^l 1,100 acres; to a Brig^t 850. to a Colonel 450, to a Major 400—to a Capt. 300. to a Lieut. 200 to an Ensign 150—and to a non comm^d Soldier 100. for complying therefore with such ~~stipulation~~ [engagements] be it ordained that the Secretary at War from the returns in his Office or such other suff^t evidence as the nature of the case may ~~require~~ [admit] determine who are the objects of the above resolutions and the quantity of land to which such persons or their representatives are respectively intituled and shall cause the Townships or parts of townships hereinbefore reserv'd for the use of the late Continental Army to be drawn for in such manner as he shall deem expedient to answer the purpose of an impartial distribution.

He shall from time to time transmit certificates difficult of imitation to the loan officers of the different States to the lines of which the Military claimants respectively belong, specifying the name and rank of the party the terms of his engagement and time of his service and the division Brigade regiment or company to which he belong'd, the quantity of land he ~~has a title to receive~~ is intituled to, and the ~~District~~ Township out of which his portion is to be ~~assigned~~ taken.

The loan Officers shall execute deeds for such undivided ~~moieties~~ [Proportions] in manner and form herein before mentioned, varying only in such a degree as to make the same conformable to the Certificate from the Secretary at War.

Where any Military claimants of bounty [in Lands] shall not belong to the Line of any particular State similar certificates shall be sent to the Comm^r of the Treasury, who shall execute deeds to the parties for the same.

The Com^r of the Treasury and loan Officers in the States shall within 12 months return receipts to the Secy. at War for all deeds which have been delivered, as also all the original deeds which remain

in their hands for want of applicants which deeds so returned shall be preserv'd in the Office until the parties or their representatives require the same, [saving and confirming always to all Officers and Soldiers entitled to Lands on the Northern Side of the Ohio, by donation or Bounty from the Commonwealth of Virginia and to all Persons claiming under them all Rights to which they are so entitled by the Laws of the said State and the Acts of Congress accepting the Cession of Western Territory from the said State.]¹

[Motion of Delegates of Massachusetts.]

Whereas by the 9th of the Articles of Confederation it is provided that the U. S. in Congress Assembled shall agree upon the number of land forces, and 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 soldier-like manner *at the expence of the U. S.* And whereas the requisitions made by Congress during the late war were generally quota-ed upon the states, upon principles arising from the particular situations of the states at various periods and these quota's not so fully complied with by some states as by others; and Whereas bounties and encouragements were given by the respective states, in addition to those given by Congress, and in consequence thereof, and of the unequal compliance of the several states, in raising their respective quotas, the expence of raising and keeping up a federal Army hath contrary to the federal provision, been unequally born by the respective states; and whereas the principles of the Confederation allow and justice requires, that said expence should be equalized according to the federal rule,

Resolved, That the sums paid, or contracted to be paid, by any state from the 19th of April, 1775, to the end of the war, for raising or keeping up land forces, which were born on the rolls of the continental Army, shall, when reduced to specie by the scale of depreciation of such state be allowed in its account with the U. S. provided the bounties or sums to be so allowed shall not in any year exceed the

¹ This draft, in the writing of William Grayson, except the part in brackets which is in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 56, folios 451-465. It was read this day and April 14 assigned for consideration. See *post* May 20.

average of the bounties paid by the several states to be ascertained in the manner hereafter directed.

Resolved, That it be recommended to the Supreme Executive of each state to report to Congress or to the committee of the states on or before the first Monday in November next, the average of the bounties paid in such state, for raising land forces for the Continental Army in each year during the late war specifying the average bounty paid, or contracted to be paid in every year for land forces, who were enlisted to serve during the war or for any shorter term.

And that from the reports made on the said first Monday of November, an estimate shall be formed of the average bounty which the several states shall be allowed to charge to the U. S. for the land forces by them respectively raised to serve during the war or for a shorter term as aforesaid.¹

That a Committee be appointed to revise the regulations of the Treasury Department and to report an ordinance for its future regulation²

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, II, folio 541. The indorsement states that it was referred on this day to Mr. [David] Howell, Mr. [William Samuel] Johnson, ~~Mr. [James] Monroe~~, ~~Mr. [Hugh] Williamson~~ Mr. [John] Henry Mr. [William] Ellery, ~~Mr. [John] Beatty~~ Mr. [Samuel] Holten, Mr. [Abraham] Baldwin, Mr. [William] Cumming and Mr. [Melancton] Smith. Committee Book No. 190, gives the committee as Howell, Johnson, Monroe, Williamson, J. Henry and Ellery. Mr. [Samuel] Holten was added April 18.

² This motion, in the writing of Benjamin Bankson, is in the *Papers of the Continental Congress*, No. 36, II, folio 547. The indorsement states that it was referred on this day to Mr. [David] Howell, ~~Mr. [Hugh] Williamson~~, Mr. [Pierse] Long, ~~Mr. [John] Haring~~, Mr. [John] Henry. This was a renewal of the committee of January 17, which, on that date, was Howell, Williamson, Platt, Long and [James] McHenry. Committee Book No. 190 retains the names of Williamson and Haring and says that the committee was again renewed May 30.

On this day, according to Committee Book No. 190, the committee of February 10 on the memorial of Peter Landais, was renewed as Mr. [Rufus] King, Mr. [John] Beatty and Mr. [David] Howell. A report was rendered April 18.

On this day, according to the indorsement, the report of the Secretary for Foreign Affairs, dated April 11, on the memorial of Pierre Rousille, was read and referred back to the Secretary for Foreign Affairs to take order. It is in No. 81, I, folio 195. Various other papers respecting this claim are in No. 137, Appendix, folios 417 *et seq.* See *post*, July 13, which indicates that the direction to the Secretary to take order was not given until this later date and that Thomson's indorsement was not entered upon the report until then.

WEDNESDAY, APRIL 13, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of Georgia, Mr. [William] Houstoun.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh] Williamson and Mr. [Richard Dobbs] Spaight, to whom was referred a petition of Jonathan Eddy, and other refugees of Nova Scotia,

Resolved, That Jonathan Eddy, and other refugees from Nova Scotia, on account of their attachment to the interest of the United States, be recommended to the humanity and particular attention of the several states in which they respectively reside; and that they be informed, that whenever Congress can consistently make grants of land, they will reward, in this way, as far as may be consistent, such refugees from Nova Scotia, as may be disposed to live in the Western country.

The report of a committee, consisting of Mr. [Elbridge] Gerry, Mr. [Rufus] King and Mr. [John] Beatty, to whom was referred a motion from the delegates of Virginia, being called, and the same being read as follows:

“That agreeably to the condition of the act of cession from the State of Virginia, a commissioner be appointed, who, jointly with the commissioner on the part of the said state, shall be authorized to appoint a third, and that they, or a major part of them, shall be empowered to adjust and liquidate the accounts of the said state against the United States, for the necessary and reasonable expenses incurred by that state in subduing any British posts, or maintaining any forts or garrisons within and for the defence, or in acquiring any part of the territory ceded by the said state to the United States.”

A motion was made by the delegates of Virginia, that the same be postponed, in Order to take up the following:

The Delegates from the Commonwealth of Virginia, in the Congress of the United States, represent to Congress,

That Whereas by an act of the Commonwealth of Virginia, authorizing the delegates of the said State, to cede to the United States the claim of said Commonwealth, to the Territory N. West of the river Ohio, and which act of Cession hath been accepted by Congress, it is among other conditions stipulated,

“That the necessary and reasonable expences incurred by the said state in subduing any british Post; or in maintaining forts and gar-risons within, and for the defence, or in acquiring any part of the Territory so ceded or relinquished, shall be fully reimbursed by the United States; and that one Commissioner shall be appointed by Congress, and one by this Commonwealth, and another by those two Commissioners, who, or a majority of them, shall be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expences incurred by this State, which they shall judge to be comprised within the intent and meaning of the Act of Congress of the 10th of October 1780, respecting such expences. And whereas, in consequence of the said Cession and Acceptance aforesaid, Congress have already taken certain steps, and are proceeding to take further measures to avail the United States of the Territory so ceded, by a sale of the same, for the common benefit of the Union. And it being reasonable and right, that both the contracting parties shall receive the benefit of the Contract, which assigns no limitation in point of time to the payment of expences so as aforesaid incurred, and therefore in fair and just legal construction becomes due so soon as the said act of Cession was accepted by the United States. And the Commonwealth of Virginia, being ready to proceed to such liquidation, its delegates cannot suppose that the justice of Congress will permit the delay of the appointment of a Commissioner on the part of the United States for the speedy adjustment of such expences. And therefore the Delegates aforesaid in right of the State they represent submit the following resolutions to the United States in Congress assembled:

Resolved, That a Commissioner be forthwith appointed by the United States in Congress assembled, who, with a Commissioner to be appointed by the Commonwealth of Virginia, and in conjunction with a third Commissioner to be chosen by the two, so as aforesaid appointed,

or a majority of them; shall proceed without delay to adjust and liquidate the Account of the necessary and reasonable expences incurred by the Commonwealth of Virginia, which they shall judge to be comprized within the intent and meaning of the Act of Congress, of the 10th of October, 1780.

Resolved, That in Consideration of the present distressed State of the federal finances, and with the consent of the Delegates of the said Commonwealth, not more than one half of the amount of the said expences so liquidated, shall be deducted from the requisition made by the United States in Congress, from the said Commonwealth for this Year 1785, and the ballance of the said liquidated expences shall be credited to the said Commonwealth, in the requisition that may be made for the Year 1786.¹

And on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Monroe,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster	no	}no	Mr. Gardiner,	no	}no
Long,	no		W. Henry,	no	
<i>Massachusetts,</i>			<i>Delaware,</i>		
Mr. Holten,	no	}no	Mr. Vining,	no	}no
King,	no		Bedford,	no	
<i>Rhode-Island,</i>			<i>Maryland,</i>		
Mr. Ellery,	no	}no	Mr. J. Henry,	ay	}div.
Howell,	no		Hindman,	no	
<i>Connecticut,</i>			<i>Virginia,</i>		
Mr. Cook,	no	}no	Mr. Monroe,	ay	}ay
Johnson,	no		Lee,	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. Haring,	no	}no	Mr. Sitgreaves,	no	}*
Smith,	no		<i>South Carolina,</i>		
<i>New Jersey,</i>			Mr. Bull,	no	}no
Mr. Beatty,	no	}no	Pinckney.	no	
Stewart,	no				

So it passed in the negative.

The report was then taken into consideration, and thereupon,

¹ This document, in the writing of a clerk, with some alterations by James Monroe, has been wafered into the Journal, at this place, by Charles Thomson.

Resolved, That agreeably to the condition of the act of Cession from the state of Virginia, a commissioner be appointed, who, jointly with the commissioner on the part of the said state, shall be authorized to appoint a third, and that they, or a major part of them, shall be empowered to adjust and liquidate the accounts of the said state, against the United States, for the necessary and reasonable expences incurred by that state in subduing any british posts or maintaining any forts within and for the defence, or in acquiring any part of the territory ceded by the said state, to the United States, conformably to the resolve of Congress of the 10 October, 1780.

Resolved, That Monday next be assigned for electing the said Commissioner.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [John] Beatty and Mr. [William] Grayson, to whom was referred a memorial of Michael Connolly,

Resolved, That any state which shall have settled with, and paid the officers or privates of their late lines in the army of the United States, on the principles of the resolution of June 1, 1784, relative to the proofs of claims to be admitted by the pay master general, shall be empowered to charge such payments to the United States: Provided that such payments shall appear to have been made for services, which shall not have been settled for by the pay master general.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [William] Ellery and Mr. [Charles] Pinckney, to whom was referred a memorial of James Byers,

Resolved, That in consideration of the voluntary relinquishment made by James Byers, director of the foundery for casting brass Ordnance, of a contract between him and the United States, by which he was to receive eight hundred dollars a year, the Commissioners of the treasury take Order

for the payment of the balance found due to the said James Byers, on a final settlement made on the 11th day of June, 1782, and take up and cancel a certificate therefor, amounting to three thousand four hundred and thirty one dollars and fifty one ninetieths, with the interest thereon.¹

The Committee [consisting of Mr. David Howell, Mr. Gunning Bedford, Mr. John Henry, Mr. Charles Pinckney and Mr. William Samuel Johnson] to whom was referred a motion of the delegates of the State of Massachusetts relative to a cession of part of that States claim to western territory, beg leave to report the following resolution—

Resolved, That Congress in behalf of the U. States, are ready to accept all the right, title, interest, jurisdiction and claim of the State of Massachusetts to certain western lands described in the form of a deed of cession in the words following to wit tendered to Congress by the delegates of s^d State in pursuance of full powers given them for that purpose, whenever the s^d delegates shall execute s^d Deed.²

The committee [consisting of Mr. Rufus King, Mr. Hugh Williamson and Mr. Robert R. Livingston], to whom was referred the Memorial of Sam^l A. Otis, praying a settlement of the Public accounts of the late company of Otis & Andrews, of Samuel A. Otis, and the Company of Otis & Henley submit the following report:

That the said Otis & Andrews, S. A. Otis, and Otis & Henley acted at various periods of the late War as Agents under the Departments of the Cloathier General and the Q. M. General of the late Army. That Moneys were advanced to the said Agents by the U. S. in both Departments, and that from the depreciation thereof, it has become necessary that the Accounts of the said Agents should be examined by a single Commissioner who should be authorized finally to settle

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, I, folio 485.

On this day, according to Committee Book 186, the committee of January 17 on the motion of Mr. Read to appoint commissioners to survey the western country, was discharged.

Also the committee of March 7, on a motion respecting the Treasury, was discharged.

² This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 30, folio 607. According to the indorsement and Committee Book No. 190, it was read this day. See *post*, April 18.

the Accounts of the said Agents in both Departments; and as the Commissioner for the Department of the Cloathier General hath already made a progress in the settlement of some of the Accounts of the said Agents, the Committee submit the following Resolve:

That the Commissioner for settling the Accounts of the Department of the Cloathier General be, and hereby is, empowered to examine and settle the Accounts of the late company of Otis & Andrews, of Samuel A. Otis, and of the late Co. of Otis & Henley conformably to the Resolves of Congress, as well in the Department of the Q^r M^r Gen^l as in that of the Cloathier General.

And to the end that full justice may be done between the said Agents and the U. S. touching the Depreciation of monies, the said Commissioner is hereby instructed to receive from the Commissioner for settling the Accounts of the Department of the Q. M. Gen^l all such accounts Papers and Vouchers as he may be possessed of relative to the said Agents transactions with that department, and the said Commissioner is hereby further instructed to revise such Accounts with the said Agents in the Department of the Cloathier Gen^l as he may have heretofore examined, comparing therewith the Accounts of the said Agents for the same period with the Department of the Q. M. Gen^l that he may discover the advances which have been made to them on either account and settle the Depreciation accordingly.¹

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, IV, folio 485. According to indorsement it was read this day and passed April 15.

APRIL 13: The following committees were appointed:

Mr. [Charles] Pinckney, Mr. R[obert R.] Livingston, Mr. [Rufus] King, Mr. [James] Monroe and Mr. [William Samuel] Johnson, on the report on "court of appeals Letter of C[yrus] Griffin and [John] Lowell Mem^l G. Meade &c." A report was rendered June 1.

Mr. [Hugh] Williamson, Mr. [Samuel] Holten and Mr. [Joseph] Gardner, on the letter of April 10, 1784, from Joseph Carleton, respecting officers of the Medical Corps at Charleston. This committee was, later, discharged and the matter referred to the Secretary at War.

Mr. [William Samuel] Johnson, Mr. [William] Ellery and Mr. [Melancton] Smith on the petition of Caleb Brewster. A report was rendered April 15.

Also, on this day, the letter of December 19, 1784, from the Secretary in the War Office, respecting courts martial and deserters, was referred to the Secretary at War to report. He reported March 30, 1786.

Also, a letter from C. W. F. Dumas was sent to the Secretary for Foreign Affairs, for translation and a translation was reported April 28.

Committee Book No. 190.

THURSDAY, APRIL 14, 1785.

Congress assembled. Present as yesterday.

The committee, consisting of Mr. [Pierse] Long, Mr. [Rufus] King, Mr. [David] Howell, Mr. [William Samuel] Johnson, Mr. R. R. Livingston, Mr. [Charles] Stewart, Mr. [Joseph] Gardner, Mr. J[ohn] Henry, Mr. [William] Grayson, Mr. [Hugh] Williamson, Mr. [John] Bull and Mr. [William] Houstoun, to whom was recommitted an ordinance for locating Lands in the western territory, having reported, "An Ordinance for ascertaining the mode of disposing of Lands in the Western territory."

The said Ordinance was read a first time.¹

Ordered, That to-morrow be assigned for the second reading of the said Ordinance.

Resolved, That the resolution of the 16 March, respecting the sum to which the late Secretary for foreign affairs is entitled, be referred to the board of treasury to take Order.

The G. Committee to whom was recommitted a Report on the subject of supplies for the year 1785, submit the following Report—

Resolved, That for the services of the present year 1785, for the payment of one year's interest on the foreign and domestic Debt . . .

Federal buildings in part of the sum appropriated to that use by the Resolution of the 20 th Dec ^r , 1784.....	30,000
* * * * *	*
167, 156. 67 ditto certificates issued to foreign officers on final settlements.	
3, 778, 900. Ditto loan office certificates issued before the 1 st Sep ^r , 1777.	
<hr/>	
13, 502, 812. 21 Amount liquidated; one year's interest thereon at 6 per cent.....	810, 168.
* * * * *	*

¹ See *ante*, April 12, and *post*, April 15.

On this day, according to Committee Book No. 190, Mr. Hugh Williamson was nominated for Commissioner of the Board of Treasury, in the room of Mr. Gervais, by Mr. [Charles] Stewart; his name was withdrawn June 28.

9, 731, 904	ditto, due on unliquidated accounts and for deficiencies. This may include the arrearages of interest.	
<hr/>		
22, 240, 530. 77	Dollars amount unliquidated; one year's interest thereon at 6 per cent.....	1, 334, 430.
Except of the estimate of the 27 th of April, 1784, above the sum called for, by the Resolution of Congress of that date, to complete the first moiety of the Requisition for Eight millions of Dollars.....		1, 141, 551. 5
Total Estimate.....		4, 191, 846. 29
Deduction.....		1, 191, 846. 29
		<hr/>
Balance to be called for.....		3, 000, 000

Deduct for monies actually applied towards a discharge of the last years estimate, and which the sums required from the States last year will replace; and for Loans now in the Hands of the Dutch commissioners, and hereby appropriated for the purposes of this estimate, one million one hundred and Ninety one thousand, Eight hundred and forty six Dollars and 29/100, and there remains the ballance of three millions of Dollars to be paid into the common Treasury in the course of the present year.

As more than two thirds of the sum called for is to be applied to the payment of interest on the domestic debt, the committee are of opinion that the several Legislatures may be allowed so to model the collection of their respective quotas of the Sums called for, that one third of any sum being paid in actual money, the other 2 thirds may be discharged by discounts of interest with the domestic Creditors. And to ascertain the evidences of interest to be discounted, the holders of loan Office Certificates shall be at liberty to carry them, to the Office from which they issued, and the holders of other Certificates of liquidated Debts of the U. S. to carry the same to the loan Office of that State wherein he is an inhabitant, or if a foreigner to any loan Office within the U. S. and to have the interest due thereon settled and certified to the last day of year 1783.

* * * * *

[The next paragraph, in the report of March 31, was omitted entire in this report of April 14 and the two succeeding paragraphs were incorporated with insignificant changes in phraseology. The table of quotaed amounts was unchanged.]

—and to the Receivers of federal Taxes, such checks and instructions as may enable them to detect counterfeited Evidences of interest, and thereby to avoid receiving them in discharge of Taxes, which certificates of interest being parted with by the holders of the principal, shall be deemed Evidence that he has received satisfaction for the same and therefore shall be receivable from the bearer in lieu of money in the proportion aforesaid, in any other State in the Union as well as in the State in which they were issued . . . in the proportion that each State avails itself of the certificates of interest. And where loan Office certificates issued after the first day of March, 1778, shall be presented to the loan Officer they shall be reduced to their Specie value conformably to the Resolutions of Congress of June 28th, 1780, that specie value expressed on some part of the certificate, and the interest thereon settled and certified as in other cases.

[The next paragraph, on the letter from the late Superintendent of Finance, was omitted entire from this report. The paragraph immediately following this in the March 31 report is included without change and the paragraph following that: "When the Committee reflect on the great exertions, etc." is omitted entire.]

The committee find that the revenue system of April 18th, 1783, hath been adopted in whole or in part by Eleven States and being of opinion that it is expedient for Congress still to rely on that plan, which has been so long under reference to the States, and which after reported consideration in successive Congresses has been found preferable to any other system, and conceived necessary to the Establishment of public Credit; the committee submit it to Congress, earnestly to recommend to such of the Eleven States as have complied only in part, to adopt the same completely; and to the Two other States, who have not adopted the plan either in whole, or in part, to pass Laws as soon as may be in conformity thereto.

The Sum quotaed upon the States in the present demand, by providing for the deficiencies of former years, exceeds the sum the States were called on for during the last year; but the greater proportion of Discount now admitted will render it less impoverishing to the Citizens.

As a motive for the chearful payment of the sum now called for, as well as of the arrearages. . . the committee cannot forbear mentioning that of the States claiming Western Territory Massachusetts alone has made the expected cession during the last year

they are therefore of opinion that the subject be again presented to the attention of the States which have not complied with so reasonable a Proposition; and that they be once more solicited in the strongest terms to consider with candor and magnanimity liberality the Expectations of their sister States, and the earnest and repeated applications made to them by Congress on this subject.¹

FRIDAY, APRIL 15, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of New Jersey, Mr. [Charles] Stewart, and from Georgia, Mr. [William] Houstoun.

On the report of a grand committee of 1784, consisting of Mr. [Thomas] Stone, Mr. [Jonathan] Blanchard, Mr. [Elbridge] Gerry, Mr. [David] Howell, Mr. [Roger] Sherman, Mr. [Charles] De Witt, Mr. [Samuel] Dick, Mr. [Edward] Hand, Mr. [Samuel] Hardy, Mr. [Hugh] Williamson and Mr. [Jacob] Read, to whom was referred a letter of the 29 April, 1784, from the Superintendent of finance,

Resolved, That from and after the first day of July next, all monies collected in the several States, for the use of the United States, shall be paid into the continental loan office in said states respectively, and all other receivers of such monies shall be discontinued.

Ordered, That the remainder of the report be referred to the committee appointed to revise the regulation of the

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress, Miscellaneous*, in the Library of Congress. It seems to have been considered in Congress on April 14 and is indorsed: "Tuesday April 19th assigned for consideration." In this report only the changes made from that of March 31 are printed above. Where omissions are indicated the omitted portions in both reports were identical. Accompanying this April 14 report in the *Miscellany* is an estimate by King of the supplies needed for 1785, which varies in some particulars from that submitted by the Committee as its report.

treasury department, and report an Ordinance for its future regulation.¹

On the report of a committee, consisting of Mr. [Rufus] King, Mr. [Hugh] Williamson and Mr. W[illiam] Livingston, to whom was referred a memorial of Samuel A. Otis,

Resolved, That the Commissioner for settling the accounts of the department of the clothier general be, and hereby is empowered to examine and settle the accounts of the late company of Otis & Andrews, of Samuel A. Otis, and of the late company of Otis and Henley, conformably to the resolves of Congress, as well in the department of the quarter master general, as in that of the clothier general. And to the end that full justice may be done, between the said agents and the United States, touching the depreciation of monies, the said Commissioner is hereby instructed to receive from the Commissioner for settling the accounts of the department of the Quarter master general, all such accounts, papers and vouchers as he may be possessed of, relative to the said agent's transactions with that department; and the said commissioner is hereby farther instructed to revise such accounts with the said agents, in the department of the clothier general, as he may have heretofore examined, comparing therewith the accounts of the said agents for the same period, with the department of the quarter master general, that he may discover the advances

¹See *ante*, May 17, 1784. The report, in its printed form, was referred to the Grand Committee of January 17, 1785, referred again to the committee of April 12, on the regulation of the Treasury, and the first resolve passed, as above, April 15. The remainder of the report was referred to Mr. [David] Howell, Mr. [Pierce] Long, Mr. John Henry and Mr. [Richard Dobbs] Spaight. This committee was renewed May 30. The printed report is a badly mutilated fragment and is in No. 29, folio 213.

On this day, the ordinance for ascertaining the mode of disposing of lands in the western territory seems to have been recommitted. A printed copy of its form on April 12 is in the *Papers of the Continental Congress* No. 36, III, folio 9. With the manuscript changes noted thereon it is as spread on the Journals April 26, 1785.

which have been made to or by them, on either account, and settle the depreciation accordingly.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [William Samuel] Johnson and Mr. [David] Howell, to whom was referred a petition of Seth Harding,

Resolved (by nine States), That the board of treasury take Order for paying to captain Seth Harding five hundred dollars, for which his account is to be debited.

That he was wounded on the thirteenth August whilst in the execution of his duty; by which wound he was rendered unable to help himself until the 4th of April following and that he has received pay to the 10th October, 1779, only, and praying that pay may be allowed him for the intermediate time.

By certificates accompanying the petition it appears to your Committee that on the 15th May, 1779, John Franklin was engaged as a guide at £50 Pennsylvania currency per month, that he was wounded at Chemung on the 13th August following which rendered him unable to help himself until the 4th day of April 1780 and that he has received pay to the 10th of October 1779 only. They therefore submit the following resolve.

Whereas it appears that John Franklin who served as a guide on the Indian expedition commanded by Major General Sullivan in 1779 was by a wound he received in the service rendered incapable of assisting or supporting himself from the 13th day of August 1779 to the 4th day of April following, and that his pay as a guide ceased on the 10th day of October 1779.

Resolved, That he be allowed at the rate of 20 dollars specie per month from the 10th day of October 1779 to the 4th day of April 1780 which shall be in full compensation for his expences and loss of time, and that the ~~Superintendent of finance~~ Board of Treasury take order for paying him the same.¹

On the report of a committee, consisting of Mr. [Edward] Hand, Mr. [Roger] Sherman and Mr. [John] Beatty, to whom was referred a petition of John Franklin, employed as a

¹ This report, in the writing of Edward Hand, is in the *Papers of the Continental Congress*, No. 19, II, folio 335. According to the indorsement it was entered and read May 18, 1784.

guide, and wounded in the expedition commanded by Major general Sullivan, in 1779,

Resolved (by nine States), That John Franklin, who served as a guide on the expedition commanded by Major general Sullivan, in 1779, and was wounded in the service, be allowed at the rate of twenty dollars specie per month, from the tenth day of October, 1779, to the 4th day of April, 1780, which shall be in full compensation for his service, expenses and loss of time, and that the board of treasury take order for paying him the same.

On the report of a committee, consisting of Mr. [Rufus] King, Mr. [David] Howell and Mr. [James] Monroe, to whom was referred a memorial of Thomas Walker,

Resolved (by nine States), That the board of treasury take order for the payment of 1500 dollars to Mr. Thomas Walker, on account.¹

[Motion of Mr David Howell]

Resolved, That the Commissioners for settling the Accounts in the great departments be ~~instructed~~ empowered where in their opinion justice may require it to revise the Accounts of claimants against departments other than those for which they are specially appointed, and which accounts may have been settled and settle all depreciation on the same privileges as though all the Accounts were to [torn] department.²

¹ On this day, according to Committee Book No. 191, a report was rendered on the petition of Caleb Brewster and the business was transferred.

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 545. According to the indorsement it was offered this day and referred to Mr. [Rufus] King, Mr. [David] Howell and Mr. [Hugh] Williamson.

On this day a letter from the Secretary for Foreign Affairs, dated April 15, was read, announcing the appointment of Jan Hendrick and Christiaan Heineken by the United Netherlands, as its consuls in Philadelphia and of Herman C. Roy as consul in New York and Jersey. It is in No. 80, I, folio 133.

On this day, according to the indorsement, was read the letter of Edward Fox, dated April 14, giving reasons why the offices of the Commissioners for settling the accounts of the five great Departments should not be stationary. It is in

MONDAY, APRIL 18, 1785.¹

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; and from the state of Georgia, Mr. [William] Houstoun.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Gunning] Bedford, Mr. J[ames] Henry, Mr. [Charles] Pinckney and Mr. [William Samuel] Johnson, to whom was referred a Motion of the Delegates of Massachusetts, relative to a Cession of part of that State's Claims to Western Territory,

Resolved, That Congress, in behalf of the United States, are ready to accept all the right, title, interest, jurisdiction and claim of the State of Massachusetts, to certain Western Lands described in the form of a deed of Cession, in the words following, to wit: "To all who shall see these presents, We, Samuel Holten and Rufus King, the underwritten Delegates for the Commonwealth of Massachusetts, in the Congress of the United States of America, send Greeting: Whereas the General Court of Massachusetts, on the 13th day of November, in the year of our Lord One thousand seven hundred and Eighty four, passed an Act, entitled (here insert the Title) in the words following, (here insert the Act.) And Whereas the said General Court on the 17th day of March, in the year of our lord 1785, passed one other Act entitled (here insert the title of the 2d Act) in the words

No. 78, IX, folio 539, and was referred to Mr. [Hugh] Williamson, Mr. [Samuel] Holten and Mr. [Gunning] Bedford, who reported April 29.

Also, according to Committee Book No. 190, Fleury Mesplet's memorial was this day referred to the Board of Treasury, which reported April 26.

Also the report of the Grand Committee on the requisition for 1785 was referred to the Grand Committee of April 6, for a report.

Also, according to Committee Book No. 190, Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [David] Howell reported this day upon Captain James Nicholson's letter of April 14, soliciting leave of absence. See *post*, April 27

¹ From this point the entries in the Journal are in the handwriting of Benjamin Bankson.

following, (here insert the 2d Act.) And Whereas the said General Court, on the 17th day of June, in the aforesaid year of our Lord 1784, did nominate and appoint the aforesaid Samuel Holten, and on the 3d day of November following, the aforesaid Rufus King, Delegates to represent the said Commonwealth of Massachusetts, in the Congress of the United States of America, for one year from the first Monday of November in the said year, 1784, which appointment remains in full force. Now therefore, know ye, that we the said Samuel Holten and Rufus King, by virtue of the power and authority to us committed by the said Acts of the General Court of Massachusetts before recited, in the name, and for and on behalf of the said Commonwealth of Massachusetts, do by these presents, assign, transfer, quit claim, cede and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title and estate of and in as well the soil as the jurisdiction, which the said Commonwealth hath to the territory or tract of country within the limits of the Massachusetts Charter, situate and lying west of the following line: That is to say, a meridian line to be drawn from the 45th degree of North latitude, through the westerly bent or inclination of lake Ontario; thence by the said meridian line, to the most Southerly side line of the territory contained in the Massachusetts Charter; but if, on experiment, the above described meridian line, shall not comprehend 20 miles due west, from the most westerly bent or inclination of the river or Strait of Niagara, then we do by these presents by virtue of the power and authority aforesaid, in the Name and on behalf of the said Commonwealth of Massachusetts, transfer, quit claim, cede and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title and estate, of and in as well the soil as the jurisdiction, which the said Commonwealth hath to the territory or tract of Country within the limits of the Massachusetts Charter, situate and lying west of the following line—that is to say, a meridian line to be drawn

from the 45th degree of North latitude, through a point 20 miles due west from the most westerly bent or inclination of the river or Strait of Niagara, thence by the said meridian line to the most Southerly side line of the Territory, contained in the Massachusetts Charter aforesaid, for the purposes in the said recited Acts declared, and to the uses in a resolve of Congress, of the 10th day of October, 1780, mentioned. In Testimony whereof, we have hereunto subscribed our names and affixed our Seals in Congress, this day of in the year of our Lord 1785, and of the Independence of the United States of America the Ninth;" tendered to Congress by the Delegates of said State, in pursuance of full powers given them for that purpose, whenever the said Delegates shall execute said deed.

And on the question to agree to the preceding resolution, the yeas and nays being required by Mr. [Rufus] King and Mr. [Melancton] Smith,

<i>New Hampshire,</i>			<i>Delaware,</i>	
Mr. Foster,	ay	} ay	Mr. Vining,	ay
Long,	ay		Bedford,	ay
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} ay	Mr. Hindman,	ay
King,	ay		J. Henry,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	} ay	Mr. Monroe,	ay
Howell,	ay		Lee,	ay
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook,	ay	} ay	Mr. Williamson,	ay
Johnson,	ay		Sitgreaves,	ay
<i>New York,</i>			<i>South Carolina,</i>	
Mr. Smith,	no	} div.	Mr. Bull,	ay
Haring,	ay		Pinekney,	ay
<i>Pennsylvania,</i>			<i>Georgia,</i>	
Mr. Gardner,	ay	} ay	Mr. Houstoun,	ay
W. Henry,	ay			

So it was resolved in the affirmative.

¹ The vote is entered also in the *Papers of the Continental Congress*, No. 30, folio 607.

The Committee consisting of M^r [William Samuel] Johnson, M^r [Rufus] King and M^r [Abiel] Foster to whom was ~~referred~~ recommitted the motion of M^r Pinckney, and the papers and accounts of L^t Elholm report, that they find M^r Elholm is a foreigner and from sundry testimonials it appears to the Committee that in the service of the United States he has conducted himself as a brave and deserving officer. The Committee therefore beg leave to submit the following resolutions.

That the accounts L^t Augustus Christian George Elholm be referred to the ~~paymaster~~ Commissioner for settling the Army Accounts to adjust and settle.

That the resolution of the 22^d January, 1784, respecting Armand's Corps, and other Foreign Officers be considered as extending to *the said Lt. Elholm*, and that the State of South Carolina be requested to advance him *one fifth* of the ballance, which may be found due to him on settlement, and to charge the same to the United States.

That in consideration of the services he has rendered the United States, the Secretary at War be directed to make
 NEGATIVED. out to L^t Elholm a brevet Commission of Major in their service.¹

On the report of a committee, consisting of Mr. [William Samuel] Johnson, Mr. [Rufus] King and Mr. [Abiel] Foster, to whom was recommitted their report on a motion of Mr. [Charles] Pinckney, and the papers and accounts of lieutenant Elholm,

Resolved, That the accounts of lieutenant Augustus Christian George Elholm, be referred to the Commissioner for settling the Army Accounts, to be adjusted and settled.

That the resolution of the 22d January, 1784, respecting Armand's Corps, and other foreign Officers, be considered as extending to the said lieutenant Elholm.

And the following Clause of the report of said Committee being under consideration, viz. "That in consideration of the services he has rendered the United States, the Secretary at War be directed to make out to lieutenant Elholm, a brevet Commission of Major in their Service."

¹ This report, in the writing of Abiel Foster, is in the *Papers of the Continental Congress*, No. 19, II, folio 215. It is indorsed: "Part passed. Last clause negatived." See *post*, May 11.

On the question to agree to the same, the yeas and nays were required by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Long,	ay}	*	Mr. Vining,	ay}	div.
<i>Massachusetts,</i>			Bedford,	no}	
Mr. Holten,	no}	no	<i>Maryland,</i>		
King,	no}		Mr. Hindman,	ay}	ay
<i>Rhode Island,</i>			J. Henry,	ay}	
Mr. Ellery,	ay}	ay	<i>Virginia,</i>		
Howell,	ay}		Mr. Monroe,	ay}	ay
<i>Connecticut,</i>			Lee,	ay}	
Mr. Johnson,	ay}	*	<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	no}	no
Mr. Smith,	no}	no	Sitgreaves,	no}	
Haring,	no}		<i>South Carolina,</i>		
<i>Pennsylvania,</i>			Mr. Bull,	ay}	ay
Mr. Gardner,	no}	div.	Pinckney,	ay}	
W. Henry,	ay}		<i>Georgia,</i>		
			Mr. Houstoun,	ay}	*

So the question was lost.

On a report of the Secretary for Foreign Affairs, to whom was referred a Letter to him from the Minister Plenipotentiary of the United Netherlands, of the 26th ultimo and two Commissions from the States General, dated the 17th day of December, 1784, one appointing Herman le Roy, to be their Consul for New York and New Jersey, to reside at New York; and the other appointing Jan Henderick Christiaan Heinekin, to be their Consul for Pennsylvania, and along the river Delaware, to reside at Philadelphia,

Resolved, That the said Commissions be registered in the Secretary's Office, and that thereupon Acts of recognition in due form be immediately issued to the States in question, in order that they may furnish the said Consuls, respectively, with their Exequatur or Notification of their quality, that the same may be made known and published.¹

¹ This resolution and the preamble were also entered in the manuscript Secret Journal, Foreign Affairs, No. 5. The report of the Secretary for Foreign Affairs is in No. 81, I, folio 199.

The Committee [William Houstoun, John Bull and Charles Pinckney], to whom was refer'd the memorial of Job Whipple are of opinion that the same ought to be sent to the Secretary at War in order that he may suggest some general mode for the relief of such persons.¹

The Committee on the Memorial of Josiah Converse are of opinion that it ought ~~immediately~~ to be refer'd to the Secretary at War.²

On the report of a committee, consisting of Mr. [William] Houstoun, Mr. [John] Bull and Mr. [Charles] Pinckney, to whom was referred a memorial of Job Whipple,

Ordered, That it be referred to the Secretary at War, and that he suggest some general mode for the relief of all such persons.

On the report of the same Committee, to whom was referred a memorial of Josiah Converse,

Ordered, That it be referred to the Secretary at War.³

The Committee [consisting of Mr. Rufus King, Mr. John Beatty and Mr. David Howell] to whom was referred the Memorial of M^r P. Landais report,

That they have examined the claims and accounts of M^r P. Landais, late Captain of the Frigate *Alliance*; and that there appears to have been due to Mr. Landais on the 6th Jany., 1781, when he went out of service, seven hundred and fifty-six dollars and $\frac{5}{10}$ ^{ths} for expenses and subsistence exclusive of moneys received by him of Doctor Franklin, for which he hath accounted, which sum with the interest thereon to the 6th day of May, 1785, amounts to 756.5 dol., and the Committee are of opinion should be paid to Mr. Landais in specie.

The Committee farther report, that there was due to Mr. Landais, for his pay as a Captain in the Navy, on the said sixth of January,

¹ This report in the writing of William Houstoun is in the *Papers of the Continental Congress*, No. 19, VI, folio 557.

² This report, in the writing of William Houstoun, is in the *Papers of the Continental Congress*, No. 19, VI, folio 557¹

On this day Mr. [Samuel] Holten was added to the committee of April 12 on the motion of the delegates of Massachusetts on the expense of a federal army.

Also, according to Committee Book No. 191, the report of the Grand Committee on the requisition of 1785 was recommitted.

³ Also was read a letter from Joseph Pennell dated April 11, referring to the petitions of Captains Dennis Leary and Seth Harding. It is in No. 31, folio 109. See *post*, April 19.

1781, the sum of 1,800 dollars, which together with the interest thereon to the 6th day of May, 1785, amounts to 2,268 dollars. This sum the Committee are of opinion should be paid to M^r Landais, in the manner in which foreign officers have usually been paid: viz. One fifth part thereof in Specie, and the remainder by funding it on the public credit.

The Committee farther report, that M^r Landais by a resolve of Congress of the 6th March, 1779, was allowed the sum of 12,000 livres as a gratuity for his services in transporting military stores to America; which sum was ordered to be paid immediately to M^r Landais in France, and for which he stands credited in the Treasury books 2,400 Dollars. The Committee find that M^r Landais has been ever desirous of receiving the said gratuity; but it hath not been paid to him, whereupon they are of opinion that the same with the interest thereon from the date of the resolve to the 6th May 1785 amounting to 3,288 dollars be paid in specie to M^r Landais.

With respect to M^r Landais' claims relative to prizes carried into France, Holland, and Norway, as that business is unsettled, the committee conceive, that Congress will not at present decide on the claims of M^r Landais on that Subject. Whereupon they submit the following resolves.

Resolved, that the B^d of Treasury take order to pay to M^r Peter Landais four thousand four hundred and ninety eight dollars and one tenth, that Sum being the amount of a gratuity allowed him by a resolve of Congress of the 6th day of March, 1779, with the interest thereof from that date to the 6th day of May aforesaid added to the amount of his extra expenses, subsistence, and one fifth part of his pay as a Captain in the Navy while in public Service with the interest thereon from the 6th day of January, 1781, to the 6th day of May aforesaid.

Resolved, That the Commissioner for settling the accounts of the Marine Department issue a certificate to M^r Peter Landais, for eighteen hundred and fourteen dollars and four tenths, bearing an interest of six per cent, and dated the 6th day of May, 1785, that sum being the balance of his account for pay, subsistence and extra expenses while in public Service.¹

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, III, folio 409. A printed copy is on folio 407. Landais's memorial is in No. 41, V, folio 361. The report was read this day and Thursday the 21st assigned. The resolve was passed June 2.

[Motion of Mr. King]

Resolved, That the Resolution of day of 1778 allowing Two per Cent on all monies paid by the Commissioners of the several Loan Offices in discharge of interest due on Loan Office Certificates be and hereby is repealed and made void.¹

PENNSYLVANIA, SS. [SEAL] JOHN DICKINSON.	In the Name and by the authority of the Freemen of the Commonwealth of Pennsylvania.—The Supreme Executive Council of the said Commonwealth,
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To the Honorable JOSEPH GARDNER Esquire.

Whereas on the sixteenth day of November last You was by the General Assembly of this Commonwealth appointed a Delegate: You are therefore hereby Commissioned a Delegate to represent this State in Congress for the present year.

Given in Council under the Hand of His Excellency John Dickinson Esquire President and the Seal of the State at Philadelphia this eighteenth day of April in the Year of our Lord one thousand seven hundred and eighty five.

Attest: JOHN ARMSTRONG, Jr. Sy.²

¹ This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, III, folio 121. According to the indorsement it was presented this day and referred to the committee of April 12 on the regulation of the Treasury Department. The blank date should be September 29, 1778.

² This was entered in *Papers of the Continental Congress*, No. 179, *Record of Credentials*, apparently after July 21, 1785, but Gardner was present and voting in Congress April 18 and 19.

APRIL 18: The following committees were appointed:

Committee of the Week: Mr. [Pierse] Long, Mr. [William] Houstoun and Mr. [John] Vining.

Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [David] Howell, on the letter of April 14 from Captain James Nicholson, requesting leave of absence. They reported April 27. Nicholson's letter is in No. 19, IV, folio 525.

Mr. [William] Hindman, Mr. [William] Houstoun and Mr. [Abiel] Foster, on the memorial of George Fisher for compensation for supplies furnished. A report was rendered April 26. The memorial is dated April 16, was read this day and is in No. 41, III, folio 346. See *post*, April 27.

Mr. [Hugh] Williamson, Mr. [David] Howell and Mr. [Rufus] King, on letter of May 17, 1784, from John Beatty, late Commissary General of Prisoners, relative to the settlement of his accounts. See *post*, May 26. Beatty's letter is in No. 78, IV, folio 439.

TUESDAY, APRIL 19, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina; and from the state of South Carolina, Mr. [John] Bull; and from Georgia, Mr. [William] Houstoun.

The Committee of the Week [Mr. Pierse Long, Mr. William Houstoun and Mr. John Vining] to whom was referred a report of J. Pennell, Commissioner for settling Marine accounts, upon the application of Captain Seth Harding, having reported as follows:

That as Joseph Pennell, Esq., has repeatedly informed Captain Seth Harding if he would furnish him the necessary vouchers to his account he would take it up for a final settlement, and he still withholds the same, the Committee are therefore of opinion, that no payments can be made him with propriety until his accounts are adjusted.

That the petition of Captain Dennis Leary lay on file.¹

A motion was made to postpone the said report and on the question to agree to this, the yeas and nays being required by Mr. Williamson;

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	} div.	Mr. Gardner,	no
Long,	no		McHenry,	no
<i>Massachusetts,</i>			<i>Delaware,</i>	
Mr. Holten,	ay	} x	Mr. Vining,	no
<i>Rhode Island,</i>				<i>Maryland,</i>
Mr. Ellery,	ay	} ay	Mr. Hindman,	ay
Howell,	ay		J. Henry,	ay
<i>Connecticut,</i>			<i>Virginia,</i>	
Mr. Cook,	ay	} ay	Mr. Monroe,	ay
Johnson,	ay		Lee,	ay
<i>New York,</i>			<i>North Carolina,</i>	
Mr. Smith,	no	} no	Mr. Williamson,	no
Haring,	no		Sitgreaves,	no

¹ This report, in the writing of Pierse Long, is in the *Papers of the Continental Congress*, No. 19, III, folio 55. The unlined words so appear in the report but not in the Journal.

So the question was lost.¹

A motion was made by Mr. Ellery, seconded by Mr. Howell, to amend the report by striking out the word "payments" and in lieu thereof to insert the words "future allowance" and on the question to agree to the amendment, the yeas and nays were required by Mr. Williamson:

<i>New Hampshire,</i>			<i>Delaware,</i>	
Mr. Foster,	ay	} div.	Mr. Vining,	no
Long,	no		Bedford,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} div.	Mr. Hindman,	ay
King,	no		J. Henry,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	} ay	Mr. Monroe,	ay
Howell,	ay		Lee,	ay
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook,	ay	} ay	Mr. Williamson,	no
Johnson,	ay		Sitgreaves,	no
<i>New York,</i>			<i>South Carolina,</i>	
Mr. Smith,	no	} no	Mr. Bull,	ay
Haring,	no			x
<i>Pennsylvania,</i>				
Mr. Gardner,	no	} div.		
W. Henry,	ay			

So the question was lost.²

On motion of Mr. Williamson, seconded by Mr. Ellery, *Ordered*, That the further consideration of the report be postponed.

A motion was made by Mr. [David] Howell, seconded by Mr. [Rufus] King, as follows:

The Delegates for Massachusetts having proceeded to execute the deed of Cession mentioned in the resolution of yesterday, in the words following, viz.

¹ The vote is also entered in the *Papers of the Continental Congress*, No. 19, III, folio 61.

² The vote, with a note of Ellery's motion, is also entered in the *Papers of the Continental Congress*, No. 19, III, folio 61.

To all who shall see these Presents, We, Samuel Holten and Rufus King, the underwritten Delegates for the Commonwealth of Massachusetts, in the Congress of the United States of America, send Greeting:

¹ Whereas the general Court of Massachusetts, on the thirteenth day of November, in the year of our Lord one thousand seven hundred and eighty four, passed an Act, entitled "An Act empowering the Delegates of this Commonwealth in the United States in Congress assembled, to relinquish to the United States certain lands the property of this Commonwealth," in the words following: "Whereas several of the States in the Union have at present no interest in the great and extensive tracts of uncultivated country, lying in the westerly part of the United States; and it may be reasonable that the States above mentioned should be interested in the aforesaid Country: Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that the Delegates of this Commonwealth in the United States in Congress assembled, or any three of the said Delegates, be, and they hereby are authorized and empowered for and in behalf of this Commonwealth, to Cede or relinquish, by authentic conveyance or conveyances, to the United States, to be disposed of for the common benefit of the same, agreeably to a resolve of Congress of October the tenth, one thousand seven hundred and eighty, such part of that tract of Land belonging to this Commonwealth, which lies between the river Hudson and Mississippi, as they may think proper, and to make the said Cession in such manner and on such conditions as shall appear to them to be the most suitable." And whereas the said general Court, on the seventeenth day of March, in the year of our Lord one thousand seven hundred and eighty-five, passed one other Act, entitled "An Act in addition to an Act, entitled An Act empowering the Delegates of this Commonwealth in the United States in Congress assembled, to relinquish to the United States, certain Lands the property of this Commonwealth," in the words following: "Whereas by the Act aforesaid, three Delegates representing this State in Congress, are necessary to make the Cession aforesaid, and it may be Necessary that the said business should be performed by a less number of the said Delegates. Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by the authority

¹ From this point the entries are in the handwriting of Henry Remsen Jr.

of the same, that any two Delegates representing this Commonwealth in Congress, be, and hereby are authorized and empowered to do and perform all matters and things which by the Act aforesaid might be done and performed by any three Delegates as aforesaid, any thing in the aforesaid Act notwithstanding." And whereas the said General Court on the seventeenth day of June, in the aforesaid year of our Lord one thousand seven hundred and eighty-four, did nominate and appoint the aforesaid Samuel Holten, and on the third day of November following, the aforesaid Rufus King, Delegates to represent the said Commonwealth of Massachusetts in the Congress of the United States of America, for one year, from the first Monday of November in the said year one thousand seven hundred and eighty four, which appointment remains in full force. Now therefore, know ye, that we, the said Samuel Holten and Rufus King, by virtue of the power and authority to us committed by the said Acts of the general Court of Massachusetts before recited, in the Name, and for and on behalf of the said Commonwealth of Massachusetts, do by these presents, assign, transfer, quit claim, cede and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title and estate, of and in as well the soil as the Jurisdiction, which the said Commonwealth hath to the Territory or tract of Country within the limits of the Massachusetts Charter, Situate and lying west of the following line: That is to say, a meridian line to be drawn from the forty-fifth degree of North Latitude, through the westerly bent or inclination of lake Ontario, thence by the said meridian line, to the most Southerly side line of the territory contained in the Massachusetts Charter, but if, on experiment, the above described meridian line, shall not comprehend twenty miles due west, from the most westerly bent or inclination of the river or Strait of Niagara, then we do by these presents, by Virtue of the power and authority aforesaid, in the Name and on behalf of the said Commonwealth of Massachusetts, transfer, quit claim, cede and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title and estate, of and in as well the soil as the Jurisdiction, which the said Commonwealth hath to the Territory or tract of Country within the limits of the Massachusetts Charter, Situate and lying west of the following line: That is to say, a meridian line to be drawn from the forty-fifth degree of North Latitude, through a point twenty miles due west from the most westerly bent or inclination of the river or Strait of Niagara; thence by the said meridian line to the most

Southerly side line of the Territory, contained in the Massachusetts Charter aforesaid, for the purposes in the said recited Acts declared, and to the uses in a Resolve of Congress, of the tenth day of October, one thousand seven hundred and eighty, mentioned. In testimony whereof, we have hereunto subscribed our Names, and affixed our Seals in Congress, this Nineteenth day of April, in the year of our Lord one thousand seven hundred and eighty-five, and of the independence of the United States of America the Ninth."

¹ S. HOLTEN,
RUFUS KING.

Signed, sealed and delivered in the presence of
BENJAMIN BANKSON, JUN. JOHN FISHER, ROBERT PATTON.

Resolved, That Congress accept said deed of Cession; and that the same be recorded and enrolled among the Acts of the United States in Congress assembled.²

On the question to agree to the foregoing resolution, the yeas and nays being required by Mr. Holten,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	} ay	Mr. Vining,	ay	} ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	} ay	Mr. Hindman,	ay	} ay
King,	ay		J. Henry,	ay	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	ay	} ay	Mr. Monroe,	ay	} ay
Howell,	ay		Lee,	ay	
<i>Connecticut,</i>			<i>North Carolina,</i>		
Mr. Cook,	ay	} ay	Mr. Williamson,	ay	} ay
Johnson,	ay		Sitgreaves,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. Smith,	no	} div.	Mr. Bull,	ay	} *
Haring,	ay		<i>Georgia,</i>		
<i>Pennsylvania,</i>			Mr. Houstoun,	ay	} *
Mr. Gardner,	ay				
W. Henry,	ay				

¹ At this point Benjamin Bankson resumed the entries in the Journal.

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 30, folio 611.

So it was resolved in the affirmative.¹

The Committee to whom was referred the Memorial of P. R. de Roussi formerly a Lieutenant Colonel in the Service of the United States who resigned his Commission on the 29th of March 1780, and requests that he may be allowed depreciation of his pay, submit the following Resolve—That as depreciation of pay is not due to any officer who retired from service before the 10th of April, 1780, and as Congress have frequently refused it to persons in like situation with M^r P. R. de Roussi the prayer of his memorial cannot be granted.²

WEDNESDAY, APRIL 20, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Delaware, Maryland, Virginia and North Carolina; and from the State of Pennsylvania, Mr. [Joseph] Gardner; from South Carolina, Mr. [John] Bull, and from Georgia, Mr. [William] Houstoun.

An Ordinance for ascertaining the mode of disposing of Lands in the Western Territory, being under consideration, it was moved by Mr. [James] Monroe, seconded by Mr. [Rufus] King, that the following clause respecting reservations, be struck out, viz:

“Also one third part of all gold, Silver, lead and Copper mines for the purpose of special sale, at such times and places as Congress may hereafter direct.” A division of the question was called for by Mr. [Rufus] King, so far as the word “mines,” inclusive,

And on the question, Shall the first part of the proposition stand? the yeas and nays were called for by Mr. [David] Howell,

¹ On this day, according to Committee Book No. 190, the memorial of Udney Hay, praying payment of a bill of exchange “for 444¼ Dollars obtained for payment of monies advanc’d by him to A. Officers prisone^rs at Quebeck,” was referred to the Board of Treasury to report.

² This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 253. The indorsement states that it was read this day, and referred to the Paymaster General to report. He reported August 10. See *post*, August 8 and August 15.

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	} ay	Mr. Vining,	ay	} ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	} div.	Mr. M'Henry,	ay	} ay
King,	no		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	} div.	<i>Virginia,</i>		
Howell,	ay		Mr. Monroe,	no	} ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Cook,	ay	} ay	Grayson,	ay	
Johnson,	ay		<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	ay	} ay
Mr. Smith,	ay		Sitgreaves,	ay	
Haring,	ay		<i>South Carolina,</i>		
<i>Pennsylvania,</i>			Mr. Bull,	ay	*}
Mr. Gardner,	ay	*}	<i>Georgia,</i>		
			Mr. Houstoun,	ay	*}

So it was resolved in the affirmative.¹

[Motion of] Mr. [David] Howell, [seconded by] Mr. [Gunning] Bedford].

Resolved, That the commissioner to be appointed in pursuance of the resolution of the 13th April, 1785, be allowed the same pay while actually employed as is or may be allowed to the Commissioners appointed under the Resolution of February 20th, 1782.²

¹ On this day also, according to Committee Book 190, the committee of February 7, on Moses Hazen's memorial, rendered a report which was read April 26.

² This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, III, folio 561. See *post*, April 21.

APRIL 20: The following committees were appointed:

Mr. [Rufus] King, Mr. [James] Monroe and Mr. [William Samuel] Johnson, on the report of the Secretary for Foreign Affairs, dated April 18, on a letter from the Chargé d'Affaires of France, announcing the appointment of Sieur Ignatius Romain Chevalier D'Avistay de Chateaufort as French consul for North Carolina, South Carolina and Georgia; and also on the brevet appointment of Pierre Francois de Barbé Marbois, Junr., as French consul for Pennsylvania and Delaware and the Consular Convention with France. It is in No. 81, I, folio 203, and was read this day. The committee reported May 2, and the report was acted on May 11.

Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [William Samuel] Johnson, on the memorial of the Reverend Samuel Kirkland, dated April 6, praying for

THURSDAY, APRIL 21, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Delaware, Maryland, Virginia and North Carolina; and from the state of Connecticut, Mr. [William Samuel] Johnson; from South Carolina, Mr. [John] Bull, and from Georgia, Mr. [William] Houstoun.

Mr. David Jackson, a delegate for Pennsylvania, attended, and produced Credentials; by which it appears, that on the 19th day of February, 1785, the honbl. Matthew Clarkson and David Jackson, Esqrs. were elected Delegates to represent said State in the Congress of the United States, for the present year.

STATE OF PENNSYLVANIA,
IN GENERAL ASSEMBLY,

SATURDAY, February 19, 1785, A. M.

Agreeably to the order of the day the House proceeded to the election of two Delegates to represent this State in the Congress of the United States, and the ballots being taken it appeared that the Honorable Matthew Clarkson and David Jackson, Esquires, were duly elected.

Extract from the Minutes,

I SHALLUS, As^t Clerk
of the General Assembly.¹

On motion of Mr. [David] Howell, seconded by Mr. [Gunning] Bedford,

compensation for services. It was read this day and a report rendered April 25. The memorial is in the *Papers of the Continental Congress*, No. 41, V, folio 45.

Mr. [William] Ellery, Mr. [James] McHenry and Mr. [William] Grayson, on the letter of April 9 from President John Dickinson, of Pennsylvania on the appointment of John Ewing and Thomas Hutchins as commissioners to run and mark the boundaries of the state. It is in No. 69, II, folio 491. A report was rendered April 22. The letter was presented to Congress by the Pennsylvania delegates.

Committee Book No. 190.

Also, according to Committee Book No. 191, a report on Invalids was rendered this day and acted on June 7.

¹ The original is in the *Papers of the Continental Congress*, Pennsylvania, *Credentials of Delegates*. It was not entered in the *Record of Credentials*, but the indorsement shows that it was read in Congress, April 21, 1785.

Resolved, That the Commissioner to be appointed in pursuance of the resolution of the 13th April, 1785, be allowed ~~the same pay while actually employed as is or may be allowed to the Commissioners appointed under the Resolution of February 20th, 1782.~~¹ a salary of fifteen hundred dollars per annum; and that he appoint his necessary Clerks, with the Salary of five hundred Dollars per annum each, for the time they shall severally be employed in this service, which shall be in full for all services and expences.

Congress proceeded to the election of a Commissioner, in pursuance of the resolution of the 13th instant; and, the ballots being taken, Mr. John Smith was elected, having been nominated by Mr. [James] McHenry.

OFFICE FOR FOREIGN AFFAIRS, APRIL

The Secretary of the United States for the Department of foreign Affairs, to whom was referred the Papers herewith inclosed respecting the Eastern boundary Line of the said States REPORTS—

That in his Opinion effectual Measures should be immediately taken to settle all Disputes with the Crown of Great Britain relative to that Line.

He thinks that Copies of the said Papers should be transmitted to the Minister Plenipotentiary of the United States at that Court, with Instructions to present a proper Representation of the Case, and to propose that Commissioners be appointed to hear and finally decide those Disputes.

¹ The motion, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 36, II, folio 563. It is indorsed: "Amendment by Mr. McHenry the subsequent day." The lined-out words are simply a clerical error on Bankson's part, in entering Howell's motion. See *ante*, April 20.

On this day, according to Committee Book No. 190, the letter of Thomas Hutchins of this date, was referred to the committee of April 20 on the letter from the President of Pennsylvania of April 9. A report was rendered April 22. Hutchins's letter is in No. 60, folio 181.

Also, the petition of John Allan, Supt. of Indian Affairs, Eastern Department, praying compensation for services and expences, was referred to the Board of Treasury to report. The Board reported June 7. The petition, dated April 20, is in No. 42, I, folio 79.

If this Measure should appear expedient to Congress, your Secretary would suggest the following Hints on the Subject—Viz:

That the Number of Commissioners should be six, or eight, or ten, or twelve at the Election of his britannic Majesty: the exact Number not being important.

That two Commissions of the like Tenor, to be agreed upon between our and their Ministers, be issued to the whole Number, Viz: one by the United States and the other by his britannic Majesty.

That each Party shall name the one half of the whole Number.

That they shall all be Foreigners, or all be Persons of the two Nations, at the Election of his britannic Majesty—it not being important.

If he should prefer having them of the two Nations, then that he shall name the one half of them, being Inhabitants of any of his Dominions—except those which are situated in and to the West and South of the Gulph of St. Lawrence—and that the United States shall name the other half from any of their Counties except Massachusetts.

That the Commissioners if of the two Countries shall sit in North America, but if Foreigners in Europe, at any Place which may be agreed upon by our and their Ministers.

That previous to their proceeding to Business, they shall respectively take an Oath, fairly, impartially and justly, without Fear, Favor or Affection, to hear and decide the said Matters in Difference, according to the best of their Skill and Understanding, agreeable to the Directions, true Intent and Meaning of the said Commissions.

That in case of the Death or Refusal to act, of any of the said Commissioners, *previous* to their opening, and proceeding to execute, the said Commission (*but not afterwards*) the Place of such so dying or refusing, shall be supplied by the Party who named him; and that a Certificate thereof under the Seal of Great Britain or of the United States (as the Case may be) directed to the said Commissioners, by the Stile of the Commissioners for settling the boundary Line between his britannic Majesty and the United States on the easterly Side of the latter, shall be full Evidence of such Appointment.

That a Majority of the whole Number shall be a Quorum for *every Purpose* committed to them expressly or necessarily implied in their Commissions, such as chusing their Chairman, appointing Secretaries

and Surveyors, adjourning from Day to Day, or for a longer Term (which should not exceed ten Days) deciding on Matters of Evidence, and finally determining the Matters in Difference &C.

That they keep regular Minutes of their Proceedings—that all Evidence, whether oral or written be entered at large in them—that Copies of all Maps and Surveys admitted as Evidence be made and kept with their Papers.

That their Chairman for the Time being, shall have Power to administer Oaths—That Contempts offered to the Board, while convened and sitting on the Business of the Commission, shall be punishable as Contempts committed in a Court of Justice; and that a Certificate by the Chairman of such Contempt delivered to any civil Magistrate, shall make it the Duty of such Magistrate, to apprehend and commit the Offender to Prison, there to remain until thence delivered in due Course of Law.

That both Parties shall have free Access to the public Offices and Records of the other, and be supplied with Copies or Exemplifications of any Parts thereof, on paying the accustomed Fees.

That both the Parties shall produce to the Board whatever they may have to offer, within three Months after the opening of the said Commission by a Quorum of the Commissioners at the Place to be appointed, who shall sit and be ready to do Business during the whole of that Term, unless the Parties shall by writing under the Hands of their Agent or Agents *sooner* declare that they have nothing further to offer.

That on receiving such Declarations from both the Parties if within the said three Months, or from and immediately after the Expiration of that Term, whichever of those Events shall first happen, the Commissioners shall within two Days thereafter deliver their Judgement in Writing under their Hands and Seals, or the Hands and Seals of a Majority of them to the Agents of both Parties—Viz:—one Copy for each Party, and that the said Judgement shall be absolute, final and conclusive between the said Parties.

That on having given Judgement as aforesaid, or as soon as may be within two Months thereafter, they shall annex Transcripts of all their Minutes, Proceedings and Maps or Surveys above mentioned to each of the said Commissions, and under their Hands and Seals or the Hands and Seals of a Majority of them, shall return the same;

the one issued by his britannic Majesty to his britannic Majesty, and the one by the United States to the United States in Congress Assembled, and that the Delivery of the same to their respective Agents shall be deemed and adjudged to be a good and sufficient Return.

That the Allowance to be made the said Commissioners for device and Expences be fixed by our and their Minister, and that each Party pay the one half thereof.

That it be expressly stipulated, that his britannic Majesty shall within six Months after the Day on which the Judgement shall be delivered to the Agents as aforesaid cause the United States to be put in full Possession of all Territories, Lands and Islands which by the said Judgement may be adjudged to the said States, and then being in the Possession of his Majesty; And on the other Hand, that the United States shall within six Months after the Day on which the Judgement shall be delivered as aforesaid cause his britannic Majesty to be put in full Possession of all the Territories, Lands and Islands which by the said Judgement may be adjudged to him, and then being in the Possession of the United States.¹

FRIDAY, APRIL 22, 1785.

Congress assembled. Present as yesterday.

Congress proceeded in the consideration of the Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

An on motion of Mr. [David] Howell, seconded by Mr. [Hugh] Williamson,

Resolved, That the eleventh paragraph be amended by striking out the words, "same at public vendue, excepting only such Townships and parts of Townships as may be hereinafter particularly reserved," and in lieu thereof inserting, "Townships or fractional parts at public Vendue, or he may sell any Township by sections, provided he sells

¹ This report is in the *Papers of the Continental Congress*, No. 81, I, folio 211. According to the indorsement it was read this day, Thursday 28th assigned for consideration and on October 13 it was postponed.

them in the order of their number on the plat, and not otherwise, and that he does not offer a second Township for sale by Sections, till the whole number of the former is sold.”¹

The Committee consisting of M^r [William] Ellery, M^r [James] M^eHenry and M^r [William] Grayson, to whom a letter from the Governor of Pennsylvania of the 9th of April 1785, and another from Thomas Hutchins of the 21st of the same month and year were referred. Report,

That Thomas Hutchins, Geographer for the United States be informed that Congress have occasion for his immediate services.²

SATURDAY, APRIL 23, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Delaware, Maryland, Virginia and North Carolina; and from the state of Connecticut, Mr. [William Samuel] Johnson; from South Carolina, Mr. [Charles] Pinckney, and from Georgia, Mr. [William] Houstoun.

On motion of Mr. [David] Howell, seconded by Mr. [William] Ellery,

Resolved, That the Oaths required by the Secretary at War, may be taken before any executive officer one of the Judges of the Supreme Court in the State of New York

¹ The motion, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, III, folio 21.

On this day, according to the indorsement, was read a memorial from Captains Jesse Cook and Jesse Grant praying compensation for their sufferings. It was referred to the Secretary at War and is in the *Papers of the Continental Congress*, No. 140, II, folio 170. See *post*, April 26.

On this day, according to the indorsement, the credentials of Matthew Clarkson and David Jackson, delegates from Pennsylvania, were referred to the Committee on Qualifications.

² This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 227. The indorsement states that it was read on this day, and Committee Book No. 191 states that the matter was “comprehended in Act of 27 May continuing Mr. Hutchins.”

duly qualified to administer oaths any thing in an Ordinance passed on the 27th day of January, 1785, notwithstanding.¹

Congress resumed the consideration of the Ordinance under debate yesterday: The following part of the Ordinance being under debate: "Provided that none of the lands within the said Territory, be sold under the price of one dollar the Acre, to be paid in specie or Loan Office Certificates reduced to specie value, by the scale of depreciation, or Certificates of Liquidated Debts of the United States, including interest, besides the expence of the survey, and other charges thereon, which are hereby rated at forty nine dollars the Township, in specie or Certificates as aforesaid, and so in the same proportion for a fractional part thereof."

It was moved by Mr. [James] McHenry, seconded by Mr. [Melancton] Smith, to amend the same by inserting the word "half," between the words "one" and "dollar;" so that "it read one-half dollar the acre."

And on the question to agree to this amendment, the yeas and nays being required by Mr. McHenry,

¹ The motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 417. The words lined out so appear in the motion and not in the Journal.

On folio 37 of No. 36, III, is a record of a vote as follows: "2^d Amendment 4th Parag.

Foster	no	} div.	Vining	ay	} ay
Long	ay		Bedford	ay	
Holten	ay	} ay	McHenry	ay	} ay
King	ay		J. Henry	ay	
Ellery	no	} div	Hindman	ay	} ay
Howell	ay		Monroe	ay	
Johnson	no	} *	Lee	ay	} ay
Smith	ay		Grayson	ay	
Haring	ay	} ay	Williamson	ay	} ay
Gardner	ay		Sitgreaves	ay	
W. Henry	ay	} ay	Bull		} *
			Houstoun	ay	

It relates to these proceedings.

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	no	}no	Mr. Bedford,	no	} *
Long,	no		<i>Maryland,</i>		
<i>Massachusetts,</i>			Mr. McHenry,	ay	}no
Mr. Holten,	no	}no	J. Henry,	no	
King,	no		Hindman,	no	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	no	}no	Mr. Monroe,	no	}no
Howell,	no		Lee,	no	
<i>Connecticut,</i>			Grayson,	no	
Mr. Johnson,	no	} *	<i>North Carolina,</i>		
<i>New York,</i>				Mr. Williamson,	no
Mr. Smith,	ay	}div.	Sitgreaves,	no	
Haring,	no		<i>South Carolina,</i>		
<i>Pennsylvania,</i>			Mr. Pinckney,	no	} *
Mr. Gardner,	no	}no			
W. Henry,	no				

So the question was lost.

The following paragraph in the Ordinance being under debate: "There shall be reserved the central Section of every Township, for the maintenance of public Schools; and the Section immediately adjoining the same to the northward, for the support of religion. The profits arising therefrom in both instances, to be applied for ever according to the will of the majority of male residents of full age within the same." A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [William] Grayson, to amend the paragraph by striking out these words, "for the support of religion;" and in their place to insert, "for religious and charitable uses." On which it was moved by Mr. [William] Ellery, seconded by Mr. [Melancton] Smith, to amend the amendment by striking out the words "religious and," so that it read "for charitable uses." ¹

¹ A record of this proceeding on the Pinckney amendment, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, III, folio 33.

And on the question, shall the words moved to be struck out of the amendment, stand? the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	} ay	Mr. Vining,	ay	} ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	} ay	Mr. McHenry,	no	} no
King,	ay		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	} no	<i>Virginia,</i>		
Howell,	no		Mr. Monroe,	ay	} ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Johnson,	ay	*	Grayson,	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. Smith,	no	} div.	Mr. Williamson,	ay	} div.
Haring,	ay		Sitgreaves,	no	
<i>Pennsylvania,</i>			<i>South Carolina,</i>		
Mr. Gardner,	ay	} ay	Mr. Pinckney,	ay	}*
W. Henry,	ay		<i>Georgia,</i>		
			Mr. Houstoun,	ay	* ¹

So the question was lost, and the words were struck out.

And thereupon, the motion of Mr. [Charles] Pinckney for the amendment was withdrawn.

A motion was then made by Mr. [William] Ellery, seconded by Mr. [Melancton] Smith, to strike out the following words in the foregoing paragraph: "and the section immediately adjoining the same to the northward, for the support of religion, the profits arising therefrom in both instances, to be applied for ever according to the will of the majority of male residents of full age within the same." A division of the motion was called for by Mr. [Rufus] King: And on the question, shall the former part stand? namely, "and the section immediately adjoining the same to the northward, for the support of religion." The yeas and nays being required by Mr. [Melancton] Smith and Mr. [Rufus] King,

¹ The vote is also in the *Papers of the Continental Congress*, No. 36, III, folio 39.

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	}ay	Mr. Vining,	ay	}ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	}ay	Mr. McHenry,	no	}no
King,	ay		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	}no	<i>Virginia,</i>		
Howell,	no		Mr. Monroe,	ay	}ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Johnson,	ay	*	Grayson,	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. Smith,	no	}div.	Mr. Williamson,	ay	}div.
Haring,	ay		Sitgreaves,	no	
<i>Pennsylvania,</i>			<i>South Carolina,</i>		
Mr. Gardner,	ay	}ay	Mr. Pinckney,	ay	}*
W. Henry,	ay		<i>Georgia,</i>		
			Mr. Houstoun,	ay	*}

So the question was lost, and the words were struck out.

A motion was then made by [Mr. Melancton] Smith to strike out the following words "and the section to religion."

Foster	ay	}ay	Vining	ay	}ay
Long	ay		Bedford	ay	
Holten	ay	}ay	McHenry	no	}no
King	ay		J. Henry	no	
Ellery	no	}no	Hindman	ay	
Howell	no		Monroe	ay	}ay
Johnson	ay	*	Lee	ay	
Smith	no	}div.	Grayson	ay	
Haring	ay		Williamson	ay	}div.
Gardner	ay	}	Sitgreaves	no	
W. Henry	ay		Pinckney	ay	}*
			Houstoun	ay	

Words are struck out.¹

¹ This record, in the writing of a clerk, is in the *Papers of the Continental Congress*, No. 36, III, folio 35.

A motion was made by Mr. [William Samuel] Johnson, seconded by Mr. [Rufus] King, farther to amend the paragraph by inserting after the word "Schools," the following words, "And the Sections immediately adjoining the same to the northward, for charitable uses;" so that the paragraph read thus; "There shall be reserved the central Section of every Township, for the maintenance of public Schools; and the section immediately adjoining the same to the northward, for charitable uses."¹

And on the question to agree to this amendment, the yeas and nays being required by Mr. [William Samuel] Johnson,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	}ay	Mr. Vining,	ay	}ay
Long,	ay		Bedford,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	}ay	Mr. McHenry,	no	}no
King,	ay		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	}div.	<i>Virginia,</i>		
Howell,	ay		Mr. Monroe,	ay	}ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Johnson	ay	*}	Grayson.	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. Smith,	no	}no	Mr. Williamson,	ay	}div.
Haring,	no		Sitgreaves,	no	
<i>Pennsylvania,</i>			<i>South Carolina,</i>		
Mr. Gardner,	ay	}div.	Mr. Pinckney,	ay	*}
W. Henry,	no		<i>Georgia,</i>		
			Mr. Houstoun,	ay	*}

So the question was lost.

¹ The portion of this motion in brackets, in the writing of William Samuel Johnson, is in the *Papers of the Continental Congress*, No. 36, III, folio 29. It is noted as a motion of Johnson [seconded by] Ellery. On folio 41 is the following in Johnson's writing: "And the section immediately adjoining the same to the Northward for ~~any~~ such other public purposes as a majority of the ~~inhabitants~~ free male residents of full age within the same shall from time to time direct."

The vote on this amendment omits South Carolina, and is in the *Papers of the Continental Congress*, No. 36, III, folio 43.

MONDAY, APRIL 25, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, Virginia and North Carolina; and from the state of Connecticut, Mr. [William Samuel] Johnson; from Delaware, Mr. [John] Vining; from South Carolina, Mr. [Charles] Pinckney, and from Georgia, Mr. [William] Houstoun.

On motion of Mr. [Abiel] Foster, seconded by Mr. [Pierse] Long,

Resolved, That the resolution of the 7th of March last, in favor of Jotham Blanchard, be referred to the Board of Treasury to take order.¹

[Motion of North Carolina, April 25th, 1785: Referred to M^r [William Samuel] Johnson, M^r [Charles] Pettit, M^r [Abraham] Clarke, respecting Treaties with Southern Indians.]

Resolved, That Congress do disavow the treaties entered into by their Commissioners with the Cherokee and Chickasaw Indians at Hopewell on the Keowee so far as the said treaties allot to the said Indians hunting grounds within the limits of the State of North Carolina as declared in her bill of rights other than those allotted to them by the laws of the said State.²

¹ This report, in the writing of Pierse Long, is in the *Papers of the Continental Congress*, No. 36, II, folio 421.

On this day, according to Committee Book 190, a report was rendered by the committee of April 20, on the petition of Rev. Samuel Kirkland, dated April 6. It was read in Congress, April 26.

Also, the Committee of the Week was appointed: Mr. [Joseph] Gardner, Mr. [James] McHenry and Mr. [Pierse] Long.

² This motion, in a writing not identified, is in the *Papers of the Continental Congress*, No. 36, II, folio 565.

On this day, as the indorsement states, was read a petition of John McCrea, as clerk of trustees of the Presbyterian Congregation at White Creek, Washington Township, New York, praying aid to rebuild their meeting house which was used by American troops in 1777 and destroyed by the British. It is dated March 1 and is in No. 42, V, folio 311.

Also, a petition of Nancy Van Seyver praying financial assistance on account of her war services. It is in No. 42, VIII, folio 81.

TUESDAY, APRIL 26, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, Virginia and North Carolina; and from the state of Connecticut, Mr. [William Samuel] Johnson; from South Carolina, Mr. [Charles] Pinckney, and from Georgia, Mr. [William] Houstoun.

Congress proceeded to consider the Ordinance for ascertaining the mode of disposing of Lands in the Western Territory, which is in the following words:

An Ordinance for ascertaining the Mode of disposing of Lands in the Western Territory.

Be it Ordained by the United States in Congress assembled, That the territory ceded by individual states to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner:

A surveyor from each state shall be appointed by Congress, who shall take an oath for the faithful discharge of his duty, to be administered by the geographer of the United States, who is hereby empowered and directed to administer the same.

The geographer, under whose direction the surveyors shall act, shall form such regulations for their conduct, as he shall deem necessary, and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress.

The surveyors shall proceed to divide the said territory into townships of seven miles square, by lines running due north and south, and others crossing these at right angles, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require.

There shall be allowed for the surveying of a township at the rate of two dollars per mile, including the wages of chain carriers, markers, and every other expence, and so in proportion for every fractional part of a township.

The first line, running north and south as aforesaid, shall begin on the Ohio, at a point that shall be found to be due north from the termination of a line, which has been run as the southern boundary

of the State of Pennsylvania; and the first line running east and west shall begin at the same point, and shall extend throughout the whole territory. The geographer shall designate the townships or parts of townships, by numbers progressively from south to north, always beginning each range with No. 1, and the ranges shall be distinguished by their progressive numbers to the westward. The first range extending from the Ohio to the lake Erie, being marked No. 1.

The lines shall be measured with a chain; shall be plainly marked by chaps on the trees, and exactly described on a plat, whereon shall be noted, at their proper distances, all mines, salt-springs and salt-licks that shall come to his knowledge, and all water-courses, mountains, and other remarkable and permanent things, over or near which such lines shall pass.

The plats of the townships respectively, shall be marked by subdivisions into sections of 1 mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 49. Always beginning the succeeding range of the sections with the number next to that which the preceding one concluded. And where, from the causes before-mentioned, only a part of a township shall be surveyed, the sections protracted thereon shall bear the same numbers as if the townships had been entire. And these sections shall be subdivided into lots of 320 acres.

The geographer and surveyors shall pay the utmost attention to the variation of the magnetic needle: and shall run and note all lines by the true meridian, certifying, with every plat, what was the variation at the times of running the lines thereon noted.

As soon as five ranges of townships, and fractional parts of townships, in the direction from south to north, shall have been surveyed, from time to time, the geographer shall transmit plats thereof to the board of treasury, who shall record the same with the report, in well bound books to be kept for that purpose. The secretary at war shall take by lot therefrom, a number of townships and fractional parts of townships, equal to one seventh part of the whole of such five ranges, as nearly as may be, for the use of the late continental army, [and he shall make a similar draught, from time to time, until a sufficient quantity is drawn from the return, to satisfy the military claims,]¹ to be applied in manner hereinafter directed. The board of treasury shall then cause the remaining numbers to be drawn for,

¹ The words in brackets are not in the printed broadside but were added in manuscript by Bankson, on a small square of paper, and pasted in the Journal.

in the name of the thirteen states respectively, according to the quotas in the last preceding requisition on the states; provided, that in case more land than its proportion is allotted for sale, in any state, at any distribution, a deduction be made therefor at the next.

The board of treasury shall transmit duplicates of the said original plats so drawn for, to the commissioners of the loan-offices of the several states, who, after giving notice of not less than two nor more than six months, by causing advertisements to be posted up at the courthouses, or other noted places in every county, and to be inserted in one news-paper published in the states of their residence respectively, shall proceed to sell the townships or fractional parts, at public vendue; or he may sell any township by sections, provided he sells them in the order of their number on the plat, and not otherwise, and that he does not offer a second township for sale by sections, till the whole of the former is sold; provided, that none of the lands within the said territory be sold under the price of one dollar the acre, to be paid in specie, or loan-office certificates reduced to specie value, by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expence of the survey and other charges thereon, which are hereby rated at 49 dollars the township, in specie or certificates as aforesaid. and so in the same proportion for a fractional part thereof.

When any township or part of a township shall have been sold, as aforesaid, and the money or certificates received therefor, the loan-officer shall deliver a deed, in the following terms:

To all to whom these presents shall come, greeting:

KNOW YE, That for the consideration of the United States of America have granted unto C. D. the township, or part of a township, numbered to hold to the said C. D. his heirs and assigns for ever, subject nevertheless to such reservations as are contained in an ordinance, bearing date day of in the year

In witness whereof, the said A. B. loan-officer of the said state, hath hereunto set his hand, and affixed the seal of his office, this day of in the year and of the independence of the United States of America the .

Which deeds shall be recorded in proper books, and shall be certified to have been recorded, previous to its being delivered to the purchaser.

The commissioners of the loan offices respectively, shall make returns to the board of treasury every three months, of the sales of the townships, or parts of townships committed to their charge, with the persons' names to whom sold; and shall transmit all sums of money or certificates as aforesaid received for the same, which shall be duly entered in the books of the treasury.

If any township, or part of township, remains unsold for 18 months, after the plat shall have been received by the commissioners of the loan-office, the same shall be returned to the board of treasury, and shall be sold in such manner as Congress may hereafter direct.

There shall be reserved for the United States out of every township, the four corner sections, being numbered, 1, 7, 43, 49, and out of every part of a township, so many sections of the same numbers as shall be found thereon.

Also one-third part of all gold, silver, lead and copper mines, to be sold, or otherwise disposed of, as Congress shall hereafter direct.

There shall be reserved the central section of every township, for the maintenance of public schools within the said township. And whereas Congress, by the resolutions of September 16th and 18th, in the year 1776, and the 12th August, 1780, stipulated grants of land to the officers and soldiers who had engaged, or should engage in the service of the United States during the war, and continue therein to the close of the same, or until discharged by Congress, and to the representatives of such officers and soldiers as should be slain by the enemy, in the following proportions, to wit:

To a major general, 1100 acres; to a brigadier, 850; to a colonel, 500; to a lieutenant colonel, 450; to a major, 400; to a captain, 300; to a lieutenant, 200; to an ensign, 150; and to a non-commissioned officer and soldier, 100. For complying therefore with such engagements, be it ordained, that the secretary at war, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolutions and engagements, and the quantity of lands to which such persons, or their representatives, are respectively entitled, and cause the township, or fractional parts of townships, therein before reserved for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution.

He shall, from time to time, transmit certificates to the commissioners of the loan-offices of the different states, to the lines of which the military claimants respectively belong, specifying the name and rank of the party, the terms of his engagement and time of his service, and the division, brigade, regiment or company to which he belonged, the quantity of land he is entitled to, and the township out of which his portion is to be taken.

The commissioners of the loan-offices shall execute deeds for such undivided proportions, in manner and form herein before mentioned, varying only in such a degree as to make the same conformable to the certificate from the secretary at war.

Where any military claimants of bounty in lands shall not belong to the line of any particular state, similar certificates shall be sent to the board of treasury, who shall execute deeds to the parties for the same.

The board of treasury, and the commissioners of the loan-offices in the states, shall, within 18 months, return receipts to the secretary at war, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants; which deeds so returned, shall be preserved in the office, until the parties or their representatives require the same.

Saving and confirming always, to all officers and soldiers entitled to lands on the northern side of the Ohio, by donation or bounty from the commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled by the laws of the said state, and the acts of Congress accepting the cession of western territory from the said state.¹

A motion was made by Mr. [William] Grayson, seconded by Mr. [William] Ellery, to recommit it; and on the question for recommitting, the yeas and nays being required by Mr. [Hugh] Williamson,

¹ The text in the Journal is supplied from the printed broadside which Bankson wafered into the record in lieu of copying out the Ordinance. See *ante*, April 12, and *post*, May 20.

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	} ay	Mr. Gardner,	ay
Long,	ay		W. Henry,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} div.	Mr. McHenry,	ay
King,	no		J. Henry,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	} div.	Mr. Monroe,	ay
Howell,	no		Lee,	ay
<i>Connecticut,</i>			Grayson,	ay
Mr. Johnson,	no	*	<i>North Carolina,</i>	
<i>New York,</i>			Mr. Williamson,	no
Mr. Smith,	ay	} ay	Sitgreaves,	no
Haring,	ay		<i>South Carolina,</i>	
			Mr. Pinckney,	ay
				*

So the question was lost.

And the following Clause “Saving and confirming always, to all Officers and Soldiers entitled to Lands on the northern side of the Ohio, by donation or bounty from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are entitled by the Laws of the said State, and the Acts of Congress, accepting the Cession of Western Territory from the said State” being under debate— It was agreed, that the further consideration thereof be postponed till tomorrow.

Mr. James Wilson, a Delegate for Pennsylvania, attended, and produced Credentials under the Seal of the State; by which it appears, that on the seventh day of this present month, he was elected a Delegate to represent the said State in Congress, for the present year.

PENNSYLVANIA, SS. In the Name and by the authority of the
 [SEAL] Freemen of the Commonwealth of Penn-
 JOHN DICKINSON. sylvania.—The Supreme Executive
 Council of the Commonwealth,

To the Honorable James Wilson Esquire:

Whereas on the seventh day of this Month You was by the General Assembly of this Commonwealth appointed a Delegate: You are therefore hereby Commissioned a Delegate to represent this State in Congress for the present year.

Given in Council under the hand of His Excellency John Dickinson Esquire President and the Seal of the State at Philadelphia this eighteenth day of April in the year of our Lord one thousand seven hundred and eighty five.

Attest

JOHN ARMSTRONG, Jr. Sy.¹

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Rufus] King, Mr. [David] Howell, Mr. [William Samuel] Johnson and Mr. [Samuel] Holten, to whom was referred a memorial of Moses Hazen, Esq. who alleges that sundry charges which have been rejected by the Commissioner of Army Accounts, are well founded, and that he is possessed of vouchers by which the same may be established and prays that the same may be considered,

Resolved, That the claims of Moses Hazen, Esq. be referred to the Board of Treasury, together with the objections that have been made to those Claims by the Commissioner of Army Accounts, ~~to be examined and finally settled by the said Board as a Court of Appeals~~ and that the Board examine the same, and report thereon. ~~[and that the same be examined and that the parties be notified and allowed to introduce such new and farther evidence as may enable the board as a court of appeals finally to settle the same.]~~²

¹ The original is in the *Papers of the Continental Congress*, Pennsylvania, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

On this day was read a letter of April 25 from Secretary at War Henry Knox, regarding the memorial of Captains Jesse Cook and Jesse Grant, and Thursday, March 16, 1786, assigned for its consideration. Knox's letter is in the *Papers of the Continental Congress*, No. 151, folio 1.

Also, was read, a letter from the Secretary for Foreign Affairs, dated April 26, transmitting a translation of a letter from Col. J. G. Diriks. Jay's letter is in No. 80, I, folio 137. Diriks', dated April 20, requesting payment of money due him and a recommendation to the sovereign of his native country, is, in French, in No. 78, VIII, folio 123; the Foreign Office translation is on folio 119.

² The report, in the writing of Hugh Williamson, except the part in brackets which is in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, III, folios 107 and 111½. The words crossed out are in the original report, but not in the Journal. According to the indorsement the report was read this day and passed. Hazen's memorial is in No. 42, III, folio 514. See *post*, May 11.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [John] Bull and Mr. [John] Sitgreaves, to whom was referred a petition of Duncan Campbell with its enclosures,

Resolved, That the petition of Duncan Campbell, with its enclosures, be referred to the Commissioner of Army Accounts to report.¹

BOARD OF TREASURY, *April 25th, 1785.*

The Commissioners of the Board of Treasury to whom the Memorial of Fleury Mesplet was referred Report, That it appears from the secret Journals of the 26 February, 1776, that Congress,

“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 expence of transporting him his family and printing utensils to Canada and will moreover pay him the sum of two hundred dollars.”

That in consequence of this resolution the sum of two hundred dollars was paid to him on the 26th of February for which sum it does not appear he was to be accountable.

That teams and boats were provided at the public expence to transport M^r Mesplet family and baggage from Philadelphia to Montreal but that it does not appear that the subsistence of himself and family consisting of six persons from Philadelphia to Montreal was paid which expence the Board presume was intended by Congress to be included in the charge of transportation.

That M^r Mesplet in his account charges the sum of three hundred and thirty dollars for the extra expences in subsisting thirty men employed in navigating the public boats being at the rate of one half dollar for each man per day that it does not appear that M^r Mesplet was authorized to make this extra expence neither is the same supported by any voucher though it is probable that some extra expence might have accrued in subsisting the persons employed to navigate the boats as aforesaid.

That with respect to the other articles in M^r Mesplet's account which amounts to eight thousand eight hundred and fifty-nine dollars they find them neither warranted by any resolutions of Con-

¹ According to Committee Book No. 190, the Commissioner reported September 12.

gress nor supported by vouchers that they consist of claims of indemnification for damage sustained in the sale of Books and for debts contracted in the maintainance of himself, workmen and family whilst the said Mesplet was on account of his attachment to the cause of America confined in Jail: that the Board not being competent to determine on the merit of such claims the same can only be submitted to the wisdom and benevolence of Congress.

From this state of facts the Board submit the following resolution.

That the sum of four hundred and twenty six $4\frac{5}{90}$ dollars should be paid to M^r Fleury de Mesplet on account of expences attending the transporting himself, family and printing utensils from Philadelphia to Montreal.¹

The Committee to whom was referred a petition Signed Samuel Kirkland and dated Stockbridge April 6th, 1785, beg leave to lay before Congress the following report,

Your Committee find that by a resolution of Congress of July 18, 1775, the Petitioner was employed to Secure the friendship of the Six Nations of Indians and to continue them in a State of neutrality with respect to the controversy between Great Britain, and the *then* Colonies. That by another resolution of November 11 following he received a grant of £65 Sterling for the insuing year, and the sum of £60 Sterling more to be by him disposed of for the benefit of the Indians with whom he was to be continued for the purposes aforesaid, and for the propagation of the gospel among them. That on the 24 Jany. 1777 he was allowed a Salary of 444 dollars as Missionary among Said Indians for that year commencing from Nov. 11, 1776, and a Sum of 300 dollars as a compensation for his extra Services and expences as Chaplain and Missionary, and that on the 16 of October 1779 he was appointed Chaplain to the Garrison of Fort Schuyler, and the other posts established in that quarter, with the pay and Subsistence of a Brigade Chaplain and to continue to pay as much attention to the Oneidas and the other Indians contiguous to them as might be consistent with this appointment.

Your Committee also find that the Petitioner purchased two milch cows of the Oneida Indians, which were killed and delivered to Said Indians for their Support in the Garrison of Fort Schuyler in the

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 138, II, folio 162. According to the indorsement, it was read this day and passed May 27, 1787.

Summer of the year 1780 and that he advanced to Said Indians in articles of Clothing the amount of 37½ dollars for which supplies he never has received any compensation.

Your Committee also find that the petitioner lost his house and other effects to the amount according to his estimation of 666 Dollars by the burning of the Oneida Town and the adjacent villages in the year 1780, and that he has been exposed to a variety of other sufferings, and to many dangers during the late Revolution in the course of which he has rendered to the United States valuable services and has acquired great respect and influence among the Indians with whom he has been conversant, and in the opinion of your Com^{te} is thereby entitled to the special notice and favor of Congress. Whereupon your Committee beg leave to submit the following resolutions.

Resolved, That the Board of Treasury take order for paying to the
 Rev^d Samuel Kirkland the sum of 77 dollars and a
 P. half for articles of food and cloathing by him furnished
 for the use and comfort of the Oneida Indians in the

years 1780 and 1781

Resolved, That the Paymaster General settle the accounts of the
 Rev^d Saml. Kirkland for his services as Brigade
 P. Chaplain under the appointment of Octo. 16, 1779
 and allow him the pay and subsistence therein specified to the 3rd day of Nov. 1783.

Resolved, That in consideration of the services rendered to the U.
 States among the Indians of the Six Nations by the
 P. Rev^d Samuel Kirkland, since the 3rd day of November 1783, the Board of Treasury take order for paying him the sum of 250 dollars.

Resolved, That the Rev^d Samuel Kirkland, be and he is hereby appointed Chaplain to the troops of the U. States to be stationed at the western Posts, and that he continue his services among the Indians of the six nations and endeavour to preserve their attachment to the interests of the U. States, and that for these services he receive the allowance of ———.¹

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, III, folio 337. Indorsed: "3 first resolutions passed June 1, 1785."

[Motion—Mr. [Hugh] Williamson.]

That the Officers of the Line of the State of N. Carolina in the service of the U. S. who have continued in service to the end of the War have the same payments made to them in specie as have been made to Officers and privates in the Line of other States for the years 1782 and 1783.¹

WEDNESDAY, APRIL 27, 1785.

Congress assembled. Present as yesterday; and from the state of Delaware, Mr. [John] Vining.

Mr. John Lawrance, a Delegate for the state of New York, attended, and took his seat in Congress.

THE PEOPLE of the State of New York, by the Grace of God, Free and Independent: To All to whom these presents shall come send Greeting:

Whereas our Senate and Assembly have on the nineteenth Day of this present month of March nominated and appointed the Honorable

¹ This motion, in the writing of Benjamin Bankson, is entered in Committee Book No. 190; it was referred to the Board of Treasury this day, to report.

Also, according to Committee Book No. 190, the committee consisting of Mr. [William] Hindman, Mr. [William] Houstoun and Mr. [Abiel] Foster, reported upon the memorial of George Fisher. See *ante*, April 18, and *post*, April 29.

Also, according to the indorsement a memorial dated April 26 from Udney Hay praying for the contract to carry the mail between Albany and Canada, was this day referred to the Committee for regulating the Post Office. It is in No. 41, IV, folio 256, and is indorsed: "Acted upon July 22, 1788."

APRIL 26: The following committees were appointed:

Mr. [James] Monroe, Mr. [William] Ellery and Mr. [William Samuel] Johnson, on letter of April 25, from George Rogers Clark, Oliver Wolcott and Richard Butler, Commissioners for negotiating with the Indians. A report was rendered April 29. The letter is in No. 56, folio 317.

Mr. [William] Grayson, Mr. [Samuel] Holten and Mr. [William] Ellery, on letter of April 23 from Joseph Carleton, retiring from the service and praying for compensation for extra services and expences. It was read this day and a report rendered June 7, which was read in Congress June 9. Carleton's letter is in No. 60, folio 139.

Also, the memorial of sundry officers in the Pennsylvania Line praying for an allowance for expences in returning from the southward after being deranged, was read and referred to the Board of Treasury to report. Report was rendered April 28 and read in Congress April 29. The memorial, signed by Jeremiah Jackson, on behalf of himself and others, is in No. 42, IV, folio 70.

Committee Book No. 190.

John Lawrance, John Haring and Melancton Smith, Esquires, additional Delegates to represent our said State in the United States of America in Congress assembled from the Day of the Date hereof until the first Monday in November next: NOW THEREFORE KNOW YE, that, in pursuance of the said Nomination and appointment, We have by these presents Commissioned the said John Lawrance, John Haring and Melancton Smith to represent our said State in the said Congress accordingly: IN TESTIMONY WHEREOF We have caused these our Letters to be made patent, and the Great Seal of our said State to be hereunto affixed:

WITNESS our Trusty and well beloved GEORGE CLINTON, Esquire, Governor of our said State, General and Commander in chief of all the Militia and Admiral of the Navy of the same, at our City of New York the Nineteenth Day of March in the year of our Lord one thousand seven hundred and eighty five, and of our INDEPENDENCE the ninth.

GEORGE CLINTON¹

[Seal of New York pendant]

Congress resumed the consideration of the Ordinance respecting Western Territory: A motion was made by Mr. [Rufus] King, seconded by Mr. [William Samuel] Johnson, to strike out the following clause: "Saving and confirming always, to all Officers and Soldiers entitled to Lands on the northern side of the Ohio, by donation or bounty from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled by the laws of the said State, and the Acts of Congress accepting the Cession of Western Territory from the said State," and in its stead to insert, "That in case the quantity of good Lands on the southeast side of the Ohio, upon the waters of Cumberland River, and between the Green River and Tennessee River, which have been reserved by law for the Virginia Troops, upon Continental establishment, should, from the North Carolina line, bearing in further upon the Cumberland lands

¹ The original of this credential is in the *Papers of the Continental Congress, Credentials*. It is indorsed as read April 27. See *ante*, March 29.

than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops, in good lands, to be laid off between the rivers Sciota and little Miami, on the northwest side of the river Ohio, in such proportion as have been engaged to them by the laws of Virginia, passed antecedent to their deed of Cession; and provided that after the plats of the Lands betwixt the rivers Sciota and little Miami shall have been returned to the Board of Treasury by the Geographer, the Board of Treasury shall take order for satisfying the claims of the Troops aforesaid, before any other disposition be made of any part of said lands."

A division of the motion was called for by Mr. [Charles] Pinckney, from the words, "and provided." When the question was about to be put on the first part of the proposition, the same was postponed till tomorrow, in the right of the State of Virginia.

[Report of the committee consisting of Mr. James McHenry, Mr. Hugh Williamson, Mr. David Howell, Mr. Jacob Read and Mr. Samuel Holten to whom was referred the report of the Committee on James McHenry's motion respecting Invalids, report]

Resolved, That it be recommended to the several states, to make provision for soldiers or seamen, who have been disabled in the service of the United States, in the following manner, viz.

1. A complete list shall be made out by ~~proper officers in each state~~ [such Person or Persons as the supreme executive in each state shall direct] of all the officers, soldiers or seamen [resident in their respective States], who have served in the army or navy of the United States, or in the militia in the service of the United States, and have been disabled in such service, by wounds or otherwise, so as to be incapable of military duty, or of obtaining a livelihood by labour, in which list shall be expressed, the age, wound, or other disability [and pay] of each invalid, also the regiment, corps, or ship to which he belonged, and a copy of the same shall be transmitted to the ~~superintendent of finance, or to such other person as Congress may appoint to receive the same,~~ [Office of the Secretary in the War department] within one year after each state shall pass a law for this purpose. [and so annually.]

2. No officer, soldier, or seaman, shall be considered as an invalid, or entitled to pay, unless he can produce a certificate or document from the commanding officer or surgeon of the regiment, ship, corps, or company in which he served, or from a physician or surgeon of a military hospital, or other good and sufficient testimony, setting forth his disability, and that he was thus disabled while in the service of the United States.

3. That each state ~~institute a mode of ascertaining~~ appoint [one or more Inspectors of suitable abilities to examine all claimants and to report] whether the person producing a document or certificate, setting forth that he is an invalid, be such in fact, and if such to what pay he is entitled, [comparing his disability with that of a Person who is entirely disabled;] and thereupon, the persons appointed to make such enquiry, shall give a certificate to the invalid, and transmit a counterpart to the person who may be appointed by the state to receive and record the same.

4. That each state be authorized to pay to non commissioned Officers and privates of the above Description who have been disabled in the Service the Sum of five Dls per month and to commissioned Officers a Yearly Pension equal to half of their Pay while in Service, or they shall be authorized to make such other allowance, not exceeding the Sum mentioned, to non commissioned Officers and privates as may be judged necessary by the States respectively to enable said Persons to obtain a Livelihood; said Payments to be deducted from the respective Quotas of the States for the Year on which they shall be made, provided that no Officer who has accepted his Commutation for half Pay shall be entered on the List of Invalids unless he shall have first returned his Commutation.]

4. [5.] That any state may form such invalids under the aforesaid description, as are citizens of the same, and are capable of garrison duty, into corps, to be employed in guarding military stores or prisoners, ~~securing~~ [aiding] the police, or otherwise, as the state may direct.

5. [6.] That when invalids shall be formed into corps, there be quarterly returns, comprehending age, wound, or other disability, regiment, ship, or corps to which he formerly belonged, made out and signed by their commanding officer, and transmitted as aforesaid, that their pay may be ordered according to said return.

6. [7.] That all invalids, as well those formed into corps, as those who are not, shall annually apply themselves to a magistrate of the

county in which they reside or may be stationed, and make the following oath viz. A. B. came before me, one of the justices for the county of _____ in the state of _____ and made oath, that he was examined by _____ appointed by the said state (or commonwealth) for that purpose, obtained a certificate, or had his certificate examined and countersigned, setting forth that he had served in _____ that he received a wound in _____ or was disabled by _____ and that he now lives in the _____ and in the county of _____

7. [8.] That the affidavit drawn according to the above form, and dated and attested by a magistrate, be sent by said magistrate, to the person or persons appointed by the state, to receive and record the same, and that a counterpart of said affidavit, be preserved by the invalid, to be exhibited to such persons as shall be appointed by the state to pay them.

8. That no officer who has accepted his commutation for half pay, shall be entered on the list of invalids, unless he shall first have returned his commutation.

9. That no private soldier or non-commissioned officer, shall in any case be allowed more than five dollars per month; nor shall any commissioned officer, be allowed more than half of his former whole pay, on account of the United States.

Resolved, That each state shall have credit in the payment of its annual quota to the United States, for such sum or sums as may be advanced to invalids, according to the foregoing regulations.¹

The Committee consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [David] Howell to whom was referred the Memorial of Captn. James Nicholson submit the following Resolves

That the Board of Treasury take Order for discharging certain
 Notes of Hand given by three of Captn. Nicholson's
 Officers for Board while they were Prisoners of War on
 long Island which are indorsed by Captn. Nicholson viz. The obligation of David Morrow, Surgeon, for 30 Dls. Do of Peter Mani-

¹ This report, in printed form, is in the *Papers of the Continental Congress*, No. 22, folio 249. It is another copy of the report of February 8 (folio 255) which the committee used as a basis for this report, making the additions which are indicated in the text above by brackets, and striking out the words there lined out. The manuscript additions are in the writing of Hugh Williamson. Thus changed the broadside was submitted as the committee's report, which was read, according to the indorsement, on this day and Monday next assigned for its consideration. See *post*, June 7.

fold, an Officer of Marines, for 21 Dhrs. with which sums the Accounts of these Officers respectively are to be charged.

That Captn. Nicholson have leave of absence to pursue his private
 Business till Congress shall have Occasion for his
 Postponed Services of which he may expect timely notice.¹

The Committee [consisting of Mr. David Howell, Mr. John Bull and Mr. William Henry] to whom was referred a memorial signed John Story and dated New York Feb^y 7, 1785, beg leave to submit the following report.

Your Committee find that on the 24th day of July, 1781, Congress Resolved that John Story be entitled to the same pay and rations for his services from the time of General Green's resignation as Quarter Master General, until the 21st day of April last, which he received, or was entitled to receive when acting immediately under the said Quarter Master General," And "that the said John Story immediately repair to Camp and there carefully transact and settle the business belonging to the late Q. M. General's department until the further order of Congress; and for this service he shall be allowed from the 21 day of April last, the pay and rations of a Captain in the line of the Army." Your Committee also find that on the 15th day of August, 1781, Congress Resolved that John Story be informed that Congress do, at his request, dispense with his further services. Whereupon your Committee are of opinion, that the claim of the Memorialist to pay after the last recited Resolution, is not well founded.

Your Committee are of opinion that it would be improper to give any further powers or instructions to the Commissioners of accounts on the subject of depreciation, but as doubts have arisen whether the Resolutions of June 3, 1784, extend to the commissioners appointed to settle the accounts of the great departments, your committee submit the following resolution.

Resolved, That the Commissioners appointed under the resolutions of Feb^y 27th 1782 in settling the accounts of their respective Departments be instructed to have recourse to the principles of the resolutions of June 3rd 1784, so far as they may apply.

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, IV, folio 523. According to the indorsement it was read April 27 and the first resolution passed May 2. See *ante*, April 15.

The Memorialists claim to pay, as Aid de Camp to the late Major Gen^l Lord Sterling, ought, in the opinion of your Committee to be referred to the Secretary at War to Report.

The Memorialists claim to pay for his attendance in Settling the public Account of the Quarter Masters Department ought in the opinion of your Committee to be referred to the Board of Treasury to Report.¹

Resolved, That the Secretary for foreign Affairs inform M^r De Marbois in answer to his note demanding the delivery of the chevalier Longchamp

That Congress have heard with extreme regret that an insult has been offered to one of the servants of his most christian Majesty, that the pain they feel on this occasion derives additional force from the respect and gratitude that his Majesty's repeated proofs of friendship and attention demand. That they lament the necessity which compels them to delay any determination on this important subject till they have maturely considered it in all those lights which their responsible situation and limited powers renders indispensable.

That he explain to M^r De Marbois the difficulties that may arise on this head from the nature of a federal union in which each State retains a distinct and absolute sovereignty in all matters not expressly delegated to Congress leaving to them only that of advising in many of those cases in which other governments decree.

That many allowances are to be made for a nation whose whole attention till the present period has been engaged in the pursuit of measures which were to determine their existence as such, even tho they should be found deficient in those wise provisions which experience has established among older Nations.

That under all these circumstances they hope from the magnanimity of his Majesty ~~that they may~~ not be urged to measures

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, V, folio 427. It was read this day and the resolve passed June 7. The memorial is in 41, V, folio 295, and is indorsed as referred to the Secretary at War to report, June 7, 1785; the Secretary's report was read in Congress March 25, 1788, and a report of the Board of Treasury on the matter was read February 1, 1788.

Also on this day, according to indorsement, was read the report of the committee of April 18 on George Fisher's memorial. It was adopted *verbatim* April 29 and is there spread on the Journal. The report, in the writing of William Hindman, is in No. 19, II, folio 287.

which may upon the fullest consideration may be found inconsistent with the nature and principles of this government. And that his majesty will do them the justice to believe that in the discussion of this subject they will not be less tender of his Majesty's honor than of their own, conceiving both to be equally concerned in affording him the most ample satisfaction.

That many circumstances attending the matter under consideration can only be obtained from the State of Pensilvania to who the United States in Congress will make the earliest application for more ample information than they are yeat possessed of. That in the mean time whatever may be the result of these enquiries and deliberations they will instantly persue such measures as by securing his Majestys ministers from insult will equally manifest their concern for any defects that may be found in their present constitution system of Laws on this head and their determination by amending them to avoid such painful discussions in future.

That in this view they have resoived instantly to apply to the respective States to pass laws that shall comprize these important objects.

Resolved That it be strongly recommended to the legislatures of the respective States to pass laws for the exemplary punishment of such persons as may in future offer by violence ~~to~~ or by insult attack the dignity of sovereign powers in the person of their ministers or servants.

Resolved that the Secretary for foreign Affairs report the form of a law for that purpose in order that a copy thereof be transmitted with the recommendation of Congress to the respective States.

Resolved that a copy of the above resolutions be presented to his most Christian Majesty by the Minister of the United States at the court of Versails as a proof of their ardent desire to afford him the earliest satisfaction that particularly must result from the reflection that as his arms ~~enabled~~ aided them to establish the government of law so his wisdom has given birth to those laws which will facilitate the intercourse of friendship between ~~these States~~ them and the nations with whom he has enabled them to rank.¹

¹ This report, in the writing of R. R. Livingston, is in the *Papers of the Continental Congress*, No. 81, I, folio 43. It is undated but belongs to the period between March 29 and April 28. See *ante*, February 17 and March 29.

THURSDAY, APRIL 28, 1785.

Congress assembled. Present as before.

The consideration of the Ordinance for ascertaining the mode of disposing of Lands in the Western territory, was again resumed, and the question yesterday postponed in right of the State of Virginia, was farther postponed by order of the house. When a motion¹ was made by the Delegates of Virginia, to amend the Ordinance by striking out the last clause thereof, namely; "Saving and confirming always, to all Officers and Soldiers entitled to lands on the northern side of the Ohio, by donation or bounty, from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled by the Laws of the said State, and the Acts of Congress accepting the cession of Western Territory from the said state." And in lieu thereof to insert the following: "Saving and confirming always, to all Officers and Soldiers entitled to Lands on the northwest side of the Ohio, by donation or bounty, from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled, under the deed of Cession, executed by the Delegates for the State of Virginia, on the first day of March, 1784, and the Act of Congress accepting the same. And to the end, that the said rights may be fully and effectually secured, according to the true intent and meaning of the said deed of cession and Act aforesaid, Be it ordained, that no part of the Land included between the rivers called little Miami and Sciota, on the northwest side of the river Ohio, shall be sold, ~~for the benefit of the states~~ or in any manner alienated, ~~disposed of~~ until there shall first have been laid off and appropriated for

¹ This motion, in the writing of Arthur Lee, is in the *Papers of the Continental Congress*, No. 36, III, folio 19. The words lined out so appear in the motion, but not in the Journal.

the said Officers and Soldiers, and persons claiming under them, the lands they are entitled to, agreeably to the said deed of cession, and Act of Congress accepting the same.

And on the question to agree to this amendment, the yeas and nays being required by the Delegates of Maryland,

<i>New Hampshire,</i>			<i>Maryland,</i>		
Mr. Foster,	ay	} ay	Mr. McHenry,	no	} no
Long,	ay		J. Henry,	no	
<i>Massachusetts,</i>			Hindman,	no	
Mr. Holten,	ay	} ay	<i>Virginia,</i>		
King,	ay		Mr. Monroe,	ay	} ay
<i>Rhode Island,</i>			Lee,	ay	
Mr. Ellery,	ay	} ay	Grayson,	ay	
Howell,	ay		<i>North Carolina,</i>		
<i>Connecticut,</i>			Mr. Williamson,	ay	} ay
Mr. Johnson,	ay	*	Sitgreaves,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. Lawrance,	ay	} ay	Mr. Pinckney,	ay	} *
Smith,	ay		<i>Georgia,</i>		
<i>Pennsylvania,</i>			Mr. Houstoun,	ay	} *
Mr. Gardner,	ay	} ay			
Wilson,	ay				

So it was resolved in the affirmative.

On this day, according to the indorsement, the letter from William Winder, Commissioner for settling the accounts of the State of Delaware, dated March 17, which had been referred to a committee March 23, was referred to the Board of Treasury which reported May 13. See *post*, May 23.

Also, according to Committee Book No. 190, the committee of January 24 on Canadian claims was, this day, discharged of the claim of Laurent Olivier and an indorsement on the Lee motion above notes that "they [the papers in the Canadian claims were] deliver'd to the persons upon application." See *ante*, March 9.

On this day also, according to the indorsement was read a letter from the Secretary for Foreign Affairs, dated April 27, enclosing a letter from George Washington dated April 5, to Charles Thomson respecting negroes carried away by the British from New York city in 1783 and enclosing also a letter from Thomson to Secretary Jay, dated April 22, relative to the same matter. Jay's letter is in the *Papers of the Continental Congress*, No. 80, I, folio 145. Washington's letter is entered in the Washington Letter Books, No. 6, p. 63.

