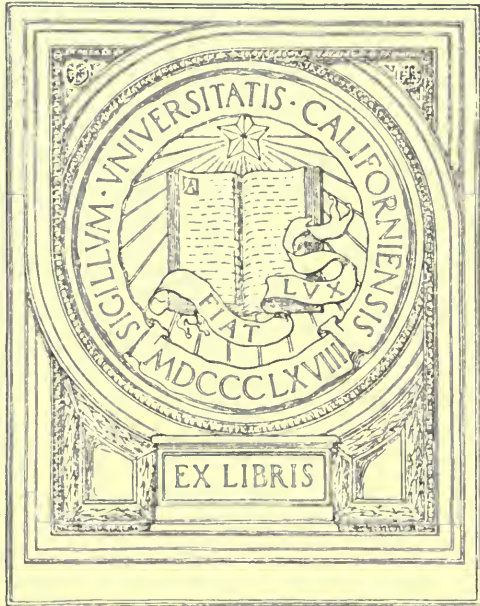




UNIVERSITY OF CALIFORNIA
AT LOS ANGELES



EX LIBRIS



Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation



William C. C. Claiborne

Photographic facsimile from the oil painting in the possession of
W. C. C. Claiborne, New Orleans.

OFFICIAL LETTER BOOKS
OF
W. C. C. CLAIBORNE
1801-1816

EDITED BY
DUNBAR ROWLAND, B. S., LL. B., LL. D.
Director Mississippi Department of Archives and History, Secretary
Mississippi Historical Society, Member American
Historical Association

VOLUME I



JACKSON, MISSISSIPPI
Printed for the State Department of Archives and History
1917

DEMOCRAT PRINTING COMPANY, MADISON, WISCONSIN

FOR THE YEAR ENDING DECEMBER 31, 1907

F 374

C520

v.1

INTRODUCTORY NOTE

The purchase of Louisiana by the United States, under the leadership of Thomas Jefferson, is one of the great turning points in American history. It is the most significant event in the march of the American people from the Atlantic seaboard, across the Mississippi River, to the Pacific. It gave to us a continent as the home of a self-governing people, and made secure our place as the leader among the nations holding Democratic ideals of government. No event in the annals of our country is of more importance than this great epoch of our history. It takes rank with the settlement of Jamestown and Plymouth, the Declaration of Independence, and the adoption of the Constitution. The one-hundredth anniversary of the Purchase was celebrated by the National Government by a great exposition at St. Louis, which rivaled the celebrations commemorative of the discovery of America and the passage of the Declaration of Independence.

The publication of historical material in the form of official letters concerning the Louisiana Purchase, from 1803 to 1816, or from the date when William Charles Cole Claiborne received his commission from President Jefferson to go to New Orleans and receive the country from the representative of France, to the failure of England to wrest it from the United States, is a welcome task and a worthy undertaking. When this material consists of the official letter books of Governor Claiborne, who was easily the most important man in the southwest, from 1803 to 1817, it will be seen at once how important and valuable are the letters contained in

302977

these volumes. In order to make the letters complete, the first volume of the series from May 25, 1801, when Claiborne was commissioned as Governor of Mississippi Territory, to March 27, 1803, is included. This material, while dealing with conditions in a country which had been transferred by Spain to the United States five years before the transfer of Louisiana, is a logical part of what comes after.

The editor has had the publication of the Claiborne Letters in view for ten years. In order to secure the opinion of a number of his co-workers in the historical field as to the value of the proposed publication, he sought and obtained the opinion of many of the most scholarly and eminent historians of the country. The importance which they attached to the letters of Governor Claiborne may be inferred from the following excerpts upon the subject:

“I am glad to know that you are to publish hitherto unpublished letter books of Gov. William C. C. Claiborne. Such unpublished letters must, I am sure, contain interesting material on the history of that part of the Southwest, for Gov. Claiborne touched American life at many vital and significant points during the first decade of the 19th century.”—Frederick J. Turner, Professor of History, Harvard University.

“The fact that you believe Gov. Claiborne’s correspondence valuable sources would determine my own opinion.”—James F. Rhodes.

“Of course the letter books would be a decided addition to our knowledge of political events in Louisiana at that most interesting period.”—Worthington C. Ford, Editor Publications, Massachusetts Historical Society.

“I consider the publication of the Claiborne letter books a highly important contribution to American History. The period was critical and to no one could the editing be more safely entrusted than to you.”—William M. Sloane, Professor of History, Columbia University.

“I am certain that the letter books of W. C. C. Claiborne, from 1801 to 1816, contain highly valuable historical facts; and their publication under such scholarly editorship as you would give them, would be welcomed by the historical profession and the general public besides.”—Gaillard Hunt, Chief Manuscripts Division, Library of Congress.

“This collection should throw a great deal of light on the purchase of Louisiana and the early history of the Southwest. Claiborne was a very interesting character, and standing as he did, in close relation to the administration of President Jefferson, his insight into public affairs and his knowledge of what was going on behind the scenes in the Southwest was undoubtedly greater than that of any other man of his generation.”—John H. Latané, Professor of History, Johns Hopkins University.

“I am sure that the letter books of Gov. Claiborne are of much value and that the publication of this material will be worth a great deal to those who are working in the history of the Southwest. I trust that you will carry through your plan for the editing of these historical sources. If you do this, you will be a benefactor to the Historians.”—Walter L. Fleming, Professor of History, Louisiana State University.

“I am very glad to learn that you are preparing the Claiborne letters for publication. We shall be glad

here at the University of Texas to give you any assistance that may be profitable.”—E. C. Barker, Professor of History, Texas State University.

“I am very glad to learn that you are preparing to edit and publish the letter books of W. C. C. Claiborne during the period of his governorship. I feel sure that they must throw a flood of light upon many of the vexed questions that arose during that confused and controverted era of our history. More light upon Burr and Wilkinson is my first thought, but doubtless more important issues that have been subordinated to the spectacular will be brought out. For West Florida the material should be invaluable.”—F. H. Hodder, Professor of History, University of Kansas.

“These will contribute to the history of the States which have been carved from the Louisiana Purchase.”—Benjamin F. Shambaugh, Superintendent State Historical Society of Iowa.

“These papers are of very great value and so long as they remain unpublished, they must continue inaccessible to most men who work in the field of American history. Your long familiarity with the documents of Southwestern history fits you admirably to edit these materials. I certainly hope the opportunity may not be lost and that the means for defraying the expense of publication may be readily available.”—William E. Dodd, Professor of History, University of Chicago.

“Taken all in all such a publication would give us much new and interesting material on the history of the ‘Near Southwest’ or ‘Old Southwest’ for the first decade and a half of the nineteenth century. This was a most critical period in our relations with Spain. It included not only the important questions connected

with boundaries and frontier relations, but also those questions concerning the attitude of the United States toward their new acquisition. From the latter phase there arose many problems in the later history of Mississippi, Louisiana, and the neighboring States. One cannot get a good idea of the various influences that brought about the transfer of Louisiana to the United States without studying the Claiborne correspondence. One cannot even know adequately those influences that determined the later acquisition of the Floridas and Texas without knowing something of its contents. The issues of filibustering, Indian relations, coastal trade, piracy, the embargo, intervention, immigration, the slave trade, the Burr conspiracy, the Napoleonic intervention, and the War of 1812 take on a new aspect when viewed through Claiborne's writings."—I. J. Cox, Professor of History, University of Cincinnati.

In a brief editorial note like this it is not possible to give a satisfactory summary of the Claiborne letter books. They include hitherto unknown and unpublished material of first importance, concerning very many really great events in the history of the United States. The letters contain new data on the following subjects: American-French-English-Spanish relations before the purchase of Louisiana; feeling among the inhabitants of the American-Spanish border; events leading up to the transfer; French and Spanish attitude toward American dominion; descriptions of the manners, customs, and social and religious life of the French and Spaniards in Louisiana; incidents connected with the transfer of dominion from France to the United States; organization of the American Government and its reception by the people; plots and intrigues of the Spaniards to regain possession of Louisiana; the coming of the Americans from the original states and settlements;

commerce and trade of New Orleans with the Mississippi Valley; the Aaron Burr expedition and the arrest of Burr; restrictions of American commerce at Mobile; the revolution of West Florida; troubles with England and France; War of 1812-15 and the Creek War; the slave trade and the status of free negroes; advent of Andrew Jackson as a national hero; the English campaign in the South and the Battle of New Orleans; effect of the victory of New Orleans; and many incidents connected with the lives of such national characters as Andrew Jackson, Aaron Burr, James Wilkinson and Edward Livingston.

The Claiborne Letter Books came into the possession of the Mississippi Department of Archives and History through J. F. H. Claiborne, a nephew of Governor Claiborne and the author of "Mississippi as a Province, Territory and State," who devised them to the State in 1882. They are preserved in nine volumes, and the pages are in a good state of preservation.

The collection of Claiborne Letters in the Bureau of Rolls and Library of the Department of the State is known to historians and has been used to a limited extent. The letters in Washington, however, are incomplete copies of the originals in the Mississippi Department of Archives and History, and practically end with the admission of Louisiana into the Union in 1812. The Mississippi collection is not duplicated anywhere.

It gives me great pleasure to submit these volumes to my co-workers in the field of American history and to all serious historical students of the country.

DUNBAR ROWLAND.

Jackson, Mississippi, October 6, 1916.

LETTER BOOKS OF W. C. C. CLAIBORNE¹

1801-1804.

Department of State:—
Washington, 10 July 1801

Commission.

Sir,

The President of the United States—desirous of availing the public of your services as Governor of the Mississippi Territory, I have the honor of inclosing your Commission, and of expressing the sentiments of respect with which

I am, Sir,
your most obt Sert
James Madison

William C. C. Claiborne Esqr.

¹ William Charles Cole Claiborne was born in Sussex County, Virginia, in 1775, and was the second son of Col. William Claiborne and Mary (Leigh) Claiborne. The Claiborne family in America was founded by William Claiborne, who emigrated from England as surveyor of the plantations of Virginia by appointment of the London Company. He was a younger son of a distinguished family of Westmoreland County, England, and arrived at Jamestown in October, 1621. On March 4, 1625, he was commissioned by Charles I. as a member of the Council and Secretary of State for the Colony of Virginia.

During the American Revolution the Claibornes were found fighting for liberty on the side of the colonies. Descended from such ancestry, and born at the outbreak of the Revolution, it is not strange that William C. C. Claiborne was a patriot. Nathaniel H. Claiborne, his younger brother, who for twenty years was a member of Congress from Virginia, in his "Notes on the War of 1812," in which appears an interesting biography of Governor Claiborne, says that at the age of eight

Thomas Jefferson, President of the United States of America, To all who shall see these presents, G r e e t i n g :—

WHEREAS the office of Governor in and over the

years he wrote in his Latin grammar the motto, "*Cara patria, carior libertas—ubi est libertas, ibi est mea patria*," "Dear my country, dearer liberty—where liberty is, there is my country." He was sent to Richmond Academy under the instruction of Eldridge Harris, and afterwards to William and Mary, accompanied by his elder brother Ferdinand Leigh. He remained at the latter institution only a short time, leaving on account of a disagreement with one of the ushers. At the early age of fifteen he decided that it was necessary to support himself, on account of the misfortunes of his father, who had ruined his estate in the cause of his country.

At that time the seat of the National Government was at New York. Young Claiborne proceeded there, and sought a position in the office of John Beckley, Clerk to Congress, who looked with favor on the son of his native State. He was given employment as enrolling clerk and made himself useful in copying bills and resolutions for members of Congress. In 1790 he followed the Congress to Philadelphia, on its removal to that city. The young clerk soon attracted the notice of John Adams, Thomas Jefferson and John Sevier. Mr. Jefferson gave him access to his books, and Sevier advised him to study law and go to Tennessee. At a very early age Claiborne displayed decided oratorical ability, and at the age of fifteen delivered an original valedictory address on leaving school for New York. He joined the Polemic Society in Philadelphia, and found, at the age of seventeen, that he could sway an audience. At that early age he decided to follow Sevier's advice, and resigned his position to become a law student, going to Richmond for that purpose. With three months preparation he was admitted to the bar, and equipped with Blackstone and a copy of the revised statutes he went to Sullivan County, Tennessee, and offered his professional services to the people of that aspiring young Territory. Within two years he had gained the distinction of standing without a rival as an advocate at the criminal bar. In the first constitutional convention of Tennessee, which met at Knoxville, January 11, 1796, Claiborne was one of the leading members. At this time Gov. Blount is reported to have said of him, "He is, taking into consideration his age, the most extraordinary man of my acquaintance."

On the formation of the State government, he was appointed by Gov. John Sevier a Judge of the Supreme Court of law and equity. After a brief service he resigned to become a candidate for Congress

Mississippi Territory is at present vacant; NOW KNOW YE, That reposing especial Trust and Confidence in the Patriotism, Integrity and Ability of William C. C. Claiborne, of Tennessee, I do appoint him Governor in and

and was elected in August, 1797, to the Fifth Congress. He took his seat November 23, 1797. During his first session he was a member of the Ways and Means Committee with Gallatin, Harper, Baldwin and Bayard, and chairman of the Committee on Indian Relations. He was re-elected to the Sixth Congress, and voted for Thomas Jefferson for President in the Jefferson-Burr contest.

President Jefferson appointed Mr. Claiborne Governor of Mississippi Territory May 25, 1801, to succeed Winthrop Sargent, whose term had expired. A short time before receiving his appointment he had been married to Eliza W. Lewis, of Nashville, Tenn. The young Governor at this time was only twenty-six years old. He had gained the confidence of Mr. Jefferson, who believed him endowed with that wisdom, tact, judgment and discretion which were so necessary in instilling in the minds of the people of the new territory a love for American institutions, at a time when great events were taking place in Louisiana between France and Spain.

On October 8, 1801, he left Nashville for his new post of duty, going by boat down the Cumberland, Ohio and Mississippi Rivers, and reaching Natchez November 23rd. The Legislature met a few days after his arrival, and one of his first official acts was a message to that body. A short time after he reported to Secretary Madison that all opposition to the General Assembly had practically ceased. The Governor made a good impression at once, and became very popular soon after his arrival. Among the Legislative acts of interest was the change of name of Pickering County to Jefferson, in honor of the new President. Two new counties were formed from Adams and Jefferson and named Wilkinson and Claiborne, in honor of Gen. Wilkinson and Gov. Claiborne. On the recommendation of the Governor the territorial capital was moved from Natchez to Washington by an Act passed by the Legislature and approved February 1, 1802. The term of John Steele as Secretary of the Territory expired May 7, 1802, and Cato West was appointed to succeed him March 1, 1803.

The want of military equipment in the territory gave Claiborne much uneasiness, and when the cession of Louisiana by Spain to France was assured, he applied to the Secretary of War for one thousand rifles, and recommended the establishment of a well equipped military post, centrally located. His efforts resulted in the building of Fort Dearborn at Washington.

The election for Representatives in July, 1802, showed a reversal of

over the said Mississippi Territory; and do authorize and impower him to execute and fulfil the Duties of that office according to Law; and to Have & to Hold the said office with all the Powers, Priveleges and Emoluments

popular favor, and a great majority of the old members were defeated. The people did not approve of the ridiculous effort which had been made to impeach Chief Justice Seth Lewis of the Territorial Supreme Court, who had incurred the displeasure of influential members who were litigants before the Court.

One of the most important acts of the Claiborne administration was the collection, for the general government, of data relative to Mississippi land titles, which were in a chaotic condition in the Territory. The report which he made to Secretary Madison was the foundation upon which Congress based future measures for the settlement of local land titles.

In his message to the Legislature October 3, 1803, Gov. Claiborne, on the subject of the Louisiana Purchase, says:

"It is understood that by the late treaty between the United States and the First Consul of the French Republic, and which remains only to be sanctioned by the constituted authorities of our country, the Island of Orleans is ceded to the United States, and the American Empire bounded by the western limits of the rich and extensive province of Louisiana— an accession of territory not obtained by conquest, not held by the precarious tenure of force, but acquired by honest purchase, and secured to us by the national faith of its former owner— an accession of territory essential to the welfare of the western country, and which, by increasing the means of reciprocal benefits, will render still stronger the chain which connects the great American family in the inestimable union of interest and affection—a union, which, I pray God, may exist coequal with time."

Some of the most notable events of the Claiborne administration were the establishment of Jefferson College; arrangements for settling land titles; the survey of boundaries of the Natchez and Mobile districts and the establishment of a mail route on the Natchez Trace.

The Governor received an express from Washington November 9, 1803, notifying him of his appointment by President Jefferson as a Commissioner, associated with Gen. James Wilkinson, to receive from France the Louisiana Purchase, and to succeed the Spanish Governor until a government for the new territory should be established. He left Natchez in December with about two hundred Mississippi militia as a military escort. The two Commissioners met at Fort Adams and arrived within two miles of New Orleans, where they encamped De-

to the same of Right appertaining during the pleasure of the President of the United States for the time being, and until the end of the next Session of the Senate of the United States, and no longer.¹

In Testimony whereof, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Given under my Hand at the City of Wash-
(Seal) ington the Twenty fifth day of May in the
year of our Lord one thousand Eight hun-
dred and one, and of the Independence of the United
States of America, the Twenty fifth.

Thos- Jefferson

By the President

James Madison Secretary of State.

ember 17, 1803. Three days after Louisiana was transferred by Laus-
sat, the representative of the French Republic, to the American Com-
missioners, and Claiborne at once assumed the government of the new
possession. On September 26, 1804, he lost his wife and infant child.
After the death of his first wife he married Clarissa Duralde, a French
lady, and on her death married a Miss Bosque, a lady of Spanish de-
scent, who survived him.

During the absence of Gov. Claiborne from the Mississippi Territory
the duties of the executive office devolved upon Secretary Cato West.

Claiborne continued to exercise the duties of Provisional Governor
until October 2, 1804, when he was appointed Governor of the Territory
of Orleans. He continued to serve until the admission of that Terri-
tory to the Union in 1812, when he was elected Governor of the new
State. After serving two terms he was elected to the United States
Senate from Louisiana, January 13, 1817. He did not live to take his
seat in the Senate. He died November 3, 1817, and is buried in beauti-
ful Metarie Cemetery, New Orleans. Gov. Claiborne died when he was
on the threshold of a great national career at the age of forty-two. For
seventeen years he had been one of the most potent figures in what was
then the great Southwest.

For authorities on the life of Gov. Claiborne consult *Mississippi ar-
chives*, *Claiborne's "Mississippi,"* *Martin's Gayarre's and Fortier's*
"Louisiana," and *Claiborne's "Notes on the War of 1812."*

¹ Appointed during a recess of the Senate.

To James Madison,

Nashville August 2nd—1801-

Sir, -

Your Letter of the 10th ultimo, enclosing a Commission as Governor of the Mississippi Territory, I have had the honor to receive.—

Will you be good enough Sir, to inform the President of the United States, that I shall accept the *appointment*, which he has been pleased to confer upon me, and will endeavor to merit *it*, by a faithful discharge of those Duties which now are, or may hereafter be assigned to me.—

I am aware of the difficulty of the *task*, I am about to undertake;—I feel my inability to execute it with Justice;— But I flatter myself, that my best exertions to support the Interests of the United States, and to promote the immediate happiness of the People, over whom, I am to preside, will not prove unsuccessful.—

I shall repair to the Territory with all possible Dispatch, but the probability is, that it will not be in my power, to complete the Arrangements necessary to my departure, previous to the last of next month, or the first of October;— If therefore you should think proper, to make me any further Communications, in a short period, you will be pleased to forward them to this Town.—

I have the honor to be

Sir,

With every sentiment of Esteem
& Respect

Your Mot: Obt: Servt—
William C. C. Claiborne

The Honble- James Madison
Secretary of State.—

To James Madison,

Knoxville, September 16th- 1801.

Sir,

My Letter of the 2nd— of August, informed you that I should descend the Mississippi, some time about the last of this, or the beginning of next month;— I have now the pleasure to add, that the arrangements necessary to my departure, are nearly completed, and I shall certainly set out for my Government, in the Course of the first week in October.—It is to me a subject of regret, that I have not been enabled, at an earlier period, to proceed to my post, but I flatter myself, the public service has not as yet, sustained injury by my absence.—

Information which I have lately received from the Mississippi Territory represents, that affairs in that quarter wear a favorable aspect;—the public mind is tranquil, and Party Spirit considerably subsided;—The District increasing rapidly in population & wealth, and the most perfect harmony prevailing with the Spanish & Indian Neighbors.—

You could not confer on me Sir, a greater favor, than by giving me from time to time, particular Instructions relative to the Policy the Executive would wish to be pursued on our Southwestern Frontier; such Instructions shall always be executed, with promptitude, & pleasure, and my constant care shall be to forward the views, and promote the Interest of Government—

In eight or ten days, I shall leave this place for my seat near Nashville, & shall from thence, without delay, proceed with my family, by water, to the Town of Natchez, where I expect to arrive between the 1st— & 10th— of November.—

Accept I pray you Sir, assurances of my very sincere
& respectful attachment.—

I have the honor to be &c

(Signed) William C. C. Claiborne.

The Honble- James Madison,
Secretary of State.

To James Madison, Secretary of State.

Nashville October 7th 1801.-

Sir,

On Tomorrow I shall certainly set out for the Mississippi Territory— The Western Rivers are uncommonly low, and I anticipate a long voyage, but I shall make every exertion to reach the Town of Natchez by the 10th of November.—

The Territorial Assembly was convened (by a Proclamation of Secretary Steele¹) on the 3rd Monday in July last; they continued in Session (as I am advised) about five weeks, but transacted little Business, and what they did, is left incompleat for want of the Governor's Sanction, Colo Steele having been too much indisposed, to attend to his Official Duties.— On the 16th of last month, Colo Steele was still ill, & his Life despaired of.—

In a Letter, which I have received from Judge Lewis,² dated "Near Natches September 3rd 1801" he says, "It seems to be confirmed that Spain has actually agreed to give up Louisiana to France."³ I know not what

¹ Secretary John Steele was Acting Governor from April 3 to November 23, 1801, but severe illness prevented close attention to official duties

² Judge Seth Lewis, of the Territorial Supreme Court.

³ Secret treaty of St. Ildefonso between France and Spain, October 1, 1800, confirmed March 21, 1801. It was feared that England would seize New Orleans if the treaty was made public.

grounds there are for this Report, but it has prevailed in this State for several months, and obtained general belief.—

On my arrival at Natches my communications shall be frequent and regular.—

I am &c.

William C. C. Claiborne.

To the Honble James Madison
Secretary of State

To James Madison,

Natchez November 24th 1801.—

Sir,

On the 8th of October, I left Nashville, & did not reach this place, until yesterday morning;— My passage has been unusually long; but I beg you to be assured that this delay, can alone be attributed to the low state of the Cumberland, Ohio, and Mississippi Rivers, for on my part, every exertion was made to hasten my arrival.—

I found the Navigation of the Mississippi somewhat difficult, and often dangerous, particularly when the wind was high, which is frequently the case, during the Fall and winter months.—

Much of the Land on the Mississippi appeared to me, to be fertile, and pretty well adapted to Cultivation;— But this extensive Country has been greatly forsaken, or rather neglected by man.— On the Western or Spanish shore, there are three little settlements between the mouth of the Ohio, and a small Post, opposite to Natchez, a distance of upwards of 800 miles; 70 miles below the mouth of Ohio, is a Spanish Village, called New Madrid— here I called a few minutes, and paid my respects

in person, to the Commandant or Governor, who received me with great politeness; At this place I saw the Remains of a Fort, which had recently been destroyed by fire, a few soldiers, and about 60 Buildings; The Inhabitants were chiefly of French Extraction; I was informed, that a few miles from the Town, there was a compact and well improved settlement, the settlers mostly natives of the United States; I could not learn their numbers; 35 miles from New Madrid, there is another Village on the Bank of the Mississippi containing about 20 Houses; 150 Miles further, & opposite the lower Chiccasaw Bluff, is a small Block House; garrisoned by a Sarjeant and 12 men.—

On the Eastern or American side of the Mississippi, the only improvement, until I had reached the Walnut Hills (which are upwards of 700 Miles from the Mouth of Ohio) was the Garrison at the Chiccasaw Bluffs, called Fort Pickering—

This Garrison has proved a great convenience and benefit to the Citizens who Navigate the River;— The officer commanding at that Post within 9 months past has afforded relief to several distressed Boats, and in some instances, his own exertions aided by his Company have rescued much valuable property from destruction;— This deserving Officer is a Captain Sparks of the 3rd Regiment;¹— his truly benevolent & patriotic conduct has procured him, the Esteem of the Western Citizens, and will I am sure recommend him, to the President.—

With great deference to the Judgment of the Executive, I will submit for consideration the expediency of establishing several other small Military Posts on the Mississippi; I suppose the Indians would not be averse to Establishments of that kind, and I am certain they

¹ Claiborne's "Mississippi," pages 221, 222, gives interesting data relative to Col. Richard Sparks.

would prove of great public utility.— The western commerce is already immensely valuable, and is becoming more so, every year;— The dangers and difficulties of the Mississippi, would be encountered with much more cheerfulness, & the loss of property, would not as frequently occur, if there were more Stations, where the Citizens in distress, might apply for succour, & his wants at least partially supplied.

Colonel Steele is still living, & his disorder has assumed of late, a favorable aspect;— He is however too much indisposed to attend to Business, or to give me much Information as to the State of the Territory;— on this account, I feel myself under some Embarrassment, from which I hope to be relieved, in a little time by my own personal observations.—

A pamphlet¹ written by Governor Sargent (extracts from which you have no doubt seen in the papers) has reached this Territory, & is in general circulation; In this production, the *conduct* of the President in relation to Mr. Sargent is assailed with no less acrimony, than *that* of my own; personally it gives me no concern, but I regret exceedingly, that my appointment should have tended to increase the torrent of calumny against the Executive:—I believe this Pamphlet will have no effect in this quarter;— I shall endeavor by a just, firm and (as far as my Judgment will enable me) a wise administration, to convince the American World, that Mr. Sargent has greatly misrepresented my character.—

I am authorized to suppose, that the warmth of Party, has of late, considerably abated in this District, and that a very great majority of the people, are greatly disposed to give me their most cordial support.—

On Tuesday next, the Legislature of this Territory will commence its Session, and by the next mail you may

¹ Papers in Relation to the Official Conduct of Governor Sargent.

expect from me, further communications.—In the mean time, Sir, you may depend upon my exertions to promote the prosperity and happiness of the People, & I am sanguine in a hope, that I shall be enabled to restore to this Infant settlement, Harmony & mutual Confidence.

I have the honor to be Sir,

with great respect

your most Obedt Humble Servt

William C. C. Claiborne.

The Hble James Madison
Secretary of State.

To James Madison.

Natchez December 12th 1801.—

Sir,

On the 1st Instant; the Legislature of this Territory convened,¹ and on the next day I delivered an address to the two Houses of Assembly, a Copy of which together with their answer, you will find in the paper inclosed.—

From the little knowledge I have of this *Assembly*, I will hazard an opinion, that it is composed of honest men, much attached to the United States, and devoted to the Interests of this Territory.— For want of Legislative Experience, their early proceedings will, no doubt, be marked with some Irregularities, which I trust a little time, and attention, will greatly remedy.—

I have the happiness to acquaint you, that all opposition to the Second Grade of Government has (apparently) ceased, and that the Citizens generally seem contented with their political prospects.²—

By the act of Congress authorizing the establishment of a Government in the Mississippi Territory, I find that

¹ First General Assembly, second session.

² This was a question upon which the people were much divided.

the *Powers, duties & Emoluments* of a Superintendent of Indian affairs, for the Southern Department, shall be United with those of Governor:—I am solicitous that those Powers should be defined, and those duties prescribed; within the few days, which I have resided at this place, I have received many visits from the Chactaw Tribe of Indians, and the probability is that the number of those visits will increase, as I become better known; In some few Instances, where the public good seemed to justify the measure, I have ventured to direct the Contractor at Natchez to issue Rations to Indians;—A power of this kind was exercised by my Predecessor, and was no doubt sanctioned by the Government.—

Upon looking over the official Letters of Mr. Sargent on record in the Secretary's office, I discover that he frequently mentioned the Embarrassment he experienced in the Indian Department,¹ and that some partial instructions upon this *subject*, had been given him; the extent of which I cannot learn, since I find, that none of the communications from the Secretary of State, have been considered as public papers, and are not filed in the Office of the Secretary for Territory.—

The Chactaws from their contiguity to this settlement, are frequently troublesome, & often commit partial Depredations upon the Cattle &c of the Inhabitants;—At other times they receive spirits from the Citizens, become intoxicated and are abusive & viciously inclined; from these sources disputes arise, and I am looked up to, as the Arbitrator; hence the necessity, that I should be furnished with an *Interpreter*, and feeling sensibly the want of a character of this kind, I hasten to solicit the permission of the President, to employ one.—

An incident lately happened at Natchez which I fear will be attended with unpleasant consequences— An Indian of some *little* note, among the Chactaws, was about

¹ This matter had greatly troubled Gov. Sargent.

12 days ago in Natchez, and having drank too freely of *Spirits*, he in a little time became insolent, & was chastised with some severity by an unknown citizen —The Indian has ever since (the Evening he was whipped) been missing, and his *friends* suppose him dead; they have visited me, on the occasion; I have taken all the means in my power to have the Body of the Indian found if dead, or if living, to acquire intelligence of his person; but as yet no discoveries have been made.—The friends and Countrymen of the suppose deceased, seem much displeas'd, and threaten to retaliate; to keep those people in good humour, & to secure the Life of some innocent Citizen, I have subjected the United States to some little expence, and for the incurung of which, I hope, I shall stand excused.—

Colonel Steele, the Secretary of this Territory, still continues in a low State of health, and is unable to attend to business; this unfortunate circumstance has increased very considerably my official Labours.—

I am &c.—

William C. C. Claiborne

(The Honble James Madison
Secretary of State.—

*An Address from the Governor of the
Mississippi Territory to the two Houses of
Assembly.—*

Fellow Citizens of the Legislative Council, and fellow Citizens of the House of Representatives.—

Upon addressing you for the first time, in my character as Governor of this Territory, I feel my breast disturbed with Emotions, which I can neither suppress, nor conceal.—

An Impression of the importance of the charge committed to me;—a distrust of the sufficiency of my Talents, to discharge with propriety, the various duties, which may attach to this high Station;—A fear, lest my best endeavors to advance the prosperity and happiness of the people, might not prove either successful, or satisfactory, have all conspired to excite in my mind, much painful anxiety.—

But under every embarrassment which may await me, I shall experience great Relief; I shall possess that “greatest of consolations, conscious Rectitude,” for I have formed a firm Resolution to exercise the authority vested in me, with all that Justice, decision and Impartiality, which my best and most deliberate reflections may dictate. If therefore, I should commit Errors, and they naturally attend all human Efforts, my Heart will acquit me of Blame;—those Errors will proceed alone, from defect of Judgment, and such a generous people will always be disposed to forgive & to forget.—

In the course of my administration, a strict adherence to the Federal Constitution, the Ordinance of Congress, for our particular Government, all existing Treaties and other Laws of the United States, shall constitute my primary Rule of conduct.

With the two Houses of the Legislature, I shall carefully cultivate the most perfect good understanding, & by endeavouring to deserve, I hope to be honored with their confidence and Esteem; All *Laws* essential to the welfare of our constituents, shall receive my most cheerful assent, & no exertions of mine, shall be wanting, to carry them into complete effect;—The policy of making ample provision, for the public Exigencies, shall always meet with my support, but on all occasions, I shall esteem it a duty to discountenance Extravagance, & to practice that great national *Virtue, Aeconomy*, a departure from which never fails to be accompanied with a diminution of the general happiness.--

Fellow Citizens of the Council, and fellow Citizens of the House of Representatives.—

From the few days which we have passed, since my arrival, it will not be presumed, that I am informed of those local Inconveniences (if any there are) which may require Legislative Interference;— that I could be sufficiently acquainted with the operation of the existing Laws, to say, how far they are defective;— But your own observations on those points, I hope to find correct, and you may rely upon my cordial co-operation in all necessary measures.— There are some subjects however, to which, from their great importance to society, I cannot forbear soliciting your attention;— of these, the most interesting are our Judiciary & *Militia* Systems;— on a proper arrangement of the *one*, materially depends the security of our personal Rights;— with a due organization of the other, is intimately connected with our safety as a people.—

As the Territory increases in population, the business, in the Judicial Department, will be proportionately enlarged, & such Provisions ought to be made from time to time, as will insure a prompt redress of wrongs, and a speedy recovery of all just demands; the people are intitled to Justice “in the most cheap, easy and expeditious manner, promptly & without delay, conformably to the Laws.”— You will consider therefore, whether the present Judiciary System admits of improvement; The Legislature is vested with the Authority, to prescribe “the powers and duties of Magistrates and other Civil officers,” and to make “Laws in all cases for the good Government of the District, not repugnant to the principles & articles of the Ordinance.”—

With respect to the *Militia*, it is certainly an object of very great concern;— A free people ought to be well armed, well disciplined, and at all times in a situation to defend their Country; a preparation of this kind, is

the surest guarantee of peace, and a certain source of safety in time of War.— To form an energetic and efficient Militia, much attention and care are requisite on the part of the Government.—The operation of a Law upon this Subject, ought to be general, and strictly enforced; *Its* provisions should embrace (with a few exceptions,) all men whom age or infirmities do not incapacitate from bodily Exertions;— Many exemptions from Militia service, are not only injurious to the Institution, but very unjust;— By the Social Compact, every able bodied Man, is bound to perform personally, in proportion of his Military duty for the defense of the State.—The public convenience may justify a dispensation with this obligation, as it respects some of the principal civil officers, and perhaps some religious Sects, who being conscientiously scrupulous of bearing Arms, their personal service may not be as advantageous to the Territory, as an Equivalent in Money.—

Fellow Citizens of the Council, and fellow Citizens of the House of Representatives.—

Under the smiles of a *beneficial* Providence, I indulge a pleasing hope, that our Constituents will enjoy a great share of happiness and prosperity.—

Favored with a soil, so fertile as to reward abundantly the Industry of man, & a climate propitious to almost every production; so situated on the Map of America, that the rich commerce of the West, passes in review before us, and adds daily increase to our wealth; surely the Blessings of Independence and Plenty may be acquired by every Citizen! Possessing a temporary and local constitution founded on the Representative principle, and justifying an expectation that it will prove equal to the support of Good-order, and our common Interest;— In a particular manner too, placed (during our infant state) under the superintending care of that wise & virtuous Government, which I trust, will long dispense

with an equal and liberal hand, Peace, Liberty and safety to all United America; surely we ought to consider our political felicity as greatly secured.— But those fair prospects will all be destroyed, unless aided by just and equal Laws, and those supported by a virtuous people.—

If indolent and viscious habits, Luxury and extravagance should become prevalent in our society; the depression of the many, and the aggrandisement of the few, will eventually ensue:— If the Citizens should attach little value, to that first privilege of freemen, the Right of suffrage, and elect to office men, in whose characters, Integrity, Love of Country, and of Civil and religious Liberty, are not eminently conspicuous; then Legislation may become a source of oppression! and lastly! when Party Spirit, that Bane to happiness, gains an ascendancy in our Land, and those civil dissensions are fostered, which enslave the mind, and enable passion to triumph over Reason; then there can exist, no certain security, and the best Interests of Man will be put to hazard.—

But those misfortunes will never befall this Territory; I hope that the great Governor of the Universe, has decreed for this people, the happiest of Destinies.—

Let us then with great humility and Gratitude to Almighty God, the Author of all Good, cultivate and improve those Blessings which are so liberally extended to us: In the pursuit of Agriculture, Commerce, Manufactures & the Arts, let every person be equally protected and in proportion to his merit respected:— In the support of Order, the promotion of Morality, and the suppression of vice, let us all unite, and enrich Society with the charms of harmony and Concord.— While we feel and manifest our attachment to the Union, with the Mother States, let us impress the advantages of that Union, upon the minds of our children, and by rearing them up in the paths of Virtue and Science, enable them

the better, to appreciate the excellencies of a free Government, and to become useful to themselves and Country.—

William C. C. Claiborne.

Natchez December 2nd 1801—

To the above Address the Assembly returned the following Answer.—

To His Excellency William C. C. Claiborne Governor of the Mississippi Territory.

