

SECRET JOURNALS

OF

THE ACTS AND PROCEEDINGS

OF

CONGRESS,

FROM THE FIRST MEETING THEREOF TO THE DISSOLUTION
OF THE CONFEDERATION, BY THE ADOPTION
OF THE CONSTITUTION OF THE
UNITED STATES.

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tersburg, and desiring to know whether it is the expectation of Congress that he should come on to the place of their sessions, and without loss of time to render a more particular account of his late mission: Whereupon,

On motion of Mr. Gerry, seconded by Mr. Read,
Resolved, That the President inform Mr. Dana it is the desire of Congress to receive his communication relative to his mission to the court of Russia, and to the disposition of that court towards the United States, as soon as the circumstances of his affairs and the season shall admit of his attending Congress.

JANUARY 14, 1784.

On the report of a committee, consisting of Mr. Jefferson, Mr. Gerry, Mr. Ellery, Mr. Read and Mr. Hawkins, to whom were referred the definitive treaty of peace between the United States of America and his Britannick majesty, and the joint letter of the 10th September, from Mr. Adams, Mr. Franklin and Mr. Jay,

Resolved unanimously, nine states being present,
That the said definitive treaty be and the same is hereby ratified by the United States in Congress assembled, in the form following:

The United States in Congress assembled—To all persons to whom these presents shall come, Greeting.

Whereas definitive articles of peace and friendship between the United States of America and his Britannick majesty were concluded and signed at Paris, on

the third day of September, 1783, by the plenipotentiaries of the said United States and of his said Britannick majesty, duly and respectively authorized for that purpose, which definitive articles are in the words following :

In the name of the most holy and undivided Trinity.
It having pleased the divine Providence to dispose the hearts of the most serene and most potent prince, George the third, by the grace of God king of Great Britain, France and Ireland, defender of the faith, duke of Brunswick and Lunenburg, arch-treasurer and prince elector of the holy Roman empire, &c. and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore, and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual peace and harmony ; and having for this desirable end already laid the foundation of peace and reconciliation, by the provisional articles signed at Paris, on the 30th of November, 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and to constitute the treaty of peace proposed to be concluded between the crown of Great Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France, and his Britannick majesty should be ready to conclude such treaty accordingly ; and the treaty between Great Britain and France hav-

ing since been concluded, his Britannick majesty and the United States of America, in order to carry into full effect the provisional articles abovementioned according to the tenor thereof, have constituted and appointed, that is to say, his Britannick majesty on his part, David Hartley, esquire, member of the parliament of Great Britain, and the said United States on their part, John Adams, esquire, late a commissioner of the United States of America at the court of Versailles, late a delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their high mightinesses the states general of the United Netherlands, Benjamin Franklin, esquire, late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles, John Jay, esquire, late President of Congress, and chief justice of the state of New York, and minister plenipotentiary from the said United States at the court of Madrid to be the plenipotentiaries for the concluding and signing the present definitive treaty; who, after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles:

ARTICLE I.

His Britannick majesty acknowledges the said United States, viz. New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Mary-

land, Virginia, North Carolina, South Carolina and Georgia, to be free, sovereign and independent states; that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof.

ARTICLE II.

And that all disputes which might arise in future, on the subject of the boundaries of the United States, may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz. From the north-west angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint Croix river to the highlands; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantick ocean, to the north-westernmost head of Connecticut river; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said [lake] until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the lake Huron; thence through the middle of the said lake to the water com-

munication between that lake and lake Superiour; thence through lake Superiour, northward of the isles Royal and Philipeaux, to the Long lake; thence through the middle of said Long lake, and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof; and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude. South, by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantick ocean. East, by a line to be drawn along the middle of the river Saint Croix, from its mouth in the bay of Fundy to its source; and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantick ocean from those which fall into the river Saint Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy and the Atlantick ocean, excepting such islands as now are or heretofore have

been within the limits of the said province of Nova Scotia.

ARTICLE III.

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand bank, and on all the other banks of Newfoundland; also in the gulf of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island;) and also on the coasts, bays and creeks of all other of his Britannick majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova Scotia, Magdalen islands and Labrador so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose of the inhabitants, proprietors or possessors of the ground.

ARTICLE IV.

It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full

value, in sterling money, of all bona fide debts heretofore contracted.

ARTICLE V.

It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his majesty's arms, and who have not borne arms against the said United States; and that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested, in their endeavours to obtain the restitution of such of their estates, rights and properties as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity, but with that spirit of conciliation, which, on the return of the blessings of peace, should universally prevail. And that Congress shall also recommend to the several states that the estates, rights and properties of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties, since

the confiscation. . . And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE VI.

That there shall be no further confiscations made, nor any prosecutions commenced against any person or persons, for or by reason of the part which he or they may have taken in the present war; and that no person shall on that account suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecution so commenced be discontinued.

ARTICLE VII.

There shall be a firm and perpetual peace between his Britannick majesty and the said states, and between the subjects of the one and the citizens of the other: Wherefore, all hostilities, both by sea and land, shall from henceforth cease; all prisoners on both sides shall be set at liberty; and his Britannick majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place and harbour within the same;

leaving in all fortifications the American artillery that may be therein ; and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

ARTICLE VIII.

