

THE LIFE
PUBLIC SERVICES, ADDRESSES
AND LETTERS
OF
ELIAS BOUDINOT, LL. D.

PRESIDENT OF THE CONTINENTAL CONGRESS

EDITED BY

J. J. BOUDINOT

MEMBER OF THE NEW JERSEY HISTORICAL SOCIETY

IN TWO VOLUMES

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ELIAS BOUDINOT
From Painting by Thomas Sully, 1817



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ELIAS BOUDINOT.

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MR. BOUDINOT TO THE CHAIRMAN OF JOINT MEETING.

PRINCETON, Oct. 27th. 1783.

SIR:—

My time in the chair of Congress having just expired and the seventh year of my expulsion from my house and Estate compleated (the greater part of which has been devoted to the public Service) whereby my private affairs have become totally deranged, shall I beg the favour of you, Sir, to make known my request in the most re-

spectful manner to the honorable the Legislature of this State, in their joint meeting, for their permission to retire to private Life; and at the same time to assure them of the deep sense I retain of the Honor I have received from them by the repeated Trusts reposed in me. My highest ambition has been to serve my country in her distress This I have endeavored to do to the utmost of my Power, and if at any Time I have failed in so important a Duty for want of ability, it has been made up by the most unfeigned Integrity. If these services have been acceptable to my Country I shall receive a most ample Reward.

Suffer me in the most respectful manner to congratulate you, Sir, and the legislature on the accomplishment of the honorable and glorious Peace with which my administration has been honored, I mean not by this request to embarrass public measures, but as Peace is at last so firmly established and the serving our Country the highest Honor to which any Citizen can now aspire, there can be no doubt of a choice of candidates to fill so distinguished an office.

May the best of Heaven's blessings descend on the Legislature and may all their Counsels be directed to accomplish the true Interests of this happy Republic; and be assured that in whatever situation divine Providence may think proper to place me, I shall never cease to pray for their prosperity.

I have the honor to be with great Respect and Esteem,

Your most Obedient and very Humble Servant
ELIAS BOUDINOT.

Honorable Chairman of the joint meeting of the Legislature.¹

HONORABLE DR. BENJAMIN FRANKLIN TO MR. BOUDINOT.
HIS EXCELLENCY ELIAS BOUDINOT, ESQ.

PASSY 1 November 1783.

SIR

Enclosed is a copy of my last, which went by the English packet. I heard after I wrote it that the French packet putting back by contrary winds, Mr. Thaxter had no opportunity of getting on board her, and that she sailed on the 26th of September.

The mentioned new Commission is not yet come to hand. Mr. Hartley is not returned and I hear will stay for the meeting of Parliament which is to be the 11th instant, and not come hither till the recess of the Christmas holidays. Mr. Jay went to England about three weeks since on some personal affairs; and Mr. Adams followed last week to see that country, and take some exercise during the vacancy of business.

This Court is now at Fontainebleau, but will return to Versailles in a few days. Its good disposition towards us continues. The late failure

¹ Selections from New Jersey Revolutionary Correspondence from 1776 to 1786. Executive of N. J. Published by order of the Legislature, 1848. Letter book, Elias Boudinot.

of payment in the Caisse d'Escompte, an institution similar to the Bank of England, occasioned partly by its having gone too far in assisting the government with money, and the inability of the government to support their credit, though extremely desirous of doing it, is a fresh proof that our not obtaining a farther loan was not occasioned by want of good will to assist us, as some have unjustly supposed, but by a real want of the means. Money is at present unaccountably scarce here; what is arrived and expected in Spain since the peace it is thought will set things to rights.

The government has proposed a second lottery for this year, by which they borrow twenty-four millions, and it filled readily. This helps, and the Caisse d'Escompte goes on again with its operations; but it is said the interest paid by the lottery plan is nearly seven per cent.

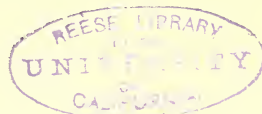
I have received the duplicate of your Excellency's letter of the 15th July, to the Commissioners, which is very satisfactory, though it came to hand but lately. The first sent via New York, has not yet appeared. I have sent copies of it to The Hague and Madrid. The substance is published in several papers.

I have acquainted the Minister of Sweden that I have received the ratification of the treaty; and he has written to me, that he shall be in town in a few days, when he will make the exchange. The

conclusion of the Danish Treaty waits only for the Commission and instruction from Congress. The Ambassador of Portugal informed me lately, that his Court had our proposed plan under consideration and that we should soon hear from them. I sent it to Congress by Barney, and hear the ship is arrived. A commission and instructions will be wanting for that also, should the Congress be disposed to conclude a treaty with that nation.

I see by the public prints that the Congress have ratified the contract I made with the minister here, respecting the loans and aids we had received; but the ratification itself, though directed to be sent me, has never come to hand, and I am often asked for it. I beg it may be forwarded by the first opportunity.

Here has been with me lately M. Pierre du Calvet, a merchant of Montreal, who, when our army was in Canada, furnished our generals and officers with many things they wanted, taking their receipts and promisory notes for payment; and, when the English repossessed the country, he was imprisoned, and his estate seized on account of the services he had rendered us. He has shown me the originals of his papers, which I think are genuine. He produced also a quantity of Congress paper, which he says he received in payment for some of the supplies, and which appeared to me of our first emissions, and



yet all fresh and clean, as having passed through no other hands. When he was discharged from prison, he could not obtain permission to go into the United States to claim the debt, but was allowed to go to England; and from thence came hither to solicit payment from me.

Having no authority to meddle with such debts, and the sum being considerable, I refused, and advised him to take passage for America, and make his application to Congress. He said he was grown old, much broken and weakened by near three years' imprisonment, and that the voyage from Canada to London had like to have been too much for him, he being sick all the way, so that he could not think of another, though distressed for want of money. He appears an honest man, and his case a hard one. I have therefore undertaken to forward his papers, and I beg leave to recommend them to the speedy consideration of Congress, to whom I request you would be pleased present my dutiful respects, and assure them of my most faithful services.

With great esteem and regard

I have the honor to be &c.

Sir, your Excellency's

Most obedient & most humble servant

B. FRANKLIN.¹

¹ MSS. Archives, Department of State, Washington, D. C., from the Franklin papers, vol. v. p. 1183.

MR. BOUDINOT TO HON. HENRY LAURENS.

(Private.)

P. T. Nov^r 1, 1783.

SIR,

I have the honor of acknowledging the rec^t of your several favours of June 27 July 17 August 2 & 9th — These Letters were very acceptable to Congress as they arrived in the midst of great Doubts of what could occasion so long silence of our Ministers in Europe, not having had any Official Intelligence from them since the Acct of the signing the preliminary Articles — By my Letters to the Com^{rs} Jointly of July last, you have undoubtedly been informed of our leaving Philadelphia & taking up our Residence in this Place The Mutiny that occasioned this removal soon subsided and order & harmony was speedily restored by a voluntary submission of the mutineers — several of them were condemned to be shot and their Partners in Guilt ordered to do the execution — In the last moments of despair, they were all pardoned by Congress, which has had a good effect. This army is disbanded & gone home tho without any money The Expectation of seeing you here in the Spring gives your friends great Pleasure — Congress were agreed to form two federal Towns one near the falls of the Potomack, the other near the falls of the Delaware set alternately year about at each Place — They adjourn on the 6th for Annapolis as the Place of their temporary residence — as I have not a moment to

spare I must beg leave to refer you to my Letter to the Com^r jointly & the News Papers sent to them for further Particulars of News —

I have the honor to be with very great respect
& Esteem, Sir,
E. BOUDINOT.¹

The Honble HENRY LAURENS, Esq.

MR. BOUDINOT TO THE HON. JOHN ADAMS.

P. T. Nov^r 1, 1783.

SIR

I have the honor of acknowledging the rect of your several Public Letters under the Dates of June 23 to July 18th Inclusive by Capt Barney — Nothing is done in Consequence of these Letters, but what is contained in the Instructions enclosed in my official Letter by the opportunity, to the Commissioners jointly Congress have not come to any further Determination on your last Letters relative to your resignation, on acct of the Peace Arrangement not being yet settled — Perhaps there will be but a very few Ministers employed in Europe, and those under the Character of Residents or simple Ministers — The Conduct of Great Britain does not appear yet very conciliating and her measures on this side the Water here rather tended to irritate than otherways — Congress will not be in a hurry to send a Minister to the Court of London till she sees how the definitive Treaty will end — We have an acct this day from Coll Ogden, that it

¹ Elias Boudinot's letter book.

was signed on the 2d Sept and that Mr Thaxter is on his way with it, whom we long to see— Your Letter on the subject of our Credit abroad and the strengthening and concerting the Union at home came at a happy moment & has had a very good effect— Your Countrymen were running Wild on this subject, but your observation & Opinion has helped to check them and the Legislature of Massachusetts have passed the 5 pr C. recommended by Congress — Mr. Van Berckle is arrived & yesterday recd his first public Audience of Congress his address & our Answer, I Send to the Com^r Jointly — He appears to justify the high opinion we have formed of the Wisdom of the States of the United Netherlands. The Choice of a Minister so consonant to the Temper & manners of the citizens of these States, show their Judgment & Prudence — we are much pleased with this Gentleman and as far as I can Judge from present appearances, I may venture to predict that he will cement the union of the two Republics — I shall leave the Chair of Congress on Monday and retire to private Life at Eliz^t Town after almost Eight years spent in the service of my Country — I rejoice to have seen the end of all our Labours so happily accomplished, and shall ever revere those great men who have lent a Helping Hand to the glorious work —

In Private or public Life I shall always be glad

of the honor of a line from you sir — if but to
announce your Health & welfare —

I have the honor &c.

E. BOUDINOT.¹

The honble. JOHN ADAMS, Esq.

MR. BOUDINOT TO THE MINISTERS PLENIPOTENTIARY.

THE HONORABLE

THE MINISTERS PLENIPOTENTIARY

OF THE UNITED STATES OF AMERICA

PARIS.

PRINCETON I Nov 1783.

GENTLEMEN

I am honored by the commands of Congress to transmit you a set of instructions in consequence of your joint and separate letters of the months of June and July last, by Captain Barney, which I do myself the honor to enclose. These were not finished till the 29th ult. after having undergone the most mature deliberation and fullest discussion in Congress

Yesterday we received from Col^o Ogden the news of the signature of the definitive Treaty on the 3d of September, and that Mr. Thaxter was on the way with the Official news. We long for his arrival tho' we have no doubt of the fact, which is also announced by the post this day from Boston.

I do most sincerely congratulate you, Gentlemen, on this most important and happy event, which has diffused the sincerest joy throughout

¹ Elias Boudinot's letter book.

these States, and the terms of which must necessarily hand down the names of its American negociators to Posterity with the highest possible honor. May the Gratitude of your Country ever be the fair reward of all your labours. New York is not yet evacuated, but Sir Guy Carleton has informed our Commander in Chief that he shall get clear of it in all this month, tho' I think they will not dare to stay much beyond the 15th instant.

Yours &c.

E. B.¹

MR. BOUDINOT TO THE HONORABLE, THE BURGOMASTERS
AND SENATE OF THE IMPERIAL FREE CITY, HAM-
BURGH.

PRINCETON 1st Nov 1783.

GENTLEMEN,

I have the honor of acknowledging the receipt of your very respectful and polite letter of the 29th of March last, by the hands of your faithful Citizen and Missionary Mr. de Boor.

Congress received this very generous and candid communication with all that pleasure and attention, which so great proffers of friendships from the honorable The Burgomasters and Senate of the Imperial free city Hamburgh, justly demanded from the United States of America.

Congress did not delay to take this honorable tender of the affection and esteem of the worthy

¹ MSS. Archives, Department of State, Washington, D. C., Papers of the Continental Congress, No. 16, p. 261.

Burgomasters and Senate under their immediate consideration; and I am now honored by the commands of Congress to make known to the respectable Representatives of the great and imperial City, in terms expressive of the most sincere regard; the high satisfaction with which the United States, in Congress assembled, received the annunciation of their friendship and attachment and their affectionate congratulations on the establishment of the liberty and Independence of the United States of America — That having founded the Commercial system of these States on the basis of equality and reciprocity, Congress will cheerfully meet the wishes of the Burgomasters and Senate of Hamburgh and unite with them in encouraging the most friendly intercourse, between the Citizens of the respective countrys, on such liberal principles, as will best promote their mutual advantage and prosperity; and that it is the earnest prayer of the United States in Congress assembled, that the Imperial free City Hamburgh, may continue to encrease in commerce and splendor, and be blessed with uninterrupted tranquility”

It is with the most sensible pleasure I make this communication, and hope and pray that a solid foundation will be laid, for the firm establishment of friendship and communion between the Citizens of our Republics.

May God Almighty keep the honorable Burgo-

masters and Senate of the Imperial free City of
Hamburgh in his holy protection.

I have the honor to be &c.
E. B.¹

ELIAS BOUDINOT TO THE HON. FRANCIS DANA, ESQ.,
PETERSBURG.

November 1st 1783

SIR

I have the honor to enclose you an Act of
Congress of the 29th ult. relative to your mission
at Petersburg. You have doubtless already an-
ticipated the reason and propriety of the measure,
and indeed it was designed to have been com-
pleted and forwarded last Spring, but has been
prevented by other important business.

I will endeavour to enclose you some of the
latest newspapers, which I am sure will be agree-
able to you, at such a distance from your native
country, and especially as they contain some of
the most material acts of Congress on public
matters.

Congress have no Minister of Foreign Affairs
— Mr. Livingston having resigned in May last.
They intend to adjourn on the 6th instant to
Annapolis in Maryland, when I presume they
will make choice of a Successor to that worthy
gentleman.

Congress have agreed to form two federal
Towns for their residence, the one near the Falls
of the Potowmack; the other near the Falls of the

¹ MSS. Archives, Department of State, Washington, D. C., Papers of
the Continental Congress, No. 16, p. 266.

Delaware, and to sit alternately, year about in each. I shall give directions to our Ministers in France to detain this, in case there should be a probability of your having left Petersburg, which is the prevailing opinion here.

I have the honor to be &c.

E. B.¹

This arduous year for Mr. Boudinot now drew to a close. We read in the "Journal of Congress" of Monday, Nov. 3, 1783,

"Motion by Mr. Duane.

"Seconded by Mr. McHenry.

"Resolved that the thanks of Congress be given to the Honorable Elias Boudinot, late President of Congress, in testimony of their approbation of his conduct in the chair and in the execution of public duties."

He returned to his home in Elizabethtown, New Jersey, from whence his family had been driven during the war. He renewed the practice of law, and was enabled by close application to business to retrieve his fortune, and place himself and his family beyond the anxiety that had assailed him, and when called again to public office, was again ready to serve his country.

¹ MSS. Archives, Department of State, Washington, D. C., Papers of the Continental Congress, No. 16, p. 263.

MR. BOUDINOT TO HON. JOHN JAY.

(Private.)

P. TOWN Nov^r 5th 1783

SIR,

I was honored by your several private favours recommending Mr. Vaughn & some other gent to whom I have endeavored to pay every Civility in my Power also one enclosing my Nephew's Letter from Madeira for which I am much obliged to you Congress has thought proper to appoint him their Commercial Agent at that Island, he is a deserving young American,¹ who I doubt not will do honor to his appointment if you can be of any service to him I shall take it as a particular favour done to me — I have the honor of enclosing a copy of the Acts of Congress relating to yourself individually, the authenticated copies of which I transmit in a letter of instructions to the Com^{rs} Jointly by this opportunity —

Congress did not think it Just or Honorable to alter or abridge your Salary while absent at Bath for your health and therefore have passed only a Simple permission for your going to Bath, for the establishment of your former Vigour; We are still at this Town but on the 6th Inst Congress mean to adjourn for Annapolis having determined (at present) to have two places of residence, or federal Towns one near the fall of Potowmack the other at or near the falls of Delaware — I send

¹ Mr. Marsden Pintard.

the News Papers to the Com^r which will you into the general state of Things Capt Jones the Bearer of this can also give you much general Information — I carefully forwarded your Letters to the N River

I have the honor &c.

E. BOUDINOT.¹

Honble JOHN JAY, Esq.

MR. BOUDINOT TO GENERAL ELIAS DAYTON.

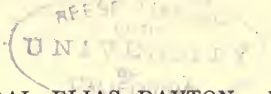
PRINCETON, Nov. 6th, 1783

SIR: —

Your favour covering the certificate of election as an honorary member of the Society of the Cincinnati has just come to hand. Permit me sir, to request the favour of you to make known to that respectable Society the high sense I entertain of the honor done me by this unsolicited mark of their respect and attention, and to assure them, that while with pleasure I accept the honorable appointment I shall also endeavor by every means in my power to render myself worthy of so peculiar a mark of their friendship and esteem. The line of the army at large, particularly that of New Jersey, has always met with my warmest support, but their politeness on this occasion will give me the happiness of considering myself as one of their body which I shall ever esteem as a peculiar honor —

Accept Sir, of my particular thanks for the

¹ Elias Boudinot's letter book.



very polite and friendly terms in which you have been pleased to communicate their choice to me and be assured that I am with great esteem

Sir, Yours &c.

E. BOUDINOT.

Genl ELIAS DAYTON.¹

¹ Elias Boudinot's letter book.

CHAPTER XXIII.

Mr. Boudinot to General Washington; on his retirement to Mount Vernon. — Mr. Boudinot to Charles Thomson, Esq. — Asking for news from old friends in Congress. — Mr. Boudinot to General Lincoln. — On his way to Philadelphia with his daughter. — Mr. Boudinot to General Washington; sends seeds. — To Mrs. Boudinot; time and distances by carriage. — To Mrs. Boudinot; a wedding. — To Mrs. Boudinot, October, 1786, from Sunbury. — Describes journey. — Law engagements. — Advice to young Mr. Caldwell.

MR. BOUDINOT TO GENERAL WASHINGTON.

ELIZth Jan^y 11th 1784

MY VERY DEAR SIR

We have received the most sensible Pleasure on the News of your safe return to Mount Vernon and your anxious family It is with the warmest affection & attachment, that we join the United Voice of your Country, in Congratulating your & our Dr Mrs Washington on this happy & interesting Event— You must permit me Sir—tho' it may be lost amidst the public Testimonies on this occasion from a thousand more important sources, to add my Individual, tho' most sincere & affectionate Wishes for your Happiness & prosperity, for it would be doing violence to my feelings, while enjoying the sweets of domestic Life on my little Estate here reserved from the Hands of a Powerful Enemy after a seven year expulsion, to persuade myself to be silent, however trifling the Tribute, or refrain

from gratefully acknowledging those invaluable & laborious services by which I am thus reinstated in the most essential and important Comforts of rational Life — I need not add the sense of obligation I feel myself under, for the many kind marks of personal attention & confidence expressed towards me during the war & I shall ever esteem it one of the greatest Honors of my Life that I have served my Country in conjunction with & under the Direction of Gen^l Washington — You have our most Ardent Prayers to Almighty God for your happiness & prosperity in this enjoyment of the fruits of your own Labour and of every domestic Bliss; and that after a long Period of extensive usefulness here, you may be prepared for & receive the glorious reward of eternal Life in the World to come. Mrs B. & Miss S. (whose health is rather declining) join me in very respectful & affectionate wishes, and beg to be very particularly remembered by Mrs Washington.

I have the honor to be with every
sentiment of Esteem

Dr Sir &c.

E. BOUDINOT.¹

His Excellency,
Genl WASHINGTON.

¹ Elias Boudinot's letter book.

MR. BOUDINOT TO CHARLES THOMSON, ESQ.

ELIZABETH TOWN, Jan. 30, 1784.

DEAR SIR:—

Being at last peaceably settled in private Life, I cannot but frequently turn my attention to my old friends in Congress. Secluded by my private Business in a great measure from the political World, I long to hear what you are about, how enjoy Annapolis—Is the Definitive Treaty ratified—In short, how do you all do? I feel interested in your Honor, comfort, success, in every thing you undertake—Is Mrs. Thomson with you, and how does she like Annapolis? What has become of Mrs. Carroll and Mrs. Henry, are they as sanguine as ever about the central situation of Congress—There is nothing in this part of the World worth communicating except that the Assembly of New York have just got together and very great but opposite expectations are raised in different Peoples minds about the event of their meeting, with regard to the Tories, the violent members predominate among those chosen for the City—A French Packett inward bound, cast away on the Long Island Shore in the late Easterly storm, and great part of the hands lost—You will wonder at my troubling you with this unimportant scribble, I will honestly confess *reason*, it is in hopes of prevailing on you to give me a line in answer that the advantage will be entirely mine.

I find my family in the hurry of departure, packed up the pamphlets that came in Oct. for the Office of Foreign Affairs and which I designed to have returned to your Office, among my books, I will return them by the first convenient opportunity.

ELIAS BOUDINOT.¹

CHARLES THOMSON Esq.

MR. BOUDINOT TO GENERAL LINCOLN.

ELIZABETH TOWN, Oct. 5th. 1784.

MY DEAR SIR:—

This moment I arrived here on my way to Philadelphia accompanying my little Ewe Lamb to the City (having given her away to a certain M^r Bradford) and am just informed of Dr. Smith having determined to set off for Boston to-morrow morning—I catch a moment to scribble a Line (standing and in Company) to ask what has become of you—I hope you rec'd last Letter in Answer to your Favour—How is your adopted Son—How is Mrs. Lincoln and all the Family Mrs. Boudinot and Daughter join me in feeling an Interest in all that belongs to you—Do let us hear from you if but by one Line—Libbie Flint's Brothers and Sisters are all well—I believe the Marquis La Fayette will take Johnny with him to France—

All your Friends now here beg the most affec-

¹ Elias Boudinot's letter book.

tionate Remembrance — I am My Dr. Sir with
the greatest Esteem

Yours most Sincerely,

ELIAS BOUDINOT.

Major Gen'l. LINCOLN.¹

MR. BOUDINOT TO GENERAL GEORGE WASHINGTON.

ELIZABETH TOWN Feby 9, 1785.

MY DEAR SIR

This Moment I am honored with your favour of the 26th Jan^y and am greatly mortified to find, that mine of the latter end of December had not then reached you, altho I delivered it to the post-master myself.

It ever gives me a peculiar pleasure to obey your Commands, and to oblige you in anything this Country can afford, or to comply with your wishes, in any other way, will add greatly to the felicity, I enjoy from those domestic Blessings you with Mrs Washington so kindly participated in —

As soon as I received your favour of Nov^r I tried to obtain the quantity of seed you requested, but the Season being past, could get only six or seven bushels, which was immediately forwarded by the stage to Coll. Biddle, under the care of our old Friend Coll. Gibbs, who happened to be a Passenger, and by the next Post I advised you of it.

Since which, I have accidentally met with three

¹ From *Magazine of American History*, facsimile of original in collection of Dr. Thomas Addis Emmet.

Bushels and a half more, which I shall also immediately forward by the same Conveyance to Coll. Biddle. The reason of my preferring the stage, arises from the uncertainty of a Passage from New York, the danger of its being lost in the City, and the importance of your not being disappointed in having it early in the Season.

I have had another Conversation with a very experienced Farmer, on the manner of sowing it — He informs me that the Soil should be good, moderately dry, and in good tilth. The quantity of seed, must be proportioned to the goodness of the Soil — the better the ground, the greater the quantity of Seed — He has known in very high cultivated grounds, two Bushels used for one acre, and he thinks it, the cheapest in the end — In good Land, he has generally used from one to one & an half Bushels pr acre — The more seed the finer the grass. The earlier it is sown the better, provided you can harrow it, with some light Body, as a Thorn Bush or some other thick Bush, As it then covers the ground well, before the Heats of Summer — To make Hay of it, you must cut it young when in full bloom.

It will give me great Satisfaction to hear, that both Parcels have got safe to hand, and answer your Expectation.

Mrs. Boudinot enjoys a very good State of Health, as does Mrs. Bradford in the city. Mrs. B. feels herself greatly indebted to Mrs Washington for her kind remembrance. She joins me

in the most cordial wishes, for every Blessing of the Season to attend you both.

I have the honor to be with the greatest respect

My dear Sir

your Most obed^t & very Hble Serv^t

ELIAS BOUDINOT.¹

The Honble. GEORGE WASHINGTON, Esqr.

(Endorsed in Genl WASHINGTON's hand)

From

ELIAS BOUDINOT Esq

9th Feb 1785.

To Mrs. Boudinot in Trenton, he writes from Elizabethtown, December 12, 1785:—

I am very apprehensive you cannot reach Phila with two horses in one day. In order to do it you must set off by 7 Oc. in the morning. Do not attempt to unless you set off very early — We were five hours in a light Phaeton going from Princeton to Brunswick —

What shall I say for the conclusion — To tell you I love you, is an old story you have heard a thousand Times. To say I wish you to be always with me — no more than what you know by twenty odd years experience — My Paper will only admit me to say all in one word or two That I am with unfeigned sincerity & esteem,

My dearest Love

Your most affec. husband

BOUDINOT.²

¹ Letters to Washington, vol. lxxvii. p. 58, MSS. Archives, Department of State, Washington, D. C.

² Family letters.

MR. BOUDINOT TO MRS. BOUDINOT.

(Copy.)

ELIZABETH TOWN Dec 17, 1785.

MY BELOVED WIFE

I have been most earnestly hoping, that you had so much prudence as to improve Thursday in getting to the City. I confess I fear the solicitations of your Friends, and if they did prevail, you must have had a sad Time of it — These two Days past have been so dark & gloomy, that it is sufficient to give any body but *your Husband* the Horribles — You may ask why he is to be excepted — because he is favoured with a wife that keeps up his spirits both present & absent.

We have been favoured with the company of Mr. Lenar Lady and four Children since Wednesday Evening — Their Goods are not yet arrived, but are daily expected — They go into Robert Ogden's House.

Well how went the wedding — I hope there was nothing *sneaking* this Time — but that all things went on apropos. I shall expect a very circumstantial account of every thing. I was at first mortified I could not be there, but since I have seen how the weather has turned out, I rejoice at my Escape. I begin to think my predictions will prove well founded & February, at least, will find you in the City — I find that I must pay a visit to New York on Business and should therefore improve your absence. I expect

to go over the middle of January or perhaps about the 8th or 10th. I shall stay about one week. The Nisi Prius Court in Essex begins on the 1st Tuesday in Feby so that I must then also be from home — On second Thought the New York County Court is the 11th Jany so that I must go over to New York either sooner or later.

Give my kind Love to our Children, who I hope begin to improve the long Winter Evenings to some useful Purpose, especially as they have their Mother to set them a good Example.

Remember me to all Friends, the Family are all well & desire to be remembered.

I have the honor and happiness to be
my dearest Love with greatest affection

Yours most Sincerely,

ELIAS BOUDINOT.¹

Mrs BOUDINOT.

I rec^d Bradford's Letter by M^r Love and am much obliged by the Papers. Shall answer it soon.

Mr. Boudinot at this time made a journey into Pennsylvania for the purpose of looking after some land which he purchased there, and from thence addressed the following playful letter to his wife: —

SUNBERRY, Oct 27th 1786.

11 Oc at night.

From the shores of the overflowing Susquehanna and the banks of the turbulent Shamokin

¹ Family letters.

where Savages lately raised their horrid yells and wolves disturbed the peaceful rest of the curious Traveler Narcissus addresses his beloved Eugenia — In vain does the rugged and craggy Tuscorora raise his lofty Head, or the far extending Kittatiny stretch her rugged arms from the rising to the setting sun to separate me from my beloved Wife, while the blessed reflection of past happiness & the intimate union of souls made for each other compleat that oneness of sentiment & affection that Spirits enjoy in a State of separation from the Body.

The second day after I left you, we entered into a mere wilderness and keeping along the Banks of the rapid Schuylkill which had but a few days before broke all restraint and in the violence of its fury spread destruction throughout all the lands found roads either covered with Logs, Trees, Stones & Mud, or cut into deep cavities & impassable morasses — The distresses of the Inhabitants were truly cutting to every mind of sensibility — Many Ferries destroyed, Fences, Grain, Hay & other Forage carried down the impetuous stream — Many houses, Barns & out buildings with their furniture, stores totally washed from their foundations & carried down with the instable Torrent — Some few Lives lost — This was the scene not only in the Schuylkill but on every Road which we passed — We marched with a slow movement in Indian File sometimes clambering up the Mountains without the appearance

of a Road, on our Hands & feet, dragging our Horses after us and terrified in the descent from the danger of their falling on us, sometimes striking out new paths to avoid the obstructions of the Road — We passed our night near Caves Town and the next Day repeated the scene with additional Trouble and fatigue — We came to our Quarters for the second night Here was a house it is true but without any kind of entertainment but a tight Roof and a little cut straw & Rye meal for our Horses — Neither Hay, Oats, victuals or Drink — My precaution in taking a Ham Dried Venison Tea Chocolate & Sugar now stood me in good stead — In the morning we ascended the Broad Mountain — Rough beyond description — Craggy to the very summit and towering above the clouds — The many ridges we had passed and what we had supposed of the loftiest Height, now appeared reduced to the size of common Hills — The rising Sun presented a sight truly glorious — He appeared indeed (as overlooking the mountains Ridge over Ridge) like a strong man running a race — The shades of the morning flying before his magnificent appearance and the various Fogs dissipating in the different valleys of the Mountains represented the sight of a distant Sea intersected with Islands & Capes.

Fatigued with so difficult a journey as that of thirteen miles over such rugged Precipices during which we were often obliged to walk miles to-

gether up & down the most difficult ascents without the least morning refreshment joy sparkled in every countenance on our arrival at a little humble Cot at the foot of this tremendous Precipice — As soon as we entered we were cheered at the sight of an old Lady & two daughters neat & clean as the Nairs of the Silver Stream — We were welcomed with the smiles of good nature and tho' nothing could be expected here but the produce of a wilderness yet we were surprised with a Breakfast that would have done honor to the most inhabited parts of New Jersey — a plenty of excellent Johnny Cakes were brought into existence in a trice excellent Souchong Tea & Loaf Sugar made their appearance — Chocolate & Coffee graced the Table and a relish of smoke beef & a roast chicken crowned the whole — To a company who had been fatigued since the Dawn of the day and had been breathing the pure empyrean & the Ambrosia of the Spirits of the Atmosphere, such a Repast gave a spring to the empty stomach which would have pleased even an Anchorite to see exerted in the evolutions of the Knife & Fork the Cup & Saucer —

On revising what I have wrote I ask myself this question what is the design of all this harangue? It can neither be instructive or entertaining to a Person not a partaker in the fatigue or refreshment of so tedious a Journey — Convinced of the Impropriety I throw down my pen and determine to follow the Judges to Court —

but on second consideration I resume it but to answer the question — It will serve to convince my dearest Wife how her image & remembrance penetrates the recesses of Valleys & flies over the rugged Tops of many Hills & even the Mountains of Kittatiny & Tuscorora — It cheers in the Desert & gives entertainment in the pathless wilderness — It will show that she is not forgotten by a fond Husband tho' Forests intervene & numerous Rivers roll their Torrents resistless to separate Bodies whose souls are inseparable — But I have done my Paper adds to the voice of prudence and reason that it is time to move to the innumerable assurances that I am as ever, my dearest Love

Your affect Husband,

E. B.¹

Mrs BOUDINOT.

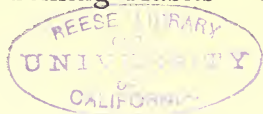
Mr. Boudinot seems, from his correspondence, to have kept a paternal eye upon the young Caldwells, as he writes to John:—

Your letters of March 7th and April 9th both got safe to hand and gave me very great Pleasure — Your situation that was so distressing and gloomy, has thus by the good Providence of God cleared up and opens a prospect of happiness and usefulness that you could not have expected — Your Patron is one that you could not reasonably have looked for — He is noble, generous and disinterested — His regard for your real welfare is

¹ Family letters.

manifested in the strongest Terms, and now all seems to depend on yourself. In the first place let me beseech you to be deeply sensible of the overruling Providence of God in your favour in raising up such a friend to you in your distress — In the next place let the most sincere gratitude fill your soul towards your generous Patron and with Pleasure submit carefully to all his injunctions which I doubt not will be calculated for your best Interests. Let him early see the reward of his kindness in your docile attention & grateful temper of mind towards him & all his connections — And here let me remind you how industrious you ought to be to improve the present indulgent moment, as your advantages may altogether depend on the Marquis' Life, let no moment be lost for improvement of your mind. Keep always on the stretch — Remember that every thing you can get in the way of knowledge is clear gain — Leave nothing till tomorrow that can be done today — Improve by every thing you see and early accustom yourself to make observations in writing on every occurrence in Life — By reducing your thoughts to writing on general subjects as well as particular objects tho you destroy them again immediately (which may be prudent) you will learn to think close & with precision and in a sympathetic manner in opposition to a loose desultory mode of reflection which destroys so much Time of most of our young Persons.

At all events Flee Idle, Trifling Habits — Let



your whole time be filled up with some employment or other. Be sure to imbibe a spirit of Integrity, Candor; Temperance & Chastity — It is the Mind of Man alone that is the seat of true Magnanimity Benevolence & public Spirit— While you consider yourself a citizen of the World you will learn to love all mankind and while you attend to the relative duties of Life such as your County, Family, Friends & Connections you will be convinced that these are not incompatible with but ought to lead to those of more general obligation to wit, to all in distress & to the happiness of mankind at large.

Your Brothers & Sisters remain as when you left them all well & hearty—Excepting Peggy who lives at Newark and James who lives with Mr. Spencer—Your Friends in general are well & wish to be remembered.

Your very affectionate

ELIAS BOUDINOT.

The reader will recall that the Marquis de La Fayette had taken one of the sons of the Rev. James Caldwell to France for his education, and it is to him that the above letter is addressed. It is recorded that he was a worthy son of his patriot sire and a credit to those who had so kindly interested themselves in his welfare. Mr. Boudinot appears to have kept up his interest in the young man and continued this correspondence. He writes an earnest letter on his change of faith

which the young Caldwell contemplated, warning him against a fondness for change and an abandonment of the Faith of his fathers, whose lives had exemplified the truth in Jesus Christ. "Do not suppose that I am so void of Christian Charity or so ignorant of the Principles & Practice of thousands of the Roman Church as to suppose that a man may not, under the influence of them lead a life of holiness & devotion to God — No — I am satisfied that the grace of God is not confined to Sect or Party — Remember that as you have changed your sentiments once you may live to do it a second time — This should lead you to proceed with caution and circumspection."

CHAPTER XXIV.

Establishment of government under the constitution.—Extract from Washington's speech.—Mr. Boudinot's speeches.—Appointed one of the committee to receive the president.—Letter on ceremonial used for centennial celebration.—Residence in Elizabethtown.—Third session of first Congress goes to Philadelphia.—Purchased estate of Rose Hill.—Mr. and Mrs. Bradford reside there.—Writes from New York to Mrs. Boudinot; choice of speaker; Mr. Muhlenburg.—To Mrs. Boudinot, describing busy day; looks for reward from higher source than gratitude from the public.—Letter on reception of president.

IN the spring of 1789 the new government is established.

To the constitution, as presented by the constitutional convention, it was thought there still remained much important filling-in for its perfection. The work was happily in the hands of able and earnest men, honestly desirous of carrying forward the provisions of their great charter, of which Washington, in his inaugural address, said, "in defining your powers, designates the object to which your attention is to be given:" and he says, "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." "Beside 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 opportunities, 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 a united and effective government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of free men, and a regard for the public harmony, will sufficiently influence your deliberations on the question how far the former can be more impregnably fortified or the latter be safely and advantageously promoted” —

It does not enter into the scope of this volume to give in full the debates on the various subjects presented for discussion in the first Congress of the United States, neither is it possible to overlook or curtail the part taken in them by Mr. Boudinot and give a just view of the balance and trend of his mind, or illustrate the importance of his influence.

He was elected as a representative from New Jersey to this first Congress of the United States,

which held its first session in New York on March 4, 1789; he took his seat on the 24th. A quorum of the house was not formed until April 1. He was reëlected to and served in the second and third Congresses.

For the part in the various debates on the establishment of the Department of Foreign Affairs, Treasury Department, Department of War, Taxation, etc., which Mr. Boudinot took, and for his interesting speeches on Slavery, Official Conduct of the Secretary of the Treasury, Commerce of the United States, etc., see the thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, and thirty-sixth chapters of this volume.

Having been appointed as one of the committee to receive the first President of the United States under its new Constitution, on his return from that impressive ceremony he writes the graphic description to his wife; so graphic, that the committee on ceremonial, of the centennial celebration of that memorable occasion, was enabled to reproduce the arrangements for the reception of General Harrison, in 1889, from this letter.

During the first session of Congress Mr. Boudinot lived with a relative in New York, going to his home in Elizabethtown as occasion permitted. It was not too far for riding or driving now and again, though a much greater distance as reckoned by time then than now in these days of steam and electricity.

At the third session of the first Congress, he was, of course, obliged to stay in Philadelphia, as Congress removed from New York to that city on the 6th of December, 1790. It was about this time that he purchased the estate known as Rose Hill, three miles north of the city of Philadelphia, where it appears Mr. and Mrs. Bradford spent some time, and where Mr. Boudinot looked forward to uniting their families.

He writes to his wife from New York:—

NEW YORK April 2d, 1789.

MY DEAREST LOVE,

I arrived here safe after a very disagreeable ride just time enough to meet Congress on Monday— We did not make a House 'till yesterday when (tho' the 1st of April) we began business— The first thing we did was to choose a Speaker, which fell on Mr. Mulenburgh without any dissension— I feel myself very happy that I am clear of it— I am sensible that the honor is great but then the confinement is what I never could have submitted to without having you in the city— This would have obliged us to remove our Family and run to a very large expense without any certainty of an adequate Provision & if made, there would always have been Jealousy among numerous minds, if supported with Dignity— It would also have brought you as well as myself into an amazing scene of dissipation which even you could not have wholly avoided— I believe I should not have refused it had it been offered, on

account of the Interests of the State, but I am much better pleased without it, and consider it as a kind Providence towards us— This is between ourselves, for such is the rage for office, that no one will believe the Sentiment, as they suppose it impossible to be so dead to the honors of this World— I bless God I feel not the least desire after them, further than I can thereby be more useful while I sojourn here below— If I could possibly get clear of my present appointment consonant with duty & in an honorable manner, I would most certainly fly to the arms of my beloved

I shall write about Business by your Brother tomorrow.

I am my dearest Love with great Esteem
Your Affec^t Husband

ELIAS BOUDINOT.

Mrs. BOUDINOT,
Elizabeth Town.

MR. BOUDINOT TO MRS. BOUDINOT.

NEW YORK April 14th 1789.

I am laid under great obligations to my beloved wife's letter of the 11th Inst. which I cannot repay as I could wish to do. It is in vain to pursue Melancholy Ideas on a subject that cannot now be avoided, but considering all our Affairs as under the guidance of a divine Hand let us endeavour by the assistance of his blessed Spirit to improve our Talent, as those who must give an account to him, hoping that he will cause all things (however dark to us) to turn out finally

for his glory. I have my hands so full here that I have but little Time to think about even the gloomy side of the question — I am up at 7 o'clock or a little after, spend an half hour in my Room — Dress & Breakfast by half past eight, in Committee at 9 — from thence immediately to the House — adjourn at 3 o'clock — In Committee again at 6 — return at 8 and write till 12 at night. This has been my course for some time, except when I dine out, which to me is harder Service — Had I my Charming Wife to repay me, by her tenderness when the business of the day was done, it would add an invaluable pleasure to all my Engagements, but it cannot be for the Present and therefore I will regale myself (tho' at a midnight hour) with scribbling to her, however trifling my Letters may be she knows they come from a faithful Heart and that will excuse the deficiency of the Pen — I never expected returns of gratitude from publick & indeed it is in the nature of things impossible — If I was to seek it, I never would do it by great faithfulness in their Business — A man of this Cast does not leave himself time to deceive & cajol them — I look for my reward from a higher source as to things of a future value — As to this world, if I render myself by an unrepachable conduct in Life, worthy of the Love & Esteem of my beloved Wife, I shall then have a present reward —

Pray be careful of your health — let me know how you are without reserve If I suspect you

are not candid on that head I shall feel more uneasiness, than if I enjoyed a degree of certainty by being well advised.

Give my most affectionate Love to my Dear Mrs. Custis and tell her how much I love her and if she will visit you very often, I will love her still more — Remember me to Molly, Aunt — Mr. Spinning and all Friends — To Tobias — Mr. Griffith &c &c — Do not forget the kitchen gentry —

What shall I say further to my dearest Wife
My eyes are heavy with sleep —

May God Almighty protect & bless the sweet object of my affection & best wishes

Believe me to be with unfeigned sincerety

My dearest Love

Yours most sincerely

BOUDINOT.¹

Mrs. BOUDINOT.

NEW YORK, April 24th 1789.

MY DEAREST WIFE

If it was in my power, I could wish to give you an adequate account of the Proceedings of the citizens of this Metropolis on the approach and at the reception of our President when he arrived here yesterday — I cannot do it justice — & therefore should not attempt it had I not so much vanity as to think you will be something gratified by its coming thro' this channel however imperfect — You must have observed with what propitious

¹ Family letters.

gales we left my beloved shore (It contains the Wife of my bosom) (entre nous) and glided with steady motion across the Newark Bay, the very water seeming to rejoice in bearing the precious Burthen over its placid Bosom. The appearance of the Troops we had left behind & their regular firing added much to our Pleasure—

When we drew near to the Mouth of the Kills a number of Boats with various Flags came up with us & dropped in our wake— Soon after we opened the Bay, General Knox & several gens in a large Barge presented themselves with their splendid colours— Boat after Boat & Sloop after Sloop added to our Train, gaily dressed in all their novel armaments— made a most splendid appearance. Before we got to Bedloes Island, a large sloop came up with full sail on our Star-board Bow when there stood up about 20 gentlemen & Ladies with most excellent voices & sang an elegant Ode prepared for the purpose to the Tune of God save the King, welcoming their great Chief to the seat of Government— At the conclusion we gave them our Hats and then they with the surrounding boats gave us theirs— Soon after another Boat came under our Stern & presented us with a number of copies of another ode and immediately about a dozen Gentⁿ began to sing it in parts as we passed along— Our worthy President was greatly affected with these tokens of a profound respect. As we approached the Harbour our Train increased & the Huzzaing

and shouts of Joy seemed to add life to the lively scene — At this moment a number of Porpoises came playing amongst us, as if they had risen up to know what was the cause of all this joy — We now discovered the Shores crowded with thousands of People — Men, Women — Children — Nay I may venture to say Tens of Thousands from the Fort to the place of landing altho' near half a mile you could see little else along the shores or the streets and on board every vessel, but heads standing as thick as ears of corn before the Harvest. The Vessels in the Harbour made a most superb appearance indeed, dressed in all the Pomp of Attire The Spanish Packett in a moment on a signal given discovered 27 or 28 different colors of all Nations on every part of the Rigging and paid us the compliment of 13 Guns, with the yards all manned, as did another vessel in the Harbour displaying colors in the same manner. I have omitted the like compliment from the Battery of 18 Pounders — We soon arrived at the Ferry stairs where there were many thousands of the citizens waiting with all the eagerness of expectation to welcome our excellent Patriot to that Shore which he had regained from a powerful Enemy by his valour & good conduct. We found the stairs covered with carpeting & the rails hung with crimson. The President being preceded by the Committee was received by the Governor & the Citizens in the most brilliant manner — Here he was met on the Wharf by

many of his old & faithful officers & fellow Patriots who have borne the Heat & Burthen of the day with him and who like him had experienced many reverses of Fortune with fortitude & Patience and who now joined the universal chorus of welcoming their great deliverer (under Providence) from all their fears — It was with difficulty a Passage could be made by the Troops thro' the pressing crowds who seemed to be incapable of being satisfied by gazing at the man of the People — you will see the Particulars of the Procession from the wharf to the House appointed for his Residence in the news Papers — The streets were lined with the Inhabitants as thick as the people could stand, and it required all the exertions of a numerous Train of City Officers with their Staves to make a passage for the Company. The Houses were filled with Gentlemen & Ladies the whole distance being about half a mile and the windows to the highest stories were illuminated by the sparkling Eyes of innumerable companies of Ladies who seemed to vie with each other to show their Joy on this great occasion —

It was half an hour before we could finish our commission — as soon as this was done notwithstanding his great Fatigue of both Body & Mind he had to receive all the gentlemen & Officers to a very large amount who wished to show their respect in the most affectionate manner — when this was finished we went, dressed and dined with his Excellency Governor Clinton, who had pro-

vided an elegant Dinner for the purpose. This ended our Commission — The Evening though very wet was spent by all ranks in visiting the City Street after street being illuminated in a superb manner — I cannot help noting now how highly we were favoured in the weather the whole Procession having been compleatly finished & we had repaired to the Governors before it began to rain — When the President was on the wharf an officer came up & addressing the President said he had the honor to command his guard and he was ready to obey his Order. The President announced that “as to the present arrangement he should proceed as was directed but that, after that was over he hoped he would give himself no further Trouble as the affections of his fellow-citizens (turning to the crowd) was all the guard he wanted” —

Goodnight — May God bless you

Yours affc^{ly}

E. B.¹

¹ Family letters.

CHAPTER XXV.

Mr. Boudinot's daughter, Susan Vergereau, married William Bradford. — Letters. — Mr. Bradford's parents. — Studies. — Major of Brigade. — Captain in Continental Army. — Attorney-General of Pennsylvania. — Attorney-General of United States. — Residence in Philadelphia. — Mr. Rush's description of scene in Washington drawing-room. — On Lafayette. — Verses by Mr. Bradford. — Mr. Bradford to Mrs. Boudinot; arrival at home; deluged with business. — Mr. Bradford to Mrs. Boudinot on her illness. — Mr. Bradford to Mr. Boudinot on filling judiciary department; recommends Mr. Shippen. — Mr. Joseph Shotwell to Mr. Boudinot; relating to post-office at Bridgetown; negro slave case; advocate, Mr. Elisha Boudinot. — From Mr. Richard Waln on negro slave. — Mr. Boudinot to Mr. Bradford; on assumption of state debts; deeds for land purchased in Pennsylvania. — Mr. Bradford to Mrs. Bradford; describes the country scene; regarding their servants; influenza. — Mr. Bradford to Mrs. Bradford; describes the play enacted ("Alexander the Great"). — From James Pemberton to Mr. Boudinot; returning thanks of Pennsylvania Society for Promoting the Abolition of Slavery.

MR. BOUDINOT'S only child who survived infancy, Susan Vergereau, born in 1764, married William Bradford in 1784. Her education was carried on amid "war's alarms," in those days when people traveled in stages or their own coaches, and "the post" was a personality; when, alas! the roads were blocked with contending armies, and Jersey families were refugees in their mountain retreats, while Washington, like a will-o'-the-wisp, was flitting from place to place throughout the State, and luring the British to their destruction.

To the blood of her forefathers, the wise home training, and the influence of "the times that tried

men's souls," this young woman owed a more than ordinary self-sacrificing, fearless, and loyal nature, and that choicest blossom of a highly civilized society, the perfect bearing of a gentlewoman. Nor did she lack accomplishment, for she could accompany her songs upon the spinet.

Mrs. Bradford appears to have been well mated in her choice of a husband, whose loss she was early called upon to mourn; his letters reveal a noble character, and those of his associates fairly wring our hearts as they make known to us the sorrow endured at his untimely death.

Some hesitancy is felt in giving these to the public eye; yet, if "one touch of nature makes the whole world kin," why here refuse the claims of such kinship? They who penned their sorrows and rejoicings have passed to another sphere, too lofty for even the incense of praise to touch their serenity. What we may gain from these letters, of their earnest, simple, and honorable lives, is felt to be a precious legacy. To picture our ancestors of a hundred years ago, we must study their moods, know the sentiments which swayed their actions, the subtle forces which ruled their lives. As we conjure before us their portraits, we are forcibly struck with their strength, their goodness, their capacity. They were the natural outgrowth of a people who abandoned their homes for liberty and the right to worship God according to the dictates of conscience. From those of them thus dowered, who inherited as well the traditions of

culture and refinement, what might we not expect? Is it any wonder that they evolved a new world politically and socially? that their doings were so far-reaching and potent? We are apt to forget the evils combated, measuring only the heights still to be scaled. One of the surest ways of drawing near to those who walked this earth a century before us is through their communings with each other; can there be any better way of putting ourselves *en rapport* with them, as it were? We see them, quill in hand, with their high head-dresses and flowing sleeves, their ruffled shirts, knee-breeches and buckles, and, more, we feel their high-bred and dignified bearing, we know of their goings and comings, their "daily walk and conversation," we suffer and rejoice with them, and learn to love them as our own.

To draw from their perfumed receptacles such treasures as were so carefully preserved, perhaps for this very purpose, can be no breach of propriety; and, as the dainty string is broken to the package of letters that lies before us, we trust that in transcribing them we are fulfilling a mission.

"Wm. Bradford was the Son of Wm. & Rachel Budd his wife. He was born at Phila. Sept. 14—1755. Educated at Princeton, and studied law with Hon. Edward Shippen, afterwards Chief Justice of Penna. In the Summer of 1776 he entered camp as a volunteer, soon after was chosen Major of Brigade to Genl. Robardeau presently appointed to a Captaincy in the Continental army in

the Regiment of Col. Hampton, April 10, 1777; on ballot in Congress, was elected Deputy Master Genl. with rank of Colonel in the Army of the United States; Was with the army at head quarters at Valley Forge, at White Plaines, Fredericksborough & Raritan during 1776 & 1778, but in the following year was obliged to resign on ac't of the delicacy of his health — When 25 years of age he was appointed Attorney Genl of Pennsylvania, On Jany 29th 1794 commissioned Attorney Genl of the United States.”¹ He died at the country-seat of his father-in-law, near Philadelphia, August 25, 1795.

Mr. Bradford's residence in Philadelphia was in Market Street, on the north side, near to Sixth Street, and almost opposite to General Washington's. Mr. Rush² writes: “William Bradford was among the most gifted men Pennsylvania has produced, an honor and an ornament to the State. He was a profound lawyer — more than this, his mind by its enlargement was able to use the vantage ground of jurisprudence and survey its broadest principles, as the noblest of human sciences practically applicable to mankind — amongst the testimonials of so expanded an understanding, was his treatise on ‘Capital Punishment’ a work written at the request of Governor Mifflin, and intended for the use of the Legislature of Pennsylvania, in the nature of a

¹ From sketch in Pennsylvania Historical Society.

² Mr. Richard Rush, late Minister to the Court of St. James.

report, when that subject was first under consideration in that body. He had before that time been Attorney General of Pennsylvania—To abilities of the first order as a lawyer he added true accomplishments of a scholar and an orator, the zeal of a patriot and the virtues of a man and a gentleman.” And again, of him and his young wife: “This estimable pair won upon the esteem of the Washington family and the official intercourse which Mr. Bradford necessarily had with the President was followed by both of them becoming participants not merely of the dinner hospitalities and drawing-room entertainments of their illustrious neighbors, but the sharers of a social intimacy more endearing as well as gratifying. At that memorable epoch, the French revolution was raging, its first shocks seemed to be unhinging the world, its magnificent promises, and early deeds of freedom, the romantic and triumphant valor of millions of armed Frenchmen in its cause, who rushed to battle under the inspiring chorus of the Marseilles Hymn; with all the honors that came afterwards, were natural and frequent topics at the fire-side of Washington, and no single incident among the astounding group of events was ever called up with more intensity of interest than the doom of Lafayette, then a prisoner in the dominions of the King of Prussia— one evening when Mr. Bradford was there and no company, none present but the family circle, consisting of the General and

Mrs. Washington, his private Secretary and young Custis (who has since so often delighted his countrymen with anecdotes of Washington) and his accomplished sisters; and the conversation going on with the wonted dignity and ease of that illustrious circle, the sufferings of LaFayette became the theme. Washington as he dwelt upon them in contrast with the former fortunes and splendid merits of Fayette in our cause and recalling scenes also that awoke anew the warmth of his friendship for him, became greatly affected, his manly countenance was shaken, his whole nature seemed melted, his eyes were suffused. Mr. Bradford saw it all; and what a spectacle to be witnessed by a man whose own bosom was open to the heavings of patriotism and every generous impulse. Going home in the pensive tone of mind which a scene so moving at the fire-side of Washington had created, Mr. Bradford sat down and wrote some simple and touching stanzas, the offhand gushings from the heart of a man of sensibility and genius. These were passed from hand to hand and sometimes sung to the plaintive dirge composed on the occasion of the execution of the Queen of France."

WILLIAM BRADFORD TO MRS. BOUDINOT.

Monday Night Sept 5, 1789.