Sir,

Your Address delivered to both Houses of the General Assembly on Tuesday last, was received with the highest satisfaction;— The sentiments you then expressed, are truly becoming the republican character; and the Governor of a free people— and which we are convinced will be manifested, throughout the course of your administration.—

The importance of the trust reposed in you as Governor, is great;— But from the ample resources of your mind, and your vigilant attention to business we trust you will be enabled, to discharge with credit to yourself and satisfaction to the people, the arduous duties of your high Station.—

Your determination of a strict adherence to the Federal Constitution, Treaties, and Laws of the United States, we highly approve and in which you may rely on our co-operation and support.—

We reciprocate Sir, your disposition to cultivate a good understanding between the two Houses of Legislature;— and permit us to assure you, that you are received by them as the Patron and friend of our Coun-

try;—and that their confidence & esteem is proportionably to your superior merit.—

The Legislature may in the course of their deliberations be incorrect, but with the aid of a Governor well disposed and eminently qualified we may fairly presume to hope no material injury can arise to the community from their inadvertencies.—

We think with you Sir, that it will be the duty of the Governor to practise Aeconomy and from which we trust the Legislative Authority of the Mississippi Territory will never deviate.—

Since your arrival Sir, it is impossible you could be informed of all the local inconveniences which require Legislative interference;— But those inconveniences are numerous and many of them extremely oppressive, and these which can only be known to you in theory, have been severely felt by the Citizens in experience.—

One evidence of the Laws being defective is that the political situation of the Country, in every view is much worse than before their publication.—

The Legislature are very sensible of the great importance of the Subjects to which you have solicited their attention and foresee the consequences of delay.—

We do most heartily and sincerely unite with you in gratitude to Almighty God, the Author of all Good, for the blessings you have enumerated, so liberally bestowed to the People of this Country.—

We entirely coincide with you in all matters respecting our internal Peace and tranquility which we flatter ourselves we shall enjoy under your administration from a gracious and indiscriminate patronage extended to all good Citizens, which will shelter us from the baneful influence of party Spirit, and every device that may disturb our repose.—

Permit us, Sir, to repeat the assurances of our confi-

dence and esteem.— And accept our best wishes for your personal happiness and prosperity.—

Henry Hunter,

Speaker of the House of Representatives.

John Ellis

President of the Council

Natchez,

December 4th 1801—

From Benjamin Hawkins¹ to Gov. Claiborne.

A Letter from Colo: Benjamin Hawkins to the Governor of the Mississippi Territory.

Fort Adams 10th Decr 1801-

Mr. Dunbar² arrived last evening and delivered me your favor of the 4th instant.— The Indians have been a long while on the path & we have now with us a respectable representation of the Chactaws; and shall continue our conference with them in 2 or 3 days—

It is my duty to lay the enclosed before you, for your information, that you may take such measures as you may deem proper in relation thereto— It is much to be wished that the people of this Territory could be prevailed on to observe a friendly deportment towards the Indians particularly on occasions like the present; as all intercourse by land between us and the Atlantic States is through the Indian Lands a disposition on their part unfriendly towards travellers would greatly incommode them; and we have a right to expect the improper conduct detailed to you if not timely checked will tend to generate such a disposition.—The case of the man sup-

¹ Agent to the Creek Indians. For historical sketch of this remarkable pioneer see Chappell's "Miscellanies of Georgia," pages 59-73.

² William Dunbar.

posed to be murdered should be examined into in usual form & a candid statement made of it to the agent accompanied only with general assurances of a disposition friendly to Indians and a determination to exercise the full force of your authority to bring the offender to justice;— This will be highly satisfactory to the Chiefs.—

I am not very well, having caught a cold—I shall write you again if any thing interesting occurs.—

I have the honor to be with sincere
regard and much esteem

Dear Sir,

Your Obedt Sert-

Benjamin Hawkins.

The bearer is the brother to
the man supposed to be murdered
he speaks English.—

From John McKee to Benjamin Hawkins.

Loftus Heights Deer 9th 1801-

Lewis Vaun, a half breed Chaetaw states to me from information given him by a frenchman of Natchez, that on or about the 26th day of last month his brother Samuel Vaun was in the town of Natchez where he was seen in the evening in company of a Chaetaw, both intoxicating and quarreling; they separated in the street and Vaun as he walked along met a waggon or Cart on which he laid hold— the Carter advised him to go away least he might receive some injury from the cart, and was obliged at last to disengage him by force and push him away— he then went close to the Bluff, returned and was seen sitting in the street near a Hatter's shop where he had that day purchased a hat, and that he has not been seen or hear of since.—

Lewis Vaun has farther heard from a Chactaw that he was informed by a Negro belonging to a bald-headed white man living on Look, ye, a, hoo, la supposed to be St. Catherine) that his brother Samuel was killed by a Negro;— He had with him two blankets, two hats, one piece of binding and twenty dollars.—

I take this opportunity of representing to you for the information of the Commissioners that many of the Chactaws now here have complained to me of ill treatment they say they have received from the white people on their way between Homo Chitto and Buffaloe, and to add my opinion that if such acts of violence do not meet a speedy and decided check they will inevitably lead to serious & deplorable Consequences.

With sincere respect & esteem

I have the honor to be,

Sir,

Your obedient Servant

John McKie

The Honble

Colo. Hawkins.

To Benjamin Hawkins.

The Governor returned to Colo: Hawkins' *Letter the following Answer.*-

Natchez December 14th 1801-

Dear Sir,

On the evening of the 12th Instant, I received by Lewis Vaun, your Communication of the 10th together with the Statement made to you by Colo: McKie.—

I am sorry that the conduct of any portion of the Citizens of this Territory, should have been such as to ex-

cite the displeasure of the Indians and as an evidence of my great solicitude to check for the future, similar acts of Imprudence, and to preserve a friendly understanding with our Indian Brethren, I have this day issued a Proclamation, of which the enclosed is a Copy;— Perhaps my caution to the People is not sufficiently strong, but in the course of my little experience of the disposition of Frontier Citizens, in relation to Indians, I have uniformly discovered, that the language of persuasion, and friendly advice was more likely to produce a happy effect than any threat of prosecution & punishment, which could be made.

The case of the man supposed to be murdered, has heretofore and will continue to receive my attention:— But the fate of the Indian missing continues so uncertain, and the proof of real Violence having been offered his person so deficient, that it is not in my power as yet, to take any efficient measures.—

In a conference which I have had with Lewis Vaun the brother of the supposed deceased I have with great sincerity given him the fullest assurance that all proper exertions shall be made by me, to discover and punish the guilty person, if a murder has actually been Committed; early next Spring, Lewis Vaun has promised to pay me another visit and in the mean time he has pledged his word “that his heart shall be straight.”—

With best wishes for a speedy recovery of your health, and the Complete Success of your Mission¹— I remain with great respect & sincere Esteem

Your most obed: hble: servt.

William C. C. Claiborne.

Colo: Benjamin Hawkins.—

¹ Treaty with Choctaws at Fort Adams December 17, 1801, Laws of U S., 344.

By his Excellency William C. C. Claiborne Governor and Commander in Chief in and over the Mississippi Territory.—

A PROCLAMATION.—

Whereas I have received Official Information, that many of the Chactaw Indians who are now attending the Treaty at Fort Adams, are much dissatisfied in consequence of certain “Ill treatment, which they report to have received (while on their Journey) from the white People residing between Homo Chitto and Buffaloe”;— And whereas a repetition of such treatment, might generate Ill-Will, and eventually interrupt that friendly understanding which exists between the United States, and the Chactaw Nation, I have thought proper to issue this my Proclamation, hereby earnestly exhorting and requiring all and singular the citizens of this Territory, to refrain from all manner of Offence and violence against all and singular the Indians, who may be going to, or returning from the Treaty aforesaid, or who at any time hereafter, may in a peaceable manner, be passing through the settlements of this Territory.—

I am well aware that the good people of this District are subjected to some inconvenience from Indian Visits, and which of late, are so frequent, as to become burthensome;— But the Object, for the attainment of which, the Chactaws have been invited from their own Country, being of great importance to the United States, I trust that every good Citizen will Cheerfully submit to a temporary Inconvenience, and on all occasions cautiously avoid every Act which might prevent the Complete success of the Negociation, or disturb that friendship with our Indian Brethren, which enables the Traveller in the Wilderness to sleep secure, and the Farmer on the Frontier, to cultivate his field in safety.—

Given under my hand, & the Seal of the Territory near Natchez, on the fourteenth day of December; one thousand eight hundred & one, and in the twenty sixth year of American Independence.—

William C. C. Claiborne.

By his Excellency's Command
John Steele, Secretary

On the 18th. . of December, the Governor issued the following Proclamation.—

By his excellency William C. C. Claiborne Governor and commander in Chief in & over the Mississippi Territory.—

A PROCLAMATION—

Whereas the Legislative Council, & House of Representatives of this Territory were by adjournment to have met in General Assembly, at the Town of Natchez in the Government House, on Monday the 14th. . day of the present Month; And whereas by an uncommon fall of Rain, which had raised the water Courses, and prevented all & singular the Members of the Council, and House of Representatives, from attending at the place, & on the day aforesaid;—And whereas doubts have arisen, whether or not by this event the Session of Assembly is not Closed, and cannot constitutionally be resumed, without the express Authority, and command of the Governor: Now therefore to quiet all doubts upon this subject, & to give *no ground*, for any person, who may be so disposed, to question the validity of the Acts of the present Assembly: I have thought proper to issue this my Proclamation, hereby requiring and Commanding the Members of the Legislative Council & those of the House of Representatives respectively, to met in

General Assembly, at the Government House in the Town of Natchez, on Saturday the 19th— day of the present Month, at the hour of 10 O'clock in the forenoon—

Given under my hand, and the Seal of the Territory, near Natchez on this 18th day of December Anno Domini 1801, and in the (Twenty-) Sixth year of American Independence

(Seal)

William C. C. Claiborne

By his Excellency's Command—

John Steele, Secretary—

To James Madison, Secretary of State.

Natchez December 20th. . 1801—

Dear Sir,

I have at this moment, been informed, that the Commissioners of the United States,¹ have concluded a Treaty (at Fort Adams) with the choctaw Nation; The Chiefs have consented to the Opening of a *Road*,² through their Lands to Tennessee, but refuse permission to erect houses of accommodation: I presume therefore, that this *work* will shortly be commenced, and when completed, will no doubt prove a great public convenience.—

The western commerce, the present and ensuing Year, will be infinitely more valuable, that it heretofore has been— great quantities of Flour & other articles of Export, have within these few days arrived at and passed by this Town, and the Mississippi presents daily a strong proof of the great increase of Industry, & wealth, among our Western fellow Citizens.—

In this Territory the labour of the Farmer will be liberally rewarded; our Staple commodity Cotton has been

¹ James Wilkinson, Benjamin Hawkins and Andrew Pickens.

² This road was laid out and was known as the "Natchez Trace."

very productive, & meets with an immediate and lucrative Market.— I have heard it supposed by men whose opinions are entitled to respect, that the aggregate amount of the Sales of Cotton, raised the present year, in this District, will exceed 700,000 Dollars, which among a people, whose numbers (of all denominations) do not exceed nine thousand, is an immense Revenue;— The, fact is, that Labour here, is more valuable, than in any other part of the United States, and the industrial portion of the Citizens, are amassing great fortunes;— These are truths so generally admitted, that the former objection to the Second Grade of Government “the increased Expence¹, & the Inability of the people to meet it” seems to be abandoned, and I hope will never again be revived.—

The Territorial Legislature, (who are still in Session) are engaged in the formation of a new Judiciary System;— The manner in which the Superior and Inferior Courts have heretofore been arranged, meets with general disapprobation, and there is certainly great Room for amendment;— But it is doubtful whether *such* will ultimately be made; unfortunately there is a great difference between the Judges of the Supreme Court, & the People; one half of the Citizens, & perhaps a *greater number*, have no confidence in the Judiciary; the Members of the two Houses of Assembly are among the most prejudiced, and I fear upon this *Subject* they will be inclined to Legislate *rather* against Men,² than upon principle; This is really an unpleasant State of things, and will not fail to be a source of much trouble to me.³— A

¹ The principal argument against the second grade of government.

² The outcome of political differences in the Sargent administration.

³ Chief Justice Seth Lewis gives an interesting account of the war which was made on the Court by the Legislature, in his manuscript autobiography, which is on file in the Mississippi Department of Archives and History.

late decision made by the Superior Court, for this Territory (and which probably will be found strictly legal) has given rise to much Complaint, and in a particular manner excites the sympathy of the Legislature.— Subsequent to the ratification of the Treaty with the United States and Spain, and shortly before this District, was evacuated by the Spaniards, the Spanish Governor General, & his agents granted to some of their Favorites, much valuable Land, and in order that the Grants upon Inspection, might appear legal, they were made to bear date, previous to the Treaty;— This kind of Conduct, is known to have been practised, and indeed some persons who have been benefited by the *fraud*, are stated to me to have avowed *it*.—In some few instances, those fraudulent Grants were made for Lands, which had been previously bona fide granted, and in a case of this kind, where a suit has been brought, the holder of the fraudulent Grant, (which was eldest in date) obtained a Recovery:— In the Inferior Court, where the Case was first enquired into, parole Testimony was admitted to invalidate the antedated Grant, & the Defendant obtained a verdict; But upon an appeal to the Superior Court, the parole testimont was declared inadmissible, and of course the Plaintiff succeeded:— This case is thought a hard one, and the Legislature to afford a remedy, had it in contemplation, to pass a Law authorizing the admission of parole testimony, to invalidate certain Spanish Grants, but upon my intimating to some of the Members, that I could not for the present, assent to a measure of that kind, it has not been passed.— I am persuaded that the Spanish agents were guilty of the conduct; with which they are charged, & that in this way, much Land, which according to strict Right, ought to be considered vacant, has been granted.— But I do not know, how this business is to be remedied; A statute for the admission of parole Testimony to disprove a Record, would be a great

Innovation upon the Laws of Evidence, and might lead to injurious Consequences, and yet I can see no other way, in which the frauds complained of can be guarded against, unless indeed, a Court of Chancery would reach the case, and it seems to be the opinion of most of the Lawyers here that it would not.—

If this subject should be deemed of sufficient Importance; I should be happy to obtain your sentiments thereon.—I believe before the Rise of the Legislature, they will present me with a pretty strong Militia Law, & which is really much wanting in this Territory.— My Predecessor notwithstanding the exercise of great exertions, was unable to organize the Militia, and (except the regular Troops at Fort Adams) I found the Territory entirely defenceless.—

The Citizens, are not armed, nor can suitable Arms I fear be procured in this District; It would add greatly to the security of this distant and exposed Frontier if the Executive would send to Natchez about four hundred Muskets, and as many Rifles, with directions, that they be sold at such price, as would reimburse the United States the original Cost.— Until the Militia of the Territory, are well armed & disciplined, my mind will not be tranquil: Bordering upon the Dominions of a Foreign Power, separated from the nearest State (Tennessee) by a wilderness of 600 miles in extent;— in the Neighbourhood of numerous Savage Tribes, and with a population of Negroes, nearly equal to the number of Whites;— There exists no certainty for Peace, & our best reliance for safety must depend upon a well armed & well trained Militia.—

The Spanish Government at New Orleans (from latest information) pays great respect to the commerce of the United States, and continues very friendly to the Americans who visit that Port. —

It is still reported that Louisiana & East & West Florida, are ceded to France, & in support of the truth of the Report it is stated that the Fortifications at New Orleans, were of late much neglected, and going fast to decay.¹—

With great respect & sincere Esteem—

I am Dear Sir,

Your most Obedt. Hble. . Servt—

William C. C. Claiborne.

The Hble— James Madison

Secretary of State—

To James Madison, Secretary of State.

Natchez January 8th. . 1802—

Sir,

Since my Letter of the 20th. . Ultimo, I have had nothing very interesting to communicate.—

The Territorial Legislature have not risen; they progress slowly in Business, but what *they* do transact, will I trust be marked with care & prudence.—

Political disquietude is nearly exiled from this Territory; among the people I can learn of no other discontent, but on the subject of the *Judiciary*, of which, I advised you in my last Letter; on this point, my best endeavours to remove distrust, & to excite Confidence, have failed of success;— It is to be lamented, that the Supreme Court for this Territory, should be so deficient in Law knowledge. — The Chief Justice Mr. Lewis is certainly a man of Talents, & was respectable as a Lawyer, but his Colleagues Messrs. Tilton & Bruin, (however amiable

¹This letter appears at pages 222 and 223 of Claiborne's "Mississippi," but strange liberties are taken in quoting it.

they may be in private Life) are generally supposed, not to be qualified for the offices they hold.—Mr. Bruin was (I believe brought up as a Merchant and Mr. Tilton it is said some years ago read Law 12 or 18 months, but was never in the practice;— If either of those Gentlemen should resign, (and it is probable, that one of the two will in a short time) I sincerely hope that the vacancy may be filled with a character possessing good Law information.—

The Legislature have now under Consideration, a Bill to vest in the Superior Court, an equity jurisdiction; I believe myself that a Court of Chancery would give relief against those Anti-dated Grants mentioned to you, in my Letter of the 20th— Ultimo;— These frauds have certainly been numerous, & if no way can be devised to discover & defeat them, much confusion, & wrong will (possibly) arise in this Government.—

The News of Peace in Europe,¹ reached this place on yesterday, by the way of New Orleans:— I congratulate you on this great Event; it is interesting to the cause of humanity, & cannot fail to advance the happiness of mankind.—

Colo: Steele continues in bad health, and unable to attend to Business.—

Accept assurances of my great Respect & sincere Esteem—

I am, Sir,

your most obed: Hble: Servt.

William C. C. Claiborne

The Honble: James Madison

Secretary of State—

¹ Treaty between England and France signed October 1, 1801.

To Lewis Evans.

The Governor wrote the following Letter to Mr. Lewis Evans, on removing him from the office of Sheriff of Adams County.—

Natchez January 9th— 1802.

Sir,

Mr. David Ker is appointed your Successor as Sheriff for the County of Adams, and was this day sworn into office; you will therefore be good enough to deliver to Mr. Ker, any papers in your hands appertaining to the duty of *Sheriff* for Adams County, and consider yourself no longer authorized to act in that *Character*.—It will be your duty also, to surrender to Mr. Ker any prisoners which you may have in charge, together with the Keys of the Jail, & such other public property, as may have been confided to our care.—

With great respect.

I am Sir,

your hble— Servt—

William C. C. Claiborne.

Mr. Lewis Evans.—

To William Vousdon.

The Governor wrote the following Letter to Mr. William Vousdon upon his declining to serve as Treasurer General.—

Near Natchez January 11th— 1802—

Sir,

I have received your Letter of the 9th Instant in which you express an Intention, not to accept the Commission of Treasurer General for this Territory—

I was very solicitous to have availed the Public of your services in so important an office, but the reason you assign for declining, is such, that I do not further press your acceptance, and must pray you, to receive my best wishes, for a speedy restoration of your health.—

With respect and Esteem.

I am Sir,

your most obd. Hble Servt

William C. C. Claiborne

Treasurer General.

——— Abner Green Esquire, was on the 12th. January appointed by the Governor, Treasurer General.—

To James Madison.

Natchez January 20th— 1802—

Sir,

I take the liberty to enclose for your perusal, a Letter, which I this day received from Mr. Harding, the Attorney General of this District containing an interesting detail of the situation of some claims for Land in this Territory.—

A Judicial Decision, which was noticed in my Letter of the 20th— Ultimo, the one alluded to by Mr. H, & if the Statement made by this Gentleman be correct, and I have now reason to believe that it is strictly so, it seems to me, that the legality of the opinion delivered by the Supreme Court may well be questioned.—

I must ask the favour of you, to lay Mr. Harding's Letter, before the Attorney General of the United States, and to request his opinion how *far* the antedated Span-

ish Grants may be considered as valid, & in what manner, it would be most advisable, to have them investigated;— The clamours of Citizens here, are great upon this subject, & their resentment much excited, at the Idea, that the Parties concerned in such frauds, should derive any benefit therefrom.—

The Peace in Europe, has greatly lessened the price of all Exports (except Cotton which continues high & in demand) at New Orleans, & I fear that many of the Western Citizens, who have lately adventured in the Mississippi Commerce, will sustain great loss.—

It was two days ago reported in this Town, that an Embargo was about to be laid upon American Vessels at Orleans, and the Commerce for the future, would be excluded that Port.—Although I gave no credit to so improbable an event, it became my duty to trace the report to its source, & am now authorized to suppose it entirely unfounded:— The Spanish Government however at Orleans, has of late, manifested some solicitude & uneasiness— the cause of this anxiety is not certainly known, but an American at Orleans conjectures that it proceeds from the cession of Louisiana to France, and the approach of French Troops to take possession of the District:—I hope & believe this conjecture will prove groundless, but it seems to be credited in this quarter.—

I have not had the honour of a communication from you since my arrival at Natchez.—

With the most respectful consideration,

I am Sir,

Your very Hble— Servant

William C. C. Claiborne

Hble. .

James Madison

Secretary of State.—

To Thomas Jefferson, President of the United States.

Copy of a Letter from the Governor, to the *President of the United States.*—

Natchez January 21st. 1802—

Sir,

I have the honour to enclose you, an address from the House of Representatives of the Mississippi Territory,¹ & have the pleasure to add, that the sentiments it contains, are in unison with the feelings of a great Majority of the Citizens of this Territory.—

I am persuaded an opinion generally prevails in this District, that the Liberty, Peace, & safety of our Country, greatly depend upon the preservation of our present National Union, & free Government; and to give duration to such important Impressions, will be among the greatest objects of my public cares.—

With great Respect and sincere Esteem

I am Sir,

Your most obd: Hble. . Servant—

William C. C. Claiborne—

The Honble. . Thomas Jefferson

President of the U. States—

To Thomas Jefferson, President of the United States.

House of Representatives of the Mississippi Territory.—

January 20th. A. D. 1802—

Mr. West from the Committee appointed for that purpose, presented the Draft of an address to His Excellency the President of the United States, which being

¹The address, with the reply of the President, are on file in the Department of Archives and History.

twice read, was unanimously adopted as follows.—To wit.—

An address from the House of Representatives of the Mississippi Territory to His Excellency Thomas Jefferson President of the United States.—

Sir,

In the course of a Long, Honourable, and useful Life, your love for Mankind and their Rights, your Wisdom to discern, firmness to pursue, and solicitude to promote the true interests of the American Nation, have been eminently conspicuous, and while such virtues and Talents have attracted our admiration and Esteem, they could not fail to inspire a respect for, and a confidence in your Administration.—

In superintending the affairs of United America, and forwarding the welfare of your numerous constituents, we are fully assured that this Territory will occupy a due proportion of your care, and on all proper occasions, will receive the fostering support of the General Government.—

No part of the United States Sir, possesses more local advantages than this District and her advancement to prosperity, promises to be speedy and certain.— We acknowledge with gratitude, that under your paternal auspices, our prospects for political happiness have greatly brightened, and we anticipate with fondest expectation, the arrival of a period, when this Territory, mature in age, strong in population, and rich in resources, will add still greater security & confidence to the American Union & we flatter ourselves, that her present & future Legislators, will remain no less zealous & firm in the support of virtuous Rulers, & virtuous measures than in a Strict adherence to constitutional provisions, & those republican principles, which the Patriots

of Seventy Six, had the goodness to conceive, the boldness to avow, and the fortitude to maintain.—

WE PRAY ALMIGHTY GOD, to prosper your administration, & extend to a Life so valuable, the particular patronage of HEAVEN.—

(Signed) H. Hunter, Speaker of the house
of Representatives.

Resolved that the above address be transmitted by the Speaker, to Governor Claiborne, who is hereby requested to forward the same, to the President of the United States.—

Extract from the Journal
E. L. Harris, C. H. R.—

To James Madison.

Natchez 23rd. . January 1802—

Sir,

On the Evening before last, the message from the President, to the two Houses of Congress, at the opening of the Session, reached this Town;— The perusal of this interesting communication afforded me great pleasure, and I feel greatly solicitous for the adoption of the measures recommended.—

The state of this Territory, is not such as I could wish, nor is the prospect for unanimity in Society, as flattering as I had once anticipated: Some few domestic factions, & private parties still exist, & to lay this Evil Spirit, much time will (I fear) be required:— It is a pleasure however to me to know, that those parties were created before I came into the Government, & that I have firmness enough, to act independent of any of them, & virtue sufficient, to be just to all.—

The Legislature of the Territory continues in Session, but will probably adjourn in a few days:— with

love of Country & honesty of intention this Body is amply supplied, but there is a deficiency in Legislative information, & experience, which occasions much embarrassment, & will I fear be attended with some public injury.

The Laws pas'd by the Governor & Judges under the first Grade of Government, were greatly defective, and most of them have been repealed;— The Legislature have adopted very nearly an entire new Code of Laws, and these also will (no doubt) be found imperfect, but I felicitate myself with a hope, that when put in practice, they will conduce more to the convenience, & protection of the people, than those, they have heretofore been accustomed to.—

A Law to prohibit the importation into the Territory, of Male Slaves, above the age of Sixteen, past the House of Representatives, but was rejected in the Council;— this kind of population, is becoming alarming, and will in all probability, (sooner or later) prove a source of much distress:— The culture of Cotton is so lucrative, and personal labor consequently so valuable, that Common Negro Fellows will generally Command five hundred dollars per head, and if such encouragement should long be afforded, to the sellers of *Negroes*, this Territory must soon be overrun, by the most *abandoned of that unfortunate race*.—

I am making exertions to organize the Militia of this District;— but many obstacles present, the greatest of which are the want of arms and the means of obtaining a supply.—

I am Sir,

Your most obd. Servant—

William C. C. Claiborne.

The Honble. .

James Madison

Secretary of State.—

To Bernard Lintot.

The Governor wrote the following Letter to Mr. Lintot, upon his resigning the office of Treasurer for the County of Adams.—

Natchez 28th. January 1802—

Sir;

Your Resignation of the Office, of Treasurer for the County of Adams is accepted and Mr. John Henderson is appointed your Successor, to whom you will be pleased to deliver the accounts, vouchers and other Documents relating to said Office.—

Conscious of your Official Talents & Integrity, I regret the loss of your services, but the reason you have assigned for retiring from public employment, is such, that I can no longer press your continuance.—

With a sincere wish for your
happiness in Life,

I am Sir,

with great respect

Your mo: obt. hble. . Servt—

William C. C. Claiborne

Mr. Bernard Lintot.—

To James Madison, Secretary of State.

Natchez February 5th— 1802.

Sir,

On the 29th. . Ultimo I addressed to General Wilkinson, who was then in this Neighborhood, a Letter, a Copy of which together with his answer, are herewith enclosed you.—

I hope the request, I have made of the General, will not be deemed improper;— peace within & without at

present, prevails in this Territory, but surrounded as it is, by numerous Indian Tribes, and with a population of Negroes, nearly equal to the number of Whites, the continuance of that Peace, is certainly precarious, and it seemed to me advisable, to have the spare Arms at Fort Adams, placed in some situation, where, in the hour of danger, the Militia could be furnished with the means of defence.—

The erection of this Arsenal will be attended with no increased expence, to the United States;—the Houses will be erected by the men, and the use of the land upon which the Arsenal is placed, and the necessary timber shall be procured gratis.—

The territorial Legislature closed their Session on the Second Instant;—their *acts* are not voluminous, but for the want of a good Printer in this Town, the Printing and Publishing *them* will probably be attended with great delay, trouble and expence:—The People already complain, that they are not informed of their Laws;—the fact is so, but it is not in my power to remedy the misfortune;—the only Printer in this Territory, (& by the by he is a novice in his profession) is employed upon high wages, to print the Laws;—the work is commenced, but from the want of Types, a good Press, & necessary assistance, *it* will not be completed for several months.—

I am surprised that some of the Northern Printers, do not turn their attention to this Territory;—I know of no part of the Union, where a Paper well conducted, would be more lucrative to the Editor, or greater advantage to Society.—

Mr. Sargent arrived a few days ago, & was friendly received, by those Gentlemen, who were most active in his support, while Governor:—Mr. Sargent has retired to his farm, and I have not yet been informed of any exertions on his part, to embarrass my administration. —

A violent dispute has arisen between the two Houses of Assembly and Mr. Lewis the Chief Justice of this Territory who has many friends;— upon the Petition of some Citizens, the assembly authorized the taking of depositions, as to the Official conduct of the Judge, with a view, I suppose of exhibiting to Congress charges against the Judge, and to solicit his impeachment:— Here then is an occurrence, which has increased still more, the flame of *party*, & rendered the restoration of entire harmony, to this Society, (for the present) without the reach of human Power.—

The Papers printed at Washington, for which I have subscribed, are so frequently lost or destroyed on the passage, by the Mail to this distant Settlement, that you will confer on me a great favor, if you would occasionally inclose me a paper which should contain any interesting information.—

With great respect,

I am Sir,

Your mo: obd: Hble— Servant

William C. C. Claiborne

The Hble.

James Madison

Secretary of State.—

To James Wilkinson.

Natchez 29th. January 1802—

Dear General,

The exposed situation of this Territory, and the causes which exist to apprehend danger from within & without;— the general want of arms among the Militia, & the feeble stand, which they would be enabled to make in the event of Indian hostilities or Insurrection among

the Negroes, are facts which could not have escaped your notice.— I know indeed that the small detachment of Federal Troops on command in this quarter, would afford some succour, but much slaughter might (probably) ensue before this force could be brought to act and *it* could not give certain security without support from the Militia.—

Finding the Territory thus situated, I am induced to solicit you to erect a small Block-House, central to the population of the District as a place of deposit, for such spare Arms as may now be lodged at Fort Adams, subject to my order & to the use of the Militia if occasion should demand.—

I do believe that an establishment of this kind would add greatly to the safety of the People, & I trust it may be made without injury to the public service:—A small Guard would only be necessary & a Subaltern's Command would be amply sufficient.— You know Sir, that Fort Adams is some distance from the populous settlements, and the spare Arms at that place would be of little service to the body of the Militia, in the event of a sudden attack.—

With respect & Esteem

I am Sir,

Your obd. Hble- Servant

William C. C. Claiborne

General

James Wilkinson

To Gov. Claiborne from James Wilkinson.

Natchez January 29th. 1802

I have received your Letter of the Day, & believing that nothing can be more agreeable to my Superiors, (in the disposal of the Military) than the promotion of the

safety, and tranquillity of our Fellow Citizens, I shall with pleasure obey your requisition, by the Establishment of a small party, central to the population of the Territory, at such point as you may prefer, with 250 or 300 stand of Arms, subject to your Order— I never thought otherwise, than that our Troops were intended for the accommodation of the Civil authority, to be used or employed, as circumstances should render necessary, & therefore my judgment maintains the propriety, & expediency, of the measure you propose— I will however hope Sir, to prevent expense to the public, that ground & Timber may be furnished for the necessary Cabbins free of cost.¹—

With sincere respect & Esteem

I am Dear Sir,

Your Obed- Servant—

Jas. Wilkinson

His Excellency

Governor Claiborne—

*To the Governor General of Louisiana.*²

The Governor having received information (upon Oath) of a Robbery having been committed on the Mississippi, addressed the following Letter to the Governor General of Louisiana.—

Natchez February 10th— 1802.—

Sir,

From the friendly understanding, which happily exists between the United States, and his Catholic Majesty, I take the liberty to acquaint your Excellency, with

¹ This correspondence led to the establishment of Fort Dearborn at the town of Washington, six miles east of Natchez.

² Manuel de Salcedo.

a daring Robbery which has lately been committed upon some Citizens of the United States, who were descending the River Mississippi on their passage to this Town.—

The particulars of this transaction, are detailed in the papers enclosed, and to which, I beg leave to refer your Excellency;— It is indeed uncertain, whether the persons who were concerned in this act of Piracy, were Spanish subjects, but it seems, from the statements made, that the offence was committed more immediately within the Jurisdiction of Spain.—

I have (by Letter) requested the officer commanding the United States Troops, at the lower Chickasaw-Bluffs, to make proper exertion to arrest those Pirates and Felons, if to be found upon the American soil, and I doubt not but your excellency will on this occasion, issue the necessary orders to your officers on the Mississippi & Arkensaw Rivers.—

The safety of the Western Commerce, is greatly interesting to both the United States and Spain, and if prompt and decisive Efforts should not be made to detect, & punish those recent offenders, similar outrages upon the Mississippi, will probably ensue, and much injury may be done to the Citizens of the one and Subjects of the other Nation.—

I pray your Excellency, to be
 assured of my perfect respect, &
 consideration—

William C. C. Claiborne

His Excellency
 The Governor General of Louisiana
 At New Orleans.—

To Richard Sparks.

Natchez Feby. 10h. 1802.

Dear Sir,

The enclosed *extract* from a paper published in this Town, will acquaint you of a daring act of Piracy and Robbery which has lately been committed on the Mississippi, a little below the mouth of the Ausark River.—

I doubt not, but that you will exercise the necessary vigilance, and use all the exertions in your power, to detect the offenders;— It is possible they are making up the Mississippi and may call at Fort Pickering, and with a view to a discovery, I enclose you a list of the Articles Stolen.—

The Citizens who navigate the Mississippi, are frequently exposed to insult and injury, and I pray you to advise *all* who may stop at the Garrison, to observe caution on their passage & to be prepared at all times to repel by force any attack which may be made upon their persons or property.—

With great respect & Esteem

I am Sir,

Your mo: obd: Hble— Servt

William C. C. Claiborne

Capt- Ried: Sparks
Commag. officer
at Fort Pickering
on the Mississippi

To James Madison.

Near Natchez February 16th— 1802—

Sir,

Since my arrival in this Territory, my Letters to you have been frequent, and I trust they have been regularly received, but of this, I have no assurance, as no

communications from the Department of State, have yet reached me.—

An election for members to the Territorial Legislature, will take place, in July next, and the People are already greatly agitated in canvassing the merits of rival candidates:— The opposition to the present members is warm, & will probably be successful;— In this quarter popular favor is *uncommonly* fluctuating;— the population of the District, is composed of a very heterogeneous mass, and their political principles & opinions are as different as the Customs & prejudices which prevail in the different States or Nations from whence they emigrated, and from this cause, (if no other existed) the acts of each succeeding Legislature, will be deemed exceptionable.—

That a decided Majority of the People of this Territory, are Americans in principles and attachments, I do verily believe But (to my great Mortification) there are persons here, on whose Judgments and hearts, former habits have made unfortunate Impressions; favorable to Monarchy, and inimical to every Government that recognizes the Rights of Man.—

Several families from Kentucky, Tennessee and this Territory, have lately emigrated to the Province of Louisiana, (and it is feared that this example may be followed by others;—

The facility with which lands may be acquired under the *Spanish* authority, and the prevalence of an opinion that the subjects of Spain are exempt from taxation, are probably the principal Inducements to this abandonment of their Country.—

With respect —

I am Sir,
your hble— Servt—

The Honble— William C. C. Claiborne
James Madison—
Secretary of State—

Petition to Gov. Claiborne for pardon of George Rapalge.

February 20th— 1802.

On this day, a petition signed by a number of the Citizens of the Territory, was presented to the Governor, praying that a pardon might be granted to George Rapalge, heretofore convicted of manslaughter in the Supreme Court, & who after conviction, was bound in recognizance to appear in Court from day to day, until the sentence of the law against him was announced, *but* which he had failed to do. —

The Governor observed to the Bearer of the petition, that Rapalge, was a fugitive from Justice; had bid defiance to the Law, & was consequently an unfit object of mercy that no applications in his favour could be considered until he had surrendered himself into Custody. —

To James Ferrall,

The Governor wrote the following Letter to the Public Printer.¹—

Near Natchez February 23rd— 1802—

Sir,

It is not in your power, to render me a greater favor, than by publishing with all possible dispatch, the Laws passed at the late Session of the Legislature.—

It is the duty of the Secretary for the Territory, to keep you regularly supplied with attested copies of the acts, & to examine from time to time, the proof sheets, & which duty, I am well assured, will be faithfully discharged.—

¹ First mention of a public printer, although Andrew Marschalk printed the Sargent laws.

If there is any thing in my power to do, which will assist you, in the prosecution of the work, you will be pleased to mention it:— the People ought certainly, at an early period, to be made acquainted with the Laws, by *which* they are bound, and no one can regret more sincerely than myself, the delay which necessarily attends their Publication.—

I am Sir, with respect,

your Hble— Servt—

William C. C. Claiborne

James Ferrall Esqr—

Printer for the Territorial Legislature.

To Henry Hunter.

Near Natchez February 24th— 1802—

Sir,

I have received a Letter, Signed by a number of the Citizens of Pinckneyville, and its vicinity, in which they have tendered their services as a Volunteer Company of Infantry, accompanied with a wish, that certain Gentlemen, (who are named) may be appointed to command them.—

The Militia Law of the Territory, does not admit of any volunteer Corps, except one Company of Artillery in the Town of Natchez, and a Troop of Horse, in each County:— The meeting therefore of my fellow Citizens at Pinckneyville has been premature, and it is not in my power at this time, to forward their Wishes.—

I greatly admire the *motive*, which gave rise to the Pinckneyville association;— It is an *honorable* and *Laudable* Spirit, which I shall cherish with the most anxious care.—

A well regulated Militia, is certainly essential to the safety of the Territory;— But so desirable an *object* cannot be effected, without a zealous and firm co-operation, on the part of the People.—

With a view to conciliation, & to insure a prompt and cheerful attention to Military duty, I have determined to request the different Militia Companies, to nominate (by Election) such characters as they would wish me to Commission as Captains, Lieutenants, and Ensigns, and the probability is, that on these occasions, I shall uniformly (unless some very cogent Reason forbids) comply with the wishes of the People.—

The Law makes it the duty of the field Officers, in the different Counties, to lay out the bounds of Company Districts, & until this duty is performed, no Election for the nomination of Officers in the Infantry, will be regular.—

I did on yesterday, appoint & Commission John Ellis, Colonel & Richard Butler, Major of the Wilkinson Militia, & they shall receive orders to proceed (without delay) to prescribe the bounds of Company Districts, in Wilkinson County, and to fix a time & place for the Citizens within the Limits of each Company, to meet & nominate their Officers.—

Will you inform the Citizens of Pinckneyville & its vicinity, that I hold them, in high estimation, & shall take much pleasure, in promoting their happiness & welfare.—

I am &c—

(Signed) William C. C. Claiborne

Colo. Henry Hunter—

Governor's Address to the Freemen of the Territory.

