

## George Washington Papers, Series 2, Letterbooks 1754-1799

To CHARLES THOMSON<sup>37</sup>

[Mount Vernon, April 14, 1789.]

Sir: I have been accustomed to pay so much respect to the opinion of my fellow-citizens, that the knowledge of their having given their unanimous suffrages in my favor, scarcely leaves me the alternative for an option. I can not, I believe, give a greater evidence of my sensibility of the honor which they have done me than by accepting the appointment.

I am so much affected by this fresh proof of my Country's Esteem and Confidence that silence can best explain my gratitude. While I realize the arduous nature of the Task which is imposed upon me, and feel my own inability to perform it, I wish however that there may not be reason for regretting the Choice, for indeed all I can promise is only

37. Still Secretary to the Continental Congress. Thomson had been honored by the First Congress of the United States with the duty of conveying to Washington, at Mount Vernon, the official notice of his election as the first President of the United States. He reached Mount Vernon a little after noon on April 14, and delivered to Washington, standing in the banquet hall of the mansion, the letter of John Langdon of April 6, announcing "your unanimous election." Thomson's address on this occasion, and Langdon's letter, are in the *Washington Papers*.

to accomplish that which can be done by an honest zeal.

Upon considering how long a time some of the Gentlemen of both Houses of Congress have been at New York, how anxiously desirous they must be to proceed to business, and how deeply the public mind appears to be impressed with the necessity of doing

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it speedily, I can not find myself at liberty to delay my journey. I shall therefore be in readiness to set out the day after tomorrow<sup>38</sup> and shall be happy in the pleasure of your company; for you will permit me to say that it is a peculiar gratification to have received the communication from you.<sup>39</sup>

38. Washington left Mount Vernon for New York about 10 a.m. on April 16, accompanied by Charles Thomson and David Humphreys.

39. From the "Letter Book" copy in the *Washington Papers*.

### **\*To JOHN LANGDON<sup>35</sup>**

Mount Vernon, April 14, 1789.

Sir: I had the honor to receive your Official communication by the hand of Mr Secretary Thompson, about one O'Clock this day. Having concluded to obey the important and flattering call of my Country, and having been impressed with an idea of the expediency of my being with Congress at as early a period as possible; I propose

35. Senator from New Hampshire and president *pro tempore* of the Senate for the sole purpose of receiving, counting, and announcing the result of the electoral vote of the country in the first election of a President and Vice President of the United States of America.

to commence my journey on thursday morning which will be the day after tomorrow. I have the honor etc.<sup>36</sup>

36. From a photograph of the original kindly furnished by L. C. Handy, of Washington, D. C.

### **\*To JOHN LANGDON**

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Philadelphia, April 20, 1789.

Gentlemen: Upon my alighting in this City<sup>41</sup> I received your communication of the 17th.<sup>42</sup> with the resolutions of the two Houses which accompanied it and in answer thereto beg leave to inform you that knowing how anxious both houses must be to proceed to business I shall continue my journey with as much dispatch as possible. Tomorrow evening I purpose to be at Trenton, the night following at Brunswick and hope to have the pleasure of meeting you at Elizabeth town point on Thursday at 12 oclock.

With the greatest respect and considn. I have the Honr. etc.<sup>43</sup>

41. Washington reached Philadelphia April 20, about 1 p. m., and at 3 p. m. he was entertained at a public banquet at the City Tavern. He lodged at the house of Robert Morris and the next morning (April 21) left for Trenton. Previous to his departure he received (the order in which these were delivered is not known) complimentary addresses from the president and executive council of Pennsylvania; the judges of the Supreme Court; the mayor, recorder, aldermen, and common council of Philadelphia; the president and faculty of the University of Pennsylvania; the Pennsylvania State Society of the Cincinnati (to which his reply, in part, was: "If by that attention I may still be so fortunate as to continue to possess the affectionate regard of my fellow-citizens, and particularly of that Body of which you are the Representatives, it will be no small addition to my happiness."); and the ministers, church wardens, and vestrymen of the German Lutheran congregation in and near Philadelphia. To the judges of the Supreme Court of Pennsylvania he wrote, in part: "although it was with the utmost difficulty I could prevail upon myself to enter again on the Stage of Public Life, yet, since I have done it, the unequivocal encouragement of support, given by the most respectable citizens and Magistrates, will tend very much to remove my embarrassments, and, I hope to open the way to a prosperous Administration." All of these addresses, with the answers, are recorded by William Jackson in the "Letter Book" in the *Washington Papers*.

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42. Langdon's letter, which is also signed by the other members of the committee, and the resolves of Apr. 15, 1789, are not now found in the *Washington Papers*, but are printed in Richardson's *Messages and Papers of the Presidents* (Washington: Government Printing Office, 1896), vol. 1, pp. 45 and 46.

43. From a facsimile in the *Magazine of American History*, vol. 21, p. 275.

### **\*THE FIRST INAUGURAL ADDRESS**

[April 30, 1789.]

Fellow Citizens of the Senate and the House of Representatives.

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the fourteenth day of the present month. On the one hand, I was summoned by my Country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years: a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my Country called me, being sufficient to awaken in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualification, could not but

overwhelm with dispondence, one, who, inheriting inferior endowments from nature and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver, is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance, by which it might be affected. All I dare hope, is, that, if in executing this task I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this

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transcendent proof, of the confidence of my fellow-citizens; and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me; my *error* will be palliated by the motives which misled me, and its consequences be judged by my Country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station; it would be peculiarly improper to omit in this first official Act, my fervent supplications to that Almighty Being who rules over the Universe, who presides in the Councils of Nations, and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and

happiness of the People of the United States, a Government instituted by themselves for these essential purposes: and may enable every instrument employed in its administration to execute with success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large, less than either. No People can be bound to acknowledge and adore the invisible hand, which conducts the Affairs of men more than the People of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency. And in the important revolution just accomplished in the system of their United Government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most Governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me I trust in thinking, that there are none under the influence of which, the proceedings of a new and free Government can more auspiciously commence.

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By the article establishing the Executive Department, it is made the duty of the President “to recommend to your consideration, such measures as he shall judge necessary and expedient.” The circumstances under which I now meet you, will acquit me from entering into that subject, farther than to refer to the Great Constitutional Charter under which you are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications, I behold the surest pledges, that as on one side, no local prejudices, or attachments; no separate views, nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests: so, on another, that the foundations of our National policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of a free Government, be exemplified by all the attributes which can win the affections of its Citizens, and command the respect

of the world.

I dwell on this prospect with every satisfaction which an ardent love for my Country can inspire: since there is no truth more thoroughly established, than that there exists in the œconomy and course of nature, an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity: Since we ought to be no less persuaded that the propitious smiles of Heaven, can never be expected on a nation that disregards the eternal rules of order and right, which Heaven itself has ordained: And since the preservation of the sacred fire of liberty, and the destiny of the Republican model of Government, are justly considered as *deeply* , perhaps as *finally* staked, on the experiment entrusted to the hands of the American people.

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Besides the ordinary objects submitted to your care, it will remain with your judgment to decide, how far an exercise of the occasional power delegated by the Fifth article of the Constitution is rendered expedient at the present juncture by the nature of objections which have been urged against the System, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportu

nities, I shall again give way to my entire confidence in your discernment and pursuit of the public good: For I assure myself that whilst you carefully avoid every alteration which might endanger the benefits of an United and effective Government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question how far the former can be more impregably fortified, or the latter be safely and advantageously promoted.