APRIL 28: The following committees were appointed: Mr. [William Samuel] Johnson, Mr. [Rufus] King, Mr. J[ohn] Henry, Mr. [Charles] Pinckney, Mr. [John] Lawrence, Mr. [James] Monroe and Mr. [William] Grayson, on the letter

FRIDAY, APRIL 29, 1785.

Congress assembled. Present as yesterday.

On motion of Mr. [James] M^cHenry, seconded by Mr. [David] Howell,

Resolved, That the Secretary of Congress furnish the Delegates ~~delegates of the several states~~ representing each State with ~~three~~ six copies of the ~~monthly~~ Journals of Congress, commencing from the first Monday in November last, in the order in which they are published.

That the said delegates may be enabled to communicate to their constituents more generally the proceedings of Congress;

That the journals and proceedings of Congress of a public nature be published from time to time in one of the newspapers in the state in which Congress reside, and that the Secretary to Congress take order to have the same carried into effect.¹

On motion of Mr. [Hugh] Williamson, seconded by Mr. [David] Howell,

Resolved, That the President write to the Supreme Executive of the several States at present unrepresented in Congress urging them in the strongest terms to send forward their Delegates to Congress because the necessity of the attendance of their Delegates in Congress

from the Secretary for Foreign Affairs, of April 28, relative to the case of Longchamps and a letter from Marquis de Lafayette, of February 8, respecting the same. This was a renewal of the committee of March 29. Jay's letter is in the *Papers of the Continental Congress*, No. 80, I, folio 149, and is indorsed: "July 13 returned the enclosed to the Office for F. Affairs." Committee Book No. 190, however has a note by Thomson, "July 20 discharged and business referred to Secy for forⁿ Affairs to report." Also against the entry of Lafayette's letter is noted: "discharged of this."

Mr. [James] Wilson, Mr. [David] Howell and Mr. [William] Grayson, on memorial of Michael Hillegas, requesting to continue his office of Continental Treasurer in Philadelphia. This committee was discharged May 13.

Committee Book No. 190.

¹ This motion, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 36, II, folio 431. The words lined out so appear in the motion, but not in the Journal,

as Business of the utmost great importance to the United States now under consideration under the Articles of Confederation cannot be completed without a fuller representation of the States.¹

Whereas the requisition for the supplies of the present year, An Ordinance for disposing of Lands in the Western territory, and other business of great importance to the United States, is now under the consideration of Congress, and cannot be completed without a fuller representation of the States,

Resolved, That the President write to the Supreme Executives of the several States, at present unrepresented in Congress, urging the necessity of the attendance of their Delegates in Congress.²

On the question to agree to the foregoing resolution, the yeas and nays being required by Mr. [David] Howell,

<i>New Hampshire,</i>			<i>Delaware,</i>	
Mr. Foster,	ay	} ay	Mr. Vining,	ay x
Long,	ay		<i>Maryland,</i>	
<i>Massachusetts,</i>			Mr. McHenry,	ay
Mr. Holten,	ay	} ay	J. Henry,	ay
King,	ay		Hindman,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	no	} div.	Mr. Monroe,	ay
Howell,	ay		Lee,	ay
<i>Connecticut,</i>			Grayson,	ay
Mr. Johnson,	ay	x	<i>North Carolina,</i>	
<i>New York,</i>			Mr. Williamson,	ay
Mr. Lawrence,	ay	} ay	Sitgreaves,	ay
Smith,	ay		<i>South Carolina,</i>	
<i>Pennsylvania,</i>			Mr. Pinckney,	no x
Mr. Gardner,	ay	} ay	<i>Georgia,</i>	
W. Henry,	ay		Mr. Houston,	ay x
Wilson,	ay			

So it was resolved in the affirmative.

¹ This motion, copied out and revised by James Wilson, is in the *Papers of the Continental Congress*, No. 36, II, folio 427.

² This motion, in the writing of a clerk, is in the *Papers of the Continental Congress* No. 36, II, folio 425.

On a report of the Secretary for Foreign Affairs, to whom was referred a letter of the 10th of January last, from Mr. Adams.¹

Resolved, That the said Letter be referred to the Board of Treasury to report.

A letter, of the 30th March last, from George Read, Esq. was read, informing, that he accepts the appointment of one of the Judges of the federal Court, for hearing and determining the Controversy between the States of Massachusetts and New York.²

On the report of a Committee, consisting of Mr. [William] Hindman, Mr. [William] Houstoun and Mr. [Abiel] Foster, to whom was referred a memorial of George Fisher,

Ordered, That the same be referred to the Board of Treasury to report thereon.

[M^r King's motion, for burying bones]

Whereas the bones of numbers of those americans who died in captivity on board the British Prison Ship called Jersey, in the harbour of New York, remain ~~unburied and their bones are [at] times still~~ exposed on the shoar near which the said Prison Ship was stationed during the late war.

Resolved, That the Secretary at War take immediate order carefully to collect the remains of those virtuous citizens and cause the same to be buried together in the nearest public burial ground, or in such other place as he may judge proper.

Resolved, That it be and hereby is recommended to the Governor of the State of New York to ascertain from the best evidence in his power the number of American prisoners who perished in captivity on board the aforesaid British Prison Ship ~~together with the name of the master thereof and the names of the admirals or commodores who from time to time commanded the British navy in the harbour of New York~~ to the end that some plain monument [be erected] to

¹ See *ante*, April 1.

² This letter is in the *Papers of the Continental Congress*, No. 78, XIX, folio 483.

the Memory of these unfortunate men may relate their numbers and the greatness of their sufferings.¹

[Motion of Mr. John Vining April 29, 1784.]

That the Board of Treasury take order to have the monument of General Montgomery transported to New York agreeably to a resolution of Congress passed in June, 1784.²

The Board of Treasury to whom the Petition of Jeremiah Jackson, William Alexander, Robert Wilkin, Blackall William Ball, Edward Butler, and James Gilchrist, late Officers in the Pennsylvania Line was referred, Report,

That they find on a Conference with the Secretary at War that Colonels Thomas Craig and other Officers of that line who returned

¹ This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, II, folio 551. It is dated simply 1785, but probably belongs to this period. The words in brackets were inserted in the motion.

² This motion, in the writing of John Vining, is in the *Papers of the Continental Congress*, No. 36, II, folio 423. The indorsement states that it was offered this day and referred to the Board of Treasury to take order. The motion is also entered in Committee Book No. 190.

On this day, as the indorsement states, was read a letter of André Almeras, regarding his plan for improving naval cannon. It is in No. 78, I, folio 459.

Also, a letter of April 26 from James Read, resigning as Secretary and Paymaster of the Marine Department and praying an allowance for his services. It was referred to Mr. [William] Grayson, Mr. [Samuel] Holten and Mr. [William] Ellery. It is in No. 78, XIX, folio 493. Committee Book, No. 190, says the letter was filed.

On this day, according to Committee Book No. 190, the committee of April 5 on the memorial of the Contractors of the Main Army, was renewed as, Mr. [Hugh] Williamson, Mr. [Melancton] Smith, Mr. [William] Grayson, Mr. [James] Wilson and Mr. [David] Howell, who reported May 13.

Also, according to Committee Book No. 191, the report on the petition of Edward Waters was presented this day. It was read May 5 and acted on June 20.

Also, according to the indorsement, a letter of this date from the Secretary for Foreign Affairs was this day read. It enclosed a letter from John Adams, of December 15, 1784, regarding the national debts in France and Holland. Jay's letter is in the *Papers of the Continental Congress*, No. 80, I, folio 153; Adams's is in No. 84, V, folio 363.

Also, according to Committee Book No. 191, a report on Clark, Wolcott and Butler's letter of April 25 was this day reported and acted on June 15. See *ante*, April 26, and *post*, May 3.

from the Southern Army in March 1782 on account of a temporary Reform in the Pennsylvania line were paid respectively, the sum of Thirty dollars as an extra allowance to defray travelling expences; they therefore Submit to Congress, the following Resolution

That the Sum of Thirty dollars be allowed to Jeremiah Jackson, William Alexander, Robert Wilkin, Blackall William Ball, Edward Butler, and James Gilchrist, late Officers in the Pennsylvania line respectively to defray travelling charges from the Southern Army in March 1782.¹

MONDAY, MAY 2, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina and from the state of Connecticut, Mr. [William Samuel] Johnson, from Delaware, Mr. [John] Vining, and from Georgia, Mr. [William] Houstoun.

On the report of a Committee, consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery, and Mr. [David] Howell, to whom was referred a memorial of Captain James Nicholson,

Resolved, That the Board of Treasury take order for discharging certain notes of hand, given by three of Captain Nicholson's Officers for Board, while they were Prisoners of War on Long-Island, which are endorsed by Captain Nicholson, viz. the obligation of David Morrow, Surgeon, for thirty dollars; ditto of Joseph Smith, purser, for thirty dollars; ditto of Peter Manifold, an Officer of Marines, for Twenty-one dollars, with which sums the accounts of those Officers respectively are to be charged.²

Congress resolved itself into a committee of the whole house, to take into consideration the Ordinance for ascer-

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 36, I, folio 625. According to the indorsement it was presented April 28, 1785, read April 29 and passed August 9, 1786.

² According to indorsement the report of the committee of April 20 on the report of the Secretary for Foreign Affairs of April 18, was read this day. It was passed May 11.

taining the mode of disposing of Lands in the Western Territory; and the ballots being taken, Mr. [Samuel] Holten was elected Chairman of the Committee.

After some time spent in Committee, the President resumed his seat, and the Chairman reported, that the Committee had had the Ordinance under their consideration, and several amendments having been moved, but no question put, it was agreed to report the Ordinance without amendment to the house.

[Amendment by M^r [James] McHenry in the Entry of the 25th April 85.
Agreed to in Congress the subsequent monday.]

The following part of the ordinance being under debate, "provided that none of the lands within the said territory be sold under the price of one dollar the acre, to be paid in specie or loan office certificates reduced to specie value by the scale of depreciation or certificates of liquidated debts of the United States including interest besides the expence of the survey and other charges thereon, which are hereby rated at forty nine dollars the township, in specie or certificates as aforesaid and so in proportion for a fractional part thereof." It was moved by M^r [James] McHenry seconded by M^r [Melancton] Smith to amend the same by inserting the words "half" between the words "one" and "dollar," so that it read "one half dollar the acre."¹

¹ This motion, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 36, III, folio 47. The indorsement states that it was agreed to this day.

On this day, as the indorsement states, was read a memorial of Brockholst Livingston praying compensation for his services as private secretary to John Jay in Europe. It is dated April 25, 1785, and was referred to Mr. [David] Howell, ~~Mr. [Hugh] Williamson~~, Mr. [William Samuel] Johnson. Mr. [John] Lawrence was added May 30 in place of Williamson. It is in No. 41, V, folio 389.

Also, a letter of February 10 from D. Humphreys, praying the indulgence extended to foreign officers in payment of interest on public securities in his possession. It is in No. 78, XII, folio 375.

Also, a letter of April 29 from Captain James Nicholson, offering himself for appointment as marine agent. It is indorsed as having been read May 2 and ordered to be filed. It is in No. 78, XVII, folio 175.

On this day, according to the indorsement, was read a letter from the Secretary at War, dated April 29, on the need of pay for the troops at Fort McIntosh

The Committee consisting of M^r [William] Ellery, M^r [James] Monroe, M^r [Jacob] Read, M^r [Hugh] Williamson and M^r [Richard Dobbs] Spaight to whom applications from Canadian refugees have been referred, report the following Resolutions.

That the Comm^r for settling the account of the State of New York with the United States be authorized and directed to
 P. examine the Accounts of such Canadian refugees, as have furnished the late Armies of these States with any sort of supplies, and report thereon to Congress.

That the said Commissioner cause the foregoing Resolution to be published in Canada, and in such of the States in the
 P. Union as he may judge proper to the end that such Canadian refugees may be duly informed thereof.

That the papers of Canadian refugees who have applied to Congress for a settlement of their accounts be returned to them on their application, by the Secretary of Congress.

That rations be continued until the further order of Congress to such Canadian refugees (general and field Officers excepted) as are thereunto entitled by the resolution of Congress of the 9th of August 1783.¹

The committee [consisting of Mr. Rufus King, Mr. James Monroe and Mr. William Samuel Johnson] to whom was referred A Report

and West Point. It was referred to the Board of Treasury to report. It is in the *Papers of the Continental Congress*, No. 150, I, folio 1.

Also, according to Committee Book No. 190, the committee of April 11, on Connecticut's cession of western lands, was this day renewed as Mr. [Samuel] Holten, Mr. [William Samuel] Johnson, Mr. J[ohn] Henry, Mr. [William] Grayson and Mr. [David] Ramsay. This committee was again renewed January 18, 1786.

Also, the committee of March 14 reported this day on the memorial of Augustin Prevost Jr. See *post*, May 6.

On this day, according to Despatch Book, No. 185, a letter dated February 9, from John Adams, Benjamin Franklin and Thomas Jefferson was received. It is noted as containing the following enclosures—No. 1: Letter from the Ambassador of Portugal, 1784, Dec. 22. No. 2: Letter from Baron Thulemeier. No. 3: Letter from Adams, Franklin and Jefferson to Baron Thulemeier. No. 4: Letter from Mr. Walterstorf, 1785, February 1. No. 5: Answer to No. 4. Nos. 6 and 7 Answers to the Courts of Naples and Turin, and a private Ordinance establishing the privileges of Messina as a free port. See *post*, May 5.

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 22, folio 225. According to the indorsement it was read this day. See *post*, June 7.

from the Secretary of the U. S. for the department of foreign Affairs of the 18th Ap^l with its inclosures submit the following Report

That it is expedient to adopt the resolve reported by the Secretary of foreign Affairs, touching the consular appointment of the Sieur Ignatius Romain Chevalier D'avistay de Chateaufort.

Passed 11
May 1785

The committee further report, that on the 14th day of Sep^r 1781 it was resolved by Congress ¹—

TUESDAY, MAY 3, 1785.

Congress assembled. Present as yesterday.

A motion was made by Mr. [William Samuel] Johnson seconded by Mr. [David] Howell, as follows:

Whereas it appears that General Wooster at the time of his entering into the service of the United States, held the Commission of a Captain in the service of his Britannic Majesty, and was actually on the half pay of that nation; and that, although it does not appear that he made any express stipulation for an indemnification therefor, yet as such indemnification has been in fact made to other officers under similar circumstances in the service of the United States;

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 25, II, folio 427. The continuation of the report, from the above point, was incorporated verbatim in the Journal of May 11, *q. v.* Committee Book No. 191 notes the report as transferred.

MAY 2: The following committees were appointed:

Of the Week: Mr. [John] Lawrance, Mr. [William] Houstoun and Mr. [James] Wilson.

Qualifications: Mr. [David] Howell, Mr. [Rufus] King, Mr. [William Samuel] Johnson, Mr. [William] Grayson and Mr. [John] Henry. This committee was renewed August 8. See *ante*, March 14.

Mr. [William] Grayson, Mr. [James] McHenry and Mr. [David] Howell, on the memorial of William Barton, dated April 28 and praying compensation for extraordinary services, etc., in opposition to the British in Rhode Island, in May, 1778. The memorial is in the *Papers of the Continental Congress*, No. 41, I, folio 423. A report was rendered May 9 and read May 11.

Mr. [James] Monroe, Mr. [William] Ellery and Mr. [James] McHenry "Submitting some observations relative to the disproportion of pay between Infantry & Artillery &c." Discharged June 10; referred to the Secretary at War.

Committee Book No. 190.

Resolved, That the Board of Treasury take order for paying to the legal representative of the late General Wooster the sum of dollars in compensation for the sacrifice of the British half pay of a Captain to which he was entitled before he engaged in the American army.¹

It was moved by Mr. [William Samuel] Johnson, seconded by Mr. [David] Howell, to commit the above motion, and on the question for committing, the yeas and nays being required by Mr. [Hugh] Williamson,

<i>New Hampshire,</i>			<i>Delaware,</i>	
Mr. Foster,	ay	} ay	Mr. Vining,	ay
Long,	ay			
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} div.	Mr. McHenry,	no
King,	no		J. Henry,	ay
<i>Rhode Island,</i>			Hindman,	ay
Mr. Ellery,	ay	} ay	<i>Virginia,</i>	
Howell,	ay		Mr. Monroe,	ay
<i>Connecticut,</i>			Lee,	ay
Mr. Johnson,	ay	} x	Grayson,	ay
<i>New York,</i>				<i>North Carolina,</i>
Mr. Lawrence,	ay	} div.	Mr. Williamson,	no
Smith,	no		Sitgreaves,	no
<i>Pennsylvania,</i>			<i>South Carolina,</i>	
Mr. Gardner,	ay	} ay	Mr. Bull,	no
W. Henry,	ay			
Wilson,	ay			

So the question was lost.²

Congress resumed the consideration of the Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

¹ This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, II, folio 437.

² A marginal note directs that the record from the motion by Johnson to the end of the question, is "to be struck out" but the Journal is not crossed over as is usual in such instances.

A motion was made by Mr. [William] Grayson, seconded by Mr. [James] Monroe, to amend the fourth section in the Ordinance [respecting the extent of townships]¹ by striking out these words, "seven miles square;" and in their place to insert "six miles square."

And on the question to agree to this amendment, the yeas and nays being required by Mr. [David] Howell,

<i>New Hampshire,</i>			<i>Delaware,</i>		
Mr. Foster,	ay	} ay	Mr. Vining,	ay	*
Long,	ay		<i>Maryland,</i>		
<i>Massachusetts,</i>			Mr. McHenry,	ay	} ay
Mr. Holten,	ay	} ay	J. Henry	ay	
King,	ay		Hindman,	ay	
<i>Rhode Island,</i>			<i>Virginia,</i>		
Mr. Ellery,	ay	} div.	Mr. Monroe,	ay	} ay
Howell,	no		Lee,	ay	
<i>Connecticut,</i>			Grayson,	ay	
Mr. Johnson,	ay	*	<i>North Carolina,</i>		
<i>New York,</i>			Mr. Williamson,	ay	} ay
Mr. Lawrence	no	} no	Sitgreaves,	ay	
Smith,	no		<i>South Carolina,</i>		
<i>Pennsylvania,</i>			Mr. Pinckney,	ay	*
Mr. Gardner,	ay	} ay	<i>Georgia,</i>		
W. Henry,	ay		Mr. Houstoun,	ay	*
Wilson,	ay				

So the question was lost.

The surveyors shall proceed to divide the said territory into Districts of eight miles square by lines running due N. & S. and others crossing these at right angles unless where the boundaries of the late Indian purchase may render the same impracticable, and then departing from this rule no farther than such particular circumstances may require. They shall again divide the said districts into townships of four miles square and those townships into quarters of two miles square, all which subdivisions shall be in the same direction as the lines of the district.²

¹ The words within brackets have been inserted by Thomson.

² This motion, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 36, III, folio 17.

A motion was made by Mr. [William] Grayson, seconded by Mr. [James] Monroe, to amend the ~~twelfth~~ section in the Ordinance [respecting the sale of lands,]¹ by striking out these words, "or he may sell any Township by sections, provided he sells them in order of their number on the plat, and not otherwise, and that he does not offer a second Township for sale by sections, till the whole of the former is sold;" and insert, "he shall offer for sale every third Township so sent from the Treasury Board by sections of 640 acres, beginning with the lowest number in each range; provided that all the fractional parts of Townships shall be sold only by sections."

either in entire districts, or such other enumerated proportions being not less than a section of 640 acres, as shall best advance the public interest and suit the convenience of purchasers provided that where any district shall be offered at public vendue, in ~~fractional parts~~ quarters of townships or sections that the whole shall be sold before any other district shall be exposed to sale in the same manner.²

A motion was made by Mr. [James] Wilson, seconded by Mr. [John] Lawrance, to amend this amendment by striking out the word "third," and inserting "second," so that it read, "he shall offer for sale every second Township, &c."

And on the question to agree to the amendment of the amendment, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Connecticut,</i>	
Mr. Foster,	no	}	Mr. Johnson,	no
Long,	no			*
			<i>New York,</i>	
<i>Massachusetts,</i>			Mr. Lawrance,	ay
Mr. Holten,	no	}	Smith,	ay
King,	no			
			<i>Pennsylvania,</i>	
<i>Rhode Island,</i>			Mr. Gardner,	ay
Mr. Ellery,	no	}	W. Henry,	ay
Howell,	no			Wilson,

¹ The words in brackets were inserted by Thomson.

² This motion, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 36, III, folio 27.

<i>Delaware,</i>			<i>North Carolina,</i>	
Mr. Vining,	ay	*	Mr. Williamson,	ay
<i>Maryland,</i>			Sitgreaves,	ay
Mr. McHenry,	ay	} ay	<i>South Carolina,</i>	
J. Henry,	ay		Mr. Pinckney,	ay
Hindman,	ay		<i>Georgia,</i>	
<i>Virginia,</i>			Mr. Houstoun,	ay
Mr. Monroe,	ay	} ay		
Lee,	ay			
Grayson,	ay			

So the question was lost.

A division of the motion for amendment was then called for by Mr. [William] Ellery; and on the question to agree to the first part, namely, "he shall offer for sale every third Township so sent from the Treasury Board, by sections of 640 acres, beginning with the lowest number in each range," the yeas and nays being required by Mr. [John] Vining,

<i>New Hampshire,</i>			<i>Delaware,</i>	
Mr. Foster,	no	} no	Mr. Vining,	ay
Long,	no		<i>Maryland,</i>	
<i>Massachusetts,</i>			Mr. McHenry,	ay
Mr. Holten,	no	} no	J. Henry,	ay
King,	no		Hindman,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	} div.	Mr. Monroe,	no
Howell;	no		Lee,	ay
<i>Connecticut,</i>			Grayson,	no
Mr. Johnson,	no	*	<i>North Carolina,</i>	
<i>New York,</i>			Mr. Williamson,	ay
Mr. Lawrance,	ay	} ay	Sitgreaves,	no
Smith,	ay		<i>South Carolina,</i>	
<i>Pennsylvania,</i>			Mr. Pinckney,	no
Mr. Gardner,	ay	} ay	<i>Georgia,</i>	
W. Henry,	ay		Mr. Houstoun,	no
Wilson,	no			

So the question was lost.

The Committee [Mr. James Monroe, Mr. William Ellery and Mr. William Samuel Johnson] to whom was referred the letter of the Commissioners authorised to form Treaties with the Indian tribes, having conferred with the said Commissioners upon the subject of their letter, and the resolutions of 18th of March, directing a Treaty to be held at Post S^t Vincens on the — day of June next report:

That from the statement of the Commissioners, effectually to carry the said Treaty into execution, there will be necessary for the purchase of goods in addition to those on hand and the sum voted by the resolutions of the 18th March last 3,000 dollars, for the support of the Commissioners, and others Necessarily attending the Treaty 2,000 dollars, and for the pay of the Officers, Messengers, interpreters and Artificers 2,000 dollars; that a sum will still be wanting, to pay for the transportation of the goods to the post at which the Treaty will be held, but that the amount cannot be precisely ascertained and must therefore be left with the board of Treasury.

That it is also Necessary a power should exist to control all circumstances which might arise to prevent or disturb the treaty; that this power should be vested in the Commissioners, and extend to the confinement of persons and seizure of property during the Treaty, as circumstances may require.

When they consider the very important interests which the States have in the Western Country, and the duties which have already devolved on them respecting it; your Committee take the liberty to suggest to Congress the propriety of turning the attention of the Commissioners during their residence there, to the following objects: As a friendly commercial intercourse between the Citizens of the United States, and the several Tribes of Indians must always be advantageous to both parties, the Committee propose, that as the Commissioners from their being on the ground will possess the Necessary knowledge for the purpose, that they be empowered to make such temporary regulations respecting the said trade, as they shall think expedient, to be in force until repealed, and report the same to Congress.

By the Act of Cession from the State of Virginia it is stipulated, "That the French and Canadian Inhabitants and other settlers of the Kaskaskies, St. Vincents, and other Neighbouring villages who have professed themselves Citizens of Virginia, shall have their possessions and Titles confirmed to them, and be protected in the enjoyment of their rights and liberties". To carry this into effect, it is necessary

that the origin and extent of their rights be fully ascertained; and for this purpose the Committee propose that the Commissioners be instructed to obtain from them authentic documents thereof, and report the same to the board of Treasury. The State of Virginia having also relinquished her right of jurisdiction, and no government being as yet established over the said Inhabitants and settlers upon the principles of the resolutions of the 23^d of April 1784, they are of Course free from any express engagements or allegiance to the Union whatever. The Committee considering it as highly improper, that any body of Men should inhabit any part of the territory within the United States without acknowledging its authority; suggest that the Commissioners be instructed to administer to the said Inhabitants an Oath of allegiance or fidelity in the following form.

“I do solemnly swear (or affirm) that I will be true and faithful to the United States of America; that I renounce all allegiance and dependence upon any foreign Prince or Potentate whatever, and that I will as becomes a good Citizen, as far as in me lies, protect and defend the said United States from all attacks and invasions from other powers.”

That they advise and assist them in forming a temporary government upon the principles of said resolutions.

The Committee being informed from good authority that many people have crossed the Ohio, and settled upon the lands of the United States, are of Opinion that unless this is immediately discountenanced and measures taken effectually to prevent it in future, but little dependance may be put on those lands as a fund for the payment of the public debt, for this purpose they propose that the following proclamation be issued and published in the papers of every State, and that copies be furnished to the Commissioners for the purpose of publication in said Country—

“Whereas it hath been represented to the United States in Congress assembled, that several disorderly persons have crossed the river Ohio and settled upon their unappropriated lands;

And whereas it is their intention as soon as it shall be surveyed, to open Offices for the sale of a considerable part thereof, in such proportions and under such other regulations as may suit the convenience of all the Citizens of the said States, and others who may wish to become purchasers of the same, and as such conduct tends to defeat the object which they have in view, is in direct opposition to the Ordinances and resolutions of Congress, and highly disrespectful of

the federal authority, they have therefore thought fit, and do hereby issue this their proclamation, strictly forbidding all such unwarrantable intrusions, and enjoining all those who have settled thereon, to depart with their families and effects without loss of time, as they shall answer the same at their peril."

Whereupon resolved,

1. That the Commissioners instructed to hold a Treaty under the resolution of the 18th of March last with the western Tribes of Indians at post St Vincent, on the day of June next for the purpose of obtaining from them a Cession of lands, be and they are hereby authorized to avail themselves of the disposition of the Indians, and the funds committed to their charge to make such Cession as extensive and liberal as possible.

2. That the Board of Treasury take order for the purchase of goods in addition to those on hand at Fort McIntosh and those ordered to be purchased by the resolutions of the 18th of March last, for the purpose of carrying the said Treaty fully into effect, to an amount not exceeding 3000 dollars.

3. That they take order for the purchase of provisions and other stores for the support of the Commissioners, and other Necessarily attending the Treaty, to an amount not exceeding 2000 dollars.

4. That they take order, to answer upon the draft of the Commissioners of the Treaty, for the pay of the Officers, Messengers, Interpreters and Artificers, in a Sum not exceeding 2000 dollars.

5. That the board of Treasury take order for contracting upon the best terms they can, for the transportation of the Said goods to the place at which the Treaty may be held, or such other places as the Commissioners may think proper.

6. That the Commissioners be, and are hereby authorised to make rules and regulations for the management of the Treaty, and the government of all those who attend it, to licence or prohibit the sale of goods or liquors and to arrest the persons and seize the property of those who violate such regulations.

7. That they are hereby authorised to form rules and regulations for the government of the trade between the citizens of the U. S. and the Indians, which shall have effect until repealed, provided that no monopoly is created thereby, and report the same to Congress.

8. That they endeavour to obtain from the French and Canadian Inhabitants and other settlers of the Kaskaskies, St Vincents, and the

Neighbouring villages, a Statement of their rights to lands within the said Country, with the Origin and extent thereof, and report the same to the Board of Treasury. That they also administer to them the following oath of allegiance,

(Insert the Oath)

9. That they prohibit the settlement of all persons, not properly authorised for that purpose, upon the unappropriated lands of the United States, under the penalty of their displeasure, and that they cause to be circulated in the said Country the following proclamation

(Insert the proclamation)

That the instructions heretofore given to the Commissioners authorized to form treaties with the Indian tribes in the northern and middle departments, not hereby repealed, continue in full force, and that the secretary at war be and he is hereby directed to order the Troops in the Service of the U. S. to be in readiness to march at such time and to such place or places as the said Commissioners or any two of them shall direct.¹

¹ This report, in the writing of Henry Remsen, Jr., is in the *Papers of the Continental Congress*, No. 30, folio 263. According to indorsement it was read May 3 and Thursday, May 5, assigned for its consideration. On folio 279 is a broadside copy of this report, which was apparently printed between May 3 and May 5, on which Thomson has noted, in ink, the paragraphs passed and the changes made to bring it to the form in which it was passed on June 15. Paragraph No. 7 of this report is noted by Thomson as: "Referred to the committee on the ordinance for regulating the I. Trade." See *post*, June 15.

On this day, as the indorsement states, was read a petition of sundry persons residing on the western side of the Ohio, dated April 11 and praying to be allowed to retain possession of their lands. It is signed by over 175 persons and is in the *Papers of the Continental Congress*, No. 41, VII, folio 320.

Also a letter of May 2 from Robert Morris and Philemon Dickinson stating that John Brown, of Rhode Island, has not met them in New York and requesting instructions for carrying out the resolves of Congress of December 20 and the Ordinance of December 23, 1784, on selecting the permanent seat of Government and erecting public buildings thereon. The letter is in No. 137, appendix, 389.

Also a letter from Baron Steuben, dated May 3, praying immediate payment of the money voted him by the resolve of March 23. It was referred to Mr. [James] Monroe, Mr. [Hugh] Williamson and Mr. [David] Howell. Committee Book No. 190 states that Mr. [Rufus] King was substituted for Mr. Williamson

WEDNESDAY, MAY 4, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [William Samuel] Johnson, Mr. [David] Howell and Mr. [William] Grayson, to whom was referred a letter of the 14th March, 1785, from the widow of the late Brigadier General David Wooster,

Resolved, That it be earnestly recommended to the State of Connecticut, to settle with and pay the widow of the late Brigadier General D. Wooster, the seven years half-pay of a Brigadier General, agreeably to the resolution of February 28th, 1785; the amount whereof they are authorized to charge to the United States.¹

On a report of the Board of Treasury, to whom was referred a Letter from the Secretary at War of the 29th April last,

Report

That from an estimate of the War Office it appears that the amount of the monthly pay due to the Officers and men now in the actual service of the United States amounts to four thousand two hundred and sixty dollars and seventy five ninetieth parts of a dollar,

That since their enlistment they have only received one month's pay, agreeably to the Resolve of Congress of the 3^d June 1784, and that the said troops will be upwards of nine months in service before they can be relieved by the new levies;

From this state of facts the Board submit to the consideration of Congress the following resolves—

and that the committee reported June 13. Steuben's letter is in the *Papers of the Continental Congress*, No. 164, folio 270.

Also, according to Committee Book No. 190, a letter of March 14 from Mary Wooster praying for payment of seven years' half-pay due her deceased husband, Brig. Gen. David Wooster, was this day referred to Mr. [William Samuel] Johnson, Mr. [David] Howell and Mr. [William] Grayson, who reported May 4. Mrs. Wooster's letter is in No. 78, XXIV, folio 511.

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 597. The word lined out is so in the report but not in the Journal.

Resolved, (by nine States) That the Secretary at War issue his warrant for two months' pay for the Officers and Soldiers in the actual service of the United States.

That the arrearages due to the said Officers and Soldiers, shall be paid out of the monies appropriated by the resolve of Congress of the 28th April, 1784, for the Military Department.¹

Congress resumed the consideration of the Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

A motion was made by Mr. [James] M^cHenry, seconded by Mr. [James] Monroe, to strike out the following words in the ~~twelfth~~ section of the ordinance [respecting the sale of lands] viz. "or he may sell any Township by sections, provided he sells them in the order of their number on the plat, and not otherwise; and that he does not offer a second township for sale by sections till the whole of the former is sold," and in their place to insert, "In the following manner, viz., the alternate Townships or fractional parts of Townships in each range shall be sold entire, beginning to sell No. 1, in the first range entire, but No. 2, in the second range shall be sold entire, and thus onwards, No. 1, on the Ohio, in the alternate ranges, being sold entire. The other Townships and fractional parts of Townships shall be sold in sections of one mile square, ~~or the fractional parts of a section as the case may require~~ so that one half of the Territory may be sold in Townships or fractional parts, the other half in sections."²

A motion was made by Mr. [David] Howell, seconded by Mr. [William Samuel] Johnson, to postpone that motion, to

¹ The report, signed by Samuel Osgood and Walter Livingston, and dated May 3, is in the *Papers of the Continental Congress*, No. 139, folio 17. It is indorsed as having been read May 4 and passed.

² This motion, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 36, III, folio 11. The words lined out so appear in the motion but not in the Journal and the words within brackets were added by Thomson.

insert in lieu of the words moved to be stricken out, the following, "That all the fractional parts of Townships be sold by sections, to be taken indiscriminately; that the first and last sections not reserved in the numerical order of the sections of every ~~whole~~ integral Township, be exposed to sale by sections, and after they are sold, the next succeeding sections in the numerical order upwards and downwards ~~be exposed to sale~~. And that any seven sections ~~contiguous~~ in numerical order may be exposed to sale, and after sale thereof, any section ~~contiguous~~ adjoining ~~each of said number~~ either end of said seven sections may be exposed to sale, and others adjoining in numerical order upwards and downwards; provided that any purchaser may have a Township ~~sold~~ exposed to sale in preference to any sale thereof by sections, in case he will offer the stipulated sum of one dollar per acre." ¹

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. [David] Howell,

<i>New Hampshire,</i>			<i>New York,</i>	
Mr. Foster,	no	}	Mr. Lawrance,	no
Long,	no		Smith,	no
<i>Massachusetts,</i>			<i>Pennsylvania,</i>	
Mr. Holten,	no	}	Mr. Gardner,	no
King,	no		Wilson,	no
<i>Rhode Island,</i>			<i>Delaware,</i>	
Mr. Ellery,	ay	}	Mr. Vining,	no
Howell,	ay		<i>Maryland,</i>	
<i>Connecticut,</i>			Mr. McHenry	no
Mr. Johnson,	ay	}	J. Henry,	no
			Hindman,	no

¹ This motion, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 36, III, folio 13. The words lined out so appear in the motion, but not in the Journal.

<i>Virginia,</i>			<i>South Carolina,</i>	
Mr. Monroe	no	}	Mr. Bull,	no
Lee,	no		Pinckney,	no
Grayson,	no			
<i>North Carolina,</i>			<i>Georgia,</i>	
Mr. Williamson,	no	}	Mr. Houstoun,	no
Sitgreaves,	no			

So the question was lost.

A motion was then made by Mr. [Rufus] King, seconded by Mr. [Samuel] Holten, to postpone the motion of Mr. [James] McHenry, to take up the following: In lieu of the words moved to be struck out by Mr. [James] McHenry, to insert these, "or he may sell one-third of the Townships or fractional parts of Townships, by sections or fractional parts of sections, where the same may happen from the reasons aforesaid; beginning with the Township or fractional part of a Township in every range lying upon the river Ohio, and then taking the third Township in the same range, and so northwardly in arithmetical progression."¹

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [James] Monroe, to amend the motion of Mr. [Rufus] King, by striking out the word "third," in both places in the motion, and in lieu thereof inserting the word "half" and the word "second," so that it read, "or he may sell one half of the Townships or fractional parts of Townships by sections, or fractional parts of sections, where the same may happen from the reasons aforesaid; beginning with the Township or fractional part of a Township in every range lying upon the river Ohio, and then taking the second Township in the same range, and so northwardly in arithmetical progression."

And on the question to agree to this amendment, the yeas and nays being required by Mr. [Charles] Pinckney,

¹ This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, III, folio 15.

<i>New Hampshire,</i>				<i>Delaware,</i>			
Mr. Foster,	no	}	no	Mr. Vining,	ay	}	*
Long,	no			<i>Maryland,</i>	Mr. McHenry,		
<i>Massachusetts,</i>				J. Henry,	ay	}	ay
Mr. Holten,	no	}	no	Hindman,	ay		
King,	no			<i>Rhode Island,</i>		<i>Virginia,</i>	
Mr. Ellery,	no	}	no	Mr. Monroe,	ay	}	ay
Howell,	no			Lee,	ay		
<i>Connecticut,</i>				Grayson,	ay		
Mr. Johnson,	no	}	*	<i>North Carolina,</i>		}	div.
<i>New York,</i>				Mr. Williamson,	no		
Mr. Lawrance,	ay	}	ay	Sitgreaves,	ay		
Smith,	ay			<i>South Carolina,</i>		Mr. Bull,	ay
<i>Pennsylvania,</i>				Pinckney,	ay		
Mr. Gardner,	ay	}	ay				
Wilson,	ay						

So the question was lost.

On the question to agree to the motion of Mr. [Rufus] King, the yeas and nays being required by Mr. [Abiel] Foster,

<i>New Hampshire,</i>				<i>Maryland,</i>			
Mr. Foster,	ay	}	ay	Mr. McHenry,	no	}	no
Long,	ay			J. Henry,	no		
<i>Massachusetts,</i>				Hindman,	no		
Mr. Holten,	ay	}	ay	<i>Virginia,</i>		}	no
King,	ay			Mr. Monroe,	no		
<i>Rhode Island,</i>				Lee,	no		
Mr. Ellery,	no	}	no	Grayson,	no		
Howell,	no			<i>North Carolina,</i>		Mr. Williamson,	no
<i>Connecticut,</i>				Sitgreaves,	no		
Mr. Johnson,	no	}	*	<i>South Carolina,</i>		}	no
<i>New York,</i>				Mr. Bull,	no		
Mr. Lawrance,	no	}	div.	Pinckney,	no		
Smith,	ay			<i>Georgia,</i>		Mr. Houstoun,	no
<i>Pennsylvania,</i>							
Mr. Gardner,	no	}	no				
Wilson,	no			<i>Delaware,</i>		Mr. Vining,	no
<i>Delaware,</i>							
Mr. Vining,	no	}	*				

So the question was lost.

When the question was about to be put, on the motion of Mr. [James] McHenry, the same was postponed till tomorrow, in right of the state of New Hampshire.¹

THURSDAY, MAY 5, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Delaware, Mr. [John] Vining, and from Georgia, Mr. [William] Houstoun.

Congress resumed the consideration of the Ordinance under debate yesterday; and on the question to agree to the motion of Mr. [James] McHenry, which was yesterday postponed, in right of the State of New Hampshire, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Maryland,</i>	
Mr. Foster,	ay	}ay	Mr. McHenry,	ay
Long,	ay		J. Henry,	ay
<i>Massachusetts,</i>			Hindman,	ay
Mr. Holten,	ay	}ay	<i>Virginia,</i>	
King,	ay		Mr. Monroe,	ay
<i>Rhode Island,</i>			Lee,	ay
Mr. Ellery,	ay	}div.	Grayson,	ay
Howell,	no		<i>North Carolina,</i>	
<i>New York,</i>			Mr. Williamson,	ay
Mr. Lawrance,	ay	}ay	Sitgreaves,	ay
Smith,	ay		<i>South Carolina,</i>	
<i>Pennsylvania,</i>			Mr. Bull,	ay
Mr. Gardner,	ay	}ay	Pinckney,	ay
W. Henry,	ay		<i>Georgia,</i>	
Wilson,	ay		Mr. Houstoun,	ay
<i>Delaware,</i>				
Mr. Vining,	ay	*		

So it was resolved in the affirmative.

¹ On this day, as the indorsement states, was read a letter of April 22 from L. de Neufville respecting recovery of debts due John de Neufville & Son and asking for the return of the papers in the case. Thomson has endorsed the letter: "A verbal order by Congress to return the papers". May 9, 1785 L. de Neufville Son receipts for the papers. The letter is in No. 78, XVII, folio 171.

The Ordinance as amended was read a second time.

Ordered, That to-morrow be assigned for the third reading.¹

The Committee consisting of Mr. [Hugh] Williamson, Mr. [Samuel] Holten and Mr. [Gunning] Bedford to whom was referred the Memorial of Edward Fox Commissioner for settling the Hospital Accounts report.

That considerable Sums of money which were expended or supposed to be expended in the State of Pennsylvania in the Hospital Department remain to be accounted for, the Parties having ~~declined~~ delayed to deliver in their Accounts. That the Presence of the Commissioner will be required in ~~the State of So. Carolina~~ Cha^s Town in S Carolina and at Danbury in Connecticut, and may probably be required at Providence in the State of Rh. Island and other Places on which your Committee submit the following Resolve.

That the Commissioner for settling Accounts in the Hospital Department be instructed to continue his Office in Philadelphia for six months from the first of May at the Expiration of which Time he shall remove to Charleston in S: Carolina or to such other Place as Congress may direct.²

The Commee consisting of Mr. [William] Ellery, Mr. [Hugh] Williamson and Mr. [David] Howell to whom the Petition of Edward Waters was referred

Report, That the Petition of Edward Waters be referred to the Commr. for settling the accounts in the purchasing department. That the said Commr. inquire particularly into the circumstances thereof, and report specially thereon to Congress.³

¹ On this day, as the indorsement states, was read a letter of Joseph Pennell, Commissioner for settling marine accounts. It is dated April 30 and submits a return of certificates issued upon final settlements to date. It was referred to the Board of Treasury which reported June 13. Pennell's letter is in the *Papers of the Continental Congress*, No. 31, folio 105.

² This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, II, folio 323. According to indorsement it was read May 5 and "disagreed to May 13, 1785" Committee Book No. 191 notes the memorial as "dismissed 13 May."

³ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, VI, folio 485. According to the indorsement it was read this day and passed June 20.

On this day the report of the committee on the letter of April 25 from the Commissioners for treating with the Indians of the Northern and Middle Departments, was considered. The report as read May 3 was printed and the

FRIDAY, MAY 6, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, New York, Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; and from the State of Rhode Island, Mr. [William] Ellery, and from Georgia, Mr. [William] Houstoun.

The committee, consisting of Mr. [Rufus] King, Mr. [David] Howell and Mr. [James] Monroe, to whom was referred a memorial of Augustus Provost, praying a compensation for sundry tracts of Land granted by the Six Nations of Indians to the late Col. Croghan, and which are now said to fall within the bounds of Pennsylvania, submit the following report:

That in the year 1768, the Six Nations of Indians at a public Treaty, made a deed of Cession to the King of Great Britain, of an extensive Country lying north-eastward of the river Ohio; that at the same time, the same Indians made another deed to the said King, for the use of the late Col. Croghan, of three tracts of land, containing about 200,000 acres, with a covenant therein, that, in case the said lands should fall within the Charter limits of Pennsylvania, the same might be made up to Col. Croghan from the lands then Ceded to the said King; that in the deed of Cession to the Crown, the lands ceded were charged to compensate the aforesaid Col. Croghan upon the contingency aforesaid.

The memorialist now represents, that the lands Ceded for the use of Col. Croghan, in fact fall within the limits of Pennsylvania, and prays the United States to compensate

printed form used in the discussion. A copy of this broadside is in the *Papers of the Continental Congress*, No. 30, folio 279, and is annotated by Thomson and another, with the amendments; as amended the report was passed June 15.

Also, according to Committee Book No. 190, a letter from Adams, Franklin and Jefferson, dated February 9, 1785, was this day referred to the Secretary for Foreign Affairs for translations of the enclosures numbered 1, 2, 4, 6 and 7. A printed edict was among the enclosures. Jay's letter reporting the above translations is in No. 80, I, folio 157. See *ante*, May 2.

him as the lawful representative of the late Col. Croghan, for the loss of the same.

Upon this state of facts, the Committee observe, that granting that the deed of Cession of the Six Nations of Indians, charged the lands Ceded thereby to the Crown, to compensate the late Col. Croghan as aforesaid, and granting the event to have taken place upon which such compensation should be made; yet the Committee conceive the charge to be a real and not a personal one: and as particular States claim the whole of the Territory ceded as aforesaid to the Crown, the obligation to compensate the representative of the late Col. Croghan, if it exists, must lie upon the particular States thus claiming the lands charged, and not upon the United States;¹ Whereupon,

Resolved, That Congress agree to the said report.

Congress proceeded in the third reading of the Ordinance for ascertaining the mode of disposing of Lands in the Western Territory. A motion was made by Mr. [William] Grayson, seconded by Mr. [James] Monroe, to amend the Ordinance by striking out the following clause:

“The Surveyors shall proceed to divide the said Territory into Townships of six miles square, by lines running due north and south, and others crossing these at right angles, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require,” and in its stead insert, “The Surveyors shall proceed to divide the said Territory into Townships of six miles square, by lines running due north and south, and others crossing these at right angles, and the said Townships into right angled parallelograms, of the dimensions of two miles by six miles, in the direction of North and South.” And at the end of the clause [for subdividing townships,] to insert, “And the surveyors in running the external lines of the Townships and right angled parallelograms, shall mark corners at the distance of every half mile, for the lots and half

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, V, folio 215. Prevost's memorial is in No. 41, VIII, folio 205.

lots, always taking care that the corners for the Townships shall be designated in a different manner from those of the lots; and those of the lots in a different manner from those of the half lots," so that it read, "The plats of the townships respectively shall be marked by subdivisions into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36, always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where, from the causes before mentioned, only a part of a Township shall be surveyed, the lots protracted thereon, shall bear the same numbers as if the Townships had been entire; and these lots shall be subdivided into lots of 320 acres, and the Surveyors in running the external lines of the Townships, and right angled parallelograms, shall mark corners at the distance of every half mile for the lots and half lots, always taking care that the corners for the Townships shall be designated in a different manner from those of the lots; and those of the lots in a different manner from those of the half lots."¹

And on the question to agree to this amendment, the yeas and nays being required by Mr. [William] Grayson,

<i>New Hampshire,</i>			<i>Maryland,</i>		
Mr. Foster,	no	} no	Mr. McHenry,	no	} ay
Long,	no		J. Henry,	ay	
<i>Massachusetts,</i>			Hindman,	ay	
Mr. Holten,	no	} no	<i>Virginia,</i>		
King,	no		Mr. Monroe,	ay	} ay
<i>Rhode Island,</i>			Lee,	ay	
Mr. Ellery,	no	*	Grayson,	ay	
<i>New York,</i>			<i>North Carolina,</i>		
Mr. Lawrance,	no	} no	Mr. Williamson,	no	} no
Smith,	no		Sitgreaves,	no	
<i>Pennsylvania,</i>			<i>South Carolina,</i>		
Mr. Gardner,	no	} no	Mr. Pinckney,	ay	*
W. Henry,	no		<i>Georgia,</i>		
			Mr. Houstoun,	ay	*

So the question was lost.

¹ This motion, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 36, III, folio 45. The phrase is brackets in the Journal was added by Charles Thomson.

The Committee [Mr. Hugh Williamson, Mr. Jacob Read and Mr. John Francis Mercer] to whom was referred a Letter from the superintendant of Finance of the 13th of April [1784] inclosing sundry Papers respecting the Claims of Francis Cazeau submit the following Report

Whereas it is represented to Congress that Francis Cazeau in his Account with the U. S. charges them with three Batteaux loaded with goods to the amount of 5404 Dls though those very Batteaux were sent out by him towards the British army under a Pass from Gen^l Burgoyne and were captured while under such Pass by an American Party after resistance and the Loss of Blood. That he also charges the U. S. with 10633 Dls for wheat said to be purchased for the Use of the American Army; though under very suspicious Circumstances

Resolved, That the sundry Resolves of Congress of the 18th of March last respecting money to be advanced to Francis Cazeau and the Charges to be admitted in the settlement of his Accounts be repealed and that the further Considerations of the Claims of the said Cazeau be deferred till Congress shall have adopted some general plan for the settle^{mt} of Claims from Canada.¹

MONDAY, MAY 9, 1785.

Five states only attending; namely, New Hampshire, Massachusetts, New York, Maryland and Virginia; and from Rhode Island, Mr. Ellery; from Pennsylvania, Mr. W[illiam] Henry, and from North Carolina, Mr. [Hugh] Williamson; the president adjourned Congress to 10 o'clock to-morrow.³

TUESDAY, MAY 10, 1785.

Five states only attending; namely, New Hampshire, Massachusetts, New York, Maryland and Virginia; and from the state of Rhode Island, Mr. [William] Ellery; from Penn-

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, 19, I, 553. According to indorsement it was read this day. Robert Morris' letter is in No. 137, III, folio 507. See *post*, May 20.

² At this point Thomson resumes the entries in the Journal.

³ On this day, according to Committee Book No. 190, a report was rendered upon the memorial of William Barton. See *ante*, May 2, and *post*, May 11.

sylvania, Mr. [William] Henry; from North Carolina, Mr. [Hugh] Williamson, and from South Carolina, Mr. [Charles] Pinckney; the president adjourned Congress till ten o'Clock to-morrow.

WEDNESDAY, MAY 11, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, New York, Pennsylvania, Maryland, Virginia and South Carolina; and from the state of Rhode Island, Mr. [William] Ellery, and from Georgia, Mr. [William] Houstoun.

A petition of sundry merchants of the town of Boston was read, expressing their sentiments on the present situation of the Commerce of this Country, and requesting the immediate interposition of those powers for its relief, with which Congress may be now invested.

Ordered, That the said petition lie until Congress shall take into consideration the report of their Committee, on an application to the States to invest Congress with the power of regulating trade under certain provisoes.¹

On the report of the secretary for foreign Affairs, accompanied with a letter of the 9th April, from the Charge des Affaires of France, and a Commission from his most Christian Majesty, appointing the Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort, to be consul of France for the states of North Carolina, South Carolina and Georgia, to reside ordinarily at Charleston,

Resolved, That the said Commission be registered in the Secretary's Office, and that thereupon an Act of recognition, in due form, be immediately issued to the states in question, in order that they may furnish the said Consul with their Exequatur or Notification of his quality, that the same may be made known and published.²

¹ This petition is in the *Papers of the Continental Congress*, No. 42, I, folio 346-350.

² These two paragraphs were also entered in the manuscript Secret Journal, Foreign Affairs, No. 5.

The committee, consisting of Mr. [Rufus] King, Mr. [James] Monroe and Mr. [William Samuel] Johnson, to whom was referred a report of the Secretary for foreign Affairs, on the following paragraph in the letter of the 9th from the Charge des Affaires of France.

“As I must return without delay to New York, and as the business of the Consulate must not be interrupted, my brother will do the duties here during my absence, in the same manner as those of the consul of Charleston have been done to this time by the vice Consul of Georgia; I must therefore beg, Sir, that you will procure me a resolution of Congress to that effect, and a requisition to the states of Pennsylvania and Delaware, for his exequatur and notification of the character of Pierre Francois Barbe de Marbois, jun. as vice Consul for the states of Pennsylvania and Delaware;” report,

That on the 14 day of September, 1781, it was resolved by Congress, “That until the ratification of some Convention between his most Christian Majesty and the United States, concerning vice consular power, every vice consul of his most Christian Majesty, shall, upon the application of the Consul appointing him to the supreme executive power of the state to which he may be sent, receive the exequatur in the like form with the exequatur delivered to a consul, *mutatis mutandis*; and thereupon the same proceedings shall be had with respect to publication.” And although subsequent to this resolution, on the 11 February, 1784, five brevets for vice Consuls of France were presented to Congress, and registered in the Office of their Secretary, and acts of recognition thereupon issued to the states concerned, in order that they might be respectively furnished with their exequatur or notification of their quality, it appears that they were appointed immediately by his Most Christian Majesty, and therefore not within the provision of the resolve of the 14th September, 1781; and as the United States have not ratified any convention between them and his Most Christian Majesty, concerning vice consular power, and the resolve of the 14 September, 1781, aforesaid, establishes a mode for the recognition and notification of vice consuls of France, appointed by any consul of that Nation, which mode is to be observed until such convention may be ratified; the Committee are of opinion, that it would be inexpedient to vary from the mode therein established, until the ratification of such consular Convention.

Resolved, That Congress agree to the said report.¹

On motion of Mr. [Charles] Pinckney, seconded by Mr. [Rufus] King,

Whereas it appears, that George Augustus Christian Etholm, of Sleiswig Holstein, has served as a lieutenant in Count Pulaski's legion, from 1778, until the reduction of that corps; and as a captain in the service of the state of South Carolina, from 1781, to the end of the war, and that he has produced ample testimonials of his bravery, integrity, abilities and industry in the service of the United States,

Resolved, That Congress entertain a due sense of the merits of the said George Augustus Christian Etholm, and that the Secretary at War be instructed to give him a certificate fully expressive of his capacity and services.²

The Comm^{ee} consisting of [Mr. William Grayson, Mr. James McHenry and Mr. David Howell] to whom was referr'd the memorial of William Barton in the Continental Army, report that it appears to them, the said Barton some time in May 1778, while commanding a party of Militia in the State of Rhode Island received a wound, which hath hitherto been incurable and from which there is not at present any prospect of relief.

That the said Barton hath rendered essential services to the United States in other instances and particularly in the capture of Genl. Prescott whereupon

Resolv'd, That the Board of Treasury take order for the paymt. of fifteen hundred dollars to the said Wm. Barton in consideration of his services to the U. S. and the wound he hath received in an action during the late war.³

A letter, of 19 April, from Daniel Carroll, esquire was read, expressing his grateful sense of the Confidence Con-

¹ This report, and the resolution thereon, were also entered in the manuscript Secret Journal, Foreign Affairs, No. 5. The original report is in No. 25, II, folio 427. According to indorsement it was read in Congress on May 2.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 19, II, folio 213.

³ This report in the writing of William Grayson is in the *Papers of the Continental Congress*, No. 19, I, folio 245. It was read this day, entered May 13 and finally passed September 7. See *ante*, May 2.

gress have been pleased to repose in him, by appointing him one of the commissioners for negotiating a peace with the Southern Indians, and informing, that he finds it necessary, on account of his health, to decline entering on the execution of the commission. Whereupon,

Resolved, That to-morrow be assigned for electing another commissioner in the room of Mr. D. Carroll, who has declined.¹

[Motion of Mr. Rufus King.]