An Address from the Governor and Commander in Chief of the Mississippi Territory to the Freemen thereof.—

Fellow Citizens,

I solicit your attention to a subject inseparably connected with your most precious Interests.— In your patriotism and virtue, I fully confide, and I expect from you, a cheerful, firm, and zealous co-operation in the execution of a measure which is deemed essential to the welfare of the Territory, and the protection of the dearest rights of Man.—

The experience of ages, and of our own times, confirms the important truth, that the Yeomanry of a Country, should constitute its chief defence, against internal commotion, external violence, and that where this Sentiment is not fostered, Liberty must soon cease to dwell.

The Genius of *United America* has ever been averse to standing Armies, and the Wisdom of *her* Government will not maintain a greater regular force than is sufficient to Garrison a few frontier Posts, and the most exposed of our Sea-port Towns;— For National security, the great Body of the Militia are confidently relied upon;— but to give effect (on our part) to this palladium of our Country's honor and safety, we must organize, arm & discipline those, who are liable to Militia duty, & for this purpose fellow Citizens, I claim your combined efforts, to carry into strict execution, a Law recently passed by the Territorial Legislature for the occasion.—

Why should freemen consign to others, the protection of their Wives, their children, and their Country? With whom could trusts so sacred, be as safely deposited?—

A band of Citizen-Soldiers accustomed to the use of Arms, and trained in the principles of discipline, may combat with success a Veteran Army, long dedicated to war:— An old Corps indeed, might excel in patience and mechanical concert but the Citizen-Band animated by a love of their Country, and the recollection of their families, would be inspired with an enthusiastic ardour, which no danger can appal, & no barrier resist;—and Bunker's Hill & Gemappe afford ample testimony of the fact.

Although the great blessing of Peace, at present pervades our Land, yet in the progress of events, we know not how soon this tranquillity may be disturbed, and a wise people ought at all times be prepared, to assume “such an attitude in arms, as would forbid the Idea of invasion or usurpation.”—

If we take an attentive view of our particular local situation, we shall find our infant society far removed from the limits of seasonable succour, from our Mother States, and exposed on all sides to perilous casualties.— Thus circumstanced every Eye must see, and every Breast must feel, the propriety, of establishing and acquiring the means of security & defence. The subject embraces every Man's Interest, and should unite every Hand & every Heart.—

For myself fellow Citizens I promise you that nothing shall be wanting which zeal and assiduity may compass, and whenever the Public good should require our services, it shall be my pride and my glory, to participate in all your toils, and all your dangers. —

William C. C. Claiborne

Near Natchez March 1st. 1802.-

March 2nd— 1802.

On this day the Governor assisted by the Treasurer General, examined the *accounts* of Bernard Lintot Esquire late Treasurer for the County of Adams & found the same to have been regularly kept, & the monies received justly accounted for.—

To Lyman Harding.

The Governor wrote the following Letter to Mr. Harding late Attorney General for the Territory.—

Near Natchez March 3rd. 1802.

Sir,

If Mr. Farrar, Mr. Connor or any other Persons have paid to you money on account of fines or forfeitures, you will be pleased to pay the amount to the Clerk of the Court where the forfeiture was incurred or the fine imposed & by the Clerk, the money will be paid over to the Treasurer General.—This is the only legal mode of proceeding & I am persuaded you will conform thereto;— Your claims against the Territory shall be duly examined, & so far as may depend upon my agency, Strict justice shall be observed in the settlement thereof;— I shall have no objection to assist the Treasurer in the examination of your accounts on Saturday next, provided the proper payment shall previously have been made- to the Clerk.—

I am &c

William C. C. Claiborne

L. Harding Esquire—

To James Madison.

Near Natchez March 6th— 1802

Sir,

In my Letter of the 5th Ultimo, I advised you of a request which I had made to General Wilkinson “to erect

a Block-House, at some situation, central to the population of the Territory, as a place of Deposit, for the spare arms at Fort Adams".—

I still think, that an establishment of this kind, will add greatly to the security of the District & I flatter myself, it will receive the approbation of the President.—

The organization of the Militia at present occupies much of my attention;— I find it an unpleasant & difficult undertaking—But I hope, I shall at least be (partially) successful.—

The approach of the Election of Members of the Territorial Legislature, has greatly increased the flame of Party, and the quietude of this little Society, is disturbed by party divisions, infinitely more rancorous than any I have ever witnessed in our Mother States;— “This Tempest of popular Passions” will probably rage with unabated fury, until the Elections are over, which will take place on the fourth Monday of July next, and then I hope for the return of a calm & happy political hemisphere.—

The Laws passed at the late Session of the Legislature, are yet in the press, as soon as they are printed, a copy shall be transmitted to you.—

Colo: Steele the Secretary for this Territory has recovered his health.—

With the greatest respect
& Esteem

I am Sir,

your mo: obt: Hum: Sert:

William C. C. Claiborne

The Honourable

The Secretary of State

for the United States

Passport to John Duhamel.

On the 9th of March, the Governor issued a Passport of Mr. John Duhamel a Citizen of the Territory in the words following:—

By William C. C. Claiborne, Governor and Commander in Chief of the Mississippi Territory of the United States.—

These are to request all States, Potentates & others, whom it may concern, to let Mr. John Duhamel a Citizen of the Territory aforesaid, going by sea to Philadelphia, pass safely & freely without giving or permitting to be given to him, any hindrance, but on the contrary, affording to him, all aid and protection, as we would do in like case for those, who might be recommended to us.—

In testimony whereof, I have delivered to him, this Passport, signed by my own hand, with the seal of the Territory annexed, & dated near Natchez, on the 9th. of March A. D. 1802, & in the 26th year of American Independence.—

William C. C. Claiborne

Seal

By the Governor

(Signed John Steele Secretary.

*To Gov. Claiborne from Gov. B. Williams of
North Carolina.*

On the 6th. of March, the Governor received the following Letter from his Excellency B. Williams, Governor &c of the State of North Carolina.—

State of North Carolina

Raleigh January 14th. 1802

Sir,

In compliance with a resolution of our General Assembly, passed at its late Session, an authenticated

Copy of which, I do myself the honour to here enlose you, as well as the Copy of a Bill of Indictment found by the Grand Jury for the District of Hillsborough at April Term 1798 against a certain Stockley Donelson & William Tyrrell charged with conspiracy, combination and confederacy against this State.—This Bill of Indictment has been prepared by our Clerk of the Superior Court for the District of Hillsborough is signed by him & accompanied by such solemn and usual Forms as shews its authenticity;— the said Stockley Donelson & William Tyrrell having fled from this State as it would appear with intention to elude the Justice thereof and as I am informed are one or both residing within the limits of the Territory over which you preside:— Pursuant therefore to an act of the United States Intituled “An Act respecting Fugitives from Justice & persons escaping from the service of their Masters” approved February 12—1793. and in compliance with the resolution aforesaid, grounded on the before mentioned Bill of Indictment, I have to request that you will be pleased to cause the said Stockley Donelson and William Tyrrell to be arrested & imprisoned; & that you will further have the goodness to favor me with the earliest advice thereof for the purpose of taking the necessary measures to remove them to this State for trial.—

With respect & consideration

I have the honour to be your

Excellency's Most Obt-

His Excellency (Signed) B. Williams
William C. C. Claiborne.

To Hon. B. Williams, Governor of North Carolina.

Mississippi Territory Near Natchez. March 11th. 1802—

Sir,

I have the honour to acknowledge the Receipt of your communication of the 14th- of January last, together with the documents referred to.—

It is not probable that either of the fugitives from Justice whom your Excellency requests may be arrested are within the Limits of the Mississippi Territory.—

Upon enquiry, I cannot learn, that Stockley Donelson was ever in this Territory:—William Tyrrell was at Natchez about two years ago, & from thence (it is said) he emigrated to Pensacola, within the Spanish Dominions.—

Your Excellency however may be assured that if either or both of those Men, shall be found within the Limits of the Mississippi Territory, I will cause him or them, to be arrested and imprisoned & will embrace the earliest opportunity, to give you information thereof.—

With the most respectful consideration,

I have the honor to be

your Excellency's

Most obt. Humble: Servt.

His Excellency

William C. C. Claiborne

B. Williams

To John Henderson.

Near Natchez, March 18, 1802.

Sir,

Israel Waters a black man states to me that on his arrival in Adams County, he had a certificate or Evidence, of his freedom recorded, in the Recorder's Office,

and that having lost the original, & being about to depart from the Territory, he wishes an attested Copy from the Record.— The New Law having assigned the Duties of the Recorder to the Clerk of the County Court, Mr. Walker would be the proper person, to give Israel Waters, the Instrument of writing which he wants, and for this purpose, I wish you to furnish Mr. Walker with the Book, in which the evidence of this man's freedom is recorded.—

Perhaps it will be most regular to surrender to the County Court, at its first meeting, all the Books & Papers of the Recorder's Office, but there can be no impropriety, in placing temporarily in Mr. Walker's possession any papers of which attested Copies may be desired.—

With respect &c

I am &c &c

Mr. John Henderson

William C. C. Claiborne

Late Recorder for the

County of Adams

To Peter Walker,

The Governor wrote the following Letter to Peter Walker Esquire, Clerk of the County Court for the County of Adams.—

Near Natchez March 18th— 1802—

Sir,

Israel Waters, a black man, wishes an attested Copy, of a "Certificate or Evidence of his freedom" which he says was recorded in the late Recorder's Office for Adams County.—

The Duty of Recorder for Adams County is now assigned to you, by Law, and of course, you alone, can

give Waters the Instrument of Writing, which he solicits.—

I have requested Mr. Henderson, to furnish you, with the necessary Record, & I presume he will do so upon application.—

With respect &c

I am &c

(Signed) William C. C. Claiborne.

P. S. I suppose it would be most proper for Mr. Henderson to make a general surrender of the Books and Papers of his late Office, to Adams County Court, at its first meeting, but in the meantime Mr. Henderson will no doubt place temporarily in your possession any papers, of which Copies may be required.—

W. C. C. C.—

Peter Walker Esquire

Clerk of the County Court for
Adams County.—

To John McKee.

The Governor wrote the following Letter to Colo: John McKee agent for the United States in the Chactaw Nation.—

M. T. Near Natchez March 28th— 1802—

Sir,

On the night of the 14th- Instant a Negro Man the property of Mr. George Fitzgerald of this Territory, was murdered by some unknown Person.—

All the Circumstances attending this transaction which have been brought to light, you will find detailed in the enclosed Letter from Mr. Fitzgerald to the Attorney General.—

It seems that suspicion attaches to some Indians of the Chaetaw Tribe, and with a view to a discovery, the clothes of the deceased Negro, which was supposed to have been taken away by the assassin, is particularly described:— I must solicit you to make some enquiries in the Nation, relative to this affair, and to acquaint me with the result.— The Indian visits to this District are frequent and oppressive;— they are encamped by dozens. in every Neighborhood & support themselves principally by depredations upon the Cattle Hogs & & of the Citizens;— I am convinced that the Chaetaw Nation, must disapprove of such conduct on the part of any of their People, & it is my intention by the next Mail, to forward to you an address to the Chiefs upon this subject.—

With respect & Esteem

I am Sir,

your Huble— Servt-

(Signed) William C. C. Claiborne

Colo: John McKee

To Gov. Claiborne from Gov. De Salcedo of Louisiana.

Copy of a Letter from the Governor General of the Province of Louisiana to the Governor of the Mississippi Territory.

New Orleans, February 28th— 1802—

Sir,

I have perused with the most lively sentiments your Letter of the 10th. . ultimo which I immediately caused to be translated, as also the Documents contained therein, in order to take the most effective means of ascertaining the enormity complained of and for the discovery of the Criminals

It is truly impossible to determine, whether the delinquents are Spaniards or Americans;— I see no reason why it ought to be more particularly charged to my Nation, because the Crime appears to have been committed near to a Spanish River,— those places are uninhabited, and for six or seven Spanish boats which go up to the settlements of the Illinois, there passes two hundred American Flats & Barges, which come from the States & Western Settlements; as they have the freedom and use of the Navigation of the Mississippi;— Vagabonds without number introduce themselves by that means, who have fled from, or who do not, or cannot return to the United States.—

It is impossible for me to do anything with this class of People without giving room for complaints, or my motives being wrongly interpreted, because it is not the custom of the American Governments to give passports, as in Spain, when People travel from one place to another— only when the Flats arrive here the Patrons, owners and passengers present themselves; & even in that case, not without difficulty, as it were by force.—

Contrary to the strictest orders given throughout this province, many introduce themselves, to whom an asylum is given, either through humanity or Interest, & many go wandering through the woods until they penetrate to the Nation, where they remain to the great prejudice of both Governments.—

I have entered into this detail, because I have recently received Dispatchs from the Arkansaws, in which no mention is made of this affair, and I am certain that if any one of that District had been concerned in this piracy, they would have been discovered.— But it being for the General Interest that those Malefactors be discovered and punished, from which will result the greatest benefit as well to vassals of His Majesty, as to the Citizens of the United States;— I have given the most

positive orders to the commanding Officer who is going up to that Post, to take the efficacious means of Discovering and apprehending the criminal or criminals, that can be adopted; & further to fix a small Garrison at the entry of the River St. Francis, for the Guard and protection of such as navigate in those parts:— & I do assure your Excellency that if they are taken, they will be punished in such a manner as to serve as an example to others.— I desire that your Excellency will furnish me with the means of manifesting to you my readiness to do whatever may be for your satisfaction, and I pray to God to Guard your Life many years.—

Your Excellency's &c

(Signed) *Manuel De Salcedo.*—

THE ANSWER.

Mississippi Territory Near
Natchez March 29th 1802-

Sir,

Your Letter of the 28th Ultimo, in answer to my communication of the 10th— of February last, was received a few days ago; and has been read with the most respectful attention.— I accord with you in opinion, “that it is impossible to determine”, by what People, the late Robbery on the Mississippi was committed, and in my Letter of the 10th— of February last, it was my intention, to have been sufficiently explicit on this point:— for so far from implicating more “particularly your Nation;” I did then admit “That it was indeed uncertain whether the Persons concerned in this act of Piracy & Robbery, were Spanish Subjects.”—

I regret that the conduct of the Citizens of the United States, who trade to New Orleans, should prove a source

of any Inconvenience or trouble, & I can assure your Excellency, that it is very much the wish of the American Government, that her Citizens should respect the Laws and Regulations of your Province.—

The existing Treaty between the United States, & his Catholic Majesty, is considered as a sufficient Passport for our Citizens to descend the Mississippi, & that some disorderly Men may (through this means) introduce themselves into the Spanish Dominions, is highly probable, for my Country (unfortunate in this respect; with the other Nations of the Earth) is not exempted from her degenerate characters.—

The great extent of uninhabited Territory on the Mississippi, is well calculated for an asylum, to Robbers and Pirates, and I am certain that the Garrison your Excellency has directed to be established at the mouth of the River St. Francis, will extend great protection, as well to the subjects of his Catholic Majesty, as to the Citizens of the United States, who may navigate in those Parts.—

I tender to your Excellency assurances of my

Regard & respectful consideration

(Signed) William C. C. Claiborne

His Excellency

Manuel De Salcedo—

Governor General of Louisiana—

April 1st. 1802.—

During the last three months, the Governor made the following appointments.— Viz.

ABNER GREEN, Treasurer General for the Territory.

For Adams County—

William Dunbar,.....	}	(declined)		
William Vousdan,		}	(declined)	
Samuel Brooks,				
Bernard Lintot,.....				
Abram Ellis,				} Justices of the Peace & Justices of the County Court.—
James Farrell,				
Adam Tooley,				
Caleb King, and				
George Fitzgerald,				

David Ker, Sheriff for the County.—

Peter Walker, Clerk of the County Court.

John Henderson, Treasurer of the County.

Robert Stark, Clerk of Adams District Court.

Abner L. Duncan, Attorney General for Adams District.

Archibald Lewis, Clerk & Master in Equity for Adams District.

For Jefferson County.—

Cato West,	}	} Justices of the Peace & Justices of the County Courts.—
Thomas Calvit,		
Jacob Stampley,		
Henry Green,		
Zechariah Kirkland,		
John Hopkins,		

John Girault, Clerk of the County Court.—

Daniel James, Clerk of Jefferson District Court.—

Felix Hughes, Clerk & Master in Equity for Jefferson District.—

For Washington County.—

John Callier, (Caller)	} Justices of the Peace and Justices of County Court.—
John Johnson,	
James Fair,	
Joseph Thompson,	
John McGrew,	
Thomas Bassett,	
John Brewer, John Henson,	

Richard Lee, Clerk of the County Court.—

For Claiborne County.

William Downs,	} Justices of the Peace, and Justices of the County Court.—
G. W. Humphreys,	
James Stansfield,	
Ebenezer Smith,	
Daniel Burnett,	
James Harman,	

Samuel Coburn, Sheriff.

Mathew Tierney, Clerk of the County Court.—

Samuel Gibson, Coroner.—

For Wilkinson County.—

John Ellis,	} Justices of the Peace and Justices of the County Courts.—
Hugh Davis,	
John Collins,	
Richard Butler,	
William Ogden,	
Thomas Dawson,	

Henry Hunter, Sheriff.—

Samuel Lightner, Clerk of the County Court.—

For Adams County.

MILITIA OFFICERS, 1st. Regiment.—
 Benajah Osmun, Lieutenant Colo: Commandant.
 Infantry.—

Abram Ellis,	}	Majors.—
Richard King,		

For Jefferson County.—

MILITIA OFFICERS, 2nd. Regiment.—
 Zechariah Kirkland, & }
 William Thomas } Majors.—

For Washington County.

MILITIA OFFICERS, 3rd. Regiment.—
 John Callier, (Caller) }
 Nathaniel Christmas, } Majors—

For Claiborne County.

MILITIA OFFICERS, 4th. Regiment.—
 Daniel Burnet, Lieutenant Colo: Commandant.—
 William Neely, Major.—

For Wilkinson County.—

MILITIA OFFICERS, 5th. Regiment.—
 John Ellis, Lieutenant Colonel, Commandant—
 Richard Butler, Major.—

ARTILLERY in NATCHEZ.

Samuel Postlethwait, Captain.—

Joseph A. Parrott, 1st Lieutenant.—

Joseph Newman, 2 Lieutenant.—

J. E. Trask, Brigade Major *and* Inspector.—

Talk to Indians.

April 2nd. 1802

The Governor having received information of several offences, which had lately been committed; by some of the straggling Indians which were at large in this Territory, delivered to several of them, who had collected at Government House in Natchez, the following talk.—

BROTHERS,

The American Nation and the Choctaw Tribe of Indians have long lived in Peace, and I hope that our friendship will continue, as long as the Mountains stand, or the Waters Run.—

I consider you as my children, and must talk to you with the freedom of a Father.—I wish it were in my power, to say that your conduct was pleasing to me, but the truth is, that unless you act better for the future, you will lose my good Esteem.—

If your Nation had sent you to this Territory, it was your duty to call upon me, make known your Business, receive an answer, & return Home;— but I well know, that neither your Chiefs nor People sent you, to our Settlements;— You have come of your own free will, & for nothing else, but to drink Whiskey, & to spend your time in Idleness.—

It is my way to speak straight;— listen then to what I say, & hold fast my talk.— The White People have made to me of late, many complaints;— several Men in the Country have had their Cattle & Hogs killed; one man in Town, has had four Barrels of Flour, taken from his Door in the Night, and another, has lost out of his House a deal of Meat, and to tell you the truth, all those bad acts are charged upon some of the Indians.—

BROTHERS,

I hope none of you present are guilty of these Acts; if you are Men & Warriors, I know you would not take any thing that was not your own, but I must tell you, that if anything should be missing in this Town or Country hereafter, I will have your Camps searched, and if I should discover that any of you have acted improperly, you shall be punished according to the White People's Laws.—

BROTHERS,

I am going now to give you some good advice; quit drinking Whiskey, for it will make you Fools & Old Women;— return to your own Land & make bread for your families;— The time of year is come, when corn & Peas ought to be planted, & every good man should be at his own Home;— If you will take this advice, I will give you some provisions to eat on the Path, but while you remain in our Settlements, you shall not have one ounce of Flour from me.—

To James Madison.

M. T. Near Natchez April 3rd, 1802

Sir,

It is confidently reported at New Orleans that East & West Florida's are ceded to France¹— I have understood, that no official information of the cession, had reached the Governor General of Louisiana, and that he denies the truth of the *report*;— it is nevertheless generally believed and has occasioned much anxiety & uneasiness among the Inhabitants of Orleans.—

The Militia of this District, continues in an unorganized state, & the general want of arms presents an insuperable barrier to their organization.— I sincerely wish, the General Government would make a loan of about one thousand stand of arms, to the Militia of this Territory;—they should be carefully preserved & would add greatly to the security of this exposed Settlement.—

The Printing of the Acts of the Territorial Legislature is attended with as great delay, as I had anticipated.— The Printer employed is the only one in the Territory, & from a scarcity of Types, & I may add too of Industry, the Laws remain unpublished, greatly to my own embarrassment, & to the inconvenience of the Citizens.—

I continue to be much harassed with Visits from my Choctaw Brethren;— these poor, Idle & humble People are really great pests to this Territory;— I suppose at this moment there cannot be less, than two or three hundred, (consisting of Men, Women, & children) Encamped within six miles around Natchez, & for a support, they almost *entirely* depend upon begging and stealing; the Citizens who experience frequent losses in Cattle &

¹ This was the contention of the United States, but the Floridas did not pass with the Louisiana purchase.

Hogs, are becoming highly dissatisfied, & I find it difficult to *shield* the *Indians from much violence*.—

I am often at a loss for an Interpreter and wish to be informed, whether I may be permitted to employ one;— under the Spanish Government, the Indians were accustomed to receive Presents & Provisions at Natchez, & their visits were consequently frequent;—I have no Presents to make, and very seldom supply them with provisions, but they notwithstanding, will not, & cannot be persuaded to remain in their own Lands.—

The party Spirit in this Territory, seems again to be subsiding, & if my information be accurate, a decided majority of the Citizens are pleased with the Second Grade of Government, & the manner in which it has been administered.—

With Respect & Esteem

I am Sir,

your mo. obt. Hble: Servt.

The Honble: (Signed) William C. C. Claiborne

The Secretary of State

for the United States

City of Washington

On the 5th. of April the Governor issued the following Proclamation.—

By his Excellency William C. C. Claiborne Governor & Commander in Chief, in & over the Mississippi Territory.

A PROCLAMATION.—

Whereas the interest of the Territory would in my opinion, be promoted, by an early Session of the Legislature thereof, I have thought proper to issue this my proclamation, hereby requiring & commanding the

Members of the Legislative Council, & those of the House of Representatives respectively to meet in General Assembly, at the Town of Washington, on Monday, the third day of May next.—

Given at Natchez, this fifth day of April, one thousand, eight hundred & two, & of the Independence of the United States of America, the twenty sixth.

In testimony of which I have undersigned my name, & caused the public (Seal) to be hereunto affixed—

William C. C. Claiborne.

By the Governor

(Signed) *John Steele, Secretary*

To Henry Dearborn.

Near Natchez, April 8th. 1802

Sir,

I have received a letter from Mr. Evan Jones of New Orleans, formerly American Consul at that Port, informing me that he had lately received *three Hogsheads & three Boxes*, containing Hoes & Axes & marked "U. S. Chictaw Indians" & *which* it appears some person in Philadelphia, had in February or March in the year eight hundred & one, shipped on board the Brig Thomas, Captain Earl bound for New Orleans & consigned to him, Mr. Jones; that the Brig Thomas, had been taken into Providence & there condemned as prize, with all her Cargo, except the three Hhds & three Boxes above mentioned, which were delivered to his Correspondents there, & by them, they had been lately sent to him at Orleans.—

I have no knowledge of these Goods but what is communicated by Mr. Jones;— I am however very certain, that they were designed by the U. States as presents for

the Choctaw Indians, and did suppose, it would be proper in me to direct their transportation to Natchez, and to pay the charges which had accrued thereon;— While they remained at Orleans, the Costs for Storage would be continually accumulating, & they could not be appropriated in the manner contemplated:— I hope therefore my conduct will be approved of, & that a Bill, which I shall hereafter draw upon the Secretary at War for the amount of the cost arising, will be duly honoured.—

For more particular information upon this subject, I must refer you to Mr. Jones's communication to me and my Answer, together with a Letter from me to Mr. Samuel Postlethwait at Natchez, Copies of which are enclosed number 1, 2, & 3.—

On the arrival of these Goods at Natchez they shall be carefully deposited & shall be disposed of in any manner that you may direct;— supposing it however probable that Colo: McKee our Agent with the Choctaws, may have received some instructions relative to these Goods, I have addressed to him a Letter, a Copy of which is also inclosed, No. 4.—

While I am upon the subject of Indian affairs, I will take the liberty to state that the Choctaws are becoming very troublesome to the Citizens of this District;— they are Encamped in every Neighborhood, and are in the habit of committing frequent depredations upon the Cattle, Hogs & other property of the Inhabitants: complaints of these excesses, are daily made to me by the People & it is not in my power to give redress.—

The Law establishing the Mississippi Territory, attaches to the Governor, the power & duties of a superintendent of Indian affairs;— if those duties were particularly prescribed, it would relieve me from much embarrassment.—

The management of Indians is at all times unpleasant, & frequently attended with difficulty;—if therefore

I consulted my inclination & convenience, I would wish to take no part in this business, but from the contiguity of the Territory to Several Indian Tribes, and their constant intercourse with our Citizens, it is essential to the interest of both parties, that the Governor should have some Agency in the Indian Department.-

The Choctaws who are at present in our Settlement, are (with a few exceptions) very worthless characters;—they have come *hither* with their Women and children for the purpose of Begging, & stealing;—they are in a measure disowned by their Nation, & declared by their Chiefs to be a set of Vagabonds, whom they cannot control.—

The Territorial Laws forbid the selling or giving of Strong Drink to Indians, but yet it is furnished them, & they are seen frequently Drunk at Natchez, to the great disturbance of the Citizens.—

I should be sorry to make any request, which might be thought improper, and still more so, to increase unnecessarily in any degree, the expenses of the Government, but I am constrained to ask permission, to employ an Indian Interpreter, & to solicit that a subaltern Officer, with about twenty or thirty Men might be stationed in the vicinity of Natchez, & subject to my orders.— I would then have it in my power, on all fit occasions, to hold friendly Talks with the Indians, who might visit the District, & to punish by temporary confinement those, who might get drunk, or other ways behave amiss:— a kind of punishment, of all others, the best calculated to keep Indians in Order.—

Some time ago, General Wilkinson, on my application, did promise to erect (in the course of the Summer) a Block House in the Neighborhood of Natchez, as a place of Deposit for some of the spare Arms, now at Fort Adams (in order that the Body of the Militia, who are almost entirely without Arms, might in the event of

danger, be furnished with the means of defence,) and to station thereat, a few Troops:—If this Establishment was made, it would add to the security of the Territory, & would answer my object in relation to the Indians:—The General I believe, is still disposed to make this *Establishment*, but it would be most pleasing to us both, if the Government would previously sanction the measure;— upon this subject I have heretofore written fully to the Secretary of State, but not having received an answer, I fear my Letters have miscarried.—

I have the honor to be

With Sentiments the most
respectful

your most obt. Hble: Servt:

(Signed)

William C. C. Claiborne

The Honble. H. Dearborn
Secretary at War.—

To Gov. Claiborne, from Evan Jones.

No. 1.

New Orleans March 17th. 1802

Sir,

Being informed, that your Excellency has the direction of Indian Affairs, in the Mississippi Territory, I take the liberty to address you, on the subject of some goods, I have just received from Providence, & which by the marks &c on them, appear to have been destined for the Choctaw Indians.—

It appears that some time in February or March, of the year 1801, some person in Philadelphia, Shipped on board the Brig Thomas, Captain Earle, bound for this place, three Hogsheads & three Boxes, containing, as it

is said, Axes & Hoes, marked U. S. Choctaw Indians, & addressed to me.—

The Vessel was taken into Providence, and there condemned as prize, together with all her Cargo, except the three Hhds. & three Boxes above mentioned, which were delivered to my correspondents there, and by them kept, for want of an opportunity of sending them on, 'till the 16th of February past; when they Shipped them to me by the Schooner Terropine, & I have received them, as I have already said, a few days ago, and have deposited them.—

I know not who Shipped them in Philadelphia, nor any circumstance respecting them, save what I have just related, as no Invoice, Bill of lading, or Letter about them came to my hands.—

The charges I shall have to pay on these goods, will be between Eighty and ninety Dollars in Cash, to which will be added my Commission on receiving and delivering them.—

Now Sir, if after reading this history of them, you should think proper to order any person to receive them from me and pay me my charges on them, I shall be ready to deliver them.—

I have also a small demand of Twenty one Dollars, on the Government of the United States which I presume you would think reasonable should be paid me out of their effects now in my hands.

With very great respect, I have
the honor to be Sir,
your Excellency's
most obt: Servt:

(Singed
His Excely.

Evan Jones.—

William C. C. Claiborne
Governor of the M. T.—

To Evan Jones.

No. 2nd.

Near Natchez April 7th. 1802.—

Sir,

Your Letter of the 9th. Ultimo, has been delivered, & I pray you to receive my thanks, for this mark of attention, to the Interest of the United States.—

I have no information of the Goods you allude to, but what is contained in your communication:— there can however be no doubt, but that these *Goods*, were intended by the United States, as presents for the Choctaw Indians, & in my Character as a Superintendent of Indian affairs, for the Southern Department, I esteem it a duty to receive them, & to pay the charges which have accrued thereon:— You will be pleased therefore, to deliver to the order of Mr. Samuel Postlethwait Merchant of Natchez, the Hogsheads and Boxes, which may be marged “U. S. Choctaw Indians,” & this Gentleman, will make provision to reimburse you, the expences which these Goods have subjected you to, & will further allow you, such commissions for receiving & delivering them as may be customary.—

So far as relates to your “Demand for Twenty one Dollars, against the Government of the United States,” it is not in my power to act:— business of that kind, more properly appertains to the accounting officers, at the City of Washington, & I am persuaded, that upon exhibiting your claim, at the Treasury Department the amount thereof, will be promptly paid to your Agent or Attorney—

If a better conveyance should not occur, I will at your request forward to Washington, any of your claims

against the Government, and on this and all other occasions I shall be happy to render you services.—

With respect &c &c

(Signed)

William C. C. Claiborne

Evan Jones Esqr.

To Samuel Postlethwait.¹

No. 3

Near Natchez, April 7th. 1802—

Sir,

Enclosed is a Letter to Mr. Evan Jones, Merchant of New Orleans, and you will oblige me, by giving it safe conveyance:— That Gentleman has in his possession, three Hogsheads & three Boxes containing some presents from the U. States for the Choctaw Indians;— I have requested him to deliver them to your order, & you will confer a singular favor on me, if you would through your correspondent at Orleans, direct their transportation to Natchez.—

Mr. Jones informs me that the charges on those Goods, will amount to about Ninety Dollars, independent of his Commission for receiving & delivering them.— I have taken the liberty to inform *him* that you would make provision for the payment of that sum, together with the customary Commissions.—

The costs accruing, not being particularly ascertained, perhaps it would be best, to authorize your correspondent to settle with Mr. Jones, and to draw upon you for the amount;—I presume, a Bill upon Natchez would be equally as acceptable to a Merchant at Orleans, as the cash;— But the most convenient way, to

¹ The leading merchant of Natchez at this time; married a daughter of William Dunbar.

you, of adjusting this Business, will be agreeable to me.—

You may be assured, that the monies you may advance, to Mr. Jones, together with all charges incidental to the transportation of the Goods to Natchez, shall be reimbursed you, but I must request you, to instruct your Correspondent to ask of Mr. Jones a particuar *Statement of his account*, to take *duplicate Receipts* for the Sum paid, and to forward these Vouchers to you, by the earliest opportunity.—

With great respect & Esteem

I am Sir,

Your Hble. . Servt:

(Sign)

William C. C. Claiborne

Capt, Samuel Postlethwait

Merchant at Natchez.

To John McKee.

No. 4.—

Near Natchez, April 7th. 1802

Sir,

Mr. Evan Jones of New Orleans, informs me of the late arrival at that Place, of three Hogsheads & three Boxes marked "U. S. Choctaw Indians" (Containing Hoes & Axes) which had been shipped by some Person in Philadelphia, sometime in February or March in the year 1801, on Board the Brig Thomas, Capt. Earle and addressed to him;— that the Vessel had been taken into Providence & there condemned as prize, together with all her Cargo, except the Hhds. & Boxes above mentioned.—

I have informed the Secretary at War of the contents of Mr. Jones's letter;— in the mean time I have

directed the transportation of those Goods to Natchez, and on their arrival, they shall be carefully deposited.—

Supposing it probable that you may have received some instructions, as to the disposition of those articles, I have written you this Letter, & should be happy to receive your answer.—

With respect I am Sir,
your Hble. Servt.

(Signed) William C. C. Claiborne
Colo: John McKee.—

To Governor Claiborne, From Capt. Shamburgh.¹

Camp 10 Miles North of Fort Adams
April 7th, 1802

Sir,

I am directed by General Wilkinson to send your Excellency, a Brass Field-Piece, Eighty Stand of Arms, And Sixteen flannel Cartridges, filled with 1½ pounds of powder each, for said piece of Ordnance.—

Lieutenant Wilson the bearer of this has the above named Military Stores in Charge, & is directed to deliver them to your order— and I have to beg your Excellency for your Signature to the Receipts annexed to one of the Invoives here enclosed— the Duplicate is for the information of the Person who may take charge of these Stores— and I am with profound respect

your Excellency's

mo: obt. & very Hble. Servt:

(Signed) Bm. Shaumburgh

Capt: 2nd. U. S. Regt: Inf:

His Excellency

Governor Claiborne

¹ Bartholomew Shamburgh, Pa. German, Capt. June 30, 1794.

To Bartholomew Shaumburgh.

Natchez April 12th. 1802—

Sir,

The Military Stores which you committed to the care of Lieutenant Wilson, have been safely delivered, & my Receipt for the same is now enclosed you.—

When the Troops under your Command shall have reached this Neighbourhood, I promise myself, the happiness of seeing you at my House—

With great Respect,

I am Sir,

your Humble Servt.

(Signed) William C. C. Claiborne

Capt. Shaumburgh

2nd. U. S. Regt.

The Brass field piece, & all its apparatus, together with 40 Stand of Arms, the Governor loaned to Captain Saml. Postlethwait for the use of his Company of Natchez Artillery, & obtained from Captain Post: (Postlethwait the following Receipt—

Invoice of Ordnance & Military Stores received from William C. C. Claiborne, Esquire Governor of the Mississippi Territory.— Natchez 12th, April 1802—

1	1	2	1	1	1	2	1	1	2	2	1	16	40	1	1
Brass 3 Pounders.	Travelling Carriage.	Side Boxes.	Trail Hand Spike.	Lead Apron.	Tamplin.	Sponges & Rammers.	Ladle & Worms.	Pair of Drag Ropes.	Tent Stocks.	Poudre Stocks.	Pound of Slow Matches.	Flannel Blank Cartridges.	Stand of Arms complete.	Gimmers' Belt &c.	Powder Horn complete.

Received from William C. C. Claiborne, Governor of the Mississippi Territory the above named Ordnance & Military Stores, for the use of the Artillery Company at Natchez, which I promise to return to him, or to the Governor for the time being, when demanded.—

(Signed) Saml. Postlethwait—

The remaining 40 stand of Arms was deposited with Captain Postlethwait for safe keeping.

To the Members of the Two Houses of Assembly.

The Governor addressed a Letter (of which the following is a Copy) to each Member of the two Houses of Assembly.—

Washington April 16th. 1802—

Dear Sir,

On the fifth Instant I issued my Proclamation, for convening the Legislature at the Town of Washington, on Monday the 3rd. day of next Month.—

Lest that Proclamation may not have reached you, I have written this Letter, & must solicit you to be punctual in your attendance.—

With great Respect & Esteem

I am Dear Sir,

your Humble Servt.

(Signed) William C. C. Claiborne

To Samuel Postlethwait.

The Governor addressed the following Letter to Captain Samuel Postlethwait, Merchant of Natchez.—

Washington April 16th. 1802

Sir,

The prevalence of the small pox at Orleans, has excited considerable alarm among the Citizens of this Territory & it is greatly feared, that this Contagious Disease, will extend to our Settlements;— *its* introduction at any time, might probably prove calamitous, but at this particular period, when the People are so generally, and *necessarily* employed in agricultural pursuits, it would indeed, be a great misfortune.— I flatter myself therefore, that every good Citizen who may have intercourse with Orleans, (or other places infected) will use every precaution to avoid the communication of the contagion, & I confidently expect, that the Merchants of Natchez in particular, will forbear to Vend or expose for Sale any *fur Hats* or *woollen Cloths*, which may be directly imported from *Orleans* during the existence of Small-pox, at that Town:— I have understood that *these Articles*, will nourish the Infection, and that by this means, the Small-pox has been frequently communicated to distant places—

Will you do me the favor Sir, to communicate the contents of this Letter, to the Merchants of Natchez, & to assure them that the Public Good, could alone induce me, to solicit any restrictions in their Trade.—

With great respect & Esteem

I am Dr. Sir,

your Hble- Servt.

(Signed) William C. C. Claiborne

Capt. S. Postlethwait

Mercht.