To the preceeding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will therefore be as brief as possible. When I was first honoured with a call into the Service of my Country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline as inapplicable to myself, any share in the personal emoluments, which may be indispensably included in a permanent provision for the Executive Department; and must accordingly pray that

the pecuniary estimates for the Station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.<sup>49</sup>

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Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign parent of the human race, in humble supplication that since he has been pleased to favour the American people, with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparelled unanimity on a form of Government, for the security of their Union, and the advancement of their happiness; so his divine blessing may be equally *conspicuous* in the enlarged views, the temperate consultations, and the wise measures on which the success of this Government must depend.<sup>50</sup>

49. This request was, after consideration, seen to establish an awkward precedent, and Congress fixed the compensation of the President at \$25,000 a year. Washington drew only \$196,121 from the Treasury during his two terms, but the \$3,879, which is the difference between \$200,000 and his warrants, is almost exactly the salary for the 56 or 57 days which his first administration lacked of being 4 full years. The curious may be further satisfied by the following figures taken from the Government's statement of warrants drawn for the use of the President: From Sept. 26, 1789, to Dec. 27, 1791, \$72,150; from Jan. 3, 1792, to Dec. 19, 1792, \$22,500; Jan. 4 to Dec. 27, 1793, \$27,500; Mar. 17 to Dec. 11, 1794, \$24,000; Jan. 1 to Dec. 22, 1795, \$19,500; Jan. 5 to Dec. 21, 1796, \$23,596; Jan. 13 to Mar. 7, 1797, \$6,875. In all, \$196,121.

50. From the original in the files of the United States Senate, in the National Archives, Washington, D. C. ( See Washington's letter to James Madison, May 5, 1789, *post.*)

### **To THE SENATE**

United States, June 11, 1789.

Gentlemen of the Senate: A Convention between his most Christian Majesty and the United States for the purpose of determining and fixing the functions and prerogatives of

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their respective Consuls, Vice-Consuls, Agents and Commissaries, was signed by their respective Plenipotentiaries on the 29th. July 1784.

It appearing to the late Congress that certain alterations in that convention ought to be made, they instructed their Minister at the Court of France to endeavour to obtain them. It has accordingly been altered in several respects and as amended was signed by the Plenipotentiaries of the contracting Powers on the 14th. of November 1788.

The 16th. Article provides that it shall be in force during the term of 12 years, to be counted from the day of the Exchange of Ratifications, which shall be given in proper form, and, exchanged on both sides within the space of one year or sooner if possible.

I now lay before you the original, by the hands of Mr. Jay for your consideration and advice, the Papers relative to this Negotiation are in his custody and he has my Orders to communicate to you whatever official Papers and information on the subject, he may possess and you may require.<sup>35</sup>

35. From the "Letter Book" copy in the *Washington Papers*.

On June 11 Washington replied to an address from ministers and elders of the German Reformed congregations in the United States. The address of the ministers and Washington's reply are in the "Letter Book" in the *Washington Papers*.

### To THE SENATE

August 6, 1789.

Gentlemen of the Senate: My nomination of *Benjamin Fishbourn* for the place of Naval Officer of the Port of Savannah not having met your concurrence, I now nominate *Lachlan McIntosh* for that place. Whatever may have been the reasons which induced your dissent, I am persuaded they were such as you deemed sufficient. Permit me to submit to your consideration, whether on occasions, where the propriety of nominations appear

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questionable to you, it would not be expedient to communicate that circumstance to me, and thereby avail yourselves of the information which led me to make them, and which I would with pleasure lay before you. Probably my reasons for nominating Mr. Fishbourn may tend to shew that such a mode of proceeding in such cases might be useful. I will therefore detail them.

First. While Colonel Fishbourn was an Officer in actual service, and chiefly under my own Eye, his conduct appeared to me irreproachable; nor did I ever hear anything injurious to his reputation as an Officer or a Gentleman. At the Storm of Stony Point, his behaviour was represented to have been active, and brave, and he was charged by his General to bring the account of that success to the Head Quarters of the Army.

Secondly. Since his residence in Georgia he has been repeatedly elected to the Assembly as a Representative of the County of Chatham in which the Port of Savannah is situated, and some times of the Counties of Glynn and Camden; he has been chosen a Member of the Executive Council of the State and has been lately President of the same; he has been elected by the Officers of the Militia in the county of Chatham Lieutenant Colonel of the Militia in that district, and on a very recent occasion, to wit, in the month of May last, he has been appointed by the Council (on the suspension of the late Collector) to an Office in the Port of Savannah, nearly similar to that for which I nominated him, which Office he actually holds at this time. To these reasons for nominating Mr. Fishbourn, I might add that I received private letters of recommendation, and oral testimonials in his favor, from several of the

most respectable characters in that State: but as they were, secondary considerations with me, I do not think it necessary to communicate them to you. It appears therefore to me that Mr. Fishbourn must have enjoyed the *confidence* of the militia Officers in order to have been elevated to a military rank; the *confidence* of the Freemen to have been elected to

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the Assembly; the *confidence* of the Assembly to have been selected for the Council; and the *confidence* of the Council to have been appointed Collector of the Port of Savannah.<sup>74</sup>

74. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, August 7, 1789.

The Business which has hitherto been under the consideration of Congress has been of so much importance that I was unwilling to draw their attention from it to any other subject. But the disputes which exist between some of the United States and several powerful tribes of Indians within the limits of the Union, and the hostilities which have in several instances been committed on the frontiers, seem to require the immediate interposition of the general Government. I have therefore directed the several statements and papers, which have been submitted to me on this subject by General Knox to be laid before you for your information. While the measures of Government ought to be calculated to protect its Citizens from all injury and violence, a due regard should be extended to those Indians whose happiness in the course of events so materially depends on the national justice and humanity of the United States. If it should be the judgment of Congress, that it would be most expedient to terminate all differences in the Southern District, and to lay the foundation for future confidence by an amicable Treaty with the Indian Tribes in that quarter I think proper to suggest the consideration of the expediency of instituting a temporary Commission for that purpose, to consist of three persons whose authority should expire with the occasion.

How far such a measure unassisted by Posts, would be competent to the establishment and preservation of peace and tranquility on the frontiers, is also a matter which merits your serious consideration.

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Along with this object I am induced to suggest another, with the national importance and necessity of which I am deeply impressed; I mean some uniform and effective system for the Militia of the United States. It is unnecessary to offer arguments in recommendation of a measure, on which the honor, safety and well being of our Country so evidently and essentially depend: But it may not be amiss to observe that I am particularly anxious it should receive an early attention as circumstances will admit; because it is now in our power to avail ourselves of the military knowledge disseminated throughout the several States by means of the many well instructed Officers and soldiers of the late Army; a resource which is daily diminishing by deaths and other causes. To suffer this peculiar advantage to pass away unimproved, would be to neglect an Opportunity which will never again occur, unless unfortunately we should again be involved in a long and arduous War.<sup>75</sup>

75. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

United States, August 10, 1789.

I have directed a statement of the Troops in the service of the United States to be laid before you for your information.

These troops were raised by virtue of the resolves of Congress of the 20th. of October 1784 and of the 3d. of October 1787,<sup>79</sup> in order to protect the frontiers from the depredations of the hostile Indians, to prevent all intrusions on the public Lands, and to facilitate the surveying and selling of the same, for the purpose of reducing the public debt.

As these important objects continue to require the aid of the Troops, it is necessary that the establishment thereof should in all respects, be conformed by Law, to the Constitution of the United States.<sup>80</sup>

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79. A bill “to recognize and adapt to the Constitution of the United States the establishment of the troops” raised under the above-mentioned resolves was passed Sept. 28, 1789.

80. From the “Letter Book” copy in the *Washington Papers*.

### **SENTIMENTS EXPRESSED TO THE SENATE COMMITTEE<sup>76</sup> ON THE MODE OF COMMUNICATION BETWEEN THE PRESIDENT AND THE SENATE ON TREATIES AND NOMINATIONS**

August 8, 1789.

In all matters respecting Treaties, oral communications seem indispensably necessary; because in these a variety of matters are contained, all of which not only require consideration, but some of them may undergo much discussion; to do which by written communications would be tedious without being satisfactory.

Oral communications may be proper also for discussing the propriety of sending Representatives to foreign Courts, and ascertaining the Grade or character in which they axe to appear and may be so in other cases.

But it may be asked *where* are these oral communications to be made? If in the Senate Chamber, how axe the President and Vice President to be arranged? The latter by the Constitution being ex-officio President of the Senate. Would the Vice President be disposed to give up the Chair? if not Ought the President of the United States to be

76. Ralph Izard, Rufus King, and Charles Carroll.

placed in an awkward situation when there? These are matters which require previous consideration and adjustment for meetings in the Senate Chamber or elsewhere.

### **With respect to Nominations**

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My present Ideas are that as they point to a single object unconnected in its nature with any other object, they had best be made by written messages. In this case the Acts of the President, and the Acts of the Senate will stand upon clear, distinct and responsible ground.