Resolved, That the officers and privates raised or to be raised under the resolutions of the day of & to day of be and hereby are strickly forbidden and prohibited from engaging or being concerned in any trade or commerce directly or indirectly during their continuance in service.²

The Committee consisting of M^r [Hugh] Williamson, M^r [Rufus] King M^r [David] Howell, M^r [William Samuel] Johnson, and M^r [Samuel] Holten to whom was referred the Memorial of Moses Hazen Esq^r praying That he may be allowed the Pay and Commutation of a Brigadier Gen^l in the Line of the Army, that he may be indemnified for the half Pay of a British Lieut^t which he relinquished, and that the Principal and Interest of certain sums which he alledges are due him, may be paid, submit the following report.

That when M^r Hazen entered into the service though he was promised indemnification for any loss of half Pay he might sustain, he was not promised any half Pay as an American Officer. That he has since been allowed the half Pay of a Colonel in the Line, which is much above the Indemnification promised viz. the half Pay of a Lieutenant, wherefore he can have no Farther claims to half Pay or indemnification for the same.

¹ Carroll's letter is in the *Papers of the Continental Congress*, No. 55, folio 149.

² This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, II, folio 433. The indorsement states that it was referred on this day to the Secretary at War to report. He reported May 17 and the report was read in Congress, May 18.

On this day, according to Committee Book No. 190, a motion was made "respectg. Comy. of Military Stores"; it was referred to Mr. [Rufus] King, Mr. [William] Grayson and Mr. [William] Hindman, who were, this day appointed to "enquire into the nature of the appointments of the several officers in the late Comy. & quartermaster's departments & report thereon." The report was rendered July 20. See *post*, May 17.

With respect to the Pay of a Brigadier Gen^l in the Line of the Army and half Pay or Commutation of a Brigadier claimed by M^r Hazen, Your Committee observe, that he was only a Colonel in the Line and a Brigadier by Brevet, and there is no Act of Congress under which an Officer can claim Pay from a Brevet Commission. On the contrary they find an explicit Resolve of 10th Sept^r 1783 that Brevet Commissions, do not entitle to pay or emoluments unless the same be expressed in the Resolution granting such commission; and they find that on the 6th of April, Congress having considered this claim did not allow it. It may be true as M^r Hazen alleges that he ought to [have] been made a Major Gen^l in the Line; but as Congress did not promote him to the Rank of a Brigadier in the Line your Committee have some doubts whether it would be proper at this Hour to consider what promotions ought to have been made during the war and what additional Pay ought to be considered as due in consequence. However that the Subject may be farther considered, your Committee submit. That the Claims of Moses Hazen Esq^r to Pay and half Pay above that of a Colonel in the Line be referred to the Sect^r at War to report.

As the demand made by M^r Hazen of immediate Payment of considerable Sums of money are necessarily connected with the State of his public Accounts, the Committee Submits.

That the Claims of Moses Hazen Esq^r to the immediate payment of Money be referred to the Board of Treasury to report.¹

The Committee consisting of [Mr. Hugh Williamson, Mr. W. C. Houston and Mr. Pierse Long] to whom was referred a Memorial that was presented to Congress by James McMachen in behalf of James Rumsay beg leave to report

That the Memorialist alleges that he has made a Discovery in mechanicks which will be of great Use in the Navigation of ~~fresh~~ water long Rivers. He proposes to construct a Boat of the Burthen of Ten Tons which by the influence of certain mechanical Powers shall be propelled from 50 to 80 Miles a day against the Current of the Ohio or Mississippi to be wrought at no greater Expence than that of three Hands, all which if he shall execute he prays that he may obtain a Premium in Lands on the West of the River Ohio. On which your Committee submit the following Resolve

¹ The report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, III, folio 109. According to the indorsement it was read this day and acted on June 7.

That 30,000 A^s of Land in the new Purchase to the West of the Ohio be given to James Rumsay provided he shall before the first day of May next produce good and sufficient Evidence that by means of certain Mechanism of his Invention wrought or aided by three men only, a Boat carrying ten Tons has been moved ~~conveyed~~ for six days in succession against the Stream of the R. Ohio at the rate of ~~from 50 miles to 80 miles~~ pr day. Which Land he shall receive by a draught to be made out of the first Surveys that shall be ~~returned~~ transmitted to the Treasury after the necessary Proof shall have been made.¹

¹This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 19, V, folio 271. According to the indorsement it was read May 11 and entered May 13. Committee Book No. 191 notes that it was filed on this last date. Rumsey's memorial is dated December 8, 1784, and was read on that day and referred to the above committee. It is in No. 42, VI, folio 498.

On this day a memorial from William Duer was read. It was presented by Duer in behalf of Turnbull, Marmie & Co., who claimed proprietary rights to Fort Pitt. It was referred to the Secretary at War to report. He reported May 12. The memorial is in No. 78, VIII, folio 131. Turnbull, Marmie & Co. petitioned Congress again December 27, 1785 (No. 42, VII, folio 471) and the business was carried over into 1786. See *post*, March 20, 1786.

Also on this day the memorial of Christopher Ludwick, praying for compensation for his services and sufferings, dated March, 1785, was read and referred to Mr. [John] Lawrence, Mr. [William] Ellery and Mr. [William] Henry, who reported May 19. Ludwick's memorial indorsed by Arthur St. Clair, William Irvine, Anthony Wayne, Timothy Pickering and Thomas Mifflin is in No. 41, V, folio 411.

Also, according to Committee Book No. 190, was read the petition of Jacob Garrigues, a former employee in the Quartermaster General Department, for compensation for depreciation notwithstanding the settlement of his account, and referred to the Commissioner for settling accounts of the Quartermaster Department for report. See *post*, May 17.

Also, according to Committee Book No. 190, a letter of May 10 from the Secretary at War on establishing arsenals and magazines was referred back to that Secretary to report, which he did on May 13.

Also, according to the indorsement, was read a letter from the Secretary for Foreign Affairs, dated May 10, relating to Solomon Simpson's proposals for a mint. Jay's letter is in No. 80, I, folio 161.

Also, a letter of May 10 from Secretary Jay enclosing a letter from C. W. F. Dumas touching the Emperor of Germany and Bavaria. It is in No. 80, I, folio 165, and is indorsed "Origl. ret'd. Off. F. Aff. Nov. 15, 1785".

Also, a letter of May 11 from Secretary Jay, transmitting a letter from Godfrey Braumiller, regarding trade with Prussia and asking to be appointed an Agent

THURSDAY, MAY 12, 1785.

Six states only attending, viz. New Hampshire, Massachusetts, New York, Maryland, Virginia and South Carolina; and from Rhode Island, Mr. [William] Ellery; from Pennsylvania, Mr. W[illiam] Henry; from North Carolina, Mr. [Hugh] Williamson, and from Georgia, Mr. [William] Houstoun; the president adjourned Congress till 10 o'clock to Morrow.¹

FRIDAY, MAY 13, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, New York, Pennsylvania, Maryland, Virginia, and South Carolina; and from the state of Rhode Island, Mr. [William] Ellery; from New Jersey, Mr. [John] Beatty; from North Carolina, Mr. [Hugh] Williamson, and from Georgia, Mr. [William] Houstoun.

Mr. David Ramsay, a delegate for the state of South Carolina, attended, and produced credentials under the great seal of the state: by which it appears, that on the 21st February, 1785, he was appointed a delegate to represent that state until the first Monday in November next, and until relieved by the legislature.

A letter, of the 26 March, from J. Rutledge, esquire was read, declining the office of a Judge of the federal court, for

of the United States. It is in No. 80, I, folio 169, and is indorsed "Braumiller letter transmitted to Off For Aff June 19 1788."

Also, according to the indorsement, was read a letter of Maurice Desdevans, dated May 9, requesting payment of his certificate and his expenses while waiting on Congress. It is in No. 35, I, folio 233. See *post*, May 18.

Also, according to Committee Book No. 190, General [Lachlan] McIntosh was this day nominated for Commissioner for treating with the Southern Indians, by Mr. [Charles] Pinckney.

¹On this day was read, according to the indorsement, the report of the Secretary at War on the memorial of William Duer relative to Fort Pitt. It is in No. 151, folio 5.

determining the differences between the states of Massachusetts and New York.¹

STATE OF SOUTH CAROLINA

By His Excellency WILLIAM MOULTRIE Esquire Governor,
and Commander in Chief, in and over the State aforesaid.

To the Honorable DAVID RAMSAY Esquire:

Know Ye that by Virtue of the Power and Authority in me Vested by the Honorable the Legislature of this State YOU are hereby Commissioned as a Delegate to represent this State in CONGRESS and you are to Continue in your Delegation until the first Monday in November next.

And to obviate the Inconveniencies which may arise from the State being at that Time unrepresented you are hereby Authorised to act in Congress as Delegate untill you shall be relieved by the Legislature of this State.

Given under my hand and the Great Seal of the State in the City of CHARLESTON this twenty first day of February in the year of Our Lord One thousand seven hundred and Eighty five and of the Sovereignty and Independence of the United States of America the Ninth.

By His Excellency's Command.

JOHN VANDERHORST,

Secretary.

WILL^M MOULTRIE

[With the Great Seal appendant]²

[Motion of M^r Charles Pinckney]

Whereas the Legislature of the State of South Carolina have directed their governor to apply to Congress by their Delegates for twelve peices of their heaviest cannon and ball suitable to them, stating that their situation was such that a vessel of small force could with impunity insult the port and lay the City of Charleston under contribution and that they are about to erect therefor works for the defence and security of their harbour, therefore, *Resolved,*

¹ This letter is in the *Papers of the Continental Congress*, No. 78, XIX, folio 479.

On this day, according to the indorsement, was read a report from the Secretary at War, Henry Knox, on William Duer's memorial. It was ordered filed September 9, 1785. This report is a duplicate, signed by Knox, of the report stated to have been read in Congress May 12, *ante*. It is in No. 151, folio 9.

² The original is in the *Papers of the Continental Congress*, South Carolina, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

that the Secretary at War be directed to furnish the said State with twelve peices of the heaviest cannon belonging to the U. S. and not now in use for which the said State is to be accountable with ball suitable and that he order them to be transported as soon as is convenient to Charleston at the expence of the said State.¹

The committee, consisting of Mr. Williamson, Mr. Holten and Mr. Bedford, to whom was referred a letter, of 14 April, from E. Fox, Com^r for settling the accounts of the hospital department, stating reasons against the removal of his Office to this place, agreeably to the Act of the 7th February last, having reported "that he be instructed to continue his Office in Philadelphia for six months from the first of May, at the expiration of which time he shall remove to Charleston in South Carolina, or to such other place as Congress may direct.

On the question, this was disagreed to.

On a motion of Mr. Williamson, seconded by Mr. King,

Ordered, That the committee to whom was referred a memorial of Michael Hillegas, continental treasurer, requesting to be permitted to continue his Office in Philadelphia, be discharged from proceeding in that business.²

The Committee consisting of _____ to whom was referred a letter from Joseph Pennell Commissioner for settling Marine Accounts, inclosing a letter from John Wreat late Continental Agent in the State of Georgia submit the following Resolve,

That the Board of Treasury take order for selling a quantity of Ship Timber which is in the State of Georgia belonging to the United States.³

¹ This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, II, folio 439. The indorsement states that it was referred on this day to Mr. [William] Grayson, Mr. [Rufus] King and Mr. [Charles] Pinckney. A report was rendered May 23 (No. 20, II, folio 419), read that same day and passed May 26.

² Committee Book No. 190 notes that the committee (of April 28) on this Hillegas memorial was discharged.

³ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 20, II, folio 447. The committee, left blank above, was the same as that mentioned in the indorsement which states that the report was read this day and referred to Mr. [Samuel] Hardy, Mr. [Samuel] Holten, Mr. [William Samuel] Johnson, Mr. [Hugh] Williamson and Mr. [Jacob] Read. See *ante*, January 20, also *post*, June 13.

The Committee consisting [of Mr. Samuel Hardy, Mr. Samuel Holten, Mr. William Samuel Johnson, Mr. Hugh Williamson and Mr. Jacob Read] to whom was referred a letter from Joseph Pennell Commissioner for settling Marine Accounts respecting the Commissions to be allowed to the late agent in that Department submit the following Resolve.

That the Letter from Joseph Pennell of the 15th Jany. with its enclosures be referred to the Board of Treasury to report.¹

[Report of Grand Committee viz. M^r [David] Howell, M^r [Abiel] Foster, M^r [Rufus] King, M^r [Joseph Platt] Cook, M^r [Melancton] Smith, M^r [John] Beatty, M^r [Joseph] Gardiner, M^r [John] Vining, M^r [William] Hindman, M^r [James] Monroe, M^r [Hugh] Williamson, M^r [Charles] Pinckney and M^r [William] Houstoun]

PROPOSITIONS RESPECTING THE COINAGE OF GOLD, SILVER, AND COPPER.

1st The value of Silver compared with Gold. 2^d The Weight or Size of the several Pieces of money that are to be made. 3^d The Money Arithmetic, or the mode in which it is to be counted; and 4th, The Charges of Coinage are to be considered.

1. In France, 1 Grain of pure Gold is counted worth 15 Grains of Silver. In Spain 16 grains of Silver are exchanged for 1 of Gold, and in England 15 $\frac{1}{2}$ th. In both of the Kingdoms last mentioned, Gold is the prevailing Money; because Silver is undervalued. In France Silver prevails. Sundry advantages would arise to us from a system by which Silver might become the prevailing Money. This would operate as a Bounty to draw it from our Neighbours, by whom it is not sufficiently esteemed. Silver is not exported so easily as Gold, and it is a more useful Metal.

Certainly our Exchange should not be more than 15 Gr. of Silver for 1 of Gold. It has been alledged by the late Financier, that we should not give more than 14 $\frac{1}{2}$ perhaps 14 $\frac{3}{4}$ would be a better medium, considering the Quantity of Gold that may expected from Portugal.

2. The Weight, Size or Value of the several Pieces of money that shall be made, or rather the most convenient Value of the Money

¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 28, folio 219. The indorsement states that it was acted on this day. See *post*, June 13. Pennell's letter is in No. 31, folio 95.

Unit, is a Question not easily determined, considering that most of the Citizens of the U. S. are accustomed to count in Pounds, Shillings and Pence; and that those sums are of different Values in the different States: hence they convey no distinct Ideas. The money of the U. S. should be equally fitted to all. The late Financier has proposed to make Gold and Silver Pieces of particular Weight; and there is a very simple process, by which the imaginary money of the Several States may be translated into such Pieces, or vice versa. He proposes that the Money Unit be one Quarter of a Grain of pure Silver, That the smallest Coin be of Copper, which shall be worth 5 of those Units. The smallest Silver Coin to be worth 100 Units, another to be worth 500, another of 1000 and thus increasing Decimally.

The objections to this Plan are, that it introduces a Coin unlike in Value to any thing now in Use. It departs from the national mode of keeping Accounts, and tends to preserve inconvenient Prejudices. Whence it must prevent national Uniformity in Accounts: a thing greatly to be desired.

Another Plan has been offered, which proposes, [that the Money Unit be One Dollar; and the smallest coin is to be of Copper, of which 200 shall pass for one Dollar.] This Plan also proposes, [that the several Pieces shall increase in a Decimal Ratio] and that all Accounts be kept in Decimals, which is certainly by much the most short and simple mode.

In favour of this Plan it is urged, that a Dollar, the proposed Unit, has long been in general Use. Its Value is familiar. This accords with the national mode of keeping Accounts, and may in time produce the happy effect of Uniformity in counting money throughout the Union.

3. The Money Arithmetic, though an important Question, is one that can admit of little Dispute. All accomptants must prefer Decimals.

4. What is the best mode of defraying the Expence of Coinage? Different Nations have adopted different Systems. The British value their Silver when coined, no higher than Bullion. Hence it follows, that the expense of the Mint, increasing the civil List must be paid by a general Tax, and Tradesmen are disposed to work up the current Coin, by which the Tax is increased and continued. In some other Countries Silver or Gold when coined are valued above the Price of Bullion, whence Tradesmen are discouraged from melting or working up the current Coin, and the Mint is rather profitable

than burdensome. Certainly there are good and conclusive reasons, why we should value the national Coin above the Price of Bullion; but there is a certain Point beyond which we may not proceed, lest we encourage counterfeits, or private Imitations of our Coin. It has been proposed to make a difference of $2\frac{1}{2}$ p Ct. nearly as an allowance for the Coinage of Gold, and of 3.013 p Ct. for the Coinage of Silver. It is probable that 3 p. Ct. would more than defray the Expense of coining Silver, in which Case it would be a Temptation to private Imitation, and would operate against the free circulation of the money as being valued too high. It is to be remembered that Silver Coin ought to be encouraged and probably 2 p Ct. or $2\frac{1}{4}$ p Ct. would be a proper difference between Silver Coined and Bullion. The same difference to be made in the Price of Gold. If this does not fully pay the Expenses of the Mint, there will be a much larger Gain on the Coinage of Copper; and if there should remain a small Balance against the Mint, its Operation will not be unfavorable.

The Coinage of Copper is a Subject that claims our immediate Attention. From the small Value of the several Pieces of copper Coin, this medium of Exchange has been too much neglected. The more valuable Metals are daily giving Place to base British half Pence, and no means are used to prevent the Fraud. This Disease which is neglected in the Beginning, because it appears trifling, may finally prove very destructive to commerce. It is admitted that Copper may at this Instant be purchased in America at $\frac{1}{8}$ of a Dlr the Pound. British half Pence made at the Tower are 48 to the Pound. Those manufactured at Birmingham and ship'd in Thousands for our Use, are much lighter, and they are of base Metal. It can hardly be said that 72 of them are worth a Pound of Copper. Hence it will follow, that we give for British half Pence about six Times their Value. There are no Materials from which we can estimate the Weight of half Pence that have been imported from Britain since the late War. But we have heard of sundry Shipments being ordered, to the nominal amount of 1,000 Guineas, and we are told, that no Packet arrives from England, by which we are not accommodated with some hundred Weight of base Half Pence. It is a very moderate Computation which States our Loss on the last 12 months, at 30 Thousand Dollars by the Commerce of vile Coin. The whole Expence of a Mint would not have amounted to half of that Sum, and the whole Expence of domestic Coinage would remain in the Country.

The following forms of Money are submitted.

	Drs.
1 Piece of Gold of.....	5.
1 Piece of Silver of.....	1 containing 362 Grs. pure Silver. This is the Unit or Money of Account.
1 Do.....	1/2 or .5
1 Do.....	1/4 or .25
1 Do.....	1/10 or .1
1 Do.....	1/20 or .05
1 Piece of Copper of.....	1/100 or .01
1 Do.....	1/200 or .005

The Quantity of pure Silver being fixed that is to be in the Unit or Dlr, and the relation between Silver and Gold being fixed, all the other Weights must follow.

When it is considered, that the Spaniards have been reducing the Weight of their Dlrs. and that instead of 385.5, the Grains of pure Silver in the old Mexican Dollar, the new Dollars have not more than 365 Grains, it will hardly be thought that 362 Grains of pure Silver is too little for the federal Coin, which is to be current in all Payments for One Dollar. Some of the old Dlrs will admit of a second Coinage, but the new ones will not. If the Value of Gold compared to that of Silver, be fixed at 15 to one, and the Alloy in each be $\frac{1}{2}$ the Weight of the several Denominations will be readily determined.

The Price of Bullion is immediately determined by the percentage that is charged towards the Expences of the Mint.

If the U. S. shall determine to adhere to the Dollar as their Money of Account, and to simplify Accounts by the Use of Decimals, there is nothing to prevent the immediate commencement of a Coinage of Copper.

Let the copper Pieces, of which 100 are to pass for a Dlr, contain each 131 Grains of pure Copper, or 44 of them weigh 1 Pound. In this case our copper Coin, when compared with the Money of Account, will be 6 p Ct. better than that of Great Britain. There will remain a sufficient Profit on the Coinage.

Copper of the best Quality in Plates, may be purchased in Europe at $10\frac{1}{2}$ Stg. In cutting Blanks there will be a waste of 22 p Ct. Those Clippings are worth $7d\frac{1}{2}$ p lb. Hence the blanks will cost $11d\frac{1}{2}$ nearly; it may be stated at 1s. 9d. New York Money p Pound, exclusive of the Expence of cutting them, which is not great, as one Man can readily cut 100 Wt. in a day.

The Operation improperly called milling, by which the sharp edges are worn off from the Coppers, is not more expensive than cutting the Blanks.

In the Process of coining Copper, Eight Artists or Labourers may be required.

One Engraver, 1 Labourer for the blank Press. One Smith, 5 Labourers for the coining Press. By those people 100 Weight of Copper may readily be coined every Day, or the Value of 44 Dls. Deducting the necessary Expences, there may be saved 30 p Ct.

It is not of any importance by what Name our Copper Coin is distinguished, but it should have some Name. They are not to be Pence nor half Pence and though they might be of the same Value we should not have such Words in our Language as applicable to our own Money. The French have their Sous and the Dutch their Doits and Stivers; perhaps from the circumstance of our Coin being numbered by Decimals we might call some Piece of Money a Decad—let it be the largest Copper—

Device and Inscription for one Side¹



¹ This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 26, folios 537–542.

The printed copy of the report (a folio pamphlet of 12 pages) contains: 1st, the Propositions as written out by Williamson, with a ms. line drawn around the phrases enclosed in brackets and the words "agreed" noted against them. 2d, the letter from Robert Morris, dated January 15, 1782. 3d, a plan, or suggestion, of coinage, which, in the writing of Gouverneur Morris, is in the *Papers of the Continental Congress*, No. 26, folio 557. 4th, "Notes on the Establishment of a Money Mint, and of a coinage for the United States. By Mr. Jefferson." It is endorsed with the names of the Grand Committee: Mr. [David] Howell, Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [Joseph Platt] Cook, Mr. [Melancton] Smith, Mr. [John] Beatty, Mr. [Joseph] Gardner, Mr. [John] Vining, Mr. [William] Hindman, Mr. [James] Monroe, Mr. [Hugh] Williamson, Mr. [Charles] Pinckney and Mr. [William] Houstoun.

The ms. report is indorsed by Thomson: "Read May 13, 1785 Thursday next assigned for consideration To be printed with the plans of the late Superint.

BOARD OF TREASURY, *May 12th, 1785.*

The Board of Treasury to whom was referred the Memorial of John M^cKinly of the State of Delaware submit the following Resolve.

That the Commissioner for settling the accounts of Delaware with the United States be directed to adjust the accounts of John M^cKinly Esq. for monies expended for the United States and for monies lost, agreeably to the principles established in the 4th clause of a Resolve of Congress of the 3^d of June 1784.¹

[Motion referred May 13, 1785 to the Secy. of Congress to take order]

That the S[ecretary] cause the room in which his office is at present kept to be prepared for the session of C and that the portraits of the K[ing] and Q[ueen] of F[rance] be fixed in the said room.²

BOARD OF TREASURY, *May 12, 1785.*

The Board of Treasury, to whom the letter of William Winder of 17th March 1785 Commissioner of Accounts for the State of Delaware—was referred.

Report, That having maturely considered the embarrassments suggested in the said letter, they are of opinion; that they are effectually provided for in the Resolutions of Congress of the 20th February 1782 and 3^d June, 1784 For that in all cases whatever where the rule prescribed by Congress of the 26th August 1780, cannot with justice to individuals, or any decree of accuracy be applied.

The Commissioners are authorized to exercise a discretionary power in Liquidating accounts on such principles, as by the said Resolutions are prescribed—They are further of opinion that the applying any special Rule for particular cases (except in points of finance and of Mr. Jefferson.” and in another hand: “Mint established on principles reported by the board of treasury and passed—Aug^t 8, 1786. See Instructions to Delegates of Massachusetts—read Decr. 3d 1784.” See *post*, July 6, and *ante*, 1782, Feb. 21. The report of the committee there referred to is indorsed by Thomson: “1785, Jany. 25 Super int: letter 15 Jany 1782 on a Mint referred to Grand Com^{ee}” Jefferson’s Notes are in No. 26, folio 545. They were printed in *The Providence Gazette and Country Journal* for July 24, 1784, Vol. XXI, No. 1073, a copy of which is in No. 26, folio 559.

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 138, II, folio 97. According to the indorsement it was read this day and referred to Mr. J[ohn] Henry, Mr. [William] Ellery and Mr. [Charles] Pinckney, who reported May 19. McKinley’s memorial is in No. 42, V, folio 315. See *ante*, May 11.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, II, folio 435.

where the Resolves of Congress have clearly made no provision) will operate more injury than can be derived from an adherence to the general principles, adopted by Congress.¹

The Committee consisting of [M^r. Hugh Williamson, M^r. Melancton Smith, M^r. William Grayson, M^r. James Wilson and M^r. David Howell] to whom was referred the memorial of the late Contractors for the moving Army report.

That on the 6th of April, 1780, the memorialists entered into a Contract with the Superintendent of Finance for supplying the moving Army with Rations at a certain price on condition of having payment made them in solid coin at fixed periods.

That from the failure of the several States to pay sufficient sums into the treasury the Financier had it not in his power to make the stipulated payments; the Contractors in that situation were unable to continue to furnish the Army with provisions and the Financier made a new Contract with other persons on other terms before their contract had expired.

The Memorialists alledge that they have suffered considerable damages by the failure on the part of the Financier to make his payments according to agreement and by his depriving them of their contract after they have sustained it during the most expensive period and pray that the same may be considered and that they may be indemnified from the losses they have suffered.

On which your Committee submit

That D. Mercier, William Malcolm and Isaac Roosevelt Esqrs. having made oath that they will faithfully discharge this trust be authorized to inquire into the particulars and ~~finally~~ to determine what damages if any have been sustained by Tench Francis, Comfort Sands and others late Contractors for the moving army from the Financier having failed to make good the stipulated payments, or from the withdrawing the contract and ~~the Board of Treasury shall take order for paying the damages if any that shall appear to have been sustained~~ make report to Congress.²

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 138, II, folio 561. See *ante*, April 28.

² This report, in the writing of Hugh Williamson, is in the *Papers of the Continental Congress*, No. 21, folio 379. It was passed May 27. See *ante* April 5.

Also, according to the indorsement, a letter from the Secretary at War, dated May 10, was this day read, regarding the depreciation of pay of Colonel La Radiere and recommending a modification of the resolution of April 10, 1780, so that officers and soldiers who died, or were killed, in the service might be

MONDAY, MAY 16, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina; and from the state of

allowed depreciation of their pay. It is in the *Papers of the Continental Congress*, No. 150, I, folio 5.

Also on this day, according to the indorsement, was read the report of the Secretary for Foreign Affairs dated May 13, on a letter from Richard Soderstrom, of March 21. Jay's letter is in No. 81, I, folio 219. It recommends that all Consuls, both U. S. and foreign be held amenable to the laws of the nations in which they officiate and that no notice be taken of the irregular recognition of Soderstrom by the Governor of Massachusetts. "Thursday next assigned for consideration" of this report.

Also on this day, according to Committee Book No. 190, the petition of William Hoskins for a settlement of his account was referred to the Board of Treasury to report. The report was rendered November 30 and passed February 1, 1786. The petition dated May 12, 1785, is in No. 42, III, folio 479; Hoskins' account accompanies it and is on folio 484.

On this day also, according to Despatch Book No. 185, the petition of Toussaint Lopez, praying for payment of his certificates, was ordered "put on the same footing with his Countrymen in respect to what is due him." The petition, undated, is in No. 42, IV, folio 356. It is indorsed by Thomson: "May 18 Ordered to lie." See *post*, May 30.

MAY 13: The following committees were appointed: Mr. [Rufus] King, Mr. [John] Lawrance, Mr. [John] Henry, Mr. [William] Ellery and Mr. [James] Monroe on the petition of the legislature of South Carolina for a federal court to settle boundary differences between that State and Georgia. The petition is dated 1784, March 24, and is in the *Papers of the Continental Congress*, No. 72, folio 575. It is dated March 24, 1785. A later indorsement by Roger Alden notes: "See Journal Aug^t 9th 1787 & Acts of the State. Agreement filed." See *post*, May 17 and June 1, 1785.

Mr. [James] Monroe, Mr. [William] Henry and Mr. [Melancton] Smith on the memorial of Mordecai Hale praying financial aid on account of having been disabled in service. The memorial is in No. 41, IV, folio 285, is dated May 11, 1785 and bears a certificate of Governor George Clinton. It is indorsed by Roger Alden: "The certificates delivered to the Memorialist 10th Aug^t 1785."

Mr. [William] Ellery, Mr. [Samuel] Holton and Mr. [Melancton] Smith on the memorial of Mathew Dubois to be allowed for forage furnished the French Army. It is noted by Thomson: "Sept. 19 discharged papers to be returned to Mr. Dubois on his application."

Mr. [John] Lawrance, Mr. [William] Ellery and Mr. [Abiel] Foster on Rev. Henry Purcell's petition to be allowed pay as chaplain and as Judge Advocate. A report was rendered May 19. The petition is dated 1785, April 15, and is in No. 42, VI, folio 371, and indorsed "Acted on May 12, 1786."

Committee Book No. 190.

Rhode Island, Mr. [William] Ellery; from New York, Mr. [Melancton] Smith, and from Georgia, Mr. [William] Houstoun.

Congress proceeded to the election of a commissioner to negotiate a treaty of peace with the Southern Indians, in the room of Mr. D. Carroll, who has declined; and, the ballots being taken, Lachlin M'Intosh, Esq: was elected.¹

On the report of a Committee, consisting of Mr. [Rufus] King, Mr. [George] Partridge and Mr. [Archibald] Stewart, to whom was referred a petition of Johannah Young, widow of the late John Young, Commander of the sloop of war Saratoga, in the service of the United States, praying for a resolution to entitle her to obtain half pay,

Resolved, That it is inexpedient to comply with the prayer of the said petition.²

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [William] Ellery and Mr. [John] Sitgreaves, to whom was referred a petition of David Jones, praying to be allowed the pre-emption of a certain tract of land in the Western country,

Resolved, That the prayer of the petitioner cannot be granted.³

TUESDAY, MAY 17, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina; and from the state

¹ On this day, according to the indorsement, was read a petition of David Oliphant, dated April 26, 1785, praying for extra pay for officers of the Hospital Department who had been detained in Charleston, S. C., after its surrender by General Lincoln. It was referred to the Secretary at War to report. See May 19, *post*. It is in the *Papers of the Continental Congress*, No. 151, folio 51.

² See *ante*, March 22.

³ Jones's petition is in No. 42, IV, folio 74.

Also, according to Committee Book No. 190, Mr. [James] Monroe was added to the Committee of April 4, on John Sullivan's memorial.

Also on this day, according to Committee Book No. 190, the Secretary at War was requested "To devise a plan for the general regulation of the militia

of Rhode Island, Mr. [William] Ellery. and from Georgia, Mr. [William] Houstoun.

A letter, of this day, from the Secretary at War, was read, requesting permission to be absent after the 23d instant for a few weeks.¹

Resolved, That the request be granted.

The Committee of the week [Mr. David Ramsay, Mr. Samuel Dick and Mr. Joseph Platt Cook] report that the petition of M^r Walcutt of Boston praying for pay in the double capacity of Steward and Ward Master of the Continental Hospital be referred to the Committee to which was referred the petition of the Rev^d Henry Purcell praying for pay in the double capacity of Chaplain and Judge advocate in the late Continental Army.

of the U. S. in such manner as to render it most useful and least expensive to the respective States in order to ground thereon a recommendation relative to this subject to the several States." He reported March 20, 1786. See *ante*, February 21.

MAY 16: The following committees were appointed:

Of the Week: Mr. [David] Ramsay, Mr. [Samuel] Dick and Mr. [Joseph Platt] Cook.

Mr. [William] Grayson, Mr. [Pierse] Long and Mr. [William] Ellery on memorial of Udny Hay, dated May 16 and praying for benefits and emoluments allowed to a lieutenant-colonel. It is in No. 41, IV, folio 289, and report was rendered May 30.

Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. [David] Howell, Mr. [Rufus] King and Mr. [Samuel] Dick on an Ordinance for regulating the Indian trade. This was a renewal of the Committee of January 17.

Committee Book No. 190.

¹ This letter is in the *Papers of the Continental Congress*, No. 150, II, folio 13.

Also, on this day was read a letter from the Secretary at War dated May 17, announcing the appointment of Joseph Carleton as Secretary of the War Office and Robert Pemberton as Clerk. It is in the *Papers of the Continental Congress*, No. 150, II, folio 9. See *post*, May 19.

² This report, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 32, folios 597 and 599. It is undated but belongs to this period. See *post*, May 23, June 3 and September 28, 1785.

On this day, according to the indorsement, was read a letter from Stephen Sayre, dated May 16, 1785, requesting the settlement of his claim. It was referred, together with a report thereon from the Secretary for Foreign Affairs, to Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [John] Beatty. This committee was renewed June 30 and a report made July 12. Sayre's letter is in the *Papers of the Continental Congress*, No. 78, XXI, folio 379.

BOARD OF TREASURY, *May 14th 1785.*

SIR: We find from the Journals of Congress that the late Superintendent of Finance had the power of appointing an Assistant with a Salary of 1,850 dollars and a Secretary at 1,000 dollars pr. Annum.

Tho we are by the ordinance vested with all the powers enjoyed by our Predecessor in Office, we wish not to entail an expence which at present is become unnecessary, and shall confine our selves to the appointment of a Secretary.

The former salary annexed to that Officer is not in our opinion adequate to the trust reposed in him whilst we have no assistant, as his duty will not only be of a more important and confidential nature but more extensive in its objects.

We therefore submit to Congress the propriety of making the salary of the Secretary equal to that of the Commissioners of Accounts, as we cannot for a less sum engage the services of a character we wish to employ.

If this measure tended to increase the public expence, we should not propose it, unless it was counterbalanced by obvious advantages, but when a saving will still be made of 1,350 dollars a year, and the rewards of Congress in our opinion be more equally distributed, as the services of our Secretary will probably be greater than those of any Commissioner of Accounts we request the attention of Congress to the subject.

¹ This letter, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress* No. 140, II, folio 1. According to the indorsement it was read May 17 and referred to Mr. [Rufus] King, ~~Mr. [John] Henry~~ Mr. [Charles] Pinckney, Mr. [William Samuel] Johnson, ~~Mr. [David] Howell~~, Mr. [Nathaniel] Mitchell and Mr. [William] Hindman. March 16, 1786, is noted. Committee Book 190 gives the committee on May 17 as King, Henry, Pinckney, Johnson and Howell with a note that Joseph Nourse's letter of May 18, asking for increase in salary, was referred to this committee and that the committee was renewed July 20. A note also refers to April 11 when the last named committee was appointed on a motion for reductions in the civil list.

On this day also, according to the indorsement, was read the report of the Secretary at War, of May 17, on the motion of Mr. [Rufus] King of May 11. It is in No. 151, folio 13.

Also the form of a commission for Lachlin McIntosh as commissioner to treat with the Cherokee Indians was agreed upon. It is in No. 49, folio 283.

Also, according to Committee Book No. 190, the project on naval architecture and gunnery submitted by A. Almiras and Stephen Sayre was referred to the Secretary at War, who reported as to Sayre's scheme on May 19.

Also, according to indorsement, was read a petition from Jacob Fowler, dated May 16, praying an appointment to instruct the Indians of Rhode Island, Connecticut and Long Island. See *post*, May 19.

WEDNESDAY, MAY 18, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina; and from the state of Rhode Island, Mr. [William] Ellery, and from Georgia, Mr. [William] Houstoun.

On Notice that Mr. John Smith has declined,

Resolved, That Friday next be assigned for electing a Commissioner, in pursuance of the resolution of the 13th of April last, in the room of Mr. J. Smith, who has declined.

Congress proceeded in the third reading of the Ordinance for ascertaining the mode of disposing of Lands in the western territory, and some time being spent thereon,

Ordered, That the same be postponed till tomorrow.¹

On this day, according to indorsement, the report of the committee of May 13 on the petition of the Legislature of Georgia in boundary dispute with South Carolina was read. The report, in the handwriting of Rufus King, is in No. 20, II, folio 415. It was passed verbatim June 1 and is there entered in the Journal.

MAY 17: The following committees were appointed: Mr. [John] Lawrance, Mr. [Rufus] King and Mr. [William] Ellery on the report of a committee on J. Garrigues' petition and the memorial of Peter Anspach for depreciation, notwithstanding settlement of accounts. See *ante*, May 11.

Mr. [John] Beatty, Mr. [Pierce] Long and Mr. [William] Ellery on the letter of May 17 from John Adam asking an allowance for expenses. This committee was discharged May 19 and the letter referred to the Secretary at War. Adam's letter is in No. 138, I, folio 41.

Mr. [Rufus] King, Mr. [William] Grayson and Mr. [William] Hindman on the letter of May 17 from the Secretary at War with a return of names of officers in the Quartermaster and Commissary Departments. A report was rendered July 20. Knox's letter is in the *Papers of the Continental Congress*, No. 150, II, folio 29. See *ante*, May 11.

Mr. [Rufus] King, Mr. [John] Henry, Mr. [Charles] Pinckney, Mr. [William Samuel] Johnson and Mr. [David] Howell on letter of May 14 from the Board of Treasury for advancing salary of their secretary. To this committee also was referred, May 18, the memorial of Joseph Nourse praying an increase of salary. The committee was renewed July 20. See *ante*, May 11, where this committee was appointed to consider the reduction of the civil list.

Committee Book No. 190

¹ On this day, according to Committee Book No. 190, Mr. [Samuel] Dick was added to the committee of March 14, to prepare an ordinance for the better regulation of the Post Office

[Report of M^r James Monroe, M^r James M^cHenry and M^r Melancton Smith On Memorial Mordecai Hale]

The Committee to whom was referred the memorial of Mordecai Hale late Surgeons Mate in the Army of the U. S., having examined the said Memorial and the vouchers and papers accompanying it, submit the following report.

Resolved, That the said Mordecai Hale be and hereby is declared to be within the intent and meaning of the Act of Congress of the 26th of August, 1776, making provision for wounded and disabled Officers and Soldiers in the service of the U. S., and that it be recommended to the State of N. York to make provision for him accordingly, which shall be allowed in her account against the U. States.¹

The Committee of the week [Mr. David Ramsay, Mr. Samuel Dick and Mr. Joseph Platt Cook] report that the petition and other papers of Maurice Desdevans praying for the discharge of his demand against the United States and for other matters be referred to the Committee on the application of Canadians and that the Secretary return to Maurice Desdevans his certificate of final settlement inclosed in his petition.

The Committee of the week further report that the petition of Tousaint Lopez praying for the discharge of his demand on the United States be ordered to lie on the table.²

The Secretary of the United States for the Department of foreign Affairs, to whom was referred the Draft of a Treaty of Amity and Commerce, transmitted by the American Ministers Reports

¹ This report, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 22, folio 241. The indorsement shows that it was read May 18, 1785, and on June 3, postponed until the report on Invalids was determined. Committee Book No. 191 states that it was filed on June 19, being comprehended in the act of June 7 respecting Invalids.

The petition of Toussaint Lopez was ordered to lie. See *ante*, May 13, and *post*, May 30.

Also, a report from the Secretary of War, dated May 17, on the motion of Mr. King prohibiting officers and soldiers from trading with the Indians. It is in No. 151, folio 13.

² This report, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 32, folio 627. Desdevans' letter is in No. 35, folio 237, and Lopez's petition is in No. 42, IV, folio 356. See *ante*, May 11, and *post*, May 30. Committee Book No. 190 notes that Desdevans' letters of May 9 and 12 "and other papers from him" were referred, May 18, to Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Richard Dobbs] Spaight and Mr. [James] McHenry, who reported July 5.

That in his Opinion, a System for regulating the Trade of the United States, should be formed and adopted, before they enter into further Treaties of Commerce. It appearing to him more wise, that such Treaties should be accommodated to their System, than that their System should be accommodated to such Treaties.

That in forming this System many important Questions will arise, such as: Whether american Exports shall be wholly, or how far, confined to american Bottoms? Whether any, and what Distinction, shall be made in that Respect, between the Vessels of one foreign Nation, and another? Whether american Exports, to whatever Nation bound, shall be charged with any, or the same, or what different, Duties? Whether all foreign Merchandize, by whatever Nation imported, shall be charged with the same Imposts? Whether any and which Species or Denomination of foreign Productions or Manufacture, shall be prohibited? These and other Questions of the like Nature, will probably arise; and these Treaties will anticipate, if not embarrass, the Discussion and Decision of some of them.

As to the Draft of a Treaty referred to him, he thinks the Policy of some of the Articles in it questionable.

I. It appears to him inexpedient to make the Conduct of the Parties towards the most favored Nations, the Rule of the Conduct towards each other.

(1) Because as other Nations have regulated their Trade, and we not, their Systems cannot be deranged by it; but it may very much perplex the Formation of ours.

(2) Because the Interchange of Favors between us and a Nation *merely European*, will probably be regulated by Principles and Considerations distinct in a certain Degree from those, which should regulate such an Interchange between us and Nations *partly European* and *partly American*.

(3) Because it may give Occasion to Difficulties and Disputes not easy to be settled.

(4) Because the Inducement to those Favors may arise from Advantages not in the Power of the other to afford *in kind*; and the 26th Article does not provide for an *equivalent* Consideration, where it is not in the power of the Party to grant a *similar* one. Besides Considerations may be exactly similar in *kind*, and yet very different in *Value*, and the Article in Question does not seem to attend to that Circumstance.

(5) Because we may have Reasons for *freely* granting to one Nation, what we may have no Reason to grant to another.

(6) Because as our Trade is at Present free to all, we have few *avors* to grant to any; whereas their Trade being charged with various Duties and Restrictions, they need only relax to have Favors to grant.

He thinks it would be better therefore to let each Treaty stand alone, without Reference to, or Connection with any other.

II. Your Secretary doubts the Expediency of agreeing *absolutely* that any foreign Nation shall be at Liberty to bring and vend in the United States, *all or any* of their Productions and Manufactures *without Exception*.

See 4 Article

Because it may be necessary, either for the Purpose of checking the Progress of Luxury, or for the Purpose of promoting our own Manufactures, to *prohibit* the Importation of *certain* Merchandizes.

He thinks it a mistake that high Duties can answer the Purpose of a Prohibition; because if the obnoxious Articles are permitted to be entered at all, it will be impossible always to decide whether their Importation was *regular* or *clandestine*.

These Objections cannot have equal Force with other Nations in their Connections with us; because we have little or nothing to carry to them, which could either injure their Manufactures or increase their Luxury.

III. Your Secretary has Doubts respecting the 16th Article, which suspends laying Embargoes.

To an European Nation at War with an European Nation, Embargoes are of little consequence; because surrounding Nations can and will supply to each Party whatever they may want—but an European Nation at War with us, can by means of neutral Vessels obtain great Supplies from us, which under certain Circumstances and in particular Emergencies, they could not easily acquire elsewhere.

Your Secretary is of Opinion that the Duration of these Treaties should be very limited; because the encreasing Importance as well as the encreasing Experience of the United States, will almost from Year to Year encrease their Capacity of making such Connections and Compacts more and more correspondent to their Views and Wishes.

All of which is submitted to the Wisdom of Congress.¹

WAR OFFICE, *May 17th 1785.*

The Secretary of the United States for the department of War to whom was referred a Motion of the honorable Mr. [Rufus] King prohibiting officers and soldiers in the service of the United States from being engaged in any trade or commerce, Reports,

That in his opinion it is essential to the discipline and good government of the troops that are or may be in the service of the United States that neither officer or soldier should be concerned in any trade or commerce in the pursuit of which it would be possible to consume either the public means or the public time.

That it is important in the first instance to prevent a measure incompatible with the duty of an officer or soldier and which would involve consequences disgraceful to the national reputation of the Arms of the United States.

That in order effectually to prevent the plea of necessity from being urged in excuse of a practice pregnant with evil your Secretary is of opinion that it would not only well comport with the dignity but with the oeconomy necessary to be observed in the affairs of the United States to allow fifty per cent additional pay to the commanding Officer of such Forts and Garrisons upon the frontiers as in the opinion of Congress or the Secretary at War from their situation and circumstances subject the commanding officer to disproportionate expences And to prevent any abuse of this regulation the additional pay to be drawn every three months by special Warrants from the Secretary at War.

Upon these principles the following resolutions are submitted to Congress.

Resolved, That the commanding officers of such Forts and Garrisons upon the frontiers of the United States who in the opinion of Congress or the Secretary at War shall be subjected to expences dispro-

¹ This report, signed by John Jay and dated May 17, is indorsed as "Ent^d Read 18 May 1785." It is in the *Papers of the Continental Congress*, No. 81, I, folio 223. Committee Book No. 191 states that on this date it was transferred.

Also on this day, according to Committee Book No. 190, a committee consisting of Mr. [Rufus] King, Mr. [William Samuel] Johnson, Mr. [William] Grayson, Mr. [William] Ellery and Mr. [James] McHenry was appointed "To examine the Acts of the state of N. Carolina touching a cession of Western territory and report." They reported May 20.

portionate to their pay shall in consideration thereof be allowed fifty per cent additional pay according to their respective ranks, the additional pay to be drawn every three months by a special Warrant from the Secretary at War.

Resolved, That every officer and soldier in the service of the United States who shall be convicted before a Courtmartial of being concerned directly or indirectly in trade or commerce in any of the Forts or Garrisons or encampments to which he may be attached shall if an officer be discharged the service; if a soldier be punished at the discretion of a Courtmartial according to the Articles of War.¹

THURSDAY. MAY 19, 1785.

Congress assembled. Present, as yesterday.

~~A letter, of 18th, from the Secretary at War was read, stating that the troops at Albany under Captain Lane are not doing, and probably they will not be called upon to do, any important service; whereupon,~~

On motion of Mr. [Rufus] King, seconded by Mr. [Samuel] Holten,

Resolved, That the Secretary at War be authorized and directed to discharge such of the militia now in the service of the United States, as are under the command of Captain Lane, at Albany.²

Congress proceeded in the third reading of the Ordinance for ascertaining the mode of disposing of Lands in the western territory; and a motion was made by Mr. [James] Monroe, seconded by Mr. [William Samuel] Johnson, to strike out the following clause, "The township or fractional part of a township, N. 1, in the first range, shall be sold entire, and N. 2, in the same range by lots, and thus in alternate order through the whole of the first range; the township or frac-

¹ This report, signed by H. Knox, is in the *Papers of the Continental Congress*, No. 151, folio 13. It is endorsed by Thomson: "Ent^d Read 18 May 1785." According to Committee Book No. 191, it was transferred.

² This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 36, II, folio 443.

tional part of a township N. 1, in the second range shall be sold by lots, and N. 2, in the same range entire, and so in alternate order through the whole of the second range, and the third range shall be sold in the same manner as the first, and the fourth in the same manner as the second, and thus alternately throughout all the ranges," and in lieu thereof to insert, "The Commissioner of the loan Office in each state, shall offer for sale all the land transmitted to him, either in townships, fractional parts of townships, or in such smaller quantities as he shall find expedient; provided that he shall sell no smaller tract than one containing seven lots, except in cases wherein the fractional parts of townships shall not contain that amount."

[Motion of Mr. Hugh Williamson]

13. If any Township or Part of a Township remains unsold for months after the Day fixed on for public Sale the same shall be disposed of in the following manner. The Commissioner of Loans after advertising such Township or Parts of Townships for a time not longer than months nor less than months shall proceed to sell them by Sections to the highest bidder, reserving as above reserved, provided also that he does not sell for less than one Dlr. p. Acre.

The Commissioner having described the Township offered for Sale shall sell the Sections one by one without description and the Person who gives the highest Price shall be entitled to his Choice and thus onwards. But in Cases where two or more Sections in the same T[ownship] is sold for the same Price the first Buyer shall constantly have his Choice. When any section of a T[ownship] is sold and the Money or Certificates received therefor the L. O. shall deliver a deed in the following Terms.¹

And on the question to agree to this, the yeas and nays being required by Mr. [James] Monroe,

¹ This motion, in the writing of Williamson, is in the *Papers of the Continental Congress*, No. 36, III, folio 31. It is undated but belongs to this period

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	no	}no	Mr. W. Henry,	no
Long,	no		Jackson,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	no	}div.	Mr. McHenry,	no
King,	ay		Hindman,	no
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	no	*	Mr. Monroe,	ay
<i>Connecticut,</i>			Lee,	no
Mr. Cook,	no	}div.	Grayson,	no
Johnson,	ay		<i>South Carolina,</i>	
<i>New York,</i>			Mr. Pinckney,	no
Mr. Lawrance,	no	}no	Ramsay,	no
Smith,	no		<i>Georgia,</i>	
<i>New Jersey,</i>			Mr. Houston,	no
Mr. Beatty,	no	}no		*
Dick,	no			

So it passed in the negative.

A motion was then made by Mr. [William Samuel] Johnson, seconded by Mr. [Joseph Platt] Cook, immediately after the words moved to be struck out, to insert, "Provided that no Commissioner shall offer a second township for sale in lots, until the first so offered shall have been all sold."¹

And on the question to agree to this amendment, the yeas and nays being required by Mr. [William Samuel] Johnson,

<i>New Hampshire,</i>			<i>New York,</i>	
Mr. Foster,	no	}no	Mr. Lawrance,	no
Long,	no		Smith,	ay
<i>Massachusetts,</i>			<i>New Jersey,</i>	
Mr. Holten,	no	}div.	Mr. Beatty,	no
King,	ay		Dick,	no
<i>Rhode Island,</i>			<i>Pennsylvania,</i>	
Mr. Ellery,	no	*	Mr. W. Henry,	no
<i>Connecticut,</i>			Jackson,	no
Mr. Cook,	ay	}ay	<i>Maryland,</i>	
Johnson,	ay		Mr. McHenry,	no
			Hindman,	no

¹ On this day according to Despatch Book No. 185, the petition of Thomas Walcott was received, praying compensation for pay as hospital wardman as well as steward. According to the indorsement, the petition was read May 20.

<i>Virginia,</i>			<i>South Carolina,</i>		
Mr. Monroe,	no	}no	Mr. Pinckney,	no	}div.
Lee,	no		Ramsay,	ay	
Grayson,	no		<i>Georgia,</i>	Mr. Houstoun,	no

So the question was lost.

A motion was then made by Mr. [John] Beatty, seconded by Mr. [James] McHenry, to amend the succeeding clause by striking out the word "one," and in lieu thereof inserting "two thirds of a," so that it reads "price of two thirds of a dollar the acre."¹

And on the question to agree to this, the yeas and nays being required by Mr. [John] Beatty,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>			
Mr. Foster,	no	}no	Mr. W. Henry,	no	}div.	
Long,	no		Jackson,	ay		
<i>Massachusetts,</i>			<i>Maryland,</i>			
Mr. Holten,	no	}no	Mr. McHenry,	ay	}ay	
King,	no		Hindman,	ay		
<i>Rhode Island,</i>			<i>Virginia,</i>			
Mr. Ellery,	no	*	Mr. Monroe,	no	}no	
<i>Connecticut,</i>			Lee,	no		
Mr. Cook,	no	}no	Grayson,	no		
Johnson,	no		<i>South Carolina,</i>	Mr. Pinckney,	ay	}ay
<i>New York,</i>			Ramsay,	ay		
Mr. Lawrance,	ay	}ay	<i>Georgia,</i>	Mr. Houstoun,	no	*
Smith,	ay					
<i>New Jersey,</i>						
Mr. Beatty,	ay	}ay				
Dick,	ay					

So the question was lost.

¹ On this date, according to the indorsement, a report from the Secretary at War, dated May 19, on the memorial of Stephen Sayre, was entered. It is in the *Papers of the Continental Congress*, No. 151, folio 17. See *post*, May 23.

Also, another report of the same date, from the Secretary at War, on the petition of David Oliphant. The indorsement states that it was passed June 2, 1785. The report is in No. 151, folio 21. See May 16, *ante*.

The Committee to whom was referred the Memorial of John McKinley and the report thereon from the Board of Treasury, submit the following resolution. That the Commissioner for settling the Accounts of the Delaware State, be authorized and directed in adjusting the Accounts of John McKinley to allow him such sums of money as shall appear to have been taken or destroyed by the Enemy, and that in adjusting said accounts and ascertaining such loss he govern himself by the directions given in the fourth clause of the resolutions of Congress of the third of June 1784.¹

The Committee of the week [Mr. David Ramsay, Mr. Samuel Dick and Mr. Joseph Platt Cook] report that the petition of Jacob Fowler praying for the assistance of Congress to enable him to instruct certain Indians in reading, writing and the principles of the Christian religion be referred to a special Committee.

The Committee of the week further report, that the letter of the Secretary at War informing Congress of his having appointed Joseph Carleton Secretary and Robert Pemberton Clerk be referred to the Secretary of Congress to register their appointment.²

The Committee [consisting of Mr. John Lawrance, Mr. William Ellery and Mr. William Henry] to whom was referred the memorial of Christopher Ludwick late Superintendent of the Baking Department in the army of the United States praying a gratuity for the services rendered by him in the course of the late War, to the United States, Report—

That it appears from a certificate of the late Commander in Chief and by certificates from General officers and a certificate from the Quarter Master General, That the said Christopher Ludwick discharged the duties of his office as Superintendent of the Baking Department with the strictest integrity, was the cause of much

¹ This report, in the writing of John Henry, is in the *Papers of the Continental Congress*, No. 19, IV, folio 33. See *post*, May 25.

On this day, according to Committee Book No. 190, the committee of May 17 on the letter of May 17, from John Adam, was discharged and the business referred to the Secretary at War. He reported June 4.

² This report, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 32, folio 609. The indorsement states that it was agreed to. See *post*, May 27 and June 2. Fowler's petition, dated May 16, is in No. 42, III, folio 137. According to Committee Book No. 190, however, the Fowler petition was, this day, referred to Mr. [David] Ramsay, Mr. [William Samuel] Johnson and Mr. [Samuel] Dick, who reported June 2.

saving in that Department, and thereby rendered services to the United States, and thereupon submit the following Resolution.¹

FRIDAY, MAY 20, 1785.

Congress assembled. Present as yesterday.

Congress proceeded in the third reading of the Ordinance for ascertaining the mode of disposing of lands in the western territory, and the same being gone through, was passed as follows:

An Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

Be it ordained by the United States in Congress assembled, that the territory ceded by individual States to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner:

A surveyor from each state shall be appointed by Congress, or a committee of the States, who shall take an Oath for the faithful discharge of his duty, before the Geographer of the United States, who is hereby empowered and directed to administer the same; and the like oath shall be administered to each chain carrier, by the surveyor under whom he acts.

The Geographer, under whose direction the surveyors shall act, shall occasionally form such regulations for their conduct, as he shall deem necessary; and shall have authority to suspend them for misconduct in Office, and shall make report of the same to Congress, or to the Committee of the States; and he shall make report in case of sickness, death, or resignation of any surveyor.