To William Dunbar,

Washington April 16th. 1802

Dear Sir,

Your Letter of the 11th. Instant, was delivered to me, by Mr. Carter;— I should immediately have answered it, but was really too unwell, to attend to any kind of Business.—

I think with you, that the introduction of the Small-pox, would at this particular period, be a great misfortune, and that every precaution ought to be taken, to prevent its approach.

The Law you alluded to, relative to Contagious Diseases, has not been repealed, but before the Governor could act under that Law, he must receive “information from some Physician within “the Territory that a Contagious Disorder, is at some House, in the Town or “Country, or on board of a Boat, or Vessel, at or near “the shores of the Territory:”—Now Sir, no such information has been communicated, & the Chief Justice of the Territory (with whom I advised) accords with me in an opinion that in the present state of things, I can prescribe no Regulations, which the Citizens would be bound to conform to:— I have however, requested the Merchants of Natchez, not to Vend or expose for sale, any fur Hats, or Woollen Cloths, which may have been Imported direct from Orleans, and I did also address a Letter, to Mrs. Piercy, in which she was particularly solicited, not to introduce the Infection into her Family.—

I am persuaded that in this quarter Inoculation will not be resorted to, but by general consent, and I flatter myself that the Citizens will everywhere observe the like propriety.— It would be a fortuitous circumstance, if the Vaccine Matter could be obtained, and I hope that a disappointment will not ensue;— I should esteem it peculiarly unfortunate, if at this time, we should not be bene-

fitted by this important discovery;— for my own part I should think the Citizens would act wisely, were they immediately to Assemble, and to raise by subscription a fund, to employ a confidential character to proceed direct to Kentucky, & procure the Matter.— From the account, I have received of the Cow-pox, it is safe at all seasons of the year & so mild in its operation, as seldom to require either nursing or confinement.—

Mrs. Claiborne & myself would be very happy to see yourself, Lady & Family at our little Cottage;— Mrs. Claiborne is at present confined, but the prospect of her speedy restoration to health, is very flattering:— She has recently presented me with a sweet little Daughter;— an event which has added greatly to the happiness of us both.—

Accept my best wishes.—

I am Dear Sir,

your Hble— Servt.

(Signed) William C. C. Claiborne

William Dunbar Esquire

To Gov. Claiborne, from Henry Dearbourn, Secretary of War.

The following is a Copy of a Letter from the
Secretary at War to
the Governor.

War Department

Feb. 23rd. 1802-

Sir,

It is the ardent wish of the President of the United States as well from a principle of humanity, as from duty and sound policy, that all prudent means in our power should be unremittingly pursued for carrying into effect

the benevolent views of Congress relative to the Indian Nations within the Jurisdiction of the United States.— The provisions made by Congress, under the heads of Intercourse with the Indian Nations, and for establishing trading Houses among them &c. have for their object not only the cultivation and establishment of harmony & friendship between the United States & the different Nations of Indians, but the introduction of Civilization, by encouraging and gradually introducing the arts of Husbandry and domestic manufacturies among them.— The President is more induced to continue to use all the means in his power for effecting the foregoing object, from the happy effects already produced in several of the Indian Nations, by the zeal and Industry of the Agents among them.—

With a view of giving every assistance in the Power of the Executive, to the measures contemplated, relative to the Indians generally, the President has considered it necessary to make the following regulations.—

That the Governors of the North Western, Indiana and Mississippi Territories, in their capacities as Agents for the Indian affairs, will in future consider themselves as having the Superintendence of all business relating to the Indians in their respective Territories, & will from time to time call upon such Sub-Agents as may be necessary for ascertaining any facts or circumstances relative to the said Indians, or the conduct of any such Sub-Agents, & for any other information, which may be useful & proper, & to give all such Sub-Agents such instructions and advice from time to time as may be found necessary and not incompatible with the Laws, or instructions given by the immediate direction of the President of the United States.—

The Sub-Agents and Agents of Factories will correspond with the respective Governors of the Territories in which they may be placed, & communicate generally with

the Department of War through that channel, and consider themselves under the general direction of the Governor respectively;— And Temporary or Sub-Agent or Agents of Factories will regularly make report once at least in every three Months to the Governor and to the Secretary of War of all circumstances relative to their Agencies, with a correct statement of all expences incurred under their direction, which report should be made from a Journal regularly & correctly kept by the Sub-Agents of all occurrences worth noticing relating to disputes, complaints, Misfortunes, &c, including likewise, whatever may relate to the progress of Civilization among the Indians, & such remarks as their knowledge may from time to time enable them to make, relating to the Natural History of the Country, the population, the particular manners of the Inhabitants, and likewise of the increase or decrease of Population. —

The Agents of Factories will make correct Returns of the State of the Territory, of the Sales & Receipts &c., to the Governor of the Territory, in which they shall respectively reside, once in three Months, noticing all circumstances proper to communicate relating to the kind and quantities of goods wanted from time to time & will transmit a duplicate thereof to the Secretary of War.— Colo: Hawkins and the Agents of the Factories at Tillieo in Tennessee and in Georgia will communicate immediately with the Secretary of War as usual.—

I have the honor to be

with sentiments of Esteem

Your Humble Servt.—

(Signed)

H. Dearbourn

His Excellency

William C. C. Claiborne Esquire

To Henry Dearborn.

To the above Letter the Governor returned the following Answer.—

M. T. Natchez April 19th. 1802

Sir,

On last evening I had the honor to receive your Letter of the 23rd. of February last.—

So far as may depend upon my co-operation, no exertions shall be wanting, to carry into complete effect the benevolent views of the General Government, relative to the Indian Nations within the Jurisdiction of the United States, and such instructions from the President upon this subject, as you may forward to me, I will execute with promptitude and pleasure.—

The progress of civilization among the Cherokees, Chickasaws, and upper Creeks, authorize a hope that the Indians within our Limits may ultimately be rescued from a State of Barbarism, & to contribute to the attainment of an object so interesting to humanity, would be to me a source of great gratification.— The Choctaws are indeed, generally involved in Savage life, but even among them, a Spirit of Industry has recently appeared; and the cultivation of the Soil is becoming the principal employment of several families.—

If my Agency be extended, to the Indians included within the bounds of this Territory, the Choctaws and lower Creeks would fall under my Inspection;— but from the general tenor of your communication, I understand it as the intention of the President to commit to Colo: Hawkins's care the whole of the Creeks, & until otherwise instructed, I shall confine my superintendence to the Choctaws.—

I will thank you to enclose me Copies of such Laws in relation to the Indians, as may be passed by the present

Congress, and also of the instructions which have been given to the Agent, residing within the Choctaw Nation;—the early possession of those Documents, will the better enable me, to advance the views of Government.—

In my Letter of the 8th. Instant, I advised you of the situation of some Indian Goods at Orleans & that I had directed their Transportation to this place;— I expect their arrival in a few days; and shall be solicitous to receive Instructions from you as to their distribution.—

I must renew my application for a Subaltern Officer, and about *thirty* Men, to be subject to my orders, and also for the privilege of employing an Interpreter;—every day's experience evinces the necessity of my possessing the means of preventing the Indians when Intoxicated, from mixing with the Citizens at Natchez, & of holding with them occasionally friendly Talks.—

If the late Treaty with the Choctaws concluded at Fort Adams should be ratified, it is expedient without delay, to mark the Boundary Line between them and the United States, it will serve to prevent trespasses upon Indian Lands the fruitful sources of discontent.—

With sentiments of Esteem
and respect,

I am Sir,

your mo: obt. Servt:

(Signed) William C. C. Claiborne

The Honble. .

Secretary of War

City of Washington

To Gov. Claiborne, from James Madison.

Department of State:—
Washington 22d. February 1802

Sir,

I have the honor to enclose you a Commission, constituting David Latimore¹ a Member of the Legislative Council of the Mississippi Territory, in the room of Adam Bingaman & request that it may be forwarded to him.—

With much respect,

I have the honor to be

Sir,

your most obt. Servt:

(Signed)

James Madison

W. C. C. Claiborne Esquire

Governor of the Mississippi Territory—

To James Madison.

The following is an Answer to the foregoing Letter.—

M. T. Natchez, April 24th. 1802—

Sir,

On the 18th. Instant I received your Letter of the 22nd. of February, covering a Commission for Doctor David Latimore, as a Member of the Legislative Council of the Mississippi Territory.—

This Commission has been delivered to Doctor Latimore, and I have the pleasure to inform you, that he accepts of the appointment;— this Gentleman unites to

¹ Drs. David and William Lattimore located in Natchez in 1801, natives of Virginia. See Claiborne's "Mississippi," pages 262, 263.

pure Republicanism, handsome Talents & an Honest Heart. —

The utmost harmony still continues to exist, between the subjects of Spain at *Orleans*, and the Citizens of the United States who trade to *that* Port.— I observed with great pleasure, in a late Northern paper, a Message from the President to Congress, in which he recommends the establishment of an Hospital at New Orelans;— the principles of Humanity & of sound policy, call loudly for an institution of that kind:— Our Citizens often descend the Mississippi, at an unhealthy season of the year, and many lives are lost at Orleans, for want of attendance & comfortable Lodging for the Sick, and sometimes for the necessaries of life.—

With prospects so gloomy, the enterprising Citizen of the Western Country, reluctantly ventures down the Mississippi during the Spring & Summer Months, and the difficulty & expence of procuring Hands, become so great, that contemplated Voyages are sometimes given up, or if prosecuted, the Hands employed are too few to ensure the safety of the Vessel, while on its Passage;— these inconveniences would in a great measure, be remedied by the establishment of a convenient Hospital at Orleans, for the reception of Sick and disabled Americans.—

With Sentiments of Esteem &
Respect.

I am Sir, Your Humble Servt.—

(Signed) William C. C. Claiborne

The Honble:

James Madison

Secretary of State

To Daniel Burnet.

Town of Washington April 27th. 1802.—

Sir,

I have received information that a set of Pirates and Robbers, who alternately infest the Mississippi River, and the Road leading from this District to Tennessee, rendezvous at or near the Walnut-Hills, in the County of Claiborne;—a certain Samuel Mason¹ & a Man by the name of Harp, are said to be the Leaders of this Banditti;—they lately attempted in a hostile manner to board the Boat of Colo: Joshua Baker, between the mouth of Yazou River, and the Walnut Hills, but were prevented by Colo: Baker's, making a shew of Arms, and manifesting a great share of firmness.— These Men must be arrested; the honor of our Country, the Interest of Society, & the feelings of humanity, proclaim that it is time to stop their Career;—The crimes of Harp, are many and great, and in point of Baseness, Mason is nearly as celebrated:— While these Sons of Rapine and Murder are permitted to Rove at large, we may expect daily to hear of *outrages* upon the Lives & properties of our fellow Citizens.—

The Militia of your Regiment not being organized, I presume it would not be in your power, to execute (strictly) a Military Order, I shall therefore only request, that you will immediately endeavour to procure 15 or 20 Men as Volunteers, and place yourself, or some confidential Character at their Head.—

This little force will then proceed to the Walnut-Hills, & after making due examination & enquiry at that place, they will examine the woods in the neighborhood of the

¹ There is in the Mississippi Department of Archives and History a record in French of the trial of Mason for robbery, by the military authorities of New Madrid, dated January 11-31, 1803. For facts relative to Mason see Claiborne's "Mississippi," pages 226, 227, 228.

Mississippi as high up as Yazou; —If you should fall in with Mason & his party, you will use all the means in your power to arrest them, or any of them, and I desire, that the person or persons arrested, may immediately be conveyed under a strong Guard to Natchez.—

I hope that the honor of taking these Lawless Men, will be conferred on the Citizens of your Neighborhood; —Should they Succeed, I promise them a very generous reward.—

I have written to Lieutenant Rennick upon this subject, & it is probable, he will give you all the aid in his power.

With great Respect & Esteem.

I am Sir,

your Hble— Servt:

William C. C. Claiborne

P.S. For your information, I have enclosed you the Statement, made by Colo: Baker to me, of the late attempt made to Rob' him.

W. C. C. C.—

Colo: Daniel Burnett—

*To S. Rennick.*¹

A Letter from the Governor to Lieutenant S. Rennick Commanding a Detachment of the United States' Troops at the Grindstone Ford in Claiborne County.—

Sir,

A few days since, as Colo Joshua Baker was descending the Mississippi, he was attacked by a set of Robbers, between the mouth of the Yazou River & the Walnut Hills;— This Banditti is said to be commanded by a cer-

¹ Seymore Rennick, of Virginia, Lt. U. S. A., January 9, 1801.

tain Samuel Mason & a certain Wiley Harp who have for years past been in the habit of committing with impunity Murders and Robberies.—

I am particularly solicitous, that these persons should be arrested and brought to punishment;— I have written to Colo: Daniel Burnet & requested him to assemble a small Party & proceed to the Walnut Hills & to the Yazou, in search of the offenders;— I hope you will give Colo: Burnet all the assistance in your power.— If you could furnish him with a Sergeant & 12 Men, you would be rendering a great service to the Civil Authority.—

Samuel Mason is well known in this Territory, as is a Son of his, by the name of John, who is also reported to be amongst the Robbers.— I think it probable, that they may be found at or near the Walnut Hills;— at that place the wife of John Mason resides.—

With respect & Esteem.

I am Sir,

your Hble: Servt:

(Signed) William C. C. Claiborne

Lieutenant S. Rennick

of the 3rd. U.S. Regiment

To Officer in charge of Troops at mouth of Bear Creek.

A Letter from the Governor to the Officer Commanding the United States' Troops near the Mouth of Bear Creek on the *Tennessee* River.—

Town of Washington April 27th. 1802

Sir,

I have received information that the Road from this Territory to Tennessee, is infested by a daring set of Robbers, among whom are a certain Samuel Mason, and

a certain Wiley Harp; Men who have long been habituated to murder & plunder.—

I doubt not, but you will give all the protection in your power to the Citizens who may be travelling through the Wilderness, & I further hope Sir, that if you should receive information of any Mischief being done or attempted in the Wilderness, you will immediately order out a Party of Men, and make the necessary exertions to arrest the offenders;— This kind of conduct on your part, would give additional security to the exposed Traveller, & great support to the Civil Authority.—

With great respect & Esteem

I am Sir,

your Hble: Servt:

William C. C. Claiborne

To John McKee.

Natchez May 1st. 1802.—

Dear Sir,

I have received information, that the Negro of whose death, I acquainted you of, in my last Letter, was murdered by an Indian who resides in the Mucklesow Town; — my information comes through the channel of some Choctaws, now in this District, will you make further enquiry upon this subject; and inform me, the result.—

I am Dear Sir,

in great haste

your friend &c.

(Signed) William C. C. Claiborne

Colo: John McKee

Agent in the

Choctaw Nation.—

To William McCormick.

Town of Washington May 1st- 1802

Dear Sir,

I am extremely solicitous to learn the situation of our Small-pox Patients on this morning.—

I am fearful that they may experience some injury from the Dews at night, and the damp ground, & it is greatly my desire that these inconveniences may be remedied as soon as possible.— Will you be so obliging therefore as to request Mr. Bashford to have some planks carried to the Encampment (in the course of this day) and employ a Person to assist in making for the sick Men a comfortable Place to lay on, and a dry shelter over them; Mr. Ruth has some Plank on the Road, which he intended for his Fence, and which he promised to lend me, on this occasion; they will answer the purpose very well.—

When we consider the fatigue which these men have undergone, since they were inoculated, & the manner in which they have been exposed to the heat of the sun, and the Dews & Rains at night, there is ground to fear, that the disorder may be immensely severe, and I am inclined to think the sooner medical aid is procured the better;— will you therefore be good enough, to engage the attendance of one of the Doctor Latimores, and get him to visit the Camp immediately.—

I must confess, that the idea, of having sent a fellow-mortal in the woods, “while on a sick bed” is distressing to my feelings;— But the safety of our own Society rendered the measure indispensable, and all that I can do is, to render their situation as agreeable as the nature of the case will permit.—

Mr. Bashford has been instructed to call upon you for every necessary for these unfortunate Men;— but lest he might not be sufficiently provident, I wish you would occasionally visit them yourself, and see what is wanting.—

I fear this Business, will be attended with some trouble to you, but I am sure, you will meet it with pleasure, since the cause of humanity is greatly involved.—

With sentiments of Esteem & Respect

I am Sir,

your Hble. servt :

(Signed) William C. C. Claiborne

Wm- McCormick

Mercht : At

Natchez

To Abner Green.

To Abner Green Esquire, Treasurer General for the Mississippi Territory.—

You will pay to James Ferrall Printer to the Territory, out of any monies, which may be in the Treasury, one hundred & forty four Dollars, being the sum which is now due him, for printing the Laws, & for so doing, this Instrument, shall be your sufficient warrant.—

Given under my hand & Seal at the Town of Washington, on the 1st. day of May 1802.—

William C. C. Claiborne

Governor of the Mississippi

Territory.

To Batholomew Shaumburgh.

Town of Washington, May 3rd. 1802

Sir,

In a letter from the Secretary of War, I am informed, that the President of the U. States has directed five hundred Rifle Guns to be forwarded to me from Philidelphia, by the route of New-Orleans, and also three hundred

Muskets to be delivered to me at Fort Adams, on my receipting for them.—

It would be inconvenient to receive those Arms, until there is erected a convenient House as a place of deposit, and I am furnished with a small Party to guard them until they are distributed in the manner contemplated by the Government.—

I have therefore to request, that you would detach a subaltern Officer and twenty-five or thirty Men to this Town, in Order, that they may proceed to erect a suitable Block-House, for the reception of the Arms, above mentioned, and that the officer be directed to comply with such instructions, as he may from time to time receive from me.—

With respect & Esteem.

I am &c.

William C. C. Claiborne

Capt. B. Shaumburgh

To the Two Houses of Assembly.

A Communication from the Governor, to the two Houses of Assembly.—

FELLOW CITIZENS of the LEGISLATIVE COUNCIL, & of the HOUSE of REPRESENTATIVES.—

I am persuaded that an early attention, to several Subjects of Legislation, will be promotive of the Public good;— but being aware of your solicitude, to render the present Session as short, as duty to your Constituents will permit, I shall forbear to recommend any business which can safely be postponed.—

The act which provided for the Publication of the Laws and Journals of the Legislature, will not I fear

prove full commensurate to that object;—from a want (probably) of Types or sufficient assistance, the Public Printer has progressed so slowly in the work, as to evidence the necessity of making further & better provision upon this subject for the future.— The speedy and certain *promulgation* of the proceedings of each succeeding Assembly, is an act of Justice, to the Government, and to our constituents:— *it* would afford the means of a general information, and would present the surest barrier against the effects of *Misrepresentation & Misconception*.—

A revision in part of the act, regulating the Judicial Department, seems to me expedient;— our experience under this System, has not been sufficient to ascertain the extents of its merits, or defects;— In theory, it is believed, well adapted to the local situation of the Territory, and to the administering of Justice between Man and Man;— that the details of the *Bill* are defective, is indeed certain, for perfection in a subject so complex, is not within the reach of human wisdom;— But *its* inaccuracies will best be discovered in the progress of its operation, & the necessary corrections may then, with greater certainty be applied;— You will however find it indispensable, to make a different and more convenient arrangement of the times for holding the Courts;— the Superior Court for Adams District, & the Court for Jefferson County follow so close in succession, that they will probably be in Session at one and the same time, and the Superior Court for Jefferson District and the Election for Representatives to the General Assembly, commence on the same days;— These interferences (if suffered to continue) will create general inconvenience to the Citizens, and may produce an obstruction in the streams of Justice.— You will also find it advisable, to make a more just apportionment of the number of Jurors, to be returned from the different Counties, to the Superior Courts;— At present each inferior Court is directed to

nominate thirty-six Jurors to the Superior Court, a regulation which may prove somewhat burdensome to the smaller Counties.—

While on the subject of the Judiciary, permit me to observe, that it will be wise policy, to consider with deliberation & candour, every *good-intentioned objection*, which may exist to the System;— In a free Government, the wishes of every part of the community, as far as be practicable, and consistent with the general good, ought to be consulted, for that, administration will always be the most honourable and happy, which in the greatest degree, attaches the affections of the People.—

The prevalence of the Small-Pox at New Orleans, and our constant commercial Intercourse with that Port, exposing this Territory to imminent danger of receiving the contagion, a general alarm has prevailed among the Citizens for several weeks past;— The want of authority has prevented me, from taking the measures, best calculated to guard against the introduction of this *pestilence*;— at any time *it* might prove distressing, but at this season of the year, when the People are so *generally* and *necessarily* engaged in agricultural pursuits, it would indeed be a great misfortune.—

Two attempts have been made to avail ourselves of that valuable discovery in Medical Science, the Vaccine or Cow-pox, but I am sorry to inform you, that the Virus which was procured, not being genuine, or having lost its virtue from age, the first attempt failed of success, & it is yet doubtful whether the issue of the second will be more fortunate.—

It remains for the Legislature to determine how far it may be proper, to pass a general Health-Law, and what powers ought to be invested with the Executive, to prevent the introduction of the Small-pox, or other infectious Diseases;—A Law upon this subject, was passed under the 1st Grade of Government, and remains unre-

pealed, but upon inspection, its provisions will be found too imperfect to remain as a permanent Regulation.—

FELLOW CITIZENS of the LEGISLATIVE COUNCIL and of the HOUSE of REPRESENTATIVES—

Among the objects of general concern, which properly arrest the attention of Legislators, there is one of high importance, which has not yet been attended to in this Territory;—I mean a System of Public Education, and I should be sorry to see the functions of the first Legislature chosen by the People concluded, until some provision was made, upon this interesting subject.¹

Every Government which aims at the general welfare and happiness, ought to direct its views to the advancement of Literature, as the most efficient means.— But the very preservation of a Republican Government in its genuine purity and energy, depends upon a diffusion of knowledge, among the Body of Society.—

A People involved in mental darkness, become fit subjects for despotic sway, but when Informed of *their Rights*, they will never fail to cause them to be respected by the Public Authority.

I am sure in point of pecuniary resources, this Territory is well enabled to defray the expence of Literary Institutions;— The rapid and uncommon growth of wealth amongst us will indeed be a blessing, if it should be accompanied in a like Ratio, with Mental improvement;— But if *wealth* be not used as an Instrument to promote knowledge and rational refinement, there is danger, that *it* may produce Luxury & Vice in the rising Generation, and become the means of corruption both Public & Private.—

¹ In response to this suggestion of Gov. Claiborne, the Legislature established Jefferson College May 13, 1802. Mayes' "History of Education in Mississippi," page 25; Morrison's "Jefferson College," Pub. Miss. His. So., pp. 179-188.

I submit therefore for consideration, the propriety of extending your Legislative cares, to the Education of our Youth: A Seminary of Learning, established at some situation central to the Population of the Territory, fostered by the Government, and placed under the direction of a well selected Board of Trustees, would I flatter myself, become a fruitful Nursery of Science & Virtue.—

At this Seminary, our Youth would be collected into one community, and would form the early ties of intimacy, which would bind their Hearts in union & friendship through Life.—

I shall reserve for special Messages, some other matters, which it is proper to lay before you, and will conclude my present communication, with assurances of my entire confidence in your Patriotism, and of my faithful co-operation in every measure, which promises to advance the Interest of the Mississippi Territory.—

(Signed) William C. C. Claiborne

Washington May 4th 1802—

To the two Houses of Assembly.

A Message from the Governor to the two Houses of Assembly—

Gentlemen of the Legislative Council, and the House of Representatives.—

The enclosed Resolution of the House of Representatives of the United States, which was transmitted to me, by the Honourable the Speaker of that Body, will acquaint you of the death, of our worthy fellow Citizen Narsworthy Hunter, late a Delegate from this Territory to Congress.—

It will become a duty of the two Houses of Assembly, to supply the Vacancy which is occasioned by Mr. Hun-

ter's death;— This unfortunate event has deprived the Mississippi Territory of a valuable friend.—

(Signed) *William C. C. Claiborne*
Washington May 4th 1802.—

To Gov. Claiborne, from Nathaniel Macon.

Washington 13th. March 1802—

Sir,

The enclosed Resolution of the House of Representatives of the United States, will inform you of an event, which all here lament, and none more than

Sir,

Your mo: obt: Servt:

Nanthl Macon

In the HOUSE of REPRESENTATIVES
of the UNITED STATES,

Friday, the 12th. of March, 1802.—

Resolved, that the Speaker of this House address a letter to the Governor of the Mississippi Territory, to inform him of the death of Narsworthy Hunter,¹ the Delegate from the said Territory in this House, in order that measures may be taken to supply the vacancy occasioned thereby²

Extract from the Journal,

(Signed) *John Beckley*— Clerk—

¹ Died March 11, 1802.

² The May session, 1802, elected Thomas Marston Green, of Jefferson County, to succeed Narsworthy Hunter, deceased.

To Benajah Osmun.—

Town of Washington May 6th. 1802—

Dear Sir,

The Major of Brigade, has furnished me, with a Copy of the returns you have made, to his office, of the Bounds of Company Districts, laid out in this County.—

The promptitude and correctness, with which this duty has been performed by yourself, and the two Majors, are highly pleasing to me, and entitle yourself and them to my sincere thanks.—

With a view to conciliation, and, to effect a ready and cheerful attention to Military duty, I am desirous that the privates composing the different Military Companies, shall nominate (by election) such Characters, as they would wish me to Commission as Captains, Lieutenants, and ensigns & my determination is to appoint every *Person* so recommended, unless there should exist some *good Objection* either to his Public or Private Character.—

Will you therefore appoint a convenient time and place, for the Citizens subject to Militia duty and residing within the Bounds of Company Districts, to assemble and recommend their Company Officers;— will you also instruct one of your Majors to give due notice of the time when, and the place where, the different Companies are to assemble, and to attend at the said Company meetings in order, that the business may be conducted fairly;— By the Major, the Persons recommended, will be announced to you, and through you to me.—

With great respect & Esteem:

I am Dr. Sir,

your obt: Hble: Servt.

(Signed) William C. C. Claiborne

Colo: Benejah Osmun.—

To Gov. Claiborne, from Henry Dearborn.

War Department

March 10th. 1802.—

Sir,

Your representation of the unarmed condition of the Militia of the Mississippi Territory, and taking into view the peculiar situation of the Country, has induced the President of the United States to direct five hundred Rifle Guns to be forwarded from Philadelphia by the first conveyance by water to the care of William F. Hulings Esquire Vice Consul at New Orleans, to be delivered to your Order and also three Hundred Muskets to be delivered at Fort Adams, on your receipting for them.— The whole of the Rifles and Muskets to be sold under your direction to the Militia, on such reasonable terms as you may deem proper; but it may be found beneficial to set the prices so high as to prevent their being purchased for the purpose of speculation; the mode of payment will likewise be left to your discretion.— None should be sold to any Persons not actually belonging to the Militia.—

I have the honor to be with

sentiments of Esteem.

your Hble. Servt:

(Signed)

H. Dearborn

His Excellency

William C. C. Claiborne

Governor of the Mississippi Territory

To Henry Dearborn, Secretary of War.

To the above Letter, the Governor wrote the following Answer.—

M. T. Near Natchez May 10th. 1802.—

Sir,

I received by the last norther Mail, your Letter of the 10th of March, advising me that the President had directed five hundred Rifle Guns to be forwarded from Philidelphia to New Orleans, and to be delivered to my order, and also three hundred Muskets to be furnished me from Fort Adams on my receipting for them;—the whole to be sold under my directions to the Militia of this Territory,— This *arrangement*, has afforded me great satisfaction,— *it* certainly will add to the security of the District, and will I flatter myself, render our Militia respectable.— I shall take care that *these arms* be alone disposed of to Persons actually *Enrolled in the Militia* and I shall take every precaution, to prevent their becoming an *object of speculation*;— to enable me the better *to do so*, I shall, in Person superintend the sales, and for this purpose, I have it in contemplation to deposit the Arms in a small Magazine, which will be erected, in about four hundred yards of my own Dwelling.—

The day after the receipt of your communication, I addressed to Captain Shaumburgh, commanding the United States Troops in this quarter a Letter, of which the Paper No.1. is a Copy, and I received on yesterday, his answer No: 2. and to which correspondence, I beg leave here to refer you.— I did not suppose it safe, to have several stand of arms, deposited any where in this Territory, without a Guard of protection, and the number of Men I requested of Captain Shaumburgh will not I presume be deemed too many;— in erecting the Magazine & Block-House, the utmost economy shall be observed, and the work formed on a small scale;— the use of the

Land on which the Buildings will be erected, shall be procured gratis, also all necessary Timber, or if it should be deemed advisable, I shall procure for the United States (from a Mr. Foster the present owner of the Land) upon very moderate terms, a Title to the Ground.—

The President, in submitting to my discretion, the terms upon which the Rifles and Muskets are to be sold, and also the mode of payment, has given me a high proof of his confidence, & I shall endeavour to discharge that confidence with fidelity;— but I must confess, it would have been more pleasing to me, if the conditions of the sale had been prescribed; I should then, have had nothing to do, but to comply with my Instructions;—but at present, I feel a responsibility, which will attach to my mind no small share of anxiety.—

With great respect & Esteem,

I am Sir,

Your Hble. Servt:

(Signed) *William C. C. Claiborne*

The Honble. .

Henry Dearborne

Secretary of War

for the United States

To Majors Isaac Callier and Nathaniel Christmas

A Copy of a Letter from the Governor to Majors Isaac Callier & Nathaniel Christmas of Washington County, a copy of which was sent to each of those Gentleman.—

Town of Washington May 11th. 1802

Sir,

I have enclosed you a Copy of a Law, which has lately been passed by the General Assembly;— It is in part

interesting to Washington County and I wish you to make its contents generally known.—

The printing of the Laws passed during the last Session of the Legislature is not yet completed;—so soon as this necessary duty is performed, correct Copies shall be transmitted to your County.—

The Citizens of the Territory generally, experience great inconvenience from the delay which has attended the publication of our Laws, and this inconvenience cannot be remedied until a better Printing Press, than the one now engaged can be met with in the Territory.—

I sent you Copies of the Tax and the Election Laws by Mr. James Callier.—

With great respect & Esteem

I am Sir,

Your Hble. . Servt:

(Signed) William C. C. Claiborne

To James Madison.

M. T. Near Natchez May 14th. 1802

Sir,

In conformity to a Proclamation which I issued on the 5th day of April 1802, the Legislature of this Territory met in Session on the 3rd. Instant and on the day following I made to the two Houses a Communication of which the enclosed is a Copy.— On yesterday the Legislature adjourned, having acted upon the different subjects which I had recommended, and made several very wholesome Laws, amongst which is an act to establish a College in the Mississippi Territory.— The act declares that this College shall bear the name of “Jefferson College, in honor of Thomas Jefferson President of the

United States and President of the American Philosophical Society.”—

A little Town called Washington, about six miles from Natchez is fixed upon by Law, as the place where the future Sessions of the Legislature shall be holden.— Washington is handsomely situated, well supplied with excellent Spring water, and said to be the healthiest Spot in the District.¹—

During the late Session of the Legislature, a Mr. Thomas M. Green was elected a Delegate to Congress, to supply the Vacancy occasioned by Mr. Hunter’s death;—Mr. Green is a respectable and wealthy Farmer, warmly attached to the United States, & to the principles of seventy six, possessing a tolerable correct judgment, but without the advantage of a good Education.—

With sentiments of great

Esteem & Respect

I am Sir,

Your Hum: Servt:

(Signed) *William C. C. Claiborne*

The Honble:

James Madison

Secretary of State for the U.S.—

To Henry Dearborn, Secretary of War.

The following is a Copy of a Letter from the Governor to the Secretary of War for the United States.

M. T. Near Natchez May 14th. 1802

Sir, The Indian Goods which were mentioned in my Letter of the 8th. and 19th. of April, have not yet reached

¹ Washington was made the Territorial capital by Act of February 1, 1802. The original Act is signed by W. C. C. Claiborne, Governor; H. Hunter, Speaker of the House, and John Ellis, President of the Council, and is on file in the Mississippi Department of Archives and History.

Natchez, they are however on the River and I expect them daily.— Mr. Jones's Bill of Cost, when exhibited at Orleans, amounted to one hundred & thirty Dollars which has been paid at my request by Samuel Postlethwait Merchant at Natchez and duplicate Receipts taken;— for this sum together with the amount of freight from Orleans to Natchez, which will probably be inconsiderable.— I shall draw upon you in favor of Mr. Postlethwait.—

I have not yet received an answer from John McKee to the Letter I wrote him on the 7th. of March on the subject of those Goods, a Copy of which accompanied my communication to you of the 8th. of April.—

I have the pleasure to inform you, that the Choctaws continue friendly, and that most of those poor Indians who recently supported themselves, by begging & plundering in our settlements have returned to their own Lands.—

By a Gentleman immediately from Orleans I learn, that an opinion still prevails there, that Louisiana is ceded to France, but no official information thereof had been received.—

While Spain is in the humour of parting with some of her dependencies, I wish to God the United States could negociate for East & West Florida, including the Mouth of the Mississippi;— This indeed would be a great acquisition, and would be productive of the most happy Political consequences.—

With great respect & Esteem.

I am Sir,

Your mo: obt: Hble: Servt:

(Signed) *William C. C. Claiborne*

The Honble. .

Henry Dearborn

Secretary of War for the
United States.—

To Seth Lewis.

The following is a Copy of a Letter from the Governor to the Honorable Judge Lewis.

Town of Washington May 22nd. 1802

Sir,

The bearer Mr. Stephen Bullock, wishes a Licence to practice as a Lawyer in the several Courts in this Territory:—will you be good enough to examine him, and give me your opinion in writing as to the extent of his legal information.—

I ask permission, to send to you for examination, all future applicants for admission to the Bar, and your opinion as to their fitness will always be received with great respect by

Sir,

Your Hble. . Servt.

(Signed) William C. C. Claiborne

To Gov. Claiborne from Henry Dearborn

A Copy of a Letter from the Secretary of War to the Governor.

War Department

April 8th. 1802

Sir,

From your representation of the state of Society at Natchez, and of the peculiar situation of the Territory, the President of the United States is of the opinion that a Company of regular Troops may be spared from Fort Adams to be disposed of in the manner you have suggested:— A Block House and quarters for the Troops will also be necessary at some healthy and convenient

place.— While the President is desirous of doing for our Citizens whatever is necessary for their safety and prosperity, he is anxious to restrain all expences within just & reasonable limits, It is therefore expected that the Scite, materials and labor for these works will be furnished at such moderate and reasonable prices as a private Citizen would pay, these views of economy being previously secured, a company will be ordered from fort Adams to assist in erecting the Buildings, together with such artificers as can be spared from that Post.—High Commanding ground in the vicinity of good water, at one or two miles distance from the river should be selected for the Post and in the vicinity of the principal Population, perhaps it may be proper to place the Post at a greater distance from the River, say three or four miles, the healthfulness of the Scite should be considered an important object;— the Block House should be about thirty feet square and two stories high, the Timber for the walls should be twelve inches thick and of the most durable kind that can be conveniently procured;— the upper Story should be made convenient for the residence of the officers, except such parts as will be necessary for depositing the Arms &c; the lower Story may serve as a Store for the Garrison;— the Huts or Barracks should be made sufficiently large to afford suitable accommodation to the non-commissioned officers and Soldiers:— If suitable Timber can be conveniently obtained for a Stockade, it would be an object worth your attention as a retreat in case of danger for Women and Children,— one hundred and forty feet square would perhaps be sufficiently extensive, that however can be better Judged of on the Spot¹.—

It is considered that it may be proper and beneficial to

¹ Description of Fort Dearborn, as afterwards constructed under orders of Gov. Claiborne at Washington M. T. The site of the old fort is still an object of interest to visitors to that little village.

consult with the Commanding Officer of Fort Adams relative to the Scite for the above works.—

I have the honor to be

With esteem your mo:

obt: Servt:

(Signed)

H. Dearborn

His Excellency

William C. C. Claiborne

To Henry Dearborn

The following is a Copy of a Letter from the Governor in answer to the foregoing from the Secretary of War.—

Town of Washington, May 24th. 1802

Sir,

I am honored with the receipt of your Letter of the 8th of April.—

The stationing of a Company of regular Troops at some Position central to the population of the Territory, and the erecting of some works of Defence, to be appropriated also, as a place of Deposit for Arms &c. are in my opinion, prudent measures;— I flatter myself that no event will arise, to disturb the peace of this distant *settlement*, but really in *its* present defenceless and exposed situation, I should think myself wanting in duty, had I not suggested the propriety of placing the means of defence, within the reach of the People.—

The Scite, materials and labour for the Fort &c, I will take care to obtain on such “reasonable and moderate terms, as a private Citizen would pay,” and so far as may depend upon my agency, I shall endeavour on all occasions, to restrain the expences of Government in this quarter, within just and economical limits.— It seems to me that the cost of the works contemplated, will be far

from being considerable;— A Company of Men, aided by a few artificers from Fort Adams, would be enabled in a short time, to erect the necessary Buildings and I presume a few acres of Land, and the necessary materials, such as Timber, Iron &c, (including the expence of hauling) may be procured *for a sum less* that six hundred Dollars.—

I shall advise with the Commanding Officer at Fort Adams, as to the proper Scite for these works;— and will write further upon the subject by the next Mail:— I shall however, cause a *small Block House* about fourteen feet square, to be raised, to deposit temporarily the arms, that are to be sold to the Militia; It will be situated about four hundred yards from my House, and within the same distance of the Town of Washington, the present seat (of) Government for the Territory.— I have procured the Timber for the Block-House, and also the use of one acre of ground gratis;— But should the Secretary of War wish the ground to be conveyed to the United States, the owner has agreed to do so, for thirty five dollars.—

The arrangement of the Militia in this Territory, receives a great share of my attention;— It is a troublesome undertaking but I shall persevere, until I effect a complete organization.—

I have not yet heard of the arrival of the Rifles at Orleans;— It is my intention, to dispose of the Muskets & Rifles for cash, and upon such Terms, as will remunerate the United States, the original Cost. —

With great Respect
and sincere Esteem

I am Sir,

Your Hble— Servt—

(Signed) William C. C. Claiborne

The Honble—

Henry Dearborn

Secretary of War for the U.S.