Independent of this consideration, it could be no pleasing thing I conceive, for the President, on the one hand to be present and hear the propriety of his nominations questioned; nor for the Senate on the other hand to be under the smallest restraint from his presence from the fullest and freest inquiry into the Character of the Person nominated. The President in a situation like this would be reduced to one of two things: either to be a silent witness of the decision by Ballot, if there are objections to the nomination; or in justification thereof (if he should think it right) to support it by argument. Neither of which might be agreeable; and the latter improper; for as the President has a right to nominate without assigning his reasons, so has the Senate a right to dissent without giving theirs.<sup>77</sup>

77. From the "Letter Book" copy in the *Washington Papers*.

### **SENTIMENTS EXPRESSED TO THE SENATE COMMITTEE AT A SECOND CONFERENCE ON THE MODE OF COMMUNICATION BETWEEN THE PRESIDENT AND THE SENATE ON TREATIES AND NOMINATIONS<sup>82</sup>**

August 10, 1789.

The President has the "power by and with the advice and consent of the Senate, to make treaties and to appoint Officers."

The Senate when these powers are exercised, is evidently a Council only to the President, however its concurrence may be to his Acts. It seems incident to this relation between them, that not only the *time* but the *place* and manner of consultation should be with the President. It is probable that the place may vary. The indisposition or inclination of the President may require, that the Senate should be summoned to the President's House.

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Whenever the Government shall have buildings of its own, an executive Chamber will no doubt be provided, where the Senate will generally attend the President. It is not impossible that the place may be made to depend in some degree on the nature of the business. In the appointment to offices, the agency of the Senate is purely executive, and they may be summoned to the President. In treaties, the agency is perhaps as much of a legislative nature and the business may possibly

82. On August 21 the Senate passed a resolution establishing the procedure and form of these meetings with the President, which resolve is copied into the "Letter Book" immediately following these "Sentiments."

be referred to their deliberations in their legislative chamber. The occasion for this distinction will be lessened, if not destroyed, when a chamber shall be appropriated for the joint business of the President and the Senate.

The *manner* of consultation may also vary. The indisposition of the President may supersede the mere question of conveniency. The inclination or ideas of different Presidents may be different. The opinions both of President and Senators as to the proper manner may be changed by experience. In some kinds of business it may be found best for the President to make his propositions orally and in person, in others by written message. On some occasions it may be most convenient that the President should attend the deliberations and decisions on his propositions; on others that he should not; or that he should not attend the whole of the time. In other cases again, as in Treaties of a complicated nature, it may happen that he will send his propositions in writing and consult the Senate in person after time shall have been allowed for consideration. Many other varieties may be suggested as to the *mode*, by practice.

If these remarks be just, it would seem not amiss, that the Senate should accommodate their rules to the uncertainty of the particular mode and place that may be preferred; providing for the reception of either oral written propositions, and

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for giving their consent and advice in either the *presence* or *absence* of the President, leaving him free to use the mode and place that may be found most eligible and accordant with other business which may be before him at the time.<sup>83</sup>

83.From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

[August 22, 1789.]

To conciliate the powerful tribes of Indians in the Southern District amounting probably to fourteen thousand fighting men, and to attach them firmly to the United States, may be regarded as highly worthy of the serious attention of Government. The measure includes not only peace and security to the whole Southern frontier, but is calculated to form a barrier against the Colonies of an European power, which in the mutations of policy may one day become the Enemy of the United States. The fate of the Southern States therefore, or the neighboring Colonies may principally depend on the present measures of the Union towards the Southern Indians. By the papers which have been laid before the Senate it will appear that in the latter end of the year 1785 and the beginning of 1786 treaties were formed by the United States with the Cherokees, Chickasaws and Choktaws. The report of the Commissioners will shew the reasons why a treaty was not found at the sametime with the Creeks.

It will also appear by the Papers that the States of North Carolina and Georgia protested against said Treaties as infringing upon their legislative rights and being contrary to the Confederation. It will further appear by the said papers that the treaty with the Cherokees has been entirely violated by the disorderly white people on the frontiers of North Carolina. The opinion of the late Congress respecting the said violation will sufficiently appear by the proclamation which they caused to be issued on the first of September 1788. It appears by the public newspapers that on the 16th of June last, a trust was concluded with the

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Cherokees by Mr. John Steele on behalf of the State of North Carolina in which it was stipulated that a Treaty should be held as soon as possible and that in the meantime all hostilities should cease on either side. As the Cherokees reside principally within the Territory claimed by the North Carolina and as that State is not a Member of the present Union, it may be doubted whether any efficient measures in favor of the Cherokees could be immediately adopted by the general Government. The Commissioners for negotiating with the Southern Indians may be instructed to transmit a message to the Cherokees, stating to them as far as may be proper, the difficulties arising from the local claims of North Carolina and to assure them that the

United States are not unmindful of the Treaty at Hopewell and as soon as the difficulties which are at present opposed to the measure, shall be removed, the Government will do full justice to the Cherokees.

The distance of the Choctaws and Chickasaw from the frontier settlements seems to have prevented their tribes from being involved in similar difficulties with the Cherokees.

The Commissioners may be instructed to transmit messages to the said Tribes containing assurances of the continuance of the friendship of the United States and that measures will soon be taken for extending a Trade to them agreeably to the Treaties of Hopewell. The Commissioners may also be directed to report a plan for the execution of the said Treaties respecting Trade.

But the Case of the Creek Nation is of the highest importance and requires an immediate decision. The Cause of the hostilities between Georgia and the Creeks is stated to be a difference in judgment concerning three treaties made between the said parties, to wit at Augusta 1783, at Galphinston in 1785 and at Shoulder bone in 1786.

The State of Georgia assert, and the Creeks deny the validity of the said Treaties. Hence arises the indispensable necessity of having all the circumstances respecting the said Treaties critically investigated by Commissioners of the United States, so that the further

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measures of Government may be formed on a full knowledge of the case. In order that the investigation be conducted with the highest impartiality it will be proper in addition to the evidence of the documents in the public possession, that Georgia should be represented at this part of the proposed treaty with the Creek Nation. It is however to be observed in any issue of the enquiry, that it would be highly embarrassing to Georgia to relinquish that part of the Lands, stated to have been ceded by the Creeks lying between the Ogeechee and the Oconee Rivers; that State having surveyed and divided the same among certain descriptions of its Citizens who settled and planted thereon untill dispossessed by the Indians. In case therefore the issue of the investigation should be unfavorable to the claims of Georgia, the Commissioners should be instructed to use their best endeavours to negotiate with the Creeks a solemn conveyance of the said Lands to Georgia. By the report of the Commissioners who were appointed under certain Acts of the late Congress, by South Carolina and

Georgia it appears that they have agreed to meet the Creeks the 15th. of September ensuing. As it is with great difficulty the Indians are collected together at certain seasons of the year it is important that the above occasion should be embraced if possible on the part of the present Government to form a Treaty with the Creeks. As the proposed Treaty is of great importance to the future tranquility of the State of Georgia as well as of the United States it has been thought proper that it should be conducted on the part of the general Government by Commissioners whose local situations may free them from the imputation of prejudice on this subject. As it is necessary that certain principles should be fixed previously to forming instructions to the Commissioners, the following questions arising out of the foregoing communications are stated by the President of the United States and the advice of the Senate requested thereon.

1st.

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In the present state of affairs between North Carolina and the United States will it be proper to take any other measures for redressing the injuries of the Cherokees than those herein suggested?

2nd

Shall the Commissioners be instructed to pursue any other measures respecting the Chickasaws and Choctaws than those herein suggested?

3d

If the Commissioners shall adjudge that the Creek Nation was fully represented at the three treaties with Georgia, and that the cessions of Land were obtained with the full understanding and free consent of the acknowledged proprietors and that the said treaties ought to be considered as just and valid. In this case shall the Commissioners be instructed to insist on a formal renewal and confirmation thereof? and in case of a refusal shall they be instructed to inform the Creeks that the Arms of the Union shall be employed to compell them to acknowledge the validity of the said treaties and cessions?