The Surveyors, as they are respectively qualified, shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, as near as may be, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circum-

¹ This report, in the writing of John Lawrance, is in the *Papers of the Continental Congress*, No. 19, III, folio 623. It was read this day, according to the indorsement, and the resolve, as recommended, passed verbatim June 13. Ludwick's memorial is in No. 41, V, folio 411.

stances may require; and each surveyor shall be allowed and paid at the rate of two dollars for every mile, in length, he shall run, including the wages of chain carriers, markers, and every other expense attending the same.

The first line, running north and south as aforesaid, shall begin on the river Ohio, at a point that shall be found to be due north from the western termination of a line, which has been run as the southern boundary of the state of Pennsylvania; and the first line, running east and west, shall begin at the same point, and shall extend throughout the whole territory. Provided, that nothing herein shall be construed, as fixing the western boundary of the state of Pennsylvania. The geographer shall designate the townships, or fractional parts of townships, by numbers progressively from south to north; always beginning each range with number one; and the ranges shall be distinguished by their progressive numbers to the westward. The first range, extending from the Ohio to the lake Erie, being marked number one. The Geographer shall personally attend to the running of the first east and west line; and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

The lines shall be measured with a chain; shall be plainly marked by chaps on the trees, and exactly described on a plat; whereon shall be noted by the surveyor, at their proper distances, all mines, salt springs, salt licks and mill seats, that shall come to his knowledge, and all water courses, mountains and other remarkable and permanent things, over and near which such lines shall pass, and also the quality of the lands.

The plats of the townships respectively, shall be marked by subdivisions into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36; always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where, from the causes before mentioned, only a fractional part of a township shall be surveyed, the lots, protracted thereon, shall bear the same numbers as if the township had been entire. And the surveyors, in running the external lines of the townships, shall, at the interval of every mile, mark corners for the lots which are adjacent, always designating the same in a different manner from those of the townships.

The geographer and surveyors shall pay the utmost attention to the variation of the magnetic needle; and shall run and note all lines

by the true meridian, certifying, with every plat, what was the variation at the times of running the lines thereon noted.

As soon as seven ranges of townships, and fractional parts of townships, in the direction from south to north, shall have been surveyed, the geographer shall transmit plats thereof to the board of treasury, who shall record the same, with the report, in well bound books to be kept for that purpose. And the geographer shall make similar returns, from time to time, of every seven ranges as they may be surveyed. The Secretary at War shall have recourse thereto, and shall take by lot therefrom, a number of townships, and fractional parts of townships, as well from those to be sold entire as from those to be sold in lots, as will be equal to one seventh part of the whole of such seven ranges, as nearly as may be, for the use of the late continental army; and he shall make a similar draught, from time to time, until a sufficient quantity is drawn to satisfy the same, to be applied in manner hereinafter directed. The board of treasury shall, from time to time, cause the remaining numbers, as well those to be sold entire, as those to be sold in lots, to be drawn for, in the name of the thirteen states respectively, according to the quotas in the last preceding requisition on all the states; provided, that in case more land than its proportion is allotted for sale, in any state, at any distribution, a deduction be made therefor at the next.

The board of treasury shall transmit a copy of the original plats, previously noting thereon, the townships, and fractional parts of townships, which shall have fallen to the several states, by the distribution aforesaid, to the Commissioners of the loan office of the several states, who, after giving notice of not less than two nor more than six months, by causing advertisements to be posted up at the court houses, or other noted places in every county, and to be inserted in one newspaper, published in the states of their residence respectively, shall proceed to sell the townships, or fractional parts of townships, at public vendue, in the following manner, viz: The township, or fractional part of a township, N 1, in the first range, shall be sold entire; and N 2, in the same range, by lots; and thus in alternate order through the whole of the first range. The township, or fractional part of a township, N 1, in the second range, shall be sold by lots; and N 2, in the same range, entire; and so in alternate order through the whole of the second range; and the third range shall be sold in the same manner as the first, and the fourth in the same manner as the second, and thus alternately throughout all the ranges; pro-

vided, that none of the lands, within the said territory, be sold under the price of one dollar the acre, to be paid in specie, or loan office certificates, reduced to specie value, by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expense of the survey and other charges thereon, which are hereby rated at thirty six dollars the township, in specie, or certificates as aforesaid, and so in the same proportion for a fractional part of a township, or of a lot, to be paid at the time of sales; on failure of which payment, the said lands shall again be offered for sale.

There shall be reserved for the United States out of every township, the four lots, being numbered 8, 11, 26, 29, and out of every fractional part of a township, so many lots of the same numbers as shall be found thereon, for future sale. There shall be reserved the lot N 16, of every township, for the maintenance of public schools, within the said township; also one third part of all gold, silver, lead and copper mines, to be sold, or otherwise disposed of as Congress shall hereafter direct.

When any township, or fractional part of a township, shall have been sold as aforesaid, and the money or certificates received therefor, the loan officer shall deliver a deed in the following terms:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, That for the consideration of dollars, we have granted, and hereby do grant and confirm unto the township, (or fractional part of a township, as the case may be) numbered in the range excepting therefrom, and reserving one third part of all gold, silver, lead and copper mines within the same; and the lots Ns 8, 11, 26, and 29, for future sale or disposition, and the lot N 16, for the maintenance of public schools. To have to the said his heirs and assigns for ever; (or if more than one purchaser, to the said their heirs and assigns forever as tenants in Common.) In witness whereof, (A. B.) Commissioner of the loan office, in the State of hath, in conformity to the Ordinance passed by the United States in Congress assembled, the twentieth day of May, in the year of our Lord one thousand seven hundred and eighty five, hereunto set his hand, and affixed his seal, this day of in the year of our Lord and of the independence of the United States of America

And when any township, or fractional part of a township, shall be sold by lots as aforesaid, the Commissioner of the loan office shall deliver a deed therefor in the following form:

The United States of America, to all to whom these presents shall come, Greeting:

Know ye, That for the consideration of dollars, we have granted, and hereby do grant and confirm unto the lot (or lots, as the case may be, in the township or fractional part of the township, as the case may be) numbered in the range excepting and reserving one third part of all gold, silver, lead and copper mines within the same, for future sale or disposition. To have to the said his heirs and assigns for ever; (or if more than one purchaser, to the said their heirs and assigns for ever as tenants in common.) In witness whereof, (A. B.) Commissioner of the continental loan office in the state of hath, in conformity to the Ordinance passed by the United States in Congress assembled, the twentieth day of May, in the year of our Lord 1785, hereunto set his hand, and affixed his seal, this day of in the year of our Lord and of the independence of the United States of America

Which deeds shall be recorded in proper books, by the commissioner of the loan office, and shall be certified to have been recorded, previous to their being delivered to the purchaser, and shall be good and valid to convey the lands in the same described.

The commissioners of the loan offices respectively, shall transmit to the board of treasury every three months, an account of the townships, fractional parts of townships, and lots committed to their charge; specifying therein the names of the persons to whom sold, and the sums of money or certificates received for the same; and shall cause all certificates by them received, to be struck through with a circular punch; and they shall be duly charged in the books of the treasury, with the amount of the moneys or certificates, distinguishing the same, by them received as aforesaid.

If any township, or fractional part of a township or lot, remains unsold for eighteen months after the plat shall have been received, by the commissioners of the loan office, the same shall be returned to the board of treasury, and shall be sold in such manner as Congress may hereafter direct.

And whereas Congress, by their resolutions of September 16 and 18 in the year 1776, and the 12th of August, 1780, stipulated grants of land to certain officers and soldiers of the late continental army, and by the resolution of the 22d September, 1780, stipulated grants of land to certain officers in the hospital department of the late

continental army; for complying therefore with such engagements, Be it ordained, That the secretary at war, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolutions and engagements, and the quantity of land to which such persons or their representatives are respectively entitled, and cause the townships, or fractional parts of townships, hereinbefore reserved for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution. He shall, from time to time, transmit certificates to the commissioners of the loan offices of the different states, to the lines of which the military claimants have respectively belonged, specifying the name and rank of the party, the terms of his engagement and time of his service, and the division, brigade, regiment or company to which he belonged, the quantity of land he is entitled to, and the township, or fractional part of a township, and range out of which his portion is to be taken.

The commissioners of the loan offices shall execute deeds for such undivided proportions in manner and form herein before-mentioned, varying only in such a degree as to make the same conformable to the certificate from the Secretary at War.

Where any military claimants of bounty in lands shall not have belonged to the line of any particular state, similar certificates shall be sent to the board of treasury, who shall execute deeds to the parties for the same.

The Secretary at War, from the proper returns, shall transmit to the board of treasury, a certificate, specifying the name and rank of the several claimants of the hospital department of the late continental army, together with the quantity of land each claimant is entitled to, and the township, or fractional part of a township, and range out of which his portion is to be taken; and thereupon the board of treasury shall proceed to execute deeds to such claimants.

The board of treasury, and the commissioners of the loan offices in the states, shall, within 18 months, return receipts to the secretary at war, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants, having been first recorded; which deeds so returned, shall be preserved in the office, until the parties or their representatives require the same.

And be it further Ordained, That three townships adjacent to lake Erie be reserved, to be hereafter disposed of by Congress, for the use

of the officers, men, and others, refugees from Canada, and the refugees from Nova Scotia, who are or may be entitled to grants of land under resolutions of Congress now existing, or which may hereafter be made respecting them, and for such other purposes as Congress may hereafter direct.

And be it further Ordained, That the towns of Gnadenhutten, Schoenbrun and Salem, on the Muskingum, and so much of the lands adjoining to the said towns, with the buildings and improvements thereon, shall be reserved for the sole use of the Christian Indians, who were formerly settled there, or the remains of that society,¹ as may, in the judgment of the Geographer, be sufficient for them to cultivate.

Saving and reserving always, to all officers and soldiers entitled to lands on the northwest side of the Ohio, by donation or bounty from the commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled, under the deed of cession executed by the delegates for the state of Virginia, on the first day of March, 1784, and the act of Congress accepting the same: and to the end, that the said rights may be fully and effectually secured, according to the true intent and meaning of the said deed of cession and act aforesaid, Be it Ordained, that no part of the land included between the rivers called little Miami and Sciota, on the northwest side of the river Ohio, be sold, or in any manner alienated, until there shall first have been laid off and appropriated for the said Officers and Soldiers, and persons claiming under them, the lands they are entitled to, agreeably to the said deed of cession and act of Congress accepting the same.

Done by the United States in Congress assembled, the 20th day of May, in the year of our Lord 1785, and of our sovereignty and independence the ninth.

CHARLES THOMSON, *Secretary*. RICHARD H. LEE, *President*.²

The committee, consisting of Mr. [Rufus] King, Mr. [William Samuel] Johnson, Mr. [William] Grayson, Mr.

¹ Moravian. The report of Mr. [Hugh] Williamson, Mr. [Richard Henry] Lee and Mr. [Samuel] Osgood on a memorial of J. Ettwein, A. Hübner and H. C. de Schweiniz on this matter was delivered March 31, 1784, and is indorsed by Thomson: "May 18 [1785] taken into the Ordinance for disposing of Western lands." The report, and two miscellaneous papers connected therewith, are in the *Papers of the Continental Congress*, Miscellaneous, in the Library of Congress.

² See Bibliographic Notes, 1785, for the various modifications of this Ordinance before its final adoption. Identification of the printed forms there given presents difficulties.

[William] Ellery, and Mr. [James] McHenry, appointed to examine the acts of the state of North Carolina, touching a cession of Western territory, having reported their Opinion,

That the act of cession of the State of North Carolina, of the second day of June, 1784, gives a right to the United States in Congress assembled, at any time within one year from the passing of the same, to accept the cession of western territory therein described, subject to the conditions and reservations in the said act contained, and that no subsequent act or law of the state of North Carolina could so repeal or make void the said act of cession, as to annul the right of the United States in Congress assembled, to accept the territory thereby ceded within the period, and subject to the conditions and reservations aforesaid.

That consistently with the objects of the resolutions of Congress of the 6th of September and the 10th of October, 1780, and with the duty Congress owe to the federal Union, they cannot decline an acceptance of the cession aforesaid; and thereupon recommend,

That the United States in Congress assembled, do accept the cession of western territory made by the state of North Carolina, in their act of the second day of June, in the year 1784, subject to the conditions and reservations in the said act contained.

The committee submit it to Congress, that as the commonwealth of Massachusetts have made a cession of western territory to the United States, and since Congress are ever disposed to attend to the reasonable expectations of each of the states in the Union, touching their public services and expenses, it be recommended to the state of North Carolina, to consider the principles of magnanimity and justice that induced the passing of their act of the 2d of June, 1784, and evince the operation of the same good sentiments by repealing their act of the 20th of November, 1784, and directing their delegates in Congress to furnish a new proof of their liberality, in the execution of a deed to the United

States, of the territory ceded by the act of the 2d of June aforesaid.¹

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [William] Grayson, to postpone the consideration of the report, in order to take up the following resolve:

That it is inexpedient for Congress, at this time, to interfere respecting the cession of North Carolina of their western territory for the use of the United States.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	no	} no	Mr. W. Henry,	no	} div.
Long,	no		Jackson,	ay	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	} no	Mr. McHenry,	ay	} ay
King,	no		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	no	
Mr. Ellery,	no	*	<i>Virginia,</i>		
<i>Connecticut,</i>			Mr. Monroe,	ay	} ay
Mr. Cook,	no	} no	Lee,	ay	
Johnson,	no		Grayson,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. Lawrance,	no	} no	Mr. Pinckney,	ay	} div.
Smith,	no		Ramsay,	no	
<i>New Jersey,</i>			<i>Georgia,</i>		
Mr. Beatty,	no	} no	Mr. Houstoun,	no	*
Dick,	no				

So the question was lost.

On the question to agree to the first paragraph of the report of the committee, the yeas and nays being required by Mr. [Rufus] King,

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 30, folio 613.

On this day, according to Committee Book No. 190, the petition of Capt. James Gilliland, praying for commutation of pay and a land grant, was read and referred to Mr. [John] Lawrance, Mr. [John] Beatty and Mr. [Pierse] Long. On August 19 this committee was discharged and the petition referred to the Commissioner for settling Army Accounts to report. The petition is in No. 41, III, folio 542, and is indorsed as "Acted on Feby. 3d 1786."

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	} ay	Mr. W. Henry,	ay
Long,	ay		Jackson,	ay
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} ay	Mr. McHenry,	no
King,	ay		J. Henry,	no
<i>Rhode Island,</i>			Hindman	ay
Mr. Ellery,	ay	} *	<i>Virginia,</i>	
<i>Connecticut,</i>			Mr. Monroe,	no
Mr. Cook,	ay	} ay	Lee,	no
Johnson,	ay		<i>South Carolina,</i>	
<i>New York,</i>			Mr. Pinckney,	no
Mr. Lawrance,	ay	} ay	Ramsay,	ay
Smith,	ay		<i>Georgia,</i>	
<i>New Jersey,</i>			Mr. Houstoun,	ay
Mr. Beatty,	ay	} ay		*
Dick,	ay			

So the question was lost.

On the question to agree to the second paragraph of the report, viz. That consistently with the objects, &c. the yeas and nays being required by Mr. [Rufus] King,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	ay	} ay	Mr. W. Henry,	ay
Long,	ay		Jackson,	no
<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	no	} div.	Mr. McHenry,	no
King,	ay		J. Henry	no
<i>Rhode Island,</i>			Hindman,	ay
Mr. Ellery,	ay	} *	<i>Virginia,</i>	
<i>Connecticut,</i>			Mr. Monroe,	no
Mr. Cook,	ay	} ay	Lee,	no
Johnson,	ay		<i>South Carolina</i>	
<i>New York,</i>			Mr. Pinckney,	no
Mr. Lawrance,	ay	} ay	Ramsay,	ay
Smith,	ay		<i>Georgia,</i>	
<i>New Jersey,</i>			Mr. Houstoun,	ay
Mr. Beatty,	no	} no		*
Dick,	no			

So the question was lost.

On the question to agree to the third paragraph, viz. That the United States in Congress assembled do accept, &c. the yeas and nays being required by Mr. [Rufus] King,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	ay	} ay	Mr. W. Henry,	ay	} div.
Long,	ay		Jackson,	no	
<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	} div.	Mr. McHenry,	no	} no
King,	ay		J. Henry,	no	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	ay	*	<i>Virginia,</i>		
<i>Connecticut,</i>			Mr. Monroe,	no	} no
Mr. Cook,	ay	} ay	Lee,	no	
Johnson,	ay			<i>South Carolina,</i>	
<i>New York,</i>			Mr. Pinckney,	no	} div.
Mr. Lawrance,	ay	} ay	Ramsay,	ay	
Smith,	ay			<i>Georgia,</i>	
<i>New Jersey,</i>			Mr. Houstoun,	ay	*
Mr. Beatty,	no	} no			
Dick,	no				

So the question was lost.

On the question to agree to the last paragraph, the yeas and nays being required by Mr. J[ohn] Henry,

<i>New Hampshire,</i>			<i>New Jersey,</i>		
Mr. Foster,	ay	} ay	Mr. Beatty,	ay	} ay
Long,	ay		Dick,	ay	
<i>Massachusetts,</i>			<i>Pennsylvania,</i>		
Mr. Holten,	ay	} ay	Mr. W. Henry,	ay	} ay
King,	ay		Jackson,	ay	
<i>Rhode Island,</i>			<i>Maryland,</i>		
Mr. Ellery,	ay	*	Mr. McHenry,	ay	} ay
<i>Connecticut,</i>			J. Henry,	ay	
Mr. Cook,	ay	} ay	Hindman,	ay	
Johnson,	ay			<i>Virginia,</i>	
<i>New York,</i>			Mr. Monroe,	ay	} ay
Mr. Lawrance,	ay	} ay	Lee,	ay	
Smith,	ay				

<i>South Carolina,</i> Mr. Pinckney, Ramsay,	ay } ¹ ay } _{ay}		<i>Georgia,</i> Mr. Houstoun,	ay }*
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So it was resolved as follows:

As the commonwealth of Massachusetts have made a cession of western territory to the United States, and Congress are ever disposed to attend to the reasonable expectations of each of the States in the Union, touching their public services and expences, *Resolved*, That it be, and it is hereby recommended to the state of North Carolina, to consider the principles of the magnanimity and justice that induced the passing of their Act of the 2d June, 1784, and evince the operation of the same good sentiments by repealing their Act of the 20th day of November, 1784, and directing their delegates in Congress to furnish a new proof of their liberality, in the execution of a deed to the United States of the territory ceded by the Act of the 2d of June aforesaid.

The Committee of the week [Mr. David Ramsay, Mr. Samuel Dick and Mr. Joseph Platt Cook] report that the petition of Francis Cazeau praying for money to be advanced to him on account, be ordered to lie on the table till Congress take up the consideration of the report of a Committee on his case of May 6th, 1785.¹

MONDAY, MAY 23, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina; and from the state of Rhode Island, Mr. [William] Ellery; from New York, Mr. [Melancton] Smith; from North Carolina, Mr. [Richard Dobbs] Spaight, and from Georgia, Mr. [William] Houstoun.

¹ This report, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 32, folio 613. The indorsement states that it was agreed to this day.

On this day, as the indorsement states, was read the petition of Thomas Wallcot. It is in No. 42, VIII, folio 316. See *post*, May 23.

On motion of Mr. [James] Monroe, seconded by Mr. [William] Grayson,

Resolved, That the recommendation to the state of North Carolina be reconsidered, so far as to insert, "The state of New York, the Commonwealth of Virginia and," between the words "As" and "the Commonwealth of Massachusetts."

The recommendation being amended. was agreed to as follows:

As the State of New York, the Commonwealth of Virginia and the Commonwealth of Massachusetts, have each made a cession of Western territory to the United States, and Congress are ever disposed to attend to the reasonable expectations of each of the States in the Union, touching their public services and expences,

Resolved, That it be, and it is hereby recommended to the state of North Carolina, to reconsider the principles of magnanimity and justice, that induced the passing of their Act of 2d of June, 1784, and evince the operation of the same good sentiments by repealing their act of 20th day of November, 1784, and directing their delegates in Congress to furnish a new proof of their liberality, in the execution of a deed to the United States of the territory ceded by the act of the 2d of June aforesaid.

The Delegates for Massachusetts, in pursuance of Instructions from their Constituents, moved as follows:

The Commonwealth of Massachusetts having instructed their delegates in Congress as follows: "The United States of America having formed by the wisdom of their councils and established by their exertions a federal Union, which is no less necessary to the freedom of each, than important to the independence of all the states, every measure ought to be adopted and vigorously executed, which can have a tendency to perpetuate an institution that reflects so much honor upon human nature, and so strongly points the world to the true political felicity of mankind. But whatever marks of wisdom and perfection appear upon the face of this System, it cannot

be expected that provision is made against every species of corruption, which ambition and avarice may attempt to introduce for the subversion of it; and therefore in the early age of our national existence, the United States in Congress assembled, will doubtless form such resolutions and establish such principles, as will have a tendency to prevent designing men, in future ages, from sapping the foundation of our federal Union. The World cannot but admire that prudence and wisdom, which by providing for a rotation of members in Congress, fixed one important barrier against corruption, but the legislature of this Commonwealth observe with concern and regret, that no provision is made to prevent the members of Congress from appointing themselves to offices; and it requires no very great share of sagacity to foresee, that unless this point is more effectually guarded, the offices of the federal government may hereafter be filled with men who will not be most capable of serving the people, or the most remarkable for their integrity, and that some persons forsaking the true interest of their country, will take corrupt measures to become members of Congress, with a view to possess themselves of lucrative employments, whereby offices in themselves unnecessary may be created and multiplied, and the injured fabric of our federal government be overthrown by the same means that have been employed in prostrating those ancient republics, which are seen no more but in the pages of history. The legislature of this Commonwealth, therefore, instruct you, Gentlemen, to endeavour to procure a resolution of Congress, enacting that no member of Congress shall be appointed to any office under the states during the term for which he shall have been elected." The delegates of the Commonwealth of Massachusetts, in Obedience to the aforesaid instructions, moved that it be *Resolved*, That the election and acceptance of any person as a member of Congress, shall for ever hereafter be deemed to incapacitate and disqualify such person, from being elected by the United States in Congress assembled, to any office of trust or profit, under the said states, during the term for which he shall have been so elected a member of Congress.¹

A motion was made by Mr. [Richard Dobbs] Spaight, seconded by Mr. [William] Houstoun, that the same be com-

¹ This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress* No. 20. I, folio 185.

mitted: and on the question for committing, the yeas and nays being required by Mr. [Rufus] King,

<i>New Hampshire,</i>			<i>Maryland,</i>	
Mr. Foster,	ay	}	Mr. McHenry,	ay
Long,	ay		J. Henry,	ay
<i>Massachusetts,</i>			Hindman,	ay
Mr. Holten,	ay	}	<i>Virginia,</i>	
King,	ay		Mr. Monroe,	ay
<i>Rhode Island,</i>			Lee,	ay
Mr. Ellery,	ay	*	Grayson,	ay
<i>Connecticut,</i>			<i>North Carolina,</i>	
Mr. Cook,	ay	}	Mr. Spaight,	ay
Johnson,	ay			<i>South Carolina,</i>
<i>New York,</i>			Mr. Pinckney,	ay
Mr. Smith,	ay	*	Ramsay,	ay
<i>New Jersey,</i>			<i>Georgia,</i>	
Mr. Beatty,	ay	}	Mr. Houstoun	ay
Dick,	ay			
<i>Pennsylvania,</i>				
Mr. W. Henry,	ay	}		
Jackson,	ay			

So it was resolved in the affirmative.¹

The board of treasury to whom was referred a letter of 17 March, 1785, from William Winder, Commissioner of Accounts for the State of Delaware, report,

That having maturely considered the embarrassments suggested in the said letter, they are of opinion, that they are effectually provided for in the resolutions of Congress, of the 20 February, 1782, and 3d of June, 1784, for that in all cases whatever, where the rule prescribed by Congress, of the 26 August, 1780, cannot with justice to individuals, or any degree of accuracy, be applied, the Commissioners are authorized to exercise a discretionary power in liquidating accounts on such principles as by the said resolutions are prescribed. They are further of opinion, that the applying any

¹ See *post*, July 21.

special rule for particular cases (except in points where the resolves of Congress have clearly made no provision) will operate more injuriously than an adherence to the general principles adopted by Congress.

Resolved, That Congress agree to the said report.¹

The committee [consisting of Mr. Rufus King, Mr. David Howell and Mr. Charles Pinckney] to whom was referred a motion for the sale of the Frigate *Alliance*, Report

That the board of Treasury be and hereby are authoris'd and directed to sell for Specie or public securities at public or private Sale the Frigate *Alliance* with her Tackle and appurtenances, excepting her Guns and other military appointments which the Secretary at War is hereby directed to receive into his custody—the board of Treasury giving previous notice ~~in case of public sale~~ of the sale in the news papers of such states as they may judge proper.²

The Committee consisting of M^r [William] Grayson, M^r [Rufus] King, and M^r [Charles] Pinckney to whom was referred a motion of M^r [Charles] Pinckney, Report,

That ~~upon appointment~~ by information from the Secretary at War, they find that there are sixteen pieces of artillery of 18 and 5 of 24

¹ This report is dated May 12 and is in the *Papers of the Continental Congress*, No. 138, II, folio 561.

On this day, as the indorsement states, was read a letter of May 20 from Toussaint Lopes praying payment of his certificates. It is in the *Papers of the Continental Congress*, No. 78, XIV, folio 637, and is indorsed: "May 30th Request cannot be granted."

On this day, according to the indorsement on the report of the Secretary at War, Stephen Sayre's project to make war ships "invincible," was referred to Mr. [William] Ellery, Mr. [William] Grayson and Mr. [James] Monroe. See *ante*, May 19.

Also on this day, according to the indorsement, was read a letter from the Secretary for Foreign Affairs, dated May 19, relating to the trade with Honduras and Campeachy. It was referred back to Jay for report. It is in No. 80, I, folio 177. Report was rendered June 23.

Also, according to Committee Book No. 190, John D. Mercier's letter of May 23 was this day referred to the Board of Treasury to report.

² This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 28, folio 213. It was acted on June 3.

Also, on this day, according to indorsement, "the committee to whom was referred a motion for the regulation of the settlement of accounts with the U. S. in certain cases" rendered a report which was read. It was adopted *verbatim* September 9 and is there spread on the Journal.

pounds, iron unmounted now lying at the head of Elk, and not in use, They therefore recommend¹

TUESDAY, MAY 24, 1785.

Four states only attending, namely, New Hampshire, Connecticut, Maryland and Virginia; and from the state of Massachusetts, Mr. [Samuel] Holten; from Rhode Island, Mr. [William] Ellery; from New Jersey, Mr. [John] Beatty; from Pennsylvania, Mr. [David] Jackson; from South Carolina, Mr. [David] Ramsay, and from Georgia, Mr. [William] Houston; the President adjourned Congress till ten o'clock to Morrow.

WEDNESDAY, MAY 25, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Penn-

¹This report, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 20, II, folio 419. The recommendation, here omitted, was adopted verbatim on May 26, *q. v.*

MAY 23: The following committees were appointed: Of the Week: Mr. [David] Jackson, Mr. [William] Houston and Mr. [John] Kean.

Mr. [John] Lawrance, Mr. [William] Ellery and Mr. [Abiel] Foster, on the petition of Thomas Walcott. See *ante*, May 20. A report was rendered June 1. According to Committee Book No. 191, this report was recommitted June 3.

Mr. [William] Grayson, Mr. [Pierse] Long and Mr. [William] Ellery, on the memorial of Udney Hay touching the loss of vouchers. A report was made May 30. This was the committee to which Hay's memorial of May 16 was referred.

Mr. [John] Beatty, Mr. [William] Henry and Mr. [Joseph Platt] Cook, on the letter of May 20 from George Morgan regarding the Indian youths under his care at Princeton. A report was made June 1.

Mr. [Rufus] King, Mr. [William Samuel] Johnson, Mr. [William] Grayson, Mr. [William] Ellery and Mr. [James] Monroe, on the instructions to delegates of Massachusetts and a motion of said delegates conformable thereto. Report was made July 21.

Mr. [William] Ellery, Mr. [William] Grayson and Mr. [James] Monroe, on report of the Secretary of War on Stephen Sayre's project. Report was made May 25.

On this day also William Govett was nominated by Mr. [David] Jackson and [William] Erwin by Mr. [William] Houston for Commissioner to settle accounts between the United States and the State of Virginia. Govett's name was later withdrawn, but no date is given for this. *Committee Book No. 190.*

sylvania, Maryland, Virginia and South Carolina and from the State of New York, Mr. [Melancton] Smith; from North Carolina, Mr. [Richard Dobbs] Spaight, and from Georgia, Mr. [William] Houstoun.

Mr. John Kean, a delegate for South Carolina, attended and produced credentials of his appointment; by which it appears, that on the 21 of February last, he was appointed a delegate to represent the said State until the first Monday in November next, and to act until relieved by the legislature of that State.

STATE OF SOUTH CAROLINA

By His Excellency WILLIAM MOULTRIE Esquire Governor and Commander in Chief in and over the State aforesaid To the Honorable JOHN KEAN Esquire:

Know Ye that by Virtue of the Power and Authority in me Vested by the Honorable the Legislature of this State You are hereby Commissioned as a DELEGATE to represent this State in CONGRESS and you are to Continue in your Delegation until the first Monday in November next.

And to obviate the Inconveniencies which may arise from the State being at that Time unrepresented You are hereby authorised to act in Congress as Delegate until you shall be relieved by the Legislature of this State.

Given under my hand and the Great Seal of the State in the City of CHARLESTON this twenty first day of February in the Year of Our Lord One thousand seven hundred and Eighty five and of the Sovereignty and Independence of the United States of America the Ninth.

By His Excellency's Command

JOHN VANDERHORST,

Secretary.

WILL^M MOULTRIE

[With the Great Seal appendant]¹

On the report of a committee, consisting of Mr. J[ohn] Henry, Mr. [William] Ellery and Mr. [Charles] Pinckney, to

¹ The original is in the *Papers of the Continental Congress*, South Carolina, *Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

whom was referred a Memorial of John McKinley, and a report of the board of treasury thereon,

Resolved, That the commissioner for settling the accounts of the Delaware state, be authorized and directed in adjusting the accounts of John McKinley, to allow him such sums of the public Money entrusted to him, as shall appear to have been taken or destroyed by the enemy; and that in adjusting the said accounts, and ascertaining such loss, he govern himself by the directions given in the fourth clause of the resolutions of Congress of the third day of June, 1784.¹

On motion of Mr. J[ohn] Henry, seconded by Mr. [Pierse] Long,

Resolved, That Friday next be assigned for electing the Surveyors from each State, in conformity to the Ordinance of the 20 instant.²

On Motion of the delegates of Massachusetts,

Resolved, That the commission of Richard Soderstrom, as consul of the Swedish Nation, at Boston, in the state of Massachusetts, be registered in the office of the Secretary of Congress; and that thereupon, an Act of recognition in due form be immediately issued to the Commonwealth of Massachusetts, in Order that they may furnish the said Richard Soderstrom with their exequatur or Notification of his quality, that the same may be made known and published.³

¹ See *ante*, May 19.

² According to Committee Book No. 190, the names of the surveyors were this day put in nomination as above. The nominations, as made, were confirmed May 27, *q. v.*

³ This resolution was also entered in the manuscript Secret Journal, Foreign Affairs No. 5. The motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 136, IV, folio 307.

Also, on this day, according to Committee Book No. 190, John Evans was nominated by Mr. [Pierse] Long for Commissioner to settle accounts between the United States and the State of Virginia. His name was later withdrawn, but no date is given for this.

[Motion of Mr. James M^cHenry and Mr. William Ellery to postpone the motion of delegates of Massachusetts and take up the within]

Whereas the U. S. in C[ongress] A[ssembled] did on the 4th of March, 1785 receive from R[ichard] S[oderstrom] a letter inclosing a commission from the King of Sweden dated the 22nd Sept., 1783, constituting him Consul of that nation at Boston in the Common[wealth] of Mass[achusetts] and informing them that he had entered on the exercise of his consular powers. And whereas the said R. S. entered upon the execution of his appointment previous to his being recognized by the U. S. in Congress assembled but as the conduct of the said and it appears from a proc[lamation] issued by the Gov. of the said commonwealth on the 13th Feby. 1785 that he had recognized him as such

And it further appears that the conduct of the said R. S. in entering on the exercise of consular powers in the commonwealth of Massachusetts previous to his being recognized by the U. S. in C. Ass. as ought to have been done proceeded from inadvertency and not from any disrespect therefore

Resolved, That the commission of the said Rich. S. be registered in the Secretary's office and that acts of recognition in due form be issued to the several States in order that they may respectively furnish him with an exequatur or notification of his quality that the same may be made known and published.¹

¹ This report, in the writing of James McHenry, is in the *Papers of the Continental Congress*, No. 36, II, folio 445. The indorsement states that it was negatived this day.

On this day, according to Committee Book No. 190, the following was ordered:

To make a statement of the principal of the foreign debt & to whom due with one year's interest thereon; also a statement of the domestic debt as far as the same has been liquidated with one year's interest: also a statement of the monies remaining of the Loan in Holland after the drafts which have been made on it have been complied with; also an account of the sums of money which have been paid by the States respectively since the Resolution of 27 April, 1784.

Ordered, That the above be referred to the Board of Treasury to take order and report.

Also, according to Committee Book No. 190, was read a memorial of William Eugene Inlay praying appointment to some office in the Western country. It is in the *Papers of the Continental Congress*, No. 41, IV, folio 489.

Also, according to Despatch Book No. 185, a petition from Silas Hand, praying appointment as surveyor of a district. It is in No. 42, III, folio 487.

Also, a letter from Arthur Lee, dated May 13, stating that because of rheumatism he will be unable to proceed to "post Vincent," but will meet the other Commissioners [for negotiating an Indian treaty] at Philadelphia or New York. It is in No. 55, folio 153.

The Committee [Mr. William Ellery, Mr. William Grayson and Mr. James Monroe] to whom was referred a letter from the Secretary at War upon the proposition of M^r Sayre respecting the previous stipulations he required for the discovery of his plan of a new constructed Ship &c. Report—

That, if it shall appear upon the communication of M^r Sayre of the said discovery, and an explanation of its principles to the Secretary at War, and to such other persons as Congress shall appoint to investigate the same; it is of that consequence which he suggests, Congress will give him a reward adequate to its importance and utility.¹

THURSDAY, MAY 26, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia and South Carolina; and from the State of Rhode Island, Mr. [William] Ellery; from New York, Mr. [Melancton] Smith, and from Georgia, Mr. [William] Houstoun.

On the report of a committee, consisting of Mr. [William] Grayson, Mr. [Rufus] King, and Mr. [Charles] Pinckney, to whom was referred a motion of Mr. [Charles] Pinckney,

Resolved, That in consequence of the request of the Governor of South Carolina, the Secretary at War be, and he is hereby directed to have seven pieces artillery, 16 pounders, and five 24 pounders, of the iron Ordnance, unmounted, and lying at the head of Elk, transported by the first convenient Opportunity by water to Charleston, together with such quantity of suitable ball, as may, in his opinion, be

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, V, folio 287. The indorsement states that it was read on this day. Committee Book, No. 191, states that it was filed.

Also, according to Committee Book No. 190, a letter from Ezekiel Forman dated December 11, 1784, requesting payment of a treasury warrant was this day referred to the Board of Treasury to report. The Board reported July 21.

Also, was read a memorial from Hendrick Smock praying a renewal of certificates taken from him by the enemy, and referred to the Board of Treasury, which reported thereon, May 30.

necessary, at the expense and risque of the State of South Carolina; for which the said State is to be accountable.¹

The Committee [consisting of Mr. Hugh Williamson, Mr. David Howell and Mr. Rufus King] to whom was referred the memorial of J. Beatty late Commissary General of Prisoners, respecting his travelling expences and the final settlement of his accounts submit the following report,

That when Col. F. Johnson was appointed to the office of Commissary General of Prisoners he represented to Congress that the pay of his predecessor which was that of a Colonel had been found by no means adequate and that he would be a considerable loser *unless his contingent bills should be paid* on which it was resolved, "that the necessary contingent charges of executing the Office of Commissary General of Prisoners be allowed over and above the present pay;" In this case it is clear that contingent bills or contingent charges were intended to refer to the traveling expences, it is also clear from subsequent Acts that the allowance made to M^r Beatty was the same as that which had been made to M^r Johnson wherefore your Committee submit the following Resolves,²

FRIDAY, MAY 27, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia and South Carolina; and from the state of New York, Mr. [Melancton] Smith; from North Carolina, Mr. [Richard Dobbs] Spaight, and from Georgia, Mr. [William] Houstoun.

¹On this day, according to Committee Book No. 190, the committee of March 4, on the letter from the Secretary for Foreign Affairs regarding Richard Soderstrom, was discharged. The indorsement on the letter shows that the papers were returned to the Office of Foreign Affairs to be filed.

²This report, in the writing of Hugh Williamson except the last paragraph which is in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, I, folio 247. According to the indorsement it was read this day. The resolves, here omitted, were adopted verbatim on May 31, *q. v.*

Also on this day, according to Committee Book No. 190, William Geddis was nominated by Mr. [David] Jackson, Lewis Morris, Jr., by Mr. [Melancton] Smith and Samuel Holden Parsons by Mr. [William Samuel] Johnson, for Commissioner to settle accounts between the United States and the State of Virginia. Parsons was elected June 9, 1785.

Mr. Charles Pettit, a delegate for the state of Pennsylvania, attended, and produced credentials; by which it appears, that on the seventh day of April, 1785, he was appointed a delegate of that State for the present year.

PENNSYLVANIA, SS.	In the Name and by the authority of the
[SEAL]	Freemen of the Commonwealth of
JOHN DICKINSON.	Pennsylvania.—The Supreme Executive Council of the Commonwealth

To the Honorable CHARLES PETTIT Esquire.

Whereas on the seventh day of this Month You was by the General Assembly of this Commonwealth appointed a Delegate: You are therefore hereby Commissioned a Delegate to represent this State in Congress for the present Year.

Given in Council under the hand of His Excellency John Dickinson Esquire, President, and the Seal of the State at Philadelphia this eighteenth day of April in the Year of our Lord one thousand seven hundred and eighty five.

Attest: JOHN ARMSTRONG, Jr. Sy.¹

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Melancton] Smith, Mr. [William] Grayson, Mr. [James] Wilson and Mr. [David] Howell, to whom was referred a memorial of the late contractors for the moving army,

Resolved, That J. D. Mercier, William Malcolm and Isaac Roosevelt, esquires, having made oath that they will faithfully discharge this trust, be authorized to enquire into the particulars, and to determine what damages, if, any, have been sustained by Tench Francis, Comfort Sands, and others, late contractors for the moving army, from the late Superintendent of finance having failed to make good the stipulated payments, or from his withdrawing the contract; and make report to Congress.

¹ The original is in the *Papers of the Continental Congress, Pennsylvania, Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

On motion of Mr. [Charles] Pinckney, seconded by Mr. [William] Grayson,

Resolved, That the geographer of the United States be continued in Office for a term not exceeding three years; and that he be allowed, during his continuance in Office, six dollars per day, for his services and expences.

According to order, Congress proceeded to the election of a Surveyor from each State, in conformity to the "Ordinance for ascertaining the mode of disposing of lands in the western territory," and, the ballots being taken, Mr. Nathaniel Adams was elected from the State of New Hampshire; Mr. Rufus Putnam from Massachusetts; Mr. Caleb Harris from Rhode Island and Providence plantations; Mr. William Morris from New York; Mr. Adam Hoops from Pennsylvania; Mr. James Simpson from Maryland; Mr. Alexander Parker from Virginia; Mr. Absolom Tatum from North Carolina; Mr. William Tate from South Carolina. They severally having been previously nominated by the delegates of the respective states.¹

On a report from the board of treasury, to whom was referred a memorial of Henry Mesplet, printer,

Resolved, (by nine States) That the sum of four hundred and twenty six dollars and forty five ninetieths of a dollar be paid to Mr. Fleury de Mesplet, on account of expences attending the transporting himself, family and printing utensils, from Philadelphia to Montreal.

On the report of a committee, consisting of Mr. [Pierce] Long, Mr. [Joseph] Gardner and Mr. [Samuel] Hardy, to whom was referred a memorial of Robert Patton,

Resolved, (By nine States) That Robert Patton be allowed seventy five dollars, for seven months and an half extra expences, from the 26 May, 1784, to the time Congress met in New York.

¹ According to Committee Book No. 190, these nominations were made May 25.

On the report of a committee, consisting of Mr. [John] Bull, Mr. [William] Ellery and Mr. W[illiam] Henry, to whom was referred a memorial from sundry regimental agents, in whose hands were deposited, for distribution, Certificates of the arrears of pay due to the Officers and soldiers.

Resolved, That the legislature of the respective states to which regimental and other agents (appointed for the purpose of receiving, from the pay master general, Certificates on a final settlement of the balances due to the officers and soldiers of the late army) belong, be, and they are hereby requested to cause the services of the said agents to be examined, and make them such allowance as they may think them entitled to, and charge the same to the United States.

That such agents deposit the certificates that may remain in their hands, with the Supreme executive of the States to which they respectively belong, agreeably to the resolution of Congress of the 3 of November, 1783.¹

The Committee [consisting of Mr. David Ramsay, Mr. William Samuel Johnson and Mr. Samuel Dick] to which was referred the petition of Jacob Fowler praying for the assistance of Congress to enable him to instruct the Indians of the Montauk tribe in reading, writing, and the principles of the Christian religion, report that they have conversed with and enquired the character of the said Petitioner and find him a person suitable to be employed in the business which he prays the assistance of Congress to enable him to perform. They also are of opinion that not only the principles of religion but sound policy requires that the benevolent intentions of the said Jacob Fowler meet with the encouragement of Congress. Your Committee therefore recommend the following resolution.

Resolved, That the Board of Treasury advance to Jacob Fowler the sum of one hundred dollars to encourage him to instruct the Indians in reading, writing and the principles of the Christian religion and that he be recommended to the Legislature of New York and to all charitable well disposed individuals as a person deserving

¹ See *ante*, Feb. 16

encouragement and their charitable aid to enable him to prosecute his laudable intentions with respect to the Indians.¹

MONDAY, MAY 30, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from the state of North Carolina, Mr. [Richard Dobbs] Spaight.

Mr. William Houstoun, Mr. John Habersham and Mr. Abraham Baldwin, three delegates from Georgia, produced credentials, dated the 5 May, 1785, by which it appears, that the general Assembly of the State of Georgia, did, at their last session, appoint the said William Houstoun and

¹ This report, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 19, II, folio 313. According to the indorsement it was read this day and passed June 2. See *ante* May 17.

On this day, according to indorsement, was read a letter from the Secretary for Foreign Affairs, dated May 26 and relating to an extract from a letter from General Philip Schuyler as to clothing for Indian hostages. It is in the *Papers of the Continental Congress*, No. 80, I, folio 185, and is indorsed by Thomson: "Referred to the board of treasury to take Order" In the Resolve Book, No. 123, p. 11, Benjamin Bankson has entered Jay's letter and the Schuyler extract.

Also, according to Committee Book No. 190, the letter of Don Diego Gardoqui, of May 21, announcing his arrival in Philadelphia, and the character with which he is invested, was referred to the Secretary for Foreign Affairs to report. Report was made May 30. Gardoqui's letter is in No. 97, folio 1; the English translation is on folio 5. Jay's letter, May 27, forwarding Gardoqui's to Congress, is in No. 80, I, folio 181. It is indorsed: "Ref'd to Secy for for^r Affs. with letters enclosed to report. Gardoqui letter filed with report of Secy. for for. Affs. July 4, 1785. N. B. these papers transmitted to the office f. f. Affairs Nov^r 10, 1789."

MAY 26: The following committees were appointed: Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [William] Grayson, on the note of Mons. de Marbois, dated May 16, relating to interest due French subjects, money due Sabatier and money advanced William Bingham. This note was transmitted in a letter from the Secretary for Foreign Affairs, dated May 26, which according to the indorsement was read May 27. July 7 the committee was discharged, according to Committee Book No. 190, and the matter referred to the Board of Treasury, which reported, according to the indorsement on Jay's letter, on August 2. This report was filed and Marbois' note, "transmitted to the Office f: for Affrs Nov. 1787." *Committee Book No. 190.*

John Habersham, also Edward Telfair and William Gibbons, sen^r and the said Abraham Baldwin and William Few, Esquires, delegates, with power to them, or any two of them, to represent the said State in Congress, until the first Tuesday in January, or till others shall be appointed by the legislature.¹

The Committee consisting of M^r [William] Grayson, M^r [Pierse] Long, and M^r [William] Ellery, to whom was referred two applications of Udney Hay, one dated May 16th, 1785, respecting his promotion and its attending emoluments, the other dated May 23rd, 1785, touching a mode for settling his accounts, Report—

That the application of Udney Hay for promotion be referred to the Secretary at War to report, and that his application respecting a mode of settling his accounts be referred to William Denning Esq. Comm. for settling the accounts in the Quarter Masters Department, and that he be authorized and directed in adjusting said accounts to govern himself by the directions given in the fourth clause of the resolutions of Congress of the third day of June 1784.²

The People of the State of Georgia by the Grace of God Free Sovereign and Independent:

WHEREAS our General Assembly did at their last meeting held at Savannah in the County of Chatham in the said State nominate and appoint William Houstoun, John Habersham, Edward Telfair, William Gibbons, Senior, Abraham Baldwin and William Few, Esquires,

S. ELBERT	Delegates to represent the same in the General
With the Great	CONGRESS of the UNITED STATES OF AMERICA as-
Seal Append-	sembled, to Continue in Office until the first Tuesday
ant.	in January which will be in the year of our Lord one
	thousand seven hundred and Eighty-six, or until
	others shall be appointed.

NOW THEREFORE KNOW YE, That in pursuance of such nomination and appointment WE DO by these presents Commissionate the said William Houstoun, John Habersham, Edward Telfair, William Gibbons, Abraham Baldwin and William Few, Esquires, or any two of

On this day, according to Committee Book No. 190, Mr. [John] Lawrance was added to the Committee of May 2 on the memorial of Brockholst Livingston, in the place of Mr. [Hugh] Williamson.

² This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, III, folio 133. According to indorsement it was passed June 10.

them Delegates to Represent this our State in the said General Assembly of the United States of America in Congress Assembled, And Do hereby authorize them, and each of them, to hold and exercise all the powers and authorities to the Office or place of Delegate belonging by Virtue of the Constitution of this our State, and the nomination and appointment aforesaid TO HAVE AND TO HOLD the said Office or place of Delegate, unto the said William Houstoun, John Habersham, Edward Telfair, William Gibbons, Abraham Baldwin and William Few, for and during, and until the first Tuesday in January as aforesaid, or until others shall be appointed by the Legislature, and no Longer.

IN TESTIMONY whereof I have hereunto set my hand and Caused the Great Seal of the said State to be put and affixed at Savannah, this fifth day of May, in the year of our Lord one thousand seven hundred and Eighty-five, And of our Sovereignty and Independence the Ninth.

By his Honors Command.

J. MILTON, *Sec^{ry}*.¹

OFFICE FOR FOREIGN AFFAIRS, 28th May, 1785.

SIR: I have the Honor of transmitting to your Excel^{ty} herewith enclosed, a Report on M^r Gardoqui's Letters.

His Character as a *Plenipotentiary Chargé des Affaires*, appears to me to be of the first Impression; and the Act of Congress directing the Ceremonials to be observed on the Reception of Foreign Ministers, does not expressly extend to it. I mention this that Congress may decide whether any and what Deviations shall in his Case be made from it.

That Act strikes me as abounding in Civility and possibly the Times rendered it expedient that it should be so. Perhaps it would not be seasonable to alter it at Present but a little Change in the Practice upon it, might make it correspond more with self-Respect. There does not seem to be any Impropriety in giving Audiences either public or private to any of these public Characters—what I mean to hint is that Congress would only *hear*, but not *answer* in Person. An immediate Answer cannot be expected from a collective Body; and I have no Reason to believe that other Sovereigns return set and

¹ The original is in the *Papers of the Continental Congress, Georgia, Credentials of Delegates*. It was entered in No. 179, *Record of Credentials*, and not in the Journal.

complimentary Answers to set and formal Addresses from any foreign Ministers.

I have the Honor to be etc.¹

The Committee of the week [Mr. David Jackson, Mr. William Houstoun and Mr. John Kean] on the letter from the Secretary at War of the 21st instant enclosing an estimate of the deficiencies of cloathing wanted for the troops to be raised under the resolutions of Congress of the 1st 7th and 12th April 1785, also an estimate of the daily supply of rations necessary for the said troops; beg leave to say that they have examined both estimates and find them conformable to the different resolutions of Congress in those cases made and provided. They therefore report that those estimates be referred to the Board of Treasury to take order.²

The Committee of the week [Mr. David Jackson, Mr. William Houstoun and Mr. John Kean] on the memorial of Toussaint Lopez praying for payment of certain notes or certificates of final settlements for his services amounting to 337⁸³/₉₀ dollars besides interest, urging as a reason that he was ready to go to France; find that the said Lopez served in the late Continental Army only as a private, that to grant relief in his case would be opening a door for an infinity of applications of a similar nature from individuals of the late Army, who might say they belonged to ~~this, that or the other~~ any nation of Europe and wished to return. They therefore report that in their opinion the prayer of his memorial cannot be granted.³

¹ This report is in the *Papers of the Continental Congress* No. 81, I, folio 231. According to the indorsement it was read May 30 and "Referred to the Secy. for foreign Affairs to report." The form of Jay's answer to Gardoqui is on folio 235, and was referred back to the Secretary to take order. Resolve Book No. 123 notes under May 30: "Ordered, That the foregoing draught of a Letter to Don Diego de Gardoqui, be referred to the Secretary for Foreign Affairs to take Order."

² This report, in the writing of David Jackson, is in the *Papers of the Continental Congress*, No. 32, folio 611. The indorsement states that it was agreed to on this day. Knox's letter, dated May 21, with the estimates, is in No. 150, I, folios 43-47. It is indorsed as having been read this day. The letter and estimates are also entered, by Benjamin Bankson, in Resolve Book No. 123 which records: "May 30th 1785. Ordered, That the foregoing Letter from the Secretary at War together with its enclosures be referred to the Board of Treasury to take Order."

³ This report, in the writing of David Jackson, is in the *Papers of the Continental Congress*, No. 32, folio 615. The indorsement states that it was agreed to on this day. See *ante*, May 18.

BOARD OF TREASURY, *May 27th 1785.*

The Board of Treasury having considered the memorial of Hendrick Smock referred to them on the 26th inst. Report.

That on an application, founded on similar principles, Congress Resolved, on the 8th January 1784.

That, the certificates being made payable to bearer & being probably in circulation the prayer could not be granted. They therefore submit to Congress the following general Resolution.

That in all cases, where certificates of the United States, payable to bearer, have been lost, and no satisfactory evidence given of the same having been destroyed, it would be improper, that any new certificates should issue to replace the same.¹

TUESDAY, MAY 31, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from the state of North Carolina, Mr. [Richard Dobbs] Spaight.

Congress took into consideration the report of a committee, consisting of Mr. [James] Monroe, Mr. [William] Ellery and Mr. [William Samuel] Johnson, to whom was referred a letter of 25 April from Messrs. Clark, Wolcott and Butler, three of the commissioners for negotiating with the Indians in the northern and middle departments, as far as the Cherokees exclusive, and on the question to agree to the following paragraph,

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 138, II, folio 385. According to the indorsement it was read this day and passed August 19.

MAY 30: The following committees were appointed: Of the Week: Mr. [Charles] Pettit, Mr. [John] Lawrance and Mr. [John] Kean.

Mr. [David] Howell, Mr. [Pierse] Long, Mr. [John] Henry, Mr. [Charles] Pettit and Mr. [Richard Dobbs] Spaight to revise the regulations of the Treasury Department and report an ordinance for its future regulation. This was a renewal of the committee of April 12 and the committee of this day was again renewed July 11.

Also on this day Ezekiel Forman was nominated by Mr. [Charles] Pettit for Commissioner of the Board of Treasury. *Committee Book No. 190.*

“That the commissioners instructed to hold a treaty under the resolutions of the 18 of March last, with the Western tribes of Indians, at post St. Vincent, on the twentieth day of June next, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed to avail themselves of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible.”

The yeas and nays being required by Mr. [Charles] Pinckney,

<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	ay	} div.	Mr. McHenry,	ay	} ay
King,	no		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	} div.	<i>Virginia,</i>		
Howell,	ay		Mr. Monroe,	ay	} ay
<i>Connecticut,</i>			Lee,	ay	
Mr. Cook,	ay	} ay	Grayson,	ay	
Johnson,	ay		<i>North Carolina,</i>		
<i>New York,</i>			Mr. Spaight,	ay	*
Mr. Smith,	ay	} ay	<i>South Carolina,</i>		
Lawrance,	ay		Mr. Pinckney,	no	} no
<i>New Jersey,</i>			Ramsay,	ay	
Mr. Beatty,	ay	} ay	Kean,	no	
Dick,	ay		<i>Georgia,</i>		
Stewart,	ay		Mr. Houstoun,	no	} no
<i>Pennsylvania,</i>			Habersham,	no	
Mr. Jackson,	ay	} ay	Baldwin,	no	
Pettit,	ay				

So the question was lost.

Ordered, That the farther consideration of the report be postponed till to Morrow.

On the report of a committee consisting of Mr. [Hugh] Williamson, Mr. [David] Howell and Mr. [Rufus] King, to whom was referred a memorial of J. Beatty, late commissary-general of prisoners,

Resolved, That in settling the accounts of Mr. John Beatty, late commissary of prisoners, he be allowed to charge such expences of travelling, as were necessary in the discharge of his Office.

That Mr. Beatty's account for pay be settled according to the act of June 6th, 1777, compared with the act of June 3, 1784.¹

OFFICE FOR FOREIGN AFFAIRS, 31st May, 1785.

The Secretary of the United States for the Department of foreign Affairs, to whom was referred a Letter from him to his Excellency the President respecting the Reception of the Plenipotentiary Chargé des Affaires of his Catholic Majesty Reports, that in his opinion it should be

Ordered, That the Reception of the Plenipotentiary Chargé des Affaires of his Catholic Majesty lately arrived at Philadelphia and daily expected here, be in this Manner Viz:

The Secretary for foreign Affairs will take care on his Arrival, to signify to him the Propriety of his visiting and leaving a Copy of his Commission and Letters of Credence with, his Excellency the President of Congress.