Here we are my dear Madam, safe & sound — in our own parlour & the day has been so crowded with business that it seems to have left us a very

few minutes to devote to our Mamma. We had the good fortune to get within 7 miles of Princeton the first day, & by setting off pretty early the next we were enabled to reach Phila. the same evening. Susan has been so busy to-day — up stairs & down — putting up this thing — taking down that — examining into tother — that the little woman has fatigued herself; and altho' I have written an extravagantly long letter to her papa, she bids me say to you all for her that she intended to do — But she *intends* to reform — & in future won't suffer her domestic cares to steal her pen, or interrupt the duties of filial friendship.

We found Mrs Rush well — she was exceedingly pleased with her melon — The rest of the family are also well. On our way we called on Mr. P. Stockton. The accounts of his health left us little hopes for a perfect recovery.

I have been deluged with business which was dammed up by my absence. I am exceedingly fatigued; but am in high spirits notwithstanding. Every body remarks how much better I look. It gratifies me, that my time has not been spent in vain.

Mr. Wallace has just arrived I go to pay him my attentions & beg your excuse for the haste in which I write to you.

My dear Susan joins in the most affectionate wishes for your health. She is delighted that the memento's of maternal goodness all arrived safe —

not a pot cracked — not a Glass broke — not a drop spilled — but all safe & sound, like

Your affectionate Children,

W. & S. BRADFORD.¹

WILLIAM BRADFORD TO MRS. BOUDINOT.

Tuesday Night 22 Sept, 1789.

MY DEAR MAMMA,

How exceedingly I have been agitated by the letter which I have just received! The account of your indisposition alarms me — while the assurance that the disorder seems to have taken a favorable turn is like escaping from a precipice! So intimately is the happiness of my dear Susan's life and mine connected with your welfare, that we cannot but tremble at the prospect of any event that threatens to rob us of you. We pray that merciful being who hath hitherto strewed our path with many comforts, to restore your health & prolong your life to be at once the witness & the cause of your children's happiness — I dared not show the letter to Susan; tho' it inspires hope it does not preclude great apprehension; but I have in general informed her of your illness & of the recovery that was begun. I hope the next advice will remove all our anxieties.

I was anticipating the pleasure of seeing you in a few days & about to write to you in the gaiety of heart which that expectation excited! How

¹ Wallace Papers, vol. ii. p. 3. Letters of Hon. William Bradford, Attorney-General of United States.

changed the tenor of my letter! But I still flatter myself that you will be able to come on in the course of a week or two after Congress adjourns. We have no Dysentries here — & I think I have always observed that the air of Philadelphia was favorable to your health.

It is at a late hour I write. Susan encloses a few lines. We hope to hear daily by Stage & by post. If our cousin Polly Hetfield is with you I hope she will write frequently — but to *me* if she pleases — I will pay her when I have it in my power.

Adieu my dearest Mamma — With every affectionate & filial feeling I commend you to the care of our merciful Father, & as I conclude, I feel a confidence that all will yet be well.

I am my dear Mamma

Yours most affectionately

WM. BRADFORD, Jun.¹

Mrs. BOUDINOT.

MR. WILLIAM BRADFORD TO MR. BOUDINOT.

September 22d 1789.

MY DEAR SIR

If in the business of filling the Judiciary Department it should be of any importance to know the sentiments of the Gentlemen of the law at this place, I can now confidently assure you that they are unanimously in favor of Mr. Shippen and that his appointment would be very accept-

¹ Bradford Papers, Wallace Collection, vol. ii. p. 7, Pennsylvania Historical Society.

able to them. We have not been satisfied about the propriety of making any recommendation as a body, and many are unwilling to interfere at all unless their opinion should be requested. But I believe all have expressed their high opinion of Mr. Shippen's talents, and most, that his appointment is greatly desired by them. I write this, that if it should be necessary you may make use of & give my authority for the assertion.

If Mr. Shippen should be dropped I wish to recommend Mr. Barton to your attention. He studied law under Mr. Shippen with me, he was a diligent student and well read when he was admitted at the bar. His talents however, are not of a showy kind & he is not qualified to shine as a speaker. But I have a favorable opinion of his judgment, & I think he could fill that part with reputation.

Tuesday Night

John Rush brought me yours of the 20th & 21st about an hour ago. I am exceedingly alarmed at the situation of our dear Mama's health, tho' I feel great relief from your postscript. I hope all will issue well. I beg you will omit no opportunity of informing me of the progress of the disorder. I could not conceal the substance of your letter from Susan — She was present with me when John brought me the letter, & tho' he attempted to deliver it secretly, he sufficiently alarmed her, and she became so exceedingly alarmed that I found it prudent to inform her

that her Mamma had been ill but was now much better, that you were able to leave her. Her fears were so much beyond this, that the intelligence composed & relieved her. But she will be very anxious to hear frequently & has just written a few lines to her Mamma.

Be pleased to give our love to all friends & be assured my dear Sir that I am

Your affectionate Son,

WM. BRADFORD, Jun.¹

Hon. E. BOUDINOT Esq.

MR. BRADFORD TO MR. BOUDINOT.

PHILAD^a Jan. 21, 1790.

MY DEAR SIR

Your second of the 14th did not reach me until Tuesday night. The information contained in the paper, which was enclosed, had arrived before; but with all the lights that are yet given to us, the nature of the system proposed by Mr. H. is not understood. The first arrival of the news had a considerable effect on the public securities — they sold at 9/. but have since fallen & can be had at 8/6. If they should be funded, they will scarcely exceed 10 or 12/. There is but little money to meet the debt that will immediately be set afloat & if any considerable funds are put into the hands of Commissioners for purchasing up these papers, the debt may be considerably sunk at a small expense. I presume that

¹ Bradford Papers, Wallace Collection, vol. ii. p. 6, Pennsylvania Historical Society.

the system has been the subject of much conversation among you? What do your brethren in Congress think of it—and is there any probability that it will be adopted either in whole or in part in the present session? The sooner the public mind is at rest, the sooner, these papers come to be settled value, the better for the country. Every hour it is delayed the rising & falling of certificates does a deal of mischief, and already produces a spirit of gambling and all the stock jobbing tricks that we read of in England.

Many persons besides brokers, buy in order to take advantage of some bubble they intend to raise & sell to persons whom they afterwards alarm & induce to sell out at under price. As the Nation must one day adopt the measure of funding them is it not wisdom to do it early? We have some stout advocates here for discrimination, in time, they may have an influence on the public mind—but the system, if formed now, altho' its operation should be postponed till next year, will be unalterable & the public honor of America will be Safe.

I have not yet got the account of facilities due you to the State. The Comptroller has been too much engaged to furnish me with it, but promises it this week. They cannot exceed the amount of your 4 yrs. interest.

I have spoken to Mr. Lewis about Lozan's debt. He promised immediate attention to it. I shall remind him of it tomorrow. But I sus-

pect that his head is too much engrosed by politics. He made a long & a learned speech to-day, in support of the introduction of a Court of Chancery — but in vain — A resolution has been passed that no person holding any office under the U. S. shall be capable of holding any office under this State. Several other Resolutions of this kind, have very much chagrined those gentlemen who were most zealous in calling the convention & who perhaps expected that the country members must receive the constitution that was prepared for them. I am sorry to find that the whole Judiciary is like to be rejected — also several other matters in the report which you have seen.

Susan has a good deal of the headache occasioned by the close attention to some fine work — and this must be her excuse for not writing at this time. She begs to be affectionately remembered. We expect our good Mamma is with you. Marsdon & our pretty cousin must not be forgotten. Polly, who is in close chat with her beau, now puts in her claim to be remembered — & immediately resumes her *tete à tete*.

With every good wish for your happiness

I am my Dear Sir

Your affec^t Son

W. BRADFORD JUN.¹

Hon. E. BOUDINOT, Esq.

¹ Bradford Papers, Wallace Collection, vol. ii. p. 13, Pennsylvania Historical Society.

We have, in the following two letters and others, evidence of the sympathy and active support of Mr. Boudinot and his brother, in the cause of the oppressed and the protection of the slaves.

MR. JOSEPH SHOTWELL TO MR. BOUDINOT.

BRIDGETOWN 4 m 12 1790

ESTEEMED FRIEND

Thine of 20 ulto came to hand 2 days since and the same day I returned from Phila which circumstance apologizes for the omission of acknowledging thy kindness before (which I now take the liberty of doing) as well as the delay of I. Town's going to New York to take the necessary steps previous to the establishing a Post Office in this Town, he now proposes going over for that purpose, and I doubt not in the course of a few months the income will be equal to that of any Town between this & Phila.

Before I conclude I can't omit mentioning a circumstance which has recently occurred as thy Brother has been a principal actor in the case. A negro man whose Master often in his Life time & on his Death Bed declared should be free, but before the Person who was sent for, to write his Will, came, he was deprived of his reason and in that state died, the Negro apply'd to me for assistance, and I to my friend Elisha who kindly offered his assistance, a Writ of Habeas Corpus ordered the Adm^r to bring him before the Judges

at the Supreme Court last week, when his case was nobly advocated by my fr'd Elisha (& seconded by the Attorney General). They were opposed by Colonel Frelinghausen & Aaron Ogden the evidences appearing very clear, the Judges after considering the case 2 or 3 days unanimously agreed he was entitled to his freedom & discharged him accordingly, he returned to-day & informed me thy Brother proposed likewise coming on in the Stage today — Actions of this nature certainly Merit great applause with Benevolent Hearts, and the Actors will receive the plaudits of future ages, when the Nabobs of the South will not be entitled thereto.

I remain with affectionate respect in which I am Joined by my wife

Thy obliged & Assured Friend

JOSEPH SHOTWELL.¹

MR. RICHARD WALN TO MR. BOUDINOT.

WALNFORD 4 Mo. 17, 1790.

RESPECTED FRIEND,

I am loth to intrude upon thy important concerns — but believing thou wilt think Time spent in arresting the arm of Injustice & oppression will be as usefull as any part of our Lives, I venture to lay two cases before thee for thy opinion A negro woman was left to be sold “by will” for 15 years & then be free — she was sold — in con-

¹ Mr. Elisha Boudinot, Wallace Collection; Hon. Elias Boudinot papers, Pennsylvania Historical Society.

sequence thereof by the Executors, she had in the Time 5 Children, & is now free but the Children are all sold as Slaves by the person that purchased the Mother — is the sale of the Children legal —

Another — a negro named Jack was sold by the Sheriff (his Master deceased) & was bought by a son of his Master — who promised that as soon as he could by his Labour repay the Purchase £83. he should be free — by the most uncommon Industry & exertions he earned & paid all the money — after which a Bill of Sale was made of him to Tobias Hendrickson of Monmouth County — who says he lent the money to pay the Sheriff — the agreement with the Negro can be fully proved by several Evidence who heard the Master declare it — & the full payment of the money — all of which I believe the present Master knew — this last case has in it something peculiarly severe, he is exceedingly Industrious & Honest — has a Wife & 3 Children all Slaves — the Master of whom would free them if the man was free to take care of them — the man that sold the Negro is insolvent & the transfer to a Brother in Law —

Thy respected friend,

RICH^d WALN

Should not — if the Negro is illegally held — the present Master pay for his time.¹

¹ Hon. Elias Boudinot papers, Wallace Collection, Pennsylvania Historical Society.

MR. BOUDINOT TO MR. BRADFORD.

NEW YORK April 15, 1790.

MY DEAR SIR

I have delayed writing from day to day all this week, in hopes of giving you some certainty with regard to our settlement of the Principles of our funding system—but I find it is vain. Last week the Question was taken on the assumption of the State Debts, when it was lost by the defalcation of one Member, who had formerly voted in favor of it—29 for & 31 agt. but as the Chairman was in favor, one would have turned the scale. Since that event; all the evils I have so long foretold, are taking place. The harmony of our House is broken up, and the victorious party, have appeared out of spirits and have not attempted to call up the Question till this Day, when they made a motion to proceed in the Business. The Temper of the House now broke out, and very express declarations came forth, that it was not to be expected that any funding whatever would be adopted, without being attended by an assumption of State Debts. The whole morning till $\frac{1}{2}$ past two was spent in disputing, whether the Question should be taken up, and the Yeas & Nays called near the usual time of Adjournment. It was carried, but nothing could be got through in consequence of it—In short I fear the worse—It may be voted in the House, but I doubt much if it will be compleated this Session,

without a Coalition I wish most sincerely, it had never been mentioned. I wrote you 10 or 12 days ago & enclosed a Letter from your Coach Maker, begging you to get the Glasses of your Chariot examined by him & certified to me. I shall be much obliged by your sending an answer as soon as possible, as I keep Hollet out of his money till I hear from you.

I am sorry that you are so wholly taken up with your Courts. It is to be feared that your Health must inevitably suffer by it. I hope you will at all Events spend a week or Ten days, when you come for Susan, by way of relaxation. It is as necessary as Application.

I wish you would persuade Mr. Greer to come this way—he would be taken great Notice of here.

I lately purchased of a poor Woman here (who was advised to apply to me, as having some Connection with Pennsylvania) a tract of Land in your State—I did it out of mere Charity not wishing to be troubled with it: Enclosed you have the deeds—Do enquire into the value of it at Markett. If more than I gave could be obtained for it, I would willingly give the benefit to the Grantor—I know not who she is, but her Poverty would be relieved by having the full value.

I begin to wish for a discharge from this Session and to breathe a little free Air—I cannot form a guess of the length of the Session—as we are all at Bay.

Our kindest Love to Susan and all Friends —
Her Mama expects her in all this month.

I am dear Sir,

Your most Affec^t

ELIAS BOUDINOT.¹

P. S. Mr. Cuthbert is here and will not go to
your City till Susan returns.

WM. BRADFORD, Esq.

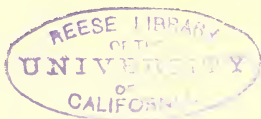
MR. BRADFORD TO MRS. BRADFORD.

PHILADELPHIA, May 2d, 1790.

MY DEAR SUSAN,

I left West Chester early yesterday morning, and had a delightful ride to the City. I was alone and indulged myself in many an agreeable reverie, which this season of the year is apt to occasion amidst rural scenes. It was May day — the Sun bright, the air mild — the trees in blossom — the birds singing, and all nature smiling. The maypoles were decked out for the occasion, & tho' there were no nymphs & swains dancing round them I met with several in their best attire, and all seemed to wear the face of contentment. I gave myself up to the agreeable emotions which the scene excited. I built castles in the air. I planned schemes of happiness for my dear Susan, & I could have truly said with Juliet "My bosom's queen sits lightly on her throne and all this day an unaccustomed Spirit Lifts me above the ground with cheerful thoughts." Romeo & Juliet.

¹ Bradford papers, Wallace Collection, vol. ii. p. 23, Pennsylvania Historical Society.



Your note of friday reached me this morning. By this time I hope a more lengthy & particular account of yourself is on the way, as I miss you here. I wish to know where you are and what you are doing, which may be some consolation for your absence, tho a poor one.

I found everything in good order — and that the house had not been disturbed either by Ghosts or Thieves — Charles is to leave me tomorrow — and who do you think is likely to succeed him? Even the redoubtable James Calendar! He has returned from England & is desirous of coming here again. Charles tells me, that he appears much altered for the better that he believes he has given up drinking & seems desirous I should try him. I have therefore determined to give him a trial of a single month, with a promise that he forfeit all his wages if he shall get drunk during that time. Whether he shall continue longer will depend upon his own conduct. I examined Charles as to his opinion of James's honesty & he declares that he believes him a safe servant in that respect, but I confess I have some doubts. However he comes in a critical time. I have not been able to get any other & as soon as I see him, I shall agree with him in the manner I have mentioned. As for John, I hear that he & his brother have been concerned in some villainous tricks and have been obliged to fly the City to avoid the pursuit of the Constable. They went together & in the

name of Major Burrows took up goods to the amount of near £15, and John went to the Farm & stole several articles belonging to Josey's brother. We may now easily conjecture in what way my jacket, stockings, spoons &c. disappeared.

If the weather is good I believe I shall go to the Theatre tomorrow night when the Rival Queens will be represented. Much animosity is said to be occasioned by the distribution of the characters — and it is expected that a party of Mrs Henry's friends will occasion some uproar, by hissing or otherwise insulting Mrs. Morris & Mrs Harper, who are said to be the occasion of Mrs. H's. non-appearance. But as every exertion it is said, will be made to please, it is probable that these mighty Animositities may subside without disturbance. As it is not certain that I shall be able to visit N. York, I believe you had better forward to me the letter from Capt. Cuthbert which you mention, that I may have an opportunity of answering it early. But if you should write to Canada, your mentioning that the letter is still in New York will be a sufficient apology for me.

I am sorry to find that the Influenza has returned & more so, as I understand, it is now certain that it can be taken a second time. Many persons in this City have been seized violently with a (torn) its symptoms are more unfavorable now than they were last fall. I hope you will be careful of yourself, should you discover any indications of its having again attacked you.

I wish you to write to me by the post. The letters come with more speed and safety: & if the small expense were an object, it will be to me the cheapest way.

I shall write to your papa — My pen is so bad that it will hardly allow me to beg you to remember me to Mama, Rachel and all friends.

I am my dear Girl

Most affectionately Yours,

WM. BRADFORD, Jun.¹

Mrs. S. BRADFORD.

MR. BRADFORD TO MRS. BRADFORD.

PHILA. Thursday Night,
6 May 1790.

MY DEAR SUSAN

I have formerly boasted with the ancient Philosopher "That I was never less alone than when alone." But you have spoilt my philosophy and at this moment I feel myself so horribly alone in this Cathedral of a house, that I fly to my pen to relieve me from the irksomeness of Solitude. My books will no longer afford me the society I need, and wanting your company in reality, I endeavor to enjoy it in idea by chatting to you on paper. The Court keeps me pretty well employed thro' the day — but the night — if I do not ramble abroad — is wearisome enough. I wake with the first glimpse of the morning — am up soon after sun rise — breakfast half after seven — and generally dine before two.

¹ Bradford papers, Wallace Collection, vol. ii. p. 24, Pennsylvania Historical Society.

I went to the theatre on Monday night when Alexander the Great was performed. Never did I see the house so crowded. The gallery could not receive all that came with tickets the pit was so full that the people were obliged in many parts of it to stand, & some laughable scenes exhibited themselves at the expense of the little folks. A short bald-pated Jew (of the name of Bardt Jacobs), got so surrounded with people taller than himself that it was impossible for him to see a single person on the stage, or even to get out of the pit. Nothing was to be discovered but his bald-head, moving & shaking in great vexation, while his endeavors to get a peep at the rare-show were wholly ineffectual; until a stout man, in mercy, held him up, to the amusement of the whole audience. The boxes were overflowing — “the cream,” the new and much of the skim milk, all mixed together, tho’ the former now & then seemed to curdle with disdain. And after all, the representation was a mere baby show, a sight at most for children — & so conducted as to partake more of Comedy than of Tragedy — It was acted again last night, when your maid Betsy asked permission to go & came home charmed beyond measure.

We go on very quietly. James is constantly at home & I hope is really reformed. I have, however, deferred taking him for any longer than a month untill you see & approve his conduct.

I dined this day at Dr. Rush’s. The family are

well — but Miss Susan in great distress for the loss of her White Mouse.

I thank you a hundred times for your letter of the 4th (Tuesday) which was delivered this afternoon. You gave me a charming description of Mr. Beekman's seat — & I don't wonder you were so much delighted with it. I am obliged to you for your particularity. I wish to know every movement you make, that I may in some measure partake of your pleasures.

I shall probably write by Col. Hartley who has just arrived & will set out on Saturday. At all events I shall write to your papa. This I suppose will find you in New York, I hope you congratulated the "happy pair" for me. I wrote you a few lines by the Stage to do so.

Love to all friends — and be assured my dear girl of the truest love of

Your affectionate

W. BRADFORD, Jun.¹

MR. THOMAS JEFFERSON TO MR. BOUDINOT.

NEW YORK, June 29, 1790.

SIR

As it is desirable that we should receive from our Consuls an exact report of all our vessels with the cargoes, which go to the countries of their residence, such fees appear necessary as may induce them to be watchful that every such vessel is

¹ Bradford papers, Wallace Collection, vol. ii. p. 25, Pennsylvania Historical Society.

noted. At the same time the fee should not be so large as to induce them to connive at foreign vessels reporting themselves as American merely to give them the fee, five & ten dollars appears to me well proportioned.

While I was in Europe I found that there was a great want of some legal Mode of taking and authenticating instruments and evidence in general, to be sent to this country, such as depositions, affidavits, copies of wills, records, deeds, powers of Attorney &c. I thought it would be proper as soon as we should have consuls established, to make their authentications under the seal of their office, good evidence in our Courts. I take the liberty of submitting to you whether a clause for these purposes Might not be properly placed in this bill I assure you the occasions for it are extremely frequent

I have the honor to be with great respect Sir,

Your Most obed^t humble serv^t

TH. JEFFERSON.¹

Mr. BOUDINOT.

MR. JAMES PEMBERTON TO MR. BOUDINOT.

PHILA. 11th Month 8, 1790.

RESPECTED FRIEND,

The Pennsylvania Society for promoting the Abolition of Slavery, &c &c at their Meeting on the 4th of last Month, directed that their sincere Thanks should be conveyed to thee, for thy

¹ MSS. Archives, Department of State, Washington, Jefferson papers, series I, vol. iv. p. 76.

humane and spirited Exertions in the cause of the Negro Silas, before the Supreme Court of New Jersey.

When men of acknowledged abilities thus step forth in the cause of the Oppressed Africans, it affords additional encouragement to our Society to persevere in their Arduous Undertaking, by inspiring hopes, that their endeavors to Abolish Domestic Slavery will finally be crowned with success and this great National Iniquity be thus forever removed from amongst the people of the United States.

I am on behalf of the s^d Society

Thy Respectful Friend

JAM^s PEMBERTON Presd^t¹

Counsellor ELIAS BOUDINOT.

¹ Boudinot papers, Pennsylvania Historical Society, Wallace Collection.

CHAPTER XXVI.

Mr. Bradford to Mr. Boudinot for advice on accepting judgeship. — Mr. Boudinot's reply. — Mr. Bradford to Mrs. Bradford; her illness; absence. — Mr. Boudinot to Mr. Elisha Boudinot; Mr. Roberts' children; express from westward; border warfare. — Mr. Samuel Bayard. — Mr. Boudinot to General Washington, President of the United States; on Oration. — Mr. Boudinot to Mr. Samuel Bayard; General Wayne quells the Indian outbreak; Congress harmonious; President's speech. — Whiskey riots. — Mr. Bradford to Mr. Boudinot; explaining situation. — Mr. Bradford from Pittsburgh; further accounts.

MR. BRADFORD TO MR. BOUDINOT.

PHILA. April 18th, 1791.

MY DEAR SIR,

We had the satisfaction of hearing of your welfare & of that of our good Mamma by her letter of Wednesday which Mr. Brown handed to Susan yesterday. We hope you have by this time arrived in safety at your long deserted dwelling & are enjoying the charms of this beautiful season among your blooming fruits, the apricots and peach trees.

We have just finished our court & I have been sufficiently wearied by it & the approaching Circuit will keep me busily employed 'till I set out. Before I go I wish your opinion at large upon the proposition that was hinted to me while you were here. It has since been directly proposed to me by the Governor himself. He was

pleased to say, That it was his wish to make the Supreme Court as respectable as possible; and that my acceptance would gratify him very much. I had before this told Mr. Smiley who first communicated with me on this subject that I could not think seriously of it untill I knew whether my acceptance could make any difference to the arrangements or would in any manner affect Mr. Atlee's interests — & secondly whether there was any probability of the Compensation being raised to £750 — For I ought to inform you that the amend^{ts} of the Senate raising the compensation from £600 to £750 were negatived in the house of representatives thro' the interposition of Mr. Biddle & his friends who thought him neglected & therefore determined to keep all on an equality. I was assured that Mr. Atlee could not be continued & that it was very probable that the compensation would be raised — Upon the Gov^r's application to me, I told him that all I could say at that time was, That I would take it under serious consideration & give him an answer as soon as I had consulted my friends — Soon after two members of the Senate & one of the house of representatives called on me, by the Gov^r's desire to assure me of the determination of themselves & their friends to draw the compensation increase, they promised me the interest of all the "Whig interest" as it is sometimes called — & would engage that should not be wanted: adding

that Mr. Shippen & Mr. Yates would have interest on the other side of the house & that it was likely to succeed — but could not be absolutely engaged. Upon my saying “that the business was not pressing — that many things might turn up before the end of August — & that I would consider of it in the mean time” they told me, that my resolution must not be long delayed — that the Gov^r would be brought into difficulties if he should displace Mr. Atlee without having some successor absolutely fixed on — that in the case of Mr. Rush he felt that embarrassment & was determined not to be in a similar one again. That if I did not accept they were apprehensive some other gentleman would be appointed by no means as acceptable to them & their friends. They therefore added, that my acceptance or refusal could not be delayed till the event of the next Session of Assembly could be known, but that if I accepted, they pledged themselves to use every exertion to accomplish the necessary compensation. In this situation I am: & feel myself a little exercised what choice to make. Almost any body’s judgment that I can rely upon would turn the scales so evenly, are they balanced. My resolution fluctuates with my feelings. When I am worried with business & exhausted with the vexations of the bar I wish to retire — but when my spirits are better I think the sacrifice too much. The considerations on each side are important; but I

believe I should give way to the solicitations if there could be any certainty that the compensation would be raised. Upon an accurate review of my circumstances, I think I can safely count upon an income of £600 independent of my landed property: and I believe could arrange matters so in the course of the present year as to make it nearly equal to £700. The income would therefore be sufficient even in this expensive City, but a considerable part of my property is in the public funds & I have not yet learned to consider them as perfectly secure. I presume that with my present office & my professional business I can make double the sum that I should receive as a judge — yet whether (as I mean one day to take a seat on the bench if in my power) the present opportunity ought to be passed by is the difficulty. Pray determine for me. I am like a young Girl that has an advantageous offer yet finds herself in very comfortable circumstances without a husband. She means to marry some time — but thinks it is too soon. The offer is not quite such as she wishes — but it is too good to be hastily rejected. If he could wait 'till she could see how things will turn up it would be very clever — but she knows he won't wait — and what shall she do in such a perplexing situation!

I have written this in such haste that I fear you cannot easily decipher it, but when you have made it out be good enough to give me your sentiments at large. They will govern me very

much in my determination. With much love to
Mamma I am dear Sir

Yours very affectionately,

W. BRADFORD, Jun.¹

MR. BOUDINOT TO MR. BRADFORD.

ELIZABETH TOWN, April 23, 1791.

MY VERY DEAR SIR

I wrote you by the last Post, since which I have received your favour of the 18th Inst. and take the earliest Opportunity of answering it. I have a *feeling sense* of the Anxiety & delicacy of your present embarrassed Situation — I know by experience that it brings with it, a State of Mind neither eligible nor pleasing. I wish I could with certainty point out the Path of Duty. It is certain there are Arguments on both sides of the Question, that deserve great weight from their Importance.

On the one Hand

You relinquish a lucrative, as well as an honorable & useful Employment in the Prime of Life, and in the very Zenith of reputation —

On the other hand

You receive a very honorable mark of distinction from a very respectable Government, in being solicited to fill one of the most useful, honorable & independent offices in the Commonwealth, at a time of Life, when others are barely laying a

¹ Bradford papers, Wallace Collection, vol. ii. p. 40, Pennsylvania Historical Society.

foundation of Expectations of those favours, in which they often are disappointed.

You give up the Opportunity of increasing your political & individual Interest in the State, by serving your fellow creatures (often in trying difficulties) and thereby shewing your talents to advantage.

By this change of Employment you gain an Opportunity of enlarging your Studies, and applying to those Branches that become necessary in the higher departments of the general Government which from Time to Time must call for Abilities of the most extensive Nature (not thickly sown) and must necessarily hold out Inducements, worthy the great Objects they have in view—add to this that your Sphere of usefulness thus changed is not reduced; and altho' the subjects of your attention may be varied, yet you may command the respect of the Government at large, instead of the Individuals who were formerly benefited by your Services—and instead of raising your reputation as an able & honest Lawyer—you may as early obtain that of the upright Judge or faithful Statesman.

You reduce your income at least one half, and of course your manner of living and appearances among your fellow creatures, as well as make it necessary to restrain your Views of laying up a worldly Estate, under the pretence of Provision for old age.

As to your present income, it depends on so

many contingent Circumstances that it can hardly claim the Consideration of Certainty — A failure of Business — the loss of your present office — Long sickness — a multiplicity of professional men, and many other adventitious circumstances, must be taken in to the account, by way of Subtraction to give a fair comparative View of the pecuniary Interests of both States of Life — Add to this, the probable reduction of many Expenses in one Situation, that necessarily attend the other. The comfort of domestic Peace & Enjoyment — the possibility of often doing many other pieces of accidental Business — The folly of large Fortunes when Circumstances do not require them — and lastly the rational prospect of increasing your personal Happiness & Improvement, as well as relative usefulness & Importance.

Thus stands the account, and tho' at first sight and judgment from the commonplace doctrine of Men of Business and the World, great difficulty seems to arise, yet considering Things in their true Lights and valueing the Enjoyments & improvements of the Mind as far exceeding all the pleasures arising from an overgrown Property, which a man cannot spend with propriety, I am induced to be of opinion that you ought not (all Things considered) to forego the present Opportunity which tho' perhaps a few Years, too soon, yet receives a respectable Completion from this very Circumstance.

Your Income as stated by you, with the Commis-

sion, is sufficient for all valuable or desirable Purposes. For what you have not, no account will hereafter be required — But even here, your Prospects will rather be on the increase, considering your Youth and talents.

If I could accomplish my Wishes, we should soon join you, with an income (If I am not disappointed) of about £600. pr annum, besides some unproductive real estate & the Farm with you — It is not rational to suppose we should want that long, and when we are gone, it will not diminish your Competence. On the whole, considering Life with its Emoluments & honors, as desirable only as it bears an aspect on that glorious State of Existence which I hope we have principally & above all Things in View, and to a due preparation for which we are led in the strongest Manner to usefulness, in Life and Improvement in every good work, I wish you not to hesitate, in accepting the Governor's offer, and trust all future Events to that God, who has so remarkably provided for you heretofore, and who now in the course of his Providence calls you to make the Sacrifice in Question.

Your Mama has had many serious thoughts also, on this Business, but on the whole unites with me in the above opinion, and most sincerely wishes you the Influence of that Spirit of Wisdom, which always leads into the right way.

Present our most Affect. Love & good wishes

to our Daughter & the young Ladies — I quite forgot in my last, to beg you to direct Josey to endeavour to rent the farm House & for the season if he can get £30. He told me of some Lady that wanted it, if Mr. Meade did not take it. I am not anxious about it, but if it can be easily done may be better than to let it lay empty. I am my dear sir with every sentiment of Esteem & affection

Yours most sincerely,

ELIAS BOUDINOT.¹

WILLIAM BRADFORD Esq.

MR. BRADFORD TO MRS. BRADFORD.

Sunday May 5, 1791.

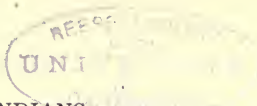
MY DEAR SUSAN

I arrived here late last night & this day I received your welcome letter of the 2d inst. I had no intimation of your being ill untill a hint in a letter from Mr. Bayard, last friday that you were better. On my return I was not a little alarmed with the accounts they gave me & I was preparing to set out for Elizabeth Town without delay. This day I got both your papa's letter of the 2d May giving me an account of your indisposition & yours which assures me it is removed. Fer- vently, my dear Girl, do "I join with you in thanking our heavenly father for this renewed mercy." You are precious to me, my Susan, beyond expression — and your spared life is and

¹ Boudinot papers, vol. ii. p. 41, Pennsylvania Historical Society.

ought to be a subject of present gratitude. To leave Phila. at this time would have been inconvenient as the ensuing week will be a busy one. I therefore shall not pursue my design, as you mention your intention of setting your face homeward the beginning of this week. But I beseech you do not hurry yourself too much. Come on by easy journeys: and I would rather forego the pleasure of your Society till the end of the week than permit you to run any risk. 'Tis irksome enough living here alone to be sure. But I can endure that with less inconvenience than you can fatigue. If you can inform me by a line what day you will be here it will be some consolation & I shall count the hours as they pass. I wrote to you from Chester last monday. Mr. Lewis promised to put the letter in the post office. I am surprized to find that you had not received it on friday when you wrote, especially as there were some things in it that would not bear any body's eye but yours. I found all our friends here well. Patty wishes much for you. She was a good deal indisposed for an hour or two this morning and gave Mr. B. some alarm. But she soon got better by the assistance of a little laudanum.

I shall endeavor to send this by some private hand, so as to reach you tomorrow night: but if I cannot find one, shall entrust it to the post. Give my most affectionate love to Mamma, I shall assure



your papa of my regard myself. With the sincerest affection I am my dearest Susan

Yours very tenderly &
forever

W. B. Jun.

Mrs. BRADFORD.¹

MR. BOUDINOT TO MR. ELISHA BOUDINOT.

PHILADELPHIA Dec^r 26 1791.

MY DEAR BROTHER : —

Enclosed you have, the Report of the Pay Master on Mr. Roberts' Children's Case, from which you can judge what may be done — Also a Letter to poor Hoppe to advise him of his Success in gaining a full report of the Masters in his favour. Do be so good as to send it to him as soon as possible, as I believe he is in suffering Circumstances — If you are not careful in sending it, he will never get it —

We have had another Express from the Westward, which does not make the business a Whit better — Our Loss is 590 Killed & about 230 wounded — All those who could not run away were left on the Field and are considered as killed — Upwards of 40 women suffered — It is on the whole a most mortifying & perplexing affair, and I am at a loss to know, what steps are proper to retrieve it — Our Sessions will be prolonged greatly by so untoward a Circumstance, as I expect it will give rise to great debates —

¹ Bradford papers, Wallace Collection, vol. ii. p. 42, Pennsylvania Historical Society.

I propose to part with 20 shares in the Manu-
 factory when it is a proper time to sell out, as I
 have more than I shall be able to manage then —
 Our kindest love to Sister & the Children —

I am my Dear Brother

Yours afft'ly

ELIAS BOUDINOT.

ELISHA BOUDINOT, Esq.

Gouverneur Morris is nominated our Minister to France, Mr. Thos.
 Pinckney (South Carolina) for London.

(Addressed)

ELISHA BOUDINOT, Esq. *Free*

Counsellor at Law. New Ark.

Mr. Samuel Bayard was the son of Colonel
 John Bayard of Revolutionary fame, distinguished
 for his bravery and patriotism, descended from
 that branch of the Bayard family who immi-
 grated to Holland from France during the reli-
 gious troubles of the sixteenth and seventeenth
 centuries.

The widow, Madam Anna Bayard, who accom-
 panied Peter Stuyvesant and his wife, her sister-
 in-law, to New York, brought with her, her three
 sons, one of whom, Peter, was the ancestor of
 Samuel Bayard. He was one of the purchasers
 of the four necks of land known as Bohemia
 Manor in Maryland, consisting of twenty thou-
 sand, seven hundred and sixty-nine acres, from
 Lord Baltimore. It was here in the family man-
 sion that Colonel John was born. Samuel mar-
 ried Martha Pintard, commonly called Patty, the
 daughter of Lewis Pintard and the dear and cher-

ished niece of Mrs. Elias Boudinot and cousin of Mr. Boudinot. During the war she made her home with them, and was greatly beloved in the family circle. Her father at the time was deputy commissary of prisoners under Elias Boudinot.

Mr. Pintard's father was a French Huguenot, who emigrated from France some years previous to the revocation of the edict of Nantes. He became in New York a prosperous importing merchant, and before the troubles which led to the Revolutionary War paid more than one third of the post charges of New York city.

Samuel Bayard studied law with William Bradford, Mr. Boudinot's son-in-law. He practiced law in Philadelphia for seven years. In 1791 he was appointed by Washington to prosecute American claims in the British admiralty court. After his return to America he was appointed, by Governor Jay, presiding judge of the court of common pleas of Westchester County, New York, where he resided at the time with his father-in-law, Lewis Pintard. Samuel Bayard and his wife were regarded by Mr. and Mrs. Boudinot almost in the light of their own children. She, the Patty of their letters, spent much of her time with the Boudinots. She was with them during the whole of the winter of 1783, in Philadelphia, where the two young ladies doubtless enjoyed a gay and novel scene, and cemented a friendship which was as enduring as their lives.

MR. BOUDINOT TO THE PRESIDENT OF THE UNITED STATES.

ELIZABETH TOWN Nov^r 12th 1793

DEAR SIR

The troubling you to read the enclosed oration may perhaps need an apology. Undoubtedly the liberty I have taken, to address it to you, without your express permission renders one absolutely necessary.

A number of concurring Circumstances, added to the subject & design prompted me to it, and a Dependance on your known Candor & Friendship makes me hope, it will not give offence.

Mrs. Boudinot joins me in the most respectful & affectionate Compliments to Mrs. Washington.

I have the honor to be with every Sentiment of Duty & respect

Dr Sir

Your Most obed^t Hble. Serv^t

ELIAS BOUDINOT.

The President of the United States.

(Endorsed in Gen^l W's. hand)

From

ELIAS BOUDINOT Esq:¹

12th Novr 1793.

¹ MSS. Archives, Washington, D. C., Letters to Washington, vol. lxxix. p. 348. Endeavors to find this oration have proved unavailing.

MR. BOUDINOT TO MR. SAMUEL BAYARD IN LONDON.

PHIL^A 1794.

TO SAMUEL BAYARD, ESQ^R

MY DEAR SIR

Nothing has happened since you left except the complete success of Gen^l Wayne and the total quelling the Insurgents of the West by our patriotic Militia. The first gained a complete victory over a very large body of Indians with a few Canadians (say 80) under the guns of the British fort at the Maumi Rapids, the officers of which did not interfere — The Fort has since been evacuated as is said, and there is great probability that a general Peace will take place with the Indians — This has been the case with the Six Nations and the Town of Presque Isle will now be built with the approbation of the Indians

The return of the Militia has been attended with great rejoicing & eclat Every thing has turned out full as well if not better than was expected.

Our violent people in C. are totally silenced & we go on with the utmost harmony, but one squable, that was about the answer to the President's speech, which caused some fine speeches & ended finally very harmoniously.

Indians desirous of peace sent request of that nature but Gov. Simcoe disregarded them assuring them of assistance from their Great Father the King.

P S. The fort at the rapids does not appear to have been evacuated —

To SAMUEL BAYARD Esq^r
at
The Philadelphia Coffee-House,¹
London.

In the two letters which follow, Mr. Bradford, then attorney-general of the United States, refers to the insurrection in the western part of Pennsylvania, caused by the attempt to enforce the law imposing duties on distilled spirits. The insurgents were suppressed only by the appearance of a formidable force of militia from Virginia, Maryland, and Pennsylvania, which Washington had called out.²

MR. BRADFORD TO MR. BOUDINOT.

ROSE HILL, Aug^t 7 1794

MY DEAR SIR.

The attention of the President of late has been wholly engrossed by the Western insurrections. A good deal of information has been received & the nature, extent & force of the opposition is very unduly appreciated by the public. Measures at once energetic & yet temperate are requisite. The ordinary powers of Gov^t being too weak to quell the insurrection & to execute the laws, nothing remains on the score of compulsion but Military force. The only force of this kind that can be properly employed is the Militia & in the first instance the Militia of the State — There is

¹ Family letters.

² See Irving's *Washington*, vol. v. p. 209.

no mode of compelling the *personal* service of these; a fine not very large will excuse them; & many, whatever view they might have of the Excise Laws would decline to so distant & disagreeable a service; others who hate or affect to hate that system — or love to criminate the Gov^r would even decry the measure; & the Gov^r of Penn^a has assured the President that under the present circumstances he does not think a sufficient number could be got in that State, it would be merely to fan the flame to call out less than six or 8000 men, therefore, an order to prevent bloodshed must be an imposing one. This the President however is determined to employ — he has no alternative left — but he feels the solicitude of a parent on this interesting occasion — he deeply regrets the necessity of hastily arraying citizen against citizen — he sees a flame about to arise that may consume the Innocent and the guilty — & perhaps essentially injure or eventually dismember the Union — There is some danger to apprehend that the disaffected have taken measures to secure the people of Kentucky — & they threaten to call in the aid of the British — Under all these views of the subject, the Presd^t means to convince these people & the World at once of the *moderation* & *the firmness* of the Gov. He will take all preparatory steps for using force if it be finally necessary; he will call on the Militia to be in readiness — & while the blow is suspended Commissioners go, in hopes of inducing a submission

of these deluded people to the authority of the Laws, to explain to them the motives & determination of the Gov. & to lay before them the consequences of further resistance & to offer, on condition of an entire obedience to the Laws a full amnesty & oblivion of all that is past — If this shall be refused — the weight of the public opinion will give energy to the *dernier* resort — In that case, they must contemplate a dismemberment of the nation. Of the Commissioners, one is from the National Legislature, Mr. J. Ross — one from the State Judiciary, Mr. Yeates — & one immediately from the Councils of the Presd^l. That one is myself. Extremely disagreeable & inconvenient to my private business as this mission is, the public considerations which press it, oblige me to go — I leave town at 10 o'clock to-day — The haste arises, from the meeting or convention of these people being fixed for the 14th ins. I have hopes that respectable people will be among them as there hitherto have been at all their meetings. These properly appreciate their situation. On this great occasion it is of the last consequence to keep the public mind right. A full & particular detail of the whole conduct of these people is preparing — & the proclamation contains a summary of it. Any appearance of approbation of the measures among ourselves will be very encouraging to the insurgents & if any publications from the Democrats or others lend to that point. I really think that if prosecutions

can be sustained in such a case they must be ventured. It will not do, to trifle with this business.

Susan proposes to visit Elizth Town early next week. But she will write herself.

Love to Mamma & all friends.

In very great haste, I am my dear Sir,

Very truly and affect^{ly} Yours,

W. BRADFORD.

Hon. E. BOUDINOT Esq.¹

MR. BRADFORD TO MR. BOUDINOT.

PITTSBURGH, Aug^t 29th 1794.

MY DEAR SIR:

Before this reaches you it is possible that my dear Susan may be on her return to Philadelphia: if not, this letter will give her all the information of my Situation and welfare that I have to communicate. This mission has been a very difficult and delicate one. We have found many obstacles to a favorable issue; but we are at last in a train that promises success. I shall be able to give you some curious accounts on my return, but do not wish to trust them to paper at present.

I send with this a printed copy of the Committee's report which will give you some insight into the situation of things here. The account of the Conference is neither full nor very accurate.

We found that there were no assurances of submission on which Government could rely, but these which came from the people themselves. If

¹ Bradford papers, Wallace Collection, vol. ii. p. 98, Pennsylvania Historical Society.

these can be obtained the disturbances will be thoroughly quieted: any thing short of this would be skimming over the wound without a radical cure. We have put this matter on the only train in which success is probable. The Committee of Conference lead the way & carry all their friends with them: the Committee of sixty, which is now at Redstone will probably do the same: and if they think that the public mind is not sufficiently matured they will interpose a meeting of the whole body of 226, before the people are called together. I have now great hopes, that this insurrection will be quieted without bloodshed: & if so, a great point in the present situation of the U. S. will be gained. The fever was very high when we arrived—& there is no doubt but a formidable resistance would have been made if the militia had been suddenly marched against them. They have or affect to have a very great contempt for the “water gruel troops over the mountains”—& promise if they turn out, to meet them half way. But this temper is cooled: the terror which the Insurgents had impressed is dissipating & the moderate men take the lead. We believe we are secure of three Counties but Washington has still much inflammable matter in it. However, great exertions are making there; & the presbyterian clergy of the County who happened accidentally to be assembled have determined to recommend submission. If things go right at Redstone it is probable that Mr Yates & I will set out on our

return in two or three days. Mr. Ross will have full powers to complete the business.

If Susan be with you let her know that the time for returning negro John, if he does not please, is near expiring. If therefore his conduct has been exceptionable, I hereby authorize you to reassign for me his time of service to Mr. Shippen. I believe the time allowed will expire on the 9th September, or 10th. Have the goodness to take this trouble for me.

I have never been so homesick on any journey. I have been confined here a little like State prisoners. The () men do not like to come near us for fear of loosing that influence; and you may safely conjecture that we see none of the enragées — We have already received assurances of submission from Ohio County and hope for the best here.

Assure my dear Susan of my impatience to see her — & Mama of affectionate remembrance of her. With compliments to friends¹

(Signature torn off)

Hon. E. BOUDINOT.

¹ Bradford papers, Wallace Collection, Pennsylvania Historical Society.

CHAPTER XXVII.

Mr. Samuel Bayard to Mr. Boudinot; political situation in Europe; Ireland; Earl FitzWilliams; pamphlets relating to prophecy; garden seed. — Mr. Samuel Bayard to Mr. Boudinot; revolution in Holland; trials in Paris; Mr. Pitt. — Mr. Samuel Bayard to Mr. Bradford; sends Parliamentary debates for speech of Bishop Landall and Mr. Fox's eulogy on our illustrious President; Mr. Erskine's opinion of his own best speech; Mr. Bird in behalf of American claimants; books; captures by the French. — Mr. Boudinot to Hon. Oliver Walcott, recommending Mr. Charles Brown for collector of the port of Charlestown. — Mr. Samuel Bayard to Mr. Bradford; visits Mr. Gouverneur Morris; political; Courts of Admiralty sittings close; cases deferred; suspicions; Dr. Smith's sermon; Colonel Hamilton's last report on Sinking Fund republished. — Mr. Boudinot to Mr. Samuel Bayard; death of Mr. Bradford; grief of the family. — Mr. Boudinot's visit to Dr. Samuel Johnson. — Character of Mr. Bradford. — Mr. Boudinot becomes Director of the Mint. — Regulations, etc. — Mr. Boudinot to Hon. Timothy Pickering, regarding appointment to Mint. — To a friend on his acceptance. — Country-seat. — To Mr. Samuel Bayard regarding copper.

MR. SAMUEL BAYARD TO MR. BOUDINOT.

LONDON, March 12th, 1795.

MY DEAR SIR:—

I wrote you some days since pretty fully by the way of New York, and gave you a brief sketch of the state of things on this side of the water. This place is to be sure the great focus of intelligence, and to give you a perfect idea of events that are unfolding to view in the various parts of Europe, it would be necessary to write you a volume by every vessel.

Notwithstanding the "traiterous correspond-

ence bill" means are constantly devised here for keeping a communication between London & Paris — at the latter place things were all very quiet when the last acc'ts came away. The convention were engaged in matters of a domestic nature — in revising their laws — establishing justice and destroying abuses. The Commission of 21 had not reported on the case of Barrere Collot-d'Herbois & Beland Varrennes, but here it is supposed they will certainly fall. A treaty it is admitted here on all hands has been actually concluded between the King of Prussia and the French. But its tenor is wholly unknown.

Holland and the rest of the U. Provinces are regenerating themselves in a very peaceable manner — their revolution was effected at a most happy moment — at the very time when justice, wisdom, and moderation resumed their authority in France. Had Dumouriez instead of Pichegru entered their territory widely different would have been the scene from that which their country now exhibits. Whether this country will consent to remain at peace with the Dutch is yet a doubt. They have embargo'd and sequestered so much Dutch property which they have refused to give upon a requisition from the States General, that I do not see how a war can be avoided. The opening campaign it is thought will be principally naval. The French talk strongly of paying both the West & East Indies a visit this summer, and with a force that cannot easily be resisted — there is little talk now

of invading G. Britain, their aim appears to be to cripple her by sea and as they say to liberate the Commerce of the world. I expect soon to hear some news on which we can depend from the interior of France. Mr. Trumbule has just gone there probably on some business of a public nature and is I believe soon expected to return.

Ireland is in a very perturbed state—Earl FitzWilliams short viceroyship has given the nation great satisfaction and raised their hopes to the highest pitch whether these hopes are yet to be blasted is at present unknown but if they should, great convulsions will probably ensue.

I send you by the Molly a couple of pamphlets that have excited universal attention here—As they relate to prophecy they are in your way.

The author of one Mr. Halhead is an M. P. and deeply vers'd in Hindoo learning. The Prophet Mr. Brothers has lately been taken up examined before the Privey Counsel confined a short time in Newgate and since dismissed. I send you also a few garden seeds which I hope may arrive in time to grace the garden of Rose Hill this season. With the best love to our dear Aunt.

I remain as ever My D. Sir,
most affect'ly yours

SAM'L BAYARD.¹

ELIAS BOUDINOT Esq.

¹ Family letters.

MR. SAMUEL BAYARD TO MR. BOUDINOT.

LONDON 14 March 1795.

MY DEAR SIR:—

I have seldom in my life experienced so lively a satisfaction as your two letters of the 15 and 20 Dec'r gave me. Your "Political sketch" although "hasty" furnished me with information both new and interesting. In return I intended giving you by the present conveyance as full view of the state of these belligerent powers and more particularly of this country as my information would allow.

I fear that I shall not be able to do as satisfactorily as after Monday next when I purpose attending the House of Commons to hear the debate on the motion Mr. Fox is then to make on the state of the nation. Some information however I can communicate which may prove interesting.

Long before the arrival of this letter you will have learned the fate of Holland and the conduct of the French there.

The revolution in the U. Provinces has been highly honorable to those who have conducted it. As yet no blood has been shed. No proscription of persons and no confiscation of property except that of the Stadt-holders. This has been demanded and in part received by the national Commissioners of France as the price of their exertions in favor of Dutch Liberty.

By the last accounts from Holland it appears

that the people are proceeding with great calmness and judgment in the formation of their new Govern't.

The Provisional Representatives are employed in destroying ancient abuses and in putting the country in safety against any foreign attacks. They have lately ordered all the citizens between the age of 18 and 60 to be enrolled as a national guard. They have directed their attention to their marine and have taken energetic measures to ensure the protection of their foreign possessions. Their policy appears to be prudent and enlightened and is calculated to wipe away the slanders that have been thrown on republican government in consequence of the late cruelties in France under Robespierre's administration. In this great Republic you will find by the public papers, that the reign of justice and order has become pretty firmly established. We have just learned that the Commission of 21 have reported on Barrere Collot-d'Herbois Belland Varrenne and Vadier, and the Convention amidst great applauses have decreed them to be tried before the Revolutionary Tribunal. In the present disposition of the people of Paris there is said to be little chance of their escaping the guillotine. In the morning Chronicle of Thursday (12 inst.) we had the speech of Boissy D'Anglas on the relations of the Republic with other Powers, which is universally praised here, as one of the finest speeches ever delivered in a legislative assembly. It was

unanimously adopted by the Convention as containing a just representation of their views and principles.

The report of a treaty having been concluded between the King of Prussia and France is generally believed here. It is supposed also that the Emperor is negotiating with the French, his loan stagnates and on change the idea is that it will not be accepted.

In Spain things are at a stand. The severity of the late winter has put a stop to military operations there but with the Spring it is believed that the French will either conclude a peace or overrun the whole country :

Ireland at this time presents a scene interesting to the friend of mankind—to explain the late disturbances in this country it is necessary to go back for several years.

When Mr. Pitt came into administration he was supported by the Marquis of Buckingham and all his connections. They have ever since adhered strongly to Mr. Pitt. In return the Minister has uniformly paid the greatest attention to the Marquis, and to his friends, wherever he could introduce them into place, it has been done, except as to the Marquis himself. His eye has been fixed on the place of First Lord of the Admiralty—for this place he has long been qualifying himself by the utmost attention.¹

¹ Family letters.

MR. SAMUEL BAYARD TO HON. WILLIAM BRADFORD.

LONDON, 27 April 1795.

MY DEAR SIR:—

Having heard of an opportunity directly for Philadelphia I avail myself of it to send you a few pamphlets and inform you of our all being very hearty and happy. By the Molly I sent you sundry books and pamphlets which I trust have reached you by this time. No. 7 of Woodfall's Parliamentary debates I sent that you might have the much admired speech of the Bishop of Llandall, on the Duke of Bedford's Motion for negotiating with France, in its best dress, The No. of the Parliamentary debates published by Debrete, I sent that you might have Mr. Fox's Eulogy on our illustrious President, as nearly like the original as possible.

Since writing to you last I have Rec'd duplicates of the trial of Mr. Walker and Mr. Frost from Mr. Erskine, one copy of each of which I propose sending you by the present Opp'ty. By the Last I sent the paper which Mr. Walker published as an appendix to his trial. In a note from Mr. E. which accompanied these and several other pamphlets he suggests to me that his speech in favour of Mr. Frost is the one which of all his public addresses, pleases himself the best.

The "View of the relative situation of G. B. and the U. S." is from the pen of Mr. H. M. Bird, one of the Gent'n who have offered and

have entered security in behalf of the American Claimants in the cases under my charge. It was published soon after the orders of the 8 Jan'y 94. Before which however Mr. Bird was perhaps one of the most active men in effecting the revocation of the orders of the 6 Nov'r and in opening the eyes of Government to the consequences of a rupture with the U. States.