To James Madison.

Mississippi Territory, Town of Washington

May 28th. 1802.—

Sir,

I have the honor to enclose to you, a Manuscript Copy of the Laws passed at the last Session of the Territorial Legislature; There being at present, no Secretary in the Territory, (Colo: Steele's time of service having expired) the original Laws, are deposited with me for safe keeping.—

The acts passed at the Session, previous to the last, are yet with the Printer; but I hope, the publication of them, will be completed in the course of next week, and if so, I will transmit you a Copy, by the next Mail.—

With respect & Esteem.

I am Sir,

Your Hble. . Servt:

William C. C. Claiborne

The Honble—

James Madison

Secretary of State

for the U. States

To Gov. Claiborne, from James Madison.

Department of State

April 9th. 1802

Sir,

I herewith enclose your Commission, as Governor of the Mississippi Territory, issued in consequence of the Senate's confirmation of your appointment,¹ and,

have the honor to be

Sir,

Your obt. Servt:

(Signed) James Madison

William C. C. Claiborne

Governor of the Mississippi Territory.—

The following is a Copy of a Commission.—

THOMAS JEFFERSON, President
of the United States of America,

To all who shall see these presents,—G r e e t i n g,

K N O W Y E, That reposing special trust and confidence in the Patriotism, Integrity and Ability of WILLIAM C. C. CLAIBORNE, of Tennessee, I have nominated, and by and with the advice and consent of the Senate do appoint him GOVERNOR in and over the Mississippi Territory;— and do authorize and empower him to execute and fulfil the duties of that office according to Law;— and to Have and to Hold the said Office, with all the powers, privileges and Emoluments to the same of Right appertaining for the term of three years from the day of the date hereof, unless the President of the United

¹ Gov. Claiborne was appointed on confirmation by the Senate January 26, 1802. His first appointment of May 25, 1801, was made during a recess of the Senate.

States for the time being should be pleased sooner to revoke and determine this commission.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Given under my Hand, at the City of Washington, the Twenty Sixth day of January in the year of our Lord, one thousand Eight hundred and two; and of the Independence of the United States of America the Twenty Sixth.—

(Signed) THO: JEFFERSON

By the President,

(Signed) James Madison Secretary of State

To James Madison.

M. T. Town of Washington June 1st. 1802

Sir,

I have the honor to acknowledge the receipt of your Letter of the 9th —of April, enclosing me a Commission as Governor of the Mississippi Territory, issued in consequence of the Senate's confirmation of my appointment.

I am gratified with this additional proof of my Country's confidence, and it will not fail to excite my best endeavours to execute with propriety the trust reposed in me.—

I am Sir,

very respectfully

your mo: Obt: Hble —Servt:

(Signed) William C. C. Claiborne

The Honble—

The Secretary of State

for the United States.—

To Gov. Claiborne, from Thomas Jefferson.

A Copy of a Letter from Thomas Jefferson, President of the United States, to the Governor of the M. T. enclosing his answer to an address from the House of Representatives, of the M Territory to him; with a Copy of *that* answer; & a copy of a letter from the Governor of the sd. Territory, to the President in answer to the one above mentioned.

Washington, April 3d. 1802.

Dear Sir,

The House of Representatives “of the Mississippi Territory “having sent through your hands the address “they were pleased to present to me, permit me to ask “permission to pass the answer through the same Channel, and to add assurances of my friendly respect & “high Consideration.

Th. JEFFERSON

His Excellency

W. C. C. Claiborne

“Governor of the M.T.”

To the House of Representatives of the Mississippi Territory, from Thomas Jefferson, President of United States.

“To the House of Representatives of the Mississippi “Territory.”—

“Gentlemen,

“I receive with Great pleasure the address of your “honourable house of the 20th— of January, & thank you “for the sentiments of affection, of approbation, & of confidence which it expresses.

“The interesting portion of our country which you
“occupy, is worthy the fostering care of the General
“Government: impressed with a full sense of the duties
“I owe to your situation, I shall not fail to fulfil them
“with solicitude & fidelity.

“With local advantages so distinguished, a fertile soil,
“genial climate, and precious productions, the day can-
“not be distant, when, strong in population, and rich in
“resources, you will, by the addition of your wealth &
“strength, amply retribute to your sister states, the care
“& protection under which you will have been nurtured,
“nor shall we doubt your assistance in fortifying in our
“minds a strict adherence to the Constitution, and to
“those Republican principles, which the patriots & heroes
“of '76 established & consecrated.

“I pray you to be assured of my fervent wishes for
“your safety & prosperity, & to accept the homage of my
“high respect & consideration.

“TH: JEFFERSON

“April 3d 1802.”

To Thomas Jefferson, President of the United States.

“Mississippi Territory
“Town of Washington, June 1st
1802

“Dear Sir,

On last evening I received your letter of the third of
“April, enclosing your answer to an address from the
“House of Representatives of this Territory, and which

“I shall with great pleasure, forward to the Speaker of
“that body.

“With assurances of my highest respect,
I have the honor to subscribe

“myself,

“yr faithful friend

“& mo: obdt. Hble: Servt.

(Signed) “William C. C. Claiborne

“His Excellency

“Thomas Jefferson

“President of the United States.”

To James Scurlock.

A letter from the Governor to Mr. James Shurlock,
of Pinckneyville

“Town of Washington, June 2d. 1802.

“Sir,

I have understood that you have lately returned from
“the Spanish settlements, and that your family are not
“entirely free from the contagion of the Small Pox: If
“this is the case, I hope you will immediately remove the
“person or persons in your family affected, without the
“Town of Pinckneyville, to some retired situation, & that
“every precaution will be taken by you, to prevent the
“spreading of the disease.— This is your duty as a good
“citizen, & I enjoin a strict performance.

“There is a Law of the Territory entitled an act to
“prevent the importation and spreading of the Small
“pox”,¹ which punishes with fine & imprisonment any
“person who shall wilfully introduce the small pox into
“our settlement. The general good dictated the pass-

¹ Act of May 13, 1802.

“age of this Law; and suggests, also, the propriety of
“rigidly enforcing it.

“With respect

“I am, Sir,

“yr. Hble: servt.

(“Signed) William C. C. Claiborne.”

“James Scurlock.”

Warrant on Treasurer.

A Warrant in favour of Edward Turner for 36 dolls.
on the Treasurer General for certain services rendered
“To Abner Green Esqr. Treasurer General of the Mis-
“sissippi Territory;

“You will pay to Edward Turner¹ out of any monies
“which may be in the Treasury, thirty six dollars, being
“the amount of the compensation allowed him by me,
“for taking several manuscript copies of the laws passed
“at the late session of the Legislature: and for so doing,
“this instrument of writing shall be your sufficient war-
“rant.

Seal “Given under my hand & seal to the Town of
Washington, this 2d. day of June, A. D. 1802.

(Signed) “William C. C. Claiborne—”

To John McKee.

“Near Natchez, June 4th— 1802

“Sir,

Your Communications of the 25th— of April and 20th
“of May have been received; and I thank you for the
“promptitude with which you commenced an enquiry rel-
“ative to the killing of Mr. Fitzgerald’s negroe; It is im-

¹ Clerk of the House of Representatives, who was distinguished in State Affairs. Lynch’s “Bench and Bar of Mississippi,” pages 84-87.

“portant that the murderer should be known, & I hope
“you will endeavour to procure such information as will
“enable you to state to me with certainty the name of the
“fellow who committed the murder, & the Town to which
“he belongs.

“I am inclined to think that the tale of the Indian
“who says he was stabled in the back by a white man
“without any previous quarrel, is not correct. It is
“most likely to have been the result of a drunken frolick,
“in which a white man might probably have been a
“party.

“The Citizens of Natchez and its vicinity are not at
“this time, as much embarrassed with Indian visits as
“formerly. Of late, several of these vagabond fellows,
“with their families, who had become so troublesome,
“have retired from our settlements; but many others
“still remain; greatly to the disturbance of the good
“people of this Territory. I wish that this great inconvenience
“could be remedied. I think with you, that the
“people of Natchez are themselves much in fault; and I
“shall endeavour to put a stop to the practices which
“you allude to: But it will still be advisable for you to
“impress upon the minds of the Choctaw Chiefs the propriety
“of their restraining some of their people from
“making such frequent, unnecessary, & lengthy visits
“to this Territory.

“The tools I mentioned to you in a late letter, are
“now in Natchez. I expect in two or three weeks to hear
“from the Secretary at War, upon the subject of their
“goods. But if in the mean time the person you propose
“sending for the Choctaw annuity, should arrive, I shall
“commit to his care a part, and probably the whole, of
“the tools to be distributed under your direction.

“In a letter from the Secretary at War, dated on the

“23rd— of February (a copy of which is herewith enclosed for your information and instruction) I am directed “to consider myself as having the superintendance of all business relating to the Indians within this “Territory”; and in future, all such sub-agents as may “be appointed by the President, to reside among the Indian Nations, are directed to correspond with the *Governor of the Territory*, in which they may be placed, “and communicate generally with the department of “war, *thro’ that channel; and to consider themselves under the General direction of the Governor.*” In consequence of this new regulation, the general superintendance of the Chaetaw Nation, devolves upon me, “and I promise myself great support from your faithful and able co-operation.

“In the letter from the Secretary at War, your duty “is particularly detailed. The report which is directed “to be made once in every three months, I will thank you “to forward to me, at the earliest convenient period; it “will acquaint me with the present state of your agency, “and of the Chaetaw Nation; & I shall then be the better “enabled to forward the views of the Government.

With assurances of great respect

& esteem,

I am,

Sir, &c’

William C. C. Claiborne.

P.S. I have sent you, in a separate packett, a news “paper, which contains a copy of the late act to regulate Trade & intercourse within the indian tribes, and “to preserve peace on the frontiers.

“Colo. John McKee

“Agent in the Chaetaws”

To Henry Dearborn.

Natchez, 10th. June 1802.

“Sir,

“Three Hogsheads & three Boxes of Ironmongery,
“marked U. States, Chaactaw Nation,” being the same
“which I have mentioned in several of my late letters,
“have arrived at Natchez. The freight & charges on
“these goods, as will appear by the vouchers enclosed,
“amounted to *one hundred & sixty four dollars*—for
“*which sum*, I have this day drawn a Bill upon you pay-
“able at five days sight, to Samuel Postlethwait & Co.
“or order.—

“With great respect

“I am,

“Sir

“yr Hble. Servt.

“William C. C. Claiborne.”

“The Honble: H. Dearborn

“The Secretary at War”

June 12th— 1802

The Governor issued a warrant upon the Treasurer for fifty two dollars in favour of James Patton, being the sum due him for his services as a marker of the road from the national boundary line, to the town of Natchez as appeared by an account which he rendered, and a certificate signed by Hugh Davis & John Collins, two of the Commissioners for laying out said road.

Address to Officers of Militia.

June 21st. 1802

“Gentlemen officers of the first
“Regiment of Militia,

“I avail myself of this opportunity to offer you my
“congratulations, on your entering upon the duties of
“your present honourable appointments, and to express
“my entire confidence in your exertions to merit the
“trusts respectively committed to you.

“The importance of a well regulated & a well armed
“militia to the safety of this Territory, must be fully
“impressed upon every reflecting mind; and that every
“good citizen will unite cordially in effecting an object
“so essential to the general good; I will not for a
“moment permit myself to doubt.

“To render our Militia a safe rampart of defence,
“order, regularity, and a proper degree of military dis-
“cipline must be introduced. In these particulars you
“will (probably) find the regiment to which you are an-
“nexed, greatly deficient, But relying as I do, upon the
“zeal & industry of the officers, the docility & obedience
“of the privates, & above all, upon the patriotism of this
“community, I persuade myself that the time is not dis-
“tant, when every citizen of this Territory, will be a
“soldier, & prepared on all occasions, to defend with
“his life, his country, her government & laws.

“William C. C. Claiborne”

To Gov. Claiborne from Wm. T. McCormick.

A copy of a letter, from William T. McCormick, & the Governor's answer.

Natchez 22d. June 1802.

"Dear Sir,

"Inclosed is the account of disbursements I have made for the small-pox hospital say Doll 114 6 $\frac{1}{2}$ -100
"—If found right would be much obliged to you to annex your certificate.

"Pardon my troubling you at this time, I should not have so immediately done it, but a gentleman to whom I am to pay money has an arrangement to make with the Treasurer, and this receipt can probably come in as so much cash.

"With sentiments of great respect

"I remain your obdt Servt

Wm- T. McCormick

His Excely:

William C. C. Claiborne

"Governor of the M. T."

To Wm. T. McCormick, Esq.

June 22d. 1802

"Dear Sir,

"I have enclosed you a warrant upon the Treasurer for the amount of your Bill.

"I take this occasion to acknowledge my obligations to you, for the care & humanity which marked your attention to the hospital camp, & to assure you of my respect & regard.

"William C. C. Claiborne

"Wm- T. McCormick Esqr."

Pardon to George Rapalje.

"By William C. C. Claiborne
 "Governor of the Mississippi Territory
 "To all who shall see these presents,
 "Greeting;

"Whereas at a Supreme Court of Law held in & for
 "the County of Adams, in the Territory aforesaid, on
 "the second monday in October in the year 1800, pre-
 "sent the honorable Seth Lewis, chief Justice of the Said
 "Territory, & the honorable Peter Bryan Bruin, second
 "Judge thereof, then & there possessing authority to
 "hold said Court & to hear & determine all manner of
 "felonies & other crimes & misdemeanors committed
 "against the peace & dignity of the United States & of
 "this Territory, and of the laws thereof within the same
 "Territory.

"And Whereas the Jurors of the said United
 "States in and for the sd. County of Adams, then &
 "there attending the Supreme Court aforementioned &
 "being duly sworn on their oaths did present that
 "George Rapalje late of the said County on the 13th.
 "day of September in the year 1800 at the County of
 "Adams in & upon the body of a certain John Cotty
 "then & there being, an assault did make, and that he
 "the said Rapalje with a certain dagger which he then
 "and there held, the said John Cotty, feloniously, wil-
 "fully, & of his malice aforethought did strike & thrust
 "giving to the said John Cotty with the dagger afore-
 "said one mortal wound of which the said John Cotty,
 "then and there instantly died, whereupon the Jurors
 "aforesaid, upon their oaths aforesaid did say that the
 "said George Rapalje: the said John Cotty in manner
 "& form aforesaid, feloniously, wilfully, & of his malice
 "aforethought did kill & murder, against the statute in

“that case made & provided, and against the peace & dignity of the United States & of this Territory.—

“And *Whereas* the said George Rapalje being thereupon arraigned & having pleaded that he was not guilty: issue was then joined in due form of law, & thereupon came a jury of good & lawful men who being elected & sworn the truth to say, and upon the premises aforesaid, upon their oaths did say that “The prisoner is not guilty of the murder aforesaid, as above charged upon him, but that the said George Rapalje is guilty of the felonious slaying of the aforesaid John Cotty,” all which will more fully appear reference being had to the proceedings in this case yet remaining of record among the Rolls & Records of the aforesaid Court.

“And *Whereas* a petition signed by a great number of very respectable Inhabitants of this Territory has been presented to me, recommending the said George Rapalje as an object of mercy & praying for a pardon in his behalf:

“NOW THEREFORE KNOW YE that having considered the prayer of the aforesaid petitioners, I have thought proper to extend mercy to the said George Rapalje and by virtue of the power & authority in me vested as governor of the aforesaid Territory, I do by these presents pardon & consign to oblivion the offence aforesaid, whereof the said George Rapalje stands convicted as aforesaid: *Provided* nevertheless and **BE IT REMEMBERED**, that these presents are granted upon the following expressed conditions, to wit, That “Before the said George Rapalje shall be allowed to take benefit of these presents, he the said George shall before the Judges of the Superior Court of law for the District of Adams in open Court, or be-

“fore one of the Judges of the same out of Term, be-
 “come bound in a Recognizance to the Governor of the
 “Mississippi Territory and his successors in office, him-
 “self the said George Rapalje in the sum of two thous-
 “and dollars, and two sufficient securities in the sum of
 “five hundred dollars each, with condition that the said
 “George Rapalje shall keep the peace, and be of good
 “behaviour towards all the good people of this Terri-
 “tory, and all others being therein, for and during the
 “period of five years, to begin & be computed, from the
 “day of the date of these presents:

“Provided also, and the true intent & meaning
 “hereof is, that if within the aforesaid term of five years
 “the said George shall commit any breach of the condi-
 “tions of these presents, or of the conditions of the rec-
 “ognizance hereby required, then this pardon shall cease
 “& be utterly null & void to all intents & purposes.

“Given under my hand and the seal of the Territory
 “at the town of Washington on the 22d. day of June, in
 “the year of our lord, one thousand eight hundred &
 “two.”

“William C. C. Claiborne”

To Gov. Claiborne, from Wm- E. Huling.

“New Orleans, 12th. June 1802.

“Sir,

“The goods mentioned in the inclosed letter & bill of
 “lading have arrived. I have entered them for deposit,
 “and as soon as they are landed, shall store them until I
 “receive your commands.

“Permit me to offer you my services in whatever may

“contribute to the public good, or to your personal interest, and to assure you of my respect.

“ I am

“Sir

“yr. mo: obdt Servt &c.

“His Excellency.

“Wm. E. Hulings

“Governor Claiborne.”

To Wm. E. Huling.

“Natchez June 26th. 1802.

“Sir,

“Your letter of the 12th— Inst: together with its enclosure, have been received.

“I will take early measures to transport the *goods* mentioned in the Bill of lading to Natchez; and in the mean time I am pleased that they are committed to your care.

“I shall occasionally avail myself of your good offices at Orleans, and I pray you to be assured of the pleasure, with which I would render you any service, in my power.

“ I am

“Sir

“very respectfully

“yr obdt Servt.

“The Honble:

“William C. C. Claiborne

“Wm. E. Hulings”

* Memorandum, the goods mentioned in the bill of lading, were five hundred rifle guns, packed in forty nine chests.

To John McKee.

Near Natchez, June 29th. 1802.

“Dear Sir,

“The bearer Andrew Bracken a citizen of the U. States, visits the Chaetaw nation, in order to recover “some horses and other property of which he was robbed “by a party of Indians (supposed to be Chaetaws) on the “road leading from Tennessee to this Territory.

“You will be pleased to give Mr. Bracken all the assistance in your power; & if it should appear that the “Robbery was committed by Chaetaws I request you to “impress upon the Chiefs the propriety & necessity of “punishing the offenders.

“This is the first outrage since the Treaty at Fort “Adams, and if the Chiefs should cause the offenders to “be severely punished; it will probably be the last; but if “this *act of aggression* should pass unnoticed, it will invite others, and the traveller will have no security.

“The paper enclosed (which is a true copy of an original deposition, now on file in my office) will shew you “the amount of Mr. Bracken’s loss, and describes particularly the property plundered.

“Will you present to the Chiefs my best wishes; & “assure them of my great solicitude for the happiness & “prosperity of the Chaetaw nation.

“With respect & esteem,

“ I am,

“Dear Sir

yr. Hble: Servt.

William C. C. Claiborne

“Colol. John McKee

“agent for the U. S. in the Chaetaw Nation.”

To Gov. Claiborne, from Henry Dearborn.

War Department, May 24th— 1800.

“Sir,

“I have the honor to acknowledge the receipt of your
“Excellency’s letter of the seventh ultimo, together with
“copies of correspondence relative to the goods for the
“use of the Chactaw Indians; enclosed you will receive a
“copy of the Invoice of these goods Shipped from Phila-
“delphia in October 1800.

“As soon as Mr. Dinsmoor¹ (the agent to the Choctaws) shall arrive in the nation you will please to take
“measures in conjunction with him, to have these goods
“delivered as originally intended. The expenses incurred will be paid on your draft being presented at this
“Department.

“Please to accept my thanks for your prompt attention to this business, and am with great respect

“yr. Excellency’s

“mo: obdt. Servant

“His Excellency

H. Dearborn

“*William C. C. Claiborne*”

To Henry Dearborn.

Near Natchez, June 29th— 1802

“Sir,

“I have received your letter of the 24th— ultimo covering an invoice of certain Indian goods, which were
“Shiped from Philadelphia in October 1800. These goods
“are now at Natchez; and shall be forwarded with care to

¹ Silas Dinsmore, agent to the Choctaws.

“the Chaetaws, as soon as I learn of Mr. Dinsmoor’s ar-
“rival in the nation.

“It is expedient to carry into effect at an early per-
“iod, the third article of the late Treaty between the U.
“States and the Choctaw nation, which provides “that
“the line of demarcation which was formerly established
“between the officers of his Britanic majesty, and the
“Chaetaw nation, which runs in a parallel direction with
“the Mississippi river, and eastward thereof shall be re-
“traced and plainly marked; The particular course of
“this line in its whole extent is little known, and the in-
“terest of both parties, requires that it should be ascer-
“tained with certainty.

“On the 14th— of this month, a man of the name of
“Bracken who was removing with his family to Natchez,
“was robbed of several horses & other property by a
“party of Indians (supposed to be Choctaws) on the
“road leading from Tennessee to this Territory: On this
“morning I dispatched Bracken to the nation with a let-
“ter to the agent, (of which the enclosed is a copy) and I
“flatter myself that the stolen property will be returned,
“& the offenders punished.

“I have not yet been enabled, in conjunction with the
“commanding officer of Fort Adams to select a seite for
“the erection of a Garrison, central to the population of
“this Territory. The new organization of the Troops
“has for a few weeks past, confined the commanding of-
“ficer of Fort Adams at that post: In the course of next
“week, however, I expect Captn. Sparks,¹ (the officer
“commanding) at my house; and we will then proceed
“to select a seite, and to make other necessary arrange-
“ments, of which you shall be immediately notified.

“In a letter from Mr. Hulings of New Orleans, dated
“on the 12th. Inst: I am informed of the arrival at that

¹ Captain Richard Sparks.

“port of the five hundred rifles, which you advised me of
 “in your letter of the 10th. of march last: I shall take
 “measures for the transportation of these guns to Nat-
 “chez and will dispose of them in conformity to the in-
 “structions I have heretofore received

“With great respect, & sincere

“esteem,

“ I am

“Sir,

“Yr. mo: ob: Hb: servt.

“The Honble:

“William C. C. Claiborne.

“H. Dearborn, Secretary at War.

Letter to Sheriffs.

The Governor addressed a letter (of which the following is a copy) to the Sheriffs of each County:

“Town of Washington June 30— 1802

“Sir,

“The acts passed at the late Sessions of the Legisla-
 “ture not being printed, I enclose you a manuscript copy
 “of the election law, together with an extract from the
 “ordinance, prescribing the qualifications of the voters.

“The law points out your particular duty, as also the
 “manner of appointing inspectors of the election.

“It will be highly proper to advertise at several of
 “the most public places, in your county, the time & place

“of holding the election; or otherwise, a general information thereof may not be communicated.

“ I am,

“ Sir,

“ Very respectfully

“ Yr. Hble: Servt.

“ William C. C. Claiborne”

To Henry Dearborn.

“Near Natchez, June 30th— 1802.

“ Sir,

“ I enclose you a letter which I have this day received from a Mr. John Callier of Washington County in this Territory, a Major in the Militia, and a Member of the Washington County Court.

“ If the Chaetaws (as Mr. Callier states) should be disposed to part with any of their land on the waters of the Tombigbee, it would be a great accommodation for our citizens in that quarter to make a purchase; and I am certain that, if the purchase money should not be very considerable it would be speedily reimbursed by a Sale of the lands: for the emigration to the Tombigbee has of late greatly increased; and if the bounds of that District were enlarged, there is no doubt but it would in a short time become a strong & compact settlement.

“ The Spanish record of which Mr. Callier speaks, may be an important paper. If his information be correct the claim of the Indians to certain lands which they at present hold, will be found to have been justly extinguished.

“ The situation of our citizens on the Tombigbee is indeed unpleasant; Their numbers do not exceed twelve hundred of all descriptions; nor will the present bounds of Washington County admit of much greater popula-

“tion. These few citizens are separated from Natchez
 “by an Indian Country of near 250 miles in extent; sur-
 “rounded on all sides by savages, and might be cut off
 “before information of their distress could reach any
 “other county in this Territory.

“ I am

“Sir

“ very respectfully

“Yr. Hble: Servt.

W. C. C. Claiborne.

“The Honble:

“Henry Dearborn

“Secretary of War.”

To Gov. Claiborne, from James Madison.

Department of State, May 11th— 1802.

“Sir

“Your several letters from Novr. 24th— to the 6th—
 “of March last, have been successively received.

“Such of them as fell within the purview of the War
 “Department were communicated to General Dearborn,
 “who, I have reason to believe, has bestowed on the sub-
 “jects recommended a favorable attention.

“I Inclose the opinion of the Attorney General in the
 “case where you wished it. Altho’ the phraseology used
 “by him does not refer to the technical distinction be-
 “tween a chancery and common law Jurisdiction, the
 “former having no distinct establishment in the Eastern
 “States, yet you will find your idea justified that equity
 “can always relieve against fraud.

“It is to be regretted that so much violence and vicis-
 “situde as you describe should afflict the inhabitants of
 “a settlement, which both in its infant and frontier char-
 “acter, more particularly needs the advantages of con-

“cord and stability. We rely much for a remedy on your
 “patriotic dispositions and prudent counsels, which as
 “they develope themselves cannot fail to inspire the well
 “meaning with confidence & to repress the activity of
 “others.

“I cannot yet give you any final information whether
 “the Spaniards are to remain your neighbours, or are to
 “exchange that character with the French. It seems cer-
 “tain that a transfer of Louisiana was stipulated to the
 “latter. Whether they will be diverted from the object,
 “or abandon it of themselves as their true interest would
 “advise, remains for time to explain.

“Congress adjourned on Monday the 3d. Inst. As
 “soon as the laws of the Session shall be ready, a copy
 “will be forwarded to you. The course of their proceed-
 “ings will have come to your knowledge through the
 “newspapers, a file of the latest of which is herewith en-
 “closed. I hope that in future you will receive them
 “more regularly, thro’ the ordinary channel.

“With sentiments of great respect & esteem

“I have the honor to be, Sir, yr. mo:

“obdt. servt.

“His Excellency

“James Madison

“William C. C. Claiborne Esqr.

“Governor &c.”

Opinion of Attorney-General.

The opinion of the attorney General alluded to in the
 above letter.

“Washington, March 26th— 1802.

“Sir,

“In answer to your communications as contained in
 “the letter of the attorney General of the Mississippi
 “Territory, enclosed by Governor Claiborne, respecting

“claims to vacant lands in that Territory. I can state
“little more than general principles, and a loose opinion
“on the decided cases.

“It does not appear from the letters what were the
“pleadings in the action, in which evidence of fraud in
“the dating of a deed was excluded; what was particu-
“larly in issue; why it was done; whether it was from
“the idea that the evidence was not of the proper kind;
“or the best which the nature of the transaction admit-
“ted of; or that the witnesses were considered incompe-
“tent from being interested in the question or in the
“cause.

“Nothing can be clearer than that all grants made by
“the Spanish Government, after the ratification of the
“treaty by which the land was ceded to the United States
“are void. A claimant who had in fact obtained a pat-
“ent or a title before that time under the Spanish, or
“since under the American Government, can alone hold
“by his grant. There being no question of a right by
“mere possession in the way, and indeed such a right
“to vacant lands can never exist against Government.
“The only question is, When was the patent granted?
“not when it was dated, or what is its date? The de-
“livery of a deed is a consummating act, by which, and
“from the time of which, it takes effect and operates. Its
“delivery may be before or after its date. An anti-date,
“a subsequent, or no date is material, only, as proof of a
“delivery, until which there can be no deed. But prima
“facie, every deed shall be intended to be delivered on
“the day of its date, and to be made fairly and in good
“faith. These presumptions are, however, controlable by
“proof. The execution of all deeds must be proved, if
“their validity is questioned any evidence which will
“shew any of of their essential parts to be different from
“what they are presumed to be, and in favour of a third
“person must be admissible. Delivery is a matter in the

“Country & an indispensable requisite to be established
“by evidence foreign from the date of the deed, or any
“thing contained in it. There is a difficulty in conceiv-
“ing how evidence to this point could be excluded by the
“Supreme Court. The Warrant of surveys, petition,
“certificates, & plats, under the Spanish Government,
“and which are said to be in the offices in New Orleans,
“can be of no use, but to shew the real time of a patents
“being granted. Where there are interfering grants,
“and the question is, which was first made; or when they
“were respectively made, and there is no registry or rec-
“ord to decide it by, nor any statute mode of ascertain-
“ing the matter, the greatest latitude should be given for
“the admission of evidence, and especially in suppres-
“sion of fraud.

“If it should be necessary to procure evidence in pos-
“session of the Spanish Government, I should suppose
“an application by a party interested, or by the Gover-
“nor of the Territory, would be abundantly sufficient
“for that purpose. A line from the Spanish minister at
“this place on the subject may be useful. His Govern-
“ment will not hesitate to aid in the detection of fraud
“and none will pretend that a Spanish grant of land,
“after their right to it ceased, or a subsequent deed, with
“a prior date, can be good against a person, claiming
“under a prior deed, or a rightful grant.

“Mention is made of an action being brought by one
“Green against the United States for the recovery of
“public lands & buildings, and in which after a verdict
“for the demandant, a new trial has been granted. It is
“not perceived how an action could be brought against
“the U. States. It may have been against an individual
“possessing, or claiming to possess under them. As no
“case is stated, I do not see how government can be

“bound by any verdict which may be given in the case,
 “nor can I give any opinion on the subject.

Levi Lincoln

yr mo: ob: Servt.

“The Honble:

“James Madison Esqr.

“Secretary of State.”

The Governor's Answer.

“Near Natchez, June 31st— 1802.

“Sir,

“By the last mail I was honoured with the receipt of
 “your letter of the 11th. ult: enclosing me the attorney
 “General's opinion in the case I had solicited it.

“The Spanish Governor was extremely liberal in his
 “donations, after the promulgation of the treaty be-
 “tween the United States, and Spain. and there is no
 “doubt but many tracts of land in this District are claim-
 “ed by antdated grants; and I believe the fraud may be
 “proved without any difficulty.

“The compromise between the U. S. and Georgia is
 “pleasing to most of the citizens in this quarter.¹ The
 “terms are just and liberal; and I sincerely hope they
 “may be acceded to by Georgia: if so, and an office should
 “be speedily opened for the sale of vacant lands, and
 “the terms of sale moderate, this Territory will, in a few
 “years become strong in population.

“Our present neighbours the Spaniards are truly
 “friendly; and I flatter myself that if the French should
 “possess Louisiana, with them also, we shall remain
 “upon a good understanding; but I must confess I should
 “regret the exchange.

¹ Act of April 24, 1802, by which Georgia ceded to the United States title to lands claimed by both.

“In the course of the negociations among the great
 “nations of the Earth for Territory, I wish to God the
 “U. States could possess themselves of East & West
 “Florida, including the Island of Orleans. The bounds
 “of our Country would then be sufficiently extensive, and
 “the chain of the American Union rendered too strong to
 “be weakened for several centurys.

“With every sentiment of esteem &

“respect,

“I have the honor to be Sir,

“yr. mo: ob: Hb: Servt.

William C. C. Claiborne

The Honble

James Madison, Secretary &c

Appointments during April, May & June, 1802.

July 1st. 1802.

In JEFFERSON COUNTY.

William Erwin,
 William Shaw,
 Jesse Weathers,
 Henry Mannadell,
 John Dennis, &
 Abner Pipes,

}
 Justices of the peace, &
 Justices of the County
 Court.

In ADAMS COUNTY.

Philander Smith—	}	Declined
John Henderson		
Joseph Erwin	}	Justices of the peace
Joseph Sessions		
William Darby		
Abner Green		
Walter Burling - & Samuel Boid		
		and Justices of the County Court

In CLAIBORNE COUNTY.

James Harman	}	a Justice of the peace, &
		a Justice of the County ct.

In WILKINSON COUNTY:

Joseph Pannell	}	Justices of the peace
Joseph Johnson, &		& Justices of the
Reison Webster		County Court
Thomas Green Senr.	}	Treasurer for Jefferson
		County—
John Brooks— Sheriff.	}	for Jefferson
William Moss—Coroner		County.

For Militia appointments during the last three months, reference may be had to the office of the Brigade Inspector, where they are duly recorded.

To Richard Sparks.

“Town of Washington, July 1st. 1802.

“Dr. Sir

“Some time since, a small detachment of Troops under the command of Lieutenant Williams was ordered to Washington, to assist in erecting a small Block-house, for the reception of some public arms, intended to be sold out to the Militia of this District. But before the work was completed, the detachment returned to Fort Adams to meet the new organization of the army.

“I hope, Sir, that the troops are now so arranged, that you can, without injury to the service, immediately detach a subaltern officer, and a party of men to this town, in order that the work may be completed, which Lieutenant Williams had commenced.

“I will thank you to send with the detachment, the tools necessarily used in erecting a block-house:— I presume they may be spared from the Quarter Master’s Store.

“The commanding officer at Fort Adams has heretofore been instructed, by the Secretary of War, to deliver to my order, three hundred stand of *Muskets*:— these arms have not yet been called for, because I had no safe place to deposit *them*: but for the immediate accommodation of some of the Militia, I wish you would forward by the detachment *sixty stand*, and upon their arrival, I will enclose you a receipt for the same.

“With great respect,

“I am Sir,

yr Hble: Servt.

“William C. C. Claiborne.

“Captn. Richard Sparks

“Commanding officer at Fort Adams.”

To the Comptroller of the Treasury.

Copy of a letter from the Governor to the Comptroller of the Treasury.

July 1st 1802 near Natchez;

“Sir

“I have the honor to enclose you the account of Saml. Postlethwait & Co. for stationary furnished my office, during the last six months. The charges are such as are customary in this town; & I have therefore paid the bill. If this account should be passed by the accounting officers of the Treasury, I will thank you to advise me thereof.

“With respect & Esteem

“yr. Hble Servt.

“William C. C. Claiborne

“To the *Comptroller* of the Treasury”

The account of Mr. Postlethwait amounted to thirty seven dollars.

To Richards Sparks.

“Near Natchez, July 6th— 1802.

“Sir

“In a late letter from the Vice-Consul of the United States at New Orleans, I am informed of the arrival, at that port, of five hundred rifle guns, forwarded to him by the Secretary at War, with instructions to deliver them to my order.

“To save the expense of storage &c at New Orleans, and to enable me to dispose of those arms agreeably to the wishes of our Government, I am desirous that they should be speedily conveyed to Natchez: but I believe

“it cannot well be done without your agency and assistance.”

“Will you therefore be good enough to send a confidential non-commissioned officer and a few men, in a boat to New Orleans to receive the rifles, & convey them to Natchez. If the boat you may dispatch should not be sufficiently large to contain all the arms, the balance may be forwarded by some other opportunity.

“The enclosed letter to Mr. Hulings, you will be pleased to forward, accompanied with an order from you for the whole of the rifles, or such number as the boat can safely carry.

“With great respect,

“I am

“Sir

“yr Hble. Servt.

“William C. C. Claiborne.

“Captn. R. Sparks

“Commanding officer at Fort Adams”

To William E. Huling.

Natchez, July 6th— 1802.

“Sir,

“This letter will be forwarded to you by the Commanding officer at Fort Adams, who sent a small command to New Orleans, to receive the goods lately shipped from Philadelphia, directed to your care, and to be delivered to my order.

“I fear the boat which Captn. Sparks dispatches, will not be sufficiently large to convey the whole of the boxes of rifle guns: If so, I will thank you to deliver to the order of Captn. Sparks such number as you may suppose the boat can safely carry, and the balance you will be pleased to send on by some other conveyance. I have

“understood that a public Schooner, loaded with cloathing, is shortly expected at Fort Adams— Perhaps this vessel may call at Orleans, and it will be convenient for her to take in any remaining boxes. If so, a conveyance in that vessel will be preferred: but otherwise, I must solicit you to embrace some private opportunity.

“The costs which have accrued, on these goods, you will charge to the U. States; or if you think proper, you may make the charge against me, and the amount shall be paid to your order.

“Your letter of the 12th. June, was received; and answered on the 26th. of the same month.

“I am

“Sir,

“very respectfully your Hble servt.

W. C. C. Claiborne

Mr. Hulings,

“Vice-Consul at N. Orleans”

To Officer Commanding at Fort Stoddert.¹

Copy of a letter from the Governor to the Commg. officer at Fort Stothart.

“Natchez, July 10th— 1802.

“Sir,

“The bearer, Lewis Le Fleur,² has in charge certain goods as specified in the receipt enclosed, which are sent by the U. S. to the Choctaw Indians.