The Secretary for foreign Affairs will afterwards, at such Time as may be appointed for that Purpose, conduct him to the Congress Chamber, to a Seat to be placed for him, and announce him to the House; the Members keeping their Seats, and the President remaining covered. He shall then rise, and deliver his Commission and Letters of Credence to the Secretary of Congress, who shall read a Translation of them, to be prepared by the Secretary for foreign Affairs, from the Copies to be left as aforesaid, with the President.

He may then be at liberty to offer (and if he please deliver to the Secretary of Congress in writing) what he may think proper, to Congress; and the Secretary for foreign Affairs will inform him, that Congress will take what he may say into Consideration, and through him will communicate whatever Answer they may resolve upon.

¹On this day, as the indorsement states, was read a letter of May 5 from S. Elbert, Governor of Georgia, acknowledging receipt of letters of December 26 and January 21 from Congress. It is in No. 73, folio 311.

Also, was read, a petition from Captain Jonathan Lawrence, Jr., for commutation of pay. It was referred to the Secretary at War to report. See *post*, July 18. The petition is in No. 42, IV, folio 384.

When he retires, he shall be reconducted by the Secy. for foreign Affairs, who will hint to him that a Visit will be expected by every Member of Congress. While in the Congress Chamber he shall be uncovered.

All of which is submitted to the Wisdom of Congress.¹

WEDNESDAY, JUNE 1, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from North Carolina, Mr. [Richard Dobbs] Spaight.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [William Samuel] Johnson, to whom was referred a memorial of the rev^d Samuel Kirkland,

Resolved, That the board of treasury take order for paying to the Rev. Samuel Kirkland, the sum of seventy seven and an half [dollars,] for articles of food and cloathing by him furnished for the Use and comfort of the Oneida Indians, in the years 1780 and 1781.

Resolved, That the paymaster general settle the accounts of the reverend Samuel Kirkland for his services as brigade

¹ This report is in the *Papers of the Continental Congress*, No. 81, I, folio 239. It is indorsed "Ent. 31 May, 1785. June 7, 1785, Referred to Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [James] McHenry." On the first folio Thomson has noted: "Referred to the Secretary for forⁿ Affairs to take order." See *post*, June 7, June 14, and June 17.

On this day, according to Committee Book No. 190, and the indorsement, was read a letter from the Secretary for Foreign Affairs, dated May 30, forwarding a letter from Samuel Shaw, dated May 19, relating to a trade with China and accompanied by two pieces of silk presented to him by the Fuen of Canton. It was referred to Mr. [James] McHenry, Mr. [Rufus] King and Mr. [William Samuel] Johnson, who reported June 9. Jay's letter is in No. 80, I, folio 197. In the later handling of this matter the name is correctly given as William Shaw.

Also, according to indorsement, was read a letter from the Secretary for Foreign Affairs, dated May 31, enclosing a letter of April 13 from John Adams accompanied by many papers in French and Spanish, which the Secretary stated, would take some time to translate. Jay's letter is in No. 80, I, folio 201, and is indorsed by Bankson: "Letter from Mr. Adams sent to Office Foreign Affairs Aug^t 24 to be filed."

chaplain, under the appointment of October 16, 1779, and allow him the pay and subsistence therein specified to the 3 day of November, 1783.

Resolved, That in consideration of the services rendered to the United States, among the Indians of the Six Nations, by the rev^d Samuel Kirkland, since the 3d day of November, 1783, the board of treasury take Order for paying him the sum of two hundred and fifty dollars.¹

On the report of a committee, consisting of Mr. [Rufus] King, Mr. [John] Lawrance, Mr. J[ohn] Henry, Mr. [William] Ellery and Mr. [James] Monroe, to whom was referred a petition of the legislature of the State of South Carolina, praying that a federal court may be appointed conformably to the Articles of Confederation and perpetual Union, to decide a dispute concerning boundaries, between the said state and the state of Georgia,

Resolved, That the second Monday in May next be assigned for the appearance of the States of South Carolina and Georgia, by their lawful agents; and that notice thereof, and of the petition of the legislature of the state of South Carolina, be given by the Secretary of Congress, to the legislative Authority of the state of Georgia, in the following form:

By the United States in Congress assembled, in the city of New York, on the first day of June, in the year of our Lord 1785, and of the independence of the United States of America the ninth. To the legislative Authority of the State of Georgia, it is hereby made known, that in pursuance of the ninth of the Articles of Confederation and perpetual Union, the legislature of the State of South Carolina have presented a petition to Congress in the words following:

“To the United States of America in Congress assembled, The petition of the legislature of South Carolina Sheweth, That a dispute and difference² hath arisen and subsists between the State of Georgia

¹ See *ante*, April 26.

²At this point Benjamin Bankson takes up the entry.

and this State, concerning boundaries, the said States claiming, respectively, the same Territories. That the case and claim of this State are as follows, viz. Charles the Second, King of Great Britain, by Charter, dated the twenty fourth day of March, in the fifteenth year of his reign, granted to eight persons therein named, as Lords Proprietors thereof, all the Lands lying and being within his dominions of America, between thirty one and thirty six degrees of North latitude, in a direct West line to the South Seas, stiling the Lands so described, the Province of Carolina. That on the thirtieth day of June, in the seventeenth Year of his Reign, the said King granted to the said Lords Proprietors, a second Charter, enlarging the bounds of Carolina, viz. from twenty nine degrees of North Latitude to thirty six degrees thirty minutes, and from those points on the Sea Coast, West in a direct line to the South Seas. That seven of the said Proprietors of Carolina, sold and surrendered to George the Second, late King of Great Britain, all their title and interest in the said province; and the share of the remaining Proprietor was separated from the King's, and allotted to him in the north part of North Carolina. That Carolina was afterwards divided into two Provinces called North and South Carolina. That by a Charter dated the ninth day of June, one thousand seven hundred and thirty two, George the Second, King of Great Britain, granted to certain persons therein named, all the Lands lying between the rivers Savannah and Alatomaha, and between lines to be drawn from the heads of those rivers respectively to the South Sea, and stiled the said Colony Georgia. That by the Treaty of peace, concluded at Paris, on the tenth day of February, one thousand seven hundred and sixty three, the River Mississippi was declared to be the Western boundary of the North American Colonies. That the Governor of South Carolina, in the year one thousand seven hundred and sixty two, conceiving that the Land to the Southward of the Alatomaha still belonged to South Carolina, granted several tracts of the said Land. That the government of Georgia complained to the King of Great Britain respecting those grants, as being for Land within its limits, and thereupon his Majesty, by proclamation dated the seventh day of October, one thousand seven hundred and sixty three, annexed to Georgia all the Lands lying between the Rivers Alatomaha and St. Mary, the validity of the grants passed by the Governor of South Carolina, as aforesaid, remaining however acknowledged and uncontested, and the Grantees of the said Land, or their Representatives, still holding

it as their legal Estate. That South Carolina claims the Lands lying between the North Carolina line, and a line to be run due West from the mouth of Tugoloo River to the Mississippi, because, as the said State contends, the River Savannah loses that name at the Confluence of Tugoloo and Keowee Rivers, consequently that spot is the head of Savannah River; the State of Georgia, on the other hand, contends, that the source of Keowee River is to be considered as the head of Savannah River. That the State of South Carolina also claims all the Lands lying between a line to be drawn from the head of the River St. Mary, the head of Alatomaha, the Mississippi and Florida, being, as the said State contends, within the limits of its Charter, and not annexed to Georgia by the said proclamation of one thousand seven hundred and sixty three; the State of Georgia, on the other hand, contends, that the tract of Country, last mentioned, is a part of that State. Therefore and inasmuch as the United States in Congress assembled, are the last resort, on appeal, in all disputes and differences between two or more States concerning boundary, the Legislature of South Carolina pray for a hearing and determination of the difference and dispute subsisting as aforesaid, between Georgia and this State, agreeable to the Articles of Confederation and perpetual Union, between the United States of America. In the Senate House, this twenty fourth day of March, in the year of our Lord one thousand seven hundred and Eighty five, and in the Ninth year of the Independence of the United States of America.

And that the second Monday of May next is assigned for the appearance of the said states of South Carolina and Georgia, by their lawful agents, to proceed in the premises as by the said Articles of Confederation and perpetual Union is directed.

By Order of Congress, CHARLES THOMSON, *Secretary.*²

The Com^{es} [Mr. John Beatty, Mr. William Henry and Mr. Joseph Platt Cook] to whom was referred the letter from Geo: Morgan of the 20th of May, 1785, relative to the Indian youth under his care report

That they find from the Information of Mr. Morgan that Thos. Killbuck and Jno. Killbuck are desirous of returning to their Country being of the Delaware Tribe of Indians. That for some time past they have not been attentive to the advice and Instruction made thereof for their Improvement; but either have been wholly Idle, or

¹At this point Thomson resumes the recording of the Journal.

² See *ante*, May 13 and 17.

Employed in some branches of Mechanic Arts, which can avail them but little on their return among their Countrymen. That John Killbuck hath intermarried with a servant maid in Mr. Morgan's Family, whereby a Considerable additional Expence is incurred in the Maintenance of his wife and child. That under this State of Facts in the opinion of your Com^{es} they ought to be permitted to return and that the Comrs. who are about to hold a Treaty in the Western Territory, should be requested to take charge of and Cause them to be delivered to the Tribe to which they belong—wherefore your Com^{es} submit the following resolution—

Resolved, That Mr. Morgan be directed to deliver to any one or more of the Commissioners appointed to negotiate a Treaty with the Indians at Fort Vincent in June next, Thomas Killbuck and Jno. Killbuck, two Indian youth of the Delaware Tribe, who were put under his care in the year 1779. That he furnish them with such necessary articles of cloathing as may be proper for them and that the Commissioners be directed to cause them to be delivered up to the Tribe of which they are Natives.

Resolved, That the accounts Exhibited by Mr. Morgan for Cloathing & Board to the Indians put under his Care, be referred to the Board of Treasury for Liquidation and payment .

Resolved, That Mr. Morgan be impowered and requested to continue the care and direction of Geo: White Eyes for one Year and that the Board of Treasury take order for *furnishing Mr. Morgan with Money* necessary to carry the views of Congress in this respect into Effect.¹

The Committee of the week [Mr. Charles Pettit, Mr. John Lawrence and Mr. John Kean] to whom were referred the letter from Col. Humphreys of the 18th of March last, and its enclosures relative to the procuring of the honorary presents which have been directed to be given to different officers during the late war, Report.

That the principal object of the said letter seems to have been to convey information of the measures which had been taken towards procuring the said honorary presents. That the description of medals for Genl. Morgan &c. was not in the style and manner in which such medals were usually executed, and that the execution of them had therefore been suspended until the pleasure of Congress should be

¹ This report, in the writing of John Beatty, is in the *Papers of the Continental Congress*, No. 19, IV, folio 133. According to the indorsement it was read this day and passed June 20.

known whether the performance should be *exactly* in the manner prescribed; and that, if they are to be executed in the manner originally proposed, it will be necessary for Col. Humphreys to have more particular information of the numbers on both Sides of the killed, wounded prisoners, trophies &c. which the enemy lost in the action of the Cowpens.

That your Committee do not deem it expedient to suggest any alteration in the directions which have been given for procuring the said Medals; they therefore recommend that the said letter and its inclosures be referred to the Secretary at war to take order respecting the information necessary to be given to Col. Humphreys.¹

The Committee consisting of M^r [William] Houstoun, M^r [David] Howell, M^r [William] Hindman, M^r [William] Grayson, and M^r [William] Ellery, to whom was referred a report on the subject of reprinting the Journal and with what additions,

Are of opinion that the whole of the journals ought to be reprinted and published, and that such part of the secret Journals as are marked for that purpose by the Committee and which have not heretofore been printed and published be incorporated in their order agreeably to their dates. They are further of opinion that the Secretary of Congress be directed to give the most public notice to the different printers in the respective States, requesting them to propose the terms upon which they will print and publish the journals in Quarto and at the same time transmit samples of their performances.²

The Committee [Mr. John Lawrance, Mr. William Ellery and Mr. Abiel Foster] to whom was referred the Petition of Thomas Walcut setting forth his having served in the Capacity of a Steward and Wardmaster in a Hospital established at Boston from 18th March

¹ This report, in the writing of Charles Pettit, is in the *Papers of the Continental Congress*, No. 32, folio 587. It is undated. Despatch Book No. 185 shows that it was received June 1. The indorsement states that the letter was referred June 13 to the Secretary at War to take order.

² This report, in the writing of William Hindman, is in the *Papers of the Continental Congress*, No. 23, folio 281. The indorsement states that it was read this day and "referred to the Secretary of Congress to take order." See *post*, January 30, 1786.

On this day, as the indorsement states, was read a petition of Absalom Martin praying to be appointed a surveyor. It is in No. 42, V, folio 325.

Also, a letter of William Morris, dated May 30, accepting appointment as surveyor. It is in No. 55, folio 157.

Also, a letter of May 20 from Thomas Cushing, Governor of Massachusetts, relative to the apprehension of counterfeiters. It is in No. 65, II, folio 261.

1778 to 1st August 1782, and praying Compensation for the Service he rendered as Ward Master.

Report, That from the Certificates of John Warren, late Hospital Surgeon and Physician to the Hospital at Boston, from E. Willard late Surgeon and Abijah Cheever late Surgeons Mate, in the said Hospital it appears that the said Thomas Walcut did the Duty of Steward and Ward Master in the said Hospital from March 18, 1778, to August 1, 1782, with attention and Fidelity. That he discharged the Duties under an infirm state of Health; and was exposed to disorders of the most malignant Kind; and that he has received no Compensation for the service rendered as Ward Master. They therefore submit the following Resolution—

Resolved, That the Commissioner for settling the Accounts of Persons who served in the Hospital Department during the late war be authorized to allow the said Thomas Walcut at the Rate of Ten Dollars per month as a Compensation for the time he served as Ward Master in the Hospital at Boston.¹

The Committee consisting of M^r [Charles] Pinckney, M^r R[obert] R. Livingston, M^r [Rufus] King, M^r [James] Monroe, and M^r [William Samuel] Johnson to whom were referred a letter of the 10th of December from the Hon. Cyrus Griffin and John Lowell Esqrs. Judges of the Court of appeals and a motion of M^r [David] Howell—to whom also were referred the petitions of Joseph Ellis praying a rehearing in the case of the sloop *Hannah* condemned in the Court of the Admiralty in the State of New Jersey, a reversal of which decree was obtained before the judges of appeal together with the Report of the Secretary of foreign affairs in the case between Daniel Darby qui tam appellant and the imperial Brig *Ersten* and her Cargo Pd Thomson Master &c. and to whom also was referred the Memorial and petition of George Meade as attorney to Thomas Lake, W. C. Lake and Richard Lake, subjects of his Britannick Majesty respecting the condemnation of the Brigantine *Hope* and her Cargo in the Court of Admiralty in the State of Connecticut, stating the reasons of their appeal not being lodged in time and praying relief, Report,

That in the opinion of your Committee the present Judges of the Court of appeals must be still considered as in Commission, no information having been communicated to Congress of their intention

¹This report, in the writing of John Lawrance, is in the *Papers of the Continental Congress*, No. 19, VI, folio 135. It is indorsed by Thomson: "Ent^d read June 1 1785. Ent^d read July 8, 1785 passed." The report was read June 1 and recommended on June 3; it was, apparently, again submitted without change on July 8. See *post*, September 28.

to resign, and that it will be necessary the court of appeals should remain upon their present establishment except with respect to the salaries of the Judges which should cease from the day of and that in lieu thereof they shall be entitled to dollars per day during the time they shall attend the sitting of the Courts and including the time they shall be necessarily employed in travelling to and from the said courts.

That the present judges should be acquainted with the determination of Congress upon this subject.

That with respect to the cases of the sloop *Hannah* and the Imperial Brigantine *Ersten*, your Committee beg leave to recommend that it be resolved.

That the Court of appeals be authorized in these and every other cause before them to grant rehearings, or new trials of the same, whenever justice and right may in their opinion require it provided that such rehearing is

provided, also, that an order for a rehearing shall in no instance suspend the execution of the first sentence, if the party in whose favor it may be shall give satisfactory security for the payment of such costs and damages as the court on rehearing the cause and reversing the decree may think proper to award.

That with respect to the case of the Brig *Hope* as it appears by affidavits accompanying the Memorial of the owners, that the reason alledged by them why the appeal was not lodged with the Register within the time prescribed by the resolution of Congress was in consequence of an agreement between the libellants and respondents stated in their Memorial, and attested by S. H. Parsons Esq. your Committee are of opinion that the judges of the Court of appeals be directed to inquire into the reasons which prevented the appeal being lodged in time and if it shall appear to them upon investigation, that it was not owing to the neglect or default of the Said T. Lake, W. C. Lake, and R. Lake or their attorney that the said appeal was not lodged, but to the agreement of the parties to suspend any farther proceedings until it could be known whether any explanation of that article of the treaty which respected this particular case should be made between the two Powers or otherwise settled and determined that in this case the said judges be and they are hereby empowered to receive said appeal and to rehear and determine the said cause, any Resolution of Congress to the contrary notwithstanding.¹

¹ This report, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 28, folios 205-209. The indorsement states that it was read on this day and Tuesday June 8 assigned for consideration.

The Committee of the Week [Mr. Charles Pettit, Mr. John Lawrance, and Mr. John Kean] to whom was referred a Paper entitled, "The Petition of the Roman Catholic Inhabitants of the City of New York," Report—

That on examining the said Paper it does not appear to have been signed, nor in any manner authenticated so as to ascertain it to be the Act of the said Roman Catholicicks or the act of any person or persons by them authorized.

That the said Paper, tho' stiled a *Petition* does not contain any prayer requiring an Answer from Congress in their Collective Capacity nor could any prayer, arising from the facts stated in the said paper, be properly addressed to Congress. Matters of this kind being more proper in the opinion of your Committee for the consideration of the State in which the Petitioners may reside.¹

THURSDAY, JUNE 2, 1785.

Congress assembled. Present, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from New Hampshire,

¹ This report, in the writing of Charles Pettit, is in the *Papers of the Continental Congress*, No. 32, folio 531. According to Despatch Book No. 185, it requested financial aid in building a church and was presented to Congress June 1.

JUNE 1: The following committees were appointed:

Mr. [David] Howell, Mr. [William] Grayson, Mr. [James] McHenry, Mr. [Charles] Pettit and Mr. [Rufus] King, on Col. Josiah Harmar's letter of April 21 (Thomson noted it as dated May 1) on steps necessary to be taken to dispossess squatters on lands west of the Ohio. Harmar's letter, which is in the *Papers of the Continental Congress*, No. 163, folio 426, was read this day and the committee reported June 20, but the report was not read until June 21.

Mr. [John] Lawrance, Mr. [David] Howell and Mr. [Rufus] King on the memorial of Captain Christopher Miller for sea letters. A report was made June 2. Miller's memorial, dated June 1, is in No. 41, VI, folio 405.

Mr. [Charles] Pinckney, Mr. [David] Howell and Mr. [John] Lawrance, on the report on the memorial of Donald Campbell and a new memorial from him dated June 1. Report was made June 4. The June 1 memorial is in No. 41, II, folio 396.

Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [John] Beatty, on memorial of Col. J. G. Diricks, dated June 1, praying payment of his loan office certificates. Report was made June 4. Diricks' memorial is in No. 41, II, 531, and the letter from him forwarding the memorial is in No. 78, VIII, folio 135.

Committee Book No. 190.

Mr. [Abiel] Foster; and from North Carolina, Mr. [Richard Dobbs] Spaight.

The committee, consisting of Mr. [John] Lawrance, Mr. [David] Howell and Mr. [Rufus] King, to whom was referred a memorial of Christopher Miller, praying for Sea letters for the ship "Governor Clinton," to be put under his command, report, "That they have evidence that the Owners and captain of the said ship "Governor Clinton," are citizens of the United States of America; and that the said ship is bound on a voyage, in the course of which a Sea letter may be useful." Whereupon,

Resolved, That a Sea letter be granted for the ship "Governor Clinton," Christopher Miller, master, in the form of the Sea letters granted for the ship "Empress of China," John Green, master, *mutatis mutandis*.

On the report of a committee, consisting of Mr. [John] Bull, Mr. [John] Beatty and Mr. [George] Patridge, to whom was referred a memorial of Henry Rutgers, Richard Lush and Jacob John Lansing, deputy muster masters of divisions in the Army of the United States,

Resolved, That it be, and it is hereby recommended to the executive of the State of New York, to settle with and pay Henry Rutgers, Richard Lush and Jacob John Lansing, late deputy muster masters in the Army of the United States, by allowing them what their arrears of pay and years advance as deputy muster masters was worth in specie at the time they respectively became due, and charge the same to the United States, provided it shall appear that no settlement shall have already been obtained.¹

¹ The report, in the writing of John Beatty, is in the *Papers of the Continental Congress*, No. 19, V, folio 261. See *ante*, February 22.

On this day also, according to indorsement by Roger Alden, the Board of Treasury reported on a memorial of Francis Dana, praying for the settlement of his accounts. The business was settled by the adoption of sundry resolves moved by Elbridge Gerry, July 22. Dana's memorial and his accounts, undated, are in No. 41, II, folios 541-547.

On the report of a committee, consisting of Mr. [David] Ramsay, Mr. [William Samuel] Johnson and Mr. [Samuel] Dick, to whom was referred a Petition of Jacob Fowler, an Indian of the Montauk tribe,

Resolved, That the board of treasury advance to Jacob Fowler, the sum of one hundred dollars, to encourage him to instruct the Indians.

On the report of the Secretary at War, to whom was referred a petition of David Oliphant, deputy director of the late Southern hospital,

Resolved, That those officers of the hospital department in the Southern Army, who were detained in Charleston, after its surrender to the British troops, for the purpose of attending the sick and wounded of the army of the United States, shall, in consideration of the extra expenses which they incurred by the performance of the said duty, be allowed the sums affixed to their respective names contained in a return deposited in the War Office, which was transmitted and signed by David Oliphant, deputy director of the Southern hospitals.

On the report of a committee, consisting of Mr. [Rufus] King, Mr. [John] Beatty and Mr. [David] Howell, to whom was referred a memorial of Mr. P. Landais,

Resolved, That the board of treasury take order to pay to Mr. Peter Landais, four thousand four hundred and ninety eight dollars and one tenth of a dollar, that sum being the amount of a gratuity allowed him by a resolve of Congress of the 6th day of March, 1779, with the interest thereon from that date to the 6th day of May last, added to the amount of his extra expences, subsistence, and one fifth part of his pay as a captain in the navy while in public service, with the interest thereon, from the 6th day of January, 1781, to the 6 day of May aforesaid. And that the Commissioner for

settling the Accounts of the marine department, issue a certificate to Mr. Peter Landais, for eighteen hundred and fourteen dollars and four tenths, bearing an interest of six per cent. from the sixth day of May, 1785; that sum being the balance of his account for pay, subsistence and extra expences while in public service.¹

The Committee of the week [Mr. Charles Pettit, Mr. John Lawrance and Mr. John Kean] to whom was referred the Memorial of Cornelius Jones setting forth that he had sold property at certain periods during the late war, had deposited the money in the Loan Office of the State of Massachusetts; and procured Loan Office certificates for the amount; praying that the said certificates may be adjusted upon an equitable footing and the Interest paid, Submit the following report,

That Congress has already prescribed a mode for the liquidation of certificates issued by the several Loan Offices, and for the adjustment of the Interest due thereon, and in their opinion it would be inexpedient to adopt any particular mode in favor of M^r Jones.²

The Report of the Committee [M^r James Monroe, M^r Rufus King, M^r Charles Pinckney, M^r William Samuel Johnson and M^r John Lawrance] appointed to "revise and report what alterations, if any, are necessary to be made in the instructions given to the commiss^{rs} authoriz'd to form commercial treaties with powers."

In examining the said instructions it ocured to the Committee as a subject worthy of previous enquiry, 1. Whether the U. S. were possess'd of sufficient powers to form commercial treaties so as that their engagements sho^d be binding on the Union. 2. If they were, whether such treaties might probably be obtained at present, as they sho^d accept of, with all the s^d powers, if not, with whom, and what

¹ On this day, according to Committee Book No. 190, Mr. [Abraham] Baldwin was appointed to the committee of March 29 on Hezekiah Wetmore's petition, in place of Mr. [Hugh] Williamson. See *post*, June 13.

² This report, in the writing of John Lawrance, is in the *Papers of the Continental Congress*, No. 32, folio 615. The indorsement states that it was agreed to on this day.

On this day, as the indorsement states, was read a petition of Fleury Mesplet, dated June 2, on the subject of his claim as printer in Montreal. It was referred to the Committee of the Week and on June 13 ordered to be filed. It is in No. 41, VI, folio 409. See *ante*, April 26.

Also, a letter of May 31 from Adam Hoops, accepting the office of Surveyor. It is in No. 78, XII, folio 403; another from him, dated June 2, is on folio 407.

the measures necessary to be taken with those who decline them.

3. The principles upon which the treaties sho^d be form'd with each.

1. The Committee have thought it their duty to suggest their doubts upon the first point, without entering into an investigation of it; they think it sho^d be determin'd, for unless it shall be unquestionable that the U. S. have it in their power to give what indulgence, or lay what restraints they please, upon the intercourse of other powers with these States all propositions on their part, found in the principles of reciprocity, will prove ineffectual; other powers will not enter engagements which are not reciprocal, and finding us incapable of laying similar restrictions on their trade, will adopt such with respect to us as they may think necessary. The evil is in this instance an internal one, and until we apply a remedy to the source, all extra or superficial applications will be unnecessary.

2. For information upon the 2^d point "whether such treaties could be obtained at present &c." the committee are of opinion, that recourse must be had to the interests of each power respectively as they apply to these States. It is the interest of all powers who have materials for exportation and who wish to encourage it, whether of manufactures or gross materials, to create as great a competition among the purchasers, and to impose as light duties upon the exportation, as possible; with those who manufacture only, and depend on other countries for the raw materials, to lay light duties upon the importation thereof, and to admit them from every country. If these principles are just it will be the interest of every country with whom we can have a commercial intercourse to invite us to the ports of their capitals, to admit our raw materials, and to let us take off theirs in return, upon as favorable terms as possible. What we shall then ultimately obtain from those powers, who have no colonies or islands we shall probably obtain at present, or at any time, and as well perhaps, without as with a treaty. On our part, as we have many gross materials for sale, and require the greater part of our manufactures and many other articles from beyond the Atlantic, in those articles we purchase and those we carry to market, it is our business to create as great a competition as possible—to have all the world before us in both views and the ports of these States open to all nations.

Treaties between the U. S. and powers thus circumstanc'd, or having no Colonies, or with the capitals of those who have them, sho^d be of Amity only, if indeed such are necessary in the present improv'd

state of society, and for this purpose (provided it did not subject us to the inconvenience hereafter mention'd) those which stipulate to each party, the right of the most fav^d nation, might perhaps be well adapted.

But the policy of the powers who hold the W. India Islands, is to monopolize their trade and make it subservient to their particular aggrandizement, and the countries to whom the most valuable belong, France and G. Britain, are those with whose capitals we shall have, for the interchange of our respective commodities the principal intercourse. Independant of their colonies therefore they might claim with greater propriety than either of the other powers, perfect reciprocity. If then they admitted us into their islands freely it would be in consideration of particular advantages in our general commerce, which other nations should not be entitled to. Whether this shall be the case, and to what degree may become a question in the last resort, but the Committee are of opinion that other measures should at least be tried, in the first instance.

By negotiation in the first instance, most probably, this end will not be obtain'd; it is therefore best to begin in a manner which may be successful. Theirs is a plan of distress to us, and ours must reciprocate it. Upon what quarter of their system shall we begin? The committee doubt the propriety of taking such measures only, as are calculated to affect the Islands; in proportion as we lay restrictions upon their commerce, in the importation of theirs or the exportation of our materials, be the effect as it may with respect to the islands, it will in the degree that it deprives us of a mart for our produce, as well as of the purchase of theirs, certainly operate to our prejudice. They therefore advise at the same time, those which will be less injurious to these States and strike more deeply into their commercial system. By laying higher duties upon their vessels than those of other powers, and lower upon those of these States than of any other country, we shall essentially wound their gen^l commercial interests, and at the same time promote those of these States. Whatever also, which hath heretofore come thro' their ports, not of their growth, but of the Mediterranean, the east or the north, should be prohibited here and required from the ports of the country to which they belong. In short, while these powers pursue their present policy with respect to the islands, it is ours to press them in every vulnerable part, and to pursue it to the utmost extent that our interest will

admit of, until we obtain what we seek. But altho' the policy of France and G. B. is precisely the same, founded in a similarity of interests, with respect to their Islands, and of course the same measures are warranted on our side with respect to each, yet the committee doubt the propriety, to the same extent, on both at the same time. Under the treaty, France is entitled to the rights of the most favored nation, and in that case the U. Netherlands, Sweden, Portugal and all other powers, otherwise not the object of restriction, must be included. They are therefore of opinion they sho^d apply in the first instance to G. Britain only, and if they succeed with respect to her, France must follow the example.

3. Upon the whole the committee are of opinion that as the trade with those powers who have not colonies in America is as advantageous to them as it can be to these States, and may be carried on as well without as with a treaty, and of course can gain nothing, and may embarrass us, that for the present it sho^d be declin'd. If however the contrary sentiment sho^d prevail, that they be so formed as to lay us under no restraint, as to the principal object which we have in view viz., the opening the W. India Islands; for this purpose, that our engagements with each, be with it alone, separately and independantly of its, or the connections of the U. S. with other powers, stipulating to their subjects certain rights and privileges within our ports, in consideration for those of a similar nature to our citizens within theirs, and that the extent of the obligation, on either side, be fully understood. That no engagement sho^d be entered into with those having possessions in the W. Indies, which did not in some degree open said possessions to the U. S.

Whereupon, resolv'd, that the two first articles of said instructions be repeal'd and the following inserted in their stead viz.

1. That with the nations holding possessions in the W. Indies each party shall have a right to carry their own produce manufactures and merchandize in their own bottoms to the ports, of the other, as well the metropolis as such possessions, and thence to take back the produce and merchandize of the other, paying each in both cases, the same tonage upon their vessels engag'd in the transportation thereof, that if this cannot be obtain'd in full as to such possessions, that it be stipulated as to certain free-ports within such possessions; and if this cannot be obtain'd that it be stipulated that each party be permitted to carry its own produce in its own bottoms to the ports of the other.

~~2. That with the other powers it be stipulated that each party shall have a right to carry their own produce manufactures.~~

2. That with the other powers a direct and similar intercourse be stipulated with each respectively.

3. That it be propos'd to all the said powers though not indispensibly requir'd, that the same duties be paid upon the goods, wares and merchandize of each other in the ports of the U. S. and theirs respectively ad valorem.¹

FRIDAY, JUNE 3, 1785.

Congress assembled. Present, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from New Hampshire, Mr. [Abiel] Foster; from Rhode Island, Mr. [William] Ellery, and from North Carolina, Mr. [Richard Dobbs] Spaight.

On the report of a committee, consisting of Mr. [Rufus] King, Mr. [David] Howell and Mr. [Charles] Pinckney,

Resolved, That the board of treasury be, and hereby are authorized and directed to sell for specie or public securities, at public or private sale, the frigate Alliance, with her tackle and appurtenances, (excepting her guns and other military appointments, which the Secretary at War is hereby directed to receive into his custody) the board of treasury giving previous notice of the sale in the news papers of such states as they may judge proper.

On the question to agree to this, the yeas and nays being required by Mr. [Charles] Pinckney,

¹ This report, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 29, folio 341. According to the indorsement it was read this day and held as secret: "But Congress order a written copy to be made for each State and delivered to the delegates. Thursday June 9 assigned for Consideration." See *ante*, April 4, for Monroe's motion on this subject.

<i>Massachusetts,</i>			<i>Maryland,</i>	
Mr. Holten,	ay	} ay	Mr. McHenry,	ay
King,	ay		J. Henry,	ay
<i>Rhode Island,</i>			<i>Virginia,</i>	
Mr. Ellery,	ay	*	Mr. Lee	ay
<i>Connecticut,</i>			Grayson,	ay
Mr. Cook,	ay	} ay	<i>North Carolina,</i>	
Johnson,	ay		Mr. Spaight,	no
<i>New York,</i>			<i>South Carolina,</i>	
Mr. Lawrance,	ay	} ay	Mr. Pinckney,	no
Smith,	ay		Ramsay,	ay
<i>New Jersey,</i>			Kean,	ay
Mr. Dick,	ay	} div.	<i>Georgia,</i>	
Stewart,	no		Mr. Houstoun,	ay
<i>Pennsylvania,</i>			Habersham,	no
Mr. Jackson,	ay	} ay	Baldwin,	ay
Pettit,	ay			

So it was resolved in the affirmative.

A motion having been made by Mr. [Charles] Pinckney, seconded by Mr. [John] Lawrance,

That a copy of the treaty entered into by the Commissioners of the United States, with the Sachems and Warriors of the Six Nations of Indians, at fort Stanwix, on the 22 day of October, 1784, in the words following:

“Articles of a treaty concluded at fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty four, between Oliver Wolcott, Richart Butler and Arthur Lee, Commissioners plenipotentiary from the United States in Congress assembled, on the one part, and the Sachems and Warriors of the Six Nations on the other. The United States of America give peace to the Senecas, Mohawks, Onondagas and Cayugas, and receive them into their protection upon the following Conditions: Article 1st Six Hostages shall be immediately delivered to the commissioners by the said Nations, to remain in possession of the United States, till all the prisoners, white and black, which were taken by the said Senecas, Mohawks, Onondagas and Cayugas, or by any of them in the late war, from among the people of the United States, shall be delivered up. Art. 2^d The Oneida and Tuscarora Nations shall be secured in the possession

of the lands on which they are settled. Art. 3^d A line shall be drawn, beginning at the mouth of a creek about 4 miles east of Niagara, called Oyonwayea or Johnson's landing place, upon the lake named by the Indians Oswego, and by us Ontario, from thence southerly in a direction always four miles east of the carrying path, between lake Erie and Ontario, to the mouth of Tehoseroron or Buffaloe creek on lake Erie, thence south to the north boundary of the State of Pennsylvania, thence west to the end of the said north boundary, thence south along the west boundary of the said State, to the River Ohio, the said line from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States all claims to the country west of the said boundary, and then they shall be secured in the peaceful possession of the lands they inhabit east and north of the same, reserving only six miles square round the fort of Oswego, to the United States, for the support of the same. Art. 4th The Commissioners of the United States, in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States upon the signing of the above articles, will order goods to be delivered to the said Six Nations for their use and comfort."

And a copy of the treaty entered into by the said Commissioners with the Sachems and Warriors of the Wyandot, Delaware, Chippawas, and Ottawas Indians at fort McIntosh, on the 21st day of January, 1785, in the words following:

Articles of a treaty concluded at fort McIntosh, the 21st day of January, 1785, between the Commissioners plenipotentiary of the United States of America, of the one part, and Sachems and Warriors of the Wiandot, Delaware, Chippawa and Ottawa Nations, of the other. The Commissioners plenipotentiary of the United States in Congress assembled, give peace to the Wiandot, Delaware, Chippawa and Ottawa Nations of Indians, on the following conditions; Article 1st Three chiefs, one from among the Wiandot, and two [from among the Delaware, Nations, shall be delivered up to the Commissioners of the United States, to be by them retained till all the prisoners, white and black, taken by the said nations or any of them, shall be restored. Article 2^d The said Indian Nations do acknowledge themselves and all their tribes to be under the protection of the United

States, and of no other Sovereign whatsoever. Article 3^d The boundary line between the United States and the Wiandot and Delaware Nations, shall begin at the mouth of the river Cayahoga, and run thence up the said river to the portage, between that and the Tuscarawas branch of Meskingum; then down the said branch to the forks at the crossing place above fort Lawrence; then westerly to the portage of the Big Miame, which runs into the Ohio, at the mouth of which branch the fort stood, which was taken by the French in 1752, then along the said portage to the Great Miame, or Ome river, and down the southeast side of the same to its mouth, thence along the south shore of lake Erie, to the mouth of Cayahoga where it began. Article 4th The United States allot all the lands contained within the said lines to the Wiandot and Delaware Nations, to live and to hunt on, and to such of the Ottawa Nation as now live thereon; saving and reserving for the establishment of trading posts, six miles square at the mouth of Miame or Ome river, and the same at the portage on that branch of the Big Miame, which runs into the Ohio, and the same on the lake of Sanduske, where the fort formerly stood, and also two miles square on each side of the lower rapids of Sanduske river, which posts and the lands annexed to them, shall be to the use and under the government of the United States. Article 5th If any citizen of the United States or other person not being an Indian, shall attempt to settle on any of the lands allotted to the Wiandot and Delaware Nations in this treaty, except on the lands reserved to the United States in the preceding Article, such person shall forfeit the protection of the United States, and the Indians may punish him as they please. Article 6th The Indians, who sign this treaty, as well in behalf of all their tribes as of themselves, do acknowledge the lands East, South and West of the lines described in the third article, so far as the said Indians formerly claimed the same, to belong to the United States; and none of their tribes shall presume to settle upon the same, or any part of it. Article 7th The post of Detroit, with a district beginning at the mouth of the river Rosine, on the west end of lake Erie, and running west six miles up the southern bank of the said river, thence northerly and always six miles west of the strait, till it strikes the lake St. Clair, shall be also reserved to the sole use of the United States. Article 8th In the same manner the post of Michillimackinac with its dependencies, and 12 miles square about the same, shall be reserved to the use of the United States. Article 9th If any Indian or Indians, shall commit a

robbery or murder on any citizen of the United States, the tribe to which such offenders may belong, shall be bound to deliver them up at the nearest post, to be punished according to the ordinances of the United States. Article 10th The Commissioners of the United States in pursuance of the humane and liberal views of Congress, upon this treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort. Separate Article. It is agreed that the Delaware chiefs Kelelamand or Colonel Henry, Hengue, Pushees, or the Big Cat, Wicocalind, or Captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wiandot and Delaware Nations, in this treaty, as fully as if they had not taken part with America, or as any other person or persons in the said Nations;"

Be published and transmitted to the executives of the several states; and that it be declared, [that no purchases, which have been or hereafter may be made from the Indians, at any treaties held or to be held with them, of their right to soil within the limits of any state, can, ought or shall be considered as interfering with the right of any such state to the jurisdiction or soil].¹

A motion was made by Mr. [William] Houstoun, seconded by Mr. [William] Ellery, that the foregoing motion be committed; and when the question was about to be put, the yeas and nays being required by Mr. [Charles] Pinckney, the determination thereof was postponed to next day by the State of Georgia.

BOARD OF TREASURY, *June 3^d 1785.*

SIR: We do ourselves the honor of transmitting to Congress a letter received by yesterdays Post, from the Treasurer of the United

¹ This motion, in the writing of Charles Pinckney, with the words bracketed in the writing of Melancton Smith, is in the *Papers of the Continental Congress*, No. 36, III, folio 1. The indorsement states: "Motion of Mr. [Charles] Pinckney and Mr. [Abiel] Foster and of Mr. [John] Lawrence and Mr. [Melancton] Smith consolidated by consent. Mr. [Charles] Pinckney and Mr. [John] Lawrence consenting to stand movers of the consolidated Motion which was moved by Mr. [William] Houstoun to be committed June 3, 1785."

States at Phil^a.—We are constrained to observe, that this Board cannot comply with the ordinance of Congress relative to the Payment of Public monies, whilst the Treasurer is at Phil^a. From unavoidable necessity we have hitherto been obliged to enter into the detail of payments and do the duty of the Treasurer.—We therefore must request Congress to relieve us from a situation disagreeable to ourselves and incompatible with the nature of our Office, by appointing some proper character to do the duty of the Treasurer's Department till he can remove his office from Philadelphia to this City.—¹

[SATURDAY, JUNE 4, 1785.²]

WAR OFFICE, *June 3^d 1785.*

SIR: On the memorial of Major John Adams referred to the Secretary at War I beg leave to observe

That Major Adams was appointed commissary of prisoners in the beginning of the year 1779 and did duty at the post of Elizabeth town until the close of the late war.

That it fully appears from the enclosed letters and certificates of the honorable colonel Beathy, general Dayton and others late officers in the American army, that Major Adams during his continuance in office, must have unavoidably expended large sums of his own money

¹ This letter, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 140, II, folio 5. According to the indorsement it was read this day and referred to Mr. [Charles] Pettit, Mr. [Samuel] Holten and Mr. [Rufus] King.

On this day, according to indorsement, was read a report from the Secretary for Foreign Affairs, pointing out the mode of delivering a letter from the King of France, by the Chargé d'Affaires of that Nation. It was referred back to the Secretary to take order. Jay's letter is in No. 80, I, folio 209, and was entered, with the order referring it back to him, in Resolve Book No. 123, by Benjamin Bankson.

Also, on this day, according to Committee Book No. 191, the committee report on the petition of Thomas Walcott was recommitted. Committee Book No. 190 gives this committee of recommitment as Mr. [John] Lawrance, Mr. [William] Ellery and Mr. [Abiel] Foster and shows that the report on Henry Purcell's memorial was also referred to this committee. See *ante*, June 1, and *post*, July 8.

Also, according to Committee Book No. 190, Seth John Cuthbert was nominated by Mr. [William] Houstoun for Commissioner of the Board of Treasury.

² The Journals show no session of Congress on June 4, yet the record in the Committee Books and from indorsements shows the transaction of matters herewith recorded.

in subsisting the prisoners of war both American and British passing and repassing through that post, as there was no issuing commissary regularly established there or any person duly authorized by Congress or the Commander in Chief to supply them with the common necessaries of life.

It further appears by the unquestionable testimony he has produced that his expences have been considerably increased by his humane attention to the wretched condition of the prisoners in supplying them with shoes, stockings &ca. that they might return home in a manner more comfortable to their friends and near connexions. The charges which Major Adams now exhibits and affirms to, for monies borrowed & expended on Account of the public amount to £457..16..11 Pennsylvania currency which sum he alledges is far short of what he has actually expended for the use of the prisoners.

From this representation of Major Adams' case and sufferings; Congress will be pleased to judge of the merits of his claims and of the justice of allowing him a part if not the whole of his account. It is an unfortunate circumstance that the peculiar situation of the Major added to the multiplicity of business he had to transact at the post prevented his procuring the necessary vouchers for the monies which he actually disbursed in behalf of the United States.¹

I have the Honor to be etc.

JOS. CARLETON.

The Committee [consisting of Mr. Charles Pinckney, Mr. David Howell and Mr. John Lawrance] to whom was recommitted a report on a memorial dated New York February 4, 1785, and signed Donald Campbell, beg leave to submit the following report.

Your Committee find that the accounts of the Memorialist as Quarter Master General for the Northern department were settled by the Comptroller of the Treasury on the 24th of November, 1781, and a balance of 5,595³/₁₀ dollars was found due to the Memorialist, that the sum of 1,595³/₁₀ dollars, in part of said balance was paid to the Memorialist in specie on the 11 of said month and that he received a certificate for the remainder being 4,000 dollars dated Dec^r 8, 1781 bearing interest from the 3^d day of April preceding.

¹ This report is in the *Papers of the Continental Congress*, No. 151, folio 63. It is indorsed: "Read June 4, 1785 June 7, 1785 Referred to Mr. [Samuel] Dick, Mr. [David] Howell and Mr. [William] Grayson."

Your Committee observe that the Memorialist complains of injustice done him in said settlement to the amount of 941⁴/₁₀₀ dollars the Comptroller having allowed him only 2½ per cent commissions on certain goods by him purchased and delivered for the use of the northern army instead of 5 per cent by him charged, And only 6 per cent interest instead of 7 per cent by him charged on the balance due to the memorialist on the 3^d day of July, 1776.

The Memorialist has further represented to your Committee that he never has received any compensation for the British half pay of a Lieutenant which he sacrificed on entering into the American service, that he has not received any other payment from the United States during the war than the aforesaid sum of 1,595³/₁₀₀ dollars, and that he has a demand on the public on an unliquidated account to the amount of upwards of 20,000 dollars, and moreover that he is extremely pressed for money, and greatly embarrassed by not receiving payment from the public, and that unless some releif can be extended to him he will incur the danger of the total ruin of his fortune and family;

Whereupon your Committee submit the following resolutions,

Resolved, That the board of Treasury take order for paying to Donald Campbell Esquire some time Quarter Master General in the Northern department the sum of 4,000 dollars being the balance of his account as settled by the Comptroller of the 14 of Nov^r 1781—And take up and cancel the registered certificate therefor dated Dec^r 8, 1781, and bearing interest from April 3^d preceding.

Resolved, That that part of the memorial which contains a claim to 5 per cent commission on certain goods by the Memorialist purchased and delivered for the use of the northern army, And that part which contains a claim to 7 per cent interest on the balance due to the Memorialist on the 3^d day of July, 1776 be referred to the Board of Treasury to report.¹

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, I, folio 499. The indorsement states that it was read June 4, and the papers of Campbell referred to the Board of Treasury July 10, 1786.

On June 4, according to the indorsement on John Halsted's memorials (No. 42, III, folios 461-463) the report of March 28 on these memorials was passed and the papers transmitted to the Board of Treasury, June 12.

On June 4, as the indorsement states, was read a letter of May 29, from Governor George Clinton, announcing the compliance of New York with the requisition for a quota of troops for the Western frontiers. It is in No. 67, II, folio 493.

MONDAY, JUNE 6, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from the state of New Hampshire, Mr. [Abiel] Foster, and from North Carolina, Mr. [Richard Dobbs] Spaight.

On the question for commitment, the determination of which was postponed by the state of Georgia, and on which the yeas and nays were required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>	
Mr. Foster,	no	*	Mr. Jackson,	no
<i>Massachusetts,</i>			Pettit,	ay
Mr. Holten,	no	} no	<i>Maryland,</i>	
King,	no		Mr. McHenry,	ay
<i>Rhode Island,</i>			J. Henry,	ay
Mr. Ellery,	ay	} div.	Hindman,	no
Howell,	no		<i>Virginia,</i>	
<i>Connecticut,</i>			Mr. Monroe,	no
Mr. Cook,	no	} no	Lee,	no
Johnson,	no		Grayson,	no
<i>New York,</i>			<i>North Carolina,</i>	
Mr. Lawrance,	no	} no	Mr. Spaight,	no
Haring,	no		<i>South Carolina,</i>	
Smith,	no		Mr. Pinckney,	no
<i>New Jersey,</i>			Kean,	no
Mr. Dick,	no	} div.	<i>Georgia,</i>	
Stewart,	ay		Mr. Houstoun,	ay
			Habersham,	ay
			Baldwin,	ay

So the question was lost.

Congress resumed the consideration of the report of the committee, which was under debate on the 31st May last; and on the question,

Resolved, That the paragraph, on which the question was lost, be re-considered.

On the question to agree to the said paragraph, the yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	ay}	*	Mr. Jackson,	ay}	ay
<i>Massachusetts,</i>			Pettit,	ay}	
Mr. Holten,	ay}	ay	<i>Maryland,</i>		
King,	ay}		Mr. McHenry,	ay}	ay
<i>Rhode Island,</i>			J. Henry,	ay}	
Mr. Ellery,	ay}	ay	Hindman,	ay}	
Howell,	ay}		<i>Virginia,</i>		
<i>Connecticut,</i>			Mr. Monroe,	ay}	ay
Mr. Cook,	ay}	ay	Lee,	ay}	
Johnson,	ay}		Grayson,	ay}	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. R. R. Living-	no	div.	Mr. Pinckney,	no}	ay
ston,			Ramsay,	ay}	
Lawrance,			Haring,	no}	
Smith,			Smith,	ay}	
<i>New Jersey,</i>					<i>Georgia,</i>
Mr. Dick,	ay}	ay	Mr. Houstoun,	no}	no
Stewart,	ay}		Habersham,	no}	
			Baldwin,	no}	

So it was *Resolved*, That the commissioners instructed to hold a treaty under the resolutions of the 18 of March last, with the western tribes of Indians, at post St. Vincent, on the 20 day of June, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves of the disposition of the Indians and the funds committed to their charge, to make such cession as extensive and liberal as possible.¹

BOARD OF TREASURY, *June 6th 1785.*

The Board of Treasury to whom was referred the petition of John Allan Esq. late Superintendent of Indian affairs for the eastern department, Report.

¹ On this day, as the indorsement states, was read a letter of May 3 from William Livingston, Governor of New Jersey, informing that the state had not arranged to furnish its quota of men for western frontier service. It is in No. 68, folio 645.

That in the opinion of the Board, the Commission held by John Allan Esq. late Superintendent of Indian affairs for the eastern department, under the authority of Congress, can only be considered as a civil commission, and therefore that his claim for the emoluments granted to officers in the military line of the United States cannot be admitted.

With respect to the claims made by the Petitioner for his wages as Superintendent of Indian affairs from the 3^d of June, 1783, till his dismissal, and that the sum due on the certificate granted to him under the administration of the late Superintendent of finance, on the 4th June, 1783, should be discharged. The Board considering the pretensions of Mr Allan, as founded on the same basis with other civil officers of the United States submit to the consideration of Congress the following Resolve,

That the sum of eight hundred and seventy dollars 45/90 be paid to John Allan late Superintendent of Indian affairs for the Eastern department being the amount of his salary from the 3^d June, 1783, till the 1st May, 1784, the time he received intelligence of his dismissal from service.

That the Registers certificate given to John Allan the 4th June, 1783, for three thousand four hundred and ninety four dollars being the balance due him for past services to that period be paid and cancelled out of the requisition for the year 1784.

June 13, passed
1784, the time he received intelligence of his dismissal from service.

Postponed 13 June;
17 June assigned

SAMUEL OSGOOD

WALTER LIVINGSTON¹

[That three thousand four hundred and ninety four dollars be paid to J Allan out of the requisition for the year 1784 in full of the balance due to him on the 4th June, 1783, for his services to that time and that the Register's certificate given for that balance be taken up and cancelled.]

¹ This report is in the *Papers of the Continental Congress*, No. 138, 1, folio 75. The part within brackets is in the writing of Charles Thomson. See *post*, September 29, 1785. Allan's petition is in No. 42, I, folio 79. See *ante*, April 21.

JUNE 6: The following committees were appointed: Of the Week: Mr. [John] Habersham, Mr. [Abraham] Baldwin and Mr. [John] Kean.

Mr. [Rufus] King, Mr. [James] McHenry, Mr. [James] Monroe, Mr. [Charles] Pettit and Mr. [William Samuel] Johnson, on the petition of the Trustees and Fellows of the College in Providence. The committee reported September 28.

Committee Book No. 190.

Also, according to Committee Book No. 190, on this day the letter from J[ohn] Carter to Mr. D[avid] Howell respecting "Americans detained on board british

TUESDAY, JUNE 7, 1785.

Congress assembled. Present as yesterday.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read, Mr. [Hugh] Williamson and Mr. [Richard Dobbs] Spaight, to whom were referred sundry applications from Canadian Refugees,

Resolved, That the commissioner for settling the account of the state of New York with the United States, be authorized and directed to examine the Accounts of such Canadian refugees as have furnished the late Armies of these States with any sort of supplies, and report thereon to Congress:

That the said Commissioner cause the foregoing resolution to be published in Canada, and in such of the states in the Union as he may judge proper, to the end, that such Canadian refugees may be duly informed thereof:

That the papers of Canadian refugees who have applied to Congress for a settlement of their Accounts, be returned to them, on their application, by the Secretary of Congress:

That the committee be discharged of the petition of Mr. Jolibois, Congress having, on the 15 April, 1784, resolved on his case:

That Mr. L'Eclise have leave to withdraw his petition.¹

ships of war"; a letter of March 27, 1785, "from His Most Christian Majesty announcing the birth of a Son, the Duke of Normandy" and the "Convention between his Most Christian Majesty and the United States respecting functions and prerogatives of Consuls, vice consuls, agents and commissaries" were referred to the Secretary for Foreign Affairs for reports. Reports were rendered on Carter's letter June 9; on letter from King of France June 14; and on the Consular Convention on June 23.

Carter's letter, dated April 19, is in the *Papers of the Continental Congress* No. 78, VI, folio 283.

The King of France's letter, with the Secretary for Foreign Affairs' translation, is in C. C. Miscellany, Ac. 2807.

The Consular Convention, dated July 29, 1784, and signed and sealed by Vergennes and Franklin, is in No. 47, folio 219. A printed "Scheme of a convention" varying as to the introductory paragraph from the manuscript on folio 219 is on folio 261.

¹ See *ante*, February 11.

Ordered, That the remainder of the report be recommitted.

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Rufus] King, Mr. [David] Howell, Mr. [William Samuel] Johnson and Mr. [Samuel] Holten, to whom was referred a memorial of M. Hazen, Esq^r

Resolved, That the claims of Moses Hazen, esq^r to pay and half pay, above that of a colonel in the line, be referred to the Secretary at War to report:¹

That the claims of Moses Hazen, esq^r to the immediate payment of money, be referred to the board of treasury to report.

The committee, consisting of Mr. [James] McHenry, Mr. [William Samuel] Johnson and Mr. W[alter] Livingston, to whom was referred a petition of Timothy Bradly, late a purchasing commissary, report,

That however commendable Mr. Bradly's exertions appear to have been, in procuring supplies of provisions whilst he was purchasing commissary, yet Congress cannot order him any additional pay in consideration thereof, without establishing a precedent that might be applied to the revision and augmentation of the pay of every department of the late army.

Resolved, That Congress agree to the said report.

On the report of a committee, consisting of Mr. [David] Howell, Mr. [John] Bull and Mr. W[illiam] Henry, to whom was referred a memorial of John Story,

Resolved, That the commissioners appointed under the resolution of the 27 February, 1782, in settling the Accounts of their respective departments, be instructed to have recourse to the principles of the resolutions of June 3, 1784, so far as they may apply.

¹ The Secretary's report on this claim was read in Congress, July 30, 1788, according to the indorsement on Hazen's memorial. See *ante*, May 11, 1785.

Ordered, That the claim of the memorialist to pay, as aid-de-camp to the late Major-gen^l Lord Stirling, be referred to the Secretary at War to report.¹

That the claim of the memorialist to pay, for his attendance in settling the public accounts of the quartermaster's department, be referred to the board of treasury to report.²

On the report of a committee, consisting of Mr. [Jacob] Read, Mr. [Samuel] Holten and Mr. [James] Monroe, to whom was referred a letter of 21 December, 1784, from Mr. J. Carleton, Secretary in the War Office, enclosing an extract of a letter from lieutenant David Lucket,

Resolved, That lieutenant David Lucket, at his own request, be permitted to retire from the service of the United States and that the Secretary at War discharge the men lately stationed at fort Pitt, under command of the said lieutenant Lucket, as soon as a relief can be marched to take charge of the public stores at that garrison.