There is at present a very pretty pocket edition publishing of Hume's Hist, of Eng'd, with Smollett's continuation—of the best novelists (the English Classics) and of selections from the best poets. They appear in numbers of about 60 pages each price 6d unbound. the binding will cost 1/ more. These or whatever else you or your friends may wish, it will always give us much pleasure to send you.

Acc'ts have just arrived of the capture of Grenada St. Vincents and Montserrat by the French—and have occasioned great alarm. Provisions are very high and no prospect of their being lower shortly—hence you observe mobs and insurrections in every part of the Kingdom. It has been suggested to me from a quarter I have no reason to suspect and that is of authority that all neutral vessels carrying provisions to France are to be brought into G. B. for the purpose of supplying this country with provisions and to distress France. The cargoes to be paid for by the Gov't We shall soon learn whether this be true.

Assure all our friends that we remember them

with the heartiest affection, and will write to some of them by a vessel that will leave London about the 10th of next month. In the interim we hope for some letters to answer. It is a long time since we have had a line from yourself and our good cousin.

I am my dear Sir,
 Most affly yours &c.
 SAM'L BAYARD.¹

Honorable WM. BRADFORD, Esq.

MR. BOUDINOT TO HON. OLIVER WOLCOTT.

ELIZABETH TOWN May 23d 1795.

MY DEAR SIR

I am just informed that Coll. Motte naval officer for the port of Charles Town in South Carolina has lately died, by which that Office has become vacant. Will you give me leave to recommend Mr. Charles Brown, the present collector of the Port of George Town as his Successor — Mr. Brown married a Relation of mine, the Daughter of the late Rev^d William Tennant dec^d, to whom the Revolution is much Indebted for his great Exertions in the Common Cause. Mr. Brown was an officer in the American Army almost during the whole war & continued in it till the very last — He suffered greatly in his property, by the active part he took ag^t the Common Enemy — I am informed that his Conduct as Collector of George Town has given universal satisfaction, and has fitted him to execute the

¹ Family papers.

naval office with more Propriety — The loss of his Mother very lately makes his Presence in Charles Town necessary, for the benefit of the family at large, which renders his removal more Eligible than otherwise it would be —

If it should be consistent with the public advantage, I wish you to take his application into full consideration —

Be so good as to deliver the enclosed, it being on the same subject.

I have the honor to be Dr Sir

Your obedt Humble Serv^t

ELIAS BOUDINOT.

Mrs. B. joins me in
compliments to Mrs. Woolcot.

OLIVER WOOLCOT, Esq.

(Endorsed)

Eliz — town

(Addressed)

Honble OLIVER WOOLCOT Esqr

Secretary of the Treasury,

Philadelphia.¹

MR. SAMUEL BAYARD TO HON. WILLIAM BRADFORD.

LONDON 13 July 1795

MY DEAR SIR: —

I am never fatigued in writing to you and the flattering reception you have given to prior communications persuades me that I shall not fatigue you. By several vessels that will probably have arrived much about the same time you will have received a flood of letters from us. Your next

¹ MSS. Archives, Department of State, Washington, D. C., *Applications and Recommendations for Office*, vol. i. p. 94.

favours will be in answer to some of these. we are impatient to see them. Last evening and the present Patty and myself have passed at home by ourselves like Darby and Joan talking of our Rose Hill and Elizabeth Town friends, and feasting our imaginations on our enjoyment in again meeting you all in health, and safety.

I have been this day to pay my respects to Mr. Gouverneur Morris. I found him at the Grand Hotel in Covent garden quite ill of the fever and ague. This is the second attack he has had of this complaint since he has been in London which is little more than a month.

I conversed with him about an hour on various subjects but chiefly political & found that although his body was reduced by his indisposition his mind had lost nothing of its native acuteness and energy. I was exceedingly interested and enlightened by his remarks & recital of facts and moreover he proposes leaving London on a tour through the different Counties of England. Would that I could accompany him.

In a few days the regular sittings of the Court of Admiralty ends & the next Saturday, I am informed, will be the last on which the Lords of Appeal will hear cases argued until November. If this be the case they will adjourn without having given a decision on any of those interesting points, which are involved in several cases that either have been argued before them or have long been ready for a hearing. There is something in

this conduct that awakes suspicions & fears. It surely does not wear the aspect of conciliation. To us it is really embarrassing.

On receiving Dr. Smith's sermon on the late Thanksgiving occasion I sent it to one of the booksellers who has republished it but it has excited no great attention as yet. Possibly when it has been reviewed it may obtain a more rapid and gen'l circulation. Col. Hamilton's last report on the Sinking Fund & means of improving the revenues of the U. S. I have had republished & I believe meets a favorable reception. I am glad to find you are pleased with the sale of your Bank Stock as it took a raise afterwards. I regretted having sold at the time I did, however it has since fallen greatly & is now at 118-119 Per share. Had I now cash at command I would buy as I am persuaded it must rise again soon. this fluctuation arises from some jobbing trick without which there could be no profit. Master Ule stands by me & says I must give his love to *his dear Tooto* & to the Judge too & to tell "little Tommy Hooson" that he will write him a letter "when he grows a big boy."

May the "blessings that maketh rich" attend you all. Dated from the Planet Saturn (for we have been sitting this afternoon beside a good fire) — Adieu, My very dear Sir

Yours affectionately,
S. B.¹

Honorable WM BRADFORD Esq^r.

¹ Family letters.

MR. BOUDINOT TO MR. SAMUEL BAYARD.

ROSE HILL Aug. 25th 1795.

MY VERY DEAR SIR

How shall I communicate the fatal tidings or in what language of distress shall I dictate this letter—Would you believe Sir that the reading of your letter of the 8th of June directed to my excellent & worthy son, grieved my soul to the quick, oh my dear Sir, my hand trembles & my heart aches to tell you—We had just committed his precious remains to eternal Rest; he had struggled many days with the yellow fever, without much complaint—from his aversion to Dr. Rush's mode of relief, deferred sending for him till it was too late—The fever seized his Brain, he was deprived of his reason and I arrived only Time enough to hear him say, "Oh it is my dear Father how glad I am to see him—I thought it was a countenance I loved"—and sunk to rise no more—My soul is within me, my Tears follow my Pen—The Lord hath given—The Lord hath taken away Blessed be the name of the Lord—

My Child, my beloved Child, is supported miraculously—Your Aunt is the picture of woe—I need not tell you the whole community groans—Every countenance proclaims the public Loss. My white hairs are going down with sorrow to the grave and nothing but having a God to go to could support my hopes. Poor Rachel will go mourning all her day—

Excuse a scrawl of affliction merely to convey
the mournful tidings

Yours in the deepest affliction

E BOUDINOT.¹

SAMUEL BAYARD Esq
at the Philadelphia Coffee House,
London.

“ In 1809 Dr.² Elias Boudinot made a tour into New England, of which he kept a Journal, now in my hand; on June 29th, 1809, he visited his old friend, Dr. Samuel Johnson, at Stratford; he found him entirely ill with gout, but had some conversation with him. Respecting Mr. Bradford, there is the following entry in Mr. Boudinot’s Journal: ‘ He, Dr. Johnson, very politely inquired after my Daughter Mrs. Bradford, said she was dear to him for her own sake, for she was an excellent woman, but particularly for his beloved friend Mr. B’s sake whom he loved most tenderly; that he was great as to his attainments as to this life, but he was remarkably great in the attainments of the mind, & that our Country had met with a great loss indeed in him, that had he lived he would have been of great use in days of difficulty.’ ”³

Extracted by me,

H. B. W.

(HORACE BINNEY WALLACE.)

Happily, at this time, the President appointed Mr. Boudinot director of the Mint of the United States, and his intention of retiring from public

¹ Family papers.

² Doctor of Laws.

³ Historical Society, Philadelphia.

life was overborne, doubtless by the conviction that active work of this nature would be the better balm for his afflicted soul. His friends certainly thought so, and Miss Bradford expresses something of this in one of her letters. He entered immediately upon his duties, and in a few days had prepared a pamphlet of thirty-six pages, being "Orders and Directions for conducting the mint of the United States; established by Elias Boudinot, Director of said Mint, Nov. 2, 1795." Doubtless many of these rules had previously been in use, but Mr. Boudinot first systematized them and had them printed for the use of officers and employes. Some have been incorporated into subsequent laws relating to the Mint, particularly the general Mint Law of 1837.

In the year 1801, proposals were made to the government to perform the operation of coinage by contract with individuals. The director reported that "This proposition was wholly inadmissible and impracticable; and that it was altogether against the policy of Government to suffer her coin to be made by persons not absolutely under her control and check, or who would employ persons in the execution of the work with whom the Government had no connection. He adds that it would be impossible to be executed without the Government kept all its principal officers, such as Director, Assayer, Melter and Refiner, and Chief Coiner. These views were so sound and unanswerable that the suggestion was not further pressed."

Mr. Boudinot is said to have conducted the business of the Mint "with great industry as well as ability."¹

MR. BOUDINOT TO THE HON. TIMOTHY PICKERING.

ELIZABETH TOWN Sep^r 16th 1795

DEAR SIR/

I have seriously reflected on the subject of the President's polite & friendly offer made by your favour of the 10th Inst. and altho' I had determined to retire from public business, having no desire to engage in any, from pecuniary Views, yet I had as decidedly determined never to lead an idle life, but to be as active & useful in a private station as possible. I wish always to be employed, but not to be encumbered with business — If therefore I thought I could be useful to my country in the department proposed, I should willingly do every thing in my power to fill it with faithfulness & diligence.

Any hesitation I have, arises from my want of Chymical Knowledge, which appears to be necessary to this Service — The Employments of my whole Life, have always led me another way, and altho' this Science may be gained by application, I am almost too far advanced in Life to become a proficient therein. I mention this difficulty to you, with the greater freedom, because I have it in my power to name a gentleman to you, in this State, whose Chymical Knowledge, liberal Edu-

¹ See *The Washington and National Medals*, Snowden, p. 185.

cation, acknowledged integrity & local Situation in Life, fit him so well for this office, that duty to my Country, obliges me to bring him to your Notice — It is Dr. Isaac Smith of Trenton, the second Judge of our Supreme Court. I am of opinion he would accept the appointment with pleasure — from a patriotic principle I would give way to him, with great satisfaction —

But if the President should decline his Appointment, I will endeavor to do the best I can in the office — If I find on Experience that I am unequal to the Task I can but resign to some better Man —

As I am not anxious for the Salary, I hope not to be attached to the office longer than I can fill it with honor & propriety.

It will be the beginning of November before I could fill the Department by a personal attendance as it will take some time to move my family to Rose Hill, where I shall reside.

I feel a respectful Sense of your politeness & Friendship and have the honor to be

Dr Sir

Your Most obed^t Hble Serv^t

ELIAS BOUDINOT.

The Honble. TIMOTHY PICKERING Esq^r.¹

¹ In Pickering's hand. "In my letter to Mr. B. I informed him the Mr. Desaussure wished to be relieved as soon as possible, tho' if necessary he would continue to the end of this Month September T. P."

Pickering to Washington sent with letter. Hence this letter is found in "Letters to Washington." MSS. Archives, Department of State, Washington, D. C., The Washington Papers, Letters to Washington, vol. lxxxii. p. 140.

Mr. Boudinot writes to a friend, May 11, 1796: "At the earnest desire of the President I have undertaken the direction of the Mint of the United States. It is the same berth the famous Sir Isaac Newton enjoyed many years in Britain tho' not with the same emoluments. The only disagreeable consequence attending it, is confinement to Philadelphia, as every day brings something that cannot be done but by the Director alone. The Business is curious and opens up many sources of knowledge and contemplation that I was before a stranger to."

Mr. Boudinot's Philadelphia residence, where his occupation as Director of the Mint obliged him to remain, was No. 218 Arch Street, then a fashionable quarter of the Town.

The house at Rose Hill, his country seat, about two miles from Philadelphia was the scene of great hospitality; the house was almost always full of guests. Many of Miss Bradford's clever letters were written from there, when she for a time, after her brother's death, made her home with the Boudinots.

There were other country seats of well-known Philadelphians in the neighborhood. It was a pleasant drive from the city, and visitors from thence were frequent.

MR. BOUDINOT TO MR. BAYARD IN LONDON.

Shall I beg the favour of you to let me know from some respectable dealer in copper I mean

at the fountain head — At what rate they will supply me with blanks ready cut for striking off cents pr ton or pr lb — paying the cash on the Copper being shipped — If I can get them in proper time, so as to be a saving to the United States I may import perhaps 30 Tons pr annum — They must be of the best copper — I believe Bristol would be the best place to inquire concerning the copper Blanks — a Mr. Bolton has some famous instruments for the purpose — The Blanks must be ready cleaned & nealed fit for striking.¹

¹ Family letters.

CHAPTER XXVIII.

Miss Bradford to Mr. Samuel Bayard; sorrow at the loss of her brother; regarding Mr. Bayard's prospects; Mr. Nicholson; Mr. Morris; Mr. R-u-h; Bache; the Cerberus of Democracy; the family. — Mr. Boudinot to Mr. Samuel Bayard; the vote for President; fires; Mr. Morris's Mills; Charlestown; Savannah. — Mr. Boudinot to Hon. George Washington; takes leave of him. — To Mr. Samuel Bayard; Mr. Adams President; conduct of French Directory. — Mr. Boudinot to Mr. Samuel Bayard; regarding family; Governor Blount of Tennessee; Dr. Romaine; Mr. Bayard's affairs; looks forward to further confusion in Europe; asks for Gardener; attack on Colonel Pickering by Spanish Minister. — To Hon. Timothy Pickering; announces death of Dr. Nicholas Way; treasurer of the Mint; yellow fever. — To His Excellency John Adams; President, on the same subject; recommends Dr. Rush as successor. — To Hon. Timothy Pickering, on applications for the office. — Mrs. Boudinot to Mrs. Samuel Bayard; on their arrival in America; postscript by Mrs. Bradford. — Mr. Boudinot to Mrs. Boudinot; their guests; at the President's. — To Mrs. Boudinot; ships subscribed for by merchants of Philadelphia for use of government; his wife. — To Mrs. Boudinot; counts the days for her return; describes accident to Mrs. Rush and Lord Henry Stewart. — To Mrs. Boudinot; escorting Mr. Marshall into town; French Directory; jests at Mr. Bayard's intrigues.

MISS BRADFORD'S letters written from Rose Hill, with graphic accounts of this delightful country seat and its inmates, are a welcome addition to the task of carrying forward Mr. Boudinot's life, at this time becoming more retired from the public eye.

ROSE HILL, Nov. 26, 1795.

MY DEAR FRIEND. —

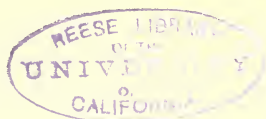
That distance enhances the value of letters, is the only reason why those I have poured upon

you could entertain or interest, for I have often lamented the want both of matter and variety, to make them worth even the expense of time to read them, and even of that little worth they are now wholly destitute. When I look round the Secretary at which I am now writing and view the scattered fragments impressed with characters expressive of the elegant, generous, noble Mind that made our world to us a heaven, when I recollect the many pages which on this spot has been written for your advantage, instruction and entertainment, by that dear hand which is motionless in the tomb, every power is unhinged at the dreadful retrospect and I feel almost ready to cast my pen aside forever — every comfort of Life seems deprived of its value, and I pause to ask what is the use or purpose of existence. But I will if possible cease from this melancholy subject, and strive to give another complexion to letters from which something more, is reasonably expected, than the continual strain of the hidden sorrows of my heart — it is but seldom that I *now* venture to intrude them on those nearest to me, and I well know it is unkind to load you with them when such an extent of world lies between you and those friends, who still live, and are dear to you.

Your letter of the 12th. of Sept. was yesterday handed to me, few things now communicate to my heart a sensation so nearly allied to joy as those remembrances from you. Whoever interested the friendship and affection of the adored

benefactor I have lost, have claims upon my heart from that consideration alone but where this is added to partiality and esteem antecedent to such a motive, *their claims* are strong indeed and on this ground who can take the lead of you and our amiable Patty? Not a day I believe elapses in which you are not remembered in our conversation in some way or other — and the prospects which seem to be opening to your future establishment and independence, is a source of more satisfaction than I can express. Some uneasiness however occurs at times, lest you may be building your prospects on a fallacious foundation and find yourself deceived where you feel the most confidence; however your Father-in-law has written you with respect to Mr. Nicholsons embarrassed Situation, and will fully guard you against too much dependence there. The Bubble with respect to him and Mr. Morris seems to be bursting, and should it, who can say how far the shock will extend, they are the universal topicks of conversation I am told, and against Mr. M——s the publick is outrageous, he appears indeed to be playing a game of desperation, and if his creditors increase their clamors, it is said he cannot extricate himself tho' I think more may be expected from him as to that effect than any man in the Union — he is the ball of merchantile censure, and Mr. R-a-h¹ of the political world, his promised defence

¹ See Irving's *Life of Washington*, vol. v. p. 235, on "Conduct of Randolph."



has not yet come forward and I much suspect the Mountain will not even bring forth a mouse to testify to his innocence, poor man — there seems much reason to think he wants those supports which upright men feel so much within their reach, that they want but little time to make good their vindication. The Cerberus of Democracy, Bache barks more furiously than ever, and snaps so much that its fangs will loose their power of wounding by continual gnashing — unless it makes a speedy exit by madness for I think the symptoms of that disease increase in it daily, the President is the continual mark of his abuse, to which no bound is set, it is to be hoped, that like some other party papers have done here before Bache's will destroy itself and its insolent publisher, be sent into the contempt he deserves. The Storm, which the business of the Treaty threatened to raise, seems to be blown over; at least appearances are less dark and alarming — what the Demoniacks of Congress may bring forward to excite new commotions on the subject we shall soon know, their asylum at the head of government being broken up, will no doubt perplex their plans and will probably suspend if not wholly suppress some of their operations. Would to heaven, this country could learn to aim at a character of its own, fitted to the peculiar blessings which belong to it and without any reference to the politicks of Nations whose constitution and governments cannot be suited to us, in the enjoy-

ment of more perfect freedom than any people ever had it in their power to enjoy.

I was in expectation that I could have prevailed on Susan to have written to her Cousins by this opportunity, but that is an exertion our persuasions cannot yet rouse her to, altho' I believe besides her Parents there does not live an object so dear to her as Patty. . . . our good friend Mr. Boudinot begins to recover his spirits and both looks and is better than he was. I believe we may look to the office he has accepted, as the means by which he is preserved to us, the constant employment it gives his mind and the exercise it obliges him to take for he goes to Town every day and the intercourse it leads him to with the political circles keep him from sinking beneath the keen sense he feels of the insuperable loss he has sustained. Mrs. Boudinot I think enjoys more than usual health and tho' Susan looks thin and suffers from frequent head-aches yet her constitution, I trust will prove more than equal to her tryal. Mrs. Washington, Mrs. Powell and Mrs. Morris were here this morning — such a visit naturally recalled scenes to her mind that more forcibly affected her than those to which she is now accustomed, generally do.

The season is at hand when we must depend upon ourselves for society and on our exertions for relief of mind. The roads will barr the visits of our City friends. Mr. Leamy is moved to town and poor Capt. and Mrs. Barry are and it is

probable will for a long time remain in so convalescent a state that they cannot be neighbors to us. Betty begs I will remember her to her mistress when I write and indeed she deserves to be mentioned. Assure my amiable Patty I love her sincerely—present her the mingled affection of all here and consider yourself a sharer in the large portion that is sent as well as in the esteem and friendship of

Yours aft.¹

R. B.

In January of 1796 Miss Bradford writes from Rose Hill to Mrs. Bayard (Patty) in London:

This uncommon season advances the interest of friendship as well as commerce, as it gives more than usual opportunity of exchanging those remembrances which at present are more valuable than ever. It gives me much satisfaction to hear how agreeably you pass your time among the many friends your virtues have made you.

I cannot yet prevail on Susan to write you but I do not urge anything that requires great exertion; I believe it better to beguile than to force her into a compliance, which by degrees will recall her to her former self. I hope she will not materially suffer in her health. We keep ourselves constantly employed either with work or books for I early found time was a tardy physician to wounds too deep and festering and if other application was not made than that which

¹ Family letters.

time bestows the extent of the evil was beyond calculation. To live usefully now is the only wish I have. . . . your excellent Aunt and Uncle are every thing that the most affectionate parents, the most generous friends could be to the most attached children whilst Susan and Hetty, John and your friend feel no higher satisfaction than to contribute to their happiness as far as we can and the pleasure of each other; all the world seems centred within these walls and not one among us has a desire to go beyond them. We all feel and think alike on the one great object of our thoughts and those thoughts I believe, often descend into the grave together, when in pensive silence we surround our evening fire. . . . as I know you love to be brought as near to us as you can, perhaps it would not be very much amiss to tell you, we generally rise and are assembled in grateful acknowledgement to the giver of our multiplied comforts, by nine o'clock—we then breakfast when the kindness of your Aunt and the cheerfulness of your inestimable Uncle, renders our meal pleasant, the good old gentleman then takes himself to Town, where he attends the Mint every day—John goes to his law, Susan, Hetty, your Aunt, Mary and myself sit down to work or books, mostly History or sacred or moral writings, often one reads whilst the rest work, about 3 or 4 O'clock our beloved benefactor and father returns, sometimes earlier to dinner—He gives us what news he gets and that, or accidental occurrences

give birth to conversation till 6 O'clock when candles invite us to other employments. Hetty and Mary mostly sit down to Geography which they are learning under John, Susan and I read, whilst the others work and Mr. B. generally spends his evening at his pen. For exercise they generally play battledore two or three times thro' the day. About 11 or 12 O'clock we are all hands in bed; thus passes day after day without jar, interruption or dissensions and when the hours of retiring come, we are all astonished to find how more than usually fleet time has become.

Sister Wallace, her husband and sons and two of her daughters are here at present, they all beg to be affectionately remembered.¹

MR. BOUDINOT TO MR. SAMUEL BAYARD.

ROSE HILL 14 Dec' 1796

MY DEAR SIR

I wrote you by the Wm Penn and the Dommenick Ferry; This moment (late in the evening) I am informed of the sailing of the West Indian for London tomorrow

I mentioned in my last the great disappointment Mr Bolton had caused me in not sending the Planchetts at all events; it has left us without employ for the latter part of the Winter, and shows that he wants punctuality I hope to have them in the first Ship that comes out —

Since my last we have acts from several of the

¹ Family letters.

States, and there is a possibility that Mr. Adams will be our President, unless the great anxiety to keep Mr. Jefferson & Mr. Burr from the Vice Presidentship, should lead the States of Massachusetts & New Hampshire to vote unanimously for Mr. Pinkney as Vice President, and not throw away some votes as Connecticut has done and thereby run him above Mr. Adams. It is a most remarkable event and one that soon cannot be forgotten, that in the year 1796, on the first disputed election for a President of the United States, the State of Pennsylvania who values herself on her attachment to the christian character should give 13 votes out of 15 for a President & Vice President who are open & professed Deists at the same time, it will also be remembered that in the house of Representatives in the Congress of the United States Dr Priestly had 27 votes for their Chaplain. These facts are too remarkable to escape the Pen of our future Historians & I confess they give such substantial evidence of our degenerating from the zeal of our forefathers, who first settled this wilderness, that those who retain any of their spirit have their fears greatly alarmed for the consequences.

Mr. Adet's letter or note addressed rather to the People than the government of the Union has roused every part of it and each State is striving with the other, who shall show their detestation of the conduct of the french Directory & their Minister, in the strongest language. Even Vir

ginia has taken fire and a great conversion is working there on this subject. They begin to feel the insult offered to our political character—

Our Ladies are all doing pretty well.

Our beloved daughter has got into her house; she left us last Saturday, and here we are, Darby & Joan by our fireside enjoying ourselves during our evening of snow and rain.

Whatever our conduct as a People may be, divine Providence seems to have a controversy with us—I pray that he may give us wisdom to see it in time—The cities and indeed country too, have been visited with fires in the most extraordinary and unheard of manner—There have been already near 20 fires this Fall, by which many private Houses have been totally destroyed—about 6 weeks ago Ten Houses, all new, were burned down in New York and last Sunday about 40 or 50 more, the whole Square adjoining the fly Market & to the Southward of it to front or Water St. a very distressing fire about a fortnight ago happened at Baltimore & destroyed the Methodist Church, Academy &c. Mr. Morris Mills at the Falls opposite Trenton has been burned within a few days—To the Southward Charles Town has lost a great number of valuable Houses, I believe upwards of 100—and yesterday we had an account of the destruction of two thirds of the Town of Savannah in Georgia, say 250 houses—These are serious events & call for Reflection & Contrition—

Remember us in the most affectionate manner
to our beloved Niece and kiss your charming son
for us— Compliments to all our friends

I am my dear Sir with great sincerity

Your very aff^c

ELIAS BOUDINOT.

SAMUEL BAYARD Esq.

Your Aunt has received Patty's letter but it is
too late for her to answer it— She feels very great
anxiety on her account and begs a line by the
first opportunity.¹

ELIAS BOUDINOT TO THE HON. GEORGE WASHINGTON, ESQ.

PHILADELPHIA 7th March 1797

DEAR SIR

I send herewith the seal you was pleased to
commit to my care— The time has been scarcely
sufficient for the purpose—

The letter of Mrs. Ferguson has been for-
warded with one from myself in the manner you
requested.

As I may not have the pleasure of seeing you
again before you leave the City, permit me once
more to express my most Affectionate wishes for
your health & happiness, and most devoutly to
pray, that your retirement may prove as conco-
latory to your declining Age, as your active life
has been essential to your grateful Country—

Mrs Boudinot and the Ladies of my Family
unite with me in the most respectful Salutation

¹ Family letters.

to yourself, Mrs Washington & Miss Custis, expressive of our best wishes for a pleasant & prosperous Journey —

I have the honor to be with the most perfect Esteem

Dear Sir

Your most obdt. & very Hble Serv^t

ELIAS BOUDINOT.¹

The Honble GEORGE WASHINGTON Esq.

(Endorsed in Gen^l WASHINGTON's hand)

From

ELIAS BOUDINOT Esq. 7th Mar. 1797.

In 1797, he writes to Mr. Bayard: —

We have at last made tryal of a new Master — Mr. Adams has been solemnly, peaceably & joyously enstalled into the Presidential Office. The Day was Solemn — every thing was conducted in the most quiet, decent & interesting manner. The old President was the first who most cordially congratulated the new one, on that honor conferred on him by his country. The whole was a scene that commanded the most respectful veneration from strangers while the Citizens heart overflowed with Joy & gratitude, at the contemplation of his happy lot among the Nations of the Earth. This morning our late Excellent Chief Magistrate left us for Mount Vernon followed by the Blessing of every good citizen —

We are in anxious Expectation of news from Europe — a rumor that Mr. Pinkney has been

¹ MSS. Archives, Department of State, Washington, D. C., Letters to Washington, vol. lxxxiv. p. 352.

refused by the french Directory has increased this anxiety — Indeed the conduct of the french Republic has been so very extraordinary of late towards us, as to leave it very problematical, whether a state of actual war would not be the most preferable for America — That Nation seems to be verging on absurdity in all her conduct — To cast off such friends as the United States and force them into the arms of their Rival appears to be little short of Infatuation. Could Britain be so well rewarded in any other way for all her expense in the late war with France? Could France be more completely wounded by her greatest enemy? Congress has also finished their state of existence and are dispersed — It has done but little — Indeed they have been the most miserable Representatives the Nation has ever had — They have dishonored the Nation by their Folly & want of the necessary qualities of the Representatives of the People — The great difficulty has been to prevent them from doing evil — Their List of Laws does them no honor and they have dispersed with the general wishes of the People for an essential Improvement in the next Representation. The last letters we received from you were dated in Nov. & beginning of December — We hope later intelligence is on the way

I am in great want of the Copper from Mr. Bolton and the Iron I have written by three or four vessels — I trust some will get to hand —

Your Aunt and Cousin with Miss Reed join in the best wishes & send love &c &c May the blessing of Heaven be your Portions

I am my dear Sir

Yours Most Sincerely

ELIAS BOUDINOT.

SAMUEL BAYARD Esq
London
Agent for American Claims¹

MR. BOUDINOT TO MR. SAMUEL BAYARD.

July 15th 1797

MY DEAR SIR

A day or two ago we were favored with your very affectionate Letters of the 28th March & 14th April by the Pomona which has had a very long passage

The favourable accounts of our dear Nieces health & that of her sweet children, gave us the most sensible pleasure & we do render our most ardent thanks to the giver of Health for the grace & mercy to us, in delivering her in a perilous hour from the destroying grave. May the pious Resolutions formed in the hour of distress and under a deep sense of his all gracious Providence be carried into full execution in the days of prosperity — Alas! too well do I know the danger to which prosperity exposes the human Mind we are too apt to forget the engagements of danger & distress — We are formed by habit to enjoy the present, forgetful of the past with expectations of doing better in futurity — I trust to the grace

¹ Family letters.

of a kind & holy God that these will not be the returns you will make for all his goodness but it is best to entertain a pious jealousy of our own conduct, as we advance in Life & are engaged with the world — The time is drawing near when we shall stand in great need of the most lively sense of the divine Presence continually in exercise to save us from the indignation that is coming on a guilty World — if it is not already begun.

Our Family yet continue much favoured with regard to health & every other blessing

Your dear Aunt tho' not so fat as formerly keeps about much as usual.

Rachel is yet at Boston & does not return until September Hetty is still in Jersey with Mrs Field (Abey Stockton) from whence Susan has lately returned & is something benefitted by her jaunt.

We have lately been much amazed by the treasonable practices of a certain Governor Blount, a Senator from the State of Tennessee — a letter has been intercepted from him to a Mr. Cary an Indian Interpreter which you will read in the papers; by this it was discovered, that a Scheme had been some time in agitation & was near coming into Execution to raise about 4000 men on our Frontiers in behalf of Great Britain with a large body of Indians and attack the Spanish settlement by Land while the British made an Assault by Sea & thus take possession of both of the Floridas — The Spanish Minister had

been giving the government notice of some such movement since March last but no one had any Idea of the truth of it, as the British Minister absolutely denied any knowledge of it, except that such a proposal had been made to him by some of our people & rejected by him but reported to the Government & his conduct approbated by them — He still holds the same Language. Dr. Romayne is suspected as the original Author of the business, and on which he went to England &c is now here under examination on the Suspicion — a Committee of Congress with very extravagant Powers are left to investigate this business — we are not without fears that this may be a scheme of the Demo's & frenchified Americans to ruin England in the American opinion & give the Spaniards an excuse to break their Treaty with us — Near 30 Names are said to be implicated and we know not yet the extent of the Mischief — Blount has been arraigned before the Senate & expelled their Body — He has been also impeached by a unanimous vote of the Representatives but suffered at last to escape by the Senate holding him to bail in the small sum of 1000 dollars. He did not remain here an hour after he gave the Bail but went off with great precipitation. He was pursued by the Officers of government near 100 miles but in vain. The Senate are not without blame — All who have been mentioned as concerned in the Business are violent Jacobins professed Enemies

to Great Britain & who have been continual advocates for the French & always vociferating a british Faction — Blount has been rather supported in both Houses by the democratic party & friends of France as to the measures to be pursued against him This increases the enigma & envelopes the whole in greater darkness — I have been long uneasy at your intimacy with Dr. R. and was glad when he left England — All this business has been in a measure confirmed by the preparations for War among the Indian Nations and we have serious apprehensions of trouble from that quarter — The Session of Congress has broken up & has been the least honorable to America of any that has been held —

I wrote you lately in answer to your proposals by the William Penn: your Father and Friends here think you ought to be governed by Circumstances & not stay a moment longer than you find it absolutely necessary, neither on the other hand ought you to reject the opportunities divine Providence may put into your power for the sake of hurrying a month or two sooner — Five hundred pounds per annum with what you can do here, will certainly maintain you comfortably. A large estate ought not to be any object to detain you, it is not essential to happiness, altho' a competence is a blessing for which we cannot be too thankful — You can get some office here that may add as much more to your income and this with economy even at this expensive day, will be sufficient.

Notwithstanding the appearance of Peace it will be but of short duration — I am looking for a greater degree of confusion in Europe, than has yet happened — it must take place — The governments there are on the decline — Their end is drawing near — The cloud thickens every day and a few years will progress the business & bring about the great consummation.

Our Farm looks very well & we are very comfortable this very hot weather in being clear of the city —

We are much plagued for want of a good gardner — Labour is so high that scarcely any thing the ground produces will pay the expence of raising it — If a good Scotch or French gardner could be engaged for 3 or 4 years for a reasonable rate & without a family I really believe it would be a good scheme provided he was really sober and honest — We have almost every kind of garden seed imported here from England every spring & sold at reasonable rates — If any thing new and out of the common way could be obtained, it would be clever to add to our common stock. Early Colliflower & some of the best kind of potatoes, ought to be advantageous. Extraordinary kinds of fruit would increase our Capital Lewis copy book yielded many agreeable sensations and it gave us much pleasure to observe his great progress in writing — may he be a Blessing to his Parents & his generation —

I will look out for Faucets Sermons I dare say they may be had here —

There has just come out a violent attack on Col. Pickering, from the Spanish Minister who has neither prudence, knowledge or understanding to prevent his being made a Tool of by the Jacobins to bring on his own destruction — you will see it in the Newspapers.

Our Ladies join in the most Affectionate remembrances & beg you to kiss the brace of boys for them

I am my very dear Friends with very great sincerity

Your most affec

E. BOUDINOT.¹

SAMUEL BAYARD Esq
Agent for American Claims
London.

MR. BOUDINOT TO HONBLE TIMOTHY PICKERING.

ROSEHILL Sept 4 1797.

DR SIR

It is with inexpressible Grief, that, I announce to you the unexpected Death of our excellent friend Dr. Nicholas Way, Treasurer of the Mint — He dyed last Saturday Evening of a most malignant yellow fever — He was ill but seven days —

The disorder in the city increases in its malignity, and, of course is more mortal than it was: — I fear from the information I have, that it will spread over the City.

Enclosed is a letter giving the Information to the President — I have seen Dr. Rush, whose

¹ Family letters.

mind is greatly clouded, by the present appearance of the disorder. He seems determined if he should live thro' this Visitation of the City, to retire from business, and I suspect would gladly accept the office of Treasurer of the Mint — It would be a respectable appointment & therefore I mention it to you.

I have the honor to be with great
respect Dr Sir, Your very Hbl Serv^t
ELIAS BOUDINOT.

The Hon^{bl} TIMOTHY PICKERING Esq.

(Endorsed)

ELIAS BOUDINOT Esq. Sept. 4, 1797, Rec^d 4th

(Addressed)

The Secretary of State U. S. now at Trenton.¹

MR BOUDINOT TO HIS EXCELLENCY JOHN ADAMS.

ROSEHILL 4 Sept. 1797.

SIR

It is with real distress, that I find it my duty to inform you of the death of our worthy Treasurer, Doctor Nicholas Way — He dyed last Saturday Night of the present malignant fever.

As a Successor must of necessity be soon appointed, suffer me to mention, that I have some reason to believe, from the present state of Dr. Rush's mind and the distress he is so constantly involved in, by means of his professional business, that he would accept of that important Trust — So respectable a Successor would give general Satisfaction —

¹ MSS. Archives, Department of State, Washington, D. C., *Applications and Recommendations for Office*, vol. i.

I have the honor to be with every respectful
Sentiment of Esteem

Sir

Your most obdt Humble Servt

ELIAS BOUDINOT.

The President of the United States.¹

(Endorsed)

Pennsylvania,

The President of the United States.

MR. BOUDINOT TO HONBLE TIMOTHY PICKERING.

ROSEHILL Sept 15th 1797.

DEAR SIR,

I have recd applications from Dr. Conover Jonathan Williams Esq. and Dr. James Hall of York Town in this State who respectively solicit to be put on the list of Candidates for the office of Treasurer of the Mint.

I am happy to inform you that in the opinion of the Physicians, Mrs. Bradford is pronounced to be out of danger. She is certainly much recruited and apparently in a convalescent state.

I have the honor to be with great respect

Dr Sir

Your obdt Hble Servt

ELIAS BOUDINOT.

(Endorsed)

ELIAS BOUDINOT Esq. Sept 15, 1797.

DR. CONOVER J. WILLIAMS,

& DR. HALL

¹ MSS. Archives, Department of State, Washington, D. C., *Applications and Recommendations for Office*, vol. i.

(Addressed)

The Honble. TIMOTHY PICKERING Esq.
Trenton.¹

MRS. ELIAS BOUDINOT TO MRS. SAMUEL BAYARD.

ROSE HILL, May 17, 1798.

Blessed be the Father of all our mercies and comforts that I can address my beloved Patty, and her excellent husband, this side the great Atlantic, thanks be to God, that you have pass'd the dangers of the sea, and of an enemy, laying in wait for you. I cannot tell you my dear, the relief my mind experienced when your good Uncle came in, his eyes dancing with pleasure and inform'd me of your safe arrival, and that he had letters from Mr. Bayard, Susan crying out, Mama let us set off to-morrow. I have had a bad cold for some time, and still feel indisposed, and being out here so short a time makes it very inconvenient for me to leave home at present, but as Mr. Bayard mentioned, that, "you are at Brunswick on Thursday." Susan seemed to be determin'd to set of, call for Miss Bradford, who is at Burlington, and be at that place, to-morrow. But we received a letter from your Papa this morning, which tells us, that, *you* went yesterday to New Rochelle, and that *Mr. B.* was to leave Brunswick this day, therefore I have persuaded Susan to compose herself, till we hear from you, and are inform'd of your plans, your Papa, like-

¹ MSS. Archives, Department of State, Washington, D. C., *Applications and Recommendations for Office*, vol. i.

wise, mentions that great part of your baggage is to come into this City, which, perhaps, may make it necessary for you to come here — Nothing on earth, could give us greater pleasure, than that we might return with you, as I must pay your poor Dr. Aunt Pintard a visit, if they cannot come here, it is almost three years since I saw them, when I left them with a heart full of sorrow — to visit this, *then, Melancholy aboide* — Your Papa says that you seem to be better than he expected, I hope your Native air and Inter-course with your friends, will be the means of a perfect restoration of your health and that a life, so dear to us, may be long spared, I long to see your dear boy, kiss him for me, we will go into town tomorrow to see if Mr. A. Bayard is return'd. I cannot tell you my dr friends how I feel alth' I endeavor to compose my mind, with that gratitude and thankfulness, which is due to the God of our lives, and all our mercies, yet I am, sometimes, impatient to see you — may kind heaven grant us that blessing soon. I have often felt for your dear father, and mama, I now rejoice with them. Your Uncle joins me in the most affectionate love to you all. May every blessing rest upon you is the constant and ardent prayer of your

Aunt that loves you

H. BOUDINOT.

I cannot let the post go to New York without

joining in the expressions of gratitude to the Author of all I still enjoy that he has returned my beloved friend and Cousin once more to her anxious family, nothing in this world could have given such joy to my heart as it felt at the moment papa gave me Mr. Bayards letter and I saw from himself that you had passed the dangers of the Sea. My impatience to see you is greater than I can bear very long. I wished to set off to-morrow morning but Mamma is trying to prevail upon me to stay untill we hear from you. I have long been a stranger to the wish of going from home but on the contrary have thought of quitting my own house with horror, but all that fled in a moment, and I now hope to be with you next week, what a multitude of contending emotions does the thought of meeting you raise in my mind, but no more, the Lord reigns. Kiss my sweet Lewis for me, make him remember me, give to Mr. Bayard my Sincere and affectionate regards tell him I long to see him with the ardour of a *real friend*, and in the hope of embracing you *all* very soon.

I remain my beloved Cousin yours most affectionately.

S. V. BRADFORD.

The Belvidere is arrived.

Let us hear from you on the receipt of this, and pray say that you are coming here we shant let Susan go till we hear from you Betty seems

much rejoiced, and sends her love to her Mistress

H. B.

Addressed

Mrs. BAYARD
at LEWIS PINTARDS Esqr.
New Rochelle.¹

MR. BOUDINOT TO MRS. BOUDINOT.

From ROSEHILL,
June 8 — 1798.

This morning I have been made very happy by the receipt of your affectionate letter of the 4th Miss Bradford returned to Burlington with Dr Wharton Mr & Mrs Wallace remained behind —

I was at the President's a day or two ago and Mrs Adams asked very kindly after you and Susan — Our Hay harvest begins this next week God willing from which time they will keep going from Hay to grain & from grain to grain till you return — Remember me in the most affectionate manner to my beloved Daughter & all the Group of relatives.²

MR. BOUDINOT TO MRS. BOUDINOT.

June 13th 1798.

MY DEARLY BELOVED WIFE

I wrote you on Sunday in expectation of its going by Mr. Green but on second thought sent it by Post determining to write again by Dr. Green was it only to mention that we are all well

¹ Family letters.

² Family letters.

& longing to see you. Yesterday the Merchants of Philadelphia began a subscription for two ships of 20 guns each, for the use of Government, and this morning when I was at Bank, it amounted to upwards of 40,000 Dollars & tomorrow or next day the keels will be laid — They expect to finish them within 90 Days — This shows some intimate Union between the Government and People.

It wont do for an old Man to complain of the absence of his Wife — you know the young folks would only laugh at him — But let them laugh who will — Old as I am, I have more real affection for and receive more solid satisfaction from the company of my old Lady than three fourths of all the young fry of the present age who talk of nothing but Love & everlasting affection while they regard only present enjoyment & the happiness of the moment. But this is inter nos — and wont do to go further as it is quite an unfashionable strain — But — Wherever you are and in every circumstance of Life and whatever others may do or think I am

My beloved Wife with unalterable affection &
Esteem Your most sincere & constant
Husband,

BOUDINOT.¹

Mrs BOUDINOT at
LEWIS PINTARDS Esq. New Rochelle.

¹ Family letters.

MR. BOUDINOT TO MRS. BOUDINOT.

ROSE HILL June 17th 1798.

My BELOVED WIFE

Just returned from Church I retire to commune with her who has my first thoughts in rising and my last in lying down — I have borne your absence as yet with tolerable patience as I know you are enjoying yourself more than perhaps you ever will again, but I now begin to be looking forward and counting the days & weeks appointed for your return. My mind has this day been made more anxious than usual from a sudden alarm and distress from our friend Mrs. Rush — Alas! when we go out we know not how we shall return and when we come in we know not whether we shall ever again go out — Mr. & Mrs. Leston, Dr. Rush, Mrs. Rush & children with Lord Henry Stewart all took a ride yesterday to see Mr. & Mrs Peters — On their return Mrs Rush knowing Dr. Rush to be complaining got into the chair with Lord Henry & gave the Dr. her seat in the coach it was near night and when they came to the Bridge the Dr. in the Coach with Mr. & Mrs Leston stopped to pay the fare & Lord Henry drove over the Bridge — There happened to be a large Lancaster wagon on the Bridge before them the driver of which was not very acomodating. Lord Henry attempted to pass the waggon, when the Horse took a fright ran back, broke the arms of the Bridge, and plunged

Chair Riders & all into the River — Lord Henry (being a good swimmer) exerted himself to the utmost to save Mrs. Rush. He clasped her in his arms — then took her by the Head — then by the middle — but it would not do, he finally lost hold of her — her presence of Mind did not forsake her but she struggled to keep herself up as much as she could — Just as she was going down the last time, two men appeared on the Bridge & attempted to reach her but could not — Lord Henry still in the water called on them to save her for God's sake. The men begged her to extend her arms — Lord Henry finding she must drown made a desperate attempt to reach her and pushed her so that in the last struggle she threw out her arms when one of the men secured her hand and dragged her on the Bridge — She was between the Horse and the Bridge by which her head and face were much bruised — In this situation Dr. Rush heard a cry that the Chair was gone — He burst open the door of the coach & ran like a distracted man, and just found her raised by the two men & supported between them — After getting Lord Henry out of the water and getting dry clothes they reached home — the Horse was drowned but the chair saved — I have just been to see her, not hearing of it till after Church was out — She spent a very restless night — but slept well in the morning — She is no ways hurt but in the Head, Eyes & Temples, These, are more external bruises, and there is no doubt but that a

few days will restore her, a blessing to her Family — This Event affected me very much; as not only the Loss to her Family & Friends, had her life been sacrificed but every circumstance attending it would have aggravated the evil, but it also reminds me of your and my beloved daughters absence and exposed to danger & accidents in Travelling — but God is my hope & support in whom (however undeserving I am) I put my trust — Altho' all our attention is in vain when God refuses to keep us, yet it is our duty to be careful not to expose ourselves unnecessarily when no great object of duty is in view — I therefore beg that you will not neglect your duty in this respect, but be careful how you travel — take your own time & the Easiest mode in your Power — I lament that I cannot go for you, that at least I might give my care with yours — This is the fifth letter I have written but only one have I received from you, perhaps this will find you in the city — Pray let me know in your next how you mean to order your movements —

We are all well & John has in the most of his Harvest of Hay — Remember me to Mr. & Mrs. Rodgers and all our Friends wherever you are when this arrives. Kiss my dear Daughter for me — I long to see her, but do not mean to hasten your return on my account till you have completed your visits —

I send your shawls by Dr. Green —

Rachel & Hetty with John send Love &c &c

The first has been engaged in the cherry sweet meats a day or two past — I hope you will call on Mrs. Pintard as soon as you get to the city — Give my love to her, and tell her that I will write to her in a few days —

I saw Mr. Andrew Bayard & Lady yesterday, when they were all well — I hope Patty & her swain mean to come with you —

May a gracious God who has ever been our undeserved Protection and Benefactor keep & bless my dearest Wife & child & make them the special care of his Divine Providence —

I am my beloved Wife & Child, with the most tender affection

Yours most sincerely

E. BOUDINOT.¹

Mrs. BOUDINOT at LEWIS PINTARD'S Esq.
New Rochelle.

MR. BOUDINOT TO MRS. BOUDINOT.

ROSE HILL June 21st 1798.

MY DEAREST LOVE

I returned from Town yesterday greatly mortified as well as disappointed having gone in with a presentiment of certainty, that I should be favoured with a letter from my beloved Wife & Daughter. I have received but two letters, this is the 6th I have written — I take it for granted that you are enjoying unusual happiness with your friends but it would not lessen it to have a change for a few moments while you wrote you were well —

¹ Family letters.

The Time seems very long since you left us; and we all begin to look forward with pleasure to the first of July —

After my return yesterday from the City and taking dinner I went to the Jolly Post Tavern, a little out of Frankford to meet Mr. Marshall & escort him into Town. There were about 150 Horse — Col Pinkney, Mr Bingham, Myself and about fifty or sixty citizens making a very long Cavalcade — He is a very modest man & seemed to be rather disconcerted, at the unexpected honor of his Reception — He seems to think we have no alternative in the French Directory, than absolute submission to their will or a determined Resolution to oppose to the uttermost — Their Pride is too unbounded to submit to anything short of unconditional homage to them — The Example too to other small States would be much against them — but it comforts me that we have the word of the wisest of Men that “After Pride cometh a fall” — I believe that Mr. Marshall’s arrival will be of eminent service at this moment, it will tend to urge on energetick measures — I saw Mrs Adams yesterday, she also wishes your return, how much more then must I ardently wish it — It is now years since you have been so long absent from me — God grant in his undeserved Mercy, that you may return in health & safety — Mrs Rush is rather better — is out in her Tea Room but her face yet is so black, that she is obliged to cover the greatest part of it — How merciful has our God been to us all —

Rachel has been engaged in the cherry sweetmeats and tomorrow intends beginning with the Raspberries —

The House seems very lonely without you this gloomy weather — Josey has a good deal of Hay down, and the rain falls in Torrents, tho' he has had very good luck having gotten in at least five Tons.

Tell Mr. Bayard, that we did not know his tricks abroad — No sooner was he gone from the City, than every corner was covered with a large sheet of paper, advertising "Bayard Intrigues" in Capitals — No wonder he hurried out of Town so fast — Mr Griffith was here lately & talks of coming with Abbey to stay a few days — I suppose it will be to meet Mrs Bend —

My best love to my Daughter and let her know that all her friends are longing to see her & that we are all praying for her return. There has been a terrible washing going forward this week, so that I fear whether you are at home or abroad we are mopped out of house & home. Do let me know how you mean to dispose of yourselves the fortnight coming in, that we may trace your steps as you go on — It is a comfort to know where you are —

— Pray call on the portrait Painter whose pictures you saw at Dr. Jacksons and agree with him to take yours & Susans — Let it be done while you are there — Rachel wrote yesterday by Post

TO HIS WIFE.

UNIVERSITY 143
CALIFORNIA

— She, Julia, and Hetty with all the family desire
to be remembered.

I am my beloved Wife & Daughter

Your most Affec

BOUDINOT.¹

Mrs. BOUDINOT,
at the Rev^d Dr. Rodgers,
New York.

¹ Family letters.

CHAPTER XXIX.

Mr. Boudinot to Mrs. Boudinot; longs for her return; the President with Mrs. Adams and others to tea; guests; the speaker; Mr. Sedgwick; Mr. Stockton; Mr. Rush and family; Mrs. Blaine; the kitchen gentry. — Mr. Boudinot to Miss Bradford; his brother's illness; others; Mr. Boudinot to His Excellency Lieutenant-general Washington on purchase of wine. — To Mr. Samuel Bayard on correspondence; master in Chancery; French Count carries off young lady. — To His Excellency General Washington regarding the wine. — To Tobias Lear, Esq., on the same subject. — To Mr. Elisha Boudinot; sad times; fires; death of Washington. — To Mr. Samuel Bayard; political address; hopes of Mr. Van Rensselaer in the Legislature. — To Hon. James Madison; recommending Mr. Isaac C. Barnet. — To His Excellency Thomas Jefferson; salaries and wages in Mint. — His Excellency Thomas Jefferson to Mr. Boudinot; expense of Mint; double cylinder. — Reply. — Mr. Boudinot to His Excellency Thomas Jefferson; sends curious wheat seed. — His Excellency Thomas Jefferson to Mr. Boudinot; private direction of Indian funds. — Mr. Boudinot resigns from office of Director of the Mint. — From His Excellency Thomas Jefferson; accepts Mr. Boudinot's resignation.

MR. BOUDINOT TO MRS. BOUDINOT.

ROSE HILL, June 29 1798.

WHAT shall I say to my beloved Wife for her agreeable, affectionate & pleasing letter of yesterday morning — I really feel myself greatly obliged by your kind attention and wish I could make any return worth your accepting — I know not why it is so, but I have never been so uneasy & anxious about your absence — I have tryed hard to enjoy myself and be as contented as possible and indeed I have had every kind attention to make me perfectly comfortable but still there was something

wanting and I have felt your absence more disagreeable than I ever did before — I confess I felt a little disappointed at finding that you would not leave Elizabeth Town till Wednesday yet I do not see how you can possibly do so sooner, I will therefore try to do as well as I can till the happy hour arrives — May our Gracious God grant that no untoward accident may lengthen the time — It has been a great consolation to me that you have enjoyed so much pleasure among your friends, and I only mourn that I could not have been with you — however I am fully convinced that it would not do to leave our Family both together — I will try to meet you at Trenton if I can be permitted to leave the Mint for so long a Time. The President and his Lady with a number of gentry drank tea & spent the afternoon of Wednesday with us — Mrs Rush and Family dined with us yesterday Mrs. Blaine dined with us & today Miss Duché spends the day, so that we are not without company — The Speaker also makes one of the party and Sedgwick & Mr Stockton will drink tea with us — This is all very clever, but I am still alone having neither Wife nor Daughter — I have been drooping for several Days by reason of a cold — but am much better to-day — Rachel is hard set for an apology for writing those things she conjures up in her own brain — I take more care of my arms especially my right one least I should not have the pleasure of corresponding with my charming old lady — It is true Rachel

has taken liberties sometimes laughing at my longing for the Ladies to come home — but on the whole has been very good and industrious — Mrs. Edwards is still here & I hear nothing further about her going away — The Kitchen gentry are all well but never was a Mistress more wanted among them —

Kiss my beloved Daughter & remember us to all Friends as if named

I am my dearly beloved Wife

Your aff^c

BOUDINOT.¹

Mrs. BOUDINOT,
at Mr. WM. DAYTON's,
Elizabethtown.

MR. BOUDINOT TO MISS BRADFORD.

NEWARK Oct 22d 1798

MY DEAR RACHEL,

Your letter of Saturday was received yesterday morning and appeared to us as life from the dead, thus is the goodness of God ever exercised towards us & in the midst of judgment does he remember Mercy — The appearance of a recovery in our dear Brother has given real joy throughout this village, the Inhabitants of which have testified great feeling & sympathy in the interest they have manifested they had on this trying occasion — May God grant that lives thus spared by his condescending Mercy may hereafter be spent to his glory.

¹ Family letters.

We are exceedingly obliged by your constant faithful account of my Brothers illness — It is a satisfaction to know that nothing is kept back and while we partake with him in all his danger & distress, we still place our confidence in that God who hath ever been our help & support and has promised never to leave or forsake us.