4th

But if the Commissioners shall adjudge that the said treaties were formed with an inadequate or unauthorized representation of the Creek Nation or that the treaties were held under circumstances of constraint or unfairness of any sort so that the United States could not with justice and dignity request or urge a confirmation thereof; In this case shall the Commissioners, considering the importance of the Oconee lands to

Georgia be instructed to use their highest exertions to obtain a cession of the said Lands? If so shall the Commissioners be instructed, if they cannot obtain the said cession on better terms, to offer for the same and for the farther great object of attaching the Creeks to the Government of the United States, the following conditions.

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1st.

A Compensation in money or goods to the amount of Dollars, the said amount to be stipulated to be paid by Georgia at the period which shall be fixed on or in failure thereof by the United States.

2nd

A free port on the Altamaha or St. Marys rivers or at any other place between the same as may be mutually agreed to by Georgia and the Creeks.

3d

Some pecuniary considerations to some and honorary military distinctions to other influential Chiefs, or their taking oaths of allegiance to the United States.

4th

A solemn guarantee by the United States to the Creeks of their remaining territory and to maintain the same if necessary by a line of military Posts.

5th

But if all offers should fail to induce the Creeks to make the desired Cessions to Georgia shall the Commissioners make it an Ultimatum?

6th

If the said cessions shall not be made an Ultimatum, shall the Commissioners proceed and make a treaty and include the disputed lands within the limits which shall be assigned to the Creeks. If not, shall a temporary boundary be marked, making the Oconee the line, and the other parts of the treaty be concluded? In this case shall a free post be stipulated

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and the pecuniary and honorary considerations granted? In other general objects shall the Treaties formed at Hopewell with the Cherokees, Chickasaws and Choctaws be the Basis of a Treaty with the Creeks?

7th

Shall the sum of 20,000 Dollars appropriated to Indian expences and treaties be wholly applied if necessary to a Treaty with the Creeks? If not what proportion?1

1. The President, in company with Secretary Knox, appeared before the Senate with this message which is in the "Letter Book" in the *Washington Papers*. It was handed by Knox to Vice President Adams, who, according to Maclay's Diary "hurried over the paper" which, on account of noise from the street, Maclay says, he "was not master of one sentence of it." His account of the incident is in his Journal under date of Aug. 22, 1789.

On August 23 the trustees of Dartmouth College drew up an address to the President, who replied to it sometime in the same month. Both address and reply are recorded in the "Letter Book" in the *Washington papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, September 29, 1789.

Gentlemen: His most Christian Majesty, by a letter dated the 7th. of June last, addressed to the President and Members of the General Congress of the United States of North America, announced the much lamented death of his son the Dauphin. The generous conduct of the French Monarch and Nation towards this Country renders every event that may affect his or their prosperity interesting to us, and I shall take care to assure him of the sensibility with which the United States participate in the affliction which a loss so much to be regretted must have occasioned both to him and them.65

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65. From the "Letter Book" copy in the *Washington Papers*. (See Washington's letter to the King of France, Oct. 7, 1789, *post.*)

On September 29 Washington signed the ratification of the Indian treaty of Fort Harmar, Jan. 9, 1789. The original is in the Department of State with the treaty.

On this same day (September 29) the President issued his proclamation, proclaiming the treaty of Fort Harmar. The original is in the Department of State.

On this same day (September 29) Washington sent a message to the Senate, nominating the officers of the Army of the United States. This message and list is recorded in the "Letter Book," and is printed in the *Executive Journal*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES<sup>68</sup>**

United States, September 29, 1789.

Gentlemen of the Senate: Having been yesterday informed by a joint Committee of both Houses of Congress, that they had agreed to a recess to commence this day and to continue untill the first Monday in January next; I take the earliest opportunity of acquainting you, that considering how long and laborious this session has been, and the reasons which I presume have produced this resolution, it does not appear to me expedient to recommend any measures to their consideration at present, or now to call your attention, Gentlemen, to any of those matters in my department, which require your advice and consent and yet remain to be dispatched.<sup>69</sup>

68. The "Letter Book" records this as a "Message to both Houses of Congress," although it is addressed specifically by the superscription to the Senate.

69. From the "Letter Book" copy in the *Washington Papers*.

**To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, January 4, 1790.

Sir: Whenever there shall be a sufficient number of the two Houses of Congress assembled to proceed to business, I request to be informed of it. And also at what time and place it will be convenient for Congress, that I should meet them, in order to make some oral communications at the commencement of their Session. I have the honor etc.<sup>83</sup>

83. From the "Letter Book" copy in the *Washington Papers*.

On January 4 William Jackson sent to John Jay, by direction of the President, a letter and inclosure from Judge [Jonathan Mitchell] Sewall to the Vice President "as the objects to which they refer are immediately within the department of the supreme Judiciary, and will, in the first instance, come most properly before you. The President likewise directs me to inform you that Judge Sewall has hinted at the subject of the inclosed papers in a letter to him, of which, if it is thought necessary, a transcript may be had." Jackson's letter is in the "Letter Book." Sewall's letter is not now found in the *Washington Papers*.

On January 5, by direction of the President, Lear sent to Hamilton the act of the Virginia Legislature, of Nov. 13, 1789, "to convey certain Land to the United States...for the purpose of building a lighthouse on Cape Henry." This letter is recorded in the "Letter Book" in the *Washington Papers*.

**FIRST ANNUAL ADDRESS TO CONGRESS<sup>87</sup>**

January 8, 1790.

Fellow Citizens of the Senate and House of Representatives: I embrace with great satisfaction the opportunity which now presents itself, of congratulating you on the present favourable prospects of our public affairs. The recent accession of the important State

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of North Carolina to the Constitution of the United States (of which official information has been received); the rising credit and respectability of our Country; the general and increasing good will towards the Government of the Union, and the concord, peace, and plenty, with which we are blessed are circumstances auspicious in an eminent degree, to our national prosperity.

In resuming your consultations for the general good, you cannot but derive encouragement from the reflection that the measures of the last Session have been as satisfactory to your Constituents, as the novelty and difficulty of the work allowed you to hope. Still further

87. Delivered in the Senate Chamber.

to realize their expectations and to secure the blessings which a Gracious Providence has placed within our reach, will in the course of the present important Session, call for the cool and deliberate exertion of your patriotism, firmness and wisdom.

Among the many interesting objects, which will engage your attention, that of providing for the common defence will merit particular regard. To be prepared for War is one of the most effectual means of perserving peace.

A free people ought not only to be armed but disciplined; to which end a uniform and well digested plan is requisite: And their safety and interest require, that they should promote such manufactories, as tend to render them independent on others for essential, particularly for military supplies.

The proper establishment of the Troops, which may be deemed indispensable, will be entitled to mature deliberation.<sup>88</sup> In the arrangements, which may be made respecting it, it will be

88. Ford, Sparks, and Richardson print this word as “consideration.”

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of importance to conciliate the comfortable support of the Officers and Soldiers with a due regard to œconomy.

There was reason to hope that the pacific measures adopted with regard to certain hostile tribes of Indians would have relieved the Inhabitants of our Southern and Western frontiers from their depredations. But you will perceive from the information contained in the papers which I shall direct to be laid before you (comprehending a communication from the Commonwealth of Virginia) that we ought to be prepared to afford protection to those parts of the Union; and if necessary to punish aggressors.

The interests of the United States requires that our intercourse with other nations should be facilitated, by such provisions as will enable me to fulfill my duty in that respect, in the manner which circumstances may render most conducive to the public good: And to this end that the compensations to be made to the persons who may be employed, should according to the nature of their appointments, be defined by law; and a competent fund designated for defraying the expenses incident to the conduct of our foreign affairs.

Various considerations also render it expedient, that the terms on which foreigners may be admitted to the rights of Citizens should be speedily ascertained by a uniform rule of naturalization.

Uniformity in the Currency, Weights and Measures of the United States is an object of great importance, and will I am persuaded be duly attended to.

The advancement of Agriculture, Commerce and Manufactures by all proper means, will not I trust need recommendation. But I cannot forbear intimating to you the expediency of giving effectual encouragement as well to the introduction of new and useful inventions from abroad, as to the exertions of skill and genius in producing them at home; and of

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facilitating the intercourse between the distant parts of our Country by a due attention to the Post-Office and Post-Roads.