That the Secretary at War station a small detachment from colonel Harmar's regiment, under the command of a proper Officer at fort Pitt, as a guard to the public stores at that post.³

On the report of a committee, consisting of Mr. [James] McHenry, Mr. [Hugh] Williamson, Mr. [David] Howell, Mr. [Jacob] Read and Mr. [Samuel] Holten, to whom was referred a report, touching Invalids,

Resolved, That it be, and it is hereby recommended to the several States, to make provision for Officers, soldiers or seamen, who have been disabled in the service of the United States, in the following manner:

1. A compleat list shall be made out by such person or persons as each state shall direct, of all the officers, soldiers or seamen resident

¹ The Secretary at War reported March 27, 1788.

² The Board of Treasury reported February 1, 1788. See *ante*, February 7.

³ See *ante*, February 16.

in their respective states, who have served in the army or navy of the United States, or in the militia in the service of the United States, and have been disabled in such service, so as to be incapable of military duty, or of obtaining a livelihood by labour. In this list shall be expressed the pay, age, and disability of each invalid, also the regiment, corps or ship to which he belonged, and a copy of the same shall be transmitted to the office of the Secretary at War, within one year after each state shall pass a law for this purpose; and a like descriptive list of the invalids resident in the respective states, shall, from year to year, be annually transmitted to the Office of the Secretary at War.

2. No officer, soldier or seamen, shall be considered as an invalid, or entitled to pay, unless he can produce a certificate from the commanding officer or surgeon of the regiment, ship, corps or company in which he served, or from a physician or surgeon of a military hospital, or other good and sufficient testimony, setting forth his disability, and that he was thus disabled while in the service of the United States.

3. That all commissioned officers within the aforesaid description, disabled in the service of the United States, so as to be wholly incapable of military duty, or of obtaining a livelihood, be allowed a yearly pension equal to half of their pay respectively; and all commissioned officers as aforesaid, who shall not have been disabled in so great a degree, be allowed a yearly pension, which shall correspond with the degree of their disability, compared with that of an Officer wholly disabled. That all non-commissioned officers and privates within the aforesaid description, disabled in the service of the United States, so as to be wholly incapable of military or garrison duty, or of obtaining a livelihood by labour, be allowed a sum not exceeding five dollars per month: and all non-commissioned officers and privates as aforesaid, who shall not have been disabled in so great a degree, be allowed such a sum as shall correspond with the degree of their disability, compared with that of a non-commissioned officer or private wholly disabled.

4. That each state appoint one or more persons of suitable abilities, to examine all claimants, and to report whether the person producing a certificate, setting forth that he is an invalid, be such in fact, and if such, to what pay he is entitled; and thereupon, the persons appointed to make such enquiry, shall give to the invalid a certificate specifying

to what pay he is entitled, and transmit a copy to the person who may be appointed by the State to receive and record the same.

5. That each State be authorized to pay to the commissioned officers, non-commissioned Officers and privates, the sum or sums to which they shall be respectively entitled, agreeably to the before mentioned certificates; the said payments to be deducted from the respective quotas of the states for the year on which they shall be made. Provided that no officer who has accepted his commutation for half pay, shall be entered on the list of invalids, unless he shall have first returned his commutation.

6. That any state may form such invalids under the aforesaid description, as are citizens of the same, and are capable of garrison duty, into corps, to be employed in guarding military stores, aiding the police, or otherwise, as the state may direct.

7. That when invalids shall be formed into corps, there be quarterly returns, comprehending the pay, age, disability, regiment, ship or corps to which they severally belonged, made out and signed by their commanding officer, and transmitted to such person or persons as the State shall direct, that their pay may be ordered according to the said return.

8. That all invalids, as well those formed into corps, as those who are not, shall annually apply themselves to a magistrate of the county in which they reside or may be stationed, and take the following oath, viz. A. B. came before me, one of the justices of the county of in the state of and made Oath, that he was examined by appointed by the said state (or Commonwealth) for that purpose, obtained a certificate, (or had his certificate examined and countersigned) setting forth that he had served in that he was disabled by and that he now lives in the and in the county of

9. That the affidavits, drawn according to the above form, and date, and attested by a magistrate, be sent by the said magistrate to the person or persons appointed by the state, to receive and record the same, and that a counterpart of the affidavit be preserved by the person taking it, to be exhibited to such persons as shall be appointed by the state to pay the Invalids.¹

A motion being made by Mr. [James] Monroe, seconded by Mr. [William] Hindman,

¹ See *ante*, February 8 and April 27, and *post*, September 23.

That the salary of the commissioner to be appointed to settle the accounts of the state of Virginia against the United States, under the act of cession, of her claims to territory north westward of the river Ohio, shall be at the rate of dollars per *annum*; and that the resolution of the 21st day of April last, respecting the same, be repealed.¹

A motion was made by Mr. [David] Ramsay, seconded by Mr. [William] Hindman, to fill up the blank with the words "twenty five hundred."

And on the question to agree to this, the yeas and nays being required by Mr. [William] Ellery,

<i>Massachusetts,</i>		<i>Maryland,</i>	
Mr. Holten,	ay	Mr. McHenry,	ay
King,	ay	J. Henry,	ay
<i>Rhode Island,</i>		Hindman,	ay
Mr. Ellery,	no	<i>Virginia,</i>	
<i>Connecticut</i>		Mr. Monroe,	ay
Mr. Cook,	ay	Lee,	ay
Johnson,	ay	Grayson,	ay
<i>New York,</i>		<i>South Carolina,</i>	
Mr. Haring,	ay	Mr. Pinckney,	ay
Smith,	ay	Ramsay,	ay
<i>New Jersey,</i>		Kean,	ay
Mr. Dick,	ay	<i>Georgia,</i>	
Stewart,	no	Mr. Habersham,	ay
<i>Pennsylvania,</i>		Baldwin,	ay
Mr. Gardner,	ay		
Jackson,	ay		
Pettit,	ay		

So it was passed in the affirmative.²

[Motion of Mr. David Ramsay]³

Resolved, That the Secretary furnish M^r Ramsay with the ~~inter-~~cepted original letters of British Officers in cyphers relative to the

¹ Monroe's motion is in No. 22, folio 251.

² This vote is also in No. 22, folio 253.

³ This motion, in the writing of David Ramsay, is in the *Papers of the Continental Congress*, No. 36, III, folio 3.

operations of the late war in the southern States in the years 1780 and 1781 which are in his possession, M^r Ramsay giving a receipt for the same,

Ordered that the Secretary take order.

Passed. June 7, 1785.

The Committee consisting of M^r [William] Houstoun, M^r [John] Beatty and M^r [David] Howell, to whom was referred the memorial of Thomas Hutchins Geographer to the U. S. beg leave to report,

That on the 4th May, 1781, Congress were pleased to resolve "that Thomas Hutchins be appointed Geographer to the Southern Army with the same pay and Emoluments as are allowed to the Geographer to the main army. That the Commander in Chief being consulted on this subject, it appears by his letter of the 9th May, 1781, to the Secretary of Congress that the Geographer to the main army was allowed 4 dollars per day and his assistant two dollars per day. That on the 11th July M^r Hutchins accepted the appointment. That on the 12th November, 1782, Congress were pleased to resolve that whereas no provision had been made by Congress for the Geographer of the U. S. the Geographer of the Main Army and of the Southern army be allowed each sixty dollars per month. Congress appears upon this occasion to be of opinion that two dollars per day was sufficient pay for the Chief Geographer; but your Committee presume, that they did not advert to the circumstance or terms on which M^r Hutchins accepted his Commission.

Wherefore your Committee submit the following resolve, That in settling the accounts of M^r Thos. Hutchins Geographer to the U. S. he be allowed 4 dollars per day and 4 rations from the time of his accepting his Commission 3rd of November 1783 to this date, the act of the 12th of November 1782 notwithstanding [and that he be allowed 4 dollars per day from that period to the 27 of May 1785 deducting therefrom the time he was employed and paid by the State of Pennsylvania.]

Your committee are farther of opinion that the continuation of a Geographer to the United States is at this time absolutely necessary: They therefore recommend that Mr. Hutchins be continued in that appointment at the rate of the pay of — per day in full of everything except unavoidable incidental expenses; this being less — dollars and 4 rations per day the present pay. He to be amenable to Congress for the faithful discharge of that office and the necessary officers

under him, but to be allowed the privilege of appointing such officers subject to the approbation of Congress and¹

WEDNESDAY, JUNE 8, 1785.

Six states only attending; namely, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, and Georgia; and from the state of Rhode Island, Mr. [William] Ellery; from Connecticut, Mr. [William Samuel] Johnson; from New York, Mr. [Melancton] Smith; the president adjourned Congress to 10 o'clock to Morrow.

THURSDAY, JUNE 9, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, and Georgia; and from the State of New Hampshire, Mr. [Abiel] Foster.

In further pursuance of the resolution of the 10 day of December last, the agents of the States of New York and Massachusetts, made the following report:

To the honourable the United States in Congress assembled, The Subscribers, Agents of the State of New York and Massachusetts,

¹ This report, in the writing of William Houstoun, except the part in brackets which is in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, III, folio 231-233. The indorsement states that it was passed on this day. See *ante*, March 7.

JUNE 7: The following committees were appointed:

Mr. [Samuel] Dick, Mr. [David] Howell and Mr. [William] Grayson, on report from the War Office, dated June 3, on the memorial of Major John Adam. This committee reported June 15. See *ante*, June 4.

Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [James] McHenry, on the report of the Secretary for Foreign Affairs on the ceremonial for reception of Don Diego Gardoqui and letter of June 7 "from s^d Secy with letters from Mr. Carmichael of 19 and 29 July and 30 August, 1783." Report rendered June 14.

Mr. [William] Ellery, Mr. [James] Monroe, Mr. [Jacob] Read and Mr. [Richard Dobbs] Spaight, on the last paragraph of the report of the committee on May 2, on Canadian refugees and rations for same. See *post*, July 11.

Committee Book No. 190.

Also on this day, James Ewing was nominated by Mr. [Charles] Stewart and George Clymer by Mr. [David] Howell, for Commissioner to settle accounts between the United States and the State of Virginia.

beg leave to represent, that they have agreed upon the honorable Samuel Johnson, esq^r of North Carolina, the honorable William Fleming, esquire of Virginia, and the honorable John Sitgreaves, esq^r of North Carolina, to be judges, instead of the honorable John Rutledge, Robert Hanson Harrison, and William Grayson, esquires who have declined their appointment to sit in the federal court, for a trial of a controversy between the said states of Massachusetts and New York, which controversy is suggested in the petition of the former, now on the files of Congress; and thereupon the said agents do humbly request, that notice may be given to the said Samuel Johnson, William Fleming and John Sitgreaves, esquires and that upon their acceptance a Commission may be issued to them, together with the honorable Thomas Johnson, George Wythe, George Reed, James Monroe, Isaac Smith and William Patterson, esquires constituting them a court according to the confederation, to meet at the City of Williamsburg in the State of Virginia, on the third tuesday of November next, to hear and determine the controversy aforesaid."

JOHN JAY,
ROB. R. LIVINGSTON,
WALTER LIVINGSTON,
*Agents for New York.*¹

J. LOWELL,
JAMES SULLIVAN,
THEOP. PARSONS,
RUFUS KING,
S. HOLTEN,
*Agents for Massachusetts.*¹

On motion of Mr. [James] Monroe, seconded by Mr. [David] Ramsay,

Resolved, (by nine States) That the board of treasury be, and hereby are directed to take order for the payment of three hundred and thirty three dollars and one third of a dollar to the guardian of Hugh Mercer, son of the late general Mercer, for one year's education and board.²

On the report of a committee, consisting of Mr. [William] Grayson, Mr. [David] Howell and Mr. [Charles] Pettit, appointed to consider, what sums it may be necessary to advance to the geographers and surveyors, for carrying into execution the Ordinance of 20 May.

¹ The report, signed by the agents, is in the *Papers of the Continental Congress*, No. 67, II, folio 511.

² This motion, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 36, III, folio 3.

Resolved, That the board of treasury advance to Thomas Hutchins, geographer of the United States, seven hundred dollars on Account.

That the board of treasury advance Thomas Hutchins, Geographer of the United States, six thousand dollars, for which he is to be accountable, to be applied by him, from time to time, to the use of the several Officers concerned in carrying into execution the Ordinance for ascertaining the mode of disposing of Lands in the western territory.¹

Congress resumed the consideration of the motion made yesterday by Mr. [James] Monroe, and the same being amended,

Resolved, That the commissioner to be appointed to settle the accounts of the State of Virginia against the United States, under the Act of Cession of her claims to territory north-westward of the river Ohio, be allowed six dollars a day, so long as he shall be necessarily employed in that business, in full compensation for his services and all expences; and that the resolution of the 21 day of April last, so far as it respects the salary of the said Commissioner, be, and it is hereby repealed.

Congress proceeded to the Election of a Commissioner, in pursuance of the resolution of the 13 day of April, 1785; and, the ballots being taken, Mr. Samuel Holden Parsons was elected; having been previously nominated by Mr. [William Samuel] Johnson.

The committee [consisting of Mr. James McHenry, Mr. Rufus King and Mr. William Samuel Johnson] to whom was referred a letter from the Secretary of foreign affairs inclosing a letter to him signed Wm. Shaw dated New York 19 May, 1785.

~~That your committee are of opinion that so much of Mr. Shaw's letter as respects the voyage to and from Canton be published.~~

¹ This report, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 19, III, folio 235. According to the indorsement, it was read and passed this day.

That the Secretary of Foreign affairs inform Mr. Shaw that Congress feel a peculiar satisfaction in the successful issue of this first effort of the citizens of America to establish a direct trade with China, which does so much honor to its undertakers and conductors; and that they have ordered the two pieces of silk presented by the Fuen of Canton to Mr. Shaw and by him to Congress to be carefully preserved in commemoration of so interesting an event.¹

OFFICE FOR FOREIGN AFFAIRS, 9th June, 1785.

The Secretary of the United States for the Department of foreign Affairs to whom was referred a Letter from John Carter to the Honorable David Howell Esquire of the 19th April last respecting M^r Richard Low and other Americans who haveing been made Prisoners by the British during the late War, are not yet released—Report—That in his opinion a Copy of the said Letter should be transmitted to the Minister Plenipotentiary of the United States at the Court of London, with Instructions to lay the Same before the Minister and to demand that Orders be immediately given for the Release and Discharge of all such American Soldiers, Seamen and Citizens as having been captured during the late War may yet be detained in his britannic Majesty's Prisons, Garrisons, Armies or Ships.

All which is Submitted to the Wisdom of Congress.²

BOARD OF TREASURY, June 7th, 1785.

SIR; We do ourselves the honor in obedience of the Act of Congress of the 25th May last of transmitting to your Excellency the following estimates.

N^o 1 Estimate of Foreign, and Domestic Debt.

2 Estimate of one years Interest on D^o.

3 Statement of Amounts paid, and Balances due of the Tax of 8,000,000 Drs.

4 Statement of the account of the Commr. of the Loans opened in Holland to 31st Dec^{br} 1784.

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 19, V, folio 323. It is indorsed as read this day and "the first paragraph referred to the Secy of Congress to take Order. The second to the Secy. for foreign Affairs to take Order." A copy by Thomson is in No. 25, II, folio 431, in which the last sentence lined out is noted as "struck out by a subsequent act of Congress." Committee Book No. 190 notes the date of striking out as June 15 and that the Secretary of Congress was on that same day discharged of the duty of publishing Mr. Shaw's letter. See *post*, June 22.

² This report is in the *Papers of the Continental Congress* No. 81, I, folio 243. It is indorsed as referred to the Secretary for Foreign Affairs to take order.

On the statement N^o 3 we must observe that we have within a few days received intelligence from M^r Webb in Virginia that he has received the sum of Thirty nine thousand Dollars since the 30th April last, but the prospect of further receipts in that state is far from flattering.

From the State of New York has been received the sum of Fifteen thousand Dollars, which is not entered in this account.

It is with regret we are constrained to observe that the collection of General Taxes in the several States goes on with so much Languor, and meets with such obstructions, that in our opinion a Sufficient Sum in Specie will not be paid into the Public Treasury during the present year (unless the most vigorous and immediate exertions are made) to defray the Ordinary Expences of Government.

This is a Serious, and most alarming Situation to all who are interested in preserving the Union of the States, and particularly to those Officers of Congress, who are Entrusted with the Administration of the Finances, and are thereby daily exposed to the importunity of Just Claims, which it is not possible to comply with.

On the statement N ^o 4, We observe that from the balance stated by the register of-----	g ^l 731, 760
The following sums must be deducted Viz ^t Interest on the five Million Loan due 1 st June 85-----	250, 000
Appropriated for Treaties with Barbary Powers-----	200, 000
Salaries of Foreign Ministers for 12 M ^o and In ^t due Foreign Officers (say)-----	150, 000
Interest due on 2 Million Loan Jan ^y 1 st 85-----	80, 000
	<u>680, 000</u>
Remains-----	51, 760

If to this sum be added about g^l 200,000, which (if the Loan has been completely filled) will come into the hand of the Dutch Comm^r the balance to be appropriated will amount to about Two hundred and Fifty thousand Guilders. This sum will not be sufficient to defray the interest due on the Six Million French Loan, which, without doubt, becomes payable the present year, and to make up the deficiency of the monies remitted to M^r Grand in the last year to pay off the interest which had accrued on the 5th Nov^r 1784, on the Ten Million Livres borrowed of Holland, under the guarantee of France. So that Congress will observe that not the least dependance can be placed on the funds in Europe to make up for the deficiencies

of Taxes in the present year to defray the Ordinary Expences of Government.¹

Estimate of the Foreign and Domestic Debt.

FOREIGN DEBT.

	Livres	Dollars
Due to the Farmers General of France on a particular contract.....	846, 770.	
To individuals in France on unliquidated accounts, as estimated by a committee of Congress.....	3, 000, 000.	
<p>The actual sum due to Individuals in France cannot be known until the settlement of the Foreign Accounts by the Commissioner appointed for that purpose: but it is probable the above estimate is more than the real sum due.</p>		
To the Crown of France including the Loan for 1783.....	24, 000, 000	
To the Loan made in Holland, guaranteed by the Crown.....	10, 000, 000	
	34, 000, 000.	
Thirty seven Millions, eight hundred and forty six thousand seven hundred & seventy Livres equal a 5ll. 8s. to.....		7, 008, 661.
To Lenders Holland for so much of the Loans opened by Mr Adams. Viz:	Florins	
Of the 5,000,000 Florins at 5 pr Ct to 31 st Dec ^r 1784 inclusive.....	4, 748, 000.	
Of the 2,000,000 do. at 4 pr Ct.....	2, 000, 000.	
Six millions seven hundred and forty eight thousand Florins, equal at 34 D $\frac{3}{4}$ each to.....		2, 605, 477. 70
<p>The accounts which have hitherto reached the Treasury of the progress of the Dutch Loans are not later than the end of Dec^r last, but the appearances, then were such as to make it probable that the Loan of 5,000,000 is by this time entirely completed, if so the public debt will be thereby increased.</p>		
In Spain for monies borrowed by Mr. Jay.....		174, 000.
Amount of the Foreign Debt.....		9, 788, 138. 70

¹ This letter, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 140, II, folio 13. According to the indorsement it was read, with the accompanying estimates, June 9. See *post*, June 13.

DOMESTIC DEBT.

	Livres	Dollars
Liquidated: To the credit of Sundries in the Treasury Books, by virtue of special Acts of Congress-----	77, 064. 22	
Specie Loan Office certificates issued by the several Loan Officers in 1781-----	124, 811. 22	
To the credit of Sundries in the Treasury Books on accounts settled, called funded Debt-----	695, 750. 85	
Debts funded by Foreign Officers, the Interest whereof payable annually at the House of Mon ^r Grand Banker in Paris, in pursuance of an Act of Congress of 3 ^d Feb ^r 1784-----	167, 156. 67	
Gen ^l Lincolns drafts drawn in the year 1780 on the President of Congress for support of the Staff Departments of the Southern Army to the amount of 3,052,954 ⁷ / ₉₀ th s Continental dollars the value ascertained by the Comptrol-ler pursuant to an Act of Congress of 23 ^d July 1781-----	60, 275. 72	
From which deduct the amount of sundry discharged by funding the same and included in the above sum of 695,750.85-----	24, 446. 17	
	<u>35, 829. 55</u>	[1, 100, 612. 71]
Certificates issued by the Commissioners appointed to adjust the accounts of the staff Departments of the Army, to wit:		
By Jonathan Burrall Com ^r for the Commissary's Dept ^{mt} -----	201, 366. 37	
Deduct so much cancelled at the Treasury and the Registers certificates issued in lieu of them and included in the above sum of 695,-750.85-----	15, 983. 16	185, 383. 21
By William Denning Com ^r for Quarter M ^r Department-----		13, 285. 73
Joseph Bindon Com ^r for Clothiers Department-----		11, 045. 77
Edward Fox Com ^r for Medical Department-----		31, 199.
Joseph Pennell Com ^r for Marine Department-----	24, 275.	
Deduct so much cancelled at the Treasury &c. &c included in the above Sum of 695,-750.85-----	2, 223. 26	22, 054. 64
	<u>22, 054. 64</u>	262, 968. 55

Certificates issued by the Commissioners for adjusting the accounts depending between citizens of Individuals States and the United States to Wit:

	Livres	Dollars
By Stephen Gorham Com ^r for New Hampshire.....	3, 394. 22	
William Imlay Com ^r for Massachusetts..	106, 221. 84	
Edward Chinn Com ^r for Rhode Island..	36, 995. 73	
William Thompson Com ^r for Connecticut.....	21, 307. 3	
William Barber Com ^r for New York....	482, 649. 1	
Benjamin Thompson Com ^r for New Jersey.....	417, 721. 7	
Benjamin Steele Com ^r for Pennsylvania.....	313, 994. 46	
Deduct so much cancelled at the Treasury Registers certificates issued in Lieu thereof and in the Sum of 695,750.85.....	750.	
	313, 244. 46	
William Winder, Commissioner for Delaware.....	23, 492.	
James Nourse, Commissioner for Maryland.....	7, 457. 53	
Zephaniah Turner, Commissioner for Virginia.....	32, 607. 80	
James Hindman, Commissioner for North Carolina, no return.		
Guilliem Aertson, Commissioner for South Carolina.....	45.	
Job Sumner, Commissioner for Georgia, no return.		
	1, 445, 136. 9	
Certificates issued by John Pierce, Comm ^r for adjusting the Accounts of the Army.....	8, 039, 540.	
Deduct of them and included in the Sum of 695,750.85.....	330, 876. 81	
	7, 708, 663. 9	
Amount Liquidated.....		10, 517, 380. 54

Loan Office Debt certificates issued to 1 st Sept ^r 1777. equal to specie-----	3, 778, 900.		
Ditto, reduced to specie value according to the scale of depreciation of the Loans in Continental money by taking the medium of the depreciation in each month-----	7, 684, 902.		
	<u>11, 463, 802</u>		
Deduct so much cancelled at the Treasury, Registers Certificates issued in lieu of them and included in the sum of 695,750.85-----	32, 471. 61	Livres	Dollars
		11, 431, 330. 29	
Army Debt: Estimated amount of the certificates issued to the Lines of Maryland, Virginia, North Carolina, South Carolina and Georgia-----	4, 823, 724.		16, 255, 054. 29
NOTE.—No return hath yet been received of the amount of these certificates. M ^r Pierce the Commissioner is daily expected here with the return			
Amount of the Domestic Debt-----			<u>26, 772, 434. 83</u>
Amount of the Foreign and Domestic Debt-----			36, 560, 573. 63
REGISTER'S OFFICE the 1 st June, 1785.			
Jos: NOURSE, Register. ¹			

Estimate of One Years Interest on the Foreign & Domestic Debt

FOREIGN DEBT	Dollars	Dollars
On 10,000,000 Livres Loaned in Holland, guaranteed by France, payable 5 th Nov ^r 1785, 400,000 Livres at 4 p ^r C ^t eq ^t @ 5l. 8s.-----	74, 074.	
24,000,000 Livres Loaned by the Royal Treasury of France including the Loan for 1783, payable 5 th Sep ^r 1785, 1,200,000 Livres at 5 p ^r C ^t @ 5 l. 8s. p ^r dollar-----	222, 222. 20	
NOTE.—One years, interest in arrear on this sum due 5 th Sep ^r , 1784, is 222,222.20 dol ^s .		
174,000 Dollars borrowed in Spain, One years interest at 5 p ^r C ^t due 31 st Dec ^r 1785-----	8, 700.	
NOTE.—Four years interest in arrear on this sum to 31 st Dec ^r , 1784, 34,800.		

¹ The original of this Estimate is missing. The above is copied from the Force transcript.

4,748,000 Florins loaned in Holland, One years interest at 5 ^{pr} C ^t 237,400 Florins at 34 ^d $\frac{3}{4}$ each equal to	Dollars	Dollars
	91, 662. 70	
NOTE.—It is more than probable that this Loan is complete, if so, one years interest on 5,000,000 will be 250,000 Florins equal to Dol ^s 96,527. 70.		
2,000,000 Florins Loaned in Holland, One years interest at 4 ^{pr} C ^t is 80,000 Florins @ 34 ^d $\frac{3}{4}$ each equal to		
	30, 888. 80	
167,156.67 Dollars the amount of Debts funded by Foreign Officers, the Interest whereof payable annually at the House of Monsieur Grand, Banker in Paris. One years interest becoming payable the 1 st January, 1786, at 6 ^{pr} C ^t	10, 026.	
One years Interest on Foreign Debt		437, 573. 80

DOMESTIC DEBT

Liquidated: On 10,517,380.54, One years Interest thereon to 31 st December 1785 at 6 ^{pr} C ^t	631, 042. 74
Loan Office Deb ^t . On Certificates issued to 1 st September 1777, to amount of 3,778,900 dol ^s equal to Specie One years interest thereon to 31 st Dec ^r , 1785, at 6 ^{pr} C ^t	226, 734.
Ditto, issued between 1 st Sept ^r , 1777, and 1 st March, 1778, the Capital of which is subjected to depreciation according to the scale, by taking the Medium in each month. Amounts to 2,515,134.56. But by the Resolve of Congress of the 15 th January, 1784, the interest is to be paid on the nominal sum of 3,459,200 doll ^s without Depreciation. One years Interest thereon to 31 st December 1785, at 6 ^{pr} C ^t	207, 540.
Ditto issued from 1 st March, 1778, to the close of the Loan Offices reduced to Specie value according to the scale by taking the medium of the depreciation in each month, amounting to 5,146,330.81. One years interest thereon to 31 st December, 1785, at 6 ^{pr} C ^t	308, 780. 76
	743, 054. 76
Army Debt: On 4,823,724 dollars, one years interest thereon to 31 st Dec ^r , 1785, @ 6 per cent	289, 423. 39
One years interest on the Domestic Debt	1, 663, 521. 9
One years Interest on the Foreign and Domestic Debt	2, 101, 094. 89

REGISTERS OFFICE.—1st June, 1785.—
 JOS: NOURSE, Register.

State of the Quota's, with the Amounts paid and Balances due of 8,000,000 Dollars required by Act of Congress of 30th October, 1781, as stated in the Accounts of the late Superintendant of Finance (N^o 12) to 30th October, 1784, and from thence to the dates of the Receivers last Returns.

States	Quota's	Amounts Paid	Balances due
New Hampshire.....	373, 598; paid to 30 th Oct ^r , 1784..... 3, 000. to January, 1785..... 4, 679. 8	7, 679. 8	365, 918. 82
Massachusetts.....	1, 307, 596; paid to 30 th Oct ^r , 1784..... 332, 677. 83 to 28 th Feb ^y 1785 In Certif:..... 23, 122. 74 In Specie..... 7, 235. 47 30, 358. 31	363, 036. 24	944, 559. 66
Rhode Island.....	216, 684; paid to 30 th Oct ^r , 1784..... 74, 555. 62 to March, 1785..... 701. 35	75, 257. 7	141, 426. 83
Connecticut.....	747, 196; paid to 30 th Oct ^r , 1784..... 132, 403. 75 to May, 1785..... 3, 243.	135, 646. 75	611, 549. 15
New York.....	373, 598; paid to 30 th Oct ^r , 1784.....	52, 651. 9	320, 946. 81
New Jersey.....	485, 679; paid to 30 th Oct ^r , 1784..... 124, 348. 7 to 23 ^d April, 1785..... 5, 920. 13	130, 268. 20	355, 410. 70
Pennsylvania.....	1, 120, 794; paid to 30 th Oct ^r , 1784..... 431, 773. 11 to 24 th March, 1785..... 30, 000.	461, 773. 11	659, 020. 79
Delaware.....	112, 085; paid to 30 th Oct ^r , 1784..... 2, 140. to 21 st April, 1785 In Certif:..... 8, 368. 7 In Specie..... 5, 500 13, 868. 7	16, 008. 7	96, 076. 83
Maryland.....	933, 996; paid to 30 th Oct ^r , 1784..... 129, 413. 42 to 28 th April, 1785..... 25, 307. 39	154, 720. 81	779, 275. 9
Virginia.....	1, 307, 594; paid to 30 th Oct ^r , 1784..... 352, 113. 26 to 30 th April, 1785..... 98, 159. 15	450, 272. 41	857, 321. 49
North Carolina.....	622, 677.....		622, 677.
South Carolina.....	373, 598; paid to 30 th Oct ^r , 1784..... 373, 598.	373, 598.	
Georgia.....	24, 905.....		24, 905.
Dollars.....	8, 000, 000.....	2, 220, 911. 13	5, 779, 088. 77
Amounts paid.....		2, 220, 911. 13	
Balances due.....			5, 779, 088. 77
Amount of Quota's.....			8, 000, 000

NOTE.—The Certificates received in the States of Massachusetts and Delaware were issued by the Loan Officers in payment of Interest on Monies Loaned; Collected in Taxes, and paid as Cash to the Receivers.

REGISTERS OFFICE, 1st June, 1785.

JOS. NOURSE, Reg.

Messrs Wilhem & Jan Willink Nicholas & Jacob Van Staphorst and De La Lande & Finje: Commissioners of Loans opened on account of the United States in Holland.

		Florins	Stiv.	Peng.
D ^r				
1785	May 18.	To Loan of 5 Millions of Florins at 5 p ^r cent Interest payable 1 st June:		
		For so much of this loan filled to 31 st Dec ^r 1784.....	4,748,000	“ “
	“	To Loan of 2 Millions of Florins in Holland at 4 p ^r cent interest payable 1 st January.....	2,000,000	“ “
	“	To M ^r John Wheelock for so much received on his account.....	457	“ “
	“	To Adventure per the Ship <i>Sally</i> , Captain Woodward.		
		for n ^t proceeds of 502 Hhd ^s Tobacco.....	98,278	18 “
	“	To Adventure p ^r the <i>Four Friends</i> for n ^t proceeds of 20 Hhd ^s Tobacco.....	4,277	10 “
			6,851,013	8 “
				C ^r
1784				
	July 2 nd	By Messrs Le Couteux & Comp ^r of Paris for so much remitted them.....	1,000,000	“ “
	Nov ^r 4 th	By amounts of Bills of exchange drawn on them to this day by the late Superintendent of Finance.....	2,415,025	“ “
1785				
	May 18 th	By His Excellency John Adams for sundry payments made to him.....	86,643	18 “
	“	By C. W. F. Dumas at the Hague for sundry payments made on his orders.....	7,498	14 “
	“	By emission of Bills of exchange on the Honble. Henry Laurens—paid sundry of them to amount of.....	6,881	5 8
	“	By John De Neufville & Son, Merchants Amsterdam for so much paid them.....	7,050	“ “
	“	By Foreign Contingent Expences paid for expresses, Postage, News Papers &c.....	2,466	5 “
	“	By Mon ^r Grand. Banker in Paris for sundry remittances made to him.....	1,600,587	8 “
	“	By Adventure per the <i>Sally</i> Cap ^{tn} Woodward paid insurances on 450 Hhd ^s Tobacco.....	3,253	12 “
		By Adventure per the <i>Princess Ulrica</i> for premium of Insurance on Tobacco p ^r Capt ⁿ Askelis.....	5,233	“ “
		By David S. Franks, for so much advanced him.....	1,000	
		By adventure p ^r <i>The Four Friends</i> for Avaridge paid on 20 Hhd ^s Tobacco.....	66	5 8

1785	Florins	Stiv.	Peng.
May 18 th By Profit and Loss on the Negotiations of foreign Loans and Subsidies for premiums, brokerage &c. on the Loans.....	357, 902	1	“
By interest account for interest paid on the Loans to 1 st June 1784.....	255, 645.	19	“
By balance in their hands the 31 st December, 1784 carried below.....	1, 101, 760	“	“
	<hr/>		
	6, 851, 013	8	“
To balance as above brought down.....	1, 101, 760.	“	“
From which deduct so much drawn by the commissioners of the Treasury.....	370, 000.		
	<hr/>		
Balance in their Hands.....	731, 760.		
	<hr/>		
The above Balance brought down.....	731, 760.		
Deduct so much authorized to be by them paid for Interest to 1st June, 1785.....	250, 000.		
	<hr/>		
Actual balance..... Florins..	481, 760.		

REGISTERS OFFICE, 1st June 1785.

Extract from the Treasury Books.

JOSEPH NOURSE, Register.

The Committee [consisting of Mr. David Howell, Mr. Samuel Holten and Mr. John Beatty] to whom was referred a memorial, from Jacob Gerard Diricks, late Lieu^t. Col. in the service of the U. States submit the following report.

Your Com^{es} find that on the 17 of May, 1781, Congress passed the following resolution, Viz. “That Lieut. Colonel Diricks be informed that although Congress have received the most satisfactory proofs of his zeal and capacity to serve these U. States, it is impracticable to employ him in the service of these States consistent with the arrangement of the Army; That his account for pay and subsistence be settled by the Board of Treasury in specie value, up to this day, and that the Board of Treasury take order for the payment of the balance that shall be found due to him, together with a sum equal to one year’s pay; and that from hence forward, he be no longer entitled to pay and subsistence, pursuant to the resolution of Dec^r 29, 1779.” Your Com^{es} also find that instead of receiving payment of the Board of Treasury in actual money on the above recited resolution, the petitioner received three Loan Office certificates, dated May 21, 1781, two of which were for 1,000 dollars each, and the other for 559 and $\frac{7}{90}$ dollars. Whereupon, your Com^{es} submit the following Resolution.

Resolved, That the Board of Treasury take order for paying to Jacob Gerard Diricks, late a Lieut. Col. in the service of the U. States the sum of one thousand dollars with interest thereon from May 21, 1781, and take up and cancel the original Loan Office certificate issued to him for that sum in pursuance of the Resolution of May 17, 1781.¹

The Committee [consisting of Mr. William Grayson, Mr. Samuel Holten and Mr. William Ellery] to whom was referred the memorial of Joseph Carleton Esquire, Report—

That it appears to them, he entered into the service of the United States on the 9th day of October in the year 1778 as treasurer to the board of war and ordnance and continued therein to the 15th of February, 1781.

That during that period very considerable sums of money passed through his hands amounting to sixty six millions of dollars,

That he did this business without an Assistant on a salary only of nine hundred dollars a year when several other officers in situations less responsible and laborious received more for their services.

That on the 17th February, 1781, he was appointed secretary to the board of war in which office he acted until the 19th day of November, 1781, when General Lincoln came into office receiving therefor fifteen hundred dollars per annum.

That from that period until the 12th of November, 1783, when General Lincoln resigned he acted in the same capacity on a salary of a thousand dollars per annum.

That from the 12th day of November, 1783, untill the 25th of April, 1785, when General Knox arrived in consequence of his appointment as secretary at war he was charged with the whole management of the war department and received therefore only the last mentioned salary.

That in all these different offices the said Joseph Carleton conducted himself as an able diligent upright and faithful servant of the United States, and has given the most entire satisfaction as well to Congress as to all those under whose immediate direction he acted.

That it appears the sums he has received from time to time have been inadequate to the Services he has rendered the United States and have borne no proportion to those of other officers.

¹ This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, II, folio 91. It is indorsed as read June 9 and the report rejected June 17. A summary of the action of Congress in Diricks' case from May 18, 1778, to May 17, 1781, in the writing of Hugh Williamson, is on folio 95.

That it is the opinion of this Committee it is just the said Carleton should receive as a compensation for his services at the rate of fifteen hundred dollars a year for the whole of the time he was engaged in the public service untill the arrival of General Knox.

Resolved therefore,

~~That the board of treasury be authorized and directed to settle with the said Joseph Carleton at the rate of twelve hundred and fifty dollars per annum from the 9th day of October 1778 to the 25th of April 1785 exclusive of the time that he received fifteen hundred dollars crediting the United States with such sums of money as may have been already advanced on account of his services.¹~~

FRIDAY, JUNE 10, 1785.

Congress assembled. Present as yesterday.

On the report of a committee, consisting of Mr. [William] Grayson, Mr. [Pierse] Long and Mr. [William] Ellery, to whom were referred two applications of Udney Hay,

Resolved, That the application of Udney Hay, for promotion, be referred to the Secretary at War to report; and,

That his application respecting a mode of settling his accounts, be referred to the commissioner for settling the accounts in the quarter master's department.

On the report of a committee, consisting of Mr. [William] Houstoun, Mr. [John] Beatty and Mr. [David] Howell, to whom was referred a letter of 7 March, from Thomas Hutchins, geographer of the United States,

¹ This report is in the *Papers of the Continental Congress* No. 19, I, folio 529. According to indorsement it was read this day. The last paragraph was crossed out by Thomson on September 27 when Congress took action.

On this day, according to indorsement, was read a petition of Alexander Lock, dated June 6, praying to be appointed a surveyor in the western territory. It is in No. 41, V, folio 415.

Also was read a petition from John Logan, dated June 4, praying to be indemnified for loss sustained by a contract for supplying the army in 1782. It is in No. 42, IV, folio 388.

Also was read a letter of June 4, from Matthew Griswold, Governor of Connecticut, enclosing an Act of the State for raising a quota of troops for western frontier duty. It is in No. 66, II, folio 302.

Resolved, That in settling the accounts of Mr. Thomas Hutchins, geographer to the United States, he be allowed four dollars and four rations a day, from the time of his accepting his commission, to the 3d day of November, 1783, and that he be allowed four dollars a day, from that period to the 27 day of May, 1785, deducting therefrom the time he was employed and paid by the state of Pennsylvania.¹

MONDAY, JUNE 13, 1785.

Congress assembled. Present, as before.

Mr. John Lansing, a delegate for the state of New-York, attended, and took his seat.

On the report of a committee, consisting of Mr. [James] Monroe, Mr. [Hugh] Williamson and Mr. [David] Howell, to whom was referred a letter of the 3 May, from baron Steuben,

The Committee [James Monroe, Hugh Williamson and David Howell] to whom was referr'd the letter of Baron Steuben requesting that the sums due him upon two liquidated accounts, and order'd to be paid by the resolution of the 23^d of March last, out of the requisition for the present year may be paid immediately, report

That the Board of treasury take order for the immediate payment to Baron Steuben of the sums due, upon two liquidated accounts, one of the liquidated ~~accounts~~ debts amounting to 1,826 dollars and $\frac{5}{10}$ ths as specified by the resolution of the 23^d of March last, with the interest thereon, and that the said resolution be repealed.²

Resolved, That the board of treasury take order for the immediate payment of the liquidated debt specified in the

¹ On this day, as the indorsement states, was read a petition of Frederick Weissenfels. It is dated June 10 and prayed to be put upon the footing of foreign officers or to be given some civil or military appointment. It is in No. 42, VIII, folio 326.

On this day, according to Committee Book No. 190, the Committee of May 2 on the letter of April 29, from the Secretary at War in reference to the pay of the troops at Fort McIntosh and the Artillery at West Point, was discharged and the matter referred to the Secretary at War.

² This report, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 19, V, folio 533. See *ante*, May 3.

resolution of the 23d of March, 1785, to be due to baron Steuben on the 10 day of June, 1784, amounting to 1826⁵/₁₀ dollars, together with the interest thereon.

On the report of the board of treasury, to whom was referred a petition of John Allan, late superintendant of Indian Affairs for the eastern department,

Resolved, (by nine states) That the sum of eight hundred and seventy doll^{rs} and ⁴⁵/₁₀₀ of a dollar, be paid to John Allan, late superintendent of Indian affairs for the eastern department, being the amount of his salary from the 3d of June, 1783, until the 1 of May, 1784, the time he received intelligence of his dismissal from service.

Ordered, That Friday next be assigned for the consideration of the remainder of the report.¹

On the report of a committee, consisting of Mr. [John] Lawrance, Mr. [William] Ellery and Mr. W[illiam] Henry, to whom was referred a memorial of Christopher Ludwick,

Resolved, (by nine States) That the Board of treasury take order for the payment of 200 dollars, to Christopher Ludwick, late superintendant of the baking department, as a gratuity for his services.²

BOARD OF TREASURY, 10th June, 1785.

The Board of Treasury to whom was referred the letters of Joseph Pennell Esq^r Commissioner for settling accounts in the Marine Department dated 15th Jan^y and 30th April last, submit to the consideration of Congress the following Resolve. Viz^t

That the Commissioner for settling accounts in the Marine Department be authorized to allow to the Continental Agents a Commission of two and a half per Cent on the sales of Prizes and on all

¹ See *post*, June 17.

² On this day, as the indorsement indicates, was read a memorial of Timothy Divine praying reimbursement for losses sustained through helping American forces in Canada in 1775. It was ordered to be filed and is in No. 41, II, folio 535.

Also, a memorial of Comfort Sands and Joshua Sands which was referred to Mr. [Melancton] Smith, Mr. [Joseph Platt] Cook and Mr. [David] Howell. It is in No. 137, III, folio 819. Committee Book No. 190 says a report was made June 14.

monies disbursed by them on account of the United States; and that the like commission be allowed on all expenditures made by other persons in the Marine Department where no special agreement has been made for such service.¹

TUESDAY, JUNE 14, 1785.

Congress assembled. Present as before.

A letter from his Most Christian Majesty having been laid before Congress, announcing the birth of a son, the Duke of Normandy, in the following words:

Tres Chers Grands Amis et Alliés,

Nous nous empressons de vous informer que la Reine notre très chere Epouse a mis aujourd'huy au monde un prince que nous avons nommé Duc de Normandie. Nous ne doutons pas que vous ne partagier bien sincèrement la satisfaction que nous cause cet heureux événement et vous devez être bien convaincus du plaisir avec lequel nous recevrons ces temoignages que vous nous en donnerez. Nous en avons un bien veritable à saisir cette occasion pour vous renouveler ces assurances de notre

¹ This report, signed by Samuel Osgood and Walter Livingston, is in the *Papers of the Continental Congress*, No. 138, II, folio 261. Committee Book No. 191 states that it was transferred.

JUNE 13. The following Committees were appointed: Of the Week: Mr. [John] Habersham, Mr. [John] Lansing and Mr. [Samuel] Dick.

Mr. [Abiel] Foster, Mr. [Rufus] King, Mr. [David] Howell, Mr. [Joseph Platt] Cook, Mr. [Melancton] Smith, Mr. [Samuel] Dick, Mr. [Charles] Pettit, Mr. [William] Hindman, Mr. [James] Monroe, Mr. [Charles] Pinckney and Mr. [Abraham] Baldwin, on "Their report on requisition for 1785, together with the letter of 7 June from B^d treasury with 4 estimates accompanying the same." This was the report of the Grand Committee on the recommitted report of April 14. See *post*, July 14.

Mr. [Melancton] Smith, Mr. [Joseph Platt] Cook, and Mr. [David] Howell, on the memorial of Comfort Sands and J. Sands to be comprehended under the Act of May 27. A report was made June 14.

Committee Book No. 190.

Also, according to Committee Book No. 190, David Humphreys' letter of March 18 to the President of Congress was referred to the Secretary at War to take order. Humphreys' letter regarding medals and swords voted by Congress, is copied in Resolve Book No. 123, p. 14. See *ante*, June 1.

Also, a report was rendered by the committee of March 29, on Hezekiah Wetmore's memorial and Committee Book No. 191 states that this report was transferred.

affection et de notre constante amitié pour vous. Sur ce nous prions Dieu qu'il vous ait, très chers amis et alliés en sa sainte et digne garde.

Écrit a Versailles, ce 27 Mars, 1785. Votre bon ami et allié.

LOUIS.

GRAVIER DE VERGENNES.

To this, Congress returned the following answer.

Great, Faithful and Beloved Friend and Ally,

We have received the letter which your majesty did us the honour to write on the 27th March last.

The magnanimity of your conduct towards us in the day of our distress, will always lead us to consider every event as fortunate which adds to the domestick felicity of your family and the general happiness of your people.

We consider the birth of a prince as conducing to both these desirable objects, and we present to your majesty and the queen our sincere congratulations on that joyful occasion.

Permit us to assure your Majesty of our unceasing gratitude and attachment, and of the sincerity with which we pray that the Almighty may always keep you and yours in his holy protection.

Done at New York the 14 Day of June, 1785.

By the United States in Congress assembled.

Your Majesty's faithful friends and Allies.¹

The Committee consisting of Mr. [Melancton] Smith, Mr. [Joseph Platt] Cook and Mr. [David] Howell to whom was referred the memorial of Comfort Sands and Joshua Sands late Contractors for supplying with Provisions the Garrison of West Point and its dependencies Report

That it appears to your Committee a claim was made by the Memorialists on the late superintendant of Finance for damages they alledge they have sustained by the failure on the part of the financier to make his payments according to his agreement, and by

¹ The King's letter and the answer of Congress were entered only in the manuscript Secret Journal, Foreign Affairs No. 5, and in Secret Journal No. 4. A copy of the answer is in Secret Journal No. 6, Vol. III. Jay's report to Congress which drafts the above reply is dated June 13 and is in No. 81, I, folio 247. According to Committee Book No. 191 and the indorsement it was considered June 13 and on June 14 agreed to and referred back to the Secretary to take order.

his depriving them of their Contract. That the settlement of the claims was together with the demands of the contractors for the moving army, by the mutual agreement of the late superintendant of Finance and the Memorialists, referred to the decision of John D. Mercier, William Malcom and Isaac I. Roosevelt, But that their report was not made by the time limited in the Bonds, and the superintendant of Finance, being about leaving his office, the claims were not adjusted. Your Committee therefore submit the following Resolve.¹

WEDNESDAY, JUNE 15, 1785.

Congress assembled. Present as before.

Congress resumed the consideration of the report of the committee on the letter of 25 April, from three of the Commissioners² for negotiating with the Indians, in the northern and middle departments; and on the question to agree to the following clause,

¹ This report, in the writing of Melancton Smith, is in the *Papers of the Continental Congress*, No. 19, V, folio 279. It is indorsed by Thomson as: "Ent^d 14 June 1785 read Passed 27 June 1785 filed." The resolve submitted was adopted verbatim June 27 *q. v.*

JUNE 14: The following committees were appointed:

Mr. [William] Ellery, Mr. [James] McHenry and Mr. [Abiel] Foster, on a letter of June 13 from the Board of Treasury on a letter of June 7 from Barbé Marbois regarding a pension for Lieut. Louis I. de Beaulieu. The committee reported June 27, *q. v.* for personnel.

Mr. [David] Howell, Mr. [Samuel] Dick and Mr. [John] Lawrance, on the memorial of Marianne McClure. This was a renewal of the committee of March 23 and to it was committed the "Claim of du Cheneaux for 892 dollrs." A report was rendered July 13.

Mr. [William Samuel] Johnson, Mr. [William] Henry and Mr. [Abraham] Baldwin, on the memorial of James Willing for the settlement of his accounts. This committee was renewed August 8. See *ante*, March 17.

Committee Book No. 190.

On this day, according to indorsement and Committee Book No. 191, the report of the committee of June 7, on the ceremonial of reception to Gardoqui was read. It is in No. 25, II, folio 433, in the writing of Samuel Holten. On June 17, it was referred to the Secretary for Foreign Affairs to take order. This report, with minor textual changes therefrom and from the report of the Secretary for Foreign Affairs of May 31, is spread on the Journals of June 17.

² See *ante*, May 31 and June 6.

That the board of treasury take order for the purchase of goods, in addition to those on hand at fort McIntosh, and those ordered to be purchased by the resolutions of the 18th of March last, for the purpose of carrying the said treaty fully into effect, to an amount not exceeding three thousand dollars.

The yeas and nays being required by Mr. [Charles] Pinckney,

<i>New Hampshire,</i>			<i>Maryland,</i>		
Mr. Foster,	ay	*	Mr. McHenry,	ay	} ay
<i>Massachusetts,</i>			J. Henry,	ay	
Mr. Holten,	ay	} ay	Hindman,	ay	
King,	ay		<i>Virginia,</i>		
<i>Rhode Island,</i>			Mr. Hardy,	ay	} ay
Mr. Ellery,	ay	} ay	Monroe,	ay	
Howell,	ay			Lee,	ay
<i>Connecticut,</i>			Grayson,	ay	
Mr. Cook,	ay	} ay	<i>South Carolina,</i>		
Johnson,	ay			Mr. Bull,	ay
<i>New York,</i>			Pinckney,	no	
Mr. Lawrance,	ay	} ay	Ramsay,	ay	
Smith,	ay			Kean,	ay
Lansing,	ay		<i>Georgia,</i>		
<i>New Jersey,</i>			Mr. Habersham,	ay	} ay
Mr. Dick,	ay	} ay	Baldwin,	ay	
Stewart,	ay				
<i>Pennsylvania,</i>					
Mr. Gardner,	ay	} ay			
Jackson,	ay				
Pettit,	ay				

So it was resolved in the affirmative.

Congress proceeded in the Consideration of the report, which being amended, was agreed to as follows:

1. *Resolved,* That the commissioners instructed to hold a treaty, under the resolutions of the 18 of March last, with the Western tribes of Indians, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves

of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible.

2. That the board of treasury take order for the purchase of goods, and in addition to those on hand at fort McIntosh, and those ordered to be purchased by the resolutions of the 18 March last, for the purpose of carrying the said treaty fully into effect, to an amount not exceeding three thousand dollars.

3. That the board of treasury take order for the purchase of provisions and other stores, for the support of the commissioners and others necessarily attending the treaty, to an amount not exceeding 2000 dollars.

4. That the board of treasury take order to answer the drafts of the commissioners of the treaty, for the pay of the officers, messengers, interpreters and artificers, in a sum not exceeding 2000 dollars.

5. That the board of treasury take order for contracting, upon the best terms they can, for the transportation of the said goods to the place at which the treaty may be held, or such other places as the commissioners may think proper; and also for the transportation of the troops and their baggage, which may be necessarily employed in attending the said treaty.

6. That the Commissioners be, and they are hereby authorized to make rules and regulations for the management of the treaty, and the government of all those who attend it.

7. That they endeavour to obtain from [the Inhabitants of Kaskaskies, St. Vincents, and others, a statement of their rights to lands within the said country guaranteed to them by Congress, in their acceptance of the Virginia cession,]¹ with the origin and extent thereof, and report the same. That they also administer to the said Inhabitants, the following oath of Allegiance: I——do solemnly swear, (or affirm) that I² will be true and faithful to the United States of America; that I renounce all allegiance and dependence upon any foreign prince or potentate whatsoever; and that I will, as becomes a good Citizen, as far as in me lies, protect and defend the said United States from all attacks and invasions from other powers.

8. That they prohibit the settlement of all persons, not properly authorized for that purpose, upon the unappropriated Lands of the

¹ The portion in brackets, in the writing of William Samuel Johnson, is in the *Papers of the Continental Congress*, No. 30, folio 281, and was, evidently, submitted on or after May 5.

² At this point Benjamin Bankson begins recording the entry.

United States, and that they cause to be circulated in the said country, the following proclamation:

“Whereas it hath been represented to the United States in Congress Assembled, that several disorderly persons have crossed the river Ohio, and settled upon their unappropriated lands; and whereas it is their intention, as soon as it shall be surveyed, to open Offices for the sale of a considerable part thereof, in such proportions, and under such other regulations as may suit the convenience of all the Citizens of the said States, and others, who may wish to become purchasers of the same; and as such conduct tends to defeat the object which they have in view, is in direct opposition to the ordinances and resolutions of Congress, and highly disrespectful to the federal authority, they have therefore thought fit, and do hereby issue this their proclamation, strictly forbidding all such unwarrantable intrusions, and enjoining all those who have settled thereon, to depart, with their families and effects, without loss of time, as they shall answer the same at their peril.

That the¹ Secretary at war be, and he is hereby directed to order the troops in the service of the United States, to be in readiness to march at such time, and to such place or places as the said commissioners, or any two of them, shall direct.

That the fourth of the Instructions given on the 15 of October, 1783, to the commissioners for negotiating with the Indians, be, and it is hereby repealed.²

Mr. [Samuel] Dick, Mr. [David] Howell and Mr. [William] Grayson to whom were committed the letter of John Adam praying an allowance of Extra Expences as Deputy Commissary of Prisoners, with the letters and Papers Accompanying the same and the Report of the Under Secretary of War thereupon

Recommend that the said Letters and papers with the Report thereon from the war Office be Refer'd to the Commissioners of the Treasury to Report.³

¹ Thomson here resumes the entries.

² On this day, as the indorsement states, was read a letter of June 11 from James Simpson accepting the office of a surveyor in the Western Territory. It is in No. 78, XXI, folio 395.

³ This report, in the writing of Samuel Dick, is in the *Papers of the Continental Congress*, No. 19, I, folio 47. Committee Book No. 190 states that a report was rendered by the Treasury July 7.

JUNE 15: The following committees were appointed:

Mr. [David] Howell, Mr. [William] Grayson, Mr. [James] McHenry, Mr. [Charles] Pettit and Mr. [Rufus] King, on two letters from David Lockett, with

THURSDAY, JUNE 16, 1785.

Congress assembled. Present, as before.¹

enclosures, on the demand of Craig, Bayard & Co., of Pittsburg for the land and buildings of Fort Pitt and also on the condition of the troops stationed there. The committee discharged August 8. See *ante*, June 1. Lockett's letters are in No. 163, folios 443 and 447.

Mr. [Samuel] Hardy, Mr. [Charles] Pinckney, Mr. [David] Howell and Mr. [Samuel] Dick, on "The 7 article in the report of the Com^{es} on the letter of" [on the Indian treaty]. See *ante*, May 3.

Committee Book No. 190.

Also, according to Committee Book No. 190, the last paragraph of the report of the Secretary for Foreign Affairs, on William Shaw's letter, was, this day, struck out. See *ante*, June 9.