I had anticipated your wishes in getting Genl Cumming to look out for another house and to have the family moved before my Brother's return for this one is only calculated to produce every kind of disease & I despair of the family's restoration to health while they remain here. I expect to get Mr. James B. Smith's house which I believe is the only one to be had in the Town.

We are anxious to hear how you are, do take prudent care of yourself — I know you want me to watch you — we are very anxious for your next letter — In hopes to have a confirmation of the goodness of God to us.

Mrs Jones is better & has got about the house — Sally is better tho' weak, she has behaved exceedingly well since we have been here.

Phobe is always complaining — I fear much for my better half as she is often complaining but we are still in the hands of a Gracious God — Elias is tolerable —

Remember us in the most affectionate manner to our good Brother Mr & Mrs Hunter and our cousin Hunter & family — If Susan is with you give our love to her & send her to Princeton as

soon as you can, as I think she is too predisposed to fever to remain in a damp atmosphere —

Mr. & Mrs Smith are much as usual but Elias continues in a dangerous situation: The Doctor has hitherto proved callous to all invitations to spilling of blood altho' he confesses the inundation of medicines he has produced has had no effect. I have just been at him and at last he has consented to bleed Elias in the next paroxysm of fever as well as blister him, tho' he says it will do him no good — If this succeeds I shall insist on the same process with Eliza who gives us much uneasiness.

As to myself, I am mending having got my feet to the ground tho' in a weak state. I mean to resign an attempt at moving on in a day or two

I am my dear Rachel,

Your very affet'y

ELIAS BOUDINOT.¹

Miss BRADFORD

at The Rev. Dr. HUNTER's,

Near Trenton.

MR. BOUDINOT TO HIS EXCELLENCY LIEUTENANT GENERAL WASHINGTON.

ROSE HILL Dec^r 4, 1798.

Mr. Boudinot presents his most respectful compliments to Lieutenant Genl Washington and informs him that the wine he mentioned to him is all sold — Mr. Boudinot has sent money to

¹ Family letters.

Madeira to purchase a few Pipes of the best wine the Island affords — He expects they will be shipped in January for the port, and if they arrive safe, and answer His expectations, Mr. B. will let the General Know it, and as Mr. B. sent for enough to last him as long as he expects to want any, he will with pleasure spare the General a Pipe, if he shall then choose to take it — Mr. B. intended to have waited on General Washington again in Person but his continued ill state of health forbids it —

His Excellency Lt. Genl WASHINGTON.

(Addressed)

His Excellency Lieut General WASHINGTON.

(Endorsed)

From ELIAS BOUDINOT, Dec. 4, 98.¹

MR. BOUDINOT TO MR. SAMUEL BAYARD.

PHILADELPHIA 12th. April, 1799.

MY VERY DEAR SIR: —

My absence for the week at a meeting of the Trustees of the College at Princeton, has prevented my answering your very affectionate and friendly letter of the 3rd. April inst. which has got safe to hand. I believe I am the delinquent in our correspondence having considered my letters to your good Father as in some measure to you. Indeed my dear Sir I have been so afflicted with the Rheumatism in my shoulders and arms and a gouty humor all over me, that I

¹ MSS. Archives, Department of State, Washington, D. C., Letters to Washington, vol. lxxxvii. p. 194.

have found it difficult to discharge the positive duties of my station, while you were absent anything from a distant friend was acceptable but now you are surrounded by so many interesting and improving connections and acquaintances I am discharged from supposing the scrawls that I am able to send you can afford any satisfaction further than to inform you of our health and comfortable situation. My Time of Life for agreeable epistolary correspondence is passed, and all I am now to hope for is to keep up my old connections without giving them cause for disgust. Do not suppose I am complaining of my advanced age, no blessed be God, he has given me too much cause of gratitude and thankfulness. . . . Writing is not so pleasant to me as it once was arising from a consciousness, that my letters cannot convey the pleasure they once did, when the Powers of both mind and body were in a greater state of activity our only aim therefore now, is to keep up our correspondence as we can, that we may not loose the benefit of our beloved Friends communications, who enjoy all that is necessary to enliven, instruct and please. It must yield them some pleasure to smooth the path of declining age, and give a zest to the benumbed Tastes of those who once rejoiced in aiding them on the paths of virtue, knowledge and happiness. It is on this principle that we earnestly solicit a continuance of the favours of our beloved Friends at

New Rochelle. . . . We sincerely rejoice with you in acknowledging the goodness of God in the health and comfort you have all enjoyed this Winter. It is matter of the greatest thankfulness We also partake in the prospect of usefulness, you may be brought into by your honorable offices conferred with so many pleasing circumstances. In New York the place of Master in Chancery is very lucrative, in New Rochelle, it can only be honorable and command respect and may be a stepping stone to something more advantageous; it may by proper management introduce you into the Chancery Practice, if you should hereafter prefer it, as the rule about the admission of Attorneys I am told is done away, if so ought you not to get admitted, even if you do not practice: It would add weight to your character.

There is no news stirring here but what you will see in the Newspapers, the general talk is confined to a late runaway match. A certain French Count, said to be of very bad character, in point of morals and rather low in Purse about 40 years old got acquainted in Mr. B's. family, who before they suspected any acquaintance with their youngest daughter about 15 years of age he carried her off and married her. The whole family are sunk in the deepest affliction and seem to admit of no consolation. Thus you see that extravagant riches do not necessarily constitute the ingredient for exclusive happiness.

. . . Remember us in the tenderest way to your
Father, the Madame and our beloved niece.

I am my very dear Sir

Yours most Affect'ly.

ELIAS BOUDINOT.¹

SAMUEL BAYARD, Esqr.

MR. BOUDINOT TO HIS EXCELLENCY LIEUTENANT-GEN-
ERAL WASHINGTON.

ROSE HILL June 28th 1799

DEAR SIR/

Your Letter of the 22d Inst. with its Enclo-
sures for Mr. Pintard came safe to hand, and
which I shall be careful to forward by the first
Opportunity.

I have been, and still am in daily expectation
of the arrival of My Wine from Madeira: as it
was to be shipped in January, I am at a loss to
account for its non arrival, unless our good friends
the Sansculottes have thought it necessary for
their present necessities —

If it should arrive & turn out as good as I
have reason to expect it will be, I will loose no
time in sending a pipe as you have directed —

Mrs Boudinot & Mrs Bradford join with me in
gratefully reciprocating the best wishes for the
health & happiness of their excellent friend Mrs.
Washington and your own, in which we all feel
ourselves much interested —

¹ Family letters.

I have the honor to be with sentiments of esteem & respect

Dr Sir

Your very obed^t and Hble Servt

ELIAS BOUDINOT.

His Excellency Lt. Genl. GEORGE WASHINGTON.¹

(Endorsed in Genl. WASHINGTON's hand)

From ELIAS BOUDINOT,

28th June 1799.

MR. BOUDINOT TO TOBIAS LEAR, ESQ.

ROSEHILL Oct^r 28th 1799.

DEAR SIR,

Immediately on the receipt of your Letter I forwarded the enclosed to Mr. Pintard at New Rochelle — He had left Madeira before the Letters, forwarded by me, could possibly have reached that Island; but he assures me that his House will forward the wines as well as if he had been present —

I am in the daily expectation of receiving the wines I have been expecting since last January — If they should arrive, you shall have immediate Notice —

Mrs. Boudinot & Mrs Bradford join me in the most affectionate & respectful Compliments to Mrs Washington & the General —

I have the honor to be with great regard

Dear Sir

Your very Hble Serv^t

ELIAS BOUDINOT.

¹ MSS. Archives, Department of State, Washington, D. C., Letters to Washington, vol. lxxxviii. p. 194.

TOBIAS LEAR Esq.
 (Addressed)
 TOBIAS LEAR Esq
 at Mount Vernon.
 (Endorsed)
 From ELIAS BOUDINOT, Esq.
 Oct. 28, 99.¹

Mr. Boudinot writes to his brother, December 19, 1799:—

“This has been a week of distress to us—dreadful fire in the City the night before last, had destroyed Rickett’s Circus, the City Hotel & 5 New Houses opposite the Congress Hall—We have received the News of Tobias’ loosing his child—and dreadful to tell, *Washington* is no more—He died last Saturday evening with a quinsey after 24 hours sickness—There has a great man fallen in Israel—Congress Immediately on the News adjourned as did the courts of Justice—America will Mourn from the East to the South—It is appointed for all men once to die—but after that the judgment—We have great cause of gratitude & thankfulness, amidst our mourning that God in his Providence has continued him so long a public blessing and that he has ended his days crowned with glory—

“You need not be uneasy about Kitty she shall have what money she wants”²—

Mr. Boudinot writes to Mr. Samuel Bayard:—
 “I was much obliged by the compliment of your

¹ MSS. Archives, Department of State, Washington, D. C., Letters to Washington, vol. lxxxviii. p. 347.

² Family letters.

political address & hope that it will richly pay you for your labour in a full harvest of federal votes; tho' indeed the defalcation of the people of the United States is so general that my hopes are not very sanguine in any State to the Southward of Connecticut—I yet am a little encouraged to hope that by the great exertion of the friends of religion & good Government in your State, especially in the Northern Counties, that Mr. Van Ranssaler will succeed—If he does, I should suppose there will be a majority of federal members in the Legislature of which I trust you will make one."

He asks him to read a little book on "The Saviour and His work" which he has been urged to publish, saying that "it is merely old truths condensed that the young and uninformed may be put in possession of the substance of many books too voluminous and expensive for many to obtain."¹

MR. BOUDINOT TO HONORABLE JAMES MADISON.

PHILADELPHIA March 24 1802

DR SIR

Altho' I am much averse from intermeddling with the appointments of Government, well knowing the great difficulties attending them, yet from the peculiar Situation and adverse Circumstances of Mr Isaac C. Barnet of Bourdeaux, a son of an old acquaintance, who died in the army during our late struggle with Great Britain, I am constrained to trouble you with the Letter—

¹ Family letters.

I have been privy to the encouragement and even assurances of Government made to him, if he would continue at his Post, until peace should take place with France — I have been informed from the best authority, that his conduct has been correct & useful — General Washington in his life time considered him as a very promising officer of Government and among the best in France —

Suffer me then Sir, to save you time, to enclose (mutilated) an original Letter I have just received from Mr. Barnet which will better communicate his real Situation than any language of mine ; and I shall be much obliged by your returning it, when you have done with it —

I do not mean, by this Communication to urge anything on Government, if they have reasons for disapproving, but barely to possess you with his Statements of Facts, and to beg such an answer as you think expedient, and which may decide his expectations and ascertain his future prospects —

He seems to have his Eye on the Consulate either of Antwerp or Lisbon — Government only can determine the propriety of the application

I have the honor to be with great respect

Dr Sir

Your very Obedt Serv^t

ELIAS BOUDINOT.

The Honble. JAMES MADISON, Esq.¹

¹ MSS. Archives, Department of State, Washington, D. C., *Applications and Recommendations for Office*, vol. i.

HIS EXCELLENCY THOMAS JEFFERSON TO MR. BOUDINOT.

WASHINGTON, May 23, 1801.

DEAR SIR,

You know the disposition of the legislature to discontinue the establishment of the Mint on account of its expence, and that there is a possibility, not to say more that the design will be resumed. Mr. Leslie the bearer of this has explained to me a Mode of performing the operation of Coining which would prodigiously abridge its expences, if it answers the proposition looks well if it rests on the known force of the double cylinder, and he represents may be tried at an expence of 5. or 10 guineas in his opinion. Under these impressions I cannot but recommend to you the trial of his method, by having a pair of rollers & die prepared by your workmen, for a single dollar only, because if it will make one, there will be no doubt of its sufficiency. I shall be happy to learn the result & think the sooner it is tried the better, because if it succeeds there will be time to get into full operation before the meeting of Congress.

I received from a german of the name of Reich some specimens of engraving & a wish to be employed. He is just arrived & in distress. I send them to you by Mr. Leslie, that you may judge for yourself whether he may be employed usefully for the public. I have taken the liberty of sending him to present himself to you. Accept assurances of my high consideration & respect.¹

¹ From the Jefferson papers, series 1, vol. viii. No. 120^o, Department of State, Washington, D. C.

MR. BOUDINOT TO HIS EXCELLENCY THOMAS JEFFERSON.
MINT OF THE UNITED STATES

16th June 1801

DEAR SIR

I duly recd a Letter, without any signature, by a Mr. Leslie relative to a plan he proposed of striking Coin, by means of the double Cylinder — He assured me that he received this Letter from the President of the United States, and that the omission of the signature, was by mere accident; this led me to pay the strictest attention to its contents.

On Mr. Leslie's first explanation of his design to me, a number of serious difficulties struck me; but not willing to trust my own judgment, and desirous of giving him the best opportunity of supporting his scheme, I have had a meeting with him at the Mint, in presence of the professional workmen. On the best investigation I could make, I found that the objections which arose in my Mind were not new. This plan was attempted to be carried into execution in several parts of Germany, but on experiment was given up. Our present mode of striking, is much less expensive, and performs the business full as fast, as is necessary for our wants — I have so calculated the establishment, as to answer the supplies of the precious Metals in the year — I could with a small additional expence strike three times as much as we now do, but then the hands would often be idle for weeks together, and the deposits would lay in an unproductive State till a large quantity of the precious metals was collected together.

The single process of striking the coin, is now one of the easiest of the twenty, thro which every planchett passes before it is complete.

The impracticability of preserving the precise circle, the flat surface — the uniform thickness and the milling round the Edge, added to the greater Expence of engraving a Cylinder (when the original Hubb could not be used, and if of course the sameness of figure not preserved) would render this scheme not only very difficult but very expensive — For my own justification & your satisfaction, I take the liberty of enclosing a copy of the chief Coiner's report to me on the Subject; that of the Engraver being of the like import.

Notwithstanding all this, as Mr. Leslie seems desirous that the experiment should be made, I have determined, if still approved by the President to have a sett of Cylinders made & engraved, altho' it cannot be done under 150 Dollars — Mr. Leslie has said that he would rather defray part of the expense than not make an attempt, but I presume this would not be allowed of.

I am conscious that the Mint, has been the subject of great Complaints particularly with regard to its expense — This has certainly been without just cause, as every plan for reducing the expence to government, has been uniformly rejected by all parties in various Committees of both Houses of Congress, on the policy that all the charge should be borne by the Gov' and the Depos-

itors have every thing done without the least expence to them. It was among other things for this Purpose, proposed that instead of the Depositor's receiving in Coin the full weight of his gold or silver with the addition of the weight of the alloy (found by the United States) that it should be with the addition of two thirds of the alloy, by which Means the expence of the Mint, to the public, would be reduced one half, but this was rejected on the principle of public policy. Even any charge for necessary waste was denied, or provision that the Silver put into the alloy of gold, should be paid for.

I have been waited on by Mr. Reich — and was much pleased with the samples of his work — He has been liberated from his servitude by means of one of the officers of the Mint; since which I have set him to work on a particular medal, to be ascertained of his abilities — I am obliged to use great precaution, in regard to employing him in the Mint, before I can have good evidence of the integrity of his character —

I have the honor to be with every sentiment of respect

Dear Sir

Your very obed^t & very Hble Serv^t

ELIAS BOUDINOT.

The President of the United States.

(Endorsed)

BOUDINOT ELIAS, Mint, June 16, 1801.

recd June 22.¹

¹ MSS. Archives, Department of State, Washington, D. C., Jefferson papers, series 2, vol. viii. p. 33.

MR. BOUDINOT TO HIS EXCELLENCY THOMAS JEFFERSON.

MINT OF THE UNITED STATES,
PHILADELPHIA, 17th April 1802.

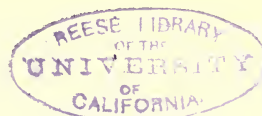
TO THE PRESIDENT OF THE UNITED STATES,

The Director of the Mint, being informed by the public news papers, that a Bill has been brought into Congress for abolishing of the Mint, cannot, consistent, with his duty, omit, respectfully to represent the Case of some of the Officers, Clerks and workmen of the Mint, to the President.

The Salaries and Wages allowed in the Mint have not been increased since the first establishment of the Institution, notwithstanding the great rise in the prices of every necessary of life, for several years past— They have submitted to a bare subsistence without complaint, from the Idea, that their Employment was permanent, while they behaved well, and that Peace and reduced prices of food, would give them an opportunity of making up former deficiencies— Add to this, that their constant habits in the Mint have made it difficult for them, at once, to return to their former occupations with advantage— If the Mint should be abolished, it will be some time before they can get again into full Employment, and of course must suffer essentially, even as to the necessary support.

The Director therefore submits their Case to

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the consideration of Government, and does not doubt but some small provision will be made for them, in Case of their intire dismissal from the public Service.

In this representation it is not meant to include the Director, Assayer or Treasurer, as neither of these depend on their Salaries for support — All which is respectfully submitted to the President by his Obedient humble Servant

ELIAS BOUDINOT Director.

The President of the United States.

(Endorsed)

BOUDINOT, ELIAS, Phil^a Apr. 17, 1802.

recd Apr 19.¹

MR. BOUDINOT TO HIS EXCELLENCY THOMAS JEFFERSON.

(Private.)

ROSEHILL, August 10th 1802.

DEAR SIR

Knowing your fondness for Agriculture, and everything connected with it, tho' in a collateral respect, I take the liberty of troubling you, amidst the arduous affairs of government, with the following fact —

If it is new to you, your curiosity will be gratified; if not, the information you will be able to give me, as to the native soil of this production, will lay me under peculiar obligations —

In the fall of 1800, I was presented, at second hand, with a few quarts of an extraordinary wheat,

¹ MSS. Archives, Department of State, Washington, D. C., Jefferson papers, series 2, vol. viii. p. 33.

from a distant Country but from whom it came or from what country, have wholly slipped my Memory

At seed time, when cleaning it for sowing, I discovered four uncommon grains, which I was wholly unacquainted with, the legs & beard (which I afterwards found belonged to them) being entirely broken off by the friction, with the wheat — I put them up carefully till the Spring, and then planted them in a good soil — At Harvest they turned out to be a species of Oats of a peculiar Nature — when ripe, I was collecting them from the straw by hand — Having picked 14 or 15 I laid them on the grass, till I gathered more; but in 10 minutes they disappeared, and could not be found. I gathered a number more & put them in the center of a Salver with a perforated rim, and carefully placed it over night, where it could not be disturbed — The next Morning, I found every grain at the rim of the Salver, with its head thro' the holes of the Rim — I then dipped one in water, and laid it on paper, when it not only plainly discovered a power of loco-motion, but sprang about half an Inch. On bringing others I was convinced that providence had endued them with this power to propagate themselves. On carefully examining them with a Magnifying glass, there appeared a spiral line round the upper part of the leg, which I presume is the cause of their motion. I have

called them, animated Oats, for indeed they are the nearest line between vegetation and animation, that I know of.

Many gentlemen, both natives & foreigners, have seen them during the past year, but no one could inform me of their native country.

The last Spring, I sowed more of them and have just gathered a new crop—They are so great a curiosity to me & my acquaintance, that I have ventured to trouble you with a small Box containing a few of them for your examination. If I should be mistaken and they should not be new to you, I hope you will charge it to my ignorance of natural history, and excuse the liberty I have taken, from a desire of gratifying your love of Agriculture.

By taking one of them by the end of his long legs, and dipping him under water about the second of a minute, and laying it on a sheet of Paper, you will soon perceive its operation—They should be carefully dried in the Sun, or air, and when wet again they will repeat the Motion—Some of them may fail, on account of their not being thoroughly ripe—They are most brisk in damp weather—

I have the honor to be

with great respect Dr. Sir,

Your Obedt Hble Servt

ELIAS BOUDINOT.

The President of the United States.

(Addressed)

Private

with a small box,

The President of the United States,

Washington.

(Endorsed)

BOUDINOT, ELIAS,

Rosehill, Aug. 10, 1802.

rec^d Aug. 16.¹

HIS EXCELLENCY THOMAS JEFFERSON TO MR. BOUDINOT.

MONTICELLO, Aug. 3, 04.

SIR

Your favor of the 30th Ult. came to hand last night as to the question how far we can place the Indian funds under private direction & cooperation lies within the department of War, I have this day written to Genl Dearborne on it. if he be still at Washington I may expect an early answer: if gone on to Maine, it will be some time first. in either case, as soon as his answer is received you shall hear from me.

Accept my salutations & assurances of respect

TH: JEFFERSON

ELIAS BOUDINOT, Esqr.²

In 1805 Mr. Boudinot resigned from the Directorship of the Mint and retired from all public duties, having served his country in positions of the highest trust for the greater part of thirty years. He built a commodious house in Burlington, N. J., where, surrounded with a charming

¹ MSS. Archives, Department of State, Washington, D. C., Jefferson papers, series 2, vol. viii. p. 36, b.

² MSS. Archives, Department of State, Washington, D. C., Jefferson papers, series 1, vol. x. p. 132.

circle of friends, he spent his remaining years, devoted to Biblical studies, to the protection and freeing of slaves, to educational interests in various quarters, to the civilization of Indians, to the American Bible Society of which he was founder, and to the interests of the poor and the spread of Christianity.

CHAPTER XXX.

His Excellency Thomas Jefferson to Mr. Boudinot. — Mrs. Bradford to Mr. Samuel Bayard; law suit; bridal party. — Mrs. Bradford to Mr. Samuel Bayard; thanks him for attending to publications; her Father still suffering; reference to equality of *women* with *men* in New Jersey. — Mr. Boudinot to Mr. Elias E. Boudinot; on establishment of slavery in Missouri; death of Mrs. Emlin; her beautiful character. — Mr. Boudinot to Mr. Elias E. Boudinot; circular letter against establishment of slavery in Territory. — To Mr. Samuel Bayard on discontinuance of Bible Society in New Jersey. — Mr. Boudinot's death. — Portraits. — His daughter. — Home in Burlington. — Address of Hon. John Jay; address before Bible Society. — Trustee of Princeton College. — Endowment. — Lover of trees. — Bequest to supply fuel to poor of Philadelphia.

HIS EXCELLENCY THOMAS JEFFERSON TO MR. BOUDINOT.

WASHINGTON Jun 13 05.

SIR

Your letter announcing your intention to retire from the Direction of the Mint has been duly received, presuming that before coming to that decision you had considered all the circumstances which might influence your determination, and had determined accordingly, it is not for me to say any thing on the subject, but, in consequence of your determination, to consider of a successor. I have therefore directed a Commission for Mr. Robert Patterson of Philad^a to take effect at the epoch you have fixed on; who will receive from you any Matters of charge, or communications which you may be pleased to deliver to him.

Your letter of Mar. 23, having come to my hands at Monticello, I defferred answering it till I should see Gen^l Dearborne here, but before I could get through some other indispensable business he took a journey to New York, so that it is not till since his return I have been able to consult him on the subject of that letter. he observes that neither the practice of the War Department nor the object of the Indian appropriations seem to authorize his confiding the administration of them to any but the regular agents of the department and consequently that he cannot make use of the services of the Missionary society in the line contemplated in your letter Accept my salutation & assurances of respect,

TH: JEFFERSON.

Mr. BOUDINOT.

(Endorsed) BOUDINOT, ELIAS, June 13, 05.¹

MRS. BRADFORD TO MR. BAYARD.

BURLINGTON, January 20, 1806.

A variety of small circumstances have in a most unaccountable manner led me to protract the pleasure I always take, in thus seeming to converse with my dear Cousin — and knowing that he is in my debt. We were all delighted to find by your letter, that the law suit had been determined in your favour, altho' the sum was not equal to your expectations; I had heard the opinion of two gentlemen of the bar, which made

¹ MSS. Archives, Department of State, Washington, D. C., Jefferson papers, series 2, vol. viii. p. 33, c.

me fear that you would be altogether disappointed, so that my pleasure was greater as it was unexpected. Papa thinks you had best be contented with what you have got, rather than risque the whole in another tryal.

I am very anxious to hear of or from my dear Patty, whether her health continues good, and if she has got a good nurse. Aunt Pintard desires me to say, that if there should be sleighing in February, you may expect her in Brunswick. I should not consent to this on any terms, were it not for Patty's situation, but as it is, have not a word to say against it.

I suppose you did not see the *bridal* party as they passed through your *City*, I assure you we made quite a bustle in the *Jerseys* as we came on — we spent three days in Princeton dined the first day at Morven, the second at Doctor Smiths and the third at Mr. Hunters — on Monday we arrived safe here and put the *Burlington people* in motion, on Tuesday evening we had a very handsome supper at Mr. Griffith's, on Wednesday dined at Mr. Wallaces, and in the evening had a large company to supper here and on Thursday morning, they left us, to dine with Coll. Rhea at Trenton. Our family are all very much pleased with their new relation and she appears to be equally pleased with them, so that everything seems to justify the conclusion, that Uncle has made a wise choice.

Papa has had a slight fit of gout, but thank

God he is so well that yesterday he was at Church. Mama continues pretty well, we all unite in affectionate love to our dear Patty — (kiss my dear children for me. tell Sam I shall write him a little letter, by the first private opportunity that offers.

Let me know as soon as anything is determined with Mrs. Gibbs I am anxious to have the matter settled.

Remember me to your Father's and Sisters families.

I am my dear Sir

Your affectionate friend and Cousin

SUSAN V. BRADFORD.¹

SAMUEL BAYARD Esqr.

MRS. BRADFORD TO MR. SAMUEL BAYARD.

BURLINGTON, Feb. 4, 1818.

MY DEAR COUSIN, —

Your letter by Mr. Ellis I have just received and I take the opportunity of papa's sleeping to thank you for the kind attention to the business of the publication. What should we do in this pilgrimage State were it not for the comfort and assistance we derive from dear friends? It must indeed be a wilderness to those who are doomed to pass through this world without the solace of loving and being loved; it is *one* of the greatest earthly blessings, it may be extended beyond this scene of things for what would the joys of heaven be, were we deprived of loving our Father and our

¹ Family letters.

God? How cheering is the prospect that those friendships which have been formed on earth, shall in the regions of the blessed be strengthened and improved in the highest degree. *There* shall be no more separation no more sorrowing but all engaged in the same glorious employment of singing the praises of redeeming love.

When I began this letter it was just to offer my thanks and to let you know how my dear father is, but I have forgotten myself and put down my thoughts in a way that I seldom do in a letter, as it is to *you* it shall go, put it in the fire when you have read the contents.

Papa continues much the same, one day better and another worse, he calls, I must leave you, love to all at Princeton who you know I love.

I am with sincere regard and esteem

Your affectionate cousin

SUSAN V. BRADFORD.

P. S. I congratulate the ladies of New Jersey that they are in some thing put on a footing with the gentlemen and the most extraordinary part of it is, that it has been done by the gentlemen themselves but these are a few who have been more *enlightened than the rest*. Papa will thank you to send one of the Newspapers with the publication you mention to John Caldwell, New York. I did not receive one by Mr. Ellis, therefore conclude it was not sent.¹

¹ Family letters.

MR. BOUDINOT TO MR. ELIAS E. BOUDINOT.

BURLINGTON, Nov. 27th 1819

MY DEAR NEPHEW,

Since my last I have been a good deal confined with the gout and an inundation of business which has been almost too much for me — We have been a good deal agitated here on the dispute relating to once more (and if it should be forever) establishing Slavery in the Missouri and of consequence in the United States — It seems to have run like a flaming fire through our middle States and causes great anxiety — It is whispered abroad by the knowing ones, that there is a wheel within a wheel and that there is some bargaining taking place I know not how this is, but this I can pretty clearly guess at, that if it should take place there is an end to the happiness of the United States —

We have this day been renewing our Grief by paying the last sad offices of friendship to the remains of our excellent & worthy Friend & neighbor Mrs Emlin Alas! she has left but few equals behind her — How precious to God are the death of his Saints! I think I have heard it said that she was never known to have been out of temper or has given offence to a single creature, since she has grown up & which is now 28 years ago — She lived the Life of the Righteous and her latter end was like his, rejoicing in God her Saviour — Oh! What an essential difference

there is between the death of a child of God and that of the sinner, who has lived without God in the World —

When is it likely we shall see you here

Your cousin joins me in kind love & best respects to your Mama, sisters, Brothers and all the Family and to such persons who think proper to enquire after us particularly, Dr Richards & Mr. Durand.

I am my dear Sir with great sincerity

Yours most affect^y

ELIAS BOUDINOT.¹

ELIAS E. BOUDINOT, Esqr.

MR. BOUDINOT TO MR. ELIAS E. BOUDINOT.

BURLINGTON, Dec^r 15th 1819

MY VERY DEAR NEPHEW

I have written you a circular letter on the Subject of establishing Slavery in the Missouri Territory — Do exert yourself in the business — It is the most important question ever before Congress — I consider that our Union depends upon it — If it is carried in favour of Slavery, in a very few years they will increase upon us in such a manner, that we shall become a second Hayti — If it is difficult to get rid of negro slavery now when there are but a little over one million what will it be when there are 10 Millions —

Your cousin desires to be affectionately remembered to all the family —

¹ Family letters.

Could you not spend your Christmas with us?
Present my best wishes to all with you —

I am my dear Nephew
yours most affc^{ly}

ELIAS BOUDINOT.

ELIAS E. BOUDINOT, Esqr.

Mr. Elias E. Boudinot was Mr. Boudinot's nephew, and co-heir with Mrs. Bradford. In her declining years they made their home together. He was twenty-eight years her junior, and she regarded him rather in the light of a son than a cousin. He studied law after graduating from Princeton in his sixteenth year, and was judge of the Court of Common Pleas in New Jersey, but did not long pursue the practice of the law.

The following in spite of illness and his eighty-one years illustrates the ardor and unabated energy of Mr. Boudinot's character.

TO MR. SAMUEL BAYARD.

BURLINGTON, Aug. 23d, 1821.

MY VERY DEAR SIR.

By mere accident it was mentioned that next Tuesday was the meeting of the Bible Society at Brunswick — I said no, not till next Tuesday week — on Examining we found my error barely time to finish this scrawl which it has pleased a Gracious God to enable me to scribble.

Miss Martel¹ mentioned that she wished I

¹ A French lady, one of the St. Domingo refugees, who held the position of amanuensis to Mr. Boudinot:

could go, as she had heard you say there was a design to discontinue the Society, as it could not be kept up — I hope there is no foundation for that suggestion — I scarcely know anything of the like nature that would fix so indelible a stigma upon this State — To have the honor of having been the first proposer of this invaluable Institution & now to degrade herself with being the first to desert her colours & declare to the world that they are unworthy of this signal favour of their Lord & Master and thus to verify the predictions of our enemies — I dare not write more except to protest agt any such measure, without public notice being previously given of the awful design — If it should take place & my Life should be spared I certainly shall endeavour to set up a new Institution & endeavour to save the honor of the State & the dignity of the Church of Christ.

Yours most affc^{ly}

ELIAS BOUDINOT.¹

SAMUEL BAYARD, Esq.
at Princeton.

Having passed his eighty-first birthday, and though enfeebled by illness, still occupied in benevolent schemes, Mr. Boudinot died on October 24th, 1821.

Several portraits were painted of Mr. Boudinot; with the exception, however, of the one by Charles Wilson Peale they represent him in extreme age.

¹ Family letters.

Sully painted two; the one by Waldo and Jewett was taken at the request of the Emperor of Russia. The engraving accompanying these volumes is preferable, as representing him in the full vigor of life and all his varied activities.

After Mr. Boudinot's death the beautiful old-fashioned home at Burlington was kept up in the same style and with its wonted hospitality, as before, by his daughter, Mrs. Bradford. Her advanced age saw all of the Washington circle depart this life, but while any of these remained they were visitors here. The younger scions of historic families were ever, to her, cherished links of the past, and found a warm welcome under her time-honored roof; few there were who did not avail themselves of it.

The writer recalls the figures of some of these; notably Mrs. Hamilton, the widow of the great Alexander Hamilton, Mrs. Rush, the wife of the signer, with Daytons, Stocktons, Ogdens, Bayards, and many more of Jersey's renowned ones, and Washingtons, Laurences, Rutlidges, etc., from the South.

Ease and elegance, without unnecessary display, obtained in this household: a corps of well-regulated, efficient, and liveried servants; large open fires; a liberal table, with handsome plate, glass, and china; chariot and coach, conservatory, gardens and beautiful lawn — a dignified and reposeful mode of living, befitting a life begun and long endured amid the turmoil and anxieties of war

and political agitations. Here was, indeed, a shrine where the votive lamp of a fervid patriotism burned clear and bright, from whence may the torches of a new generation, catching the inspiration, kindle into life and illumine in their turn those pictures of a past glory and renown.

As Mrs. Bradford became infirm she resigned all care and management of the household into the hands of the younger mistress, the wife of Mr. E. E. Boudinot, whose pleasure it was to conduct things in "the old way;" and her children recall the solicitous care with which she ministered to the elder lady, and the loving communion in which they dwelt.

The Hon. John Jay, in an address to the American Bible Society, May 9, 1822, alludes to "our late worthy & munificent President having since the last anniversary of the society been removed to a better state — Not only Bible Societies but also the various other societies who in different ways are forwarding the great work in question (i. e. the spread of the Gospel) have abundant reason to rejoice and be thankful for the blessings which have prospered their endeavours: We of this society in particular cannot fail to participate largely in this gratitude and joy, especially when we reflect on the beneficent and successful exertions of our late meritorious president to establish & support it."

Mr. Boudinot was elected a Trustee of the College of New Jersey in 1772, and continued to be

a member of its board during his lifetime. He took a most lively interest in its welfare, presenting to it a cabinet of Natural History, and bequeathing to it \$10,000 for fellowships.

Mr. Boudinot was a great lover of trees; many he planted with his own hand, which became landmarks of rare beauty. It is probable the method pursued in dealing with his bequest of land in Centre County, Pennsylvania, to be devoted to the Fuel Fund for the poor of Philadelphia, is in harmony with his feeling and views. Twelve thousand acres of timber land with a frontage of over thirteen miles on the Susquehanna River, containing about twenty miles of trout streams and naturally stocked with deer, bear, and pheasant, being leased to the Spruce Run Park Association, with two club-houses and dwellings for watchmen; the object being to obtain the rental and at the same time to protect the valuable timber against the hitherto barbarous inroads of the woodsman.¹

¹ See Twenty-first Annual Report of the Board of Directors of City Trusts of Philadelphia.

CHAPTER XXXI.

Counting of votes for President and Vice-President of the United States. — Report from committee to receive the President. — Duties on Imports. — Duties on Tonnage. — Duties on Rum. — On amendment of the Constitution. — On committee to prepare bill for the establishment of Department of Foreign Affairs. — Treasury Department and Department of War. — Department of Treasury. — Salary of President. — Removal from Office.

SPEECHES.

First Congress under the Constitution, First Session.

Monday, April 6, 1789.

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MR. BOUDINOT, from the House of Representatives, informed the Senate that the House is ready forthwith to meet them, to attend the opening and counting of the votes of the Electors of the President and Vice-President of the United States.

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Whereby it appeared that George Washington, Esq. was elected President, and John Adams, Esq. Vice-President of the United States of America.¹

April 24, 1789, Mr. Boudinot was appointed one of the committee to receive the President and conduct him to the house formerly occupied by the President of Congress. “Mr. Boudinot reported from the committee appointed to attend with a committee from the Senate to receive the President of the United States at the place of his

¹ From *Annals of the Congress of the United States*, vol. i. p. 18.

embarkation from New Jersey; that the committee did according to order, together with a committee from the Senate, attend at Elizabethtown in New Jersey on the 23rd instant, at which place the two committees met the President and thence embarked for this city where they arrived about three o'clock in the afternoon of the same day and conducted him to the house appointed for his residence."¹

DUTIES ON IMPORTS.

Mr. Boudinot said: "I am sorry, Mr. Speaker, at this stage of the business to hear anything that sounds like an attachment to particular States, when we are laying a general duty to affect the whole. For my part, I consider myself as much the representative of Massachusetts as of New Jersey, and nothing shall prevail on me to injure the interest of one more than the other. I profess myself a friend to the present revenue system, because it is the best way of getting money to supply our necessities. I am the more attached to it because I conceive it will prevent an application to direct taxes. I say, I would avoid every thing which would make a difference between the States, and therefore I like the system before you; it goes upon the principle of mutual concession. It would be impossible to impose a duty on any article that will not affect one State more than some others; but we have endeavored to equalize the burdens as much as possible. I confess, at

¹ *Annals of Congress*, vol. i. p. 192.

the same time, that I consider the duty on molasses too high; but it is for the reason that I consider all the other articles too high. I do not conceive that it is much out of proportion to rum. The object I have in view by the impost is, to produce revenue enough to answer the necessities of the United States, and to have it done according to system. I have endeavoured to establish some principle by which we should be governed in laying the duties. I have endeavoured to do this in my own mind, and have fixed on about twenty-five per cent. on the value of the articles at the time and place of importation. If we infringe this principle, it ought to be in favour of a raw material, to increase the manufacture of an article within the Union, or secure the collection of the revenue. I confess Mr. Speaker, I agree with the gentlemen from Massachusetts, that six cents are too high. If we reckon the cost of the molasses, we shall find five cents to be nearer the proportion of twenty-five per cent. which we have laid on other articles.

“ If we consider it as a raw material we ought to make some further allowance; if we admit on this account the reduction of one cent more, it will be as much as is necessary. If we then take up the idea that molasses is a necessary of life, and that a great part of it enters into the support of the inhabitants, I think we may justly lower it another cent. By this allowance we shall come down to a proper medium and secure the collec-

tion of the duty. If we could accomplish our object of taxing rum in any other way than by laying a duty on the raw material, perhaps it might be proper to reduce it to what gentlemen have mentioned; but, as I despair of this, I think three cents would be as low as we ought to go. As to the proposition for an excise to be levied at the still-head, I cannot vote for it; the very name of such a tax is odious, nor will the multiplication of officers necessary to collect it be less so; but I believe this idea has not met any countenance in the House.

“It has been hinted, that four hundred thousand people disapprove the measure. I give every weight to information which gentlemen lay before the House, but in this case, I take it to be no more than matter of opinion. I have so high an idea of the good sense and patriotism of the citizens of Massachusetts, that I never can be persuaded that if this House, on principle, think it expedient to lay a duty on any particular article, the inhabitants of that State will rise in opposition to the measure. I believe them to be as well affected to the Government as any other part of the United States, and that our acts will receive as ready attention and as prompt execution among them as elsewhere, provided we act on principle.

“I felt myself sorry to hear a comparison drawn between the Eastern and Southern States. I thought the reasoning used on that point fallacious; the principles were not true, so, of conse-

quence, the conclusion was erroneous. The inference was this, that from the labor and industry of the Eastern people fish were obtained, and from the labor of the Southern States, other articles of commerce were produced. The question was then asked, why should the articles obtained in exchange for the one be subjected to higher duties than the other? If this were the case, I should admit, with the gentleman, that it was a partial imposition; but do not we lay an equal duty on the articles imported into the Southern States? Let the gentleman examine the list, and say, if the articles taken in exchange for tobacco and rice do not pay as much as molasses. Some articles essential to agriculture are considerably taxed, such as steel and salt; but they pay above twenty-five per cent. on the rum they receive, which is more than I contend ought to be paid upon molasses. But gentlemen ought not to contend that all the duty on molasses is taken out of the pockets of the inhabitants of Massachusetts. They export to other parts of the United States great quantities of their rum, the consumer of which repays the duty on molasses. The port of Philadelphia alone, in one year, received of this article 360,000 gallons; will not the consumer in Pennsylvania, therefore, pay the duty on that quantity?

“I consider the object we ought to have in view is, to lay our duties on solid principles. I have given the principles upon which we ought to

reduce the impost on molasses to three cents. I will only now mention the temptation that six cents would be to smuggle; but, as I instanced before a fact relative to this circumstance, I will not repeat it, contenting myself in stating to the House my fear that a high duty will be unproductive, while a low one will be more favorable to the revenue.”¹

On duties, on imports, Saturday, April 11, 1789, Mr. Boudinot said: “It appears to me that this business of raising revenue points out two questions, of great importance, demanding much information. The first is, what articles are proper objects of taxation, and the probable amount of revenue from each. The second is, the proper mode of collecting the money arising from this fund, when the object and its amount are ascertained. There are three sources from which we may gain information on the first question, namely, from the revenue laws of the different States, for I believe a partial revenue has been raised almost in every State by an impost. The second source of information, and a very natural one, is the great body of merchants spread throughout the United States; this is a very respectable and well-informed body of our fellow-citizens, and great deference ought to be paid to their communications — they are in a peculiar situation under the present Constitution, to which they are generally esteemed sincere friends —

¹ *Annals of Congress*, vol. i. p. 216.

they are also more immediately interested in the event of the proposed measure, than any other class of men. To this Government they look for protection and support, and for such regulations as are beneficial to commerce; for these reasons, I think they deserve our confidence, and we ought to obtain from them such information as will enable the Congress to proceed to a general permanent system on more solid principles.

“The last source from which we are to derive information is the Executives of the States, stating the operation and production of the different revenue laws in the States respectively, by which we can judge of the effect likely to be produced by the system we establish, as well as the aggregate produce of a general impost. This will also tend to prevent our burthening the people at large with unreasonable duties, and cramping trade without an adequate reason.

“With regard to the second question, the mode of collecting duty, I own I do not see any information so satisfactory, as I could wish. When I recollect the numerous volumes of laws made to secure and regulate this point, the inefficacy of them all, though accompanied with the most terrible denunciations and penalties, and the careful observing eye of long experienced officers—I say, when I recollect all this, and consider it may be necessary for the United States to adopt a similar plan, I own that I almost shrink from the task as an extraordinary work, requiring the most superior abilities.

“Though there may be some circumstances which may render the business more easy, such as the virtue of the people and the inflexibility of the officers, yet there are also difficulties of a superior magnitude to those encountered by other nations. When we look at the boundaries of the United States; when we contemplate the proximity of the eastern territory and the British provinces; when we turn to the northwest, and observe Vermont leagued with Canada in pouring in upon the interior country the manufactures of Great Britain; when we consider the natural and political situation of Rhode Island, and judge from the nefarious principles which they have lately held, and the vicinity of their coast to the extensive shores of Connecticut and Long Island, we shall have reason to apprehend that she is ready to take every advantage of the United States that lies in her power. When I observe the shores of New Jersey, Pennsylvania, Delaware; the wide stretched-out shores of Maryland and Virginia with the waters of the Chesapeake flowing between, a winding course of three hundred miles, penetrating, in this distance, six or seven times the borders of different States; the coast of North Carolina, not yet in the union; the borders of South Carolina and Georgia upon the Atlantic, with their numerous inlets, altogether present such a group of difficulties and embarrassments, as we cannot remove in the little time we have, nor regulate upon the information now be-

fore us. The inference I would draw from this is, that we should not precipitate a business which some of us think the committee at this time incompetent to; but it is not for me to desire that such delay should take place — the State I have the honor to represent being altogether agricultural, at best it partakes but little of the commerce of the Union, therefore we shall not be so materially injured by an improper regulation of this subject, as those which derive greater advantages from commercial transactions.

“There are gentlemen on this floor well calculated to represent the mercantile interests of this country, and in whose integrity and abilities I have the highest confidence; but it is the duty of the members of this body to see that the principles upon which we act, are those calculated to promote the general good, and not confined to the local interests of a few individuals, or even individual States, so that they will decline trusting alone to this species of information, when another is attainable.

“I am aware of an objection to this mode of reasoning; it will be alleged that the pressing necessities of the United States for revenue require immediate relief, and permit no delay. This I admit, and it is this which makes me prefer a temporary system for the present to a permanent one. Let us take, then, the resolution of Congress, in 1783, as presented by the honorable gentleman from Virginia, (Mr. Madison) and make it

the basis of our system, adding only such protecting duties as are necessary to support the manufactures established by the Legislatures of the manufacturing States. Thus far, we can go with safety, if we do not descend into a minute enumeration; such articles as are readily admitted to deserve legislative encouragement, we may take into the list.

“With regard to the collection of the revenue, I would recommend that until a general plan can be devised, officers should be appointed to collect the impost and protecting duties, in the manner, and under the penalties, directed by the laws of the proper state. It may be said that there are some states which have no revenue laws of this kind, and, consequently, no officers to execute them; I would, in every such case, subject them to the laws of the next adjoining State. By adopting a plan upon these principles, we shall gain time sufficient to obtain full information in the manner I have pointed out, and also reap the harvest of the Spring importations; the latter of these objects, I apprehend, will be totally lost by any other system that has yet been suggested.

“Whatever permanent system we may devise ought to be calculated to give efficacy to trade, while it gives supplies to our treasury. This cannot be done well, if done speedily; while, on the other hand, we might get a temporary one framed against the arrival of the President, without injury to commerce or manufactures, and greatly to the interest of the Union.

“If any gentleman thinks as I do, he will second me in moving, that the committee rise and report as their opinion the appointment of a committee for the purpose of framing such a temporary law.”¹

DUTIES ON IMPORTS, CONTINUED.

Mr. Boudinot. — “When we consider the arguments of gentlemen on both sides of this question, we shall find they do not differ so much as, on a superficial view, gentlemen may be led to imagine. It is agreed, that a revenue must be obtained adequate to our wants; but some gentlemen think we shall not receive a greater sum, because we lay a high duty; in this opinion I am with them. I think the present is a favorable time to lay an impost duty, and expect very considerable aid from the public spirit; but I am in favor of a low duty, because I would do nothing to check that spirit. If we lay high duties, and a man finds smuggling the most profitable business he can follow, we shall have to contend with private interest. If we lay a duty of thirty or forty per cent., the temptation will be too strong for resistance, and the sum collected may not amount to ten per cent. on the whole importation; whereas, if we lay twenty or fifteen per cent., the whole may probably be collected, and the treasury be better filled, because it does not hold out so strong an inducement to evade the payment of the duties.

¹ From *Annals of Congress*, vol. i. p. 117.

“Another objection has been stated, which is of great weight: a system of high duties will necessarily engage us in a system of drawbacks. If we are forced into this measure, it will be a great injury to the revenue.

“We ought also to consider the inconvenience to which high duties will subject our merchants. It is a common case in America, that our mercantile capitals are limited. Gentlemen engaged in commerce can ill spare so large a proportion in the payment of duties.

“It has been mentioned by gentlemen, that Great Britain collects four shillings sterling per gallon on rum; yet she is exposed to great difficulties in obtaining it. But I ask gentlemen, whether Great Britain ever laid such a high duty in the first instance, as we are about to impose? I believe they did not: they began, I apprehend, with moderate duties, and increased them as circumstances authorized, when the people became habituated to the imposition. This is the very principle I wish to adopt, and show the world that our conduct is founded in wisdom, propriety and experience. If we shall discover our mistake in laying high duties and are driven by necessity to reduce them, such measures will operate to the injury of the fair trader; whereas, if we increase them by degrees, it will be rather favorable to their interest than otherwise; at all events, it will injure none.

“If a sense of the committee could be obtained

on a general reduction of ten or fifteen per cent. on the rate the articles now stand at, I should be glad to vote in favor of such a motion; but I could not approve of reducing the article of rum alone, because I do not think it charged out of proportion with the others.”¹

Friday, May 15, Mr. Boudinot said: “The time mentioned by the former Congress, and to which they requested the concurrence of the several States, was, that the impost duties might be continued for twenty-five years. This request was made on full consideration, and they did not think it was more than sufficient to discharge the principal and interest of the national debt. He concluded, therefore, that it was better to let the law remain without limitation; because when they found the purposes for which it was intended were accomplished, it would be in the power of Congress to repeal the law.”

On Saturday, May 16th, Mr. Boudinot thought himself obliged to say a few words more, in order to justify the part he should take in the division of the House on the question. He conceived the manner in which the motion was brought before the House, after the bill was supposed to be gone through, did not give such opportunity for the members to consider the subject as its importance seemed to require, and which might have been had if it had been brought forward at an earlier period.

¹ *Annals of Congress*, vol. i. p. 313.

“If,” said he, “we are to have the measure of the Parliament of Great Britain hung about our necks in all our public proceedings, and observations from their practice perpetually sounding in our ears, that practice ought to be defined and established.” He believed that in the whole volumes of the statute law, there was not one single revenue act to be found, with a limitation. He believed that the revenue laws, passed fifty, sixty, eighty, and near a hundred years ago, in that kingdom, existed at the present moment. “We have long seen and been convinced of the infirmities of the former confederation, and shall we now rivet those infirmities upon the present constitution? Are we never to stand upon a certain and solid foundation? Is not our public credit totally gone? Has not experience convinced us that the loss of it would have been our total destruction, if the generous exertions we have lately made had not revived some degree of confidence in our future measure? Are we not so deeply in debt as to give us reason to believe that it will require many years to emancipate ourselves? If this is the case, will a revenue law for one or two years bring that relief which is expected? Will this prevent an increase of the public debt? Will it restore value to the evidence of that debt held by our creditors?” He would ask any man whether, if the United States were in the situation in which they were during the last war, he would be induced to lend money upon a temporary and inad-

equate fund provided for two years? He believed the answer would be in the negative.

Mr. Madison withdrew his motion in order to introduce another, which he hoped would reconcile both sides of the House. He joined those gentlemen who opposed the clause in thinking that one or two years would be a period insufficient to answer the purposes in contemplation. If the House agree to the clause he would substitute for the one just withdrawn, he would move to fill the blank with a more distant day. His motion was, that this act shall not continue in force after the — day of — unless otherwise provided in the act for the appropriation of the revenue.¹

DUTIES ON TONNAGE.

Mr. Boudinot said: "I look upon this subject as of considerable importance to the prosperity and welfare of the United States; of considerable importance as it respects the revenue and of importance as it affects the interests of the individual States. Whenever I speak of trade, I must own that I feel as if I were out of my element. I can only form my opinion, and determine from such facts as are before me and the information I get from gentlemen on the floor. I take it the object in view is to raise a revenue for the support of your Government, and that it must be obtained from one quarter or another; it must either come from an impost on goods, a duty on

¹ *Annals of Congress*, vol. i. pp. 312-364.

tonnage, or from direct taxes laid upon the citizens of the Union. We all seem to agree that, where it can be done with propriety, it is most eligible to take it from trade. Under these impressions, we agreed to an impost upon goods, wares, and merchandise. I believe there is no gentleman but would give up every restraint upon commerce, if it were possible to do so without encumbering it with protecting regulations. Then, with respect to the proposed duty on tonnage, it will be necessary to ask if it be reasonable in itself, and such as will, in an adequate degree, supply the wants of the Union, without adding too much to the embarrassment which trade labors under? For my part I conceive the best evidence on this point the House is in possession of arises from the conduct of the different States throughout the Union. It will appear, by referring to their laws, that they have generally adopted the idea of discrimination, and often laid it upon the tonnage. Pennsylvania has laid a duty per ton on vessels of nations in treaty, and a much higher one on those who are not in treaty. Maryland has laid 1s. 8d. per ton on those in treaty, and 2s. 8d. on those who are not in treaty, except British. The British vessels pay 6s. 8d. besides two per cent. on goods imported therein, over and above what is paid by others. Virginia lays 3s. 6d. upon those in treaty, and 6s. 6d., their money, on the nations not in treaty, besides the addition of two per cent. *ad valorem* on all merchandise so imported. Caro-

lina lays a duty of 2s. 9d. sterling upon British sugars, and 1s. 8d. only on those of other nations. This duty both in principle and consequence, is the same as the one now under consideration. These duties upon the vessels of foreigners in alliance with us average about 2s. 6d. per ton; consequently, we are within the mark when we propose thirty cents, or a sum equal to about 2s. 3d. This being the case, I should conceive, if there be no further objection, that a duty of thirty cents was just and reasonable, and could not have a bad effect in any part of the United States. But gentlemen have stated objections from the peculiar circumstances of some of the States. These objections ought to be attended to, and seriously considered. The spirit of accommodation evinced by both sides of the House is really a subject of congratulation, and gentlemen will not press hard for a measure that militates against the interest of others. The State of South Carolina requires us to be tender, with regard to her, in this instance. She wishes to emancipate herself from the slavery in which, by adventitious circumstances, she is enthralled.

“Now, sir, I am of opinion that the true way to enable her to regain her strength and vigor would be to render her independent of the attendance of foreigners upon her. I think, too, that it might be done in a little time; because, under a small encouragement, our navigation would grow up, so that her sister States might supply her with

vessels enough. With this assistance she would soon clear herself of her incumbrances. When she comes to consider the present regulation in this point of view, she will be satisfied with it, although it may seem to bear a little hard at first. To prove that these expectations are not chimerical, I need only mention the present situation of our India trade, a commerce of but yesterday, and yet there are no less than forty-seven sail of vessels, at this moment, on voyages to and from that country. If these go so far in search of freight, I should imagine employment nearer home would be more agreeable. I think nothing but an imposition on foreign shipping, equal to what the Americans sustain in other countries, can ever enable us to be a maritime nation; and, without this, the abundance nature has lavished upon us will be of little avail. But these advantages ought to be grasped at with caution. I would not materially injure any State by our regulations, if the object could be accomplished by other means. I am willing to go so far with the gentlemen as to reduce the duty to twenty-five cents, but to increase it hereafter in the manner proposed by the gentleman from Virginia, (Mr. Madison). This, I take it, will furnish us with a considerable revenue; and as the quantity of foreign shipping decreases, the revenue will still be the same, by an increase of the rate of tonnage; it will also be serving the Southern States, which I am willing

on every occasion to do, as far as good policy admits."¹

DEBATE ON RUM.