The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great Britain and the citizens of the United States.

ARTICLE IX.

In case it should so happen that any place or territory belonging to Great Britain, or to the United States, should have been conquered by the arms of either from the other before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

ARTICLE X.

The solemn ratifications of the present treaty expedited in good and due form, shall be exchanged between the contracting parties in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the undersigned, their ministers plenipotentiary, have in their name, and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

Done at Paris, this third day of September, in the year of our Lord, one thousand seven hundred and eighty-three.

[L.S.]

DAVID HARTLEY.

[L.S.]

JOHN ADAMS.

[L.S.]

B. FRANKLIN.

[L.S.]

JOHN JAY.

NOW KNOW YE, That we the United States in Congress assembled, having seen and considered the definitive articles aforesaid, have approved, ratified and confirmed, and by these presents do approve, ratify and confirm the said articles and every part and clause thereof, engaging and promising that we will sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner, as far as lies in our power.

In testimony whereof, we have caused the seal of the United States to be hereunto affixed. Witness, his excellency Thomas Mifflin, President, this fourteenth day of January, in the year of our Lord, one thousand seven hundred and eighty-four, and in the eighth year of the sovereignty and independence of the United States of America.

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

New Hampshire,	Mr. Foster,	Ay. } X
Massachusetts,	Mr. Gerry, Mr. Partridge, Mr. Osgood,	Ay. } Ay. } Ay. Ay. }
Rhode Island,	Mr. Ellery, Mr. Howell,	Ay. } Ay. } Ay.
Connecticut,	Mr. Sherman, Mr. Wadsworth,	Ay. } Ay. } Ay.
New Jersey,	Mr. Beatty,	Ay. } X
Pennsylvania,	Mr. Mifflin, Mr. Hand, Mr. Morris,	Ay. } Ay. } Ay. Ay. }
Delaware,	Mr. Tilton, Mr. M'Comb,	Ay. } Ay. } Ay.
Maryland,	Mr. Chase, Mr. Lloyd,	Ay. } Ay. } Ay.
Virginia,	Mr. Jefferson, Mr. Lee, Mr. Monroe,	Ay. } Ay. } Ay. Ay. }
North Carolina,	Mr. Williamson, Mr. Spaight,	Ay. } Ay. } Ay.
South Carolina,	Mr. Read, Mr. Beresford,	Ay. } Ay. } Ay.

So it was resolved in the affirmative.

Resolved, That the said ratification be transmitted with all possible despatch, under the care of a faithful person, to our ministers in France, who have negotiated the treaty, to be exchanged.

Resolved, That colonel Josiah Harmar be appointed to carry the said ratification.

Ordered, That the superintendent of finance furnish colonel Harmar with money to defray his necessary expenses.

Resolved, That a proclamation be immediately issued, notifying the said definitive treaty and ratification to the several states of the union, and requiring their observance thereof, in the form following :

By the United States in Congress assembled.

A PROCLAMATION.

Whereas definitive articles of peace and friendship between the United States of America and his Britannick majesty were concluded and signed at Paris, on the third day of September, 1783, by the plenipotentiaries of the said United States and of his said Britannick majesty duly and respectively authorized for that purpose, which definitive articles are in the words following :

[Here insert the treaty.]*

And we the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did by a certain act under the seal of the United States, bearing date this 14th day of January, 1784, approve, ratify and confirm the same, and every part and clause thereof, engaging and promising that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner as far as should be in our power ; and being sincerely disposed to carry

* See page 434.

the said articles into execution, truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of magistracy, legislative, executive and judiciary, all persons bearing office, civil or military, of whatever rank, degree or powers, and all others the good citizens of these states of every vocation and condition, that reverencing those stipulations entered into on their behalf under the authority of that federal bond by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and with that good faith which is every man's surest guide, within their several offices, jurisdictions and vocations, they carry into effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

Given under the seal of the United States. Witness, his excellency Thomas Mifflin, our President, at Annapolis, this 14th day of January, in the year of our Lord, one thousand seven hundred and eighty-four, and of the sovereignty and independence of the United States of America, the eighth.

Resolved unanimously, nine states being present, that it be and is hereby earnestly recommended to the legislatures of the respective states to provide for the restitution of all estates, rights and properties which have been confiscated belonging to real British sub-

jects, and also of the estates, rights and properties of persons resident in districts which were in the possession of his Britannick majesty's arms at any time between the 30th day of November, 1782, and the 14th day of January, 1784, and who have not borne arms against the said United States; and that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested, in their endeavours to obtain the restitution of such of their estates, rights and properties as may have been confiscated. And it is also hereby earnestly recommended to the several states to reconsider and revise all their acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity, but with that spirit of conciliation which, on the return of the blessings of peace, should universally prevail. And it is hereby also earnestly recommended to the several states, that the estates, rights and properties of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation.

Ordered, That a copy of the proclamation of this date, together with the recommendation, be transmitted to the several states by the secretary.