¹JUNE 16: The following committees were appointed:

Mr. [William] Ellery, Mr. [Archibald] Stewart and Mr. [David] Howell, on the letter of June 12 from Philip Schuyler, relative to provisions and clothing furnished to Indian hostages. Report was rendered June 21. Schuyler's letter was read this day. It is in No. 153, III, folio 641.

Mr. [Charles] Pettit, Mr. [David] Howell and Mr. [Rufus] King, on petition of Richard Allison and Capt. Caldwell for half-pay and letters from William Mackay and Samuel Tudor asking for an advance of money. This committee was discharged August 8; Tudor's memorial was read this day and referred to the Board of Treasury July 22 to report. It is in No. 41, X, folio 205.

Committee Book No. 190.

According to indorsement, on this day was read a letter from the Secretary for Foreign Affairs, dated June 16, enclosing a letter of March 18 from the United States Ministers in France. Committee Book No. 185 notes this as from Adams, Franklin and Jefferson, enclosing the following:

1. Dec. 15 [1784] from the Papal Nuncio that American vessels will be received at Civita Vecchia and Ancona.

2. Feb. 10 [1785] from the Minister of Tuscany that the Americans will receive on reciprocity the indulgence granted to the most favored nation.

3. Jan. 24 from the Prussian Minister with

4. Observations on the project of a treaty with Prussia.

5. American Ministers' observations in answer to foregoing.

6. Feb. 11 from Prussian Minister, hoping to see the treaty concluded.

7. Mar. 4 from Prussian Minister, on free ports.

8. Memo. of sums and presents to Barbary Powers by European powers.

Jay's letter is in No. 80, I, folio 217, and is indorsed: "Enclosures returned to O. of F. A." The enclosures will be found in No. 86 as follows: Enc. 1 in folio 85; 2 in folio 125; 3 in folio 93; 4 in folio 95; 6 in folio 191; 7 in folio 195.

FRIDAY, JUNE 17, 1785.

Congress assembled. Present as before.

Congress took into consideration the resolution recommended by a committee, consisting of Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [John] Beatty, to whom was referred a memorial of J. G. Dericks, and which is in the words following:

That the board of treasury take order for paying to Jacob G. Dericks, late a lieutenant colonel in the service of the United States, the sum of 559⁷/₉₀ dollars, with interest thereon, from May 21, 1781, and take up and cancel the original loan Office certificate, issued to him for that sum, in pursuance of the resolution of May 17th, 1781.

A motion was made by Mr. [Rufus] King, seconded by Mr. [James] McHenry, to amend the report by adding these words, "which certificate on the day of was endorsed by the said J. G. Dericks, to and the endorsee is entitled to demand and receive the same."

A motion was made by Mr. [Charles] Pinckney, seconded by Mr. [William] Grayson,

That the decision of this question be postponed until information can be received touching this subject, from the commissioners of the treasury, at the time of the date of the certificate mentioned in the said resolution.

A division of this motion was called for by Mr. [James] McHenry; and,

On the question to agree, that the decision of this question be postponed, the yeas and nays being required by Mr. [John] Lawrance,

<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	} div.	Mr. McHenry,	ay	} ay
King,	ay		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman	no	
Mr. Ellery,	no	} no	<i>Virginia,</i>		
Howell,	no		Mr. Monroe,	no	} no
<i>Connecticut,</i>			Lee,	no	
Mr. Cook,	ay	} ay	Grayson,	ay	
Johnson,	ay		<i>South Carolina,</i>		
<i>New York,</i>			Mr. Bull,	ay	} ay
Mr. Lawrance,	no		Pinckney,	ay	
Smith,	no	} no	Ramsay,	ay	
Lansing,	no		Kean,	ay	
<i>New Jersey,</i>			<i>Georgia,</i>		
Mr. Dick,	no	} no	Mr. Houstoun,	no	} no
Stewart,	no		Habersham,	no	
<i>Pennsylvania,</i>			Baldwin,	ay	
Mr. W. Henry,	no	} no			
Jackson,	no				
Pettit,	no				

So the question was lost.

The question being taken on the amendment, passed in the negative.

On the question to agree to the resolution recommended by the committee, the yeas and nays being required by Mr. [Rufus] King.

<i>Massachusetts,</i>			<i>New York,</i>		
Mr. Holten,	no	} no	Mr. Lawrance,	ay	} ay
King,	no		Smith,	no	
<i>Rhode Island,</i>			Lansing,	ay	
Mr. Ellery,	ay	} ay	<i>New Jersey,</i>		
Howell,	ay		Mr. Dick,	ay	} ay
<i>Connecticut,</i>			Stewart,	ay	
Mr. Cook,	no	} no	<i>Pennsylvania,</i>		
Johnson,	no		Mr. Jackson,	ay	} ay
			Pettit,	ay	

<i>Maryland,</i>			<i>South Carolina,</i>	
Mr. McHenry,	no	}	Mr. Bull,	no
J. Henry,	no		Pinckney,	ay
Hindman,	no		Ramsay,	no
			Kean,	no
<i>Virginia,</i>			<i>Georgia,</i>	
Mr. Monroe,	ay	}	Mr. Houstoun,	ay
Lee,	ay		Habersham,	ay
Grayson,	ay		Baldwin,	no

So the question was lost.

Congress proceeded to the Election of Surveyors, pursuant to the Ordinance of the 20 of May last, and, the ballots being taken, Mr. Robert Johnson was elected from Georgia: and Mr. Absalom Martin, from New Jersey:

They having been severally nominated by the delegates of the respective states.

The Committee, consisting of Mr. [David] Howell, Mr. [Samuel] Holten and Mr. [James] McHenry, to whom was referred part of the report of the Secretary for Foreign Affairs on a Letter from Don Diego Gardoqui, plenipotentiary Chargé des Affaires of his Catholic Majesty, having reported the following Ceremonial for the reception of the said plenipotentiary Chargé des Affaires:

At such time as may be appointed by Congress for a public reception, the Secretary for Foreign Affairs will conduct him to Congress Chamber to a seat to be placed for him, and announce him to ~~the House~~ Congress, the President and Members keeping their seats and remaining covered. ~~He will then rise and deliver~~ His Commission and Letters of Credence are then to be delivered to the Secretary of Congress, who shall read a translation of them, to be prepared by the Secretary for Foreign Affairs from the Copies to be left with the President. He may then be at liberty to speak, and, if he please, deliver to the Secretary of Congress, in writing, what he

may think proper to Congress; and the Secretary for Foreign Affairs will inform him that Congress will take what he may say into consideration and through him will communicate whatever answer they may resolve upon. When he retires, he shall be reconducted by the Secretary for Foreign Affairs, who will ~~him~~ intimate to him that a visit will be expected by every Member of Congress, and that the Members not present at the time of the public reception will, in like manner on their arrival, expect the first visit from him. While in the Congress Chamber he shall be uncovered.

Ordered, That the said report be referred to the Secretary for Foreign Affairs to take order.¹

MONDAY, JUNE 20, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from the state of New Hampshire, Mr. [Abiel] Foster and from New York, Mr. [John] Lansing.

On the report of a committee, consisting of Mr. [John] Beatty, Mr. W[illiam] Henry and Mr. [Joseph Platt] Cook, to whom was referred a letter of 20 May, from George Morgan, relative to the Indian Youth under his care,

Resolved (by nine States), That Mr. George Morgan deliver to any one or more of the commissioners appointed to negotiate with the Western Indians, Thomas Kilbuck, and John Kilbuck, two Indian youth of the Delaware tribe, who were put under his care in the year 1779. That he furnish them with such necessary articles of cloathing as may be

¹ This report and order were entered only in the manuscript Secret Journal, Foreign Affairs No. 5, by Benjamin Bankson, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III, and also in Resolve Book No. 123.

On this day, according to Committee Book No. 190 and indorsements, the last paragraph of the report on John Allan's memorial was assigned for consideration. Final action was taken September 29.

proper for them, and that the Commissioners be directed to cause them to be delivered up to the tribe of which they are natives.

That the accounts exhibited by Mr. Morgan, for cloathing and board to the Indians put under his care, be referred to the board of treasury for liquidation and payment.

That Mr. G. Morgan be empowered and requested to continue the care and direction of George Whiteeyes, for one year, and that the board of treasury take order for the payment of the expences necessary to carry into execution the views of Congress in this respect.¹

On the report of a committee, consisting of Mr. [David] Howell, Mr. [Gunning] Bedford and Mr. [William] Ellery, to whom was referred a letter of 26 March, from R. Morris, late superintendant of finance,²

Resolved, That three Commissioners be appointed to enquire into the receipts and expenditures of public Monies, during the Administration of the late Superintendant of finance, and to examine and adjust the accounts of the United States, with that department, during his Administration, and to report a state thereof to Congress.

Ordered, That Monday next be assigned for electing the said Commissioners.

On the report of a committee, consisting of Mr. [Hugh] Williamson, Mr. [Charles] Stewart and Mr. [David] Howell, to whom was referred the petition of Dr. J. Morgan,

Resolved, That whenever Dr. J. Morgan, shall have accounted for the stores delivered to his care, or when the several charges against his former department shall have been delivered in, and it shall appear to the commissioner for settling the hospital accounts, that the doctor's papers and books were unavoidably destroyed, or that he has rendered the best account of the stores committed to his care, of which

¹ See *ante*, June 1.

² This report was read April 11, *q. v.* The resolution adopted above was offered this day (June 20) by Rufus King and is in No. 19, IV, folio 441.

the circumstances of the case would admit, he shall obtain a certificate for the balance due him.

On the report of a committee, consisting of Mr. [William] Ellery, Mr. [Hugh] Williamson and Mr. [David] Howell, to whom was referr'd a petition of Edward Waters,

Resolved, That the said petition be referred to the Commissioner for settling the accounts in the purchasing department, and that the said commissioner enquire particularly into the circumstances thereof, and report specially thereon to Congress.

Congress took into consideration the report of the Comptroller on claims of James Morrison, of Montreal; Whereupon,

Resolved, That the said report, together with the letter and accounts of James Morrison, and the report of the Auditor thereon, be referred to the Commissioner for settling the accounts between the United States and the State of New York.

The committee [consisting of Mr. Charles Pettit, Mr. Samuel Holten and Mr. Rufus King] to whom was referred a letter from the Board of Treasury enclosing a letter from M^r Hillegas, Treasurer of the U. S. report

That in consideration of the inconveniences that would accrue to M^r Hillegas in removing from Philadelphia to the place where Congress reside, he be and hereby is permitted to resign his appointment, and that next be assigned for the election of a Treasurer of the U. S. of America.¹

¹ This report, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 26, folio 561. The indorsement states that it was read on this day. Committee Book No. 191 states that it was filed.

According to Committee Book No. 190, Mr. [William] Ellery was this day added to the Committee on the Consular Convention with France.

On this day, according to indorsement, was read a letter of June 11 from Rufus Putnam accepting appointment of Surveyor, but informing Congress that he cannot serve until next year. It is in No. 55, folio 161.

Also was read a letter of June 10 from Nathaniel Adams declining the appointment of surveyor. It is in No. 78, I, folio 461.

JUNE 20: The following committees were appointed:

Of the Week: Mr. [William] Houstoun, Mr. [Johu] Lansing and Mr. [David] Jackson.

Mr. [David] Howell, Mr. [William] Grayson, Mr. [James] McHenry, Mr. [Charles] Pettit and Mr. [Rufus] King, on letter of June 20 from the War Office,

TUESDAY, JUNE 21, 1785.

Congress assembled. Present, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, and Georgia; and from the state of New Hampshire, Mr. [Abiel] Foster.

A motion was made by Mr. [John] Lawrence, seconded by Mr. [David] Howell,

To reconsider the resolution passed yesterday for the appointment of Commissioners to inquire into the receipts and expenditures of public Monies during the administration of the late Superintendant of finance &c. in order to prefix the following preamble:

“Whereas there is no board or commissioner acting under Congress proper to examine and adjust the Accounts exhibited to Congress by the late Superintendant of finance, and as it is necessary that all persons entrusted with public Monies should account for”

A motion was made by Mr. [William] Grayson, seconded by Mr. [Charles] Pinckney, to postpone the motion in order to take up the following:

To reconsider the resolution passed yesterday for the appointment of Commissioners, &c., so as to extend the said resolution to the appointment of a commissioner or commissioners to examine and adjust the receipts and expenditures of all such persons as have been or may be entrusted with the public monies, and for the settlement of whose accounts commissioners have not yet been appointed.

And on the question to postpone for this purpose, the yeas and nays being required by Mr. [Charles] Pinckney,

signed by Joseph Carleton and containing an extract from the letter of June 1, from Col. Josiah Harman, on the Indian situation. Report rendered June 21. Carleton's letter is in No. 163, folio 465. See *post*, June 24.

Committee Book No. 190.

<i>Massachusetts,</i>			<i>Maryland,</i>		
Mr. Holten,	no	} no	Mr. McHenry,	no	} ay
King,	no		J. Henry,	ay	
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	no	} no	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	ay	} ay
<i>Connecticut,</i>			Monroe,	ay	
Mr. Cook,	no	} no	Lee,	ay	
Johnson,	no		Grayson,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. Lawrence,	no	x	Mr. Bull,	no	} no
<i>New Jersey,</i>			Pinckney,	ay	
Mr. Houston,	no	} no	Ramsay,	no	
Stewart,	no		Kean,	no	
<i>Pennsylvania,</i>			<i>Georgia,</i>		
Mr. Jackson,	no	} no	Mr. Houstoun,	ay	} div.
Pettit,	no		Habersham,	no	

So the question was lost. After debate, Mr. [John] Lawrence withdrew his motion.

On motion of Mr. [James] McHenry, seconded by Mr. [David] Howell,

Resolved, That the administration of the board of treasury be examined, and the accounts thereof adjusted annually, in the manner directed for the investigation and adjustment of the accounts of the treasury, under the administration of the late superintendent of finance.

The report of the committee, consisting of Mr. [William] Houstoun, Mr. [David] Howell, Mr. [William] Hindman, Mr. [William] Grayson and Mr. [William] Ellery, on the subject of reprinting the journals of Congress, being read,

Ordered, That it be referred to the Secretary of Congress to take Order.¹

¹ According to Committee Book No. 190, and Despatch Book No. 185, a petition from Thomas Tolman was this day read, praying for advance of money as agent for Col. Warner's regiment and for reimbursement for guns bought in 1776. It was referred, this day, to Mr. [David] Howell, Mr. [John] Lawrence and Mr. [William Samuel] Johnson, who reported June 23.

The Committee Consisting of [Mr. David Howell, Mr. William Grayson, Mr. James McHenry, Mr. Charles Pettit and Mr. Rufus King on Lieutenant Colonel Harmar's letters] Report,

That Congress approve of the conduct of Col^o Harmar in carrying into execution the orders given him by the Comm^{es} for removing intruders from the lands of the U. S.

That he be authorized to remove the ~~garrison~~ troops under his command, and to take Post at any place on or near the River Ohio, between ~~the Pennsylvania line~~ Muskingdom and the Great Miami which he shall conceive most advisable for farther carrying into effect the before mentioned orders.

The Secretary at War to take order on this ana the above.

That the Board of Treasury advance Col^o Harmer six hundred dollars on account for the purpose of transporting the ~~garrison~~ said troops and their baggage to such place as he shall deem proper for the advance of the public service.

To the B^d of Treas^y to take order.

That the Commanding Officer at fort Pitt be directed to join Col^o Harmer with the troops under his command, and that such of the stores as are not necessary for immediate use be disposed of by public sale.

Postponed.¹

The Committee consisting of M^r. [William] Ellery, M^r [Archibald] Stewart and M^r [David] Howell to whom a letter from Philip Schuyler of the 12th of June, 1785, was referred. Report,

That so much of the letter of Gen^l Schuyler of the 12th of June, 1785, as respects the supplying the Indian hostages, and the unhappy sufferers who have been long in captivity with the Indians, with clothing and provisions be referred to the Board of Treasury to take order. With respect to that part of said letter which advises that the Indians who may come down to Albany on business, should be supplied with provisions &c., Your committee are of opinion

That when the Indians shall visit any post on business with the U. S. That the Commanding Officer shall receive their communica-

¹ This report, in the writing of William Grayson, is in the *Papers of the Continental Congress*, No. 19, III, folio 63. According to Committee Book No. 190, it was acted on June 24. The italicised phrases were entered on the report on that day.

tions, and transmit the same to the Board of War: and furnish them with necessary provisions while on such business.¹

WEDNESDAY, JUNE 22, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia.

[Motion of James Monroe]

That upon supplies furnish'd by impressment or other services rendered by individuals to the U. S. from the year 1781 to the present period, the claims whereof against the U. S. by payment of the principal, or other satisfactory compensation, are transferred from the individual to the State of which he is a citizen, upon the liquidation of the account by the Commiss^r of the U. S. with the State, upon the same principles as if they had not been transferr'd, the State shall be consider'd as standing in the place of the individual and intitled to all the benefits which wo^d otherwise have belong'd to him.

That as the accounts of the several States against the U. S. for their respective advances in support of the late war are unliquidated and each State supposes she hath advanc'd at least her federal quota, and requisitions upon a contrary principle so far as they apply to the domestic debt previous to that event may be injurious to some of the States and measures are taken to effect a final liquidation as soon as possible untill that desirable end is obtain'd all the monies call'd for in the discharge of the domestic debt be so modified in their collection as that each State be allow'd to pay its proportion into the treasury of the U. S. in certificates of discount either upon the principal or interest of so much as shall be liquidated ~~within~~ it as in the opinion of as the several legislatures shall be find most consonant to justice and convenient to their citizens.

And whereas the U. S. are plighted under the act of cession from the State of Virg^a of her claims to territory n^o westward of the Ohio agreeably to the conditions of the s^d act as therein contain'd, "to reimburse to the s^d State all her reasonable expences &c" and as a commiss^r is

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, V, folio 313. The indorsement states that it was read on this day and Committee Book No. 191 that it was filed. See *ante*, June 16.

appointed on the part of the U. S. for the adjustment and liquidation of said acc^{ts} and it is necessary that provision be made for complying with said engagements it is therefore agreed that provided they shall be liquidated during the operation of the present requisition that dol^{ts} be admitted in discount to the said State for said advances.¹

THURSDAY, JUNE 23, 1785.

Congress assembled. Present as yesterday.

Pursuant to the resolution of the 7th of March last, Congress proceeded to the election of a minister plenipotentiary, to succeed Mr. J. Adams at the court of the United Netherlands, and, the ballots being taken, William Livingston, esq^r was elected having been previously nominated by Mr. [Charles] Stewart.

Congress proceeded to the election of a deputy Secretary, and, the ballots being taken, Mr. Roger Alden was elected, having been previously nominated by Mr. [Abiel] Foster.²

The Secretary for Foreign Affairs, to whom was referred his Letter of the 19th of May, having reported that in his opinion it would be advisable to permit him the said Secretary to write a Letter of the following tenor, in Cypher, and by a private hand, to the Minister

¹ This motion, in the writing of James Monroe, is in the *Papers of the Continental Congress*, No. 36, III, folios 49 and 51. An indorsement in Charles Thomson's writing says: "60 copies of this must be provided and ready to be delivered by 10 o'clock," and "Motion of Mr. [James] Monroe, seconded by Mr. [Samuel] Hardy, debated June 22, 1785, ordered for consideration on the 23^d". One of the printed copies is in the Continental Congress, Broad-sides, in the Library of Congress.

Also a letter from John Kilbuck, dated June 18, was read, thanking Congress for its care of him and requesting further assistance. It is in No. 78, XIII, folio 613.

Also on this day, according to indorsement, a letter of June 22 from the Secretary for Foreign Affairs was read, asking directions as to the silk sent to Congress by William Shaw. It is in No. 80, I, folio 221. See *ante*, June 9.

² From this point to the end of the letter to the U. S. Minister at London and the action thereon, the proceedings were entered only in the manuscript Secret Journal, Foreign Affairs No. 5, in the writing of Benjamin Bankson, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

plenipotentiary of the United States at the Court of London:

“SIR, It is more than probable that this Letter will find you in London. The manner of your reception at that Court, and its temper, views and disposition respecting American objects, are matters concerning which particular information might be no less useful than it is interesting. Your Letters will, I am persuaded, remove all suspense on those points.

While men or States are influenced by their passions and their interests, alternately, without having reduced the pursuit of either to system, it is impossible to predict which of those motives will preponderate on certain occasions, and under certain combinations of Circumstances.

Hence it is uncertain how far and in what instances the national ill temper of Britain towards this Country may lead that Kingdom to gratify it at the expence of a more conciliating and advantageous policy.

It is well known that these Countries, prior to the late war, carried on a valuable trade with Honduras and Campeachy, and employed above one hundred Vessels in exchanging at the English settlements beef, pork, and other kinds of provisions, for Logwood, Mahogany, Sarsaparilla, &c. It being the policy of Spain to keep other nations at a distance from their American dominions, she beholds these settlements with pain and jealousy. The uneasiness which subsists at present between those two nations on that subject seems to offer us an opportunity of negotiating with the English for a participation in their rights to cut logwood, or at least to trade with them there as formerly. They may perhaps think it expedient to strengthen their footing in those parts by interesting us in the advantages resulting

from their continuing to maintain it. It would not be difficult for you to sound the minister so effectually and yet circumspectly on this head, as to enable yourself to discern his disposition and sentiments on the one hand, and yet avoid committing either Congress or yourself on the other. As the experiment whether successful or not can cost little, as in the one event it may produce good, and in the other no inconveniences can follow, I think it would be advisable to make it.¹

The Committee of the week [Mr. William Houstoun, Mr. John Lansing and Mr. David Jackson] report

On the petition of Belcher P. Smith, that a Committee hath already reported on the request of the petitioner, which report is now before Congress:

That the Petition of John Vincent lie on the table:

That the Memorial of Increase Carpenter and Nicholas Marcheseau be referred to the Board of Treasury to report.²

[Motion of M^r Rufus King]

Resolved, That the commissioners for negotiating a treaty with the Indians northwest of the Ohio under the resolutions of the 23^d of March last and of the 15th of June instant be and hereby are directed to hold said treaty upon the western bank of the River Ohio at a place called the Rapids, the resolutions aforesaid notwithstanding.

Resolved, That the secretary at war be and hereby is directed to detach one company of infantry from the Troops in the service of the U. S. to attend the said commissioners to, at, and from the place where the treaty aforesaid shall be held, and to be subject to the orders of the said commissioners; and the resolution of the 15th instant directing the secretary at war to order the troops in the service of the U. S. to be in readiness to attend said commissioners is hereby repealed.

¹ Jay's draft of this letter is in No. 81, I, folio 251.

² This report is in the *Papers of the Continental Congress*, No. 32, folio 617. According to Despatch Book No. 185 the report was made this day. The indorsement states that it was filed, and that it was from the committee of the week appointed June 20. Smith's petition is in No. 40, VII, folio 225.

And in case the said one company of infantry shall be insufficient for the protection of the said commissioners and others during the time of holding the said Treaty, it is hereby recommended to the commonwealth of Virginia on the request of the said commissioners to furnish such numbers of the militia of that State not exceeding 250 men in the neighborhood of the place where said treaty is to be held, as will give full protection to all persons attending the same.¹

The Committee, [Mr. David Howell, Mr. John Lawrance and Mr. William Samuel Johnson] to whom was referred the petition of Thomas Tolman, agent for the late Colonel Seth Warner's Regiment in the service of the U. States, dated N. York, June 21, 1785, praying to be allowed payment on the accounts of Major Gideon Brownson and Ensign Israel Merwin deceased late of said Regiment for the purchase of guns and accoutrements for said Regiment, beg leave to report the following resolution:

That the accounts of Gideon Brownson, late Major in Colonel Seth Warner's Regiment, and of the heirs of administrator of Israel Merwin deceased, late an Ensign in said Regiment, for guns and accoutrements by them purchased and delivered for the use of said Regiment, be referred to the Board of Treasury for settlement; and that the Board of Treasury take order for payment of the ballances which may be found due on said accounts.²

Whereas the honble John Adams Esq. at present minister plenipotentiary from the United States at the Hague was on the day of february appointed Minister plenipotentiary to represent the said States at the Court of London, and it being expedient that a minister should be appointed to succeed the said Mr. Adams at the Hague,

¹ This motion, in the writing of Rufus King, is in the *Papers of the Continental Congress*, No. 30, folio 287. The indorsement gives it this date, and states that it was referred to Mr. [Samuel] Hardy, Mr. [David] Howell, Mr. [John] Henry, Mr. [Rufus] King and Mr. [William] Grayson. This was a renewal of the committee of March 22 on the same subject, *q. v.* The committee reported, apparently, June 28, and the report, which varies in minor verbal details only from the above motion, was passed June 29. The report is in No. 30, folios 283-285. To this same committee was referred, on this day, a petition of John Obail, an Indian, in prison for debt. It is in No. 41, VII, folio 322. A report was rendered on this, July 5.

² This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 19, VI, folio 43. The indorsement states that it was read on this day, and on July 15 the memorial was withdrawn by Tolman.

Resolved, therefore, That Monday next be assigned for the election of a minister plenipotentiary to represent the united states at the States general of the united netherlands.¹

The Com^{rs} to whom was referred part of a report of a Grand Com^{rs} on the Subject of the Loan Offices and receivers of Continental taxes beg leave to report in part—

That the receivers of Continental Taxes who have been appointed in the several States by the late Superintendent of Finance, shall receive for their Services a commission on the monies by them actually received for the U. States, at the rates heretofore fixed by the s^d Superintendent of Finance ²

FRIDAY, JUNE 24, 1785.

Congress assembled. Present as before.

Congress took into consideration the report of a committee, consisting of Mr. [David] Howell, Mr. [William] Grayson, Mr. [James] McHenry, Mr. [Charles] Pettit and Mr. [Rufus] King, to whom were referred sundry letters from lieutenant colonel Harmar; and thereupon,

Resolved, That the first and second paragraphs be referred to the Secretary at War to take Order. That the third para-

¹ This motion, in the writing of Mr. [Charles] Pinckney, is in the *Papers of the Continental Congress*, No. 36, IV, folio 63. It is undated, but such presumptive evidence as exists points to its having been offered this day. Adams was appointed Minister to London on February 24.

² This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 26, folio 567. According to indorsement it was read June 23 and filed September 19, 1786.

JUNE 23: The following committees were appointed: Mr. [Samuel] Hardy, Mr. [John] Henry and Mr. [John] Lawrance, on the letter of June 22 from the Indian Commissioners George Rogers Clark and Richard Butler, with petitions of Obediah Robins & Co and Nonhelema or Katherine, alias the Grenadier, a Shawnese woman. The committee reported June 28 according to Thomson; June 29 according to Roger Alden's indorsement. The report was read June 29. Clark and Butler's letter is in No. 56, folio 165. Katherine's petition is on folio 169. Robins & Co's petition is in No. 41, VIII, folio 347.

Mr. [Charles] Pettit, Mr. [William] C[hurchill] Houston and Mr. [Rufus] King, on memorial of Ephraim Blaine, praying the settlement of his accounts. A report was made June 27. The memorial, dated June 23, is in No. 41, I, folio 465.

Committee Book No. 190.

graph be referred to the board of treasury to take order; and that the last paragraph be postponed.¹

Congress resumed the consideration of the motion for reconsideration; and on the question to agree to reconsider, the yeas and nays being required by Mr. [Charles] Pinckney—

<i>New Hampshire,</i>			<i>Pennsylvania,</i>		
Mr. Foster,	ay	} ay	Mr. Gardner,	ay	} ay
Long,	ay		W. Henry,	ay	
<i>Massachusetts,</i>			Jackson,	ay	
Mr. Holten,	ay	} div.	<i>Maryland,</i>		
King,	no		Mr. J. Henry,	ay	} ay
<i>Rhode Island,</i>			Hindman,	ay	
Mr. Ellery,	ay	} div.	<i>Virginia,</i>		
Howell,	no		Mr. Hardy,	ay	} ay
<i>Connecticut,</i>			Monroe,	ay	
Mr. Cook,	ay	} div.	Lee,	ay	
Johnson,	no		Grayson,	ay	
<i>New York,</i>			<i>South Carolina,</i>		
Mr. Lawrance,	ay	} ay	Mr. Pinckney,	ay	} ay
Smith,	no		Ramsay,	ay	
Lansing,	ay		Kean,	ay	
<i>New Jersey,</i>			<i>Georgia,</i>		
Mr. Houston,	ay	} ay	Mr. Houstoun,	ay	} ay
Stewart,	ay		Habersham,	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. [James] Monroe, to repeal the resolution referring to the Secretary for Foreign Affairs the proposed Letter to take order. But it being contended that the determination to reconsider involved a repeal of the resolution, and this being acquiesced in by the house, the motion for repealing was withdrawn.

¹ From this point to the end of the day the proceedings, excluding the reports read, were entered, in the writing of Benjamin Bankson, only in the manuscript Secret Journal, Foreign Affairs No. 5, and in Secret Journal No. 4. A copy is in Secret Journal No. 6, Vol. III.

OFFICE FOR FOREIGN AFFAIRS, 23 June, 1785.

SIR: I have the Honor of transmitting to your Excellency herewith enclosed, the Copy received from D^r Franklin of the Convention, which appears to be in the french Language, between that and this Nation respecting Consuls, together with the Translation for which it was referred to me.

To me it appears Expedient to provide, that in future every Treaty or Convention which Congress may think proper to engage in, should be formally executed in two Languages, Viz^d the Language of the United States and such other Language as the Party contracting with them may prefer.

I also take the Liberty of observing that in my Opinion it is much to be desired, that some Limits may be assigned for the Duration of the Convention in Question, and therefore that Measures be taken for obtaining the Admission of an Article for that Purpose.

I have the Honor, etc.

JOHN JAY.¹

The Com^{ee} to whom was referred part of a report of a Grand Com^{ee} on the subject of the Loan-Offices and receivers of Continental Taxes beg leave to report in part.

That the receivers of Continental Taxes who have been appointed in the several States by the late Superintendant of Finance, shall receive for their Services a commission on the monies by them actually received for the U. States at the rates heretofore fixed by the S^d Superintendant of Finance.²

¹ The report is in the *Papers of the Continental Congress*, No. 80, I, folio 225. It is indorsed: "Read 24 June referred back with the Convention to report. The original convention in french, The translation and letter from D^r Franklin of Feby. 8th 1785.—transmitted to the Office f. Affairs. Oct. 5th, 1786."

The committee of January 17, renewed March 14, on the French Consular Convention was, according to Committee Book No. 190, discharged this day.

² This report, in the writing of David Howell, is in the *Papers of the Continental Congress*, No. 26, folio 567. The indorsement states that it was read on this day and filed September 19, 1786.

Also a petition of John Vincent, an Indian in prison for debt and praying relief, which was filed. It is in No. 42, VIII, folios 83-87.

Also a petition of Joseph Woodruff, dated April 27, praying indemnification for certificates lost. It is in No. 42, VIII, folio 322.

Also a letter of February 21 from Daniel Jones, Philadelphia, declining appointment as chaplain to Congress. It is in No. 78, XIII, folio 325.

Also, on this day, according to Committee Book No. 190, the report of the committee of June 20, on an extract of Harmar's letter of June 1 to the Secretary

MONDAY, JUNE 27, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia; and from the state of Rhode Island, Mr. [William] Ellery.

A letter, of 25 from his Exc^y W. Livingston, was read, expressing his acknowledgments for the distinguished honor Congress have done him, by appointing him their Minister plenipotentiary to the United Netherlands and stating the reasons which oblige him to decline the appointment.¹

Resolved, That Monday next be assigned for electing a Minister plenipotentiary to the United Netherlands.

On the report of a committee, consisting of Mr. [Melancton] Smith, Mr. [Joseph Platt] Cook and Mr. [David] Howell, to whom was referred a memorial of Comfort Sands and Joshua Sands,

The Committee [consisting of Mr. Charles Pettit, Mr. William Churchill Houston and Mr. Rufus King] to whom was referred the Memorial of Ephraim Blaine, Report,

That on examining into the facts stated in the said Memorial, your Committee find that the Commissioner of Accounts for the Commissary's Department has made some Progress in the Accounts of the Memorialist which are divided into three Classes, comprehending different Periods of Time,

at War, was acted upon: "two paragraphs of a report on lieut. Col. Harmar's letter approving his Conduct in carrying into execution the order for removing intruders from lands of U. S. and authorizing him to take post on or near the Ohio between Muskingum and the great Miami. Secretary at War to take Order. Paragraph of the above report for advancing lieut. Col. Harmar 600 dolls. for transporting his troops and baggage. Board of treasury. to take Order."

A rough draft, apparently of a motion to the above effect, in the handwriting of William Grayson, is in the *Papers of the Continental Congress*, No. 163, folio 439. See *ante*, June 20.

¹ This letter is in the *Papers of the Continental Congress*, No. 68, folio 649.

On this day, according to Committee Book No. 190, John Rutledge was nominated by Mr. [Samuel] Holten for Minister Plenipotentiary to the United Netherlands,

The first of these Classes contains the Accounts of the Memorialist as Dep^y Commissary Gen^l acting on Salary or daily pay from August 1777 to June 1778.

The second contains his Accounts as Dep^y Comm^y Gen^l acting on commissions in Lieu of Salary from June 1778, to Jan^y 1780, and

The third contains his Accounts as Commissary Gen^l acting on Salary from and after January 1780.

The Accounts of these several Periods, tho' distinguishable in their Nature, are somewhat blended by the Monies which have been charged to the Memorialist under one of the aforesaid Characters, having been in some Instances, appropriated to the Purposes of the others. Some Difficulties arising from the Delay of the Accounts of Col. Blaine's Assistants also obstruct the final Settlement of his Accounts of the second Class. But your Committee are of Opinion that a Balance will be found in favor of the Memorialist on the final Settlement of the Accounts of each of the said Periods, and as he is desirous to have them settled and ascertained as far as Circumstances will now permit, your Committee recommend that it be,

Resolved, That the Commissioner for settling the Accounts of the Commissary's Department be directed to make a final Settlement and Adjustment of such of the Accounts of Col. Blaine as he shall find Capable of final Settlement, taking them in the Classes before mentioned. And that in Case any one of the said Classes of Accounts should be found incapable of final Adjustment at present, the said Commissioner take Bond from Col. Blaine, with sufficient Sureties, to answer the Event of the Settlement of such Accounts as may so remain.¹

Resolved, That John D. Mercier, William Malcolm and Isaac Roosevelt, esquires having made oath, that they will faithfully discharge this trust, be authorized to enquire into the particulars, and to determine what damages, if any, have been sustained by Comfort Sands, Richardson Sands, deceased, and Joshua sands, late Contractors for supplying

¹ This report, in the writing of Charles Pettit, is in the *Papers of the Continental Congress*, No. 19, I, folio 385½. The indorsement states that it was read on this day.

On this day, as the indorsement states, was read a letter of June 25 from Robert Johnston, accepting appointment as Surveyor. It is in No. 78, XIII, folio 343.

the garrison of West point and its dependencies, from the late Superintendent of finance having failed to make good the stipulated payments, or from his withdrawing the contract, and make report to Congress.

On motion of Mr. [William] Houstoun, seconded by Mr. [Rufus] King,

Resolved, That J. Milligan, comptroller in the treasury, be, and he is hereby directed to attend on behalf of the United States, the gentlemen appointed to enquire what damages, if any, have been sustained, as well by the late contractors for supplying the moving army, as the late Contractors for supplying the garrison of West point and its dependencies; and that he be empowered to employ Council, if necessary.

The Committee consisting of M^r [William] Ellery, M^r [James] McHenry, and M^r [Abiel] Foster, to whom a letter of the board of Treasury of the 13th of June 1785 enclosing a letter from the Sieur De Marbois of the 7th of June 1785 to that Board informing them that M^r Beaulieu a late capt. in the army of the U. S. begged that a mode might be adopted for the payment, in Paris, of a pension granted him by Congress, and desiring that the board of Treasury would present this request to Congress, and enable him (the Sieur De Marbois) to inform M^r Beaulieu of their determination, Report,

That the letter of the board of Treasury of the 13th of June 1785, and the letter it enclosed of the Sieur De Marbois of the 7th of the same month respecting the payment, in Paris, of the pension of Cap^t. Beaulieu be returned to said board, and that they pay said pension where they shall judge expedient.¹

¹ This report, in the writing of William Ellery, is in the *Papers of the Continental Congress*, No. 19, I, folio 265. It is indorsed by Thomson: "Mr. Ellery, Mr. Henry, Mr. Foster. Ent^d 27 June 1785. read. Passed 1 July 1785". Thomson also entered the committee in Committee Book No. 190 as Ellery, Henry and Foster, but it seems more likely that Ellery's report is correct in giving McHenry as the committee member.

JUNE 27: Of the Week: Mr. [Pierse] Long, Mr. [Abiel] Foster and Mr. [John] Lansing.

Mr. [John] Lawrance, Mr. [Samuel] Hardy and Mr. [William] Grayson, on memorial of Francis Lewis, Jacobus Van Zandt and Samuel Tudor, which was

TUESDAY, JUNE 28, 1785.

Congress assembled. Present, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina and Georgia.

The president having received from Don Diego Gardoqui, and laid before Congress, a copy of a letter of credence from his Catholic Majesty, announcing that he has named Don Diego Gardoqui to reside near Congress, in quality of his Encargado de Negocios; and a copy of a commission given to the said Encargado de negocios, plenipotentiary powers, to treat in behalf of his Majesty, with any person or persons vested with equal powers by the United States,

Resolved, That don Diego Gardoqui, be received as Encargado de Negocios of his Catholic Majesty, and that he be admitted to a public Audience in Congress, on Saturday next at 12 o'clock.¹

[Motion of M^r Charles Pinckney, seconded by M^r David Howell]

That the Board of Treasury be informed it was the sense of Congress under the resolution of the 3^d that the frigate *Alliance* should be sold for specie or public securities of the U. S. so as to leave it at the option of the purchaser to pay in either.²

read this day, praying the settlement of their marine accounts. A report was rendered August 5. The memorial is in No. 41, V, folio 419.

Committee Book No. 190.

Also on this day, according to Committee Book No. 190, a letter from John Jamison, dated April 1, requesting the settlement of his accounts and payment of money, was reported on by the committee of April 4 and this report together with a petition from Stephen Champion and Nicholas Marchesseau praying payment for supplies furnished the United States in Canada and also the memorial of Increase Carpenter, for the renewal of his certificates, were referred to the Board of Treasury to report.

¹ These two paragraphs were also entered in the manuscript Secret Journal, Foreign Affairs No. 5, by Benjamin Bankson.

² This motion, in the writing of Charles Pinckney, is in the *Papers of the Continental Congress*, No. 36, III, folio 53. The indorsement states that it was made on this day and referred to the Secretary of Congress to take order. The motion and order were entered by Benjamin Bankson in Resolve Book No. 123.

[Motion of Mr. [Melancton] Smith]

For the delivery of 200 lbs damaged Gun powder
June 28, 1785. *Ordered*, That the above motion be referred to the Secretary at War to take Order.¹

WEDNESDAY, JUNE 29, 1785.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. [Charles] Pettit, Mr. [Samuel] Holten, Mr. [William] Ellery, Mr. [John] Lawrence and Mr. [Melancton] Smith, appointed to arrange the necessary preparations for a dinner on Monday the fourth of July, the place and hour of dining, the persons to be invited and other circumstances and ceremonials necessary to be previously attended to,

Resolved, That the Board of Treasury take order to provide a suitable dinner at the Coffee house on the fourth day of July for fifty persons, including Congress, and that the dinner be on the table precisely at 5 o'clock. That the following gentlemen be invited:

The Minister plenipotentiary of the United Netherlands and Secretary;

The Encargado de Negotios of Spain and Secretary;

The Chargé des Affairs of France;

The governor of the State of New York;

The Mayor of the city of New York:

The judges of the Supreme court;

The governor or president of any State, who may be in the city; The board of treasury, Secretary for foreign Affairs, Secretary at War, Secretary of Congress and chaplain.

¹ This entry by Benjamin Bankson is in Resolve Book No. 123.

Also on this day Robert R. Livingston was nominated for Minister to the United Netherlands by Mr. [David] Howell. His name was, later, withdrawn but no date given for this.

That the Secretary of Congress send cards of invitation, make out a list of thirteen toasts for, and act as Master of ceremonies on, that day.

That the Secretary at War take order for procuring a band of musick and for furnishing two cannon with apparatus for firing salutes, and that he order the continental Officer of the highest military rank in the city to conduct the Salutes, and act as Officer of the day.¹

OFFICE OF THE SECRETARY OF CONGRESS, *June, 1785.*

The United States in Congress assembled intending to have a new, correct and compleat edition of their journals ~~published as well for the use of the states and public departments as for supplying such as may be desirous of purchasing them.~~ The printers in the several States are hereby requested to send to this office on or before the first Monday in November next the terms on which they will engage to publish the said journals, and to deliver one thousand copies thereof.

The person or persons contracting must engage to have a compleat index made for the whole from the beginning to the 1st Monday in Nov^r 1785, and inserted in the volume ending at that time.

The edition is to be in folio ~~plain bound and lettered and numbered with the several years~~ in boards.

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

The work to be carried on at the place where Congress resides, or within such a distance thereof as shall be determined by the Secretary of Congress, who is to superintend the printing and revise the proof sheets.²

On the report of a committee, consisting of Mr. [Samuel] Hardy, Mr. [David] Howell, Mr. J[ohn] Henry, Mr. [Rufus]

¹ This paragraph has a line drawn through it in the Journal and in the margin opposite the resolve and list of guests Thomson has written: "Secretary at War to take order." Resolve Book No. 123 notes: "June 29 Vide Order for a public Dinner. Public Manus^t Journal."

² This report, in the writing of Charles Thomson, is in the *Papers of the Continental Congress*, No. 23, folio 235. It is indorsed by Thomson: "Ent^d—read 29 June, 1785. Aug. 25, 1785, Referred to the Sec^r of Congress to take Order."

King and Mr. [William] Grayson, to whom was referred a motion of Mr. King,

Resolved, That the commissioners for negotiating a treaty with the western tribes of Indians, under the resolutions of the 18th March last, and of the 15th of June instant, be, and they are hereby directed to hold the said treaty on the western banks of the Ohio, at the rapids, or at the mouth of the great Miami.

That the Secretary at War detach one company of infantry from the troops in the service of the United States, to attend the said commissioners to, at and from the place where the treaty aforesaid shall be held, and to be subject to the orders of the said Commissioners; and that so much of the act of the 15 instant as directs the Secretary at War to order the troops in the service of the United States, to be in readiness to attend the said commissioners; [and so much of the said Act as requires the Commissioners to obtain from the inhabitants of Kaskaskies, St. Vincents and others, a statement of their rights to lands, and to administer an Oath to the said inhabitants,] be, and are hereby repealed.

Resolved, That if the company of infantry aforesaid be found insufficient for the protection of the said Commissioners and others during the time of holding the said treaty it be, and hereby is recommended to the Commonwealth of Virginia, on the request of the said Commissioners, to furnish such numbers of the Militia of that State, not exceeding one hundred and fifty men, from the Counties within the State most convenient to the place where the said treaty is to be held, as will give full protection to all persons attending the same: provided the Company of infantry aforesaid, shall be found to be insufficient for that purpose.

The Committee consisting of [Mr. Samuel Hardy, Mr. John Henry and Mr. John Lawrance] to whom was referred the memorial of

Catherine alias the Grenadier a Shawnese woman submit the following report

That it appearing to your Committee that the said Catherine alias Grenadier was instrumental in the preservation of fort Randolph by driving within the said fort forty head of Cattle at a time when it was invested by the Indians and when from the difficulty and danger of procuring supplies, there is just reason to believe it must have surrendered for the want of provision but for such supply

Resolved, That the said Catherine alias Grenadier be allowed dollars as a compensation for the said Cattle, and as a further testimony of the sense which Congress entertain of the services rendered by the said Catherine alias Grenadier.

Resolved, That she be allowed one thousand acres of land on the west side of the Scioto river above the old Picawee town where she once resided, for the use of her and her heirs.¹

THURSDAY, JUNE 30, 1785.

Congress assembled. Present as before.

On motion of Mr. [Rufus] King, seconded by Mr. [William] Grayson,

Resolved, That the geographer of the United States be, and hereby is authorized and empowered, in case he shall judge it convenient in surveying the western territory, under the ordinance of the 20 of May last, to employ three or four Indians to accompany him for such time as he shall judge it necessary.

~~On the report of a committee, consisting of Mr. Houstoun, Mr. Howell, Mr. Holten, Mr. Grayson and Mr. Dick, ap-~~

¹ This report, in the writing of Samuel Hardy, is in the *Papers of the Continental Congress*, No. 30, folio 367. Committee Book No. 191 states that it was transferred. The indorsement states that it was read on this day and on August 25, 1788, referred to Mr. [William] Irvine, Mr. [Edward] Carrington and Mr. [James Randolph] Read who reported September 16, 1788.

On this day, as the indorsement states, the petition of William Irwin and others, dated Pittsburg, June 2, praying to be protected in carrying on saltworks, was referred to Mr. [David] Howell, Mr. [Charles] Pettit and Mr. [William Samuel] Johnson. A report was rendered September 13, 1785. The petition is in the *Papers of the Continental Congress*, No. 42, IV, folio 78.

pointed to prepare an additional ordinance for better regulating the Post Office motion of Mr. [William] Houstoun, seconded by Mr. [William] Grayson,

Resolved, That the postmaster general make enquiry, and report the best terms upon which contracts may be entered into, for the transportation of the several Mails, in the stage carriages on the different roads, where such stage carriages are or may be established.¹

¹On this day, according to indorsement, was read a letter of June 29 for Maurice Desdevens, praying attention to his claim. It is in No. 35, folio 243.

JUNE 30: The following committees were appointed: Mr. [William Samuel] Johnson, Mr. [Rufus] King, Mr. [Charles] Pettit, Mr. [James] Monroe and Mr. [John] Lawrance, on the "Motion of Mr. Monroe respect^s facilities" This committee was discharged July 6. See *ante*, June 22.

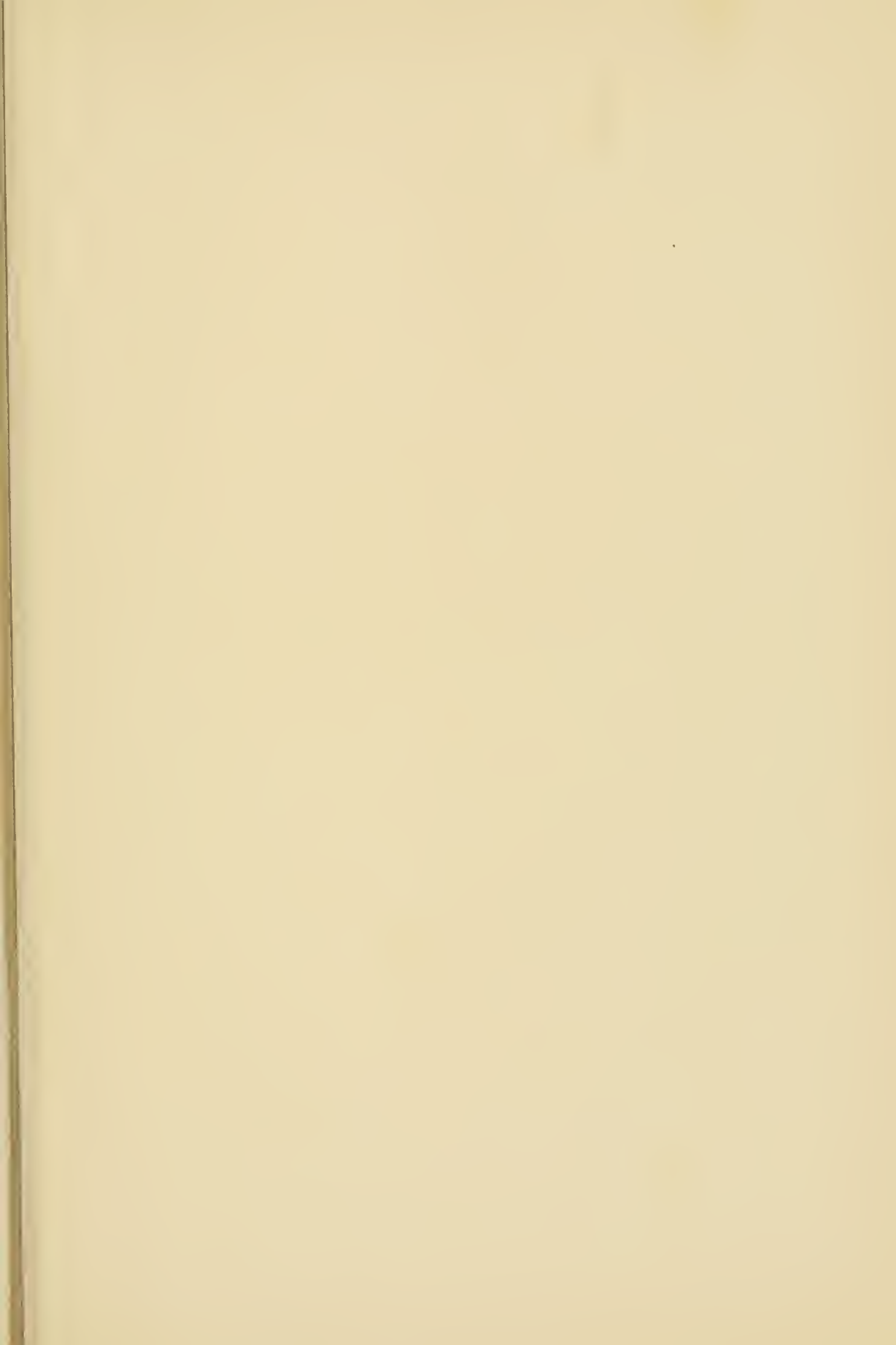
Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [William] Grayson, on the letter of June 30 from the Secretary for Foreign Affairs on the letter of June 14 from Barbé Marbois and a memorial from James Le Ray de Chaumont acting for French creditors. The committee was discharged July 7 and the matter referred to the Board of Treasury. According to indorsement the Marbois letter and de Chaumont memorial were transmitted to the Office for Foreign Affairs Nov. 12, 1787. Jay's letter of June 30 is in No. 80, I, folio 229. See *ante*, May 27.

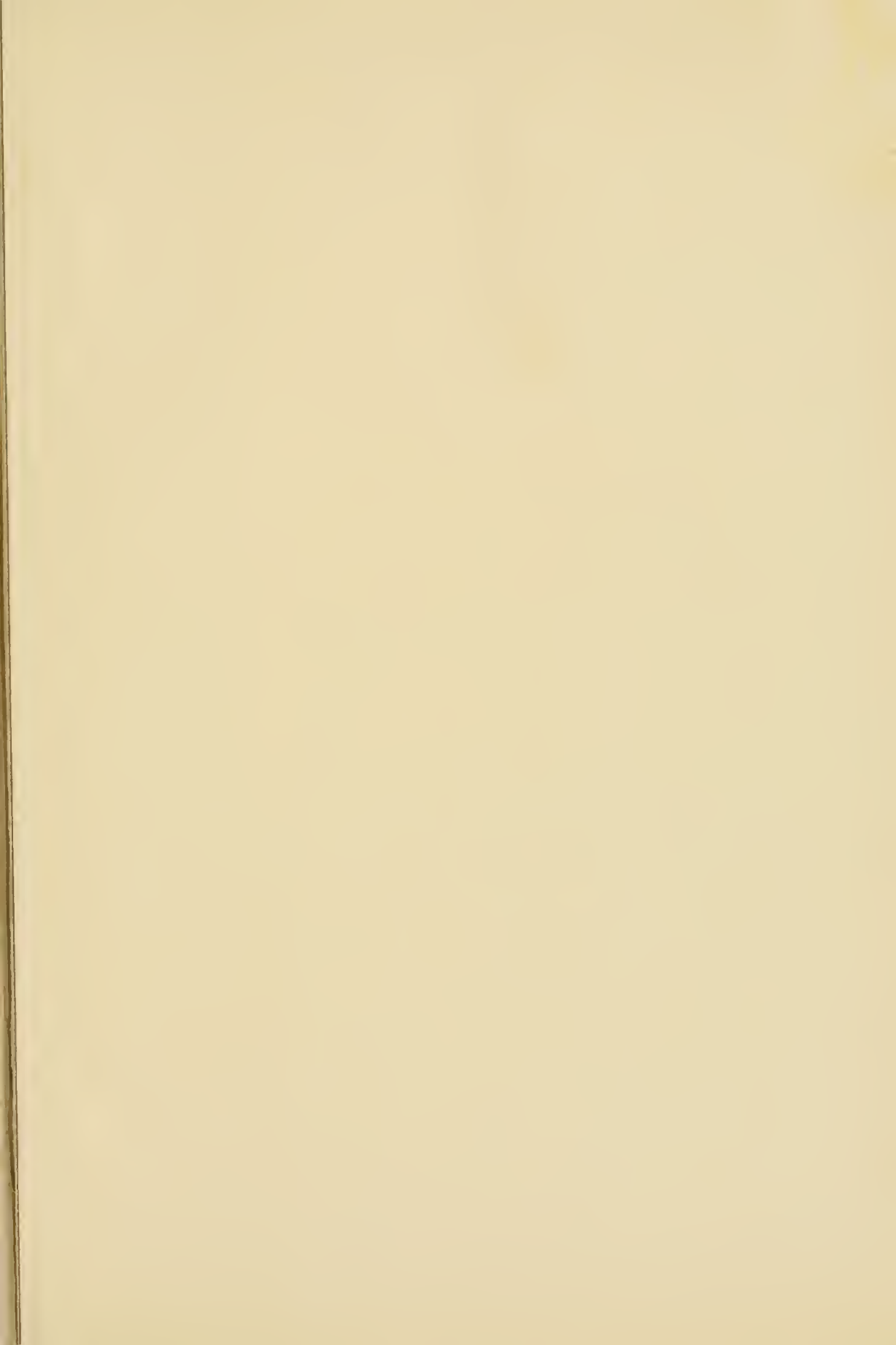
Mr. [Rufus] King, Mr. [William Samuel] Johnson and Mr. [John] Kean, on a letter of May 16 from Stephen Sayre and report of the Secretary for Foreign Affairs on Sayre's former memorial. A report was rendered July 12. See *ante*, May 17.

Mr. [Charles] Pinekney, Mr. [Rufus] King, Mr. [William Samuel] Johnson, Mr. [William] Grayson and Mr. [William] Hindman, on the "Report on Court of Appeals, mem^l of G. Meade, Ellis &c." A report was rendered May 18, 1786. See *ante*, April 13 and June 1.

Committee Book No. 190.







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