Mr. Boudinot said: "I am in favor of taxing this article as high as there is a probability of collecting the duty. I think our doing so will answer two or three good purposes. The present object of the committee is to raise a revenue, and no article on the list before you is more likely to be productive than this one; but a high duty may also discourage the use of ardent spirits; if not, it may discourage the West Indies from turning their molasses into rum. This being the case, they have no other market for molasses than this country, and our own distilleries, with the advantages arising therefrom, will be able to rival them in the manufacture of that article; so far it may tend to the benefit of the country. I conceive it might be proper, on these accounts, to lay a much higher duty than has been proposed, were it not for the considerations mentioned by the gentleman from New York, that we run a risk of losing all by grasping at too much."

DEBATE ON HEMP.

Mr. Boudinot said: "Hemp is a raw material, necessary for an important manufacture, and therefore ought not to be subject to a heavy duty. If it was the product of the country in general, a

¹ *Annals of Congress*, vol. i. p. 261.

duty might be proper, but this he believed was not the case."

Mr. Madison. — "I said before, I very much doubted the propriety of laying a duty on such articles as entered into ship-building; but if it is necessary to lay a duty on cordage for the purpose of encouraging the manufacture, and making us independent of the world, as to that article, it is also politic to endeavor to make us alike independent for the raw material; a great proportion of the land in the Western country is peculiarly adapted to the growth of hemp, and it might be there cultivated to advantage, if the labors of the husbandman were protected by the Government."

Mr. Boudinot thought the soil of this country ill adapted to the cultivation of hemp; even the strong low lands which are fit for it soon became exhausted; it impoverished the lands wherever it grew, and destroyed the agricultural stamina. If he was not mistaken in this opinion, he thought the committee would, with him, disagree to the motion.¹

INDIAN COMMERCE.

Mr. Boudinot declared himself a friend to the Indian commerce. He thought it encouraged the employment of shipping and increased our seamen; he knew its advantages to agriculture. The gentleman from Virginia (Mr. Madison) supposed

¹ Vol. i. p. 149.

that little of our productions were sent in exchange for India goods ; but our beef, pork, flour, and wheat were shipped for this purpose, not to China, yet to ports where proper cargoes were taken in to answer the trade. Encouragement and protection were necessary to prevent the large companies in Europe from underselling our merchants, which they would readily do, at considerable loss, if they could in consequence put a stop to our trade. He hoped, therefore, the committee would not hesitate in adopting the motion.¹

The motion was adopted accordingly.

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AMENDMENTS TO THE CONSTITUTION.

Mr. Bland presented the Application of the Legislature of Virginia, to have a convention called of deputies from all the States, to consider the defects of the Constitution and report amendments ; and moved to refer the application to the Committee of the Whole on the state of the Union.

Mr. Boudinot. — “ According to the terms of the Constitution, the business cannot be taken up until a certain number of States have concurred in similar applications ; certainly the House is disposed to pay a proper attention to the application of so respectable a State as Virginia, but if it is a business which we cannot interfere with in a constitutional manner, we had better let it remain on

¹ *Annals of Congress*, vol. i. pp. 127, 149, 169, 192.

the files of the House until the proper number of applications come forward."

Mr. Bland thought there could be no impropriety in referring any subject to a committee; but surely this deserved the serious and solemn consideration of Congress. He hoped no gentleman would oppose the compliment of referring it to a committee of the whole; besides it would be a guide to the deliberations of the committee on the subject of amendments, which would shortly come before the House.

Mr. Madison said he had no doubt but the House was inclined to treat the present application with respect, but he doubted the propriety of committing it, because it would seem to imply that the House had a right to deliberate upon the subject. This, he believed, was not the case until two thirds of the State Legislatures concurred in such application, and then it was out of the power of Congress to decline complying, the words of the Constitution being express and positive relative to the agency Congress may have in case of applications of this nature. "The Congress, wherever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution; or, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing amendments.

"From hence it must appear that Congress have no deliberative power on this occasion. The most respectful and constitutional mode of performing

our duty will be, to let it be entered on the minutes, and remain upon the files of the House until similar applications come to hand from two thirds of the States."

Mr. Boudinot hoped the gentleman who desired the commitment of the application would not suppose him wanting in respect to the State of Virginia. He entertained the most profound respect for her, but it was on the principle of respect to order and propriety that he opposed the commitment; enough had been said to convince the gentleman that it was improper to commit. For what purpose can it be done? what can the committee report? The application is to call a new convention. Now, in this case, there is nothing left for us to do but to call one when two thirds of the State Legislatures apply for that purpose. He hoped the gentleman would withdraw his motion for commitment.

Mr. Bland. — "The application now before the committee contains a number of reasons why it is necessary to call a convention. By the fifth article of the Constitution, Congress are obliged to order this convention when two thirds of the Legislatures apply for it; but how can these reasons be properly weighed, unless it be done in committee? Therefore, I hope the House will agree to refer it."

Mr. Huntington thought it proper to let the application remain on the table; it can be called up with others when enough are presented to

make two thirds of the whole States. There would be an evident impropriety in committing, because it would argue a right in the House to deliberate, and, consequently, a power to procrastinate the measure applied for.

Mr. Tucker thought it not right to disregard the application of any State, and inferred that the House had a right to consider every application that was made: if two thirds had not applied, the subject might be taken into consideration; but if two thirds had applied, it precluded deliberation on the part of the House. He hoped the present application would be properly noticed.

Mr. Gerry. — “The gentleman from Virginia (Mr. Madison) told us yesterday, that he meant to move the consideration of amendments on the fourth Monday of this month; he did not make such motion then, and may be prevented by accident or some other cause from carrying his intention into execution when the time he mentioned shall arrive. I think the subject, however, is introduced to the House, and perhaps it may consist with order to let the present application lie on the table until the business is taken up generally.”

Mr. Page thought it the best way to enter the application at large upon the Journals, and do the same by all that came in, until sufficient were made to obtain their object, and let the original be deposited in the archives of Congress. He deemed this the proper mode of disposing of it, and what is in itself proper can never be construed into disrespect.

Mr. Bland acquiesced in this disposal of the application. Whereupon it was ordered to be entered at length on the Journals, and the original to be placed on the files of Congress.¹

EXECUTIVE DEPARTMENTS.

On motion of Mr. Boudinot, the House resolved itself into a committee of the whole House on the state of the Union, Mr. Trumbull in the chair.

Mr. Boudinot said: "I rise, Mr. Chairman, with diffidence, to introduce a subject to the consideration of the committee which I had hopes would have been brought forward by an abler hand; the pressing necessity of it alone must be my excuse. The great Executive Departments which were in existence under the late Confederation, are now at an end, at least so far as not to be able to conduct the business of the United States. If we take up the present Constitution, we shall find it contemplates departments of an executive nature in aid of the President; it then remains for us to carry this intention into effect, which I take it will be best done by settling principles for organizing them in this place, and afterwards appoint a select committee to bring in a bill for the same. I need say little to convince gentlemen of the necessity which presses us into a pursuit of this measure. They know that our national debt is considerable; the interest on our

¹ *Annals of Congress*, vol. i. p. 250.

foreign loans, and the instalments due, amount to two millions of dollars. This arrearage, together with the domestic debt, is of great magnitude, and it will be attended with the most dreadful consequences to let affairs run into confusion and ruin for want of proper regulations to keep them in order.

“ I shall move the committee, therefore, to come to some such resolution as this: That an office be established for the management of the finances of the United States, at the head of which shall be an officer to be denominated the Secretary of Finance. I am not tenacious of the style, perhaps some other may be proper, but the object I have in view is to establish the department; after which we may go on to narrate the duties of the officer, and accommodate the name to the acts he is to perform. The departments under the late Constitution are not to be models for us to form ours upon, by reason of the essential change which has taken place in the Government, and the new distribution of Legislative, Executive, and Judicial powers.

“ If gentlemen then agree with me so far, I shall proceed to restrain the Secretary of Finance, and all persons under him, from being concerned in trade or commerce, and make it his duty to superintend the treasury and the finances of the United States, examine the public debts and engagements, inspect the collection and expenditure of the revenue, and to form and digest plans for its

improvement. There may be other duties which gentlemen may add, as I do not pretend to have perfectly enumerated them all. After this point is settled, we may then go to the consideration of the War Department and the Department of Foreign Affairs; but, for the present, I would wish to confine ourselves to the Department of Finance."

On May 21, 1789, Mr. Boudinot is appointed on the Committee of Eleven to prepare a bill for the establishment of departments of Foreign Affairs, Treasury Department, and Department of War. On the bill to establish the Treasury Department, "Mr. Boudinot considered the question to be whether the department should be under the direction of one or more officers. He was against boards, because he was convinced by experience that they are liable to all the objections which gentlemen have stated. He wished the committee had it in their power to turn to the transactions of this department since the Revolution, to examine the expenditures under former boards of treasury, and under the Superintendent of Finance; it would so confound them, that he was sure no gentleman would offer another argument in favor of boards. He was not acquainted with the management under the present board. He had not been in the habit of doing business with them. But between the administration of the former and the Superintendent of Finance there was an intolerable comparison. He was far from being aston-

ished at the jealousy and suspicion entertained of that valuable officer ; he rather wondered that the clamor was not more loud and tremendous. He could not repeat all the causes there were for accusation against him, but surely they were not inconsiderable. He remembered one hundred and forty-six supernumerary officers were brushed off in one day, who had long been sucking the vital blood and spirit of the nation. Was it to be wondered at if this swarm should raise a buzz about him? The reform which daily took place made him no inconsiderable number of enemies. The expenditures under the Board of Treasury had been enormous. They were curtailed in the quartermasters, commissaries of provision and military stores, in the hospital, and every great department established by Congress; so that, besides those who were offended by a removal, every one who was affected by this economy, or parsimony, if they will call it so, were incensed against him. It was impossible to gain friends among those people by a practice of this kind. He would state a circumstance which might give the committee some small idea of what the savings under the superintendent were. The expenditure of hay at a certain post was one hundred and forty tons; such was the estimate laid before him; yet twelve tons carried the post through the year, and the supply was abundant, and the post was as fully and usefully occupied as it had ever been before.

“He wished gentlemen to examine whether the

other arguments did not preponderate in favor of a single administration. He thought that there was certainly more responsibility and system likely to be acquired in this way than in the other. He saw no weight in the objections stated by the gentlemen respecting the collusion between the secretary and the collectors; but if there was any weight in them, he imagined they applied with equal force against Boards. The Commissioners were men equally fallible and exposed as the Secretary, Comptroller, and Auditors.

“The gentleman had asked where a proper character for a financier was to be found.¹ America has seen one equal to the task; but he would not undertake to say that that gentleman was the only one fit for the business. If talents of this kind were hard to be found, he was for establishing the Department in this way, in order to bring up men to a knowledge of this science. He had no idea of sending to a foreign nation for a person; it would be dishonorable to the United States. But he could not believe any foreigner adequate to the business. The utility of this officer consists in his knowledge of the manners, habits, customs, wealth, and pursuits, the temper, genius, and disposition of the people. This cannot be acquired but by a long residence and actual observation. A foreigner has not this advantage, and therefore must be unfit to direct the finances of America.”²

¹ See *Annals of Congress*, vol. i. p. 386.

² *Annals of Congress*, vol. i. p. 394.

REMOVAL FROM OFFICE.

Mr. Boudinot said : —

“ This is a question, Mr. Speaker, that requires full consideration, and ought only to be settled on the most candid discussion. It certainly involves the right of the Senate to a very important power. At present I am so impressed with the importance of the subject, that I dare not absolutely decide on any principle, although I am firmly persuaded we ought to retain the clause in the bill; and, so far as it has been examined, I agree that it is a Legislative construction of the Constitution necessary to be settled for the direction of your officers. But if it is a deviation from the Constitution, or in the least degree an infringement upon the authority of the other branch of the Legislature, I shall most decidedly be against it. But I think it will appear, on a full consideration of this business that we can do no otherwise than agree to this construction, in order to preserve to each Department the full exercise of its powers, and to give this House security for the proper conduct of the officers who are to execute the laws.

“ The arguments adduced, are to show that the power of removal lies either in the President and Senate, or the President alone, except in the cases of removal by impeachment. There is nothing, I take it, in the Constitution, or the reason of the thing, that officers should be only remova-

ble by impeachment. Such a provision would be derogatory to the powers of Government, and subversive of the rights of the people. What says the Constitution on this point? (I fear, sir, it has not been rightly comprehended.) That the House of Representatives shall have the sole power of impeachment; that the Senate shall have the sole power to try all impeachments; and judgment shall not extend further than to removal from office, and disqualification to hold it in future. Then comes the clause declaring absolutely that he shall be removed from office on impeachment for, and on conviction of treason, bribery, or other high crimes or misdemeanors. It is this clause which guards the rights of the House, and enables them to pull down an improper officer, although he should be supported by all the power of the Executive. This, then, is a necessary security to the people, and one that is wisely provided in the Constitution. But I believe it is nowhere said that officers shall never be removed but by impeachment; but it says they shall be removed on impeachment. Suppose the Secretary of Foreign Affairs shall misbehave, and we impeach him; notwithstanding the clearest proof of guilt, the Senate might only impose some trifling punishment, and retain him in office, if it were not for this declaration in the Constitution.

“Neither this clause, nor any other, goes so far as to say it shall be the only mode of removal;

therefore we may proceed to inquire what the other is. Let us examine whether it belongs to the Senate and President. Certainly, sir, there is nothing that gives the Senate this right in express terms; but they are authorized, in express words to be concerned in the appointment. And does this necessarily include the power of removal? If the President complains to the Senate of the misconduct of an officer, and desires their advice and consent to the removal, what are the Senate to do? Most certainly they will inquire if the complaint is well founded. To do this, they must call the officer before them to answer. Who, then, are the parties? The supreme Executive officer against his assistant; and the Senate are to sit as judges to determine whether sufficient cause of removal exists. Does not this set the Senate over the head of the President? But suppose they should decide in favor of the officer, what a situation is the President then in, surrounded by officers with whom, by his situation, he is compelled to act, but in whom he can have no confidence, reversing the privilege given him by the Constitution, to prevent his having officers imposed upon him who do not meet his approbation?

“But I have another more solid objection, which places the question in a more important point of view. The Constitution has placed the Senate as the only security and barrier between the House of Representatives and the President.

Suppose the President has desired the Senate to concur in removing an officer, and they have declined; or suppose the House has applied to the President and Senate to remove an officer obnoxious to them, and they determine against the measure, the House can have recourse to nothing but an impeachment, if they suppose the criminality of the officer will warrant such a procedure. Will the Senate then be that upright court which they ought to appeal to on this occasion, when they have prejudged your cause? I conceive the Senate will be too much under the control of their former decision, to be a proper body for this House to apply to for impartial justice.

“As the Senate are the *dernier resort*, and the only court of judicature which can determine on cases of impeachment, I am for preserving them free and independent, both on account of the officer and this House. I therefore conceive that it was never the intention of the Constitution to vest the power of removal in the President and Senate; but, as it must exist somewhere, it rests on the President alone. I conceive this point was made fully to appear by the honorable gentleman from Virginia (Mr. Madison) inasmuch as the President is the supreme Executive officer of the United States.

“If the doctrine of the gentleman from South Carolina is true, then it follows, that every officer has perpetuity in office at least during good behaviour. If this is to be the case, there is no

necessity for declaring in the Constitution that the judges shall hold their offices during good behaviour. This would be destroying the responsibility of the President, and establishing such a principle in the Government as would be extremely dangerous.

“It was asked, if we ever knew a person removed from office by reason of sickness or ignorance. If there never was such a case, it is perhaps nevertheless proper that they should be removed for those reasons; and we shall do well to establish the principle.

“Suppose your Secretary of Foreign Affairs rendered incapable of thought or action by a paralytic stroke: I ask whether there would be any propriety in keeping such a person in office, and whether the *salus populi*, the first object of republican Governments, does not absolutely demand his dismissal. Can it be expected that the President is responsible for an officer under these circumstances, although when he went into office he might have been a wise and virtuous man, and the President well inclined to risk his own reputation upon the integrity and abilities of the person?

“I conceive it will be improper to leave the determination of this question to the judges. There will be some indelicacy in subjecting the Executive action in this particular to a suit at law; and there may be much inconvenience if

the President does not exercise this prerogative until it is decided by the courts of justice.

“From these considerations, the safety of the people, the security of this House, and the adherence to the spirit of the Constitution, I am disposed to think the clause proper; and as some doubts respecting the construction of the Constitution have arisen, I think it also necessary. Therefore, I hope it will remain.”¹

Thursday, July 16, 1789, Mr. Boudinot made some further observations respecting the examination made by the committee,² from which it appeared that the expense of the President of the United States would exceed the expenses of the late President of Congress in a variety of cases. Two secretaries would be wanting. They must be men of abilities and information; but the committee conceived extra provision would be made for them by the House. If the whole was to be comprehended in one grant to the President, he would rather increase the sum reported by the committee than diminish it. Originally he was in favor of allowing 16,000; but then he thought the expense of secretaries, carriages, furniture, etc., was to be an additional allowance. Since the House had determined otherwise, he favored an addition to \$20,000.

¹ The first clause after recapitulating the title of the officer and his duties had these words: “To be removable from office by the President of the United States.”

² Mr. Boudinot one of the committee.

CHAPTER XXXII.

On Public Credit. — On National Bank.

IN the second session of the First Congress, January 9th, a letter was received from the Secretary of the Treasury, stating that in accordance with the resolution of September 21st he had prepared a plan for the support of the public credit. This called forth much discussion on its several features and various amendments, some of which called for discrimination in the payment of the public debt.

Mr. Boudinot said: "I am glad to see gentlemen bring into view principles on which to determine the great question before us; because, when they are once established, they will enable us to proceed with certainty to a decision. If the principles brought forward by the honorable gentleman from Pennsylvania are just, his arguments are of great weight; but if, on consideration, we shall find that the principles are unjust, then I presume, however cogent the system of reasoning he has founded thereon, it will not prevail. He supposes we sit here as judges to determine the different claims of the creditors of the United States. If we are in that predicament, I agree we ought not to proceed but on full evidence and hearing of the claims. But I have never hitherto

been led to consider Congress in this light, nor can I now consider them in any such point of view. I consider the Congress, who entered into these engagements, as complete representatives of the United States, and, in their political capacity, authorized, by the Articles of Confederation, to contract the debts for which our public faith is pledged; instead of being judges, or arbitrators, on this occasion, we are parties to the contract; nor is our case varied, by the dissolution of the old Confederacy because the existing Constitution has expressly recognized the engagements made under the former. All debts before the adoption of this Constitution, shall be as valid against the United States, under this Government, as under the Confederation. Now is the moment to establish the principle; if the Constitution admits the borrowing of money, or paying for supplies, to be a contract, we are one of the parties to this contract, and all idea of being arbiters must vanish. We cannot judge in our own cause. The case will now stand clear; we owe a debt, contracted for a valuable consideration. The evidences of our debt are in the hands of our creditors, and we are called upon to discharge them; if we have it in our power, we ought to consider ourselves bound to do it, on every principle of honor, of justice, and of policy; but as we have not the ability to pay the whole off, nor, perhaps, the whole interest, we must endeavor to make such a modification as will enable us to satisfy every one.

Not that this modification shall take place without the consent of the creditors; this would be improper and unjust. Each party is as much to be consulted on this occasion, as it was at the time of the first contract. If, then, Congress is bound by the first contract, no gentleman can say we are judges. If we are parties, what would be the decision before a court of justice? The creditor produces my bond, by which I have bound myself to pay a hundred dollars; I cannot gainsay the fact; no man is allowed to plead that he has made a bad bargain, and that at other times, he could have purchased what he got of the creditor at half the sum he was forced to allow him. The inquiry with the judges is not, whether the debtor made a good bargain or not, but whether he did it fairly and voluntarily. We are in the same predicament if we fairly and honestly received the *quid pro quo*; we are bound, as parties to the honest performance of the contract, to discharge the debt; otherwise what avails the clause in the Constitution, declaring all debts contracted, and engagements entered into, before its adoption to be as valid against the present Government as they were under the old Confederation? The debt was bona fide contracted; it was acknowledged by the United States; and the creditor received a certificate as to the evidence of his debt. It is immaterial to us what he did with it. I confess if the original holder was to come forward and say that he had been robbed of such evidence,

we ought not to pay it until the point was ascertained in a court of justice.

“I can by no means consider the Congress of the United States judges on this occasion. We are not called upon as arbiters, our creditors justly consider us as parties, and call upon us for the payment of what we acknowledge to be due. They require at our hands the discharge of the engagement of which they present the written evidence. I confess we are not warranted to charge our constituents with unreasonable burdens; and therefore, I presume we are authorized to make propositions to our creditors for a more convenient mode of payment than what was originally contracted for, but this is optional with them. If they refuse to listen to us, and insist upon their just claim, we must satisfy it as far as we have the ability; thus far, I presume, we may fairly go in regard to the domestic debt.”

Some observations were made to point out a difference between the foreign and domestic debt. “I admit there is a distinction, and that in another instance which has not been mentioned. His Most Christian Majesty, when he first became our important ally, presented Congress with a large sum of money; but this being insufficient to procure us the necessary supply of military stores, a loan was made us from the royal coffers of France. But this also being inadequate, we endeavored to obtain further aid from foreigners. The credit of the United States was so much im-

paired as to hold out but little encouragement to individuals to trust us with their money. The French King added another mark of his distinguished attention : he guaranteed the loan, and the money was obtained — obtained of the widow and fatherless, of persons whose all depended upon a punctual payment of the interest. On this point I could refer you to letters from our commissioners in Europe, who beg that we may not put them on this business, unless we are certain that the United States will carefully provide for the payment of the interest ; because, in case of failure, hundreds must perish for want. This is another motive why we should attend to the performance of our contracts ; and I will repeat again, it is what we are called upon to do upon every principle of honor, justice, and policy.”¹

SUBJECT OF SLAVERY.

First Congress, Second Session.

Monday, March 22d, 1790.

“ Mr. Boudinot said although he most heartily approved of many of the arguments and doctrines of his friend from Pennsylvania, yet he could not go all lengths with him. He thought with him, that our time had been taken up, and great labor had been used in arguments that in no wise related to the merits of the question before the committee, but he could not agree that the clause in the Constitution relating to the want of power

¹ *Annals of Congress*, vol. i. p. 1149.

in Congress 'to prohibit the importation of such persons, as any of the States *now existing* shall think proper to admit, prior to the year 1808, and authorizing a tax or duty on such importation, not exceeding ten dollars for each person,' did not extend to negro slaves. Candor required that he should acknowledge that this was the express design of the Constitution, and, therefore, Congress could not interfere in prohibiting the importation, or promoting the emancipation of them, prior to that period. He said he was well informed that the tax or duty of ten dollars was provided instead of five per cent *ad valorem*, and was so expressly understood by all parties in the Convention. That therefore it was the interest and duty of Congress to impose this tax, or it would not be doing justice to the States, or equalizing the duties throughout the Union. If this was not done, merchants might bring their whole capital into this branch of trade, and save paying any duties whatever. Mr. B. had hoped that the great lengths to which the gentleman from Pennsylvania had carried the argument would have convinced gentlemen in the opposition of the propriety, if not the necessity, of the resolutions on the table. Is it not prudent now, while the design of the framers of the Constitution is well known, and while the best information can be obtained, for Congress to declare their sense of it, on points which the gentlemen say involve their great and essential interests, especially when

the gentleman from Pennsylvania gives so different a construction of it from what the gentleman from the southward thinks right? Is it not advantageous to the Southern States to have an explicit declaration calming their fears and preventing unnecessary jealousies on this subject? Can there be any foundation for alarm, when Congress expressly declare that they have no power of interference prior to the year 1808? But gentlemen say they have been charged with impropriety of conduct, in discovering so much warmth and earnestness, on a subject with which their dearest interests are so intimately connected — that all men are led by interest, and they are justified in pursuing the same line of conduct.

“Mr. B. declared for his own part, he never blamed them for standing forth for what they conceived the true interests of their constituents; but it was the manner in which this had been done that he complained of. On resolutions declaring that Congress had not power to prohibit the importation of slaves into any State, or interfering in their emancipation or internal government, long arguments had been used, and much precious time had been spent, to prove the lawfulness of the African trade in slaves; this indeed was an arduous task in this day of light and knowledge. An author, said to be of reputation, was brought forward to prove the state of that unhappy country, but it turned out to be in the fifteenth century; this could be of little avail.

An hour was taken up in reading the labors of a newspaper writer in the island of Jamaica. This writer appeared wholly uninformed as to historic facts relating to the miserable Africans, and as ignorant of the principal arguments against the slave trade. It was necessary for him to deny the authority of Anthony Benezet, who had published some printed facts on the subject. Mr. Benezet was a man of the strictest integrity, and of the best information — a man that was an honor to his country and an ornament to society. Mr. B. had been well acquainted with him, and spoke from personal knowledge; he had examined into the facts from captains of Guineamen, and a person who had lived twelve years in that country and he could say, with confidence, that Mr. Benezet's account had been generally confirmed. Not only the practice of ancient nations, and that of all modern Europe, had been brought into view, but even the sacred Scriptures had been quoted to justify this iniquitous traffic. It is true, that the Egyptians held the Israelites in bondage for four hundred years, and Mr. B. doubted not, but much the same arguments as had been used on the present occasion, had been urged with great violence by the King of Egypt, whose heart, it is expressly said, had been extremely hardened to show why he should not consent to let the children of Israel go, who had now become absolutely necessary to him; but, said he, gentlemen cannot forget the consequences

that followed; they were delivered by a strong hand and stretched out arm, and it ought to be remembered that the Almighty Power that accomplished their deliverance is the same yesterday, to-day, and forever. The New Testament has afforded a number of texts to countenance this doctrine, in the gentleman's opinion. One would have imagined that the uniform tenor of the Gospel, that breathes a spirit of love and universal philanthropy to our fellow creatures—that commands our love to our neighbor to be measured by our love to ourselves—that teaches us whatsoever we would that men should do to us to do so to them, would have prevented this misapplication. Surely the gentleman overlooked the prophecy of St. Peter, where he foretells that among other damnable heresies, 'Through covetousness shall they, with feigned words, make merchandise of you.'

"A quotation from a modern author, of great note in the philosophical world, has been most ungenerously made use of by the newspaper writer before referred to—I mean from the works of the famous Mr. Paley, whose treatise on Moral Philosophy does him the greatest credit—a single sentence or two is taken from this work, without regard to the connection, to brand him with the charge of countenancing slavery. Mr. B. then produced the book and read the passage, wherein it appeared that Mr. Paley laid down 'the obligation of slavery to arise from crimes, captivity and

debt;' that the slave trade on the coast of Africa is not excused by these principles, that no questions are there asked relative to the justice of the vender's title, but this is the least crime with which this traffic is chargeable; the natives are excited to war with this the wickedness begins; the slaves torn away from parents, wives, children, from their friends and companions, their fields and flocks, their home and country, are transported to the European settlements in America, with no other accommodation on ship-board than what is provided for brutes. This is the second stage of cruelty from which they are delivered, only to be placed, and that for life, in subjection to a dominion and system of laws the most tyrannical that ever were tolerated upon the face of the earth. But necessity is pretended, and after all it has never been proved that it exists. Mr. Paley then refers to the present situation of the United States. 'The great revolution in the Western World,' says he, 'may probably conduce (and who knows but what it was designed) to accelerate the fall of this abominable tyranny; and now it is a season for reflecting whether a Legislature which had so long lent its assistance to the support of an institution replete with human misery, was fit to be trusted with an empire the most extensive that ever obtained in any age or quarter of the world.' He then shows that slavery was a part of the civil constitution of most countries when Christianity appeared; and the reason that



its precepts did not expressly condemn or prohibit slavery was, because soliciting admission into all nations, it abstained from meddling with the civil institutions of any. Then follows the passage quoted by the newspaper writer — ‘That the discharging of slaves from all obligation to their masters, which is the consequence of pronouncing slavery unlawful, would have no better effect than to let loose one half of mankind on the other. Slaves would have been tempted to embrace a religion which asserted their right to freedom; masters would hardly have been persuaded to consent to claims founded on such authority; the most calamitous of all contests, a *bellum servile*, might probably have ensued, to the reproach, if not the extinction, of the Christian name.’ He then asserts that emancipation should be gradual, and by the provisions of laws, and under the protection of civil government. ‘Christianity can only operate as an alterative. By the mild diffusion of its light and influence, the minds of men are insensibly prepared to perceive and correct the enormities which folly, weakness or accident have introduced into the public establishments.’ Thus, proceeded Mr. B., justice is done to this worthy philosopher, and my own sentiments are more concisely and explicitly set forth than I could have done without it.

“But when gentlemen attempt to justify this unnatural traffic, and prove the lawfulness of slavery, they should advert to the genius of our

Government, and the principles of the Revolution. By the declaration of Congress, in 1775, setting forth the causes and necessity of taking up arms, they say: 'If it was possible for men who exercise their reason to believe that the Divine author of our existence intended a part of the human race to hold an absolute property in, and an unbounded power over others, marked out by His infinite goodness and wisdom, as the objects of a legal domination never rightfully resistible, however severe and oppressive, the inhabitants of these colonies might at least require from the Parliament of Great Britain some evidence that this dreadful authority over them had been granted to that body.' And by the Declaration of Independence in 1776, Congress declare: 'We hold these truths to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.'

"This, then, is the language of America, in the day of distress. Mr. Chairman, I would not be understood to contend the right of Congress at this time to prohibit the importation of slaves, whatever might have been the principles of the Revolution or the genius of the Government; by the present Constitution we are clearly and positively restrained till the year 1808, and I am sure that no gentleman in this committee would have the most distant wish to wound this instrument of our connection.

“But there is a wide difference between justifying this ungenerous traffic, and supporting a claim to property, vested at the time of the constitution, and guaranteed thereby. Besides, it would be inhumanity itself to turn these unhappy people loose to murder each other, or to perish for the want of the necessaries of life. I never was an advocate for so extravagant a conduct.

“Many arguments were pointed against the danger of our emancipating these slaves, or even holding up an idea that we had a power so to do, and much time has been taken up to disprove this right in Congress. As no claim of this kind is contended for, and the resolutions already passed expressly contradict it, I shall make no further observations on them.

“But the characters of the signers of these memorials are called in question, as an argument against the adoption of the resolution on the table. One of these memorials was signed by the Society of people called Quakers; the other by Dr. Franklin, as President of a private Society in Philadelphia. The indiscriminate abuse that has been thrown out against Quakers, without distinction, has not comported with the honor or dignity of this House. Not only their characters, but their very names, have been called upon, and private anecdotes, relating to individuals, been mentioned on the floor. Many of the Quakers I have long lived in the habits of friendship with, and can testify to the respectability of their char-

acters and the regularity of their lives. Their conduct in the late war has been arraigned, and they have been condemned in the lump. I have known many of them during the war, and impartial justice requires it from me, to give the committee some official information on the subject. I had the honor of serving the United States at the commencement of the war as Commissary General of prisoners. Congress not being able to afford them supplies, those unhappy men in this town were reduced to the very depths of distress, without food, or raiment, without blankets or firing, they suffered everything that human nature could bear. In this situation many of the Quakers of this city exercised such humanity towards them as did honor to human nature. The miserable prisoner not only felt the happy effects of their exertions in his favor, but participated in their money, their food, and clothing. Nay, such were the jealousies created by this conduct, in the British army here, that an armed force entered the house of one of them, seized his books, and though a man of great property and large commercial dealings, on finding that he had loaned large sums of money to our distressed prisoners, he was turned out of their lines, and with his family was a refugée during the whole of the war afterwards, separated from his business and property.

“To whom was the care of our prisoners in Philadelphia committed? To a Quaker: and I

have been witness to the just tribute of gratitude and thankfulness paid by great numbers of our unhappy fellow-citizens to that gentleman for his kindness and humanity. And is this indiscriminate charge without the least respect to characters, a decent or a just return for a conduct like this? Where is the denomination amongst us, that did not furnish opposers to our glorious Revolution? Were not hundreds of Presbyterians, Episcopalians and almost of every other denomination among our enemies? What denomination formed the thousands of new levies that endeavored to deluge our country in blood? On the other hand, were not a Greene and a Mifflin furnished from the Society of the Quakers?

“In short, I rejoice to say that our cause was not carried on by fanaticism or religious zeal, but a general struggle for the rights of human nature. Then why all this abuse of this particular sect without discrimination? Can any solid argument against the resolution on the table arise from a conduct of this kind? I am at a loss to know what other argument has been used to show the impropriety of the resolution before you. It goes to declare the power of Congress to prohibit foreigners from fitting out vessels in our ports, to supply foreigners with slaves from Africa. For my part, I think it a prudent, a humane, and a Constitutional resolution. It will render further interference on this subject, perhaps, unnecessary when it is known that the power of Congress

extends to remedy the evil. They will hardly venture to risk a voyage that may be ruined before its being finished.

“The gentleman last up (Mr. Smith) said, that it was now acknowledged, that one of the memorials had asked something contrary to the Constitution. I have never acknowledged this. The language is, that Congress would go to ‘the very verge of the Constitution’ to accomplish the business, but there is no request to exceed it.

“The character of the celebrated signer of the last memorial, Dr. Franklin, has been touched upon. The firmness of his mind has been suspected. An ingenious parable of his has been read to the committee, but its application totally mistaken. If the Supreme Being has borne with the unhappy subjects of our consideration, not for one hundred, but for thousands of years, in their own native land; has provided them with climate, soil, and social comforts, in which they rejoice; must we be discontented, and suppose, by adding to their misery, we can add to their happiness?”¹

BANK OF THE UNITED STATES.

Friday, February 4th, 1791.

The bill for a national bank advocated by the Secretary of the Treasury and sent down from the Senate was opposed by Mr. Madison, Mr. Giles, Mr. Jackson, and Mr. Stone, chiefly on the

¹ *Annals of Congress*, vol. ii. p. 1466.

ground that Congress had no constitutional right to pass such a bill. The bill was supported by Mr. Ames, Mr. Sedgwick, Mr. Smith of South Carolina, Mr. Lawrence, Mr. Gerry, and Mr. Vining. Mr. Boudinot spoke in its favor as follows :

“Mr. Boudinot said he meant to confine himself to two or three great points on which the whole argument appeared to him to rest. He considered the objections to the bill as pointed against its constitutionality and its expediency. It was essential, he observed, that every member should be satisfied, as far as possible, of the first ; for however expedient it might be, if it was clearly unconstitutional, the bill should never receive the sanction of the representatives of the people. He would, in a great measure refer its expediency, if constitutional, to the experience of every gentleman of the House, as the most satisfactory proof on that head, and he conceived there was no need of much argument in support of its decision. The first question then was, is Congress vested with a power to grant the privileges contained in the bill? This is denied, and ought to be proved. In order to show in what manner this subject had struck his mind, he first laid down these principles :

“Whatever power is exercised by Congress must be drawn from the Constitution, either from the express words or apparent meaning, or from a necessary implication arising from the obvious intent of the framers.

“That whatever powers (vested heretofore in any individual State) not granted by this instrument are still in the people of such State, and cannot be exercised by Congress. That whatever implication destroys the principle of the Constitution ought to be rejected. That in construing an instrument, the different parts ought to be so expounded as to give meaning to every part which will admit of it.

“Having stated these preliminaries, Mr. B. proceeded to inquire what were the powers attempted to be exercised by this bill? For, until the powers were known, the question of constitutionality could not be determined. By it Congress was about to exercise the power of incorporating certain individuals, thereby establishing a banking company for successfully conducting the finances of the nation. The next inquiry is, what rights will this Company enjoy in this new character that they do not enjoy independent of it? Every individual citizen had an undoubted right to purchase and hold property, both real and personal, to any amount whatever; to dispose of this property to whom and on what terms he pleased, to lend his money on legal interest to any person willing to take the same, and indeed to exercise every power over his property that was contained in the bill. Individual citizens, then, having these powers, might associate together in company or copartnerships, and jointly exercising the same rights might hold lands in joint tenancy, or as tenants

in common, to any amount whatever; might put any sum of money into joint stock; might issue their notes to any amount; might make by-laws or articles of copartnership for their own government; and, finally, might set up a bank to any amount, however great, and no authority in the Government could legally interfere with the exercise of these rights. The great difference between this private association of citizens, in their individual capacities, and the company to be created by this bill, and which it held up in so dangerous a light, is, that the one exposes the company to the necessity of using each individual's name in all their transactions; suits must be brought in all their names; deeds must be taken and given in like manner; each one in his private estate is liable for the default of the rest; the death of a member dissolves the partnership as to him; and for want of a political existence the union may be dissolved by any part of its members, and of course many obvious inconveniences must be suffered merely of an official kind. By the bill, these difficulties are to be removed by conveying three qualities to them.

“ 1st. Individuality, or constituting a number of citizens into one legal artificial body, capable by a fictitious name of exercising the rights of an individual.

“ 2d. Irresponsibility in their individual capacity, not being answerable beyond the joint capital.

“ 3d. Durability, or a political existence for a

certain time, not to be affected by the natural death of its members.

“These are the whole of the powers exercised, and the rights conveyed. It is true these are convenient and advantageous to the company, but of trifling importance when considered as a right of power exercised by a National Legislature for the benefit of the Government. Can it be of any importance to the State whether a number of its citizens are considered, in legal contemplation, as united in an individual capacity, or separately as so many individuals, especially if the public weal is thereby promoted? By their irresponsibility being known, every person dealing with them gives his tacit consent to the principle, and it becomes part of the contract. And by political duration their powers and abilities are limited, and their rights restricted, so as to prevent any danger that might arise from the exercise of their joint natural right, not only as to the amount of their capital but as to the by-laws they may make for their government.

“A private bank could make contracts with the Government and the Government with them, to all intents and purposes, as great and important as a public bank, would their capital admit of it; though they would not possess such qualities as to justify the confidence of Government, by depending on them in a time of danger and necessity. This might put it in the power of any individual to injure the community in its essential

interests by withdrawing the capital when most needed. To prevent this, and many other inconveniences, it is necessary that a bank for the purposes of Government should be a legally artificial body, possessing the three qualities above mentioned.

“ Mr. B. then took up the Constitution, to see if this simple power was not fairly to be drawn by necessary implication from those vested by this instrument in the legislative authority of the United States. It sets out in the preamble with declaring the general purposes for which it was formed: ‘ the insurance of domestic tranquillity, provision for the common defense, and promotion of the general welfare.’ These are the prominent features of this instrument, and are confirmed and enlarged by the specific grants in the body of it, where the principles on which the Legislature should rest, after their proceedings are more fully laid down, and the division of power to be exercised by the general and particular Governments distinctly marked out. By the 8th Section, Congress has power ‘ to levy taxes, pay debts, provide for the common defense and general welfare, declare war, raise and support armies, provide for and maintain a navy,’ and as the means to accomplish these important ends ‘ to borrow money,’ and finally, ‘ to make all laws necessary and proper for carrying into execution the foregoing powers.’ Let us then, inquire, is the constituting a public bank necessary to these

important and essential ends of government? If so, the right to exercise the power must be in the supreme Legislature.

“He argued that the power was not contained in express words, but that it was necessarily deduced by the strongest and most decisive implication, because he contended that it was a necessary means to attain a necessary end. Necessary implication had led Congress under the power to lay and collect imposts and taxes, to establish officers for the collection, to inflict penalties against those who should defraud the revenue, to oblige vessels to enter at one port and deliver in another; subjected them to various ceremonies in their proceedings, for which the owners were made to pay, and he conceived that it was not so great an exertion of power by implication to incorporate a company for the purpose of a bank. He also deduced the right from the power of paying debts, raising armies, providing for the general welfare and common defense, for which they were to borrow money. All these necessarily include the right of using every proper and necessary means to accomplish these necessary ends. It is certain, he said, that money must be raised from the people. This could not be done in sums sufficient for the exigencies of Government in a country where the precious metals were as scarce as in this. The people in general are poor when compared with European nations; they have a wilderness to subdue and cultivate; taxes must be

laid with prudence, and collected with discretion ; the anticipation of the revenues, therefore, by borrowing money becomes absolutely necessary. If so, then as the Constitution had not specified the manner of borrowing, or from whom the loan was to be obtained, the supreme Legislature of the Union were at liberty ; it was their duty to fix on the best mode of effecting the purposes of their appointment. For it was a sound principle that when a general power is granted, and the means are not specified, they are left to the discretion of those in whom the trust is reposed, provided they do not adopt means expressly forbidden. The public defense, or general welfare resting on the annual supplies from uncertain revenues, would expose the very existence of the community. It is the duty of those to whom the people have committed this power to prepare in time of peace for the necessary defense in a time of war. The United States are now happily in a state of peace ; but it was impossible for any one to say how long it would continue. By prudent management it might be long preserved ; but this prudence consisted in being always found in a state of preparation to defend our country.

“The Constitution contemplates this very duty by authorizing Congress to provide for the common defense by borrowing money. Why borrow money? Are not the annual revenues sufficient? It might be so, if nothing was to be attended to but internal wants, but the common defense and

general welfare loudly call for that provision which will produce a constant guard on external enemies and internal insurrections. To this necessary end it becomes Congress to provide that the necessary means may be always at hand, by being able to arm their citizens and provide their support while engaged in the defense of their common country. This can be done only by borrowing money, which is usually of citizens or foreigners; if of the first, it must be from individuals or from private banks; will it be prudent to trust to either? Loans from individuals were attempted during the war when patriotism produced a will in some leaders, and others were glad to get rid of a depreciating paper currency almost on any terms whatever.

“ But even these loans, arising from this paper medium with which the market was glutted, were altogether insufficient, and by one change of circumstances every hope was precluded of being any way successful in procuring money from that source. The circumstances of individuals, too, in this country are such, when compared with the wants of a nation, as to render the source too vague and uncertain to rely upon; and it would be a most improvident execution of the powers granted for the express purpose of the common defense and general welfare. Private banks are almost as inadequate to the object, and for reasons already given, were neither to be depended on for will or capital as to the supply for the

principal wants of Government. They are generally established for commercial purposes and on capitals not always sufficient for them. If they should be prevailed upon at any time to attempt to supply the demands of a nation at war, it must be from a general combination of their whole stocks, to the destruction of the original design of their several institutions. This ought not to be expected; for as far as it goes to the depression of the mercantile interests, so far it is injurious to the Government; besides, a dependence upon such a combination would be impolitic, both from its slowness and uncertainty. The votes of a few individuals affected by local selfish, or adverse politics, might endanger the whole people. Such a dependence ought not to be attributed to the wise framers of the Constitution, neither does the language warrant it. But foreign loans have been mentioned as a proper source for this purpose. The imprudence of placing the common defense of a nation on the will of those who have no interest in its welfare, is a good answer to this observation. Would it be prudent to trust a foreigner, perhaps a rival, if not an enemy, with your supply of what has emphatically been called the sinews of war? Would it not expose us to exorbitant demands, and often a refusal? Many adventitious circumstances of a war, increasing demands from all quarters, scarcity of coin, and difficulty of communication, as well as the intrigues of courts, all

loudly oppose the measure as contrary to the spirit and meaning of a provision for the common defense and general welfare. The only resort, then, he conceived, was by a timely provision to secure institutions at home from which loans might be obtained at all times on moderate terms, and to such amount as the necessity of the State might require. But gentlemen say that the Constitution does not expressly warrant the establishment of such a corporation. If by *expressly*, express words are meant, it is agreed that there are no express words; and this is the case with most of the powers exercised by Congress, for if the doctrine of necessary implication is rejected, he did not see what the supreme Legislature of the Union could do in that character. If this power is not clearly given in the Constitution by necessary implication, then is a necessary end proposed and directed, while the common and usual necessary means to attain that end are refused, or at least not granted.

“ Mr. B. was firmly of opinion that a National Bank was the necessary means, without which the end could not be obtained. Theory proved it so in his opinion, and the experience of the Union in a day of distress had fully confirmed the theory. The struggles of the friends of freedom during the late contest had nearly been rendered abortive for want of this aid. That danger which was then so hardly avoided became a solemn memento to this House to provide against

a similar case of necessity. This was the time to do it with advantage, being in such profound peace. He had not heard any argument by which it was proved that individuals, private banks, or foreigners, could with safety and propriety be depended on as the efficient and necessary means for so important a purpose. Although money was at present plentiful in Europe, and might be borrowed on easy terms, it might not be so to-morrow in case a war should break out and our necessities become pressing. He again enumerated the harmless qualities with which it was proposed to vest the bank corporation by the bill on the table, for the important purposes of the common defense and general welfare. Gentlemen had not yet pointed out any danger arising to the community, neither did he think it possible that any could ever be mentioned equal to those of suffering the Government to depend on individuals or private banks for loans in a day of distress.

“But it was said that this bill gave the corporation a right to hold real property in a State, which Congress had no power to do. The terms of the bill are misapprehended: this is a right which has been already shown attaches to the citizens individually, or in their associated capacity; the bill, therefore, does no more than to vest a number with an artificial single capacity under a fictitious name, and by that name to hold lands, make by-laws, &c. All which they might have

done before as citizens in a collective capacity. So far from giving a new power, their original individual rights are limited for the public safety as to the amount of their stock and the duration of their existence.

“ Mr. B. then proceeded to cite numerous instances of powers exercised by Congress during the last two years, deduced under the Constitution by necessary implication, to show the utter impossibility of carrying any one provision of that authority into execution for the benefit of the people without this reasonable latitude of construction. He also adverted to some instances of the conduct under the former Confederation. It had been urged that the new Congress had no rights or powers but what had been vested in and given to them by the individual States, and therefore they could not accept a cession from Great Britain by the treaty of peace, of the lands extending to the Lake of the Woods, because not before included in any individual State. Every member was soon convinced of the absurdity of the argument, and by a necessary implication established the power of the Confederated Legislature. During the war the Commander-in-chief gave a passport to a British officer to transmit clothing to the British prisoners at Lancaster. He accordingly conveyed a very large quantity of British goods into Pennsylvania for that purpose, which being directly against an express law of that State, they were seized and condemned by the proper

magistrate. On a complaint to the Legislature of the State, they referred the same to their Judicial officers, upon whose report (that Congress being vested with the power of declaring war, the right of giving safe passports to an enemy was necessarily implied, which, therefore, was duly exercised by their Commander-in-chief, though no express power was given to him for that purpose,) the Legislature declared their law directing the condemnation of the goods void *ab initio*, and the judgment of condemnation had no effect.

“This was also the rule that governed this House with regard to the removability of officers by the President, and the authority given to a Council to legislate for the Western Territory. In fine, he concluded that it was universally understood that whenever a general power was given, especially to a supreme Legislature, every necessary means to carry it into execution was necessarily included. This was the common sense of mankind, without which it would require a multitude of volumes to contain the original powers of an increasing Government that must necessarily be changing its relative situation every year or two.

“If power was given to raise an army, the making provision for all the necessary supplies and incidental charges was included. If a navy was to be formed, the manning and supplying the warlike stores are necessarily included. If a power is given to borrow money, a right to mortgage or pledge the public property to secure the

repayment is understood to be vested in the borrower. Take up the present statute book and every page will afford evidence of this doctrine. Examine the law with regard to crimes and punishments. Under the power of establishing courts, we have implied the power of punishing the stealing and falsifying the records, and ascertained the punishment of perjury, bribery, and extortion. Under the power of regulating trade, we have accepted cessions of real estate, and built light-houses, piers, &c. All this is under the doctrine of necessary implication for the public good, and in cases not so strong as the present, and on the exercise of which no gentlemen thought proper to start this objection.

“ This construction appears so natural and necessary that the good sense of every gentleman on the floor has hitherto led him to proceed on this principle ever since we began to legislate. What principle of the Constitution does it destroy? It gives nothing that can affect the rights of any State or citizen. Indeed, it has been said that it is exercising a high act of power. He thought it had been shown to be rather of the inferior kind; but allow the position, and who so proper as the Legislature of the whole Union to exercise such a power for the general welfare? It has also been said that this power is a mere expediency for the purpose of fiscal transactions, but not necessary to attain the ends proposed in the Constitution. This is denied, and at best is mere

matter of opinion, and must be left to the discretion of the Legislature to determine.

“Mr. B. said he should now conclude what he had to say, had not an honorable gentleman (Mr. Jackson) brought forward the observations of the Author of the *Federalist*, vol. ii. pp. 72, 73, 74, to show a different contemporaneous exposition of the Constitution, and charged the author, who he alleged was said to be also the author of the present plan before the House, with a change of sentiment. As this gentleman is not here to speak for himself, he ought to have the next best chance by having what he then wrote candidly attended to, especially as gentlemen allow him to be a good authority. Mr. B. read only part of the 73d page, referred to by Mr. Jackson, in these words: ‘Had the Convention attempted a positive enumeration of the powers necessary and proper for carrying their other powers into effect, the attempt would have involved a complete digest of laws on every subject to which the Constitution relates; accommodated, too, not only to the existing state of things, but to all the possible changes which futurity may produce; for in every new application of a general power, the particular powers which are the means of attaining the general power must always necessarily vary with that object, and be often properly varied whilst the object remains the same.’ How these sentiments can be said to be a different contemporaneous exposition must be left to the House to determine.

“Mr. B. then begged the indulgence of the House to hear the same gentleman when arguing expressly on that part of the Constitution now under consideration; and then read pp. 144, 145 and 146 of the 1st volume of the Federalist, which are too long to be inserted. He declared that in his opinion, it was impracticable to put together language in the same length that could more forcibly and pointedly elucidate and prove the construction contended for in support of the bill on the table. There remained yet but two objections, to answer which Mr. B. would detain the House a little longer.

“The gentleman from Georgia (Mr. Jackson) had charged the measure with establishing the commercial interests, to the great injury of the agricultural. If this was true, he never would agree to it, for he considered the agricultural interests of America as its great and sure dependence. Mr. B. confessed that so far from seeing these measures in this point of light, he could not bring his mind to comprehend how the commercial interests of a country could be promoted without greatly advancing the interests of agriculture. Will the farmer have any temptation to labor if the surplus of what he raises beyond his domestic consumption is to perish in the barn for want of a market? Can a market be obtained without the merchant? If commerce flourishes, the merchants increase, and of course the demand for the produce of the land; but if the mercantile

interests fail, there is none to export the surplus produced by agriculture. If the farmer should undertake to export his own produce, he could not give his whole attention to his affairs; or, if the merchant should attempt to raise the grain he wanted, he could not carry on his merchandise. The one interest depends on the other; a separation destroys both.

“But the incapacity of the bank to extend its influence to the extremes of the Union has been argued from the gentleman never having seen a note of the present Bank of North America in Georgia, he therefore concludes that bank has never been of any service to her agricultural interests. Mr. B. said that he drew very different conclusions from this fact. He supposed that by means of the bank the traders with Georgia had been enabled to send her the precious metals, while the bank paper had answered their purpose nearer home, where it circulated with undoubted credit. He instanced a case of a Philadelphia merchant, who was possessed of £100 in gold, and £100 credit at the bank; the merchant wanted £100 worth of rice of a Georgia planter, and the like value in flour of a Pennsylvania farmer. When he purchased the one of the Georgian, he could safely pay him the whole in gold, while he found the Pennsylvanian would as readily receive the bank paper for his flour; but had there been no bank, he could have purchased but £50 worth of each, and the Georgian and Penn-

sylvanian both would have gone without a market for the residue. In short, the whole Union may be likened to the body and limbs; you cannot aid or comfort one but the other must be likewise benefited.

“ He said it was, however, difficult and impracticable to show that every measure adopted by the Government should have an effect perfectly equal over so extensive a country as that of the United States; it was sufficient if, upon the whole, the measures of Government, taken all together, produced the desired equality.

“ The last objection was, that by adopting this bill we exposed the measure to be considered and defeated by the Judiciary of the United States, who might adjudge it to be contrary to the Constitution, and therefore void, and not lend their aid to carry it into execution. This, he alleged, gave him no uneasiness. He was so far from controverting this right in the Judiciary, that it was his boast and his confidence. It led him to greater decision on all subjects of a Constitutional nature, when he reflected that if, from inattention, want of precision, or any other defect, he should do wrong, that there was a power in the Government which could constitutionally prevent the operation of such a wrong measure from affecting his constituents. He was legislating for a nation and for thousands unborn; and it was the glory of the Constitution that there was a remedy even for the failures of the supreme Legislature itself.