“You will be pleased to have these goods safely de-

¹Fort Stoddert was established at Ward's Bluff on the Mobile River in July, 1799, and was named in honor of the acting Secretary of War.

²A Canadian, Indian trader, married a Choctaw woman, father of Greenwood Laffore, the Choctaw chief.

“posited in Fort Stothart, & to deliver them to the order
“of the agent for the U. S. in the Choctaw Nation.

“I will thank you to furnish the agent with such as-
“sistance as he may need, to enable him to convey the
“goods up the Mobile river.

“I am

“Sir

“very respectfully

“yr. Hble: Servt:

W. C. C. Claiborne.

“To the Commanding officer
at Fort Stothart.”

A Copy of Lewis Le Fleur's receipt—

Natchez, July 10th— 1802

Received from William C. C. Claiborne Governor of the Mississippi Territory, two bails, marked “Choctaw Annuity”; three hogsheads, marked “U. S. Choctaw Indians”; three boxes marked “U. S. Choctaw Indians”; and one hogshead marked “Choctaw Annuity;” containing goods for the Choctaw Indians, the whole in good order, which I promise to deliver in like good order to the commanding officer at Fort Stothart on the Mobile river, the dangers of the Seas only excepted.

Louis Lefluar

A Copy of a Passport given to Louis Le Fleur.

William C. C. Claiborne Esqr Governor, and commander in chief of the Mississippi Territory: These are to request his Excellency the Governor of the Province of Louisiana and others of his Catholic Majesty's subjects to let Louis Lefluar and two other gentlemen who

accompany him, citizens of the United States, together with certain goods sent by the United States as presents to the Choctaw nation of Indians, as per their several marks, to wit; one hogshead marked "Choctaw Annuity;" three hogsheads marked "U. S. Choctaw Indians": and two large bales marked "Choctaw Annuity", together with one sett of blacksmith's tools p a s s safely and freely without giving or permitting to be given, any hindrance, but on the contrary affording to them all aid and protection as we would in like cases do for those who come recommended to this Government.

In testimony whereof we have delivered to him and them this passport signed by my hand, and with the seal of the said Territory hereunto annexed.

Given this 10th. day of July Anno Domini 1802 and in the 27th— year of the Independence of the United States of America.

Signed

William C. C. Claiborne,
Governor of the Mississippi Territory.

To Gov. Claiborne from John Girault.

"Recess, near Hunston 29th July 1802

"Sir,

Various circumstances have induced me to resign to "you the inclosed Commission (if it may be so called), "the first and principal of which is, the insertion of certain words in it, under which I have taken the liberty "to draw a line of stress, and which rather astonished me "when I first saw it; I then accepted it on the firm belief "of its being the uniform and general tenor you had "adopted; but when at Court I saw the Commissions of "the Justices, Sheriff, Coroner, and even of the Constables, and found them all divested of that type of dis-

“trust which is stamped on me alone, I did immediately
 “determine to keep it no longer time than would be neces-
 “sary to make up the Judgments, and arrange the busi-
 “ness of the Court, which however I have not yet had
 “time to do, but having declared to my friends that I
 “would resign it immediately on being elected to repre-
 “sent them in General assembly (although the Constitu-
 “tion of our Territory is silent and does not make it in-
 “compatible) yet I hasten so to do.

“I am

“Sir

“yr. mo: obdt. Hble servt.

“Jno: Girault.

“His Excellency

“The Governor.”

To John Girault.

Jefferson Court House Augt. 4th 1802

Sir,

Your letter of the 29th. Ultimo was delivered to me this afternoon.

It is a matter of no consequence to me what were the circumstances which induced you to resign the office of Clerk to Jefferson County Court; but since you have thought proper to mention a reason, which you term the principal one, a desire which I have always felt to remove erroneous impressions induces me to state that the “Type of distrust” referred to was not stamped upon *you* alone: The fact is, the words “during the pleasure of the Governor for the time being,” were inserted in most of the Commissions which were issued at the commencement of my administration: and among *others*, the expressions which have given umbrage to you, were used in the Commission of the Sheriff of Adams County, the

Clerk of the Superior Court and the Atto'y. General for Jefferson District.

I could proceed further in explanation, but I suppose enough is said to answer my purpose: to wit; "The removal of an erroneous impression.

I shall in a few days appoint a successor to you; and in the mean time I presume you will esteem it a duty to hold in charge the Records and other papers belonging to your office.

I am

Sir,
yr. Hble: servt.

W. C. C. Claiborne

Colol Jno. Girault.

To Gov. Claiborne, from Henry Dearborn.

“War Department, June 7th—1802

“Sir,

“General Wilkinson has received directions from this Department to superintend the preambulating the boundary line between the Mississippi Territory and the Choctaw nation, but as some doubts arises respecting this line, he will not proceed in the business unless the Choctaws will first consent to accept of some reasonable sum to establish the line which was agreed on between their nation and the British Government, in a Treaty which was held some time before the Spanish Government came last into possession of the Floridas.¹

Should General Wilkinson succeed with the Choctaws in obtaining their consent (and of which you will be informed) I have to request that your Excellency will appoint some capable person to assist him as a surveyor; and also to procure chain-men, pack horses, provisions, and stores, on the most reasonable terms.—Your Bills

¹ Treaty of March 26, 1765?

on this department for any expense which you may incur in this business, will be accepted and paid on the shortest notice.

The Government of the United States having concluded on establishing a trading house for the accommodation of the Choctaws, goods to the amount of ten thousand dollars will be sent by water for commencing the establishment. I will thank you to inform me as soon as you can conveniently of the most eligible situation for the factory to be established. As soon as a spot is fixed upon measures will be taken for erecting suitable buildings for the store, & the residence of the Factor.¹

A similar establishment on a smaller scale will be made at the Chickasaw Bluffs for the accommodation of the Chickasaws.

Agents for superintending those factories will be sent out from here in the course of the summer.

I have the honor to remain
 With great respect
 Your Excellency's
 mo: obdt. Servt.

H. Dearborn

His Excellency
 William C. C. Claiborne.

To Henry Dearborn.

Near Natchez, July 20th— 1802.

Sir,

I have received your letter of the 7th Ult. and will endeavor faithfully to execute the duties you require of me.

I am persuaded that General Wilkinson will meet with no difficulty in making with the Choctaw nation, the ar-

¹ This policy was popular with the Indians, and caused them to assume a friendly attitude.

rangement you desire. The Choctaws are an humble people and very much disposed to accommodate.

When General Wilkinson may be in readiness to proceed on the line, I shall select a suitable person to assist him as a surveyor: and will provide chainmen, Pack-horses, provisions & stores. It will be my care to obtain the necessary assistance and supplies on the most moderate terms; but the price of labor, and of everything else, is so enormous in this District, that I fear you will suppose the terms extravagant.

I cannot at present give a decided opinion as to the most eligible spot for the establishing "a trading house for the accommodation of the Choctaws"; but I am inclined to think that some convenient Scite on the Tombigbee river near the mouth of the Alabama would best answer the views of Government; But upon this point I will consult our agent in the nation, and other characters, and will write you more fully in a few weeks.

Since my last letter to you, I have been visited by Captn. Sparks, the commanding officer at Fort Adams; and we have selected an eligible spot for the erection of a Garrison. It is situated on high commanding ground; in a healthy part of the District, possessing the advantage of excellent spring water, near the center of our population; and not more than six miles from the Mississippi river. But for more particular information I refer you to the enclosed draft and description of the scite.— Mr. Calvit, the gentleman who owns the ground selected for the Garrison, is at present from home, so that I cannot now learn upon what terms a purchase of a few acres of land might be effected: but I will venture an opinion that he will not ask more than fifteen dollars per acre for 10 or 12 acres; and that for a small consideration he would permit the timber necessary for the works to be cut from his adjacent land: But on Mr. Calvit's return, which will

be in a few days, I will know his terms with certainty and will advise you thereof.

A Lieutenant and thirty six men are at this time stationed near this town, & engaged in erecting a small block-house for the reception of the arms intended to be sold to the militia. At my request, Captn. Sparks detached, a few days since a party of men from Fort Adams to New Orleans for a part of the rifles which had arrived at that port, and the balance Mr. Hulings is requested to forward to me by the first safe conveyance.

The prospect of organizing the militia is flattering: the different Counties are laid off into regiments, battalions and company Districts: the officers are all appointed, and the men enrolled: a great degree of rivalry exists between the different corps: and I flatter myself that in a little time I shall have a well-armed and well disciplined militia.

I received, the other day, sixty stand of muskets from Fort Adams. They have been heretofore used, and are not in good order: I propose therefore to sell them at the moderate sum of eight dollars apiece. At this reduced price I expect the militia will speedily purchase them. But I find that the people here are much prejudiced against muskets, and are unwilling to depend upon any other arms but rifles.

About twelve days ago the Choctaw annuity for the year 1801, together with the goods which I had lately received by the way of New Orleans, were forwarded by water from Natchez to Fort Stothart on the Mobile under the care of one Lelluar, a trader in the nation. This man was sent to Natchez for the Choctaw annuity by John McKee, the present acting agent among the Choctaws, who recommended him to me as an honest and industrious, prudent man.

I requested the commanding officer at fort Stothart

to receive the goods & to deliver them to the order of the agent for the United States in the Choctaw nation.

I have the honor to be

Sir,

with the greatest respect

yr. Hble: Servt.

William C. C. Claiborne

The Honble.

H. Dearborn,

Secretary at War.

To Henry Dearborn.

Near Natchez, Aug 6th. 1802.

Sir,

I have made enquiry as to the most elligible situation for a trading house to supply the Choctaw Indians with such goods as they may want; and am now decidedly of the opinion that some position on the Tombigbee ought to be selected. A trading house in that quarter might be regularly supplied with goods, from the United States; would be convenient to the great body of the nation; and would discourage the traffic trade, at present carried on by the way of Mobile and Pensacola, which interferes considerably with the arrangements of our Government, to introduce the benefits of civilization among the Choctaws.

As the navigation of the Mobile Bay is not secured to the United States it is possible that the Spanish officers in that quarter might throw some impediments in the way of transporting goods to the factory:¹ But from the present friendly and accomodating disposition of the Gov-

¹ This fear afterwards became real, when Spain sought to control trade with the Choctaws.

ernor General of Louisiana towards the U. States, I do not anticipate much difficulty in this point.

I am,

Sir,

very respectfully
yrs: &c.

The Honble.

The Secretary of War.

W. C. C. Claiborne.

To Henry Dearborn.

Copy of a letter from the Governor to the Secretary of War.

Near Natchez, August 6th— 1802.

Sir,

By the last mail I forwarded a draft of the scite selected by the commanding officer at Fort Adams & myself for the erection of a new Garrison: I now have the honor to enclose you the copy of a letter from a Mr. Calvit to me, which will acquaint you of the terms upon which ten acres of land, including the scite, may be purchased.

The consideration per acre is not more than lands in the neighbourhood will generally command; and when we take into view the peculiar advantages of the ground, I am of opinion that Mr. Calvit's terms are quite reasonable.

As the works progress the greatest economy shall be observed; and no unnecessary expense incurred: and I am now well assured that the aggregate cost will fall short of the sum I heretofore stated to you.

If a company should be ordered from Fort Adams to assist in erecting, and to occupy this Garrison, may I be permitted to ask of you the favor to direct, that Captn. Sparks be detached on this command? Of his integrity,

prudence, & patriotism, I have the highest opinion; & believe him well calculated to take charge of a separate post.

The rifles from Orleans have not yet reached me; but I expect them every day. A small Block-house for the reception of these arms is nearly completed.

In the course of this week I have reviewed the militia of Jefferson & Adams Counties; and can assure you that the prospect of having a well-trained & a well-armed militia, exceeds my most sanguine expectations.— In the course of the ensuing week I shall review the militia of two other counties; and by the next mail I hope shall be enabled to make you a return of the effective force of this Territory.

With great respect, & sincere esteem

I have the honor to be
yr: very Hble: servt.

W. C. C. Claiborne

The Honble

The Secretary at War.

To Samuel Mitchell.

Copy of a letter to the agent for the U. States in the Chickasaw Nation.

Near Natchez, August 15th. 1802.

Sir,

Your letter of the 30th. Ultimo has been received. I am sorry to hear of your indisposition; but I flatter myself your health is by this time sufficiently restored to enable you to attend to your official duties.

I am desirous to receive your quarterly *report*, in as much, as I expect to learn from it, the present state of your agency and to be particularly informed of the progress of civilization, among the Chickasaws.

In a late letter from the Secretary at War, I am advised, that it is in contemplation to establish, in the course of a few months, a Trading house at the Chickasaw Bluffs for the accommodation of the Chickasaw nation: but lest from some cause this establishment should either be delayed or given up, you will only mention it to the Indians as a probable event; or rather as an object contemplated, and not as one determined upon.

I was taken this morning very unwell, and I am now so oppressed with a pain in my head, that I am compeled to conclude this letter.

Make my respects to the Head men of the Nation, and particularly to my acquaintances, the Mrs. Colberts.¹

I am

Sir,

very respectfully

yr. Hble: servt:

W. C. C. Claiborne.

Saml. Mitchell

Agent for the U.S. in the
Chickasaw Nation

Treasury Warrant to James Ferrall.

On the 17th— day of August, the Governor issued the following Treasury Warrant.

To Abner Green Esqr. Treasurer General for the
Mississippi Territory.

Sir,

You will pay to James Ferrall Esqr. out of any monies which may be in the Treasury, two hundred and sixty eight dollars, being the sum which is due him for

¹ Leading halfbreed Chickasaw Chiefs.

printing the laws and for so doing this instrument shall be your sufficient warrant.

Given under my hand & seal at the town of Washington this 17th— day of August 1802.

W. C. C. Claiborne [seal]
Governor of the Missis-
sippi Territory.

On the 1st—of may I issued a warrant in favor of Mr. Ferral for one hundred and forty four dollars; I am informed by Mr. Ferral that this warrant has been lost, the Treasurer therefore is instructed to refuse payment if it should ever be presented, since the amount has been included in the warrant I have this day issued.

W. C. C. C.

To John Girault.

Town of Washington, August
17th— 1802.

Sir,

I have this day appointed Mr. Edward Turner Clerk of the county Court for Jefferson County, and to this gentleman you will be pleased to deliver all the records and papers belonging to your late office.

Accept my best thanks for the faithful services you have rendered to the public.

I am

Sir,

very respectfully

yr. Hble. servt.

W. C. C. Claiborne.

Colol. Girault.

To Gov. Claiborne, from Henry Dearborn.

Copy of a letter from the Secretary at War and the Governor's answer.

War Department, June 11th— 1802

Sir,

Information has lately been received from John McKee late agent to the Choctaw nation that a debt of considerable amount was due from the Choctaws to the English house of Panton Leslie & Co. at Pensacola, and that they had proposed receiving from them a tract of land in payment, provided the Government of the United States would sanction the measure.

Mr. McKee appears to be highly in favour of the proposition, as will appear by the following extract of his letter to this department of the 6th— Ultimo.

"I am not able to say whether the nation will agree to the contemplated cession, but I have little doubt of it, and I am certain they can never otherwise pay the traders nor they to this house, the sums now due."

"As far as the house of Panton Leslie & Co. are interested in, this cession it would be but an act of justice to extend them such an indulgence, and would be only complying with a promise made by the Government thro' me in the summer of 1797 that they might reasonably look forward to such indulgencies as would greatly facilitate the effectual and prompt collection of their debts within our Indian nations."

I cannot tell upon what authority such a promise was made by Mr. McKee on the part of the Government, as it was entirely out of the line of his duty and cannot be considered as in any manner binding; he ought to have known that no such agreement could be made without the consent of the Government first had and obtained; he ought to have been aware of the extreme impropriety of permitting foreigners to possess a large tract of country among any of our Indian nations.

I will thank you to have such enquiries made thro'

Mr. Dinsmoor as will lead to an understanding of the outlines, on which the proposed bargain for the lands was to be made, and to a knowledge of the sum which is due from the nation to the house of Panton Leslie & Co. and which was to be canceled by the proposed cession; and the quantity of land which could probably be obtained.

If a tract of land on the navigable waters of the Alabama or Tombigby could be obtained, which would be worthy the attention of Government, it is possible that congress might think proper to authorize the President to accept it on behalf of the United States and pay the debts.

The President is willing that those claims should be paid; but it will be remembered that the Government of the United States are not in any manner obligated to indemnify any person or persons who may on their own account carry on trade with the Indian nations within their limits.

I have the honor to remain
 yr. Excellency's
 mo: ob: servt.

H. Dearborn

His Excellency
 W. C. C. Claiborne.

To Henry Dearborn.

Near Natchez, August 19th. 1802.

Sir,

Your letter of the 11th— of June was duly received.

I have heretofore understood that the Choctaw Indians were Greatly in debt to the house of Penton Leslie & Co. of Pensacola and that they (the Choctaws) were desirous to sell certain lands to enable them to meet their engagements. A letter from a Mr. Callier to me upon

this subject, I enclosed to you several mails ago, but on the arrival of Mr. Dinsmoor in the nation I will endeavor to obtain more particular information, and will advise you thereof.

The proposition of Panton Leslie & Co. to receive in payment from the Choctaws a tract of land, is indeed unreasonable. These gentlemen have been sufficiently indulged, in being permitted to trade with the Indians within our limits; and I am persuaded it would be good policy to withdraw this indulgence for the future. The trading house which our Government contemplates establishing will be sufficient for the accommodation of the Choctaws, & I see no reason why foreigners should be encouraged to become our rivals.

In a letter from Lieutenant Schuyler commanding at Fort Stoddert, I am informed that the Indian Goods which were committed by me to the care of Louis Lefluar, had arrived at that place, were safely deposited, and would be delivered to the order of the agent for the Choctaw nation.

General Wilkinson writes me that he expects to reach the Choctaws in the month of September to make arrangements for retracing & marking the old line of limits.

I was in hopes that I should have been enabled to make you a general militia return by this mail; but owing to the neglect of some of the officers, the returns from the different counties are yet incomplete.

With great respect & sincere esteem,

I have the honor to be

yr. very Hb: servt.

W. C. C. Claiborne.

The Honble

The Secretary of War.

To James Madison.

Natchez, August 19th —1802.

Sir,

In a former letter I stated to you the want of confidence on the part of many of the Citizens of this Territory in their Supreme Judiciary; the deficiency of legal talents in two of the Judges; and the propriety there was, in supplying the first vacancy with a character of good law information.

It is now reported that Judge Tilton has resigned;—of the truth of this report, you can best determine.

But there is another report which I believe more certain, “That this gentleman has gone to Europe on some Commercial business.” He is said to have sailed from New Orleans, about two months ago, in a vessel bound to Liverpool. I thought it my duty to state this report, since it may be made a question how far this conduct on the part of a Judge (unless his voyage had been previously sanctioned by Government) ought to be considered as an abandonment of office.

In January or February last, Mr. Tilton left Natchez, and has been attending to his private business, at Orleans until his late departure from that Port.

If Judge Tilton’s office should be vacant, permit me to recommend as his successor a Mr. David Ker¹ of this Territory; Mr. Ker is an able lawyer & an amiable man; he unites to pure republicanism, pre-eminent talents and would, in my opinion, fill the office of Judge with dignity to himself & usefulness to his country.

Colol. Steele’s Commission as Secretary for this Territory, expired on the 7th—of May last; since which he

¹ Founder of the University of North Carolina, was appointed a judge of the Mississippi Territorial Court November 2, 1802.

has not considered himself bound to transact any public business.

I am at much loss for a secretary, and must beg that an appointment of one be speedily made. I will not venture to recommend any particular character for the office, being well assured that any gentleman selected by the President, will discharge his duty with ability and fidelity.

Accept assurances of my great respect, & sincere esteem,

I have the honor to be

Sir,

yr. mo: obdt. Hble. servt.

W. C. C. Claiborne.

The Honble,

James Maddison,

Secretary of State.

To John Pitchlynn Interpreter for Choctaws.¹

Near Natchez, August 22d 1802.

Sir,

Your letter of the first Instant I received a few days since; and I am much pleased, with your zealous and active exertions in the recovery of Mr. Brackin's property.

The conduct of the chiefs on this occasion is highly satisfactory, & I wish you to say to them that they possess my esteem & confidence.

It is true there are ill-disposed men in all nations, and that mischief from such persons cannot at all times be prevented. But when a man commits an offence, and is

¹ The son of an English officer who died in the Choctaw Nation. He was adopted by the tribe, married among them, and was very influential.

punished for it, he will take care not to do so again, and others will be deterred from following his example, for fear they may receive a similar punishment. This is the reason why the white men punish their bad men with such severity; and I wish to enforce upon the Chiefs the propriety of their adopting a similar policy.

I have written to the Secretary at War upon the subject of your claim;¹ and so soon as I receive an answer, will advise you thereof.

I have enclosed you a letter from General Wilkinson to *Mr. Dinsmoor* on public service;—If *this gentleman* should not have reached the nation, you will open the letter and attend to its contents.

I am,

Sir,

very respectfully &c.

W. C. C. Claiborne.

John Pitchleym

Interpreter

Choctaw Nation—

To the Governor from Wm. E. Huling.

New Orleans, 23d. July 1802.

Sir,

In compliance with your Excellency's letter of the 6th- Inst; I have delivered to Serjeant Parsons, who is sent by Captn. Sparks, sixteen boxes of rifle guns which by the marks on the ends appear to contain, one hundred & sixty one guns.

The remainder I will endeavour to put on board the public schooner you speak of when she arrives. We have nothing of her yet.

¹ For services as interpreter.

As the expenses on the guns will be but a trifle and as I had no account open with the U. S. when the remainder are shipped, I will draw on you for the amount.

We are in much suspense respecting our political destiny.¹ It appears to be the wish of the majority of the men of property, to remain as we are.— We have received letters from Philada. By the Brig Sophia, as late as the 25th. May; they contain nothing important, except the information that the *Treaty of Madrid* is made null and void. —Our city is as healthy as I have ever known it at this season.

I am,

Sir,

With due respect

Yr. mo: obdt: servt. &c

Wm. E. Hulings.

His Excellcy.

Governor Claiborne

*To Gov. Claiborne, from P. P. Schuyler.*²

Fort Stoddert 1st— Augt. 1802.

Sir,

The annuity for the Choctaw nation forwarded under charge of Louis Lefluar, reached here this morning. I have compared the Hogsheads, Boxes &c. with the receipt of Lefluar, & find they agree

I shall, in conformity with your request, give every as-

¹ Transfer from Spain to France.

² Peter Philip Schuyler, New York, Capt. U. S. A., December 20, 1803, second treasurer of the State of Mississippi.

sistance in my power to the agent conveying the goods up the river.

I have the honor to be

Sir,
with respect

yr. ob: servt.

P. P. Schuyler Lt.
Comm,g—

His Excly.
Governor Claiborne.

To Daniel Burnett.

Copy of a letter from the Governor to Colol. Daniel Burnett.

Washington, August 22d. 1802.

Sir,

Mr McCaleb handed me your letter of the 21st— Inst. I am much pleased with this young man, and think him well calculated for an officer.

I will appoint a successor to the Ensign who declined, so soon as I can select a suitable character. Will you consult with the Captain of the Company? and if you & him can agree upon a *proper person*, you will be pleased to mention *his name* to me without delay.

Accept my best wishes.

I am,

Sir,

very respectfully
yr. Hb: servt.

W. C. C. Claiborne

Colol. Danl. Burnett

To Henry Dearborn.

Sir Near Natchez August 22d. 1802

John Pitchlynn an Interpreter for the Choctaw Nation of Indians, has a claim against the United States, which he is desirous to have settled.

It seems that in the year 1786 at the treaty at Hope-well,¹ Mr. Pitchlynn was appointed as Interpreter for the chactaw Indians by the American Commissioners, and that he acted under this appointment in that capacity, until the year '92, when he received a new Commission as Interpreter from William Blount at that time Governor of the South Western Territory and superintendant of Indian affairs.

Pitchlynn claimed three hundred Dollars pr. annum for his services from the year '86 to the year '92, but his account not being allowed by the proper accounting officers, he petitioned Congress upon the subject, in the year '99, and if my memory serves me right, his claim was admitted by the House of Representatives.

Mr. Simmons, the accountant of War, can give you particular information as to Pitchlynns claim, and to him I beg leave to refer you; Pitchlynn is a useful man among the Choctaws, very faithful to the American Interest, and I wish him to be convinced of the Disposition of the Government to admit any of his Just demands.

May I be permitted therefore to solicit you, to make enquiry into this Man's claim and to Inform me, in what situation, it at present stands.

With great esteem and Respect,

I am Sir,

your mo. obt. Hble sert.

(Signed)

Henry Dearborn

William C. C. Claiborne

Secretary of War.

¹January 3, 1786.

To Henry Dearborn.

Near Natchez September 1st. 1802

Sir;

In my Letter of the 29th of June, I mentioned a Robbery, which had recently been committed by some of the chactaw Indians, and of the measures I had taken to obtain redress.

I now have the pleasure to inform you, that the property taken has been restored and that the chiefs are disposed to discountenance any further outrages as appears from the enclosed Letters to me, from John Pitchlynn the Interpreter among the Chactaws and Andrew Brackin the person robbed.

I do not know what has become of Mr. Dinsmoor, his presence in the nation, is at this time desirable;— It is reported that Dinsmoor has been mortally wounded in a Duel with a Gentleman in Tennessee, but I hope the report is without foundation.

With sentiments the most respectful

I am Sir

your mo: obt. hble. servt.

(Signed)

William C. C. Claiborne

The Honble

Henry Dearborn

Secy of War

To Gideon Grainger, Postmaster General

Copy of a Letter from the Governor to the Postmaster General

Near Natchez September 6th 1802

Sir,

I have been requested by a number of respectable Citizens, who feel much interested in the subject, to solicit

you to establish a Post office at the Town of Greenville in this Territory.

Greenville is a flourishing little village about 28 miles distant from Natchez, and immediately on the Post road to Tennessee;— It is situated in the Neighbourhood of a compact, populous and Wealthy settlement, is the County Town for Jefferson County, and the place of holding the Superior Court for Jefferson District.

If the Establishment solicited, should be made, permit me to mention Doctor John Shaw¹ who resides in Greenville, as a proper person to be appointed Post Master, he is an honest, well informed American who I sincerely believe will remain faithful to his Country, and to any trust that may be reposed in him.

With great respect & sincere esteem

I have the Honour to be

Your mo: obt. hble servt.

(Signed)

William C. C. Claiborne

The Honble—

Gideon Grainger

To Peter Walker, Clerk of Adams County Court.

Town of Washington thursday september

9th 1802—

Sir

On tuesday or Wednesday next, I shall appoint a successor to you, as Clerk of the County Court for Adams County, and I have given you this Information, in order that you may be prepared by that time, to deliver the

¹ A member of the Constitutional Convention of 1817.

To John Caller.

Near Natchez sepr- 9th 1802

Sir

I some time since, enclosed under cover to you, Commissions for several Gentlemen who had been recommended to me, as fit Persons, to be appointed Captains and subalterns in the 3rd Regiment of Militia.

If the Commissions have reached you, I have no doubt, but they have been distributed, and I flatter myself the Gentlemen appointed, have entered upon their duty, and that there exists a favorable prospect of Organizing the Militia in your County.

I had promised myself the pleasure of visiting Washington District the present fall, but am prevented by my (necessary) personal attention to some publick business in this quarter of the Territory.

I am desirous to learn the extent of Territory in Washington District, to which the Indian claim has been extinguished, and the supposed quantity and quality of vacant Land. Any information which you may give me on that subject will be thankfully received.

I shall be happy to hear from you on the return of Judge Lewis.¹

Accept my best Wishes,

I am Sir, very respectfully

Your Hble Servt—

(Signed)

William C. C. Claiborne

¹ Judge Lewis held the territorial court of Washington District.

To Nathaniel Christmas.

Near Natchez September 9th 1802

Dear Sir,

I should have been happy, to have visited Washington County, the present fall, and had promised myself that pleasure, but I am prevented from necessary attendance in this Quarter of the Territory on some Publick Business

I shall esteem it a favour, if you would furnish me, with the best information you can obtain as to the extent of Territory on the Mobile, to which the Indian Claim has been extinguished, and the supposed Quantity and Quality of the vacant Land.

On the return of Judge Lewis I shall expect to receive your answer.

Accept my best wishes.

I am Sir

Very respectfully

your Hble Serv—

William C. C. Claiborne—

To Richard Lee, Clerk of Washington County.

Near Natchez, September 10th— 1802

Sir,

I have enclosed you, several Hand Bills, addressed to the Claimants of Land, within the Mississippi Territory, and I will thank you, to have them posted up, at the most Publick places in your County.

The Claims to be filed, I would wish to be drawn upon separate pieces of paper, with the name of the Claimants annexed, and as they are delivered to you, it is proper, to Class them under their several Heads, in manner following—to-wit—

Letters on the twenty seventh day of October one thousand seven hundred and ninety five holding under British Grants.

Letters on the twenty seventh day of October one thousand seven hundred and ninety five Claiming by any actual survey or settlement, made under the act of Georgia, commonly called the Bourbon Act.

The different Claims being placed into different packets, may be put up in one bundle and Labeled "Claims falling under the second article of the Agreement between the U. States and Georgia

With respect to the other species of Claims mentioned in the Hand Bill, you will be pleased as they are delivered to Class them in the same regular manner under their different heads and they may be put in a bundle, to be labelled

"Claims not falling under the Guaranty of the second "Article of Agreement."

By the first opportunity after the first of November, you will be pleased to forward to me, the Claims which have been filed.

I am aware that this business, will be attended with much trouble, but after the duty is performed, I shall ask permission of the Secretary of State, to make you some compensation, for your personal services.

As to the manner of Drawing up the Claims, the Hand bill, will be the best guide. The Source from whence the Claim arose, and the dates of the Titles must be particularly noticed, and where actual settlements strengthen the Claim, the period when the settlement was made must be stated.

I am Sir very respectfully

Your Obt— Servt—

(Signed) William C. C. Claiborne.

To the Governor, from James Madison.

Department of State July 26th. 1802

Sir;

Herewith enclosed is a copy of the agreement entered into on the 24th of April last between the Commissioners of the part of the United States, and those on the part of Georgia,¹ duly authorized for that purpose, which agreement was ratified by the Legislature of that State on the 16th of June last.

According to the Act of Congress of May 10th 1800 the Commissioners of the United States authorized to settle the terms of a Compromise with the State of Georgia, are further authorized to enquire into the Claims which are or shall be made by settlers or any other persons whatever, to any part of the Land, in Question; and to receive from the Claimant, propositions of Compromise, and lay a full statement of the Claim, and propositions, together with the opinion of the Commissioners thereon before Congress, for their decision.

Of the Claims to be made, a part is defined and recognized in the 2d Article of the Agreement, under the Head of grants legally Executed to actual settlers within the Territory ceded to the United States prior to the 27th Octr- 1795 by the former British Government of West Florida or by the Government of Spain; and under the head of Claims derived from any actual survey or settlement made under the Law of Georgia passed Feby. 7—1785, entitled “An Act for laying out a District situate on the river Mississippi and within the bounds of the State into a County to be called Bourbon” An extract from this Act is also herewith inclosed.

To enable the Commissioners to make the proper re-

¹ United States Commissioners, James Madison, Albert Gallatin, Levi Lincoln. Commissioners for Georgia, James Jackson, Abraham Baldwin, John Milledge.

port to Congress on this part of the subject, you are requested to furnish them with the best information you can obtain; first with respect to the extent of Territory both on the Mississippi and the Mobbile, which has been relinquished by the Indians: secondly with respect to the claims recognized by the second article of the agreement with Georgia. To make this last Information as accurate and full as possible, It may be well, to invite the Claimants by Public advertisement to file prior to the first of November before the proper County Officers, the particular authority and extent of their respective claims and the Chain of title derived to the present Claimant, from the original title; The Commissioners hope that you will be able to state to them particularly the manner in which grants were made and *completed* under both the British and Spanish Governments; this information being necessary for the use of Congress in carrying the 2d Article of the agreement into due effect. Should it be found impossible to render the Information, on these points Complete, you will notwithstanding be pleased to forward the best you can collect.

The other Claims to be enquired into and which tho' not recognized, fall within the report to be made to Congress, are first, and principally, such as are grounded on alledged grants of Georgia subsequent to the Bourbon County Act. With respect to these claims, it is not desired that you should make any public call for information; but you will oblige the Commissioners by enquiring and communicating what or whether any steps have been taken in behalf of the Claiming Companies towards settling, selling out, or surveying any part of the Land; and particularly whether any tract is now actually occupied by any of these Claimants secondly, Claims if any, derived under the French Government previous to the peace of 1763. Thirdly, Claims derived under the British and Spanish Governments previous to the treaty of 1795; but

unaccompanied by actual settlement at the date of the Treaty. Fourthly. Claims derived under the Spanish Government by grants made subsequent to the Spanish Treaty of 1795. Fifthly-- Claims founded on the 3d section of the Bourbon County Act of Georgia. The four last descriptions of Claimants may also be publicly invited to give a statement of their respective claims by the first of November that they may be transmitted by you in due time with the others. It is proper that the Claimants in these cases should be aware, that their Claims not being included in the guaranty of the 2d Article of the compromise with Georgia, the Consideration of them by Congress will be barred by the 3d Article after the period of one year from the assent of Georgia to the instruments of Compromise.

In calling for the information wished from the Claimants, not included in the guaranty, it will occur to you as proper to use a language neither committing the Government on one hand, nor damping expectations too much on the other. It being uncertain what degree of strictness or liberality may be exercised by Congress, the present measure must be limited to the Collection of such information as may enlighten or influence their decision. With this view, you cannot be too particular in explaining the nature and extent of the several classes of Claims, to which may be usefully added, the number of persons who will be affected by the decision on each Class. It may be satisfactory also to know the General sentiments and expectations prevailing in the Territory on this subject.

Should there be claims of any sort within the Territory which have escaped the above enumerations, you will oblige the Commissioners by adding a particular account of them, as well by communicating your estimates of the General extent of Territory not claimed by the Indians, of the aggregate quantity of Land Covered by

claims under the 2d article of the Compromise, and the like aggregate of all other claims.

It need not be suggested to you that where records of claims exist, suitable extracts from them will be proper nor that it will be expedient to complete and transmit your communications with as little delay as possible.

It only remains for me to ask your excuse for the heavy task which is imposed on you, and to assure you of the great respect & esteem

With which I have the

honor to be, Sir, your ob. Servt.

(Signed) James Madison

Governor Claiborne

To James Madison.

Mississippi Territory Town of Washington,

September 12. 1802

Sir

On the 8th Instant, I had the honor to receive your Communication of the 20th of July, and on the next day, I published a hand Bill, addressed "to persons Claiming Lands within the Mississippi Territory, and of which the enclosed is a Copy.—

In my publication, I have endeavored to comply literally with your instructions, and I trust the Language which is used, cannot be construed "as Committing the Government on one hand, or damping expectations, too much on the other."

There exist a variety of Tittles for Land in this Territory, and I fear, it will not be in my power, to detail them with accuracy, but I shall carefully collect the best information, within my reach, and will make a General Communication to you, on the subject early in November.

I find that some designing men are endeavoring to impress upon the Citizens an opinion, that the filing of their Claims will be injurious to them; I do not yet know how far they may succeed; It is however probable, that they may excite some alarm, and prevent a General return of Claims.

Under cover of a letter, which I addressed to you, on the 20th of January last was enclosed a Communication made to me, by Mr. Harding, at that time, the Attorney General for this District, stating the situation of some Claims for Land: A Copy of Mr. Harding's Communication having been mislaid in my office, I will thank you to furnish me with *one* from your files.

With great respect and
Esteem

I am Sir

your most obt. Servt.

(Signed) William C. C. Claiborne

The Honble— James Madison
Secy of State

Hand Bill.

TO

PERSONS CLAIMING LANDS

within the

MISSISSIPPI TERRITORY.—

The agreement for an amicable settlement of limits with the State of Georgia, which was entered into on the twenty-fourth day of April last, between the Commissioners of the part of the United States, and those on the part of Georgia, duly authorized for that purpose; and in which agreement, Georgia has ceded to the United (States) all her title and claim to the Jurisdiction & soil

of the Lands situated in the Mississippi Territory, was ratified by the Legislature of that State, on the sixteenth day of June last.—

By the second article of the aforesaid agreement it is declared—“That all persons who, on the twenty seventh day of October, one thousand, seven hundred and ninety five, were actual settlers within the territory thus ceded, shall be Confirmed in all the grants, Legally and fully executed prior to that day, by the former British Government of West Florida, or by the Governor of Spain, and in the Claims, which may be derived from any actual survey or settlement, made under the Acts of the State of Georgia, entitled “An Act for laying out a district of Land, situate on the River Mississippi, and within the bounds of this State into a County to be called Bourbon,” passed the seventh day of February, one thousand, seven hundred and Eighty five.

The undersigned has been directed to furnish the department of State, with the best information he can obtain, as to the extent of the claims recognized in the said article of agreement with Georgia. And to enable him to render his information upon this subject as accurate and full as possible, he is instructed to invite the Claimants falling under the article aforesaid, to file prior to the first day of November next, in the office of the Clerk of the County Court, in which the land claimed is situated, the particular authority and extent of their respective claims, and the chain of title, derived to the present Claimant from the Original title; taking care to note particularly their dates.