Nor am I less persuaded, that you will agree with me in opinion, that there is nothing which can better deserve your patronage than the promotion of Science and Literature. Knowledge is in every country the surest basis of public happiness. In one in which the measures of Government receive their impression so immediately from the sense of the Community as in ours it is proportionably essential. To the security of a free Constitution it contributes in various ways: By convincing those who are intrusted with the public administration, that every valuable end of Government is best answered by the enlightened confidence of the people: and by teaching the people themselves to know and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burthens proceeding from a disregard to their convenience and those resulting from the inevitable exigencies of Society; to discriminate the spirit of Liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy, but temperate vigilance against encroachments, with an inviolable respect to the Laws.

Whether this desirable object will be the best promoted by affording aids to seminaries of learning already established, by the institution

of a national University, or by any other expedients, will be well worthy of a place in the deliberations of the Legislature.<sup>89</sup>

89. From the "Letter Book" copy in the *Washington Papers*.

On January 11 Washington very briefly acknowledged an address from the Senate in response to this speech. On January 12 he likewise acknowledged a similar address from the House. Both of these replies are recorded in the "Letter Book" in the *Washington Papers*.

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### To THE SENATE

United States, January 11, 1790.

Gentlemen of the Senate: Having advised with you upon the terms of a treaty to be offered to the Creek Nation of Indians, I think it proper you should be informed of the result of that business previous to its coming before you in your legislative capacity.

I have therefore directed the Secretary for the department of War, to lay before you my instructions to the Commissioners, and their report in consequence thereof.

The apparently critical state of the Southern frontier will render it expedient for me to communicate to both Houses

of Congress, with other papers, the whole of the transactions relative to the Creeks, in order that they may be enabled to form a judgment of the measures which the case may require.<sup>97</sup>

### To THE SENATE AND THE HOUSE OF REPRESENTATIVES

United States, January 12, 1790.

Gentlemen of the Senate and House of Representatives: I lay before you a statement of the south-western frontiers, and of the Indian departments which have been submitted to me, by the Secretary for the department of War.

I conceive that an unreserved but *confidential* communication of all

97. From the "Letter Book" copy in the *Washington Papers*.

papers relative to the recent negotiations, with some of the southern tribes of Indians is indispensibly requisite for the information of Congress. I am persuaded that they will

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effectually prevent either transcripts or publications of all such circumstances as might be injurious to the public interests.<sup>3</sup>

3. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, January 21, 1790.

Gentlemen of the Senate and House of Representatives: The Secretary for the department of War has submitted to me certain principles to serve as a plan for the general arrangement of the Militia of the United States.<sup>18</sup>

Conceiving the subject to be of the highest importance to the welfare of our country, and liable to be placed in various points of view, I have directed him to lay the plan before Congress, for their information, in order that they may make such use thereof as they shall judge proper.<sup>19</sup>

18. The plan for the organization of the militia is printed in full in the *American State Papers*.

19. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, January 25, 1790.

Gentlemen of the Senate and House of Representatives: I have received from his Excellency John E. Howard, Governor of the State of Maryland, An Act of the Legislature of Maryland to ratify certain Articles in addition to, and amendment of the Constitution of the United States of America proposed by Congress to the Legislatures of the several States; and have directed my Secretary to lay a Copy of the same before you, together

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with the copy of a letter accompanying the above Act, from his Excellency the Governor of Maryland to the President of the United States.

The originals will be deposited in the Office of the Secretary of State.<sup>9</sup>

9. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, January 28, 1790.

Gentlemen of the Senate and House of Representatives: I have directed my Secretary to lay before you the copy of an Act of the Legislature of Rhode Island and Providence Plantations entitled "an Act for calling a Convention to take into consideration the Constitution proposed for the United States, passed on the 17th. day of September A.D. 1787. by the general Convention held at Philadelphia," together with a copy of a letter<sup>10</sup> accompanying said Act, from his Excellency John Collins Governor of the State of Rhode Island and Providence Plantations, to the President of the United States.

The originals of the foregoing

10. This letter prayed "on behalf of the People of the said State for a further suspension of the operation of the Impost and Tonnage laws of the United States with respect to the State of Rhode Island."

Act and Letter will be deposited in the Office of the Secretary of State.<sup>9</sup>

9. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

United States, February 9, 1790.

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Gentlemen of the Senate: You will perceive from the papers herewith delivered, and which are enumerated in the annexed list,<sup>18</sup> that a difference subsists between Great Britain and the United States relative to the boundary line between our Eastern, and their territories. A plan for deciding this difference was laid before the late Congress; and whether that or some other plan of the like kind, would not now be eligible, is submitted to your consideration.

In my opinion it is desireable that all questions between this and other nations be speedily and amicably settled; and in this instance I think it adviseable to postpone any negotiations on the subject until I shall be informed of the result of your deliberations, and receive your advice

18. A list of these papers follows the copy of this message in the "Letter Book."

as to the propositions most proper to be offered on the part of the United States.

As I am taking measures for learning the intentions of Great Britain respecting the detention of our Posts &ca., I am the more solicitous that the business now submitted to you may be prepared for negotiation, as soon as the other important affairs which engage your attention, will permit.<sup>19</sup>

19. From the "Letter Book" copy in the *Washington Papers*.

On February 9 Washington sent to the Senate nominations to fill various vacancies in the judiciary and customs branches of the Government, and also for customs officers for the districts in North Carolina. These names and the confirmations are entered in the "Letter Book" in the *Washington Papers*.

### **To THE SENATE**

United States, February 18, 1790.

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Gentlemen of the Senate: By the Mail of last evening I received a letter from his Excellency John Hancock Governor of the Commonwealth of Massachusetts, enclosing a resolve of the Senate and House of Representatives of that Commonwealth and sundry documents relative to the eastern boundary of the United States.

I have directed a copy of the letter and resolve to be laid before you. The documents which accompanied them being but copies of some of the papers which were delivered to you with my communication of the ninth of this month, I have thought it unnecessary to lay them before you at this time. They will be deposited in the Office of the Secretary of State, together with the originals of the above mentioned letter and resolves.<sup>27</sup>

27. From the "Letter Book" copy in the *Washington Papers*.

On February 18 the intendant and wardens of Charleston, S. C., delivered a congratulatory address to Washington, who answered it at some unknown date. Both address and the answer are recorded in the "Letter Book."

### **To THE SENATE**

United States, May 31, 1790.

Gentlemen of the Senate: Mr. de Poirey served in the American Army for several of the last years of the late War as Secretary to Major General the Marquis de la Fayette, and might probably at that time have obtained the Commission of Captain from Congress upon application to that Body.<sup>77</sup> At present he is an Officer in the French national Guards and solicits a Brevet Commission from the United States of America. I am authorized to add that, while a compliance will involve no expence on our part, it will be particularly grateful to that friend of America the Marquis de la Fayette.

I therefore nominate Mr. de Poirey to be a Captain by Brevet.<sup>78</sup>

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77. The Senate, confirmed this nomination (June 2).

78. From the "Letter Book" copy in the *Washington Papers*.

An undated congratulatory address from the Hebrew congregation of the city of Savannah and Washington's reply thereto are also recorded in the "Letter Book." Sparks dates them at the end of May, 1790.

On June 2 Washington sent a message to the Senate, nominating the officers to the one regiment of infantry and the one battalion on artillery which made up the United States Army at that time. This message and list is entered in the "Letter Book" and are printed in the *Executive Journal*, vol. 1.

### **To THE SENATE**

United States, August 4, 1790.

Gentlemen of the Senate: In consequence of the general principles agreed to by the Senate in August 1789, the adjustment of the terms of a treaty is far advanced between the United States and the Chiefs of the Creek Nation of Indians here in this City, in behalf of themselves and the whole of the Creek Nation.

In preparing the Articles of this treaty the present arrangements of the trade with the Creeks have caused much embarrassment. It seems to be well ascertained that the said trade is almost exclusively in the hands of a company of british Merchants, who by agreement make their importation of Goods from England into the Spanish ports.

As the trade of the Indians is a main mean of their political management, it is therefore obvious that the United States cannot possess any security for the performance of treaties with the Creeks, while their trade is liable to be interrupted or withheld at the caprice of two foreign powers.