“Upon the whole, then, he said, that on taking the power in question in every point of view, and giving the Constitution the fullest consideration, under the advantage of having the objections placed in the strongest point of light by the great abilities of the gentlemen in the opposition, he was clearly in favor of the bill; as to its expediency, there could be little doubt in the minds of any gentleman; and unless more conclusive arguments could be adduced to show the unconstitutionality, he should in the end vote for passing the bill.”¹

¹ *Annals of Congress*, vol. ii. p. 1919.

CHAPTER XXXIII.

On the Petition of the Officers of the late Continental Army for further Compensation. — On Official Conduct of the Secretary of the Treasury.

PAY OF THE LATE ARMY.

Second Congress, Second Session.

“ON Monday, January 14, 1793, the House being in Committee of the Whole took into consideration the memorial of the officers of the several lines of the late Army, on the subject of a deficiency of their pay.

“Mr. Boudinot assured the committee that he had determined not to trouble them on this subject, and he should have carried that determination into execution, did he not find that the question was likely to be taken in a manner not altogether pleasing to him. He had expected that the claims of the officers would have been fairly met, and, if decided in the negative, those gentlemen would have gone away fully satisfied that their claims had received a fair and candid discussion. But he feared, from the arguments of gentlemen, that the idea that the United States had unjustly failed in performing the contract with the Army, would take place, and an ungrounded imputation of partiality (at least in the minds of the petitioners) would be left on the

Government, when Mr. B. thought a fair statement of the matter would undoubtedly put a very different face on the whole subject. The officers of the Army had come forward as creditors of the United States in a decent and becoming manner, and presented their claims founded on former contracts, which they conceived had not been fulfilled, and therefore they called on Government to do what was right and just on the occasion. Congress were the independent representatives of the whole Union, to whom every citizen ought to have free access; and where every citizen was to be considered as equally entitled to an impartial hearing. If, on examination, it should appear that justice required a further compensation to the petitioners as a class of public creditors, when considered on a general scale, no man in the House would be more ready than himself to give his voice for such a measure. But if it should appear that the contract on the part of the public had been complied with, as far as distributive justice would permit, he wished the petitioners to be convinced of it, and that those losses they had met with were such as had been equally borne by other creditors of the Union, and therefore a general burden, by which he hoped they would receive full satisfaction on this subject.

“Mr. B. while he acknowledged the patriotism and virtue of the American Army, and subscribed fully to their eminent services and patient sufferings, he could not join in decrying the essential

services and sufferings of the other public creditors of the United States, who, in the day of her distress, had administered their property to the support of that Army and the defense of the Union.

“All public creditors who presented themselves in the day of distress to the relief of the Union, were equally entitled to the attention of Congress; but, as the officers in their Memorials had applied in behalf of the Army alone, he wished to consider their case, in the first instance, abstractly, without connecting it with any other class of creditors, and then compare it with others of their fellow-citizens.

“He undertook, therefore, in the first place, to state the public conduct towards the Army from the beginning of the war to the commencement of the present Government. He would then examine the conduct of the present Government; and lastly, supposing their claim just, inquire into the practicability of satisfying it. The Committee were well acquainted with the rise and progress of the late war. At the first alarm the patriotic citizens of the Colonies flew to their arms, and formed in the field, without terms or stipulations as to their services. In 1775, Congress turned their attention to the Army as the first great object, and having organized it, fixed the pay at the rate of fifty dollars for a Colonel, and twenty dollars for a Captain. In 1776, desirous of encouraging citizens who were so zealous in their country's service, they gave a bounty of twenty dollars to

each private, amounting in the whole to upwards of two hundred thousand dollars, besides a promise of one hundred acres of land; and to the officers at the rate of five hundred acres to a Colonel, and the rest in proportion. In October of the same year, desirous of keeping up the zeal of the officers, they increased the pay in the proportion of seventy-five dollars to a Colonel, and forty dollars to a Captain, and gave a suit of clothes per annum to every private, or twenty dollars in cash. In December, 1777, Congress showed their desire of encouraging the service, by giving a month's extra pay to the Army. The officers, anxious for their future support after the war was over, expressed an earnest desire of having some provision of this sort anticipated, and Congress, in compliance with their desires, after a consideration of three months, or more, agreed in May, 1778, to give each officer half-pay for seven years after the end of the war, on condition that they did not hold any office of profit under any individual State, and eighty dollars to each private. In November, following, they gave to each supernumerary officer one year's pay extraordinary, and increased the allowance for every retained ration to 2s. 6d. in money. The Army not being satisfied with this provision, in August, 1779, a committee, appointed for the purpose, reported further provision of half-pay for life, without any condition in favor of those who should continue to the end of the war and recommended to the

States to provide for widows of officers and soldiers who should be killed in the service. Congress likewise increased the allowance of monthly subsistence for officers to five hundred dollars for a Colonel, a Captain two hundred dollars, and a private ten dollars, and, added to all this, Congress allowed the officers to receive from the public stores one hat, a watch-coat, body coat, four vests, four pair of breeches, four shirts, four stocks, six pair of stockings, and four pair of shoes, per annum, nearly at former prices; and the soldiers in proportion. The half-pay for life was adopted, to the great offense of individual States, who sent forward petitions against the measure as impolitic and unjust. The war continuing, the distresses of the country increased, which reduced the public credit so low as to produce great uneasiness among all classes of public creditors, both in the Army and country.

“The gentleman from Pennsylvania, (Mr. Hartley) in his argument, represented (in Mr. B’s. opinion) his own feelings on the occasion, rather than a comparative view of the sufferings of the citizens at large; for it is not uncommon, when gentlemen are connected with a particular class of sufferers, to view what he sees and hears as an exclusive and peculiar evil, without considering what passes elsewhere. Thus, the soldier considers the sacrifice of the Army as the only intolerable burden; while the merchant, knowing his own losses best, considers others’ complaints as

trifling compared to his; and the farmer, who earns every farthing by the sweat of his brow, blames the Government for not giving him the first place in all their systems. Yet the fair conclusion is, that the burden has been generally nearly equal, and a common tax for the defense of our country. And although Mr. B. readily subscribed to the great sufferings and patriotic exertions of the Army, yet they should also give credit for the attention of their country to the utmost of her abilities. As the gentleman from Pennsylvania is best acquainted with the line of his own State, Mr. B. undertook to mention what was done by Pennsylvania for her own officers in addition to the allowance of Congress. During the war stores were provided, from which they received a partial supply at the hard money prices. The depreciation of their pay was fully made up to them; at the sales of the confiscated estates their certificates were received as hard money; the same for lands in the land office; the interest of six per cent. was paid on their certificates for a number of years; an additional bounty of land was given to them, ready surveyed and free from expense, and when the Funding System took place they had their three per cent. and deferred debt made good to six per cent. by additional certificates from the State, which were afterwards redeemed at about fifty and thirty-seven per cent. in hard money.

“ In August, 1782, a Memorial from the State of

Pennsylvania called loudly on Congress for fresh exertions towards the settlement of all accounts and making provision for the paying off the public debt. It is supposed the Army took the hint, and, in December following, a deputation of field Officers, with a strong Memorial on behalf of the Army, waited on Congress. The substance of their request was, first, some present pay, secondly, a settlement of their accounts and security for their balances; and thirdly, a commutation of their half-pay for life; as they found that the measure was odious to their fellow-citizens, and would prevent the happy intercourse they expected on their return to private life. The present pay and settlement of accounts were immediately provided for, and as to security for the balances, Congress resolved, 'As to what relates to the providing of security for what shall be found due on such settlement, that the troops of the United States, *in common with all the creditors of the same* have an undoubted right to expect such security, and that Congress will make every effort in their power to obtain from the respective States substantial funds adequate to the object, &c.' As to the commutation, it was urged, on the part of the Army, that five or six years' full pay was but a reasonable sum to make good their sufferings, not only on account of the deficiency of their pay, but also on other accounts, and that it would be more agreeable to their fellow-citizens, than that they should be pensioners

for life. Mr. B. mentioned this from his memory, which he said was confirmed by the 'Journals of Congress' of February, 1783, when a resolution proposed was prefaced in this manner: 'Whereas, in consequence of the faithful services of the officers of the Army of the United States, *and of their great sufferings, not only on account of the deficiency of their pay, but on other accounts,* Congress have, by divers resolutions, promised them half-pay,' &c. The want of money having been raised as an objection against this measure, the officers contended that they expected nothing more than certificates for their balances, in the same manner as other creditors of the United States had received. Congress finally determined to grant their request, but to prevent the Army from alienating their certificates at an under rate, and thereby affecting the public credit, it was proposed that they should not be made transferable. As soon as the delegation from the Army were made acquainted with this, they spurned at the idea, and justly asked if they were not freemen, if the balances were not their own property, whether they had not the same right to dispose of their property as they pleased, with every other citizen? They therefore insisted to be put on a footing with every other creditor who had received certificates. The reasoning was too forcible to be answered with propriety, and therefore Congress, on the 22d of March, 1783, resolved, 'That such officers, &c., shall be entitled to re-

ceive the amount of five years' full pay in money or securities on interest at six per cent. per annum, as Congress shall find most convenient, instead of the half-pay promised for life; *the said securities to be such as shall be given to other creditors of the United States, provided it is at the option of the lines of the respective States to accept or refuse the same.* 'That with regard to the retiring officers, the commutation, if accepted by them, *shall be in lieu of whatever may be now due as well as what might hereafter become due,*' &c. This commutation amounted to \$4,500 to a Colonel, and \$2,400 to a Captain.

"Mr. B. alleged his privity to this arrangement, having been in Congress at the time and of course one of the parties to the contract. He also observed very particularly on this measure originating with the Army and especially the negotiable property of the certificates; that in this transaction all former demands were involved, and the express stipulation of the Army and the assent of Congress was, not to pay a specific sum in specie, *but to give such securities for balances as should be given to the other creditors* of the United States. Here, then, was no difference between creditors; all were put on a footing, and every citizen who had made advances for the Government, or had fought her battles, was considered equally entitled to the attention of Government. From this time the demands of the Army put on the face of a settled debt, and re-

quisitions were made to the different States for a fund on which to found a certainty of payment, at least of the interest, from year to year. All the States but one having made the necessary arrangements, the plan was frustrated; but many of the individual States made provision for, and did actually pay, the interest of six per cent. for several years. Notwithstanding these partial payments the public credit suffered much, and among other causes the great number of these negotiable securities brought to market was not the least. The distresses of some, the different objects of pursuit of others which required capital, the debts of others which called for payment as soon as the war was over, and the fears of others for the fate of the Government, all conspired to bring on a general bankruptcy. These securities fell from six shillings and eight pence to two shillings and six pence in the pound, and transfers were as common as any other merchandise. The public fears, and the universal complaint of creditors finally brought about a change of the Government, and the new Constitution was formed, in which two material articles applied to all creditors: one, that the new Government was to be liable for the debts of the old; and another, that all contracts should be carried into effect agreeably to the terms of them. The old Congress had so far complied with their engagements as to give the securities required by the contract, and to apply to the individual States for the funds

promised. The new Government, at the earnest request of her creditors, turned an early attention to the public debt. She found the contracts were with the original creditor, bearer, or assignee. The holder was equally a party to the contract, and demanded the whole debt, without regard to the sum paid for it to the original holder; on the other hand, many contended for the right of the first creditor as an equitable demand to the surplus (or at least a part of it), after paying the principal and interest of the sum for which it was transferred. To this it was answered, that Congress could not consider themselves as a Court of Law or Equity to determine these claims. They were bound to A, B, or bearer, or his assignee. The holder of the evidence of the public debt could alone, in Law or Equity, give a discharge of the debt, that it would be unconstitutional to destroy the contract of the parties, when made bona fide, and it was agreed that fraud could vitiate every contract for which the Courts of Justice were adequate: therefore it was, that all discrimination was refused; first, as a matter without the jurisdiction of Congress; secondly, as a matter unjust, on the principle of a fair contract made on a risk to be run; and, lastly, as impracticable in its very nature. In consequence of this, propositions were made to the holders of the public securities on the principles of the Funding System, the substance of which was, that as the Government in its infancy could not embrace

a discharge of the debts, or, indeed, a payment of full interest without risking the public credit as heretofore, and by this means again exposing the creditor to loss, it was therefore advisable to new-modify the debt, so that the creditor should give up three per cent. upon the interest, and two per cent. on the principal for ten years, for which he should receive an equivalent in the following manner: it was a very reasonable conjecture, in case the new Government succeeded and public credit was restored, that interest would fall in five years to five per cent. and in ten years to four per cent. in which case Congress might, by new loans, at that rate of interest, pay off the whole national debt; but on the present plan, she would secure to the holder full four per cent. on the principal for ten years, and afterwards six per cent. for a certain number of years on terms, with three per cent. on the interest let the common rate of interest be what it might. This was accepted by the creditors as a reasonable equivalent, and the debt was subscribed.

“The event proved the truth of the supposition, and the value of the Funded Debt at one time rose to twenty-five shillings on the pound on six per cent., while loans have been made by the United States at from four to five per cent. Congress then gave a certainty of six per cent. for a number of years, on the terms of the loans for a partial reduction for ten years, and a less interest on the arrears of interest then due. This was

certainly a full and generous equivalent, and the only advantage gained by the public was a modification of the debt, by which the burden would be divided, and the increased number of citizens, during fourteen or fifteen years, would bear their proportion of the expense of a war in the benefit of which they so essentially participated. At the time of funding the public debt, the irredeemable quality was considered as a full equivalent and a compliance with the public faith. Mr. B. alleged that he was then a public creditor, and considered it in that point of light. He was a creditor that had a right to feel a loss as much as any man. He was a creditor of 1776, when the Army could not be sent to Canada without hard money. He was a creditor in 1777, when the prisoners were perishing for want of food and clothing, and the Government could not furnish a single suit, or a tolerable supply, for their extreme distress. He was a creditor of 1778, when, at the Valley Forge, the tracks of the soldiers were marked with blood for want of shoes, which he collected in different parts of the State by his own exertions, and at his own expense, without fee or reward, and was not repaid till 1779. He was a large creditor of 1779, when Congress sent to all parts of the Union earnestly calling on the friends of their country to come forward with loans for the public exigencies; and he was a creditor as an officer of the Army in which he had served. Under this view of the subject, Mr. B. acknow-

ledged that he had entertained great jealousies lest some other end was aimed at by the present resolution than the ostensible one; this was raised when he heard gentlemen found the success of the resolution on the savings made by the Funding System, when those gentlemen had for years past been continually representing that system as founded on an extravagant waste of public treasure; that the irredeemability of the debt was a tax on the Government which ought never to have been admitted, as moneys might have been loaned at four per cent., and by that means one third of the debt saved to the Union. What ideas, then, must we form of a resolution calculated to raise the hopes of the Memorialists, which in the end would certainly turn out a mere shadow, and worse than a shadow? This really was trifling with the complaints of our fellow-citizens. There had been no savings. The creditors who had possession of the public contracts had received a full equivalent for their demand by their own free consent, at twenty shillings in the pound. Where, then, was room for a demand on the Government for any saving? If there was a foundation for a claim, it must be against the possessors of the certificates; but however just it might be, it was merely illusory to form the resolution on principles that had no existence.

“The losses sustained by the line of the Army were not peculiar to them as creditors of the United States. All classes of citizens who had

generously advanced their money for the support of this very Army in food, clothing, arms, and ammunition, as well as that of the Government itself at home and abroad, had been equal sufferers without the emolument which the Army had received, in the most distressing times of the war. The army had been a refuge for many gentlemen driven from their homes, while other citizens were obliged to wander for a considerable time without employment or relief. He extended his observations to other citizens who had suffered during the war, and particularly mentioned the sufferers at Falmouth, Charlestown, New York, Norfolk, Yorktown, and South Carolina, as those who were of the first class in the United States; as also the aged, the widows and the orphan creditors, who had suffered without receiving any advantage whatever from the public bounty.

“Mr. B. then proceeded to consider the practicability of the measure, supposing its equality and justice to be fairly established. As the application was now founded on the savings on each man’s individual certificate, the principle equally reached every public creditor. Suppose, then, A, B, C, D, and E, received their certificates together: A sold his at six shillings and eight pence in the pound to raise a capital to purchase public lands, which, at one time in this city, sold at six pence per acre; B sold his certificate at two shillings and six pence in the pound, to save a wife and children from starving; C sold his to raise a

capital to go into the speculating line; D sold on one day from necessity, but replaced it the next day, and kept it till the Funding System took place, and then sold at twenty shillings in the pound; while E, having confidence in the Government, and not being under a necessity of selling, funded it under the present system. How could a discrimination take place here? or would it be fair equally to remunerate all these original holders? But suppose some had sold at twenty shillings, and also had received all the emoluments of the Pennsylvania line; where would be the distributive justice of the measure now proposed? If you extend this doctrine to the public at large, it will appear in a strong point of light. It is well known that the common practice of the Government during the war was to issue certificates in fictitious names — the names of clerks in office, of heads of departments, or other persons — merely to make them answer the purpose of a paper currency: as they were payable to bearer, the name was never thought to be material. The person doing the service or lending his money received these certificates, and was really the original holder, yet the face of the certificate spoke a different language. In this case a discrimination would be impossible; and much the largest part of the public debt was contracted in this way, after the war was over. Many debts had been paid by merchants and others to their foreign creditors and others, in certificates at their nominal value;

and, in other cases, individuals had failed, and the loss had wholly fallen on their creditors. Mr. B. earnestly contended that the expense of a discrimination would exceed the revenues of the United States. The nature of transferable stock, which is designed to operate as current money, forbids the idea of a discrimination, and all public credit must necessarily fail if such a doctrine was to prevail in the finances of the Union. This was a very serious and important idea, worthy the attention of the applicants who certainly were interested in the public weal. The right of freemen to dispose of their own property as they please was involved in the question, for if the Government was to make up every loss on a transfer, then it ought not to be made without their consent. Mr. B. hoped he would not be understood to deny either the services or the sufferings of the Army; but he alleged the promised recompense was given, which had been transferred with all the legal and equitable right to the holder, who had received from Government the full value, and therefore no further demand either in law or equity remained against the Government. The negotiable quality was a principle in the securities insisted on by the Army, and which they had used as they chose, for different purposes and for different views. He acknowledged that the generosity, benevolence, and humanity of Congress had been addressed: to this he answered that they were but stewards of the people's property,

for which they were answerable; that they were not sent here to show their generosity; it was to do justice and that not to one class, but to every description of citizens. He knew of but one rule for every citizen of the United States. They were all equally represented in that House; but at all events it became them to be just before they were generous.

“Mr. B. assured the House that he had taken up so much of their time, because he found that no one had come forward fairly to meet the question, and he had too great a regard for the Memorialists to wish them to go away under the idea that anything had been refused to them which ought in propriety to have been done. At any rate, he had candidly and above-board given the reasons of his vote on this important occasion, which would be against the question proposed by the gentleman from Virginia.”¹

DEBATE ON MR. GILES' RESOLUTIONS.

“On February 28 Mr. Giles in a series of resolutions, nine in all, made an attack upon the Official conduct of the Secretary of the Treasury and moved that they should be referred to a committee of the whole house. Mr. W. Smith opposed the referring of the resolutions, on the ground that the first resolutions involved abstract principles to be applied to facts yet to be estab-

¹ *Annals of Congress*, “2d Congress, 1791-1793,” pp. 813-822; and *The National Gazette*, P. Freneau, No. 28 of vol. ii.

lished and tending to mislead the house, and defended the Secretary's alleged infraction of the law. Mr. Smith also said that he 'should object to referring the last resolution, viz., That a copy of the foregoing resolutions be transmitted to the President, as the object of that resolution meant clearly to direct the President to remove the Secretary from office; the foregoing were to determine the guilt, the last to inflict the punishment, and both the one and other without the accused being heard in his defense. When the violation of the Constitution was so uppermost in our minds, it would be indeed astonishing that we should be so hoodwinked as to commit such a palpable violation of it in this instance." Mr. Murray followed in the same strain. Mr. Page made a reply to Mr. Smith in favor of retaining all the resolutions. On a vote the two first and the last resolutions were stricken out, the remaining resolutions being referred. The House in committee of the whole thereupon took into consideration the words following, of the third resolution, viz.: 'Resolved, That the Secretary of the Treasury has violated the law, passed the fourth of August one thousand seven hundred and ninety, making appropriations of certain moneys authorized to be borrowed by the same law, in the following particulars, to wit: "

" I. By applying a certain portion of the principal borrowed to the payment of the interest falling due upon that principal, which was not authorized by that or any other law.

“ 2. By drawing part of the same moneys into the United States without the instructions of the President of the United States.”

“In the course of his remarks Mr. Barnwell said, ‘I cannot refrain from saying that I am extremely happy that in passing through the medium of that gentleman’s (Mr. Giles) examination this subject has changed its hue from the foul stain of speculation to the milder coloring of an illegal exercise of discretion and a want of politeness in the Secretary of the Treasury.’ He argued that the Secretary was acting under orders from the President and that the latter had discretionary power. ‘A sum of money was due abroad for the interest of 1791 and 1792 to be paid out of the domestic revenues of 1791 and 1792. The United States had an offer to make a payment in part of what was due to France, for which money had been borrowed and was already on hand, abroad in a supply of provisions from here to the Island of St. Domingo; the Secretary, therefore, and doubtless with the consent of the President, instead of transmitting either bills or money from this country to France, in order to pay the interest due there and bringing the money borrowed to pay the French debt into this country, in order to furnish supplies for St. Domingo has committed the great crime of directing the money borrowed, and already upon the spot, to be applied to the interest due, and has taken the sums applicable to the payments of that interest, which was already here, and made use of

it to pay the debt due to France in the produce of the United States.'

"Mr. Findley and Mr. Mercer joined with Mr. Giles in the attack upon the Secretary when Mr. Boudinot interrupted Mr. Mercer as being out of order.

"After some remarks from Mr. Lee, Mr. Boudinot said he considered it as the duty of the Committee in the discussion of the charges brought forward to confine themselves strictly to the points in question. The present examination differed from ordinary Legislative business. Specific charges are brought forward against a highly responsible officer; the facts brought forward to support those charges should be understood and considered, to form a right judgment on them. The Secretary is charged with having violated a law, by paying the interest due on a loan out of the principal of that loan. He went into some statements and calculations to show that the money paid on account of foreign loans, as stated in official documents, could not have been paid on account of interest of the late loans, from the disproportion of the sums.

"He need say nothing more, he conceived, to show that the first charge in the resolution immediately before the Committee is unfounded. If what he said was not sufficient to disprove it, he asked where is the evidence to support it?

"He next turned to the second charge in the resolution, viz.: that the Secretary had made

the drafts complained of without the President's instructions. Here he noticed a mistake some gentlemen had fallen into, when speaking of the call of the House for information. This was a request to the President, and not an order to the Secretary. From the information communicated in consequence of this call, it did not appear that the Secretary had acted without or contrary to instructions, and he insisted, that he ought to be presumed innocent till he was proved guilty.

“He argued, that the authority given to the President in the subject put it in his power to draw the whole fourteen millions to this country, if he thought fit; it could not, therefore, be contended, he insisted, that the amount of the drafts had passed the limits of the authority given. It is not denied, he proceeded, that there was a right to draw for the two millions appropriated for the reduction of the Public Debt. Well, it has appeared, on a certain occasion to the House, that our Minister in France negotiated a contract with the National Assembly, or their officers, for the payment of \$800,000 of the debt due them, here; then certainly, the exigency of the case required that this sum should be drawn here for the purchase of provisions for St. Domingo, in which this payment was to be made. Here then was a positive necessity of drawing for \$2,800,000, and as a discretionary power in the subject had been left to the Executive, they might have found it advisable, perhaps, under an expectation of additional pay-

ments in the same manner, to have drawn over as much more as they might have thought prudent.

“He adverted to the application of the Secretary to the Legislature to declare whether the loan obtained, for an interest of five per cent., exclusive of douceurs, might be considered as borrowed under authority of the \$2,000,000 act. It was his (Mr. Boudinot’s) opinion at the time that no explanatory law was necessary, and that the Executive had power to construe the act in that sense. This was also the Secretary’s opinion, and in consequence of that opinion he had drawn bills. He thought it, however, right to apply to the House and have every doubt removed, and the Legislature sanctioned his construction of the law.

“It had been said that if the Legislature had a right to confirm, they also had a right to reject, the construction put upon the law by the Executive. This, he conceived, they would not have been warranted in doing, after a contract agreeably to that construction had been made: such a proceeding must have involved a breach of contract.

“It had been repeatedly asserted, and strenuously insisted on, that the Legislature were totally in the dark as to the drafts from Europe. To disprove this assertion, he read several items from sundry reports of the Secretary, where sums received on account of loans are specified. It had also been said that there was no evidence that any part of the loan was applied to, or intended for the purchase of, the public debt.

“This also appears unfounded from a note dated 25th of August, 1790, laid before the trustees for purchasing the public debt, which expressly mentions that a loan had been negotiated, part of which was destined for the purchase of the public debt, and that some points relative thereto were before the President for his approbation. This also showed that the President had knowledge of such intentions. His speech, and the report of the Secretary in consequence of part of that speech, which had been so repeatedly referred to, also unequivocally prove this point.

“He recapitulated the heads of his arguments, and concluded, that if nothing further could be brought in support of the charges now before the committee, they should have his decided negative.

“Mr. Madison: He wished not, he said, to waste a moment of the small portion of time left by regretting its insufficiency for a full discussion of the subject before the Committee. But he thought it due to truth, and to the honorable and independent motives of his colleague (Mr. Giles) in proposing the resolutions, to remark, that the lateness of the day to which they had been postponed did not justify the strictures which had been made on it. If the delay was not to be considered as unavoidable, some blame, at least, would fall elsewhere. The inquiries in which the whole matter originated had been moved by his colleague, and passed the House some weeks ago. The reports in answer to these

inquiries had not been finally made and printed a single day before the present resolutions were submitted to the House. He admitted that it might have been impracticable to report the information called for as early as was desired by the House. He was sensible of the anxiety that would be naturally felt by the Officer called upon to present every consideration that might place his conduct in the most favorable point of view; yet, with all these allowances, it was impossible to deny that the reports contained things which did not belong to them, and therefore consumed time which belonged to the period for discussion. He would mention one instance on which there could not possibly be a difference of opinion, viz., the vindication, formally undertaken by the Secretary, of the policy of borrowing money abroad. Whether this policy was right or wrong, the Legislature had themselves decided in favor of it; and it was the duty of the Secretary, in complying with the orders of the House, to inform the House how the law had been executed, not why it had been made; to explain his own conduct, not to justify that of the Legislature.

“It had been asked why the call for information had not been sooner made. The answer was obvious and simple. It was not sooner perceived by the House that there was such a necessity for it. The want of information was first suggested by the bill for paying \$2,000,000 to the bank, although \$200,000 only were imme-



diately due, and for authorizing another foreign loan to the amount of \$2,000,000. From the dawn of light thrown by some circumstance incident to the occasion, on the darkness in which the House had remained, proceeded those doubts and inquiries which had led to the information now possessed. His colleague had great merit in having brought about this development. He had rendered a service highly valuable to the Legislature, and no less important and acceptable to the public. One good effect of the information had been that it prevented the passage of the bill for borrowing \$2,000,000 as an anticipated payment to the Bank. The bill had dropped from the hand of its patron with the first light that broke in upon the House. What other measures would have been prevented or varied, if a like knowledge of our funds and finances had been sooner obtained, was a matter of serious consideration.

“Another consequence of the Reports, taken together, was, that the face of them presented to his colleague an evidence of the charges contained in the resolutions. Whether, at so late a day, it was best to leave the subject as exhibited by the various documents in print for the examination and opinion of the public, or to press it on the consideration of the House, was a point which every member had a right to decide for himself. His colleague had viewed the positions stated in his motion as too important to be suspended, and as supported by such clear and authentic proofs

that a small portion of time would suffice for the subject. Under this impression, what was his right became his duty; and he had discharged it by offering his resolutions to the House.

“As the House had refused to commit the two introductory resolutions, which established the rule of judgment to be applied to the case, and the last also, which declared the inference to be drawn, the task of the committee was limited to a simple inquiry into the facts stated. They were to make out and report a special verdict of these, and leave it to the House to pronounce the proper judgment arising from them.

“The resolution immediately before the committee imported, ‘that the Secretary of the Treasury had violated the law passed on the 4th of August, 1790, making appropriations of certain moneys,’ first, ‘by applying a certain portion of the principal borrowed to the payment of interest on that principal;’ secondly, ‘by drawing part of the same moneys into the United States without the instruction of the President.’

“The questions here are questions of fact; and whatever quality may be attached by different gentlemen to the several facts, it would seem as if the facts themselves are too clearly supported by the reports of the Secretary, and the documents attending them, to be denied or controverted.

“The law of August 4, 1790, authorized the President to cause to be borrowed \$12,000,000, to be applied to the foreign debt of the United

States. A subsequent law of August 12, 1790, authorized another loan of \$2,000,000, to be applied to the domestic debt of the United States. A power to make these loans was delegated, on the 28th of August, 1790, to the Secretary, by a general commission, in the usual form, referring to the several acts above mentioned, but without any further discrimination of the loans to be made. As the law, however, for applying loans to the foreign object was prior in date, the presumption would rather be that it was to have a priority of execution; that the first money borrowed was to belong to the first object provided for. It was unnecessary, however, to dwell on this consideration, because the President had removed all uncertainty by the precise explanations and instructions which accompanied the power to the Secretary, and which ought, in truth, to be deemed a part of the commission. The instruction having been more than once read to the Committee, he would content himself with referring to it.

“The part referred to is in the following words: ‘I do hereby make known to you that, in the execution of the said trust, you are to observe and follow the orders and directions following, viz.: Except where otherwise especially directed by me, you shall employ in the negotiations of any loan or loans which may be made in any foreign country William Short, Esq.; you shall borrow, or cause to be borrowed, on the best terms which

shall be found practicable, and within the limitations prescribed by law as to time of repayment and rate of interest, such sum or sums as shall be sufficient to discharge, as well as all instalments or parts of the principal of the Foreign Debt, which are now due, or shall become payable to the end of the year of 1791, as all interest and arrears of interest which now are, or shall become due, in respect to the said Debt, to the same end of the year 1791. And you shall apply or cause to be applied, the moneys which shall be so borrowed, with all convenient despatch, to the payment of the said instalments, and parts of the principal and interest, and arrears of interest of the said Debt. You shall not extend the amount of the loan which you shall make, or cause to be made, beyond the sum which shall be necessary for completing such payment, unless it can be done upon terms more advantageous to the United States than those upon which the residue of the said Debt shall stand or be. But if the said residue, or any part of the same, can be paid off by new loans, upon terms of advantage to the United States, you shall cause such further loans as may be requisite to be made, and the proceeds thereof to be applied accordingly. And for carrying into effect the objects and purposes aforesaid, I do hereby further empower you to make, or cause to be made, with whomsoever it may concern, such contract or contracts, being of a nature relative thereto, as shall be found needful and conducive to the interest of the United States.'

“By this formal act, issued along with the commission to the Secretary, the President designated the object to which the loans to be made were to be applied; and by declaring the object to be that provided for by the act of August 4, 1790, he expressly placed the loan under the authority and provision of that act; so that the moment the money should be borrowed, it was to stand legally appropriated to its specified object, as much as if another law authorizing another loan for another purpose had not existed.

“This arrangement of the President was the more proper, not only because provision for the payment of the Foreign Debt had been the primary object of the Legislature, and the payment of the French Debt the anxious wish of their constituents, but because payments to France were no longer matter of option, but of strict and positive obligations on the United States. In proof of this, he stated that the debt to France, calculated to the end of 1791, and computing the livre at $5\frac{4}{10}$ to a dollar, amounted to \$4,814,814, whilst the payments actually made, computing the florin at $2\frac{1}{2}$ to a dollar, amounted to more than \$3,372,717, leaving as a balance, at the end of 1791, \$1,442,097. Adding to this balance the installments due for 1792, amounting to \$638,888, there were to be paid within that year \$2,080,985. The entire payments, however, composed of \$656,500 in Europe, and \$726,000 put to the account of St. Domingo (although, \$444,263.83

were actually paid), amounted to \$1,382,500, leaving due at the end of 1792 a balance of \$698,485.

“Here Mr. M. adverted to and read a paragraph in the Report of the Secretary, page 16, where in allusion to the measure of drawing bills in the latter part of 1792, he says: ‘I feel myself the more at liberty to do it, because it did not interfere with a complete fulfilment of the public engagements in regard to the Foreign Debt. It could be done consistently with a full reimbursement of all arrears and instalments which had accrued on account of that Debt.’

“Mr. M. observed that, as he could not reconcile this paragraph with the calculations which he had stated, and which were drawn from official documents, he must regard it as an unquestionable error, produced by some hasty view of the subject.

“Returning to the Commission, Mr. M. repeated that all the money which that instrument, defined and qualified by the instruction annexed to it, authorized the Secretary to borrow was actually and specifically appropriated to the payment of the Foreign Debt, and under circumstances particularly urgent in relation to a part of it.

“In what manner had this trust been carried into execution? It was to be observed with regret that on the very day on which the commission and instruction issued from the President, the Secretary commenced his arrangement for diverting part of a loan, accepted and ratified by virtue of his commission, to a purpose dif-

ferent from that specified and required by his instruction. That a fact of so extraordinary a complexion might be grounded on the most unexceptionable proof, Mr. M. said he should take the liberty of supporting it by the authority of the Secretary himself. Here he read from the Secretary's Letter dated August 28, 1790, to the Dutch houses from whom the Loan had been accepted, the following passages, viz. : —

“ I should also wish for particular reasons, that the business may be so regulated as to give it the form of two loans — one for two millions under the first act, and the other for one million under the second. But neither about this, am I so solicitous as to be willing that it should constitute an embarrassment.’

“ I destine a million and a half of this sum as a payment to France, under the direction of Mr. Short, our Chargé d’Affaires at that Court, whose orders for that purpose you will please to follow.’

“ The aspect here presented by a comparison of the several documents was singular and remarkable. The subordinate officer appeared in direct opposition to the Chief Magistrate. The agent was seen overruling, by his own orders, the orders of his principal. The language of the President was: ‘ By virtue of the power vested in me by law, I destine the money to be borrowed to the discharge of the instalments and interest of the Foreign Debt.’ The language of the Secretary was: ‘ I destine a part of the money only to that

purpose, and a part to be brought to the United States for other purposes.' He left every member to make his own reflections on the subject. He would only observe, in general, that it demonstrated the truth asserted in the proposition that the Secretary had violated both the law of August 4, 1790, and the instruction of the President relating to it.

"He then proceeded to a more distinct view of the two points particularly stated in the resolution. The first was: 'That a certain portion of the principal borrowed under the act of August 4, 1790, had been applied to the payment of the interest falling due on that principal.' As the fact would not, he presumed, be denied, he forebore to quote that part of the documents which admitted and authenticated it. He would, however, premise to any observation on it a cursory view of the nature of appropriations.

"It was unnecessary to repeat the emphatic remarks on this subject which had fallen from the member from Pennsylvania, Mr. Findley. It was sufficiently understood. He concluded that appropriations of money were of a high and sacred character; that they were the great bulwark which our Constitution had carefully and jealously established against executive usurpations. He meant only to take notice of the different plans into which appropriations might be moulded, and of the particular operation which ought to be given to them.

“One of the plans was that of appropriating specified funds to specified objects, in which the supposed certainty of the funds was adjusted to the supposed importance of the objects.

“The other plan formed all the branches of revenue into an aggregate fund, on which the several objects should have a priority of claim according to their superiority of importance. It was evident that in both of these cases, the Legislature alone possessed the competent authority. The exclusive right of that department of the government to make the proper regulations was the basis of the utility and efficacy of appropriations.

“There was a third question incident to the doctrine of appropriations, viz.: Whether, under specific appropriations, such as had been adopted by Congress, the executive authority could, without special permission of the law, apply the excess of one fund to the aid of a deficient one, or borrow from one fund for the object of another. On this question, there might perhaps be a difference of opinion. He would only remark that, admitting such a discretion to be implied in the trust of executing the laws, it would still be requisite that the due sanction of the Executive should be given, that a regular account should be kept between the different funds, and that all advances from one to the other should be replaced as soon as possible. This was equally necessary to the preservation of order in the public finances and to a proper respect for the authority of the laws.

“ In the present case it did not appear that the moneys taken at different times from the loans designated by the President, and thereby placed under the appropriation of the act of August 4, 1790, to the Foreign Debt, had ever been replaced. It did not appear that any such replacement was regularly planned or provided for. It was particularly worthy of observation, moreover, that the only use within the United States for which any loan in Europe could be assigned, was that of the Sinking Fund; that the Trustees of this Fund had never been even informed of the drafts; that if the moneys drawn had been carried to the Sinking Fund, the limited sum of \$2,000,000 would have been exceeded; and that the statements and accounts had, in fact, been so wound up, as mentioned by the Secretary, that not a single dollar of the money laid out in purchasing the Public Debt had been charged on loans drawn into the United States, although such was the only purpose to which they were legally applicable, and such the principal reason assigned for making the drafts.

“ He did not go into a particular proof that the sum drawn into the United States, after subtracting the whole sum placed to a foreign account, exceeded the sum of \$2,000,000, because the fact had been conceded on the other side, particularly by the statement of the member from Connecticut, Mr. Hillhouse.

“ Thus it appeared clearly, in confirmation of

the first point, that the application of a certain portion of the principal borrowed in Europe, to payment of the interest, was not a mere transposition of moneys, to prevent the sending them backwards or forwards, nor an advance of money from an overflowing fund in favor of a deficient one; but an absolute diversion of appropriated money, and consequently a violation of the law making the appropriation.

“The second point in the resolution related to the drawing of moneys into the United States without the instructions of the President. This point had been fully established by the documents and explanations applied to the first. They had done more: they had demonstrated that the instructions of the President, which dedicated the loans to be made under his commission to a foreign object, were an express prohibition of drafts for any domestic object. It was sufficient, therefore, to refer to the instructions of the President, and to the contradictory steps taken by the Secretary. Two attempts had been made to elude the force of these official proofs. The first appealed to the President’s speech at the opening of the session in 1790; to the report of the Secretary, made in consequence of it, to the House; and to the supplementary act of Congress passed in conformity to the report.

“Had the circumstances involved in this transaction been attended to by those who seemed to rely on it, Mr. M. was persuaded that a reference

to it would never have been made by gentlemen on that side. As they had thought fit, however, to draw arguments from that source, it was proper to give an answer to them; and the best answer would be a naked statement of facts.

“ The instruction of the President to the Secretary was given, as has been seen, on the 28th day of August, 1790. The letter of the secretary contravening this instruction was dated, as has also been seen, on the same 28th day of August, 1790. The actual drawing of bills by the Secretary commenced the 15th day of December, 1790. The law now pleaded in justification of the conduct of the Secretary passed on the 3d of March, 1791.

“ There are other facts material to a correct and full view of the subject. The speech of the President was delivered on the 8th day of December, 1790. It briefly informed the two Houses that ‘ a loan of 3,000,000 of florins, towards which some provisional measures had previously taken place, had been completed in Holland,’ and ‘ that the Secretary of the Treasury had discretion to communicate such further particulars as might be requisite for more precise information.’ The consequent report of the Secretary, recommending the provision in the supplementary act, was not received till the 25th of February, 1791, six days only before the constitutional dissolution of the House. In the interval between the speech of the President and the Secretary’s report, he had

proceeded to draw bills to the amount of 793,392 florins. His report, notwithstanding what had been said of it, contained not a word from which it could be known that a single florin had actually been drawn over to the United States.

“The other attempt to elude the evidence before the committee recoiled with equal force on the gentlemen who had hazarded it. In the report lately made by the Trustees of the Sinking Fund is a statement laid before them by the Secretary, in which it is noted ‘that the acceptance of the loan of 3,000,000 florins, and the application of one third of it to the purpose of that fund, was under the consideration of the President.’ From this fact, it had been inferred not only that the Secretary had withheld no proper information from the Trustees, but that the result of the President’s deliberations on the subject had varied the purpose signified by his first instructions to the Secretary.

“It happened, however, most unfortunately for the gentlemen who exulted in this argument, that they had entirely overlooked the dates of the two papers. The paper laid before the Trustees, and alleged to have explained the final purpose of the President, was dated on the 25th of August, 1790. The paper relied on by the other side, as the final as well as the most formal designation of the will of the President, was dated the 28th of August, 1790. The gentlemen, therefore, instead of the inference they had made, should have

reversed their premises, and joined with their opponents in concluding that the President was led by a consideration of the subject, not to do what the Secretary in his note to the Trustees seemed to anticipate, but what had been evinced by the President's own act of posterior date.

“The second point, then, as well as the first, rests on the most solid proofs, taken from a collective view of authentic documents.

“Much has been said on the necessity of sometimes departing from the strictness of legal appropriations, as a plea for any freedoms that may have been taken with them by the Secretary. He would not deny that there might be emergencies, in the course of human affairs, of so extraordinary and pressing a nature as to absolve the Executive from an inflexible conformity to the injunctions of the law. It was, nevertheless, as essential to remember, as it was obvious to remark, that in all such cases the necessity should be palpable; that the Executive sanction should flow from the supreme source; and that the first opportunity should be seized for communicating to the Legislature the measures pursued, with the reasons explaining the necessity of them. This early communication was equally enforced by prudence and by duty. It was the best evidence of the motives for assuming the extraordinary power; it was a respect manifestly due to the legislative authority; and it was more particularly indispensable, as that alone would enable the Legislature,

by a provident amendment of the law, to accommodate it to like emergencies in future.

“ In the proceedings falling under the present inquiry, no necessity appeared for the liberties which had been taken, the money appropriated in Europe being more wanted there than at home. It appeared that the instructions of the Supreme Executive, instead of warranting those liberties, had precluded them; nor had the proper explanations been disclosed in due time to the Legislature. To place the subject in a more distinct point of view, it was proper to advert to the precise authorities and duties of the Secretary, as his office is defined by the act establishing the Treasury Department. For this purpose, Mr. M. read the second section of that act, which is in the words following:—

“ That it shall be the duty of the Secretary of the Treasury to digest and prepare plans for the improvement and management of the revenue, and for the support of public credit; to prepare and report estimates of the public revenue and the public expenditures; to superintend the collection of the revenue; to decide on the forms of keeping and stating accounts and making returns, and to grant, under the limitations herein established, or to be hereafter provided, all warrants for moneys to be issued from the Treasury, in pursuance of appropriations by law; to execute such services relative to the sale of the lands belonging to the United States as may be by law

required of him; to make report and give information to either branch of the Legislature, in person or in writing (as he may be required), respecting all matters referred to him by the Senate or House of Representatives, or which shall appertain to his office; and generally to perform all such services relative to the finances as he shall be directed to perform.'

" This establishment of the office evidently had no reference beyond the case of superintending the regular and ordinary collection of the revenue, and granting warrants for moneys issued from the Treasury, in pursuance of appropriations by law. The case of loans, as an occasional and extraordinary resource, was left to be provided for by particular laws for the purpose. The authority, with respect to the loans in question, was accordingly committed to the President, in order to secure for so special a trust the highest responsibility to be found in the government. And when it was considered that the whole sum contemplated was no less than fourteen millions of dollars, and when the latitude as to the terms and contracts was combined with the vastness of the sum, it might well be questioned whether so great a power would have been delegated to any man in whom the Legislature and the people of America had less confidence than they so justly reposed in the existing chief Magistrate, and whether an equal power will ever be committed to a successor. This distinction between the case of ordinary

revenue and that of loans is not only consonant to the actual policy of our laws, but is founded in obvious and solid considerations. In the collection and disbursement of the ordinary revenues arising from taxation, the business flows in official channels, is subject in every stage to official checks, and the money, being in constant influx and efflux, nowhere accumulates in immense sums. The case of loans is, in all these respects, different; in settling the terms and arranging the negotiations there is always an important discretion involved. When the loans are foreign as well as great, regulations concerning the bills of exchange form another occasion where great latitude is implied in the trust; whilst the magnitude of the sums falling under the same direction at the same moment present a further and material variance between the two cases.

“ The tendency of these observations is to show that, as the permanent law establishing the Treasury Department does not extend the authority of the Secretary to the case of loans, and as the law authorizing loans exacts for special reasons a responsibility from the President himself, the authority of the Secretary, in executing the loans and the appropriation of them, must be derived from the President; and, consequently, where that authority fails, there can be no resort to the law establishing the Department, much less to any general discretion incident to his official character. It is evident that the President, although no

doubt guided by the most proper considerations in employing the agency of the Secretary of the Treasury in the business of the loans, might, if he had judged fit, have substituted the agency of another; and that, whatever agency he might prefer, his own instructions would always regulate the extent and exercise of the power conferred. The want of any apparent authority from the President had led several gentlemen to insist on presumed authorities, superseding the instructions joined with the commission to the Secretary. But here, again, the fair inference was to be reversed. A communication of the authorities given by the President to the Secretary, as to the application of the foreign loans, had been expressly requested by the vote of the House. It was not to be supposed that the Secretary, if he had received further authorities or instructions, would have failed to produce them, or to refer to them, in the justification of his conduct. Far less could it be presumed that the President, if he had given any superseding authorities or instructions, would not have caused them to be communicated to the House, or that he would have suffered a partial communication to mislead the House into an error as to so important a fact. The President was the last man in the world to whom any measure whatever of a deceptive tendency could be credibly attributed.

“ Thus far (said Mr. M.) his observations had departed as little as possible from the question in

its strictest sense. He should now avail himself of the opportunity afforded by the terms of the last clause, which spoke of drafts generally, to take a more particular notice of those recently made; in doing which he considered himself safe within the rules of the House which were so rigorously enforced against the affirmative side of the question. The whole amount of foreign loans transferred directly or indirectly to the United States appeared from the several statements to be about \$3,000,000. The amount of the direct drafts was \$2,304,769.13. Of the drafts made since the 16th of April, 1792, and sold by the bank, the proceeds now in the bank, or payable into it before the 1st of April next, amounted to \$1,220,476.01. Of this sum \$510,000 have been drawn in the course of the present session of Congress. With respect to the times and the amount of these drafts, hitherto absolutely unknown to the Legislature, because the account of them had remained in the books of the Bank without ever appearing in the books of the Treasurer, Mr. M. confessed that he had found no explanations that were satisfactory to him. He had looked through all the reports and all the communications before the House, without discovering either that they had been made by the authority or with the knowledge of the President, or had been required for or applied to the purchase of the Public Debt, or had been ever communicated to the trustees of the Sinking Fund,

who had the direction of such purchases, or that they were the effect of any necessity that could justify them; and if there was no evident necessity for the proceeding, it was the more to be lamented that, whilst we were everywhere sympathizing with our allies in their arduous struggles for liberty, and echoing from every part of the Union our congratulations and good wishes, the pecuniary succors so critically necessary to their cause, and the most substantial proof of the sincerity of our professions, should be silently withdrawn across the Atlantic from the object for which they were intended,—succors, too, which were not merely a tribute of gratitude, of generosity, or of benevolent zeal for the triumph of liberty, but a debt, moreover, of strict and positive obligation, for value acknowledged and received. In contemplating the subject in this point of view, he felt a pain which he could not easily express and to which he persuaded himself the breast of no other member could be a stranger. Laying aside, however, all these unfavorable considerations, the important question still remained, why the Legislature had been uninformed of the moneys so unexpectedly drawn into the bank, and to so very great an amount? If the drafts had received every requisite sanction, if they had been produced by the most justifiable causes, the existence of \$1,220,476, in a situation so different from what had been contemplated, was a fact which the representatives of the people had a

right to know, which it was important to them and their constituents that they should know, and which it was the indispensable duty of the officer charged with it to have made known. This omission was the more remarkable when considered in relation to the measure above mentioned, of paying off at once the whole sum of \$2,000,000, payable to the bank by installments in ten years. A bill for this purpose had been introduced, and was on its passage; the object of it had been patronized by a report of the Secretary not long since made. In one of his last reports he expressly states, among the inducements to such extensive drafts of money from Europe, that they were made 'with an eye to placing within the reach of the Legislature' the means necessary for this object. Was it not extraordinary, was it not unaccountable, that so important a message should be recommended, and be actually introduced, and that money otherwise appropriated in Europe should be transferred to this country and deposited in the Bank, in order that it might be within the reach of being applied by the Legislature to that measure, and yet that no disclosure should be made to the Legislature of the fact that the money was so drawn and lay at the Bank, within their reach, to be so applied? If anything could heighten astonishment on this occasion it must be the reason assigned by the Secretary for any obscurity that might have hung over our finances, 'that, till

the last resolutions, no call has been made on the Department which rendered it proper to exhibit a general view of the public moneys and funds, or to show the amount and situation of such as were unapplied.' Mr. M. would not decide that the Legislature was free from blame in not using more full and efficacious means of obtaining such information as would have removed all obscurity. But, whatever degree of blame might fall on them, it never could be admitted that their calls on the Department had furnished no proper occasion for exhibiting a full view of the public finances. He referred generally to the various resolutions which, without the least force of construction, would have extended to every proper article of information. He reminded the Committee of the latitude of reports under certain other orders of the House, and asked whether less freedom of construction was to be allowed when information was to be given than when power or discretion was to be exercised? But independently of this view of the matter, Mr. M. held it to be clear and palpable that the very situation of the money afforded an occasion which rendered it proper that the House should be informed of it. If a liberty could be taken of removing money from Europe, where it stood appropriated by law, to this country, where there was no legal object that required it, and with an eye, as was stated, to an object to which no money was applicable without the authority of the Legis-

lature, how could it possibly be supposed improper to take the further liberty of communicating what was done to the Legislature? He concluded with recurring to the particular form in which the subject presented itself to the Committee, and repeating that, whatever quality might be attached to the facts charged, or however improper it might be thought by some to proceed in haste to any affirmative decision on them, it appeared irreconcilable with the evidence which had been produced, to decide, by a negative vote, against the truth of the facts.

“ Mr. Ames followed with a few remarks in defense of the Secretary, and Mr. Findley again censured the Secretary.

“ Mr. Boudinot replied to the opposition with the following facts and arguments: ‘ He called the attention of the Committee to the change in the usual situation of the House. They were no longer acting in a Legislative capacity, but were now exercising the important office of the grand inquest of the Nation. It was necessary to advert to this circumstance, to prevent running into the diffuse mode of argument that had improperly been adopted on this occasion. A gentleman of this Committee had thought proper to institute an inquiry into the conduct of an officer of the Government in a very important and highly responsible station. He had exhibited his charges against him in writing— had reduced them to certain and specific facts. To these, and to these alone, he

had pointed his evidence, and we were bound in honor and in conscience to give a just and decisive opinion on each independent charge. In the first place, the truth of the facts must be settled and established; if in their favor, the criminality would then necessarily require a second consideration. The honor and reputation of the officer thus charged, as well as the respect due to the gentleman who had brought forward the accusation, required a steady, uniform, and disinterested examination of every question from us. Under this view of the subject, Mr. B. said he should avoid the desultory mode of argumentation that had been run into on both sides, and confine himself to the nature of the facts charged, and the evidence adduced in support of them. The short time that yet remained of the session was too precious to waste in collateral arguments, or the consideration of merely presumptive proofs. The first charge in the resolution now before the Committee was, "that the Secretary of the Treasury has violated the law passed on the 4th of August, 1790, making appropriations of certain moneys authorized to be borrowed by the same law in the following particulars, to wit: 1st. By applying a certain portion of the principal borrowed to the payment of interest falling due upon that principal, which was not authorized by that or any other law. 2d. By drawing part of the same moneys into the United States, without the instruction of the President." These specific charges make it

necessary for us to understand determinately the terms of the act mentioned in the resolution, and the nature of the proof offered in its support. By the act of the 4th August, 1790, section 2:—

“‘The President of the United States is authorized to cause to be borrowed a sum or sums not exceeding in the whole twelve millions of dollars; and that so much of this sum as may be necessary to the discharge of the arrears of interest on loans heretofore made by the United States in foreign countries, and the installments of the principal of the said Foreign Debt, and (if it could be effected upon terms advantageous to the United States) to the paying off the whole of the said Foreign Debt, be appropriated solely to these purposes; and the President was moreover further authorized to cause to be made such other contracts respecting the said debt as should be found for the interest of the said States.’”