The Clerks will be directed to give due attendance at their offices, until the day above mentioned; and it is hoped, that the Claimants whose Interest is so immediately involved, will punctually attend to this invitation.

There are other Claims for Land in this Territory, which the undersigned has also been instructed to en-

quire into and report the same, to the department of State, among which are:—

First. The claims (if any) derived under the French Government, previous to the peace of seventeen hundred and sixty three.

Second. Claims derived under the British and Spanish Government previous to the twenty-seventh day of October, one thousand, seven hundred and ninety five, but unaccompanied by actual settlement at that period.

Third. Claims derived under the Spanish Government subsequent to the Spanish *treaty* of one thousand seven hundred and ninety five.

Fourth. Claims founded on the third section of the Act of Georgia, commonly called the Bourbon Act, and not accompanied by actual survey or settlement prior to the twenty seventh day of October one thousand seven hundred and ninety five and which said third section is hereunto annexed.

The Claimants, in these cases, are also requested to file with the Clerk of the County, where the land is situated, a particular statement of the nature and extent of their Claims, by the first day of November next, and they shall be transmitted with the others to the department of State. As those descriptions of Claims are not included in the guaranty of the second article of the Compromise with Georgia, the Consideration of them by Congress, will be barred by the third article after the period of one year from the assent of Georgia to the Instrument of compromise; It is therefore highly necessary, that the persons interested, should without delay, make known their Claims, in order that the same may be reported to the Government.

Those persons who may be at a loss for the form of stating the claims to be filed, may receive information, upon application to the respective Clerks.

(Signed), William C. C. Claiborne
Town of Washington september 9th 1802

Section 3rd— of Bourbon County Act.

Extract from an Act, entitled, “An Act for laying out a district of land situate on the River Mississippi, and within the Limits of this State, into a County to be called Bourbon.

Sectn— 3d And whereas it will not be proper at present, to open a land office, for the purpose of granting out the lands in the said County, but nevertheless it is hereby enacted and declared, that whenever that measure shall be determined upon by this or a future Legislature, there shall be right of preference, agreeable to the Laws of this State, reserved to any, all, and any honest and friendly possessor and possessors of the said Lands, who shall be citizens of either of the United States, or the subjects of any power that was friendly to the United States, during the war: Provided such persons do actually live on and cultivate the said lands, or a part thereof, and shall apply and present themselves on equal terms with other petitioners.

To Peter Walker,

Copy of a Letter from the Governor to Peter Walker Esquire.

Town of Washington

September 14th 1802

Sir,

Mr. David Ker being appointed your *successor as Clerk of Adams County Court*, you will be pleased to deliver to him, all the Records and papers belonging *to that office*.

Accept my thanks for the faithful services you have rendered the publick.—

I am sir with respect, your most obt. Servt

William C. C. Claiborne

Peter Walker Esq.

To James Hoggatt.

Natchez September 15th 1802

Sir,

Upon your application, Captain Claiborne¹ will deliver to you, twenty two Rifle Guns, which I wish you to dispose of to such of the Militia in your neighbourhood, as may be in want of Arms upon the following Conditions — 1st Every Citizen applying for a Rifle must produce a certificate in writing from his Captain, that he is regularly enrolled in his Company and is in want of Arms.

2d The Certificate being satisfactory the applicant for a Rifle, must pay for the same fourteen Dollars, in cash, or he must give his note (with his Captain as security) to the Governor of the Mississippi Territory for fourteen dollars to be paid in cash, or in Cotton delivered at Hoggatt's Gin, at cash price, on or before the first day of February 1802.

The certificates which may be received you will be pleased carefully to preserve.

Accept my best wishes

I am Sir

Very respectfully

Your obt. Servt.

William C C Claiborne

Capt. James Hoggatt

To Gov. Claiborne from Henry Dearborn.

War Department

28th July 1802

Sir

I have the honor to inform your Excellency that Mr. Thomas Peterkin has been appointed Factor for the

¹ F. L. Claiborne, brother of the Governor.

United States at Chickasaw Bluffs and will immediately proceed to the place of his destination. I assure myself that you will afford him such advice and assistance (on his application) as circumstances or situation may render proper and necessary.

Accept Sir, the assurances of my high Consideration
(Signed)

H. Dearborn

His Excellency Gov. Claiborne.

To Henry Dearborn.

Copy of a Letter from the Governor to the Secretary of War.

Mississippi Territory

Town of Washington September 17 1802

Sir

I have the honor to enclose you "A General abstract of the number and strength of the Militia of the Mississippi Territory as taken from the several inspection Returns for the month of August 1802."— You will discover that many of the privates are yet unarmed, but I flatter myself, this Inconvenience will soon be remedied — The Rifles (which were sent me) are in high Estimation among the Militia, and the probability is, they will all be sold, upon the conditions, I have prescribed, which are as Follows:—

First Every Citizen applying for a Rifle, must produce a Certificate in writing from his Captain, stating that he is regularly inrolled on his Company, and in want of Arms.

Second: The Certificate being satisfactory, the applicant for a Rifle, must pay for the same, fourteen Dollars in cash, or he must give his note for that sum (with his captain as security) to the Governor of the Territory, to

be paid in Money or in cotton, at cash price on or before the first day of February next.

Upon these conditions I suppose the Rifles will speedily be disposed of to the Militia.

I fear the price is too much reduced to remunerate the United States, the Original cost, but I found it necessary to fix upon a low price, to induce the Citizens to purchase.

As to the Muskets, they are in no demand among the Citizen Soldiers, and I cannot persuade them of their utility— I have received from New Orleans 163 Rifle Guns, and about 100 stand of Muskets, from Fort Adams, which are at present deposited in a small Block House near the Town of Washington; The Balance of the Rifles, will be conveyed to me from New Orleans by the first opportunity.

In looking over the Militia return you will discover, that a Brigadier General is wanting to complete the Establishment, and I will thank you to mention to the President of the United States, the propriety of appointing this officer.

The Brigade is at present commanded, by Colonel Benajah Osmun of the first Regiment of the Mississippi Militia, and I must ask the liberty, to recommend this Gentleman, for the appointment of Brigadier General; he is an honest man, and a valuable officer, was a Captain in the New Jersey line, during the Revolutionary War, and served with reputation, and from his military experience and Great Zeal for the good of the service, I have already received from him, much assistance in Organizing the Militia.

Your Letter of the 28th of July, announcing the appointment of Mr- Peterkin, as Factor for the United States, at the Chickasaw Bluffs, I have had the honor to receive, and I shall with promptitude and pleasure give to Mr Peterkin “such advice and assistance on his applica-

tion as circumstances or situation may render necessary and proper.”

The Report of Mr. Dinsmore's misfortune which I mentioned to you in my last is confirmed— It seems he was wounded in a Duel, at the mouth of Bear Creek by a Captain Johnson of the Army, and by the last account, his life was despaired of:

Accept Sir assurances of my

Respectful Consideration

William C. C. Claiborne

The Honble—

H. Dearborn

*To Mathew Tierney.*¹

Town of Washington september

19th 1802

Sir

Twelve or fourteen days ago, I addressed you a Letter in which you were invited to attend at my House on Business of some importance— From your delay in coming down the probability is that My Letter has miscarried, and I find myself under the necessity of dispatching a special Messenger to your House.

The enclosed packet contains thirty hand Bills, addressed to the Claimants of Land in this Territory, and your Instructions, which are also herewith forwarded, will point out to you, the part I wish you to act.

I am aware that the task imposed upon you, will prove troublesome, but I am certain you will execute it with fidelity.

With great respect and regard

I am Sir

Your Hble servt

William C. C. Claiborne

¹ Clerk of Claiborne County.

Instructions to Clerks of County Courts.

The following-

Instructions were given by the Governor to the Clerk of each County Court within the Mississippi Territory

1 You are furnished with thirty Hand Bills, addressed to "Persons Claiming Lands within the Mississippi Territory" which you will have posted up, at the most publick places in your County.

2d You will let it be known, where your office will be kept, and you will attend yourself at the office, or have some person there to act for you, Every day, sundays excepted untill the first of November next

3d You will file no claim unless the name of the Claimant or his agent, be annexed to the discription of the Claim.

4th As the Claims are delivered in you will Class them under their several heads in manner following towit
Settlers on the 27th of October 1795 claiming under Spanish Grants

Settlers on the 27th of October 1795 claiming under British Grants

Settlers on the 27th of October 1795, claiming under an Act of Georgia commonly called the Bourbon Act

Those different claims you will carefully put up into separate Bundles.

5th With respect to the other discription of Claims mentioned in the Hand Bill you will, as they are delivered, class them in the same regular manner under their different heads and place them in Different Bundles

6th Upon application you will give information as to the form of describing a Claim, and for that form, the Hand Bill will be your best guide; the source from whence the claims arose and the dates of the Titles must be particularly noticed and when an actual settlement strength-

ens the Claim the period when the settlement was made must be stated

7th If a loose and uncertain description of a Claim should be offered you will point out its defects, and endeavour to have them rectified.

8th On the morning of the first of November you will set out yourself or send a Confidential person with the Claims which may be filed to my office.

To Gov. Claiborne, from David Rawn.

Copy of Letter from David Rawn.

Treasury Department

Comptroller's office

August 13th 1802

Sir

In consequence of the Comptroller's absence from the seat of Government, it becomes my duty to acknowledge the receipt of your letter dated the 1st ultimo, accompanied by an account for stationary furnished your office during six months ending on the 30th of June last.

As the accounts for stationary and other contingencies have heretofore been rendered and settled in the name of the secretary of the Mississippi Territory it appears necessary for the Treasury to be informed whether this be a part of, or in addition to the Claims which may be exhibited for contingencies, by that officer. Be good enough to favor me with an early reply.

I have the honor to be sir

With great respect

your obt. servt.

David Rawn

Pr. Clk.

William C. C. Claiborne Esquire

To David Rawn.

Mississippi Territory
Town of Washington septr. 21st— 1802

Sir

Your Letter of the 13th ultimo reached me, on last evening and in reply thereto I have the honor to inform you, that the account rendered for stationary furnished my office, for six months, ending on the 30th of June last, will not be included in any Claim which may be exhibited for Contingencies by the secretary for this Territory.

From the commencement of the present year, stationary has been furnished my office, upon my own order and if it be not inconsistent with the Rule of proceeding at the Treasury I shall in future render a General account of expenditures for stationary, office-Rent, and other contingent expenses in this Territory.

It appears to me, that the Government ought to be held responsible, for the Contingent expences of this Department and that it might be proper, for all charges falling under that head to be rendered by and settled in the name of the Governor

I have the honor to be Sir

With great respect
your obt Servt.

William C. C. Claiborne

David Rawn Esq

Pr. Clk comptroller's office

Appointments of Various Officers.

October 1st 1802.

During the last three months, the Governor made the following appointments

In ADAMS COUNTY.

James Guice
James Nelson
F. L. Claiborne

}

Justices of the Peace

David Ker

Clerk of the County Court vice
Peter Walker removed.

William Nelson

Coroner vice W. Brooks
resigned.*In WILKINSON COUNTY.*

Joshua Baker

Coroner.

In WASHINGTON DISTRICT.

Thomas Malone
Nicholas Perkins

Clerk of the superior Court.
Attorney General

For militia appointment during the last three months, reference may be had to the office of the Brigade Inspector where they are duly recorded.

To Gov. Claiborne from James Wilkinson.

Fort St. Stephens¹ Sept- 18 1802

Dear Sir

Prosecuting my Orders relative to the Chactaws, I descended the Tallapousir and the Alabama Rivers, and arrived at Fort Stoddard the 11th Inst, where I found the letter you were so good as to forward me to that place— The illness of the officers of that fort detained me untill the 15th, I reached this place a few Minutes since, in season, Just so, to avail myself of the opportunity by Mr McGrew to drop you this line, and to recommend to your particular attention the letter enclosed, the prompt arrival of which to its destination, is important to the public service; my time will not permit details, but having advised that my Orders from Government should be enclosed to you, it is material you should be informed, that I proceed hence by Water to fort Confederation² on this River from thence to the point where the Agent may have convened the Indians, there to remain not longer than the 10th of next month, after which I shall proceed by the shortest Rout to the mouth of the Yarsou River, to commence the resurvey and remarking of the old line of Limits— This is my intention & I can see no obstacle to the extention, at the same time that I flatter myself, I shall be able to promote measures, more extensive in their salutary consequences to this Territory & the United States—

I have with me the Indian Goods which you forwarded to Fort Stoddart, the transport of which by water 250 Miles beyond this point, will test the navigation of this stream — I have found the Alabama bolder and more safe than the Ohio, tho' not more than one fourth its

¹ On the Tombigbee River, erected by the Spaniards in 1789.

² Up the river from St. Stephens.

width. —I am here on tide water & am assured I shall take the swell of the Ocean with me sixty miles higher.

I left Charleston a little more than a month since and passed by savanah, where I left the amiable Governor Tattnal ill in Bed, & poor Jackson, whose wound has been closed before it was properly cleansed, in a situation at once painful & dangerous.— I have not time for more than my best wishes to & for you and yours

Your Friend

(Signed) Ja Wilkinson

Govr Claiborne

To James Wilkinson.

Town of Washington

October the 3d 1802

Dear Sir

A few days ago I had the honor to receive your communication of the 18th ultimo, together with the Letter enclosed, which was immediately forwarded to its destination

I fear Mr. Dinsmore's absence from the nation, will prove injurious to your mission, or at least delay the execution of your intention.—

The letter you addressed to Mr. Dinsmore some time since, and which came under cover to me, was transmitted to John Pitchlinn, with instructions, that if the agent had not arrived he (Pitchlinn) should open the Letter, and comply with its contents;— I hope that thro' this Channel the Choctaw Chiefs, have been advised of your approach, and may readily be convened in Council

The only information I have received from the Government, in relation to your orders, was contained in a Letter from the Secretary at War, of the 7th of June last; speaking on the subject of the line, the Secretary

writes thus "General Wilkinson has received directions from this Department to superintend the preambulating the boundary line between the Mississippi Territory and the Choctaw nation, but as some doubts arise respecting this line, he will not proceed in this Business unless the Choctaws will first consent to accept of some reasonable sum to establish the line which was agreed on Between that nation and the British Government in a Treaty which was held some time before the Spanish Government came last into possession of the Floridas.

Should General Wilkinson succeed with the Choctaws in obtaining their Consent (and of which you will be informed) I have to request that your Excellency will appoint som capable person to assist him as a surveyor, and also to procure chainmen, packhorses provisions and stores, on the most reasonable terms; Your Bills on this Department for any expence which you may incur in the Business will be accepted and paid on the shortest notice."

So soon therefore as I am informed, that the object of your mission is accomplished, I will with promptitude execute the duty required of me— But previous to making any arrangement on my part, it would afford me great pleasure to confer personally with you on the subject, and I do hope, you may find it convenient to pay me a visit before the retracing of the line is commenced— I would willingly meet you at the mouth of the River Yarsou but there is at present no Secretary in this Territory, to whom I could commit the Burthens and Cares of the Executive Branch of this Government.

I am glad you carried with you to the Nation the Indians goods which I forwarded to Fort Stoddart and I flatter myself, you have directed their distribution.

In consequence of the absence from the Nation, of the agent, I am intirely uninformed of the present State of

the Choctaw agency, I sincerely regret the misfortune which befel Mr Dinsmore on his Journey but his conduct surely was very imprudent.

Accept of my best wishes

I am Dear Sir

Your Friend sincerely

William C. C. Claiborne

General Wilkinson.

To Gov. Claiborne from John McKee.

Mount Dexter Sep. 12. 1802

Sir

Information has been given here that the white people are settling in advance of the Rocky spring Eastward.— That place has heretofore been pretty generally considered as a point thro' or near which the line would pass— But wherever it may pass, as it is soon to be retraced & remarked, any extention of settlement at this time will create uneasiness in the nation and tend to embarrass the commissioners in retracing it.

I am induced to obtrude these observations on your excellency from a report that these new settlements have excited considerable uneasiness in the upper town District, to such a degree that I fear the settlers will not be safe till the line is ascertained.

Mr Dinsmoor has not yet arrived here and my last accounts are unfavourable to the Hope of his recovery

I am respectfully

Your Excellency

obedient servant

(Signed)

John McKee

His Excellency

Governor Claiborne

To Daniel Burnett.

Near Natchez October 3d 1802

Sir

I have this morning received information, that the Chaetaw Indians, are greatly dissatisfied in consequence of some settlements which the white people have lately made in advance of the Rocky spring Eastward and that the lives and properties of these Settlers are in Danger of attack.

You will therefore proceed without delay to the settlements alluded to, advise the people of their danger, and direct them in my name, to retire with their families and property to some place at least one mile on this side of the Rocky Spring.

The old line of limits, between the United States, and the Chaetaw Indians, will shortly be retraced:— an opinion has generally prevailed among the Indians, that the line would pass at or near the Rocky Spring and consequently any extention of settlement at this time, cannot fail to excite uneasiness in the nation and may embarrass the Commissioners in Establishing the True Boundary.

You will read this letter to the Citizens, and express to them my great desire, that a compliance on their part, with my request, may supercede the necessity of my taking any further measures on this occasion.

You will advise me of the result of your interview with the settlers.

With respect and regard

I am Sir

Your most obt Hble, Sert-

William C. C. Claiborne

Colo Daniel Burnet

To Henry Dearborn.

Near Natchez October 4th 1802—

Sir

Enclosed is a Letter which I have received from General Wilkinson and a Copy of my reply, as also a Communication to me from John McKee late agent for the Chaetaw Nation, and a copy of a letter which (in consequence of Mr McKee's information) I addressed to Colo. Daniel Burnet of the 4th Regiment of the Mississippi Militia.

I have the honor to be

Sir,

your Hble— Servt-

William C. C. Claiborne

The Honble—

H. Dearborne

To Samuel Mitchell.

Near Natchez October 4th 1802

Sir

On yesterday Mr Goodrich delivered to me, your Letters of the 27th, 28th, 29th of August, and of the 8th ultimo, and I thank you for the information they contain.

I am pleased with your efforts to advance the Happiness of the Chiceasaws and I flatter myself, that the Habits of Industry and of Civil life will soon acquire such an ascendancy in the nation, as to banish from the land, that attachment to Idleness, which has hitherto, so much impeded the progress of Civilization

While you exercise all the Means in your power, to excite the Chiceasaw Men to agricultural pursuits, you will be equally Zealous in encouraging a spirit of Domestic Economy among the women:— It seems to me advisable

that you should continue to supply them with wheels and Cards and also to retain in your employ the weaver.— If you could induce a few young Indian Girls to pass some time with the Weaver, and he would undertake to teach them, an adequate compensation for his trouble, may be made him.— It would also be a prudent measure to place a few active Indian Lads with the Wheele-maker.

The desire which my old acquaintance Major George Cobert¹ has expressed, to have his son educated in the United States, shall be communicated to the Secretary at War and you shall be advised of his answer.

A trading house for accommodation of the Chiccasaws, is Established by the United States at the Bluffs,² and I am persuaded that they (the Chiccasaws) will soon be convinced of its utility.—One thing is Certain, their wants will be amply supplied, and upon more moderate terms than they could be procured from private adventurers; the article of Iron for instance and Iron tools may generally be procured at the Bluffs, and for a price, not more than sufficient to remunerate the United States the Original Cost.

So much of the Indian intercourse Law, as relates to the purchase of horses from Indians, it may be well to give a liberal construction to and in the cases, which you enumerate where travellers thro' the Wilderness have had their Horses stolen, strayed or tired they might be permitted, to obtain a supply in the Nation, as a Matter of necessity, but you will take care, that this privilege be not carried too far, and the salutary provisions of the Law evaded altogether.

I am aware, that your situation on the Road subjects you to many visits from travellers, and not infrequently to inconvenience and expence; these considerations (and others which you enumerate) may be urged as Reasons

¹ Halfbreed chief of the Chickasaws.

² Present location of Memphis.

for an increase of salary, and will no doubt, receive their due weight from the secretary of war to whom your Letter to me shall be transmitted.

You did right to exercise all your influence to bring about a peace between Chiccasaws Chactaws, and the Asages.—By the Treaty with Spain the United States are bound to restrain the Indians residing within her Limits from waring with those Tribes situated within the Spanish Territory— You will therefore persevere in your efforts to effect an amicable settlement of differences, and I request you to assure the Chiccasaw King, his chiefs and warriors that the President of the United States has no greater wish than to see the Chiccasaw Nation happy and at peace with all the world

I am Sir

with great respect

your Hble— Servt.

William C. C. Claiborne

Saml. Mitchell Esq

Agent for the Chiccasaws

To Henry Dearborn.

Near Natchez October 5th 1802

Sir

I have the honor to transmit you several Letters, which I have lately received from the agent for the Chiccasaw Nation, together with a Copy of my answers.

Mr. Mitchell seems desirous to be remunerated certain expences, which he has incurred in erecting a house for his accommodation and also solieits an increase of salary, the Reasons offered in support of his request, are contained in his Letter enclosed.

It seems that Maj. George Colbert a man of Great influence (and deservedly so) among the Chiccasaws de-

sires that his son should be educated to the Northward, under the Patronage of the Government;— I have informed Colbert, that his wishes should be made known to you, that so soon as your answer was received, it should be communicated to him.

I have understood that Mr. Dinsmore is nearly recovered of wound, and had proceeded on his Journey to the Choctaws

With sentiments of esteem and respect

I am Sir

Your most obt. Hble— Servt.

William C. C. Claiborne

The Honble—

H. Dearborn

Secty at War

To Gov. Claiborne from Joshua Wingate.

War Department August 24. 1802

Sir

The Secretary of War being absent, I have the honor to acknowledge the receipt of your favor of the 20th ulto covering a draft of a Scite for a Garrison.

I am respectfully your

Huml. Servt-

Joshua Wingate Inr. C. Clerk

His Excellency

Wm— C. C. Claiborne

To Gov. Claiborne from Silas Dinsmore.

Camp 30th— mile south of Tennessee

September 19th 1802

Sir

By detention & change of rout to the Choctaws, I am run short of cash, an article difficult to be procured in the Chickasaw woods. Mr. Lenton the bearer has however furnished me with forty five dollars to answer my present demands, for which sum I have the liberty, without your leave, to draw on you at sight, & request you to honour the draft as it is to meet the Contingent expenses of the Indian department under your superintendance. I expect in about six weeks to pay my respects to your Excellency in person, & receive from you instructions, & such information & advice as you may please to give relative to the Choctaws & their connections

I am Sir

your very obedient servant

Silas Dinsmoor

agent to the Choctaws

His Excellency

Governor Claiborne

To Gov. Claiborne from Drs. D. & W. Lattimore.

Natchez,

October 1: 1802

Sir,

We avail ourselves of the first liesure to report to your Excellency, relative to the occurrences at the small pox camp, which was erected in the spring, and for which you were pleased to appoint us the attending Physicians. The persons carried to this camp, were Daniel Cameron, Peter McGahan, Benjamin Dill, John Sranklin, — Canary, Charles Williams, Nathan Thompson, a black

man in the charge of Mr. Jeremiah Routh, Mrs: Crab, a young man under Colo: Gaither, and a negro boy, belonging to Mrs. McCabe.—

The two first, of the above mentioned persons, were as they confess inoculated for the small pox, in New Orleans, and broke out with it on their arrival at this place. The next six took it in the natural way in the aforementioned town or other parts of his Catholic Majesty's dominions, and broke out with it on their journey to or arrival in the Territory. The last three, were, as your Excellency knows, inoculated in this town.

The five inoculated persons had the disease lightly; the other six who took it by contagion, had it in general to a degree of dangerous, and in two cases of fatal severity. The deceased are Charles Williams and Nathan Thompson, the former a citizen of Kentucky, the latter of this Territory. While your Excellency deplores with us the loss of these unfortunate young men, your mind, cannot be but considerably alleviated from this consideration, that the exercises of humanity have not been wanting to prevent such an issue. For your Excellency's solicitude, for the comfort and recovery of the afflicted, has been evinced, as well by personal attendance, at the scene of their sufferings as by official acts of Executive authority. To the humane and provident attentions of Mr. McCormick, also they are much indebted, for a supply of provisions &c suitable to their respective conditions, and of those who were subordinately employed for their assistance, we know of no injurious neglect of duty. Upon the whole, from all that we could discover, from our daily attendance, we conceive that no one has ultimately suffered through inattention. whatever temporary inconveniences, the occasion naturally & unavoidably involved.

In addition to the eleven cases at the camp already mentioned, four others were afterwards discovered, which appear to have been caused by imprudent and ob-

stinate visits to the Camp, and by a premature and unpermitted departure of a patient from the same. The first instance alluded to Mrs. ——— who took the disease herself, and afterwards communicated it to her negro boy, who as we have heard, broke out with it on the Bayou Pierre. The other alludes to John Franklin (a little boy) from whom there is great probability, the infection was communicated to Miss Patsey Kitchen, from whom again it was communicated to her mother Mrs. Kitchen.

While reporting to your Excellency the conduct of those, who, contrary to well known restrictions visited and left the Camp, and thereby propagated the contagion; we cannot omit mentioning, the shameful elopement of Canary, a full week before he would have been entitled to the legally requisite Certificate. This man, (who is an inhabitant of Kentucky) was carried to the camp while labouring under an attack of great severity, and received all that attention which his situation required; but no sooner had he experienced the salutary effect of his humane treatment than he availed himself of his recovering strength and clandestinely departed leaving the burden of his expenses to fall on the government, notwithstanding he carried with him several hundred dollars.

The well known exertions which your Excellency, used to preserve this Territory, from the small pox, and the influence you have exercised in favor of vaccination, induce us to believe that you will be highly gratified to hear, that the latter has prevented the ravages of the former, by a very general circulation. We conceive that two thirds of the inhabitants must have undergone vaccination; and in no one case, that we have heard of has it produced mortality: it is not easy to say what might have been the fate of this menaced country, without the advantage of this invaluable preventative; but it would seem as if, its opportune arrival among us was something

providential. No case of small pox, as far as we know, exists now in the Territory. The vaccine virus, from an indispensable attention to the sick, we fear is extinct also: it was however, long enough in existence for all those who wished to experience its beneficial influence.

Permit us, Sir, to avail ourselves of the present occasion to declare, that we are with sentiments of great respect your Excellency's most obedient Servants
(Signed) D. & W. Lattimore

To Drs. D. & W. Lattimore.

Town of Washington

October 5: 1802

Gentlemen,

I have the honor to acknowledge the receipt of your communication of the 1st. instant.

The establishment of the hospital camp was resorted to, as a means of securing the people of the Territory, from an afflicting, and not unfrequently a mortal malady: — but the timely introduction of the vaccine disease, was indeed the only effectual barrier, which could have been interposed, and I am happy to learn, that so many of my fellow citizens have availed themselves of this invaluable preventative against the ravages of the small-pox.

I regret the death of two young men you have mentioned, but it is a pleasure to me, to know, that every attention was paid them, which benevolence dictated, and their situation admitted of.

Accept gentlemen, my thanks, for the attention and humanity, with which the duty assigned you was discharged and I pray you to be assured of my great respect and sincere esteem

I am &c

signed- -William C. C. Claiborne

To Israel E. Trask, Brigade Major of Militia.

Town of Washington Octobr 9t. 1802.

Sir

You will proceed without delay to the County of Washington, on your arrival, you will announce yourself, to the Major Commanding the 3d Regiment of Militia, and desire him to convene the officers of the Regiment, at some Convenient place, when you will attend, and perform the Duties required of you by Law.

You will endeavour to impress upon the minds of both officers and privates, the safety which a well regulated Militia, would afford to the District of Washington, and to excite that Military spirit, which can alone give respect and energy, to our Militia System.—

You will make no unnecessary stay in Washington, and will use all due diligence, to return to Natchez by the 28th day of November: on your arrival at Natchez, you will announce yourself to me, and be prepared to make a General Report of the State of the Militia, in Washington County.

Wishing you an agreeable Tour.

I remain.

with great respect,

Your Hble Servt

William C. C. Claiborne

To David Berry.¹

Town of Washington October 13th 1802

Sir,

Complaint has been made to me upon Oath, by Daniel Grafton, that a party of Choctaw Indians, eight in num-

¹ Interpreter for the Choctaws.

ber, had committed some outrages upon his plantation, and from their threats, Mr Grafton apprehends further injury.—

The Indians are supposed by Mr Grafton to be encamped near to his corn field and I wish you to proceed to their camp, and represent to them, the impropriety of their Conduct.

I should be glad to have those Fellows brought before me, and I wish you to have recourse to all the artifices in your power, to induce them to visit me.

Mr Grafton and two or three other men will accompany you, if you desire it, but you must not permit the Indians to be abused.

I will reward you liberally for the trouble you may take in this Business.

If it is possible, without abusing the Indians, I hope you will bring them to me

I am Sir

your Hble Servt.

William C. C. Claiborne

To David Berry.

The Governor being informed, that the Indians could not be prevailed upon to visit him, he wrote the following Letter to Mr. Berry.

Town of Washington

October 13th 1802

Sir,

You will proceed immediately to the Indian Camp, deliver to them the enclosed talk, receive their answer, and report the same to me this Evening.

I am Sir your Hble Servt—

William C. C. Claiborne

Talk enclosed in preceding letter.

A talk from William C. C. Claiborne Governor and Commander in chief of the Mississippi Territory, to some Choctaw Indians, who are encamped near to Natchez.

Brothers.

I sent my Interpreter David Berry to you, on this morning, with a request that you would come and see me; but you have thought proper to decline doing so.

I will now tell you Brothers my Business with you; I was informed on yesterday, that you had gone to a white Man's House, and killed one of his work Steers, wounded another, and threatened to do him further Mischief.

I wanted to have you and the white man face to face, in order, that I might learn the truth: But it seems you will not come near me.—

Now Brothers, I must inform you, that I do not allow my people to treat a red man amiss, nor will I suffer a red man, to treat any of my people amiss.

I will forget and forgive your late bad Conduct, upon one Condition, which is, that you immediately depart for your own Land, and do no more mischief.

My Interpreter David Berry will bring to me, your answer to this talk.

William C. C. Claiborne.

Town of Washington

October 13th 1802.

To Seth Lewis.

October 19th 1802

Dr Sir,

Permit me to introduce to your acquaintance and friendly attention the Bearer Mr Lewis Kerr— This gentleman attends you, to request an examination touching

his fitness to practice as an attorney in the several Courts of Law and Equity in this Territory

Mr. Kerr was desirous to wait upon you, previous to your Departure for Washington, but was prevented by indisposition. During your absence Mr Kerr's health was in a measure restored, & wishing to qualify as an Attorney, at the County Court of Adams, upon his producing to me the most satisfactory vouchers, that he had passed much time in the study of the Law & had been admitted as an attorney in many respectable Courts, I granted him a Licence, having previously exacted a promise that immediately on your arrival he would undergo an examination before you.

Accept my Congratulations on your safe Return Home, accompanied with my best wishes

I am Dr Sir

Very respectfully

Your mo: Obt. Hble— Servt.

William. C. C. Claiborne

The Honble—

Judge Lewis

Warrant in Favor of — Phipps.

October 19th 1802

The Governor signed a Warrant upon the Treasurer General for twenty four Dollars in favour of Phipps, being the sum due him for his services as a Marker of the Road from the Natural Boundary line, to the town of Natchez, as appeared by a Certificate he produced, signed by Hugh Davis and John Collins two of the Commissioners for laying out said Road

To Henry Dearborn.

Near Natchez 20th october 1802
Office of Superintendant for Indian
affairs.

Sir

To enable me to meet a small draft of Mr Silas Dinsmoor's on account of the Choctaw Agency, and to defray some contingent expences which have arisen in the Indian department I have drawn a Bill upon you for one hundred Dollars payable at five days sight to Samuel Postlethwait & Co —or order

I am Sir,

Very respectfully

Your most obt— Servt—

William C. C. Claiborne

The Honble Henry Dearborn
Secty of War

Bill of Exchange.

Copy of a Bill of Exchange Drawn by the Governor
in favour of Saml. Postlethwait & Co,

Near Natchez october 20th 1802
Office of Superintendent for Indian affairs

Ex : 100 Dollars

Sir

At five days sight of this my first of exchange (second of same tenor and date unpaid) please to pay to Samuel

Postlethwait & Co or order, one hundred Dollars (value Received) which charge as per advice to account of
Sir

your Obt. Servt
William C. C. Claiborne

The Honble
Henry Dearborn
Secy of War—
Washington

To Gov. Claiborne, from Wm. E. Huling.

New Orleans 18th october 1802

Sir

I have to announce to you that this day the Port is shut against foreign commerce and not against foreign commerce only, but against the American Deposit in this City¹

In the decree posted up in the public places no mention is made of any other place appointed for a Deposit.

You will use this information as you may think proper
I am with great respect

Your most obt. humble servt—

Wm.—E. Hulings

Wm— C. C. Claiborne

Gov of the Mississippi Territory

P.S.— The Intendant has just now refused permission to some Govt —Stores destined for Fort Stoddart, to pass through the Spanish Territory free of duty. I shall immediately petition the Governor on the subject, and will communicate the result to you.—

¹ This order of October, 1802, said to have been issued by the Intendant Morales without authority from Spain, was the cause of great loss to the people of the Mississippi Valley, and was adjusted only by the Louisiana purchase.

To William E. Huling.

Natchez October 28th 1802

Sir

Your Letter of the 18th Instant, reached me this Evening— The publication of the Intendent's is indeed an extraordinary Measure.—

The 22d Article of the Treaty between the U. States and Spain, is explicit, and cannot admit of but one construction.

Before his Catholic Majesty can (with good faith) withdraw his permission to the Citizens of the U. States to deposit their Merchandize, and effects in the port of New Orleans, he must assign some other place on the Banks of the Mississippi for an Equivalent Establishment.

Will you be good enough to present in person, the enclosed Letter to the Governor; It is on the subject of the Intendant's publication.

Your Letter to me I shall transmit by express, to the secretary of State.

I flatter myself that the present difficulties at New Orleans will only be temporary

With very great respect

I am Sir

Your Mo: Obt: Servt.

William C. C. Claiborne

Wm— E. Hulings

Vice consul for the U. States at the port of New Orleans

To Don Manuel de Salcedo, Governor General of Louisiana.

Natchez October 28 1802

Sir,

I have this day been informed that in a Proclamation issued on the 16th Instant, by the Intendant of the Province of Louisiana, it was announced—"That the Citizens of the United States shall no longer be permitted to deposit their Merchandize and effects in the port of New Orleans

Information of an event so immediately interesting to the Citizens of the U. States led me to peruse attentively the Treaty of Friendship, Limits and Navigation between the United States of America, and the King of Spain, and upon adverting to the 22d Article I found it declared that "his Catholic Majesty will "permit the Citizens of the U. States for the space of three years "from this time to deposit their Merchandizes, and effects, in the port of New Orleans and to export them "from thence without paying any other duty than a fair "price for the hire of the Stores, and his Majesty promises either to continue this permission if he finds during "that time that it is not prejudicial to the Interests of "Spain, or if he should not agree to Continue it there, "he will assign to them, on another part of the Banks of "the Mississippi an equivalent establishment.

I have here quoted the words of the Treaty, and find them too explicit to require comment, or to admit of a Doubtful construction— If therefore his Catholic Majesty has discontinued his permission to the Citizens of the United States to deposit their Merchandizes and effects at the port of New Orleans, Will your Excellency be good enough to inform me whether any and what

other place on the Banks of the Mississippi has been assigned (in Conformity to the Treaty) for an equivalent establishment.

The subject of this enquiry, is so interesting to the Commerce of the United States, and to the Welfare of her Citizens, that I must request your Excellency to favour me with an *early answer*

Accept assurances of my
great respect and high
Consideration

William C. C. Claiborne

His Excellency

Manuel de Salcedo

Governor General of the Province of Louisiana.

To James Madison.

Near Natchez,
October 29th: 1802.

Sir,

I have the honer to enclose you a letter, which, I last evening) received from Wm. E. Hulings vice Consul, for the United States, at the Port of New Orleans, together with a translation of an Extract from a publication made, by Juan Ventura Morales, Intendant of the Province of Louisiana &c: dated October 16: 1802.

These dispatches, announce "that the Port of New Orleans, is shut against foreign commerce and the *American Deposit*.

Not understanding from the Intendant's Proclamation, whether or not, another place, on the banks of the Mississippi, had been assigned by his Catholic Majesty, (in conformity to our Treaty with Spain) for "An equivalent establishment."

I have by letter, (a copy of which, is herewith enclosed) requested information, *on this point* from the Governor General of the Province of Louisiana.

The late Act of the Spanish Government at N. Orleans, has excited considerable agitation in Natchez and its vicinity:— It has inflicted a severe wound upon the Agricultural and Commercial interest of this Territory, and must prove no less injurious to all the Western Country.

There being at present an interruption in the Post between this Territory and Tennessee, and supposing it of importance, that the Government should be early apprised of the late event at Orleans, I have forwarded this letter, by *express*, to Nashville, where it will be deposited in the mail.

I am Sir,

With sentiments of great respect & esteem—

Your mo: obt. servt:

(signed) William C. C. Claiborne

To James Madison.

Near Natchez

Novem: 5: 1802.

Sir,

I have now the honor to reply more particularly to your letter of the 26: of July last, and to lay before you, such information, as I have been enabled to collect in relation to the various objects of your enquiries.