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Hence it becomes an object of real importance to form new channels for the Commerce of the Crocks through the United States. But this operation will require time, as the present arrangements can not be suddenly broken without the greatest violation of faith and morals.

It therefore appears to be important to form a secret Article of a treaty similar to the one which accompanies this message.

If the Senate should require any further explanation, the Secretary of War will attend them for that purpose.

[On the same day ] The President of the United States states the following question for the consideration and advice of the Senate.

If it should be found essential to a treaty, for the firm establishment of peace with the Creek Nation of Indians, that an Article to the following effect should be inserted therein, will such an Article be proper? vizt.

### **To THE SENATE**

United States, August 6, 1790.

Gentlemen of the Senate: Considering the circumstances which prevented the late Commissioners from concluding a peace with the Creek Nation of Indians, it appeared to me most prudent that all subsequent measures for disposing them to a treaty should in the first instance be informal.

I informed you on the 4th Inst. that the adjustment of the terms of a treaty with their Chiefs now here, was far advanced, such further progress has since been made, that I think measures may at present be taken for conducting and concluding that business in form. It therefore becomes necessary that a proper person be appointed and authorized to treat

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with these Chiefs and to conclude a treaty with them. For this purpose I nominate to you Henry Knox.<sup>37</sup>

37. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

United States, August 7, 1790.

Gentlemen of the Senate: I lay before you a treaty between the United States the Chiefs of the Creek Nation, now in this City, in behalf of themselves and the whole Creek Nation subject to the ratification of the President of the United States, with the advice and consent of the Senate.

While I flatter myself that this Treaty will be productive of present peace and prosperity to our Southern frontier, it is to be expected that it will also in its consequences be the means of firmly attaching the Creeks and the neighbouring tribes to the interests of the United States.

At the same time it is to be hoped that it will afford solid grounds of satisfaction to the state of Georgia, as it contains a regular, full and definitive relinquishment, on the part of the Creek Nation, of the Oconee Land, in the utmost extent in which it has been claimed by that State and thus extinguishes the principal cause of those hostilities from which it has more than once experienced such severe calamities.

But although the most valuable of the disputed Land is included, yet there is certain claim of Georgia arising out of the treaty, made by that State at Galphinston in November 1785 of Land to the Eastward of a new temporary line from the forks of the Oconee and Oakmulgee in a southwest direction to the St Marys river, which tract of Land the Creeks in this City absolutely refuse to yield. This Land is reported to be generally barren, sunken and unfit for cultivation, except in some instances on the margin of the Rivers, on which

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by improvement rice might be cultivated, its chief value depending on the timber fit for the building of Ships with which it is represented as abounding. While it is thus circumstanced on the one hand, it is stated by the Creeks on the other to be of the highest importance to them, as constituting some of their most valuable winter hunting ground.

I have directed the Commissioner,<sup>38</sup> to whom the charge of adjusting the treaty has been committed to you lay before you such papers and documents, and to communicate to you such information relatively to it as you may require.<sup>39</sup>

38. Henry Knox.

39. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

United States, August 11, 1790.

Gentlemen of the Senate: Although the treaty with the Creeks<sup>59</sup> may be regarded as the main foundation of the southwestern frontier of the United States, yet in order fully to effect so desirable an object the treaties which have been entered into with the other tribes in that quarter must be faithfully performed on our parts.

During the last year I laid before the Senate a particular statement of the case of the Cherokees.<sup>60</sup> By a reference to that paper it will appear that the United States formed a treaty with the Cherokees thereby placed themselves under the protection of the United States, and had a boundary assigned them.

That the White people settled on the frontiers had openly violated the said boundary by intruding on the Indian lands.

That the United States in Congress assembled did on the first day of September 1788 issue their proclamation forbidding such

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59. The ratification of the Creek Treaty is dated August 13, and on August 14 Washington issued his proclamation announcing the treaty in effect. A broadside of this proclamation is in the Virginia State Library. (See p. 92, *post.*)

60. See Washington's message to the Senate. Aug. 7, 1789.

On August 11 the Senate resolved that the treaty at Hopewell with the Cherokees be carried into execution at the discretion of the President, and that the Senate guarantee the Cherokee boundary.

On August 12 Congress adjourned, to convene again on the first Monday in December, 1790.

unwarrantable intrusions and in joining all those who had settled upon the hunting grounds of the Cherokees to depart with their families and effects without the loss of time, as they would answer their disobedience to the injunctions and prohibitions expressed, at their peril.

But information has been received that notwithstanding the said treaty and proclamation upwards of five hundred families have settled on the Cherokee Lands exclusively of those settled between the fork of French Broad and Holstein Rivers mentioned in the said treaty.

As the obstructions to a proper conduct on this matter have been removed since it was mentioned to the Senate on the 22d of August 1789, by the accession of North Carolina to the present Union, and the cessions of the Land in question, I shall conceive myself bound to exert the powers entrusted to me by the Constitution in order to carry into faithful execution the treaty of Hopewell, unless it shall be thought proper to attempt to arrange a new boundary with the Cherokees embracing the settlements, and compensating the Cherokees for the cessions they shall make on the occasion.

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On this point therefore I state the following questions and request the advice of the Senate thereon.

1st. Is it the judgment of the Senate that overtures shall be made to the Cherokees to arrange a new boundary so as to embrace the settlement made by the white people since the treaty of Hopewell in November 1785?

2. If so, shall compensation to the amount of dollars annually of dollars in gross be made to the Cherokees for the land they shall relinquish, holding the occupiers of the land accountable to the United States for its value?

3dly. Shall the United States stipulate solemnly to guarantee the new boundary which may be arranged?<sup>61</sup>

61. From the "Letter Book" copy in the *Washington Papers*.

### **SECOND ANNUAL ADDRESS TO CONGRESS**

[December 8, 1790]

Fellow citizens of the Senate and House of Representatives: In meeting you again I feel much satisfaction in being able to repeat my congratulations on the favorable prospects which continue to distinguish our

public Affairs. The abundant fruits of another year have blessed our Country with plenty, and with the means of a flourishing commerce. The progress of public credit is witnessed by a considerable rise of American Stock abroad as well as at home. And the revenues allotted for this and other national purposes, have been productive beyond the calculations by which they were regulated. This latter circumstance is the more pleasing as it is not only a proof of the fertility of our resources, but as it assures us of a further increase of the national respectability and credit; and let me add, as it bears an honorable testimony to the

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patriotism and integrity of the mercantile and marine part of our Citizens. The punctuality of the former in discharging their engagements has been exemplary.

In conforming to the powers vested in me by acts of the last Session, a loan of three millions of florins, towards which some provisional measures had previously taken place, has been completed in Holland. As well the celerity with which it has been filled, as the nature of the terms, (considering the more than ordinary demand for borrowing created by the situation of Europe) gives a reasonable hope that the further execution of those powers may proceed with advantage and success. The Secretary of the Treasury has my directions to communicate such further particulars as may be requisite for more precise information.

Since your last Sessions, I have received communications by which it appears, that the District of Kentucky, at present a part of Virginia, has concurred in certain propositions contained in a law of that State; in consequence of which the District is to become a distinct member of the Union, in case the requisite sanction of Congress be added. For this sanction application is now made. I shall cause the papers on this very important transaction to be laid before you. The liberality and harmony, with which it has been conducted will be found to do great honor to both the parties; and the sentiments of warm attachment to the Union and its present Government expressed by our fellow citizens of Kentucky cannot fail to add an affectionate concern for their particular welfare to the great national impressions under which you will decide on the case submitted to you.

It has been heretofore known to Congress, that frequent incursions have been made on our frontier settlements by certain banditti of Indians from the North West side of the Ohio. These with some of the tribes dwelling on and near the Wabash have of late been particularly active in their depredations; and being emboldened by the impunity of their crimes, and aided by such parts of the neighboring tribes as could be seduced to join in their hostilities or afford them a retreat for their prisoners and plunder, they have, instead of listening to the humane overtures<sup>92</sup> made on the part of the United States, renewed

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their violences with fresh alacrity and greater effect. The lives of a number of valuable Citizens have thus been sacrificed, and some of them under circumstances

92. Richardson's *Messages and Papers of the Presidents* prints this as “invitations and overtures.”

peculiarly shocking; whilst others have been carried into a deplorable captivity.