“It is asserted by the prosecutor of these charges that this act contained an emphatic appropriation of the whole of the twelve millions of dollars to the payment of the Foreign Debt. By a letter to Mr. Short, of May 9th, 1791, read in the Committee, it appears that a loan of three millions of florins had been made, and that one half only was appropriated to the payment of our debt to France, and that eight hundred thousand florins were to be drawn to this country. This was said to be contrary to the terms of the appropriation, and without authority; and the Secre-

tary's Report of January 3d, 1793, folio 3, was referred to in proof of the fact 'that the interests arising on the principal borrowed under this act was paid out of that principal;' when, by the same law, part of the domestic revenues of the United States was appropriated to that purpose. The words of the Report are 'payments on account of other Foreign Loans made, and to be made, to the 1st January, 1793, inclusive.' February 1st, 1791, two hundred and eighty-nine thousand seven hundred and eighty-three florins, six stivers, with several other payments on the same terms, till January 1st, 1793, amounting in the whole to one million eight hundred and thirty-three thousand one hundred and eighty-nine florins two stivers eight deniers. These payments were asserted to be on account of interest on the principal borrowed, but without further proof. By the report, folio 4, it appears that on the 1st of February, 1790, there was borrowed no more than one million one hundred and sixty-seven thousand florins, on which was due the 1st of February, 1791, one year's interest, amounting at five per cent. to fifty-eight thousand three hundred and fifty florins; but this evidence proves that two hundred and eighty-nine thousand seven hundred and eighty-three florins were paid on that day. Can gentlemen be serious when they assert that this was for interest on this principal borrowed, being almost twenty-five per cent. per annum instead of five. This certainly is

an inattention to the subject that the serious nature of the charge cannot justify. Mr. B. then asserted that, on a critical examination of these items they will be found to be instalments of the Dutch loans made by the old Congress, and which this money was expressly appropriated to discharge; but he said he did not mean to avoid the fact had it been proved, but he denied that any evidence of it arose from this testimony. The President was generally authorized to make the loans. Money arising from a domestic fund was appropriated to pay the interest. It happened that the loan was made in Europe to the amount of three million of florins; part of it was to be drawn to this country, but before that event interest became due; this was paid out of the moneys intended to be drawn into this country, and repaid by the fund here, to prevent the unnecessary sending the moneys from one country to the other. Mr. B. asked, if the Secretary had done otherwise, would any man in his senses have thought him worthy of the trust committed to him? But the gentleman has proceeded on this charge (and has so expressed himself) as if this loan was exclusively made under the act of the 4th August, mentioned in the resolution before us and therefore was wholly appropriated by law to the payments of the Foreign Debt, and ought not, in any part, to have been drawn into this country for other purposes. This brings to consideration the act of the 12th August, 1790, passed

eight days after the act alluded to. By the 4th section of this act the President of the United States is authorized to cause to be borrowed a sum or sums not exceeding two millions of dollars at an interest not exceeding five per cent., and that the interest should be applied to the purchase of the debt of the United States. The difference between these acts was, by that of the 4th of August, the President had a discretion as to the application of the sum borrowed towards payment of the whole of the Foreign Debt, over and above the installments, depending upon terms of advantage to the United States. By the second act there was no discretion, the whole moneys being positively directed by law to be applied towards the purchasing of the Domestic Debt. By the first there was no restriction, in point of interest, to be paid, but an injunction that the terms of repayment should be stipulated within fifteen years. By the second, interest was restricted to five per cent., and no terms of repayment enjoined. By the preamble to the first law, the object of it appears to be the doing of justice and supporting public credit by the payment of the Foreign Debt; by that of the second, 'the reduction of the Public Debt, which would be beneficial to the credit of the Union by raising the price of their stock, and be productive of savings to the United States.' By virtue of these acts the President thought proper to constitute the Secretary of the Treasury his agent to make the loans; and

accordingly, on the 28th of August, 1790, by a commission under his hand and seal, reciting both the said laws, authorized him, 'by himself or any other person or persons generally, to borrow, within the United States or elsewhere, a sum or sums not exceeding in the whole fourteen millions of dollars, subject to the restrictions and limitations in the said several acts contained.' With this commission the Secretary received instructions relative to the said loans, in these words: 'You shall borrow or cause to be borrowed, on the best terms which shall be found practicable, and within the limitations prescribed by law, as to the time of repayment and rate of interest, such sum or sums as shall be sufficient to discharge as well all installments or parts of the principal of the Foreign Debt which now are due, or shall become payable to the end of the year 1791, as all interest and arrears of interest which now are or shall become due, in respect to the said Debt, to the same end of the year 1791. And you shall apply, or cause to be applied, the moneys which shall be so borrowed, with all convenient despatch, to the payment of the said installments and parts of the principal and interest, and arrears of the interest of the said Debt. You shall not extend the amount of the said loan beyond the sum which shall be necessary for completing such payment, unless upon terms more advantageous to the United States,' &c.

" These instructions related solely to the appli-

cation of the twelve millions, the two millions, as before observed, being applied by law, without any discretionary power, to the reduction of the Public Debt. Under this commission, it is in proof the Secretary caused three millions of florins to be borrowed in Europe generally, without expressing particularly under which law, but reciting under them both. He directed half of this sum to be applied to the payment of the Foreign Debt, and part of the other half he appropriated, for the purpose mentioned, towards the reduction of the Public Debt. But it is insisted that the whole of this money was borrowed under the act of the 4th August, and therefore it was highly criminal to apply any part of it to the discharge of the interest arising on the principal so borrowed, there being another fund designed for that purpose. But it has clearly appeared that the Secretary made this loan in Europe, where the interest was to be paid and had become due; the fund for its payment was in this country; and therefore, if he was authorized to draw any part of that principal into the United States, it was a more economical operation, to pay the interest there out of those moneys on the spot, and repay them out of moneys here, where they were to be applied, and by that means prevent the loss of insurance and interest, that must have arisen by another negotiation. This question, then, depends wholly on the fact whether this money was borrowed by virtue of both acts, or under that of the 12th of August exclusively.



“The Loan was made at five per cent, subject to charges and douceurs of four and a half per cent on the whole. The Secretary thought this within the act of the twelfth of August, limiting him to an interest not exceeding five per cent. This was the opinion of others besides the Secretary. Mr. B. himself had been of that opinion and at the time thought an application to the Legislature unnecessary. But the prudence and caution of the Secretary led him to state this fact to Congress, for their consideration and determination, who, by an act of the 3rd of March, 1791, declared their sense of the act of the 12th of August, and that the Loan was legally made under that act. The preamble to this act removes all doubt on this question:—

“‘Whereas it has been made known to Congress that the President of the United States, in consequence of an act making provision for the reduction of the Public Debt (that is, that of the twelfth of August), hath caused a certain loan to be made in Holland, on account of the United States, to the amount of three millions of florins, bearing an interest of five per cent,’ &c., ‘And whereas it hath been also stated to Congress that the charges upon said loan have amounted to four and a half per cent, whereby a doubt hath arisen, whether the said loan be within the meaning of the said last-mentioned act, which limits the rate of interest to five per cent per annum. And whereas it is expedient that the said doubt should

be removed, be it enacted,' &c., 'that the loan aforesaid shall be deemed and construed to be within the true *intent and meaning of the said act making provision for the reduction of the public debt,*' &c.

" This puts an end to any dispute on this subject; and if this money was borrowed under both acts, jointly, or exclusively under the act of the twelfth August, there can be no propriety or justice in the charge, that the Secretary had violated the act of the fourth of August in applying part of this money to the purposes of the act of the twelfth of August, under which the Loan, as to a greater sum was certainly made. By this act also the opinion of the Secretary of the meaning of the act of the twelfth of August as to the restriction of the interest to five per cent was confirmed, and of course all his proceedings under it. There can, then, be no foundation for the charge, and it remains unsupported by proof.

" The next part of the accusation attempted to be supported was, the drawing part of the same 'moneys of the United States without instructions from the President.' The instructions from the President as to the making the loans and applying them were only called for, he has therefore only reported these to the House; from this negative testimony, it was presumed that no other instructions have been given. This is weak support, indeed, to a criminal charge of this nature. I know it has been urged by one gentle-

man (Mr. Mercer) that the Secretary has been called upon for the instructions, and if he has failed to report them to the House, he ought to suffer: this shows how fallible gentlemen's memories are. There has been no call whatever of the House on the Secretary for this purpose — our Journals do not show any. The requisition was to the President, and he has complied with the terms of it. But if we are to rest on presumptive evidence, the presumption is in favor of the Secretary. The President has not made objections to the conduct of his agent. He has mentioned the loans to Congress, without disapprobation. The agent was properly accountable to him, and he has not found fault with him; but in his Speech at the opening of this and the last session of Congress, has expressed great satisfaction in the state of public affairs. But if the gentlemen who advocate this prosecution really believed this fact, had they it not in their power to have rendered the evidence certain to demonstration, by requesting, by resolutions of the House, that the President would declare whether this money was or was not drawn in consequence of his instructions, or with his approbation and consent? Can any man suppose that so responsible an agent as the Secretary of the Treasury would presume (for his own sake) to proceed in so important a negotiation, without the knowledge, approbation, and directions of the President of the United States? But, for argument sake,

suppose the fact to be true, is not the Secretary an officer to superintend the collection of the public revenue? As soon as this Loan was made under the act of the twelfth August, was it not his duty, without further instructions, to draw the money into the United States for the purpose mentioned in the act? Would he not have been highly culpable if he had left this money in Holland till the next session of Congress, and waited for a law authorizing him so to do? It is really a reflection on the whole Legislature to suppose they would have directed a Loan which should remain inactive on an interest of five per cent without giving a power of application.

“But it has been said that a larger sum, viz., almost three millions of dollars, has been drawn into this country, which was more than the President himself was authorized to do. If this is meant to criminate the President, we ought to know it. How does the fact stand? It is agreed that the President had a right to draw the moneys loaned under the act of the twelfth of August

\$2,000,000.00

“He had a right to make such other contracts respecting the debt as should be for the interest of the United States, in consequence whereof the agent in Europe agreed with the National Assembly or the Executive of France, for the payment of four millions of livres, part

	\$2,000,000.00
of their debt, in the produce of the United States, for the supply of St. Domingo.	800,000.00
“ The interest to foreign officers amounted to about	191,316.90
	<u>2,991,316.90</u>

“This, then, makes about the sum that is proved was drawn for by the Secretary, and shows that he did not exceed the powers vested in the President for this purpose.

“It has been also held up as highly criminal in the Secretary, that although he began to draw for this money in December, 1790, yet he never gave information to Congress or to the Trustees for purchasing the Public Debt on the subject; but left them wholly in the dark with respect to so important a measure, when it was his duty particularly to have kept the House constantly informed, and that this could only have happened for the purpose of covering some improper design, or aiding individuals with the public moneys of the United States.

“To this charge Mr. B. said, he had paid serious attention, for as on the one hand, he would ever be ready to bring every defaulter in public office, however exalted in character, to condign punishment, where found guilty; on the other hand, he wished ever to be found giving full support to every good officer of Government against un-

founded charges of speculation and mismanagement of the public revenue. He had satisfied his mind on the subject, not being able to find a scintilla of evidence to support the charge, but abundant testimony to the contrary.

“ 1. Congress knew that this money was appropriated to the payment of the debts in this country, that the Loan was made in Holland, and therefore that it must necessarily be drawn here for the purposes of the act.

“ 2. By the Report of the Trustees of the Sinking Fund, folio 12, under the date of the 25th of August, 1790, is the following entry:—

“‘ It is probable that it will be deemed advisable to pay the interest for the year 1791 on the amount of the foreign debt out of foreign loans. There is one now matured for the acceptance of the United States, amounting to three millions of florins, *the proceeds of which may be at command in the course of the present year.* The expediency of an acceptance of the loan, *and of an application of one third of it to the purpose of the act, for the reduction of the Public Debt, is under the consideration of the President of the United States.* Alexander Hamilton, Secretary of the Treasury.’

“ This entry affords strong presumption against all the suggestions of the want of instructions from the President, or his ignorance of the proceedings of the Secretary.

“ 3. The Speech of the President delivered to

both Houses of Congress, on the 8th of December, 1790, has the following paragraph:—

“In conforming to the powers vested in me by the 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. The Secretary of the Treasury has my directions to communicate such further particulars as may be requisite for more precise information.’

“4. The Report of the Secretary in conformity to that direction, dated 24th February, 1791, mentioning terms of the Loans and application of moneys.

“5. The preamble of the act of 3d March, 1791, already read.

“6. In the Report of the Secretary of the Treasury of the receipts and expenditures from the commencement of the Government to the 31st December, 1791, is the following article of receipts:—

“ ‘ Foreign Loans.’

“From the President, Directors & Co. of the Bank of North America, being the produce of bills of exchange drawn on the agents for negotiating Foreign Loans in Holland,	\$229,269.47
“From the President, Directors & Co. of the Bank of New York, being the produce of bills of exchange drawn on the agents aforesaid	132,121.87
	\$361,391.34

“7. In the Treasurer’s account, commencing January 1, 1792, and ending on the 31st March, 1792, are found the following entries of receipts:

“‘On the proceeds of bills of exchange, drawn on Willhelm & Jan Willink, Nicholas and Jacob Van Staphorst & Hubbard, of Amsterdam on account of Loans made for the United States, per statement, \$402,902.89.’

“In his account commencing on the 1st of April, 1792, and ending on the 30th of June, 1792:—

“‘On the proceeds of bills of exchange, &c. in same words, \$1,400,000.’

“In his account commencing on the 1st of July, 1792, and ending on the 30th of September, 1792:

“‘On the proceeds of bills of exchange, &c., in same words, \$1,000,000.’

“Mr. B., after reading these vouchers, proceeded: These, Mr. Chairman, are the facts that have convinced my mind, at first much alarmed at the severity of the charges and the positive assertions of gentlemen that discoveries would be made showing corruption at the very heart of the Government; these have convinced me fully that this prosecution has been rashly brought forward, without proper examination of the transaction. My mind, in a conscientious research into the facts, has not been able to raise a doubt on which to found even a suspicion of the integrity or abilities of the Secretary in this whole negotiation. So far am I from considering those charges supported by testimony, that I consider the conduct

of the officer concerned in this transaction not only wholly cleared up, but the measures he has pursued as stamped with wisdom and official knowledge. So far am I from judging him reprehensible for the manner in which he has negotiated and applied these loans, that I think him deserving of the thankful approbation of his country for his economy and strict attention to the true interests and credit of the United States. I rejoice, sir, that after so full and zealous an investigation, this officer, though unheard, appears to be free from even a suspicion of malconduct in the whole transaction; this is not only honorable to him, but does credit to our country. On the whole, therefore, I am decidedly against the present resolutions, and shall give them my hearty negative.”¹

MR. BOUDINOT TO ALEXANDER HAMILTON.

After passing through a fiery ordeal, I suppose you have a few moments to breathe a milder air. The part the country in general take in your triumph over the envious and malicious enemies to the Government, as well as yourself, must convince you that the influence of these beings extends but a little way out of their own selfish, narrow circle.

¹ *Annals of Congress*, 2d Congress, 1791-1793, p. 932.

CHAPTER XXXIV.

On relief of French emigrants from St. Domingo. — On commerce of the United States.

Third Congress, First Session.

FRENCH EMIGRANTS FROM ST. DOMINGO.

Friday, January 10th, 1794.

MR. BOUDINOT declared, that he had never been able to discover any difficulty in the matter. By the law of Nature, by the law of Nations — in a word, by every moral obligation that could influence mankind, we were bound to relieve the citizens of a Republic who were at present our allies, and also had formerly been our benefactors. He could not for a moment endure the idea of a hesitation on such a question. When a number of our fellow-creatures had been cast upon our sympathy, in a situation of such unexampled wretchedness, was it possible that gentlemen could make a doubt whether it was our duty to relieve them? It had been said that the House was not, by the Constitution, authorized to give away money for such purposes. He was satisfied, that to refuse the assistance requested would be to act in direct opposition both to the theory and practice of the Constitution. In the first place, as to the practice, it had been said that nothing of this kind had ever occurred before under the Federal Con-

stitution. He was astonished at such an affirmation. Did not the Indians frequently come down to this city, on embassies respecting the regulating of trade, and other business — and did not the Executive, without consulting Congress at all, pay their lodgings for weeks, nay, for whole months together? and was not this merely because the Indians were unable to pay for themselves? Nobody ever questioned the propriety of that act of charity. Again, when prisoners of war were taken, there was no clause in the Constitution authorizing Congress to provide for their subsistence; yet it was well known that they would not be suffered to starve. Provision was instantly made for them, before he could tell whether the nation to whom they belonged would pay such expenses, or would not pay them. It was very true that an installment would soon be due to France, nor did he object to reimbursement in that way if it could be so obtained. But, in the mean time, relief must be given, for he was convinced that we had still stronger obligations to support the citizens of our allies than either Indians or prisoners of war. In the second place, as to the theory of the Constitution, he referred gentlemen to the first clause of the eighth section of it. By that clause Congress were warranted to provide for exigencies regarding *the general welfare*, and he was sure this case came under that description.¹

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 172; Abridgment of the *Debates of Congress*, p. 463, H. of R.

COMMERCE OF THE UNITED STATES.

Friday, January 24th, 1794.

Mr. Boudinot lamented the want of practical commercial knowledge, when called upon to give an opinion on subjects of so great magnitude and essential importance to this country.

But it was with pleasure he took an opportunity of acknowledging the obligation he was under to the gentlemen who had gone before him, for their collection of facts, their calculations and strong reasoning, on the subject, by which his misfortune was greatly alleviated.

The calm and dispassionate discussion of so great and interesting a question, must be productive of great public advantage, as well as do great honor to this Committee. It was with the greatest attention that he had heard the various reasonings throughout this long debate. He had examined the facts, he had compared and applied the calculations, he had weighed every argument, and had endeavored to draw some final conclusions to direct his judgment. That which had made the most forcible impression on his mind, and was equally deducible from the arguments used by either side of the House, was "that every wise nation, under the consideration of all circumstances, endeavored to make their own individual interest the pole-star by which to direct their conduct, whether of a political or commercial nature."

He observed, that it appeared to him as clear as any mathematical proposition, that in all the commercial regulations of the nations of Europe, this one object influenced every action. This was plainly seen in all the favorable circumstances attending the *arrêts* of France in our favor. This, and this alone, had penned every commercial restriction against us by Great Britain. From the whole, then, of the debate, without going into comparison of one nation and her conduct towards us with another, which sometimes led into invidious distinctions, Mr. B. said he had drawn this obvious and determinate conclusion — from the acknowledged attention of old and wise nations to their own particular interests, and which he should make the rule of his conduct on this great question — “to go and do likewise.”

But, before he proceeded to the resolutions on the table, he thought proper to premise the propriety of laying out of the debate the charge of the enmity of Great Britain and the friendship of France, as far as either respected the former Government. Politicians and legislators should not indulge passion; the circumstances of the present Government were those that demanded their attention, and by going so far back, they would be exposed to greater mistakes. He said he had already found it very easy to mistake or misapprehend facts of an important nature, when relative to subjects that engage the passions as well as the judgment.

Mr. B. said he was not desirous of becoming the panegyrist of Great Britain; he had known too much, he had felt too much, to execute such an office with propriety. He should not over-value the friendship of France in the aid we had received from her, because he knew that it was not from the Nation, but the Monarch, that the whole of it was brought about. He knew that his sole motive was the best interests of his Crown, and that when he fought us side by side he had fought his own battles in our country instead of his own.

It was interest that led America to ask, it was interest that led him to comply. But, notwithstanding circumstances of this nature, he was desirous that the whole truth should prevail. He did not approve of half truths, he wished the whole to be known. Great Britain had been repeatedly charged with *originating* the Indian war. She had been (it was said) *always* averse to entering into a commercial treaty with us. These facts Mr. B. disputed; nay, he did not believe them. Gentlemen had founded many strong arguments upon them, but it would have been best first to have produced the evidence, to prove their existence.

As to the *originating* the Indian war, so far from its being *originated* by Great Britain, he knew that it had originated in the false policy of Congress in 1783. This was no new idea; he had then foreseen it; he had then foretold it, with its

consequences. He did not deny that the officers and agents of Great Britain had since encouraged and increased it ; that they had not done what they ought to have done to prevent it. They had claimed the right of aiding the Indians by presents ; we also, as a nation, had claimed the right of aiding the French Republic, in every way consistent with our neutrality. As to her being *always* averse to a commercial treaty, this also should be taken with some restriction. The facts should be truly stated. In September, 1779, Congress thought it prudent to authorize and instruct their Commissioners to enter into a Commercial Treaty with Great Britain, in case of a Peace. In July, 1781, when a negotiation for peace was likely to take place, Congress, on the principle that our true commercial advantages were not well understood, thought it best to avoid all unnecessary European connections ; and therefore, in the month of July, 1781, repealed the Commissioners' authority to enter into a Commercial Treaty, and withdrew their instructions. At this critical moment, when Great Britain had acceded to our Independence, and was impressed with the danger of losing our commerce, she came forward, and (if his information was right) proposed a Commercial Treaty, on rational and generous terms, which, for want of authority, was refused by our Commissioners. To this source was the proclamation of the King of Great Britain owing, by which we are cut off from the West India trade. Before this mistake

could be rectified, our disunion as to commercial regulations and weakness as to national objects, were fully known to Great Britain; since which, he believed, she had wholly omitted to enter into further treaty with us.

He said he had carefully examined the Journals of Congress as to the granting and repeal of the power of the Commissioners; but as to the offering and refusing the Commercial Treaty he depended on a Confidential letter he had received in 1783 and which was read in Congress the 1st of October of that year; and as he would not vouch for the authenticity of those facts but chose that the Committee should have all the evidence he had, he would trouble them with reading the substance of it. Mr. B. then read some parts of a letter dated September 28th, 1783, which in substance was — “I left Paris the 15th June; the day before which Mr. Hartley had communicated to the American Plenipotentiary and to me a despatch which he had received from Mr. Secretary Fox, authorizing Mr. Hartley to agree to a Treaty of Commerce, allowing a free trade to the West Indies to the vessels and citizens of the United States, under the single restriction of not carrying the produce of those Islands to Great Britain; that Congress would best know the reasons that induced the Commissioners to object to that restriction, and which had eventually frustrated the expectation of a Commercial Treaty with Great Britain. And you will undoubtedly have seen

the Proclamation which in consequence thereof, had been issued by his Britannic Majesty, whereby the vessels of the United States are, in effect, precluded from all access to the British West Indies. But as the ultimate intentions of the British Minister on that subject appeared doubtful, and as it seemed highly important that they should be known to Congress as soon as possible, and as I had occasion on Friday, the 8th of August, to see my Lord North respecting a matter of private property, I availed myself of that opportunity of conversing thereon with his Lordship who, with great apparent candor, told me that the Proclamation and the principles of it would undoubtedly be adhered to during the continuance of the act of Parliament; that Parliament must then determine respecting future measures; that the Navigation Act had been the source and support of the British naval power, and must not be infringed without urgent necessity; that he was desirous of promoting a good understanding with the United States by all means compatible with the interest of Great Britain, but that the Americans, after making themselves independent, were unreasonable, desiring privileges which never had been granted to any independent people, especially as they appeared to have neither the inclination nor the ability to give any adequate advantages to Great Britain in return. I intimated the probability that the United States would retaliate, and prevent their produce being carried to the West

Indies in British vessels. To which his Lordship replied, that the United States doubtless had the right to adopt such a measure, but in so doing they would necessarily deprive themselves of the best, and indeed the only sufficient market for their produce; obstruct the growth, agriculture, and prosperity of their own country and injure themselves much more than they could possibly injure Great Britain. That in war Great Britain was exposed to much expense and difficulty in defending her West India Colonies, and at all times giving them exclusively the benefit of her market, depriving herself in their favor of the advantage of purchasing the sugars &c. of other countries, and thereby enabling British West India planters to obtain higher prices for their produce than the planters of any other nation; and that unless Great Britain in return for these favors could exclusively enjoy the benefits of their navigation; it would, in his private opinion, be much better to let them become independent like the United States. His Lordship did not request, and I presume he did not expect I would keep this conversation secret, and you are at liberty to communicate it to Congress; though as I do not wish to be cited on political subjects, I beg it may be confined to that honorable body. I indeed thought it expedient before I left London, to write an account of it to the American Plenipotentiary in Paris" &c.

Mr. B., then proceeded and said, that these
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facts had convinced him that the charge was too general, especially as by the late communications we are informed that a negotiation was now again in train on the same subject.

That in his opinion Great Britain had enough to answer for that was justly chargeable to her account, without relying on bare suggestions without proof. Her breach of the Treaty by carrying away our negroes, contrary to the express words and withholding the posts, without a shadow of excuse, are sufficient evidence of her want of public faith; but let us not found our acts on those facts, which, if inquired into, we cannot support. Mr. B. observed, that he had made these observations to remind gentlemen that though this nation had at times done us wrong, yet that we had not been without fault; therefore, he added, let us dispassionately consider the resolutions on the table, on the principle of our present situation among the nations, or as it has been, since our present Government. It cannot be denied that our trade has been in a flourishing condition ever since the year 1790. Let any gentleman who doubts this cast his eye on the Reports from the Treasury Office for several years past: it is fast pressing to perfection.

Mr. B. was of opinion with the gentleman who had gone before him, that it was possible to carry our navigation too far, when considered in proportion to our agricultural interest, but that point has yet to come. He acknowledged that

since the late war in Europe, we had been the sufferers; that our ships had been piratically despoiled (if he might be allowed the expression) by the privateers of England, Spain, and France; that our citizens justly looked up to their Government for protection and recompense. The usual established mode among civilized nations was, in the first instance, remonstrance and negotiation; this was not the duty of the Representatives of the people, but belonged to another department; we were officially informed that this was done, a negotiation was on foot, and our Executive officer had fixed the 1st day of December last, when our Minister at the Court of London was to give a positive and decided account of the state of the negotiation. Would it then be prudent for the Committee, until the issue of that negotiation is known, to interfere, or perhaps run counter to our Executive?

The departments of Government should be kept separate and not one counteract the other.

He at length adverted to the resolution before the Committee, and said it consisted of two parts: one relative to higher duties on the manufactures of foreign nations not having any treaty with us, the other, to further restrictions on the shipping of those nations. To these, then, Mr. B. said he would confine himself, and thereby greatly narrow the debate. The first inquiry that obviously presented itself, in order to determine the effect, is, On whom will these higher duties fall? The

general principle agreed on all hands is, that the consumer pays the duty. The citizens of the United States are the consumers; the citizens of the United States must, therefore, pay the higher duties. This reasoning proceeds on the fact that our citizens purchased the manufactures. The articles mentioned are either necessities or superfluities; if necessities, our citizens must have them; if superfluities, as freemen, they will have them, if they choose them; they will lay out their money as they please, unless restricted by laws founded on the interests of the nation.

But it may be said, that they may be supplied from home manufactures, or from nations in alliance with us. The first cannot be true, as will be evident from the present state of our manufactures. The supply equal, or bearing any reasonable proportion to the demand, is impossible for many, many years to come. As to other nations, it may fairly be said, with regard to the supply, that France and Holland are the only nations that can be contemplated. It would be cruel in the extreme to put France to the test, under the present critical and distressing situation. She has called all her citizens into the field; if any can be spared, it must be for the purpose of her agriculture, or the manufacture of arms alone. It would expose her to the charge of inability, without giving her the chance of a fair experiment. Every gentleman on the floor knows that Holland, independently considered, has no possible way of yield-

ing us a supply. If she does it, it must be as a medium between Great Britain and us; so that, directly or indirectly, we should receive the supply from Great Britain, which would evade the intended effect of the measure. The next inquiry is, How will increasing the duties on our own citizens affect the Government of Great Britain, so as to accomplish the desired end? If their manufacturers obtain their price, if their merchants receive their commissions, how will it affect them that our citizens pay high duties on the articles here before they are consumed? It may be answered by lessening the consumption; by increasing our own manufactures; by encouraging other nations to cease a competition in our markets. If we judge from past experience, our habits of economy are not such as will produce this effect to any considerable purpose. Our citizens seldom refuse gratifying themselves on account of a difference of sixpence or a shilling in the yard; if they earn their money hardly, they will spend it at their pleasure. During the late war, we know the prices were increased one hundred per cent., yet neither the obligation of law, the love of their country, or even, in some cases, the risk of life, will deter from gratifying themselves in the enjoyment of foreign manufactures. The increase of our home manufactures is a most desirable object, and there was no gentleman of the committee more desirous of promoting them than he was. But this could only be accomplished by time. It

was a progressive work, and was now hastening to perfection as fast as was compatible with a due attention to agriculture, but no gentleman would pretend to say that even the hope of a competent supply was rational for many years to come; nay, he verily believed that, if all the wool of the fifteen States was brought together, it would not afford a supply of woollens for one State. But it was proper to look to the encouragement already given to our manufactures. The importations of the United States amounted to twenty millions of dollars; the duties already laid amount to four millions; this, on an average, was twenty per cent. This was a very serious duty, indeed; and, though principally designed to raise a revenue, yet it also acted as bounties to our manufactures; and, when added to the freight, insurance, commissions, and interest paid by the importer of foreign manufactures, every gentleman must conclude that our citizens would not patiently submit to greater burdens without the most obvious necessity. He added that, if the specific articles referred to in the resolutions were individually considered, the duties would amount to about fifteen per cent., when imported in foreign bottoms, which would be found very heavy on those articles, and sufficient to encourage our home manufactures consistently with the ease of the citizens. Do not these duties already bear a sufficient proportion to the capitals of our merchants? Some gentlemen have objected to the

easy credit afforded our merchants in Great Britain, and yet, in the same breath, are for demanding the small capitals of their own in duties, and refuse them the advantage of foreign capitals, where they can be obtained. He confessed that he was not convinced of the dangers arising from public credit, which was so warmly urged by the gentleman from Virginia. When he looked at that gentleman, and attended to the zeal he discovered, in what he thought so essential to the welfare of his country, it afforded an answer to every objection so ably supported by him. The gentleman had acknowledged and lamented the prevalence of credit, and that from Great Britain. In the State he came from he said it universally prevailed, and had its effect on the importing merchant; from him to the country shop keeper, and thence to the farmer, so that the dependence on the merchant in Great Britain was to be feared through every part of the community, and the most dangerous influence of English politics was to be dreaded. But was there a State in the Union where the policy of Great Britain was reprobated more than in the State of Virginia? Was not the conduct of that gentleman in the present debate, as well as that of his colleagues, full proof that the credit he complained of did not produce the fatal effect he feared? Was not Virginia the largest, and, if we might judge from her visible capital (slaves) the richest State in the Union? And yet she had always been in the habit of unbounded credit in Great Britain.

Mr. B. then reminded the Committee of the nature of the trade with Great Britain. Did the British merchant bring his manufactures and offer them for sale in this country? No; the American merchant employed the merchant in England to purchase of the manufacturers, on a commission of five or ten per cent. The goods were exported at the risk of the American merchant; and whether the consumer paid a high or low duty on them, on their arrival in this country, was a matter of but secondary consideration to the British merchant. Mr. B. then, observing on the patriotic conduct of our merchants with regard to their obedience to the revenue laws, which he thought did them greater honor than could be claimed by those of any other country, warned the Committee against carrying the matter too far: he warned them not to make it the best trade on fair calculation, that one merchant could pursue, to defraud the Government of the duties. When once smuggling became a business, which the merchants generally thought themselves justified in, it would be like powerful assailants getting possession of a strong fortress: it would not be easy to dislodge them. It was out of the power of laws to prevent smuggling if the merchants once determined to adopt it.

He said he had carefully avoided saying anything about the Algerines, because, although in his private opinion he thought circumstances bore hard against Great Britain, yet as a legis-

lator, he could not lay his finger on the evidence, and say this or that proves the fact; and, as he believed some facts had been mistaken, he was afraid of acting without adequate proof. Besides, although he was at first affected by the suggestion, yet, on carefully investigating the process of the business, he thought he could see reasons which might render it possible that Great Britain had a good excuse for her conduct, independent of American considerations. Every gentleman knows that Holland had a considerable trade with Portugal which she was obliged to carry on with a convoy of men-of-war, on account of the Algerines. Portugal had three or four ships continually cruising on the same account.

Great Britain (with these States) was engaged in a war with France, whose fleet, notwithstanding all her difficulties, was rather superior to that of Great Britain. It became then a considerable object with Great Britain to emancipate these ships of her allies from other services, so as to operate with her in the common cause. Again, it was possible that Great Britain, by promoting this truce with Holland and Portugal, might find it easier to persuade the Algerines to declare war against France, the common enemy; this, we are told, has been accomplished; and, if so, must have been a considerable object with Great Britain. If, then, these reasons might have operated with Great Britain without respect to America we ought at least to wait till we are better ac-

quainted with facts, and this we may soon reasonably expect from our foreign Ministers, especially when we are officially told that the British agent who accomplished this truce had not heard from his court for eighteen months.

On the whole, Mr. B. observed that, while the duties already laid on the farmer, mechanic, laborer, and other citizens of the United States, were sufficiently high for the support of Government and the protection and encouragement of our home manufactures, while higher duties must in the end fall on those who are already oppressed with those duties that are necessary, while our citizens cannot avoid the duties by a supply from home manufactures, or those of foreign nations in alliance with us, while he was of opinion that nations not in alliance cannot be affected by duties paid by our citizens, he did not think this the time to increase the duties on articles which must be consumed in the United States for purposes which it cannot clearly and indubitably be proved will answer very essential and important ends to our Government and its citizens. As to the second object of the resolution, he had been always of opinion that it is the true way of accomplishing the ends proposed. He had ever joined the gentleman who brought this forward, in considering the regulating of foreign shipping a principle of great importance to the interest of the United States, and, whenever an answer shall be obtained from our Minister abroad, by which the

state of the present negotiation shall appear to be unfavorable to the United States, he would be ready to enter fully into the measure, and hoped then, there would be a perfect unanimity in that Committee, which would greatly insure the efficacy of the measure. But as there was reason to expect the issue of the negotiations in a short time, he should be unwilling to agree to any measure of this nature, having a principle of retaliation for its object till the real grievance could be known, and of course the Committee better capable of judging of the adequate remedy. He was averse from forcing any nation into a commercial treaty with us. It ought to be a voluntary act, and he was for allowing the same freedom of action to other nations we claimed for ourselves. But when we could not obtain a reciprocity of benefits he thought we had the undoubted right of conferring a reciprocity of restrictions. His idea was, when we did proceed on this principle, we should make old and wise nations our example, and copy their acts. This could give no reasonable offence; but, if offence was taken, the answer would be obvious and convincing. Great Britain, by her commercial regulations, had risen to power and opulence; this gave us a right to copy her example; and, whenever the Executive gave us information that negotiation was ineffectual, he was ready to pursue this remedy as the only salutary and effectual one; but, as this period had not yet arrived, he

should wait with some degree of patience for the issue, which, as a friend to both countries, he hoped would be a favorable one, and should accordingly vote, for the present, against the resolution now before the Committee.¹

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 302.

CHAPTER XXXV.

On sequestration of British debts. — On non-intercourse with Great Britain. — On defense of the frontiers. — On reduction of salaries. — On claims of Thomas Person and others to lands on frontier of North Carolina. — Special committees on which Mr. Boudinot served. — Motion for day of Thanksgiving. — First entry of the Supreme Court of the United States.

Third Congress, First Session.

SEQUESTRATION OF BRITISH DEBTS.

Thursday, March 27th, 1794.

MR. BOUDINOT said, he had not intended to take part in the debate at this early stage of it; but what had fallen from the member last up, convinced him that the House should not go into a consideration of the subject at this time. It should be considered with coolness, and all passions put out of the question.

No doubt we have a right to make reprisals, as the Legislature has a right to declare war; but he doubted whether the United States, in their present situation, would find it their interest to go into such measures. The authority read from *Vattel* by the member last up, he observed, made against that member's opinion. *Vattel* expressly says that reprisals should not be made on property intrusted to public faith. The debts of British subjects here are in that predicament. He had heard that gentleman, not long since,

with pleasure, expatiate with warmth on the advantage of credit, especially to this country. Should that credit be destroyed (he asked) by destroying the confidence of foreigners in our faith? But, even if this retaliation is lawful, will it be the interest of the citizens, or rather of the Government, to take such a step at the present time? We have no doubt been cruelly treated, but have we made proper application for redress, and received an answer? We should first send a special envoy and insist on an immediate answer. This would be the mode of securing peace; at least, it offers the best chance of securing it.

The aggressions on our commerce made by Great Britain are no doubt enough to rouse any American's feelings; but the Legislature ought not to be swayed by passions; they should discuss the subject calmly and deliberately. He hoped the Committee would rise and allow time, at least to take the necessary measures of defense; for, could the Legislature justify to their constituents this step of retaliation, should immediate hostilities, warlike hostilities, be the consequence? To justify a measure of this kind time should be given for the defensive system adopted to be carried into operation.¹

¹ Abridgment of the *Debates of Congress*, p. 484, H. of R.

NON-INTERCOURSE WITH GREAT BRITAIN.

Friday, April 11th, 1794.

The House again resolved itself into a Committee of the whole House on the motion of the 7th instant, to prohibit all commercial intercourse between the citizens of the United States and the subjects of the King of Great Britain, so far as the same respects articles of the growth or manufacture of Great Britain or Ireland.

Mr. Boudinot first rose this day, and said: Mr. Chairman, in a question of so much national importance, there needed no apology from any member of the Committee for claiming their attention, while he gave the reasons for his vote. The impatience shown by his colleague (Mr. Clark) or any other gentleman, for the question, ought not to influence any member of the Committee. When the fate of a nation of as much consequence as the United States, appeared to be suspended on a vote, the least to be expected from gentlemen was to act with freedom, deliberation and independence. He supposed he should be among those who, at the taking of the question, would probably be found in the minority. That this would be his vote, if he was convinced that he should be single and alone. He felt himself deeply and seriously affected with a view of the precipice on which, in his apprehension, his country seemed to stand, and he wished, for his own part, to take a full and deliberate view of

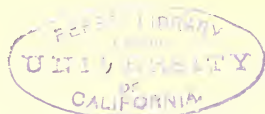
it, before he joined in precipitating a leap, that might not add to her safety or happiness. Reasoning and not declamation should be expected from gentlemen in favor of the Measure under consideration.

He said, he would address himself to the judgments and not to the passions of the Committee. He acknowledged it might fall to his lot to mistake the true and essential interests of his country; but, if this should be the case, he had the satisfaction of knowing that it would arise from the most honest and upright intentions. It was, therefore, on these principles, that he should proceed in giving his opinion on the important resolution on the Table.

But, before he went further, he could not forget the respectful compliment paid yesterday by his honorable friend from Maryland (Mr. Smith) to his moderation and gray hairs; indeed, he should not have taken it to himself, as he had the honor of having white instead of gray hairs, had not Mr. Smith's attention been immediately fixed on him. If either age or moderation would command his worthy friend's close consideration of this subject, he besought him, as well as the other gentleman of the Committee, to join in attending to it calmly and seriously for a few moments, before the die was cast. He said, he owed much, on behalf of his country, to that gentleman for his services in the field during the late war, when both his zeal and his passions were rendered so

eminently useful, that he could with pleasure apologize at all times for his warmth and animation on any subject where their common country was not to be affected. But would he permit him, earnestly to request that, with other members, he would call to mind that they were now the Representatives of four millions of people? that perhaps the lives of thousands of their fellow-citizens were depending on a single vote? that the welfare of a country dearer to them than life was at stake. Gentlemen must therefore agree, that the question was a serious one, and deserved to be treated with the most serious and deliberate consideration. Judgment and not resentment should direct the final determination, let it be what it may, and give a sanction to all their measures.

He observed that gentlemen against the question had been accused of want of propriety in looking calmly, and without the exercise of their passions, on the sufferings of the unhappy prisoners at Algiers, and the piratical spoliations of our fellow-citizens in the West Indies. Yes, sir, said he, when he knew that it was neither passion nor declamation that could afford effective relief to these suffering members of the political body, he should continue to persist in that steady, serious and deliberate line of conduct that, in his estimation, was only calculated to produce that permanent and efficient aid and relief which their extreme distress so loudly called for; but, in his turn, he asked gentlemen to give up their warmth



on this occasion, that they might also reflect, even without passion, on the number of their fellow-citizens that must fall a sacrifice in the most successful war. Will not gentlemen weigh well that vote that may possibly increase the number of mourning widows and helpless orphans?

These considerations have led him to consider the measure now proposed as of great moment and importance, and to wish it might be reasoned on and considered in a manner becoming Legislators and Representatives of United America, who have been sent here as her counselors and trustees, and to whom she has committed her best and most sacred interests. He said, for argument's sake, and to simplify the debate, lest he should be drawn into unnecessary disputation, he should concede for the present, the constitutionality of the resolution proposed; the right of the Committee to originate and determine on the measure; the unprovoked aggressions of Great Britain, to warrant and justify the prohibition.

These arguments had been repeated and urged with great apparent force, by gentlemen in favor of the affirmative side of the question; but were the principles arising from these facts sufficient to justify a determination in favor of so harsh and unprecedented a proceeding, without previously demanding an explanation and full indemnification, agreeably to the custom and usages of other nations?

Would arguments of this kind satisfy our constituents if they should suddenly find themselves plunged into an expensive and ruinous war? Would it not very naturally be asked, why were not the true interests of the United States under these existing circumstances carefully inquired into, and made the principal and leading object of attentive consideration? In his opinion, this should peculiarly be the sum of their present inquiry. Was it not the duty of the Committee critically to examine into the preparation they were in for a step that, in the imagination of some gentlemen of character and reputation, at the last might precipitate our country into an immediate war? Were our ports and harbours in any tolerable state of defense? Were our magazines and arsenals properly supplied? Were our citizens in a state of organization as a militia? In short, did not the measure threaten a sudden transition from a state of profound peace and happiness, unequalled by any nation, into a state of war and bloodshed, without taking those previous and prudent measures that might probably lead to an avoidance of this national evil, or, at all events, enable us to meet it with decision and effect?

Gentlemen had referred the Committee to the conduct of America in 1776, and the success of the late war has been urged for our encouragement. The non-importation agreement had been recurred to as a precedent in point. He said he

was well acquainted with most of the events of the late Revolution. The first motions towards it found him engaged in the common cause, and his best endeavors to complete and secure it had never since been wanting. He well remembered the consequences of the non-importation agreement, and the sufferings of our brave fellow-citizens from that imprudent measure. He had tracked them over the frozen ground by their blood, from the want of shoes, and was sensible that many had perished by the inclemency of the season, for want of tents and clothing; that agreement was universally reprobated, as a measure imprudently entered into on the principle of expecting to be involved in a war, which, had it been then contemplated, nothing could have justified. Mr. B. appealed to the knowledge of many men who heard him, that this agreement had often been urged to Great Britain, as a conclusive evidence, that at the time of its adoption, America had not the least intention of independence, or a separation from the mother country, otherwise she could never have been guilty of so impolitic a resolution. He asked, then, if the Committee would now repeat the mistake with their eyes open, and expose our country to the same misfortunes, and our fellow-citizens to a repetition of sufferings, by a measure that promised not one important advantage to the Union that he had heard of? In the late war, America had all the ports and harbours of the other Eu-

ropean nations open to her, but now circumstances would be altered; in case of a war the very reverse would be our position, excepting as to those of France.

Mr. B. confessed, that his arguments were founded on his conviction that the resolution was a measure that would necessarily produce war, immediate, inevitable war.

His reasons were drawn from the present state of Great Britain, being in alliance with the principal powers of Europe, and under treaties to make all wars, arising from the united opposition to France a common cause.

The necessity she would have of employing her supernumerary hands, if not in manufactures, in her armies and navies, to prevent trouble at home, added to her old grudge against us on account of principles that promise much trouble to all the Monarchs of Europe: her late conduct with regard to our trade, founded on the instructions of the 8th June, and 6th November last; her withholding the posts, contrary to every principle of justice and good faith, and against the most positive assurances; and lastly from the anxiety to regain the territory between the Lakes and the Mississippi; he agreed that neither of these singly, nor even the whole together, could justify her in her own opinion, on making an open attack upon us, but might tempt her to construe the measure before the Committee into an act of hostility on our part, as contrary to

our professed neutrality. He said, it was a point conceded in the Laws of Nations, that granting to one of the belligerent powers advantages in your ports which were refused to another was a breach of neutrality.

The object with Great Britain would be, to convince her allies, that the aggression arose on account of the war with France, to prevail on them to make it a common cause; and in this they would not want plausible evidence. It was not sufficient, he alleged, that we knew ourselves innocent of the charge. We should be prudently careful not unnecessarily to give reason to justify the construction. If the previous steps of negotiation, used by all civilized nations, were neglected, they would have the advantage of the argument and we should injure ourselves. He asked if any gentleman would say that a prohibition of commerce at the eve of a war or even the apprehension of it, was wisely calculated to clothe our army, replenish our magazines, supply our arsenals, or provide a revenue by which to support a war?

He wished every member had taken the trouble he had done, of looking into their stores, inquiring what was on hand, calculating what would be absolutely necessary, and reflecting seriously and dispassionately on the sources of supply. If they had, he doubted not but that they would find something more than passion and resentment necessary to meet the probable consequences of so premature a determination.

It was no uncommon thing for gentlemen to differ on important measures; and he would not even insinuate, that he might not be found wrong in these ideas, and wholly mistaken in his conjectures on this occasion, but he begged members to consider the different ground on which the two sides of the House stood. If the minority, of whom he expected to be one, should in the end be found to have been alarmed with consequences altogether unfounded, and that the issue proved successful to the peace of our common country, they would have the happiness of rejoicing with the majority in their superior wisdom and foresight; and though even they should suffer in character, yet the country would be saved. But if the minority should in the end be right, and our country should be deluged in a destructive war, and her best interests be endangered by the discovery of the mistake too late for redress, gentlemen in favor of the resolution would seriously regret that they had not at least used more caution.

He said, as at present advised, he should give his vote against the resolution. It would be from a thorough conviction, on the most careful examination, that the resolution was against the interest and welfare of the United States, all circumstances considered. And this he should do, wholly regardless of the malevolent insinuations, that Britain had an influence in that House. He felt a conscious dignity of mind, a virtuous

pride of heart, in believing that not all the wealth of that opulent nation could purchase his influence to a single measure injurious to his country; and under that conviction, he could not believe there was a member of the Committee in a different predicament.

He again repeated, that he should most sincerely rejoice if this measure should be adopted, to find, in the end, that his mind had viewed it as productive of consequences that were wholly unfounded; and, although under his present view of the subject, considering it as inimical to his country, he was bound in conscience to vote against it, yet the councils of America were directed by superior wisdom, and that this country had reaped the rich harvest of peace and happiness. But it might now be asked, if it was meant passively to submit to the injuries acknowledged on all hands to have been sustained by the impetuous and overbearing conduct of Great Britain? He answered No, by no means.

He would follow the example and pursue the measures of other nations in like circumstances — examples and measures founded in policy and sound understanding. He would by a special Envoy, make known to that Court our sense of her unwarrantable aggressions; he would demand immediate indemnification for the present, and security against future sufferings of the like nature — insist on a categorical answer, after applying to her justice and best interests; and if at

last a war must be the only means of obtaining justice, he would then (being previously prepared) meet it as became a free and independent nation, trusting to the righteousness of her cause.

By this means, the other nations of Europe would be made acquainted with our complaints — become witnesses to our love of peace, and bear testimony to the justice of our appeal to arms. He said, he had fully considered the question — he had viewed it in every point of light — he had endeavored to consider the consequences which most probably would arise from it, and he could not convince his mind that the measure would be productive of any good to the United States, while it offered many reasons to conclude that it might be fraught with the greatest evil. In case of the most successful war, America had nothing to gain, while her loss of blood and treasure was sure and certain. He had once flattered himself that this was the only country on the globe, whose interest it was to be at peace with all the world, and at the same time the interest of all the world, to be at peace with us. But he feared we had been so much actuated by a resentment of injuries received, as to lose sight of our true interests under existing circumstances, and, therefore, should be hurried into measures we might hereafter have reason seriously to lament.¹

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 571.

Third Congress, Second Session.

DEFENSE OF THE FRONTIERS.

Monday, January 12th, 1795.

Debate on message from the President: —

Mr. Boudinot was entirely satisfied both as to the propriety of the matter contained in the letter of the Secretary and as to the manner in which it had been introduced into that House. That the President had a right to consult the Heads of Departments, there could be no kind of doubt. Mr. Boudinot then read the following passage from the Constitution: "The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States. He may require the opinion in writing of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective officers." Mr. B. defended the message in all its circumstances, and in the most pointed terms. It was perfectly proper, and peculiarly so at this time. By the Constitution, and by the rules and practice of the House, the President had a right to offer his advice regarding Legislative Acts.¹

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 1073.

REDUCTION OF SALARIES.

Tuesday, January 27th, 1795.

Mr. Boudinot observed, that he should not have troubled the committee on this question, had it not been for several considerations particularly applicable to himself. He was as impartial on the present debate as any member on the floor. After the close of this session of Congress, he never expected to receive a farthing of public money again, and therefore no interest of his own could sway his judgment improperly to object against the resolution on the table. He had been among the number of those members who originally were for fixing the compensation of members of Congress at a less sum than six dollars; not because he thought it beyond the amount of their expenses, but from an idea of the then deranged state of the finances, and that, if sacrifices were to be made, they should begin with this House. He appealed to his uniform conduct for six years past, to prove that he had always opposed an increase of salaries or other public expenses, when the interest of the Union did not require it. He did not doubt that the gentleman who brought forward this resolution thought he was doing his duty in advocating it; and Mr. B. thought it was equally the duty of the committee to be convinced that they were not wasting their time in unnecessarily proceeding in business without having some foundations for rational inquiry.

Mr. B. did not doubt but there were uninformed individuals, who might object to six dollars per day; but he was confident that the well informed among the citizens of the United States, and those who reflected on the subject, would think (at the present day at least) it was not more than would barely pay the reasonable expenses of gentlemen who attended to their duty here in a proper manner. Almost every article of consumption was from twenty to thirty per cent higher now than it was at the commencement of the Government.

The Constitution of the United States, as the act of the people and the public voice, contemplated a compensation to the members of Congress. Did not this mean something more than the bare discharge of their expenses? Yet Congress had not gone beyond it.

When Congress sat at New York, Mr. B. said that he was in a situation more favorable in point of expense than any gentleman on the floor, who did not reside in the city. He boarded with a near relation, and was in a manner in his own family, and although he paid the usual price of boarding, as at other places, yet there were a thousand nameless small articles which saved him money advances. He was within sixteen miles of his own family, from whence he received many things that prevented his laying out money. During three sessions, he kept an exact and faithful account of his expenditures, and at the end

of that time the balance was but 43s. 4d.; but on which side of the question his memory did not allow him to say. At present, he was also under very peculiar advantages, yet he was confident that, at the end of the session, he should not have any balance in his favor from his compensation as a member.

Mr. B. appealed to every gentleman's knowledge, and particularly to the gentleman who made the motion, if he thought that what he received would more than pay his expenses.

Gentlemen were often crying out against an Aristocracy in this country; yet measures of this kind tended to establish one by reducing the compensation of members, so that no citizen but the rich and affluent could attend as a representative in Congress. This certainly was the most effectual way of bringing about a dangerous Aristocracy in the United States. Should not men of abilities, though in the middle walks of life, be encouraged to come forward and yield their services to their country, without being dependent on any person or set of men whatever? Is it not sufficient that their time and talents are given to the public? Must they pay their expenses, too?

Mr. B. was aware that the resolution proposed related to the officers of Government as well as members of Congress, but he had confined his remarks to the last, as the part of the subject he was best acquainted with. He begged gentlemen to look around and point out the public officer

who received more than a reasonable reward for his services. Professional men of the first abilities were absolutely necessary to carry on the public business; and could any one fit for his office be shown who could not do full as well, if not much better in the exercise of his profession in private life than he did in the public service, if pecuniary matters were his only object? In short (Mr. B. said) this House was placed between Scylla and Charybdis. The public officers were complaining, and even resigning, for want of sufficient compensation for their services; on the other hand, an attempt was now made to reduce their salaries still lower, on the supposed clamors of the people. Mr. B. did not believe they could be denominated those of the people, neither did he see any evidence of the fact. He did not consider the complaints of a few individuals as the public voice. Ought not the gentlemen to come forward with some kind of calculations or estimates to have shown that certain salaries were too high, or more than the services performed were entitled to? This had not been done; but the committee were urged, at this important moment, to proceed to an inquiry which every gentleman on the floor already knew as well as he could do by the most labored investigation. He therefore concluded that, to agree to the resolution, would be a waste of the short time that yet remained of the session, and an unwise measure. Mr. B. would have contented himself with joining the Committee in a

silent vote on this subject, but he thought the observations made in support of the measure ought to receive some answer, if not to convince the Committee, yet to satisfy their constituents that there could exist no necessity for a present inquiry of this nature.¹

THOMAS PERSON AND OTHERS.

Thursday, January 29th, 1795.

Mr. Boudinot imagined that Mr. Smith had furnished a new and forcible argument against his own cause. This claim of North Carolina to sell the lands was wrong, and this doctrine had been the cause of all the disputes in which the Federal Government had been engaged. The Crown of Great Britain had never pretended to any right of this kind, nor ever thought it had a title to any lands till they were first purchased from the Indians. The question before the committee was, Have the United States taken away any claim which the purchasers of these lands had? And the answer is, that the United States have not. The State of North Carolina only had a right to sell the privilege of pre-emption. This was the only right which the purchasers obtained, and this right they still possess. As to the certificates, they were not those of the United States, but those of North Carolina. They were not Continental certificates, and for that reason Continental

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 1138; Abridgment of the *Debates of Congress*, H. of R.

officers would not accept them ; but North Carolina has since brought these certificates into her account against the General Government. The Commissioners, in 1786, had done a very great service to North Carolina by settling a line of boundary and putting an end to the Indian war. He thought that the best way would be for the claimants to apply to the Executive, and agree among themselves to extinguish, by an interference of that kind, the Indian right. This would be much better than for the House to involve itself in the purchase of an immense tract of land, at an expense of seven or eight hundred thousand dollars (or how much more Mr. B. could not tell) when there was so much occasion for the money to pay the National Debt. He again declared that he should think it the best way to obtain the good offices of the Executive in extinguishing the Indian right. The Six Nations possessed part of the Territory of Pennsylvania. This State also may apply to the General Government for redress, if North Carolina were to get payment for these lands. The State of New York may do so, for the same reasons as North Carolina. This would be involving the Government in an endless labyrinth. He was as unwilling as any gentleman in the House to interfere with the rights of the Legislature of North Carolina. But he did not wish to see the House going blindfold into the business. The United States have too much land already.¹

¹ *Annals of Congress*, 3d Congress, 1793-1795, p. 1152.

Congress of the United States begun and held in the city of New York.

April 7, 1789.

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Special committees on which Mr. Boudinot served:—

One of the committee to receive the President and conduct him to the house formerly occupied by the President of Congress.

“Reported from committee to prepare such rules and orders of proceedings as may be proper to be observed in this House.”

On committee of eleven to prepare a bill for the establishment of Department of Foreign Affairs, Treasury Department, and Department of War.

Reported from committee to attend the conference with the Senate on the subject of the amendments between the two Houses.

The bill entitled an act imposing duties on tonnage.

For conducting business between the two Houses.

For registering and clearing vessels.

A bill for allowing compensation to members of the Senate and House of Representatives, and to the officers of both Houses.

Of amendments to the Constitution.

An act to establish judicial courts in the United States.

A bill to provide for the safe-keeping of the

acts, records, and seal of the United States. For the due publication of the Acts of Congress, authentication of records, for making out and recording commissions. Establishing fees of officers for such.

July 19, 1790, Mr. Boudinot, chairman of the committee appointed for the purpose, presented a bill more effectually to provide for the national defense by establishing a uniform militia throughout the United States.

To establish a seat of Government.

On committee of three to wait upon the President to request him to appoint a day of thanksgiving.

To regulate trade and intercourse with the Indians.

Duties on distilled spirits.

To promote agriculture.

Bills to establish a uniform system on the subject of bankruptcy throughout the United States.

Bills which relate to the improvement of harmony with the Indian nations.

Fees in United States courts.

Fees in Admiralty proceedings.

Regarding bullion in the Mint. On committee for securing copy-rights to Authors, presented an amendatory bill.

On September 25, 1789, Mr. Boudinot made the following motion: *Resolved*, that a committee of both Houses be directed to wait upon the President of the United States, to request that he

would recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a Constitution of Government for their safety and happiness.

The following is a copy of the first entry of the Supreme Court of the United States sitting in New York.

Friday, February 5, 1790.

Present.

The Honorable JOHN JAY, Esqr. Chief Justice.

The Honorable WILLIAM CUSHING

JAMES WILSON

JOHN BLAIR

Associate Justices.

Proclamation is made and the Court opened

ELIAS BOUDINOT of New Jersey

THOMAS HARTLEY of Pennsylvania

RICHARD HARRISON of New York

are severally sworn as by law required and are admitted Counsellors of the Court.

CHAPTER XXXVI.

Oration before the Society of the Cincinnati in the State of New Jersey.
— "A Star in the West."— Other publications.

AT a meeting of the Society of the Cincinnati in the State of New Jersey, held at Princeton, 23rd September, 1783, "His Excellency Elias Boudinot, Esq^r. President of Congress" was elected an honorary member; it is evident that he took great interest in the Society, as he attended its meetings with regularity, and was chosen one of its delegates to the General Society in 1785, 1786, 1788, 1791, 1792, 1793, 1795, 1796, 1811, 1812, 1814, and 1815.

At the meeting of the Society held 4th July, 1793, the following was adopted: "*Resolved* that the thanks of this Society be given to the Hon^{ble}. Elias Boudinot, Esq^r. Doctor of Laws, for his excellent and well adapted Oration, delivered this day in celebration of the Anniversary of the Independence of the United States of America, and that he be desired to furnish the Society with a copy thereof to be deposited in their Archives;" and at the meeting held 4th July, 1810, the following was adopted: "*Resolved* that the thanks of this Society be presented to Doct^r. Boudinot, the venerable and much respected Orator of the day, for his very appropriate, instructive,

and excellent Oration, and that he be requested to give a copy to be placed in the Archives of the Society as a precious Legacy."

For broad and liberal views touching upon questions of the present time, the following oration delivered by Mr. Boudinot in 1793 might have been written in 1893.

GENTLEMEN, BRETHREN, AND FELLOW-CITIZENS:—

Having devoutly paid the sacrifice of prayer to that Almighty Being, by whose favor and mercy this day is peculiarly dedicated to the commemoration of events which fill our minds with joy and gladness, it now becomes me, in obedience to the resolutions of our Society, to aim at a further improvement of this festival, by leading your reflections to the contemplation of those special privileges which attend the happy and important situation you now enjoy among the nations of the earth.

Is there any necessity, fellow-citizens, to spend your time in attempting to convince you of the policy and propriety of setting apart this anniversary for the purpose of remembering, with gratitude, the unexampled event of our political salvation?

The cordial testimony you have borne to this institution for seventeen years past, supersedes the necessity of an attempt of this kind; and, indeed, if this had been the first instance of our commemorating the day, the practice of all nations,

and of all ages, would have given a sanction to the measure.

The history of the world, as well sacred as profane, bears witness to the use and importance of setting apart a day as a memorial of great events, whether of a religious or political nature.

No sooner had the great Creator of the heavens and the earth finished his almighty work, and pronounced all very good, but He set apart (not an anniversary, or one day in a year, but) one day in seven, for the commemoration of his inimitable power in producing all things out of nothing.

The deliverance of the children of Israel from a state of bondage to an unreasonable tyrant was perpetuated by the Paschal Lamb, and enjoining it on their posterity as an annual festival for ever, with a "remember this day, in which ye came out of Egypt, out of the house of bondage."

The resurrection of the Saviour of mankind is commemorated by keeping the first day of the week, not only as a certain memorial of his first coming in a state of humiliation, but the positive evidence of his future coming in glory.

Let us then, my friends and fellow-citizens, unite all our endeavors this day to remember with reverential gratitude to our supreme Benefactor, all the wonderful things He has done for us, in our miraculous deliverance from a second Egypt — another house of bondage. "And thou shalt show thy son on this day, saying, this day is kept as a day of joy and gladness, because of the great things

the Lord hath done for us, when we were delivered from the threatening power of an invading foe. And it shall be a sign unto thee, upon thine hand, and for a memorial between thine eyes, that the law of the Lord may be in thy mouth, for with a strong hand hast thou been delivered from thine enemies. Thou shalt therefore keep this ordinance in its season, from year to year, for ever."

When great events are to be produced in this our world, great exertions generally become necessary; men are therefore usually raised up with talents and powers peculiarly adapted to the purposes intended by Providence, who often, by their disinterested services and extreme sufferings, become the wonder as well as the examples of their generation.

The obligations of mankind to these worthy characters increase in proportion to the importance of the blessings purchased by their labors.

It is not then an unreasonable expectation which, I well know, generally prevails, that this day should be usually devoted to the perpetuating and respectfully remembering the dignified characters of those great men with whom it has been our honor to claim the intimate connection of Fellow-Citizens — men who have purchased our present joyful circumstances at the invaluable price of their blood.

But you must also acknowledge with me, that this subject has been so fully considered, and so

ably handled, by those eloquent and enlightened men who have gone before me in this honorable path, that had their superior abilities fallen to my lot, I could do but little more than repeat the substance of their observations and vary their language.

Forgive me, ye spirits of my worthy, departed fellow-citizens! Patriots of the first magnitude, whose integrity no subtle arts of bribery and corruption could successfully assail; and whose fortitude and perseverance no difficulties or dangers could intimidate! whose labors and sufferings in the common cause of our country—whose exploits in the field, and wisdom in the cabinet, I have often been witness to, during a cruel and distressing war! Forgive, O Warren! Montgomery! and all the nameless heroes of your illustrious group! Forgive, that I omit, on the present occasion, to follow the steps of those compatriots who have preceded me, but had rather spend this sacred hour in contemplating those great purposes which animated your souls in the severe conflict, and for which you fought and bled!

Were you present to direct this day's meditations, would you not point to your scarred limbs and bleeding breasts, and loudly call upon us to reward your toils and sufferings, by forcibly inculcating and improving those patriotic principles and practices which led you to those noble achievements that secured the blessings we now enjoy?

Yes, ye martyrs to liberty! ye band of heroes! ye once worthy compatriots and fellow-citizens! we will obey your friendly suggestion, and greatly prize that freedom and independence, purchased by your united exertions, as the most invaluable gem of our earthly crown!

The late revolution, my respected audience, in which we this day rejoice, is big with events, that are daily unfolding themselves, and pressing in thick succession, to the astonishment of a wondering world!

It has been marked with the certain characteristic of a Divine over-ruling hand, in that it was brought about and perfected against all human reasoning, and apparently against all human hope; and that in the very moment of time when all Europe seemed ready to be plunged into commotion and distress.

Divine Providence, throughout the government of this world, appears to have impressed many great events with the undoubted evidence of his own almighty arm. He putteth down kingdoms, and He setteth up whom He pleaseth, and it has been literally verified in us, that "no king prevaleth by the power of his own strength."

The first great principle established and secured by our revolution, and which since seems to be pervading all the nations of the earth; and which should be most zealously and carefully improved and glorified by us, is the rational equality and rights of men, as men and citizens.

I do not mean to uphold the absurd idea charged upon us, by the enemies of this valuable principle, and which contains in it inevitable destruction to every government, "that all men are equal, as to acquired or adventitious rights." Men must and do continually differ in their genius, knowledge, industry, integrity, and activity.

Their natural and moral characters — their virtues and vices — their abilities, natural and acquired — together with favorable opportunities for exertion, will always make men different among themselves, and of course create a pre-eminency and superiority one over another. But the equality and rights of men here contemplated are natural, essential and unalienable; such as the security of life, liberty, and property. These should be the firm foundation of every good government, as they will apply to all nations, at all times, and may properly be called a universal law. It is apparent that every man is born with the same right to improve the talent committed to him, for the use and benefit of society, and to be respected accordingly.

We are all the workmanship of the same Divine hand. With our Creator, abstractly considered, there are neither kings nor subjects — masters nor servants, otherwise than stewards of his appointment, to serve each other according to our different opportunities and abilities, and of course accountable for the manner in which we perform our duty — He is no respecter of persons

— He beholds all with an equal eye, and although “order is Heaven’s first law,” and He has made it essential to good government and necessary for the welfare of every community, that there should be distinctions among members of the same society, yet this difference is originally designed for the service, benefit, and best good of the whole and not for their oppression or destruction.¹

It is our duty then, as a people acting on principles of universal application, to convince mankind of the truth and practicability of them, by carrying them into actual exercise, for the happiness of our fellow-men, without suffering them to be perverted to oppression or licentiousness.

The eyes of the nations of the earth are fast opening, and the inhabitants of this globe, notwithstanding it is 1700 years since the promulgation of that invaluable precept “Thou shalt love thy neighbor as thyself,” are but just beginning to discover their brotherhood to each other, and that all men, however different with regard to nation or color, have an essential interest in each other’s welfare.

Let it then be our peculiar constant care, and vigilant attention, to inculcate this sacred principle, and to hand it down to posterity, improved

¹ Lactinus, lib. 5, cap. 14, fol. 501, speaking of the universal equality of mankind, says: *Equitatem dico — secum ceteris coequandi, quam Cicero aequabilitatem vocat — Deus enim qui bonimes generat et inspirat omnes equos, id est, pares esse voluit; eandem conditionem vivendi omnibus posuit — Omnes ad sapientiam genuit; omnibus immortalitatem sponndit — Nemo apud Deum servus est, nemo Dominus.*

by every generous and liberal practice, that while we are rejoicing in our own political and religious privileges, we may with pleasure contemplate the happy period, when all the nations of the earth shall join in the triumph of this day, and one universal anthem of praise shall arise to the Universal Creator, in return for the general joy.

Another essential ingredient in the happiness we enjoy as a nation, and which arises from the principles of our revolution, is the right that every people have to govern themselves in such a manner as they judge best calculated for the common benefit.

It is a principle interwoven with our Constitution, and not one of the least blessings purchased by that glorious struggle, to the commemoration of which this day is specially devoted, that every man has a natural right to be governed by laws of his own making, either in person or by his representative; and that no authority ought justly to be exercised over him that is not derived from the people, of whom he is one.

This, fellow-citizens! is a most important practicable principle, first carried into complete execution by the United States of America.

I tremble for the event, while I glory in the subject.

To you, ye citizens of America! do the inhabitants of the earth look with eager attention for the success of a measure on which their happiness and prosperity so manifestly depend.

To use the words of a famous foreigner, "You are become the hope of human nature, and ought to become its great example. The asylum opened in your land for the oppressed of all nations must console the earth."

On your virtue, patriotism, integrity, and submission to the laws of your own making, and the government of your own choice, do the hopes of men rest with prayers and supplications for a happy issue.

Be not therefore careless, indolent, or inattentive in the exercise of any right of citizenship. Let no duty, however small or seemingly of little importance, be neglected by you.

Ever keep in mind that it is parts that form the whole, and fractions constitute the unit. Good government generally begins in the family, and if the moral character of a people once degenerate, their political character must soon follow.

A friendly consideration of our fellow-citizens, who by our free choice become the public servants, and manage the affairs of our common country, is but a reasonable return for their diligence and care in our service.

The most enlightened and zealous of our public servants can do little without the exertions of private citizens to perfect what they do but form, as it were, in embryo. The highest officers of our government are but the first servants of the people, and always in their power; they have therefore a just claim to a fair and candid experiment

of the plans they form and the laws they enact for the public weal. Too much should not be expected from them; they are but men and of like passions and of like infirmities with ourselves; they are liable to err, though exercising the purest motives and best abilities required for the purpose.

Times and circumstances may change, and accidents intervene to disappoint the wisest measures. Mistaken and wicked men (who cannot live but in troubled waters) are often laboring with indefatigable zeal, which sometimes proves but too successful, to sour minds and derange the best formed systems. Plausible pretensions, censorious insinuations, are always at hand to transfer the deadly poison of jealousy, by which the best citizens may for a time be deceived.

These considerations should lead to an attentive solicitude to keep the pure, unadulterated principles of our Constitution always in view; to be religiously careful in our choice of all public officers; and as they are again in our power at very short periods, lend not too easily a patient ear to every invidious insinuation or improbable story, but prudently mark the effects of their public measures, and judge of the tree by its fruits.

I do not wish to discourage a constant and lively attention to the conduct of our rulers. A prudent suspicion of our public measures is a great security to a republican government; but a

line should be drawn between a careful and critical examination into the principles and effects of regular systems, after a fair and candid trial, and a captious, discontented, and censorious temper, which leads to find fault with every proposition in which we have not an immediate hand; and raises obstacles to rational plans of government without waiting a fair experiment. It is generally characteristic of this disposition to find fault without proposing a better plan for consideration.

We should not forget that our country is large and our fellow-citizens of different manners, interests, and habits; that our laws, to be right, must be equal and general; of course, the differing interests must be combined, and brotherly conciliation and forbearance continually exercised, if we will judge with propriety of those measures that respect a nation at large.

While we thus enjoy, as a community, the blessings of the social compact in its purity, and are all endeavoring to secure the valuable privileges, purchased by the blood of thousands of our brethren, who fell in the dreadful conflict, let us also be careful to encourage and promote a liberality and benevolence of mind toward those whom they have left behind, and whose unhappy fate it has been to bear a heavier proportion of the expensive purchase in the loss of husbands, parents, or children, perhaps their only support and hope in life.



Mankind, considered as brethren, should be dear to each other; but fellow-citizens, who have together braved the common danger — who have fought side by side — who have mingled their blood together, as it were in one rich stream — who have labored and toiled with united efforts to accomplish the same glorious end, must surely be more than brethren — it is a union cemented by blood.

I can no longer deny myself the felicity, my beloved friends and fellow-citizens, members of a society founded in these humane and benevolent principles, of addressing myself more particularly to you on a *day* which, in so peculiar a manner, shines with increasing lustre on you, refreshing and brightening your hard-earned laurels, by renewing the honorable reward of your laborious services in the gratitude of your rejoicing fellow-citizens.

Methinks I behold you on the victorious banks of Hudson, bowed down with the fatigues of an active campaign and the sufferings of an inclement winter, receiving the welcome news of approaching peace and your country's political salvation, with all that joy of heart and serenity of mind that became citizens who flew to their arms, merely at their country's call, in a time of common danger.

The war-worn soldiers, reduced to the calamities of a seven years' arduous service, now solemnly pause and reflect on the peculiarity of their

critical situation. The ravages of war had been extended through a country dearer to them than life, and thereby prevented that ample provision in service, or reasonable recompense on their return to private life, that prudence required and gratitude powerfully dictated.

They thought that the distresses of the army had before been brought to a point, "that they had borne all that men could bear; their property expended, their private resources at an end, their friends wearied out and disgusted with incessant applications." But another trial, severer than all, still awaits them. They are now to be disbanded, and a separation to take place, more distressing than every former scene! Till now the severe conflict was unseen, or unattended to. Poverty and the gratitude of their country are their only reward.

True, they are to return to their friends and fellow-citizens with blessings on their heads. The general liberty and independence are now secured—but yet want and dire distress stare many in the face. They are to return to wives and children, long used to dependence on the cold hand of charity, in hopes of a sure support from the success of the common cause, when their husband, father, or child returned glorious from the field of conquest. Alas! these flattering hopes now are no more.

Their country's exhausted treasury cannot yield them even the hard-earned pittance of a soldier's

pay. Being urged on one hand by the subtle poison of inflammatory, violent, and artful addresses, under the specious mark of pretended friendship (the last expiring effort of a conquered foe) — warned on the other hand by the experience, wisdom, and rational conduct of their beloved Commander, their father and long-trying friend — they solemnly deliberate.

Some guardian angel, perhaps the happy genius of America, ever attendant on the subject of her care, raises the drooping head, wipes the indignant falling tear from the hardy soldier's eye, and suggests the happy expedient!

Brotherly affection produces brotherly relief — the victorious bands unite together, they despise the infamous idea, they refuse to listen to the Siren's song, they form the social tie, they cast in the remaining fragment of their scanty pay, and instead of seizing their arms, and demanding their right by menace and violence, they refuse "to lessen the dignity or sully the glory they had hitherto maintained. They determine to give one more proof of unexampled patriotism and patient virtue, rising superior to the pressure of their complicated sufferings, and thereby afford an occasion to posterity to say, had that day been wanting, the world had not seen the last stage of political perfection to which human nature is capable of attaining."

The glorious certainty of peace, purchased by their sufferings and perseverance, now rouses the

patriotic fire. They again rejoice in the event; they unite in a firm, indissoluble bond, "gratefully to commemorate the event which gave independence to America, to inculcate to latest ages the duty of laying down in peace, arms assumed for public defense in war, to continue their mutual friendship, which commenced under the pressure of common danger, and to effectuate every act of beneficence, dictated by a spirit of brotherly kindness, to any of their number and their families who might unfortunately be under the necessity of receiving them," and by this unanimous act establish this sacred truth, "that the glory of soldiers cannot be completed without acting well the part of citizens."

This, gentlemen, is your origin as a Society — the source from whence you sprang, and this day we are carrying on the work first begun in these social principles.

With a heart filled with unfeigned gratitude to the Author of all our mercies, and overflowing with the most affectionate friendship towards you, suffer me to congratulate you on this seventeenth anniversary of our happy independence. Long, long, even to the remotest ages, may the citizens of this rising empire enjoy the triumphs of this day! may they never forget the invaluable price which it cost, as well as the great purposes for which it was instituted, and may a frequent recurrence to the first principles of our constitution, on this anniversary, be a constant source of security and

permanence to the rising fabric ! May the rights of men and the purity of a free, energetic, and independent government, be continually cherished and promoted by every Son of Cincinnatus ! May the remembrance of those worthy heroes, once our beloved companions, whose lives they did not hold dear, when required for their country's safety, animate us to preserve inviolate what they purchased at so high a rate ! May we, by the uniform conduct of good citizens, and generous, faithful friends, show ourselves worthy of such valuable connections !

Long, long, may you live to enjoy the reward of your labors, in the exercise of the duties of this honorable anniversary ; and after a long life of service to your country, usefulness to your society, and happiness to yourselves, may you leave your generation in the full enjoyment of peace and a sound constitution, justified by experience, for the example of which nations yet unborn shall rise up and call you blessed !

And now, my respected audience, we appeal to your candor and generosity ; you have heard our origin — you have known our conduct — our society is designed for the benefit and happiness of mankind — we have no secrets, we claim no separate privileges — we ask no independent immunities — we are embarked in one common cause with you — we glory in one perfect political equality, all we wish for is the pleasure of renewing ancient friendships — of the mutual remembrance

of past labors and sufferings—the liberal exercise of that celestial principle charity, and one common interest with you in the security of our liberty, property, and independence.

We profess to be a band of brethren, united to our fellow-citizens by every tie of interest, gratitude, and love. Let us then go hand in hand with you, in looking forward to the happy state of our country during a long succession of ages yet to come.

We are encouraged in this animating hope by the numerous advantages arising to us, in a peculiar manner, from the happy resolution we commemorate this day; they are conspicuous in every quarter to which the view can be directed.

If we turn our attention to the strong hope of every community, the rising generation, the world has yet enjoyed nothing equal to their advantages and future prospects.

The road to honors, riches, usefulness, and fame in this happy country is open equally to all. The equality of citizens in its true sense must raise the most lively hopes, prompt the noblest exertions, and secure a certainty of success to all who shall excel in the service of their country, without respect of persons.

The meanest citizen of America educates his beloved child with a well-founded hope, that if he should become equal to the task, he may rationally aspire to the command of our armies, a place in the cabinet, or even to the filling of the presi-

dential chair: he stands on equal ground, in regard to the first honors of the state, with the richest of his fellow-citizens.

The child of the poorest laborer, by enjoying the means of education (afforded in almost every corner of this happy land) is trained up for, and is encouraged to look forward to a share in the legislation of the Union, or of a particular State, with as much confidence as the noblest subject of an established monarchy.

This is a peculiar happiness of our highly-favored republic, among the nations of the earth, proceeding from the successful revolution in which we this day rejoice.

Suffer me, fair daughters of New Jersey, to call on you also, in a special manner, to add your invigorating smiles to the mirth and festivity of this day. Our happiness can be but half completed if you refuse to crown the whole with your kind approbation.

Have you not at all times, and do you not still continue to participate deeply in the multiplied blessings of our common country? Raised from the humiliating state of your sex in most other countries, you also breathe the sacred air of Freedom, and nobly unite your exertions for the general good.

The Rights of Women are no longer strange sounds to an American ear; they are now heard as familiar terms in every part of the United States; and I devoutly hope that the day is not

far distant when we shall find them dignifying, in a distinguishing code, the jurisprudence of the several States in the Union.

But in your domestic character, do you not also enjoy the most delightful contemplations, arising from the Revolution of Seventeen Hundred and Seventy-Six?

Can you look on the children of your tenderest care, and reflect on the cheerful prospects opening upon them through life, without feeling the most lively emotions of gratitude for the inestimable privileges conferred on the citizens of America? — Are not your resolutions strengthened, and your endeavors redoubled, to furnish them with every qualification, both mental and personal, for the future service of a country thus rendered dear to you?

But your share of the joy of this day does not rise from a single source. To whom are we more indebted for the origin of our present happiness than to your delicate and discerning sex. In vain did Columbus, our great founder and discoverer, after settling the principles of his sound philosophy, apply to the wise men of his country, in vain did he solicit, in strains of the most suppliant humiliation, the different thrones of Europe, where kings considered themselves as God's vicerents here below. Despised by the ignorant, — traduced by the malevolent — condemned by the great — laughed at by pretended philosophers — and trifled with by the arrogance of ministers

and their hirelings; all his hopes, and those of a New World, had at last sunk in despair, and we this day might have mingled our fate with the slaves of the Old World had not the penetrating wisdom and persevering magnanimity of the fair but undaunted Isabella, the ornament of your sex and the jealousy of ours, saved this Western World from the oblivion of more than five thousand years. Did they employ the excess of useful treasures in this happy adventure?—No!—After the refusal of her husband—despising the appendages of brilliant royalty, when compared with the general good of mankind, her enlarged mind, incapable of being confined by the shackles of the age, found a resource in her costly Jewels, which she freely offered as a pledge, to accomplish the glorious discovery of the Four Quarters of the Globe!

To your sex, then, ladies, we are obliged to yield the palm.—Had this great event depended altogether on our sex, it is not easy to guess what our united fate had been at this moment. Instead of our present agreeable employment, we might have been hewers of wood and drawers of water to some mighty Pharaoh, whose tender mercies would have been cruelty. Your right, then, my Fair Auditors, to a large portion of the general joy must be acknowledged to be of a superior kind.

Do you, my worthy fellow-citizens of every description, wish for more lasting matter of pleasure

and satisfaction in contemplating the great events brought to your minds this day? — Extend, then, your views to a distant period of future time. Look forward a few years, and behold our extended forests (now a pathless wilderness) converted into fruitful fields and busy towns. Take into view the pleasing shores of our immense lakes, united to the Atlantic States by a thousand winding canals, and beautified with rising cities, crowded with innumerable peaceful fleets, transporting the rich produce from one coast to another.

Add to all this, what must most please every humane and benevolent mind, the ample provision thus made by the God of all flesh for the reception of the nations of the earth, flying from the tyranny and oppression of the despots of the Old World,¹ and say, if the prophecies of ancient times are not hastening to a fulfillment, when this wilderness shall blossom as a rose — the heathen be given to the Great Redeemer, as his inheritance, and these uttermost parts of the earth for his possession.

¹ It is worthy the attention of every serious mind, who carefully traces the secret footsteps of Divine Providence, that if the late Revolution had not taken place, and America had still continued under the dominion of Great Britain, the unhappy sufferers in the cause of Freedom, both in Europe and the West Indies, would not now have had a spot on the globe to which they could, with propriety and safety, have retired, in case of a failure of their exertions in favor of Universal Liberty. Neither can any European nation afford so complete an asylum as the United States for the opposition, in case they should finally be driven from a country which might conceive itself essentially injured by their hostile conduct in the day of her distress.

Who knows but the country for which we have fought and bled may hereafter become a theatre of greater events than yet have been known to mankind.

May these invigorating prospects lead us to the exercise of every virtue, religious, moral, and political. May we be roused to a circumspect conduct — to an exact obedience to the laws of our own making — to the preservation of the spirit and principles of our truly invaluable constitution — to respect and attention to magistrates of our own choice; and, finally, by our example as well as precept, add to the real happiness of our fellow-men, and the particular glory of our common country.

And may these great principles, in the end, become instrumental in bringing about that happy state of the world, when, from every human breast, joined by the grand chorus of the skies, shall arise with the profoundest reverence, that divinely celestial anthem of universal praise — “Glory to God in the highest — Peace on earth — Good will towards men.”

“A STAR IN THE WEST.”

In 1815, in his seventy-fifth year, Mr. Boudinot wrote and published “A Star in the West,” in which are collected many interesting facts relating to our Indian tribes, with the purpose of showing the similarity of their rites and customs to those of the ancient Hebrews, and the probability of their being the lost tribes of Israel.

¹ From publication of the New Jersey Society of Cincinnati.

He was led to the consideration of it, he says, in the first instance, by a conversation with a very worthy and reverend clergyman of his acquaintance, who, having an independent fortune, undertook a journey, in company with a brother clergyman desirous of attending him into the wilderness, between the Alleghany and Mississippi rivers, some time in or about the years 1765 or 1766, and before the white people had settled beyond the Laurel Mountains. "His desire was to meet with native Indians who had never seen a white man, that he might satisfy his curiosity by knowing from the best source what traditions the Indians yet preserved relative to their own history and origin. This, these gentlemen accomplished with great danger, risque and fatigue — On their return one of them related to the writer the information they had obtained, what they saw and what they heard. He has not ceased since, to improve every opportunity afforded him, by personal interview with Indians — reading the best histories relating to them, and carefully examining our public agents resident among them as to facts reported in the several histories, without letting them know his objects, so as not only to gratify his curiosity by obtaining all the knowledge relating to them in his power, but also to guard against misrepresentation as to any account he might thereafter be tempted to give of them. He claims no merit in this labour but that of integrity, attention and industry in search-

ing after the truth and preserving the facts which have come to his knowledge, that others may have all the aid he can afford them in the future pursuit of this interesting investigation." He felt culpable in putting off this business to so advanced a period of his life, as to leave him small hopes of accomplishing his intentions and lest the facts collected should be entirely lost.

He says: "In the general mode of estimating the savage character, we may perceive a vast degree of vulgar prejudice and passionate exaggeration without any of the temperate discussion of true philosophy."

Among others, Mr. Boudinot cites the following examples of the customs and modes of thought in which the early inhabitants of our native forests resemble the ancient Hebrews.

"They believed in one Supreme Being, and considered themselves his chosen people — They reckoned time after the manner of the Hebrews — Many words of their language are identical or similar, while repeatedly the construction is the same — certain tribes possessed a sacred ark carried by men sanctified & purified for the office, the ceremonial of which was like that of the Jews — up to a certain epoch some of the tribes practised circumcision, their feasts and fasts corresponding in great degree with those of the lost Tribes — They abstained from eating the mexican hog — the sea cow or turtle and many animals & birds which they held as unclean — They

had also their 'Cities of Refuge' called 'old' 'beloved,' 'holy' or 'white towns.'"

Mr. Boudinot gives many interesting anecdotes connected with his own interviews with the Indians, as well as of others who could be relied on. One especially, where he witnessed a religious dance by twenty or thirty Indians; "keeping time to an instrument like a drum beaten by the oldest sachem, they made a very solemn and slow procession round the room in which they were assembled, in the most profound silence, the sachem directing their motions with the drum; at the second round they began to sing in unison the syllable *ha* & so on in each round a syllable in the word *ha le lu jah*—then all joining in a very lively and joyous chorus, they sang the entire word *Hallelujah!*"

Mr. Boudinot was present at a dinner given by General Knox, in 1789, in New York, to a party of Indians who had come on a mission to the President from their nations. "The house was in Broadway; the drawing-room being up-stairs, two or three of the sachems with their Chief stepped out upon a balcony at the front of the house, from which could be seen the city, harbor, Long Island &c &c; remaining for a short time, they returned to the drawing-room looking sad and dejected. General Knox took notice of this, and addressing the chief said, "Brother, what has happened to you, you look sorry; is there anything to distress you?" He answered, "I'll

tell you, brother, I have been looking at your beautiful city — the great water — your fine country and see how happy you all are. But then I could not help thinking that this fine country and this great water were once ours : our ancestors lived here — they enjoyed it as their own in peace. It was the gift of the Great Spirit to them and to their children ; at last the white people came here in a great canoe. They asked only to let them tie it to a tree, lest the waters should carry it away — we consented. They then said some of their people were sick and they asked permission to land them and put them under the shade of the trees. The ice then came and they could not go away. They then begged a piece of land to build wigwams for the winter — we granted it to them. They then asked for some corn to keep them from starving, we kindly furnished it to them, they promising to go away when the ice was gone ; when this happened we told them they must now go away with their big canoe, but they pointed to their big guns round their wigwams and said they would stay there and we could not make them go away ; afterwards more came. They brought spirituous and intoxicating liquors with them, of which the Indians became very fond. They persuaded us to sell them some land, finally they drove us back from time to time into the wilderness, far from the water and the fish and the oyster ; they have destroyed the game, our people have wasted away, and now, we

live miserable and wretched, while you are enjoying our fine and beautiful country; this makes me sorry, brother, and I cannot help it."

As Mr. Boudinot says: "It is a matter of fact proved by most historical accounts that the Indians at our first acquaintance with them generally manifested themselves kind, hospitable, and generous to the Europeans as long as they were treated with justice and humanity, but when they were, from a thirst of gain, overreached on every occasion, their friends and relations treacherously entrapped and carried away to be sold for slaves, themselves injuriously oppressed, deceived, and driven from their lawful and native possessions, what ought to have been expected but inveterate enmity, hereditary animosity, and a spirit of perpetual revenge? To whom should be attributed the evil passions, cruel practices, and vicious habits to which they are now changed but to those who first set them the example; laid the foundation and then furnished the continual means for propagating and supporting the evil?"

Mr. Boudinot was one of the corresponding members of a society in Scotland for promoting the gospel among the Indians. To further this work they educated two young men as missionaries and sent them with a letter to the Delaware nation, then on the northwest of the Ohio. The letter which they carried, couched in Indian style, informed the red men that their white brethren, over the great water, had been especially

favoured by the Great Spirit and that they wished to share with them the knowledge vouchsafed to them as to the mode the Great Spirit had chosen for his worship and the enlightenment and happiness of his creatures "The Chiefs of the Nation were called together. They spent fourteen days in council and then dismissed the Missionaries very courteously with an answer to us — The Answer made great acknowledgments for the favour we had done them — They rejoiced exceedingly at our happiness in thus being favoured by the Great Spirit and felt very grateful that we had condescended to remember our brethren in the wilderness: But they could not help recollecting that we had a people among us who, because they differed from us in colour, we had made slaves of and made them suffer great hardships and lead miserable lives; now they could not see any reason, if a people being black entitled us thus to deal with them, why a red colour would not equally justify the same treatment. They therefore had determined to wait to see whether all the black people amongst us were made thus happy and joyful before they could put confidence in our promises, for they thought a people who had suffered so much and so long by our means, should be entitled to our first attention, that therefore they had sent back the Missionaries with many thanks, promising that when they saw the blacks among us restored to freedom and happiness they would gladly receive our Mis-

sionaries." Mr. Boudinot adds, "This is what in any other case would be called close reasoning, and is too mortifying a fact to make further observations upon."

Father Charlevoix, who traveled early and for a long time among the Indians from Quebec to New Orleans, and had great opportunities, which he made it his business to study and improve, tells us, speaking of the real character of the Indian Nations, "that with a mien and appearance altogether savage and with manners and customs which favour the greatest barbarity, they enjoy all the advantages of society — At first view one could imagine them without form of Government, laws or subordination and subject to the wildest caprice. Nevertheless they rarely deviate from certain maxims and usages, founded on good sense alone which holds the place of law and supplies in some sort the want of legal authority — They manifest much stability in the engagements they have solemnly entered upon — patience in affliction as well as submission to what they apprehend to be the appointment of Providence; in all this they manifest a nobleness of soul and constancy of mind, at which we rarely arrive, with all our philosophy and religion — They are neither slaves to ambition nor interest, the two passions that have so much weakened in us the sentiments of humanity (which the kind author of nature has engraven on the human heart) and kindled those

of covetousness which are yet generally unknown among them."

"It is notorious that they are generally kinder to us than we to them, though they despise us."

The "History of New Jersey" informs us that in nearly a century the Indians of that State had all along maintained an intercourse of great cordiality and friendship with the inhabitants.¹

Mr. Penn also, at his first coming among them, spoke and wrote of them in high terms as a kind and benevolent people.

Mr. Boudinot also wrote and published:—

"The Age of Reason," 1793.

"Second Advent of the Messiah," 1815.

An address delivered before the New Jersey Bible Society in 1815.

In 1706, a Fourth of July oration, delivered at Elizabethtown before the New Jersey Society of the Cincinnati.

"A Life of the Rev. William Tennent."

An oration on Washington.

¹ Smith, *History of New Jersey*, p. 440.

APPENDIX.

A. BENEVOLENT BEQUESTS IN MR. BOUDINOT'S WILL.

AFTER providing for his family, friends, and servants, Mr. Boudinot bequeathed of his estate to benevolent purposes the following:—

1st. To the society for ameliorating the state of the Jews in the State of New York of which he was President, Fifty acres in Warren Co. Penn^a apiece to each of fifteen families provided they cleared fifteen acres built a house and remained upon it for fifteen years—

2d. For civilizing and Christianizing the Indians \$2000.

3d. To the General Assembly of the Presbyterian Church three houses in Locust and 11th Sts. Philadelphia, the rents from which to be used for the purchase of books.

4th. To the Presbyterian Seminary 6000 acres of land in Luzerne Co. Penn^a the rents accruing therefrom to be used in support of students of the Seminary.

5th. To the American board of Commissioners for Foreign Missions, land to the amount of 4542 acres in Lycoming Co., Penna.

6th. Lands containing 4589 acres in Luzerne Co. Penna. to the American Bible Society.

7th. Land containing 3270 acres in the county of Bradford, Penna. to the public hospital of Phila. to enable poor foreigners to comply with the rules of the hospital for admission.

8th. To the Magdalen Societies of New York and Phila. each \$500.

9th. To the Institution for educating the heathen in Cornwall, in the State of Connecticut \$500.

10th. To the Mayor and corporation of Phila. to provide fuel for the poor of the City of Phila. 13 thousand acres of land on the Susquehanna river in Penna. being fine wood land of chestnut timber.

11th. \$5000. To the support of a city missionary to hospitals, prisons, &c.

The rest of his estate he leaves to his residuary legatee, the corporation of the General Assembly of the Presbyterian Church, to be paid out to such members known by the name of the Synod of New Jersey to increase insufficient salaries.¹

B. COMMITTEES IN THE CONTINENTAL CONGRESS ON WHICH MR. BOUDINOT SERVED.

1778. July 7. Mr. Elias Boudinot, a delegate from New Jersey, attended and took his seat. He served on the following special committees:—

On a letter of June 25 from Governor Livingston.

July 9. On petition from the prisoners in New York.

July 11. On letter of the 10th from Silas Deane, Esq., and furnishing Count d'Estaing with a sufficient number of skillful pilots.

July 27. On Courts of Admiralty.

August 1. On two letters from General Washington, — one dated June 18 and the other July 25, with copy of one from the Inspector-General.

1781. July 23. Mr. Elias Boudinot, a delegate from the State of New Jersey, attended and produced the credentials of his appointment.

August 3. Chairman of committee appointed to take into consideration the state of the prisoners in the power of the enemy.

August 21. Report, as chairman, on a letter of the 8th from General Washington regarding exchanges at Germantown in June, 1778.

September 29. On letter of 16th from Brigadier-General Moultrie.

October 18. On the committee to confer with the Honourable the Minister Plenipotentiary of France. Reported the draft of a letter to his Most Gracious Majesty.

¹ Mr. Boudinot mentions in his will, beside other gifts, to his nephew, Elias E. Boudinot, "my small original profile of his late Excellency Lieut. Gen'l. Washington, being one of the last for which he sat, at my particular request and in my opinion the best profile likeness ever taken of him;" "also my Diploma from the Cincinnati."

October 24. On the correspondence between General Washington and the Earl Cornwallis on the surrender of York and Gloucester and the articles of capitulation; and on the mode of communicating the thanks of Congress to General Washington, Count de Rochambeau, and Count de Grasse, and of paying respect to the merit of Lieutenant-Colonel Tilghman, aid-de-camp of General Washington.

October 30. On estimates of the Board of War, and on States to be called upon to furnish their quotas for the War Department and Civil List for the ensuing year.

On sketch of emblems of the alliance between his Most Gracious Majesty and the United States, to be inscribed on the column at the town of York.

On letter of the 27th of October from General Washington, and presentation of a sword to Colonel Humphrey, aid-de-camp of General Washington.

November 14. On dispute between the States of Connecticut and Pennsylvania.

November 28. On letter of October 13 from Capt. John Barry.

1782. January 28. On a letter of the 14th from E. Hazard, inspector of dead letters.

On releasing the President from unnecessary business.

February 11. On memorial of James Wilson.

February 13. On a letter of the 23d of August from Perez Morton to Mr. Lowell.

February 18. Chairman of committee to empower the commander-in-chief to negotiate cartels with the enemy for safe-keeping, exchanging, and better treating of prisoners of war.

February 19. On New Hampshire grants.

April 29. Chairman of committee on the death of Captain Joshua Huddy.

May 5. Chairman of committee on the letter of the commander-in-chief to the Secretary at War of the 27th of April, regarding cruelty to American citizens, and to consider enlistment of German prisoners wishing to enter into the service of the United States.

May 7. On letter of the 24th of April from the Governor of Connecticut.

May 8. On ceremony to be used at a public audience accorded the French Minister.

June 12. On marine courts-martial.

June 14. On letter of June 6 from General Washington, with sundry papers relative to his proceedings in consequence of the resolutions of the Legislature of South Carolina, etc.

June 17. Chairman of committee to whom the report of the commissioners for settling cartel was referred.

June 21. Chairman of committee recommending to the States to extend pardon to refugees under certain conditions.

October 1. On measures to be taken by Legislature of New Jersey regarding the payment of their troops.

October 11. On a letter of the 26th of September from the commander-in-chief, and the letter of the 21st of September from General Schuyler.¹

C. GENEALOGICAL NOTES.

Boudinot Family.

The old Protestant registers of baptisms, marriages, and interments at Marans are preserved in the archives of the Consistory of La Rochelle. I am indebted to the kind courtesy of M. Meschinot de Richmond, of La Rochelle, an honorary member of the Huguenot Society of America, for a copy of all the entries in these registers bearing the name Boudinot. A manuscript History of the Reformed Church at Marans, by M. Ernest Chatonet, is in the library of the Protestant Historical Society in Paris. The references to the Boudinots are here given. These are chiefly accounts of prosecutions, etc., for a brief period immediately preceding the Revocation.

JEAN BOUDINOT, m. Marie Suire: his name appears in the registers, Oct. 17, 1669; an entry, Sept. 15, 1680, speaks of him and his wife as deceased. Their children were: *Jean*, m. Marie Brechet; *Pierre*, m. Jeanne Guis; *ELIE*, m. Jeanne Baraud; *Judith*, m. Pierre Vigoreux; *Esther*; *Marie*. To

¹ MSS. Journal of Congress; Secret Journal of Congress; Report of Committees, No. 24, p. 57; No. 28, pp. 57, 71, 77, 105-239.

the name of each brother, and of the brother-in-law Vigoureux, *le sieur* is prefixed.

ELIE BOUDINOT (1st), son of the preceding, born at Marans, d. New York, 1702, m. Jeanne Baraud. Their children, born in France, were: *Pierre*, b. 27 Feb., 1674; ELIE, b. Nov. 11, 1674; *Abraham*, b. Oct. 30, 1676, died Nov. 6, 1677; *Jean*, b. Sept. 6, 1682; *Mary*. His wife died before he left France. In London, m. Nov. 9, 1686, Suzanne Papin, widow of Benjamin d'Harriette. The children by the second marriage were: *Madelaine*, m. Thomas Bayeux, and left issue, Madelaine, b. May 21, 1706; Thomas, b. July 5, 1708; *Suzanne*, b. July 12, 1689, m. Feb. 2, 1706, Charles D'Val, afterward m. David Minvielle, and left issue, child b. May 22, 1713; *Jean*, b. Nov. 10, 1692, m. Jeanne Tongrelou, and had issue, Jean, b. Oct. 4, 1710; *Benjamin*, b. May 19, 1694. The children by the first wife all died before their father, except Elie, as he is mentioned in his father's will as the only son living of the first marriage. Pierre's name occurs in the church register, 1692, 1697.

ELIE BOUDINOT (2d), son of the preceding, b. at Marans, Nov. 11, 1674, d. 1719, came with his father to New York, 1687, m. Sept. 10, 1699, Marie Catharine Carrée, daughter of Louis Carrée. Their children were: *Marie*, b. Jan. 12, 1701, m. John Emott, and left three daughters, viz., Elizabeth, m. Col. Wm. Ricketts, and left issue, John, Jacob, and Jane Ricketts; *Mary*, m. John Chetwood, Esq., afterward a Justice of the Supreme Court of New Jersey, and left several children; *Jane*, m. Rev. Thomas Bradbury Chandler, Episcopal minister at Elizabeth, N. J., and left one daughter, who m. Bishop Hobart, and another daughter, who m. Major William Dayton, and lived to be "one of the most venerable and interesting Christian ladies of Elizabethtown, N. J.;" *Suzanne*, b. Aug. 19, 1703, m. Pierre Vergereau, of New York, and left issue, Pierre, m. Abigail Hetfield; *Suzanne*, b. Dec. 21, 1743, m. Rev. William Tennent, Presbyterian minister of Charleston, S. C., and left several children; ELIAS (3d), b. Aug. 8, 1706; *Madelaine*, b. May 2, 1709; *Jean*, b. 1710; *David*, b. March 5, 1714.

ELIAS BOUDINOT (3d), son of the preceding, b. 1706, d. July 4, 1770, m. in Antigua Catharine Williams (b. 1714, d.

1765), daughter of a Welsh planter. Their children who survived infancy were: *John*, b. in Antigua, Jan. 10, 1734, baptized by Mr. Francis Byam, minister of St. John's parish, studied medicine, m. Catharine Van Norden, left issue, Elias, Tobias, John, Jane; *Annis*, b. July 1, 1736, m. Richard Stockton, signer of the Declaration of Independence, and their daughter Julia m., 1776, Dr. Benjamin Rush, whose son, Richard Rush, b. 1780, was Attorney-General of the United States, Minister to England, Secretary of the Treasury, and Minister to France; ELIAS (4th), b. April 21, 1740, d. Oct., 1821, baptized by the Rev. George Whitefield, m. April 21, 1762, Hannah Stockton (b. July 21, 1736, d. Oct. 28, 1808), sister of Richard Stockton; besides one child who d. in infancy, left one child, Susan Vergereau (b. Dec. 21, 1764, d. Nov. 30, 1854), m. Oct., 1784, William Bradford, Attorney-General of the United States under Washington; *Mary*, b. Nov. 7, 1742, m. Abner Hetfield, brother of above-mentioned Abigail Hetfield, and left issue, Mary, m. Rev. Jos. G. Bend, Episcopal minister of Baltimore, and Abigail, m. William Griffith, Esq.; ELISHA, b. Jan. 2, 1749 (see below); *Lewis Carrée*, b. Sept. 1753, lost at sea, 1786.

ELISHA BOUDINOT, son of Elias Boudinot (3d), b. Philadelphia, Jan. 2, 1749, d. Oct. 17, 1819, m. Oct. 14, 1778, Catharine Smith (b. Dec. 16, 1749, d. Aug. 30, 1797), daughter of William Peartree Smith, of Elizabethtown. Their children were: *Anna Maria*, b. Nov. 26, 1780, d. Aug. 29, 1811; *Catharine*, b. Dec. 2, 1781, d. June 24, 1877, m. Sept. 12, 1803, Lewis Atterbury, then of Baltimore (b. April 2, 1779, d. Aug. 31, 1872); *Eliza*, b. April 2, 1783, d. Aug. 7, 1783; *Susan*, b. July 31, 1784, m. in advanced life Mr. Salmon; *Fulia*, b. Sept. 6, 1785, d. 1812; *Eliza Emelia Stockton*, b. March 178—, d. young; *William*, b. Feb. 11, 1788, d. Jan. 17, 1789; *Anna Emelia*, b. Feb. 11, 1789, d. Aug. 9, 1793; *Elias E.*, b. March 11, 1791, d. May 21, 1863, m. Jane M. Kip; *Eliza Pintard*, b. Feb. 21, 1792, m. John Colt, of Paterson, N. J.; *William Alexander Hamilton*, b. Feb. 20, 1795, d. Sept., 1795.

29 8bre, 1669, enterrement d'Ester fille de Jean Boudinot et de Marie Bréchet, 4 ans $\frac{1}{2}$ décédée d'hier. 14 Décembre, 1669, enterrement de Suzanne, soeur d'Ester, 2 ans $\frac{1}{2}$ décédée

d'hier. V. Septembre, 1670, enterrement de Pierre, fils de Pierre Boudinot et de défunte Jeanne Guis 5 ans, décédée d'hier. 23 Octobre, 1672, baptême d'Henriette fille de Jean Boudinot et de Marie Bréchet, parrain Philippe Franchard, marraine Judith Boudinot. 11 Mars, 1674, baptême de Pierre fils d'Elie Boudinot et de Jeanne Barraud, p. Pierre Auboinneau, m. Marie Bréchet, femme de Jean Boudinot. 17 9^{bre}, 1674, baptême d'Hélie, frère du précédent. 19 Avril, 1676, bapt. d'Estienne, fils de Jean Boudinot et de Marie Bréchet. 1 9^{bre}, 1676, baptême d'Abraham fils d'Elie Boudinot et de Jeanne Barreau. 6 9^{bre}, 1677, enterrement du dit Abraham, 1 an et 8 jours.¹

D. PROCÈS-VERBAL DE M^r. LE SENECHAL DE MARANS CONTRE CEUX DE LA R. P. R., 1682.

(Résumé de ce Procès-Verbal.)

Pour une réunion en un jour inaccoutumé des Protestants dans leur Temple, aux fins de rendre leurs très-humbles remerciements à Dieu de la Grace qu'il a fait à ce Royaume de lui donner un nouveau Prince et pour lui demander instamment qu'il espende ses plus precieuses bénédictions sur cet enfant Royal, ensemble pour la prospérité de la famille Royale et de l'Etat comme en peuvent rendre témoignage Mess. les Senechal et Syndic qui ont assisté à la dite prière.

Signé : —

AMIAND, MAROLLES, J. BIZURD, BURJAND, VIGOUREUX, L. BOUDINOT, PINSON, FAVREAU, CHABIRAUD ET JEANORET.

Procès-verbal dressé conformément à une nouvelle ordonnance de l'Intendant Arnoue de Vaneresson en date à Rochefort du 28 Juillet, 1685.

Résumé : —

Procès-Verbal de Publication à ceux de la R. P. R. de l'ordonnance de M^r. L'Intendant sus datée, leur interdisant la celebration de leur culte suivant un arrêt du Conseil d'Etat du xi Decembre, 1684.

Et sont comparus au parquet à deux heures de rellevée ; les S^{rs} André Marolles, Jean Burgeaud et Heslye Boudinot

¹ Les anciens régistres protestants de Marans conservés dans les archives du consistoire de La Rochelle.

anciens du consistoire de ceux de la d^e R. P. R. et deux autres quy sont les S^{rs} Pierre Vigoureux, apoticq^{re} Simon Pinson chirurgien estant absantz et ont encore comparu les S^{rs} Pierre Ponguet, Estienne Marçault, Daniel Suire, Pierre Jiffré, Pierre Gillois, Jean Boudinot, François Gebert et David le conte, tous habittans de la d^e R. P. R. ausquels en presence dud. Procureur avons fait la publication de l'ordonnance de mond. Seigr.

Procès-verbal contre ceux de la R. P. R. de Marans qui instruisent les enfants, 1685 : —

. . . Et ayant après qu'un homme réfugié depuis quelque temps en sca dans la maison d'Elie Boudinot marchand de ce lieu faisoit la mesme fonction et instruisoit ses enfants, nous nous y sommes transportés et estant monté dans une chambre haulte nous y aurions trouvé le d. homme faisant son exercice et fonction instruisant les enfants dud. Boudinot du quel homme les dits gardes de mond. Seigneur l'intendant se sont saisis. . . .

E. JEAN PHILLIPPEAU MARCHAND DE CE LIEU
AAGE DE CINQUANTE DEUX ANS . . . VA. . . .

(Comme si dessus) Va. . . .

ENQUIS . . . VA. . . .

Et sur les faits de la plainte a desposé qu'il y a un mois ou environ questant à la boutique de Baudoin sur le bord de la rivière de ce lieu il vit dans le chaix de Jean Boudinot marchand de ce lieu plusieurs personnes assemblées et y remarqua le dit Jean Boudinot, Helie Boudinot son oncle, André Marolles et trois autres du Poictou quil ne cognut point mais sestant informé au nommé Robin portefaix de ce lieu il luy auroit dit quil y en avoit un quy estoit beau frère du d. Boudinot lequel estoit ministre de la R. P. R. et quil avoit presché dans le temple de Fontenay et questant tous sorty dud. chaix sur les quatre à cinq heures du soir ils furent joint par Pierre Vigoureux aposticaire de ce lieu et s'en furent du costé des halles. Quy est tout ce quil a dit et lecture faite de sa despozition y a persisté et signé.

Signé : —

MICHEAU CHARRON PHILLIPEAU.

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