These aggravated provocations rendered it essential to the safety of the Western Settlements that the aggressors should be made sensible that the Government of the Union is not less capable of punishing their crimes, than it is disposed to respect their rights and reward their attachments. As this object could not be effected by defensive measures it became necessary to put in force the Act, which empowers the President to call out the Militia for the protection of the frontiers. And I have accordingly authorized an expedition in which the regular troops in that quarter are combined with such drafts of Militia as were deemed sufficient. The event of the measure is yet unknown to me. The Secretary of war is directed to lay before you a statement of the information on which it is founded, as well as an estimate of the expence with which it will be attended.

The disturbed situation of Europe, and particularly the critical posture of the great maritime powers, whilst it ought to make us more thankful for the general peace and security enjoyed by the United States, reminds us at the same time of the circumspection with which it becomes us to preserve these blessings. It requires also that we should not overlook the tendency of a war and even of preparations for a war, among the Nations most concerned in active Com

merce with this Country, to abridge the means, and thereby at least enhance the price of transporting its valuable productions to their proper markets. I recommend it to your serious reflexion how far and in what mode, it may be expedient to guard against embarrassments from these contingencies, by such encouragements to our own Navigation as will render our commerce and agriculture less dependent on foreign

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bottoms, which may fail us in the very moments most interesting to both of these great objects. Our fisheries, and the transportation of our own produce offer us abundant means for guarding ourselves against this evil.

Your attention seems to be not less due to that particular branch of our trade which belongs to the Mediterranean. So many circumstances unite in rendering the present state of it distressful to us, that you will not think any deliberations misemployed, which may lead to its relief and protection.

The laws you have already passed for the establishment of a Judiciary System have opened the doors of Justice to all descriptions of persons. You will consider in your wisdom, whether improvements in that system may yet be made; and particularly whether a uniform process of execution on sentences issuing, from the federal Courts be not desireable through all the states.

The patronage of our commerce, of our merchants and Seamen, has called for the appointment of Consuls in foreign Countries. It seems expedient to regulate by law the exercise of that Jurisdiction and those functions which are permitted them, either by express Convention, or by a friendly indulgence in the places of their residence. The Consular Convention too with his most Christian Majesty has stipulated in certain cases, the aid of the national authority to his Consuls established here. Some legislative provision is requisite to carry these stipulations into full effect.

The establishment of the Militia; of a mint; of Standards of weights and measures; of the Post Office and Post Roads are subjects which (I presume) you will resume of course, and which are abundantly urged by their own importance.

Gentlemen of the House of Representatives: The sufficiency of the Revenues you have established for the objects to which they are appropriated, leaves no doubt that the residuary provisions will be commensurate to the other objects for which the public faith

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stands now pledged. Allow me, moreover, to hope that it will be a favorite policy with you not merely to secure a payment of the Interest of the debt funded, but, as far and as fast as [the] growing resources of the Country will permit, to exonerate it of the principal itself. The appropriation you have made of the Western Lands explains your dispositions

on this subject: And I am persuaded the sooner that valuable fund can be made to contribute along with other means to the actual reduction of the public debt, the more salutary will the measure be to every public interest, as well as the more satisfactory to our Constituents.

Gentlemen of the Senate and House of Representatives: In pursuing the various and weighty business of the present Session I indulge the fullest persuasion that your consultations will be equally marked with wisdom, and animated by the love of your Country. In whatever belongs to my duty, you shall have all the cooperation which an undiminished zeal for its welfare can inspire. It will be happy for us both, and our best reward, if by a successful administration of our respective trusts we can make the established Government more and more instrumental in promoting the good of our fellow Citizens, and more and more the object of their attachment and confidence.<sup>93</sup>

93. From the "Letter Book" copy in the *Washington Papers*.

On December 8 Tobias Lear wrote to the Secretary of State: "I have likewise the honor to transmit, by the President's order, a letter and packet from the President of the National Assembly of France directed to the President and Members of the American Congress; This direction prevented the President from opening them when they came to his hands, and he yesterday caused them to be delivered to the Vice-President that they might be opened by the Senate. The Vice President returned them unopened with an opinion of the Senate that they might be opened with more propriety by the President of the United States, and a request that he would do it, and communicate to Congress such parts of them as in his opinion might be proper to be laid before the Legislature.

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“The President therefore requests that you would become acquainted with their contents and inform what (if any) should be laid before Congress. Another letter from the National Assembly addressed particularly to the President is enclosed herewith for your perusal: The President has the translation of this letter.”

Jefferson reported that the subject of the papers was the death of the late Dr. Franklin, and on December 10 Lear, by direction of the President, delivered the papers to the Senate, with a formal verbal message, which is entered in the “Letter Book” in the *Washington Papers*. Sparks prints what he says is an “unskillful and imperfect translation of the letter from the President of France's National Assembly in his edition of *Washington's Writings*, vol. 10, p. 497.”

### **To THE SENATE**

United States, January 19, 1791.

Gentlemen of the Senate: I lay before you a representation of the Charge des Affaires of France, made by order of his Court, on the Acts of Congress of the 20th of July 1789, and 1790 imposing an extra tonnage on foreign Vessels, not excepting those of that Country; together with the Report of the Secretary of State thereon:<sup>23</sup> And I recommend the same to your consideration, that I may be enabled to give it such Answer as may best comport with the justice and the interests of the United States.<sup>24</sup>

23. These accompanying documents are printed, with the text of this message, in the *Executive Journal* and also in Richardson's *Messages and Papers of the Presidents*.

24. From the “Letter Book” copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, January 24, 1791.

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Gentlemen of the Senate and House of Representatives: In execution of the powers with which Congress were pleased to invest me by their Act intituled “An Act for establishing the temporary and permanent seat of the Government of the United States” and on mature consideration of the advantages and disadvantages of the several positions, within the limits prescribed by the said Act, I have, by Proclamation, bearing date this day, a copy of which is herewith transmitted, directed Commissioners, appointed in pursuance of the Act, to survey and limit a part of the territory of ten miles square, on both sides the river Potomack, so as to comprehend George Town in Maryland, and to extend to the Eastern branch. I have not by this first Act given to the said territory the whole extent of which it is susceptible in the direction of the River; because I thought it important that Congress should have an opportunity of considering whether by an amendatory law, they would authorize the location of the residue at the lower end of the present, so as to comprehend the Eastern branch itself, and some of the Country on its lower side in the State of Maryland, and the town of Alexandria in Virginia. If, however, they are of opinion that the federal territory should be bounded by the

water edge of the Eastern-branch, the location of the residue will be to be made at the upper end of what is now directed. I have thought best to await a survey of the territory before it is decided on what particular spot on the North Eastern side of the River<sup>29</sup> the public buildings shall be erected.<sup>30</sup>

29. Potomac.

30. From the “Letter Book” copy in the *Washington Papers*.

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, February 9, 1791.

Gentlemen of the Senate and of the House of Representatives: I have received from the Governor of Vermont authentic document expressing the consent of the Legislatures of

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New York and of the Territory of Vermont, that the said territory shall be admitted to be a distinct member of our union; and a Memorial of Nathaniel Chipman

and Lewis R. Morris Commissioners from the said Territory, praying the consent of Congress to that admission by the name and stile of the State of Vermont, copies of which I now lay before Congress, with whom the constitution has rested the object of these proceedings.<sup>46</sup>

### **To THE SENATE AND THE HOUSE OF REPRESENTATIVES**

United States, February 14, 1791.

Gentlemen of the Senate and of the House of Representatives: Soon after I was called to the Administration of the Government, I found it important to come to an understanding with the Court of London, on several points interesting to the United States, and particularly to know whether they were disposed to enter into Arrangements, by mutual consent, which might fix the commerce between the two Nations on principles of reciprocal advantage. For this purpose I authorized informal conferences with their

46. From the "Letter Book" copy in the *Washington Papers*.

Morris and Chipman's audience with the President was the subject of a brief note from Lear to them (February 7), stating that "if it will be convenient for you to make your communication to him at two o'clock instead of: twelve, as was proposed on Saturday, it would be more agreeable to him [the President]; as he has not been on horseback for several days, and finding it necessary to his health to ride frequently he intends to take a longer ride to-day than usual, and will not probably be in by twelve o'clock." Lear's letter is recorded in the "Letter Book" in the *Washington Papers*.

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Ministers; and from these I do not infer any disposition, on their part, to enter into any arrangements merely commercial. I have thought it proper to give you this Information, as it might at some time have influence on matters under your consideration.<sup>50</sup>

### To THE SENATE

[February 14, 1791.]

Gentlemen of the Senate: Conceiving that in the possible event of a refusal of Justice on the part of Great Britain, we should stand less committed should it be made to a private rather than a public Person, I employed Mr. Gouverneur Morris, who was on the spot, and without giving him any definite Character, to enter informally into the Conferences before mentioned. For your more particular information, I lay before you the Instruction I gave him, and those parts of his Communications wherein the British Ministers appear either in conversation or by letter. These are, two Letters from the Duke of Leeds to Mr. Morris, and three Letters of Mr. Morris giving an account of two conferences with the Duke of Leeds, and one with him and Mr. Pitt. The sum of these is, that they declare without scruple they do not mean to fulfil what remains of the Treaty of Peace to be fulfilled on their part (by which we are to understand the delivery of the Posts and payment for property carried off) 'till performance on our part, and compensation where the delay has rendered the performance now impracticable:

50. From the "Letter Book" copy in the *Washington Papers*. Jefferson's draft of this message is in the *Jefferson Papers* in the Library of Congress.

that on the subject of a Treaty of Commerce they avoided direct answers, so as to satisfy Mr. Morris they did not mean to enter into one unless it could be extended to a Treaty of Alliance offensive and defensive, or unless in the event of a rupture with Spain.

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As to their sending a Minister here, they made excuses in the first conference, seem disposed to it in the second, and in the last express an intention of so doing.

Their views being thus sufficiently ascertained, I have directed Mr. Morris to discontinue his Communications with them.<sup>51</sup>

### **To THE SENATE**

United States, February 18, 1791.

Gentlemen of the Senate: The aspect of Affairs in Europe during the last summer, and especially between Spain and England, gave reason to expect a favourable occasion for pressing

51. From the "Letter Book" copy in the *Washington Papers*. Jefferson's draft of this message is in the *Jefferson Papers* in the Library of Congress.

to accommodation the unsettled matters between them and us. Mr. Carmichael, our Charge des Affaires at the Court of Madrid, having been long absent from his Country, great changes having taken place in our circumstances and sentiments during that interval, it was thought expedient to send some person in a private character, full acquainted with the present state of things here, to be the bearer of written and confidential instructions to him, and at the same time to possess him in full and frequent conversations, of all those details of facts, and topics of argument which could not be conveyed in Writing, but which would be necessary to enable him to meet the reasonings of that Court with advantage. Colo. David Humphreys was therefore sent for these purposes. An additional motive for this confidential mission arose in the same quarter. The Court of Lisbon had, on several occasions, made the most amicable advances for cultivating friendship and intercourse with the United States. The exchange of a diplomatic character had been informally, but repeatedly suggested on their part. It was our interest to meet this nation in its friendly dispositions, and to concur in the exchange proposed.

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But my wish was, at the same time, that the Character to be exchanged should be of the lowest and most economical grade. To this it was known that certain rules, of long standing at that Court, would produce obstacles. Colo. Humphreys was charged with dispatches to the Prime Minister of Portugal, and with instructions

to endeavour to arrange this to our views. It happened, however, that, previous to his arrival at Lisbon, the Queen had appointed a Minister *Resident* to the United States. This embarrassment seems to have rendered the difficulty completely insurmountable. The Minister of that Court, in his conferences with Colo. Humphreys, professing every wish to accommodate, yet expresses his regrets that circumstances do not permit them to concur in the grade of Charge des Affaires; a grade of little privilege or respectability by the rules of their Court, and held in so low estimation with them, that no proper Character would accept it, to go abroad. In a letter to the Secretary of State,<sup>62</sup> he expresses the same sentiments and announces the appointment, on their part, of a Minister *Resident* to the United States, and the pleasure with which the Queen will receive one from us at her Court. A copy of his letter and also of Colo. Humphreys' giving the details of this transaction, will be delivered to you.

On consideration of all circumstances, I have determined to accede to the desire of the Court of Lisbon, in the article of Grade. I am aware that the consequences will not end here, and that this is not the only instance in which a like change may be pressed. But should it be necessary to yield elsewhere too, I shall think it a less evil, than to disgust a government so friendly, and so interesting to us, as that of Portugal.

I do not mean that the change of grade shall render the Mission more expensive.

I have therefore nominated David Humphreys, Minister Resident from the United States to her most faithful Majesty the Queen of Portugal.<sup>63</sup>

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62. A press copy of a translation of De Pinto's letter of Nov. 30, 1790, is in the *Jefferson Papers* in the Library of Congress.

63. From the "Letter Book" copy in the *Washington Papers*.

### **To THE SENATE**

United States, February 22, 1791.

Gentlemen of the Senate: I will proceed to take measures for the ransom of our citizens in captivity at Algiers, in conformity with your resolution of advice of the first instant, so soon as the monies necessary shall be appropriated by the legislature, and shall be in readiness.

The recognition of our treaty with the new Emperor of Morocco requires also previous appropriation and provision. The importance of this last to the liberty and property of our citizens induces me to urge it on your earliest attention.<sup>67</sup>

67. From a press copy in the *Jefferson Papers* in the Library of Congress. The Secretary of State wrote to Luiz Pinto de Sousa Coutinho, the Portuguese Secretary of State, on February 21, as follows:

"I have duly received the Letter of November 30th. which your Excellency did me the honor to write, informing me that her most Faithful Majesty had appointed Mr. Freire her Minister resident with us, and stating the difficulty of meeting us in the exchange of a charge des affaires, the Grade proposed on our part. It is foreseen that a departure from our System in this instance will materially affect our arrangements with other Nations; but the President of the United States has resolved to give her Majesty this Proof of his Desire to concur in whatever may best tend to promote that Harmony and perfect Friendship so interesting to both Countries: He has therefore appointed Colonel Humphreys to be Minister resident for the United States at the Court of her Majesty.

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“This Gentleman has long been of the President's own family, and enjoys his particular Confidence. I make no doubt he will so conduct himself as to give perfect satisfaction to her Majesty and yourself, and I therefore recommend him to your friendly Attentions and respect. Mr. Freire will have every title to the same from us, and will assuredly receive it.”

A press copy of this letter in the *Jefferson Papers* in the Library of Congress. (See Washington's message to the Senate, Feb. 18, 1791, *ante*.)

### **To THE SENATE**

United States, March 4, 1791.

Gentlemen of the Senate: The act for the admission of the State of Vermont into this Union having fixed on this as the day of its admission, it was thought that this would also be the first day on which any officer of the Union might legally perform any act of authority relating to that State. I therefore required your attendance to receive nominations of the several officers necessary to put the Federal Government into motion in that State.

For this purpose I nominate Nathaniel Chipman to be judge of the district of Vermont; Stephen Jacobs to be attorney for the United States in the district of Vermont; Lewis R. Morris to be marshal of the district of Vermont, and Stephen Keyes to be collector of the port of Allburgh, in the State of Vermont.<sup>76</sup>

76. From the “Letter Book” copy in the *Washington Papers*.

On March 4 Washington sent a message to the Senate in which, in accordance with the act repealing the duties on imported distilled spirits and laying others in their stead, he divided the United States into customs districts and nominated supervisors for same. These lists are printed in the *Executive Journal*.

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On this same day (March 4) Washington also sent to the Senate the nominations of Arthur St. Clair to be major general, Samuel Hodgdon to be quartermaster, and John Hurt to be chaplain, in consequence of the new regiment added to the United States Army.

On March 5 Lear wrote to William Goddard and James Angell, publishers of the *Baltimore Advertiser*, and to Samuel Green, publisher of the *Maryland Gazette*, Annapolis, requesting them to insert an advertisement for 6 weeks in their papers. He also wrote to William Deakins, jr., in Georgetown, to have an inclosed advertisement inserted for 6 weeks by “the Printer at George Town,” and “the Printer at Frederick Town.” The advertisement was to announce that Royal Gift and the Knight of Malta “will stand at Mount-Vernon,” etc. It was signed by Anthony Whiting, manager