In conformity to your request the claimants of land (of the descriptions you mention) were invited “by public advertisement to file prior to the first day of November, before the proper County Officers, the Clerks of the different County Courts, the particular authority and ex-

tent of their respective claims, and the chain of Title derived to the present claimants from the Original Title.

I had flattered myself that the acquiescence with this invitation would have been such, as to have afforded ground for accurate estimates;— But from various causes, the returns are not so general as I had wished. Some few claimants, whose titles, I have reason to believe, are fully and legally executed, have omitted to state them, either thro' inattention, or from an unaccommodating disposition, and there are some others, who have avoided exhibiting their claims (probably) from an unwillingness to expose their weakness, and a fear produced by a report, which some designing characters circulated with industry, that the call for titles, was intended to work their immediate injury:— Having premised thus much, with a view to apprise you, that the return of claims which accompany this letter, is (A) not entirely complete:— I will proceed to notice your enquiries in the order, you have placed them.

First

With respect to the extent of Territory both on the Mississippi and the Mobile, which has been relinquished by the Indians.

Until the boundary line between the United States and the Choctaw Indians, which shall have been retraced and plainly marked, (a work, which I understand will shortly be executed, under the direction of General Wilkinson) the quantity of land, to which the Indian claim has been extinguished, cannot be correctly ascertained, but from the best information in my possession, I do conjecture that there may be on the Mississippi, two thousand five hundred square miles, or about one million six hundred thousand acres, which, comprehend the counties of Jefferson, Adams, Wilkinson and Claiborne.—

On the Mobile, I do also conjecture, without pretending to accuracy there may be about four thousand six

hundred square miles, or near three Million of Acres, which compose the County of Washington.—

The greater part of the land on the Mississippi, above alluded to, is fertile, and well adapted to cultivation:— Of the three millions of acres on the Mobile there are supposed to be near two millions of pine barrens, little of which, is susceptible of Culture, the balance is said to be good land, and I am informed that most of it may be cultivated to advantage.

A small map of the settled country adjoining the Mississippi, marked (No: 1.) and a map of the land in Washington County, to which the Indian claim has been extinguished marked (No: 2) are herewith enclosed.

Second

With respect to the claims recognised by this second article of agreement with Georgia!

I will class these claims under three distinct heads.

1st: Grants, to persons who were actual settlers, within, the ceded Territory, on the 27 of October 1795, legally and fully executed, prior to that day by the former British Government of West Florida. The packet marked (A) contains all the claims of this description which have been filed.

2nd. Grants to persons who were actual settlers within the ceded Territory on the 27: of October 1795, legally and fully executed prior to that day, by the Government of Spain, (this species of Titles is numerous) the packets marked (B) contains all of which have been filed.

3rd. Claims of persons who were settlers within the ceded Territory, on the 27: Oct: 1795, derived from actual surveys or settlements made under the law of Georgia; passed February 7: 1785, commonly called the Bourbon Act:— The packet (C.) contains all the claims of this class which have been filed. Few of these claimants alledge to have made actual surveys: —It would

have been unsafe to have done so, during the existance of the Spanish Government, but they rely upon the settlements which they formed by a verbal permission from the then existing Government, and the invitations held out by the State of Georgia, in the Bourbon Act.

Among the titles recognised in the agreement of compromise with Georgia, there will arise a few which clash, (viz) lands claimed by different persons, under British and Spanish titles who were both settlers in the Territory on the 27: of Oct: 1795; This will be found to have been occasioned by one of two causes: The British proprietor did either not reside in the Territory, or being present had not complied with the conditions of his patent at the time of regranting by the Spanish Government.

I have endeavoured to inform myself as to the manner, in which Grants were made and completed under both the British and Spanish Governments. Under the British Government Grants were sometimes issued by the King himself, but more frequently by his Representatives the Governor of West Florida. The former title was conferred for some signal services rendered by an individual, the latter title which was the more usual, was obtained in the following manner?— The applicant for land presented a petition to the Governor and Council of West Florida, upon the petition being granted, an Order from the Governor, to the Surveyor General, of the province was given which was called the Warrant of Survey, when the survey was completed and returned to the Secretary's office the Patent issued. It frequently happened, that by delay in the office occasioned by various circumstances, and in some instances by reason of the Spanish Conquest of Florida, those persons who had obtained Warrants and paid the price of surveying never acquired a complete Patent I have procured a copy of a British Patent, which is herewith enclosed marked

(No. 3.) The manner of obtaining titles under the Spanish Government was similar to the last mode of British Grant. The applicant for land, applied by petition to the Spanish Governor General of Louisiana; or the Governor at Natchez. If the petition was granted, an order, in writing was given to the Surveyor General (which was called the Warrant) to survey and put the Petitioner, in possession of a certain quantity of land (which was named) on the return of the survey, to the office of the Secretary, for the province of Louisiana, at Orleans a formal Patent, with the plat and certificate of survey prefixed was issued, and signed by the Governor General of the Province of Louisiana. In this case also delay in the intermediate steps, sometimes prevented persons, who had procured Warrants of Survey, and were in complete possession of the land from obtaining perfect patents:— A Copy of a petition Warrants of Survey, and Spanish Patent is herewith enclosed marked No: 4:

I will now proceed to notice other claims not recognised in the agreement of compromise, but concerning which you request information.

First . . . With respect to claims grounded on the alledged grants of Georgia, subsequent to the Bourbon Act:

I cannot learn that any tract of land is now occupied by any of those purchasers or by persons claiming under them:— A Copy of an Original letter, upon the subject of the Georgia Sale dated at Boston, October 1. 1799, signed by several persons stiling themselves “Agents for the proprietors of Georgia lands” addressed to some respectable Citizens in this Territory, together with a copy of the Answer which was returned thereto, are herewith enclosed Marked No. 5 & 6.

Second. . . Claims, if any, derived under the French Government, previous to the peace of 1763?

No title arising from this source, has been filed, and

I have it from good authority, that no claim on the part of the ancient French proprietors ever appeared during the existence of the British or Spanish Governments in this Territory. "The frequent contest between the French and the Natchez aborigines, caused the former to abandon their agricultural possessions, in this quarter of Louisiana, long before the peace of 1763.

Third---- Claims derived under the British and Spanish Governments previous to the Treaty of 1795, unaccompanied by actual settlement within the ceded territory, at the date of the Treaty?

No claims of this description have been filed, nor is it probable there are many such of Spanish Origin:— But it is a matter of great notoriety, that British claims of this species are numerous. By far the greater part of the valuable improvements and plantations in this Territory, is made upon lands heretofore granted by the British Government of West Florida, but which were re-granted by the Spanish Government.

It may be proper in this place to state, that the time allowed by the Treaty of peace of 1783 for British subjects to sell, convey or settle their lands, was prolonged by the Spanish Government, and that two or three years beyond the time granted by the Treaty had elapsed before the Spanish Government commenced regranteeing of lands, which had formerly belonged to British subjects.

Fourth----- Claims derived under the Spanish Government by Grants made subsequent to the Spanish Treaty of 1795?

These may be distinguished into three classes:

1st— Where patents were issued subsequent to the Treaty on Spanish Warrants of survey made previous to the Treaty:—

2nd. Where the Warrants as well as the Patents were subsequent to the Treaty.

3rd: Where both Warrants and Patents, were indeed

subsequent to the Treaty, but both antedated, so as to make them appear prior to the Treaty.—

1st: Where Patents were issued subsequent to the Treaty on Spanish Warrants of survey granted previous to the Treaty.

I have understood that many Patents of this description were issued altho' few have been filed— Warrants had in many instances been obtained from the Spanish Government accompanied with an actual survey and settlement, which, agreeable to the Spanish *Customs*, were recognised as good Titles, even before the Patents issued. Claimants in this situation were often not anxious about obtaining their Patents, which could at any time be procured as a matter of course. Hence it happened, that the Treaty, caught many in the possession of those incomplete rights. Some persons thought it advisable to obtain patents from the Spanish Office which continued open after the Treaty. But others conceiving such patents as conferring no additional security trusted entirely to the justice and liberality of the United States to make valid in law, what they considered a perfect equitable title.

2nd: Where the Warrants of survey as well as the Patents were subsequent to the Treaty; of this description four or five only have been returned, but others certainly exist. Some men in favor with the Spanish Officers— and trusting to the temporary continuance of the Spanish Courts and Government acquiesced in by the people, and Commissioner Ellicot, and Lieutenant Pope, the only representatives of the United States then present, received titles for land, which were dated agreeable to the true time of receiving them. The number of these claims is uncertain, but said not to be numerous.—

3rd Where Warrants and Patents were indeed subsequent to the Treaty, both antedated so as to make them appear prior to the Treaty, altho' no claims of this kind

have (to my knowledge) been filed, yet no doubt is entertained here of their existence. They are reported to be of great extent, and are supposed to cover much valuable land near the settlements.—

Fifth -----Claims founded on the third section of the Bourbon County Act?

Many Citizens who subsequent to 1795, have settled and improved vacant lands, suppose that under this third section, they will be entitled to a right of preference when a land office may be opened. The Bourbon Act was repealed by Georgia, in February 1788, but from the little intercourse between that State, and the Territory. it is probable the repealing law was but partially known, and that some citizens might have made their improvements under the invitation given them in the Bourbon Act.

With respect to the aggregate quantity of land covered by claims under the 2nd . . article of the Compromise and of the like aggregate of other claims, it is impossible for me to form accurate estimates. But from the best lights I can procure, I do suppose there cannot be more than four hundred thousand acres on the Mississippi, covered by claims justly falling under the 2nd: article of the Compromise. As to the extent of private claims on the Mobile I can hazard no opinion, until the returns from Washington County are received. It however, is understood, that besides a large tract of Pine Barrens, there is some valuable lands which remain to be disposed of by the United States.

In order that you may be more fully informed as to the true state of land claims in this Territory, I have forwarded all the returns, which have been made and received carefully filed under their different classes, among them, you will discover, some claims, which cannot strictly considered be comprehended under any of the descriptions you have enumerated—The titles for in-

stance by Spanish Warrants of Survey & possession without Patents may be viewed as of this kind. But permit me to remark that this species of Title, is esteemed here as very strong in an Equitable point of view, and I am well informed they were viewed as legal under the Spanish Government and by custom the proprietor was authorized to sell after three years occupancy.

It will not escape your observation, that a great proportion of the present population in this Territory, is composed of Citizens who have formed settlements on vacant lands:— The heads of families of this description, in the Counties of Jefferson, Adams, Wilkinson, and Claiborne, exceed seven hundred and their wives and children amount to upwards of two thousand.

I do sincerely hope that these Citizens may be secured in their improvements, and that the Government will sell out the Vacant land in this district upon moderate terms and in small tracts to actual settlers:— If this policy be not observed, much distress will attend many of the settlers, and the certain effect will be their leaving the Territory in disgust, to become subjects in a Country, where heretofore, the most flattering invitations have been offered to the poorer class of industrious Citizens, by bestowing, upon every applicant, without price, portions of the richest lands, proportioned to the extent of his family. The present farms of the settlers would then probably fall into the hands of rich speculators, either in this District, or from the United States. Thus we may lose a considerable portion of our present population, and the further increase of our numbers retarded, by the best and most convenient spots being monopolised by men possessing large tracts of unoccupied lands.¹

The consequence would be that this most distant and

¹ For information concerning land titles in Mississippi consult the "The Fountains of Our Land Titles," by Edward Mayes; Minutes Mississippi Bar Association for 1887.

infant settlement of the United States, at present insulated and defenceless, would be rendered more weak and defenceless, by the banishment of the poorer Class of White Citizens, and the introduction of a few wealthy characters, with a large increase of negroes, a discription of inhabitants, already formidable to our present population.¹

With sentiments of great respect and
sincere esteem,

I have the honor to be

Sir,

your mo: Humble. Sert.

(signed) Wm. C. C. Claiborne

Notes.

(A) I have not received a return of the claims which have been filed in Washington County.—

(G) Claims, have been filed by persons who were actual settlers within the ceded Territory on the 27: Oct: 1795, under British Grants for 52754 acres, and under Spanish Patents for 190.406 acres, which Patents were legally and fully executed prior to that period.

Claims of the following discription have also been filed—

Claims under Spanish Patents dated subsequent to the 27: Oct: 1795, by persons who were settlers at that period.— for. Acres 8,980

Claims under British Warrants without Patents, by persons who were settlers on the twenty seventh of Oct: 1795. for. Acres 10,900

Claims under Spanish Warrants of Survey and pos-

¹ It had been estimated that the negroes, at this time, about equaled the whites.

session, by persons who were actual settlers on the 27: Oct: 1795—for. Acres 21203

For these Claims see Packet (D)

There are about one hundred and thirty heads of families, who on the 27: Oct: 1795 were settled upon vacant land, and now claim a right by occupancy under the Bourbon Act.

There are also about seven hundred heads of families, who subsequent to 1795. have settled upon vacant land and made considerable improvements.

(F)----- Should the contemplated changes in the Masters of Louisiana take place, it is not improbable, but our new neighbours, with a large extent of *Vacant* Country to settle, may also offer great encouragement to emigrants.—

To James Madison.

Near Natchez: Nov: 6th: 1802.

Sir,

The embarrassment of our trade at N. Orleans, still continues, private letters state, that American produce may be landed by paying a duty of 6 pCent, but not otherwise.

I have enclosed you an extract from the Intendent's proclamation, in the Spanish language — I am informed that the translation which was sent you is sufficiently faithful, but does not possess the strength of the original.

It cannot well be presumed that the Intendant would issue such a proclamation without orders from his King, altho' the style countenances the idea.

There is no doubt entertained at Orleans but that the French will take possession of Louisiana in the course of the Winter.

I am &c

(signed) Wm. . C. C. Claiborne

To James Madison.

Near Natchez Nov: 6: 1802

I have this day drawn upon you, for the sum of Eighty dollars, payable at five days sight, to Ferdinand L. Claiborne,¹ merchant at Natchez, or to his order.

This sum I pay to Samuel May, for going express from Natchez to Nashville, as will appear from the vouchers enclosed.

The letters which May was the bearer of communicated the late proceedings at N. Orleans, which being interesting to the United States, I thought it my duty to forward my dispatches by express, since at that time there was an interruption in the mail between Natchez & Nashville

I am &c.

(signed) Wm. C. C. Claiborne

To Gov Claiborne, from Henry Dearborn.

War Department.

9: July 1802

This will be handed you by Mr Joseph Chambers, who has recently been appointed Factor for the United

¹ Brother of the Governor, who afterwards became prominent in the military affairs of the Territory.

States,¹ for the Choctaw Nation of Indians, his character authorizes me to recommend him to your Excellency's notice and to request that you will have the goodness to yield him such advice and assistance in the discharge of his duty as situation, & circumstances may render necessary.

I have the honor to be with much
respect,

your Excellency's
mo: obt. . Servt.

(Signed) H. Dearborn

To Henry Dearborn.

Natchez Novem: 10: 1802

Sir,

On the first instant Mr. Joseph Chambers Factor for United States, for the Choctaw Nation, delivered to me your letter of the 9th: of July last.

The goods for the factory have arrived at Fort Adams and are safely deposited; where they will remain until a site for the Factory, is established and suitable buildings erected.

The aspect of affairs at Orleans, and the probability of the French taking possession of Louisiana induce me to think it may be advisable for the present to establish the trading house for the Choctaws, at some point on the Mississippi, or the Waters thereof.—

Some where on the Mobile would certainly be the most eligible position, but it being yet uncertain how far our trade to the Mobile may be embarrassed it might be unwise at this time to risque an establishment in that quarter.

¹ Factor at St. Stephens. A factory, for trade with the Choctaws, was located at that place.

Mr. Chambers appears to be a young man of great merit, and I shall take pleasure in giving him such assistance and advice as situation or circumstances may render necessary.

The Choctaw annuity for 1802, is arrived at Natchez, and I will take immediate measures to have it distributed.

The Citizens, who were supposed to have settled upon Indian lands, and of which I advised you in a former letter, have removed within the settlements

I am &c

(signed) Wm. C. C. Claiborne

P.S.

Three mails are now due from Washington. I am yet unadvised, of your orders in relation to the Factory, and the new Garrison.

(signed) W. C. C.

To Silas Dinsmore.

Natchez, Novem: 11: 1802.

Sir,

Being solicitous to confer personally with you on the subject of your Agency, and to put in your care, to be conveyed to the Nation, the Choctaw Annuity for the year 1802, I have to request that you will come with all convenient dispatch to Natchez.

I am &c

(signed) Wm. C. C. Claiborne

To James Wilkinson.

Washington Novem: 16: 1802

Sir,

In a letter from the Secretary of War, dated on the 10th: of September last, I am directed to advise with you, as to the Site, for establishing a Factory, for the accommodation of the Choctaw Indians:— The Factor is now at Natchez, and the goods are arrived and deposited at Fort Adams:— It is therefore advisable that the Site, should be speedily determined upon and the business commenced, or the factor will loose the advantage of the fall hunt:— I had named to the Secretary a position some where on the Mobile, as the most eligible, and he seems to incline to that opinion; but the late proceedings at Orleans, rendering it uncertain, how far the trade of the Mobile and Mississippi, may be embarrassed, induce me to think it unsafe for the present to venture the establishment in that quarter. But on this subject I wish much for a personal interview with you, and if you cannot conveniently come to Natchez, I will meet you at the Grind Stone ford, at any time you will name.

A new post (by direction of the President) is to be established, near to the town of Washington¹ and a Company stationed thereat.

The Site is selected, and contracted for, and the Secretary at War, informs me that “General Wilkinson will decide on the Captain who shall command.” May I ask the favor of you to detach Captain Sparks for this command:— you can anticipate my reasons.

My great friendship for Sparks, and the great addition which his small family, would be to our little society, lead me to make this request.

The last Northern Mail brings nothing very interesting:— The french troops are daily expected at Orleans:

¹ Fort Dearborn.

General Victor, is the Commander, he brings with him, only three thousand men, but eight thousand are to follow in a few months.

The enclosed letter from the Secretary of War, to you, is the only one, which has reached me.

Mrs. . Claiborne unites with me in best wishes for your health and Happiness.

Yours &c

(signed) Wm. . C. C. Claiborne

P.S.

A part of Captain Spark's company is now stationed near to Washington:— I have suggested to the Commanding Officer at Fort Adams, that it might be proper that this detachment should occupy the ground selected for the post and commence the work for the Garrison

(signed) W. C. C. C.

To Gov. Claiborne, from Henry Dearborn.

War Department

September 10th 1802

Sir,

Your favors of the 6th: ult: with the enclosures have been duly received; from the best information I have been able to obtain, I agree with you in opinion as to the more suitable place for our trading house with the Indians, will it not be in your power, to sound the Governor of the Floridas on the subject of our navigating that river, until more permanent arrangements between the two Governments can be made? It may not be proper to intimate that we have any doubts of the right of Navigating any of the Rivers, which pass out of the United States and through the Spanish Territory, but perhaps you may ascertain their present disposition, by intimating that you presume their will be no objection to our furnishing the Posts in the Mobile and our Indian

Agency at Tombigbee thro' their Territory:— If it should be determined to establish a trading house on the Tombigbee, It will be necessary to give directions to our Consul at Orleans, to retain the goods there until the place for the establishment shall be decided on; You will please to consult General Wilkinson on the subject, to whom I have written relative to the proper Site for a trading house &c—

It will be proper at all events to have the goods kept at New Orleans, until a decision is made by you and General Wilkinson, you will be pleased, Sir, to take measures accordingly—

You will also accept the Offer of Mr. Calvit relative to the land for a Post.

The progress made in organising the Militia, is really a very happy circumstance, and will undoubtedly have a vary favorable effect on the administration of your Government.

General Wilkinson will decide on the Captn. who shall Command, the Post at Natchez; I have no doubt he will consent that Captn: Sparks may be stationed at that place agreeable to your request.

I am &c.

(signed) H. Dearborn

From Henry Dearborn.

War Department

Septem 11: 1802.

Sir,

On further consideration I am of opinion, that there can scarcely be a remaining doubt of the propriety of establishing the trading house with the Choctaws, on the Tombigbee,¹ if necessary the Military Post on the Mobile

¹ It was located at St. Stephens.

can furnish a guard to the store, whether the store should be established at any considerable distance from the junction of the Tombigbee or the Alabama, or not you and Genl. Wilkinson will be able to determine. It is presumable that the Indians will have no objection to a small guard being placed near the store.

I am &c.

H. Dearborn

P. S. Sir, as Genl. Wilkinson will probably have occasion to go to New Orleans I have requested him to sound the Government on the subject of the navigation of the Mobile. It is a subject that should be handled with great circumspection:— There are some doubts whether it will be prudent to say anything to the Governor, at all, on the subject, but it cannot be improper to endeavor by some indirect means to know the Governor's sentiments on the subject, *if he has any*, prior to our establishing a trading house:— You will see Genl. Wilkinson before he goes to New Orleans, and will please communicate the contents of this postscript to him.

(Signed) H. D.

To Gov. Claiborne, from Henry Dearborn.

War Department

Septem: 11: 1802.

Sir,

The chiefs of many of the Indian nations having applied to the President of the United States, for the suppression of the sale of ardent spirits in their several nations, and Congress having authorised the President to comply with their request:— It is therefore the wish of the President that you adopt such measures, as will as soon as practicable with due regard to particular cir-

cumstances, prevent the sale of any ardent spirits to the natives; In order therefore to effect this object, no trader shall be allowed to vend any goods to the Indians who shall carry ardent Spirits into their Country, for sale or other purposes and such as are now trading under former licenses should be restricted in like manner.

I am &c.

(signed) H. Dearborn

To Henry Dearborn.

Near Natchez, Novem: 16: 1802.

Sir,

On the 11th: instant, the Northern mails which were due, reached Natchez, and brought me your several favors, of the 10: 11: and 14: of September, the contents of which, I have attentively observed and shall particularly attend to.

The enclosed letter from General Wilkinson will inform you of his arrival at the Yarsou, (Yazoo) and the preparations made to commence the retracing of the old Indian line:— My own opinion is that the arrangement adopted will fully answer the purpose and in point of Oeconomy (economy) and expedition, is perhaps the best that could have been resorted to.

I have by letter (an extract of which is enclosed) consulted General Wilkinson, relative to the Site, for the Choctaw Factory:— My letter of the 10. ins. informed you of the arrival of the goods:— They reached Orleans, shortly after the *American Deposit at that Port was discontinued*, and were immediately forwarded by Mr. Hulings, to Fort Adams, where they now are, under the particular charge of the Assistant Military Agent. Mr. Chambers the Factor is solicitous to put the business

into speedy operation, so that he may have the advantage of the fall hunts:¹— I shall do everything in my power to advance the interest of the establishment, and I am certain of the Co-operation of General Wilkinson. But until this Site is selected and suitable buildings erected, the business must necessarily be delayed.—

* Late accounts from New Orleans, State that the French General Victor; with three thousand men is expected in three or four weeks and that seven thousand will follow in a month or two; also, that the Governor of Louisiana has received orders to deliver up, the province:— it is said the secret was told by the Governor to two or three *Ladies*, of his acquaintance, who, have communicated it, to two or three others.

The expected settlement of the French in Louisiana is greatly regretted by the people of this Territory.

The embarrassment of our commerce at Orleans still continues.

I am &c.

signed W. C. C. Claiborne

* This is communicated, only as common report, of its correctness I am not certain, but do still hope that it may be untrue.—

To Gov. Claiborne, from James Wilkinson.

Camp near the mouth of the Yasou

Novr: 11. 1802.

Sir,

I arrived here on the 8: inst. extremely ill & am now scarcely able to hold my pen.

Yesterday I received by the hands of Capt. Shaum-

¹ The time when the Indians secured, for barter, a large quantity of peltries.

burgh and Lieut. Arbuckle, your letter of the 3rd. and 20: Ultmo.— to which I beg to reply, that having received no information from the Secretary of War, respecting the arrangements made with your Excellency, for the means necessary to the re-establishment, of the Indian boundary, on which I am now engaged, I had directed a Military party to cooperate with me, as the most prompt & by far the least expensive plan, which could or (in my judgment) can be adopted:— I have with me public tools, (prepared for the service on the road) public hands, and the public horses, which accompanied me to Georgia, I therefore have full belief the operation may be completed at a very inconsiderable expence, and should circumstances occur to make it necessary, I shall then crave your assistance and support— The difference in the expense of the two plans may be fairly taken at \$4,500, in favor of that which I feel it my duty to prefer.

The mouth of the Yasou, which is called for as the beginning of the old boundary, has, by a breach of the Mississippi, made through its Banks, &c the consequent desertion of its ancient Bed, been shifted about six miles, which circumstance involves some difficulty, with the Indian Commissioners, and to this one more serious is added, the British Surveyor, left his East line entirely open, and it would seem five or six miles at the beginning of his South line— The Choctaws expect to see the old line and nothing less will satisfy them, it of consequence has become necessary for me to proceed to the Big Black River, in order to exhibit to them the marked trees, and from thence to retrace the line, back as far as it can be discovered, after which I shall propose on the ground of mutual accommodation (and the proposition will be a fair and a sound one) to continue the line to the first Bluff on the Yasou River, above the inundations of the Mississippi, and there to fix our beginning, should I succeed the United States, will make a small acquisition, the

Territory will be benefited and the Indians will not be injured. In the promotion of this plan I shall march for the Big Black as soon as I have closed this letter, should the weather and my health permit.

My feeble hand and my giddy head incapacitate me, for communicating to the Secretary of War, at this moment, I will therefore ask the favor of you, to transmit him a Copy of this scrawl, by the next mail— I regret to find here, the road cutting entirely neglected, and to learn that every thing military, is in disorder— I most ascribe these things in a good degree to the conduct of Col: Butler, who has arrogated to himself unwarrantable consequence, and instead of doing his duty, has in my judgment done unjustifiable acts, and now under the plea of Indisposition has gone to the North-ward, I feel for the public service and for the discipline & subordination of the Troops

With great respect

I am Sir

your obt. Servt.

(signed) Ja Wilkinson

To James Madison.

Near Natchez

Nov: 24. 1802

Sir, I have the honor to enclose you a duplicate of my letter of the 5: instant:— Upon looking over the Original Copy, I find an omission of a few words in the third enquiry “Claims derived under the British and Spanish “Government, previous to the Treaty of 1795, and un-“accompanied by actual Settlement at the date of the “Treaty— After the word settlement these words should have been inserted, “*within the ceded Territory*”

The return of claims in Washington County, have not yet reached me.

I am &c

(signed) Wm. C. C. Claiborne

To James Madison.

Natchez 25: Novem 25. 1802

Sir,

I have the honor to enclose you an Original Copy of a Communication (together with a translation thereof) which I this morning received from the Governor General of the Province of Louisiana, in Answer to my letter of the 28: Ultio.

I am &c

(signed) Wm. C. C. Claiborne

To Gov. Claiborne, from the Governor General of Louisiana.

Most Excellent Sir,

I received a few days past your Excellency's esteemed letter of the 28: ultimo, in which your Excellency referring to the 22nd. article of the Treaty of friendship, navigation and limits agreed upon between the United States of America and the King my master, has been pleased to enquire after transcribing literally the said article (which you find so explicit as not to require any comment, nor to admit of dubious construction) if his Majesty has been pleased to designate any other position on the Banks of the Mississippi, and where that is, if the Royal pleasure does not continue the permission stipulated by the said Treaty which entitled the Citizens of the United States to Deposit their merchandize and effects

in the Port of New Orleans, and you request at the same time, as the affair is so interesting to the commerce of the United States, and to the welfare of its Citizens, I may do you the favor to send you an answer as early as possible.

I can now assure your Excellency, that his Catholic Majesty, has not hitherto issued any order for suspending the Deposit, and consequently has not designated any other position on the Banks of the Mississippi, for that purpose:— But I must inform you, in answer to your demand, that the Intendant of these Provinces (who in the affairs of his own department is independent of the General Government) at the same time, that in conformity with the King's commands (the peace having been published in Europe, since the 4th: of May last) he suspended the commerce of Neutrals, and determined also, upon the propriety of suspending the Deposit, which had been permitted, tacitly to continue; and to put a stop to an infinitude of abuses, which were generated by it, contrary to the interest of the state, and of the commerce of these colonies, being the result of a knowledge, which he has acquired of frauds which have been committed, and which the parties have endeavored to excuse under the pretext of ignorance, as is manifested by a great number of causes, which now await the determination of his Majesty, as soon as they can be laid before him; not to mention many others, which have been dropt, because the parties have absconded, who introduced their properties into the deposit without extracting them and defrauding the Royal interest.

It might appear on the first view, that particular cases similar to the present cannot operate against a general privilege granted, by a Solemn Treaty, and it is an incontestible principle, that the happiness of nations, depends in a great measure on the maintenance of good harmony & correspondence with their neighbours, respecting *their*

rights, and promoting their own, without omitting those duties which we owe to humanity, and to the rights of civil society: But it is also indubitable, that a Treaty, altho' solemn, in order, that it may be entirely valid, ought not to include any vicious principle, and if it is found pernicious, and of evil tendency altho' it has been concluded with good faith, but without a knowledge of its bad consequences in that case, it becomes necessary to annul it, since Treaties, ought to be viewed in the same light as other acts of the public will, in which we ought to respect more the spirit, than the expressions by which they are framed, and in this view, it will not appear so repugnant, that the Intendant, after the expiration of the three years stipulated by the 22nd: Article, and no continuance granted by the King, and after the abolition of the Commerce of Neutrals, should not chuse, to take upon himself the responsibility of continuing the favor, without express commands from the King, which is also, indispensably necessary for designating a new position on the banks of the Mississippi.

From the foregoing, I trust your Excellency, will infer, that the Intendant, who, directs the affairs of his own Department, independent of the Governor, will have communicated (in the regular line of his duty) to the King, his late proceedings in fulfilling an expressed convention: We have reason to hope that his Majesty will adopt such measures, as may restore the Deposit, either in this capital, if he should not find it prejudicial, to the Interests of Spain, or in such positions on the margin of the Mississippi, as shall be agreeable to his Royal pleasure:—being confident that the justice and generosity of the King will not deny to the American citizens all the advantages which, they can desire, which concession depends not upon the will of, nor can be granted, by any particular head of Department.

Exclusive of these principles which serve as founda-

tion to the Intendant's ordinance, I ought also to inform you, that I myself opposed every reasonable objection in my power to the suspension of the Deposit, until the reasons deduced by the Intendant brought to my view, that as we cannot guard against all incidents, and that many of an unexpected nature are the production of time and various circumstances, it is always necessary to form a just and rational interpretation; notwithstanding these my ideas, I immediately wrote to the Captain General, in order to consult him on this business, his reply which cannot be long delayed, will dissipate any doubt which may have arisen, respecting the measures which have been adopted.

At all events, I flatter myself that your Excellency, will continue in the firm persuasion that the most perfect and constant good harmony having subsisted, and now actually subsists between the King, my master, and the United States of America, I shall use on my part every endeavor for its preservation, being well assured of equal and reciprocal good offices in the observance of the Treaty with good faith without ever losing sight of such objects as interest the happiness and glory of the Nations, in regard to the advantages of commerce; wisely and prudently conducted.

I have the honor to assure your excellency of the respect and high consideration, which I profess for you, and I pray the most High, to preserve your life many years. New Orleans 15th: of November 1802.

I Kiss the hands of your Excellency
your mot. affectionate Servt.

signed

Manuel de Salcedo

Address to Mississippi Legislature.

Mississippi Legislature,

On Wednesday the 9th: of December 1802, the Governor met the Legislature in the town of Washington, and delivered the following address.

Fellow Citizens of the Legislative Council, and of the House of Representatives.

The uninterrupted state of peace, which has so long been enjoyed by this Territory:— the abundant harvests, which so uniformly reward the industry of the husbandman:— the progressive increase of our population, agriculture and commerce; but above all, the undisturbed possession of our religious and civil liberties, should awaken in our minds the sincerest emotions of gratitude, for such signal dispensations of Almighty God.

To promote a continuance of these blessings in a high and important duty devolving on this assembly, and I persuade myself, that influenced, by harmony and wisdom, the result of your deliberations will be favorable to your supreme object *the general good*.

The exertions of the Officers to organize and discipline the Militia, have been accompanied with great success, and authorize a hope that *this best resource*, of a free people, will shortly become an efficient means of defence. Experience, however, has proven, that our militia laws are still defective. Although a considerable portion of the Citizens, have manifested a great share of military ardor, and rendered the most cheerful obedience to the law, I am sorry to say, that this laudable conduct has not been universal. The militia system should therefore be reviewed:— the defects which may be discovered speedily remedied and the law made sufficiently strong to command and enforce its execution. A people can never be secure in their rights, but when prepared with their own

arms to resist aggression. The dangers to which our country may be subjected, will forcibly present themselves to your reflection, and it is in a time of perfect tranquility like the present, that a wise and virtuous government should leave nothing undone towards establishing and perfecting the most certain barriers for the preservation of civil liberty, and the permanent safety of society.—

I had the honor to submit to the consideration of the last legislature, the necessity of making some public provision for the education of our youth, and I cannot in justice, to the best interests of the rising generation, omit inviting your attention to this important subject. Your predecessors passed an act entitled “An Act to establish a college in the Mississippi Territory,” but committed its support entirely to private contribution. Believing myself, that a support of this kind is too precarious to insure the welfare of so desirable an institution, I must solicit in its behalf, the particular patronage of this assembly, and I flatter myself, such aid will be afforded as existing circumstances, and the extent of our fiscal resources may admit. Permit me to suggest the propriety of assessing a tax on marriage licenses, and of endowing the college permanently with the revenue arising from this source, and also the expediency, of soliciting from Congress, a donation of land to this seminary. The Ordinance for our government justifies the request, and promises its success.

In contemplating the subjects of legislative concern, which deserve your consideration, a law for the inspection of Cotton, appeared to me indispensable. This valuable production should be fostered by the Government, and placed under the safeguard of the law. While it remains unprotected there is no security against carelessness and fraud, which being discovered in a few instances, might attach a degree of injurious suspicion to our whole

exportation, we should therefore take special care, that the cotton exported, should be of the best quality, and that its quality should be attested by some public certificate, in which the purchaser could repose entire confidence; thus would the staple commodity of this Territory, acquire and preserve, a good reputation, both at home and abroad, and meet with sales so prompt and lucrative as ample to compensate for any expense which attend its inspection.

There are other objects of a local nature, which from your own knowledge of the interests of your Constituents, will engage your attention, among these the state of the Court houses & jails, will doubtless be attended to. The jail for Adams district and County, is so situated and constructed that there remains no security for the safe keeping of prisoners, unless a degree of rigor is exercised, which humanity forbids, and the law discountenances.

I have every reason to believe that the existing taxes, *should they be generally collected*, will prove amply sufficient, to meet the current expenses of the government, but to insure *such collection* a revision of the act entitled "An Act, to ascertain what property in this Territory, shall be deemed taxable property, and "the mode of collecting, accounting for and paying public taxes" is essentially requisite. A careful perusal of this act, will suggest to you the necessary amendments, and I must recommend this subject as *one* meriting your earliest attention.

Fellow citizens of the Legislative Council, and of the House of Representatives:

The anxious solicitude of the people of this Territory, occasioned by the difficulties, under which our commerce is placed, in consequence of the Spanish Government, with-holding, from the Citizens of the United States, the privilege of depositing their merchandizes and effects, at the port of N. Orleans, has not escaped my observation,

and it is with regret, I inform you, that the last advices are unfavorable to the prospect of immediate relief. We may however, rest in confidence, that on this occasion, such measures will be adopted by the executive and Legislature of United America, to promote and protect, the general interests of our common Country, as wisdom shall dictate.

In the course of the session some other matters, which it may be proper, to lay before you, shall be made the subject of subsequent communications.

Nothing shall be wanting on my part to facilitate the despatch of public business, and it will be to me highly gratifying to unite with you in measures calculated for the advancement of the general good.

(signed) William C. C. Claiborne

To Gov Claiborne, from William Brooks.

Natchez,

Decem: 11th: 1802.

Sir,

The County Court, for October term appointed a Committee, to examine the situation of the jail of Adams County, Who were authorised to make such repairs as they might deem necessary and make a report of the expense at the next term.

They have declined making any repairs, and say, to place the jail in proper security will cost the County nearly the price of a new building. Since the order issued, one of the prisoners, a debtor has broke jail and escaped. My own safety has induced me to exercise a degree of rigor, which is repugnant to the feelings of humanity.

There are now confined in Adams jail seven prisoners, some of whom were committed for trifling offences.

John Fricker, was convicted of manslaughter branded, and a fine imposed of an hundred dollars and Cost of Court.

Daniel Ryan, if I am not misinformed was tried at June term, sentenced to pay a fine of thirty dollars, and costs of suit.

Robert Fitzpatrick, alias John Scott for grand Larceny, done in Jefferson County; he has been confined a long time, has received no trial.

William Denman, for Larceny who was tried last term, and motion made for an arrest of Judgment.

Richard Shiras, for Larceny not tried.

Sally Dunnavan, for Larceny, she is now much indisposed, her trial was postponed for want of evidence.

James Burns, for assault, tried last term and sentenced to pay a small fine.

You will permit me to observe from a knowledge of the prisoners, that neither of them are able to pay the fine imposed. The expense accumulating to the County are great, which must be eventually discharged.

The jail is extremely insecure, the prisoners suffer much from the inclemency of the season. They are without fire, and some of them much indisposed, and no prospect of relief, unless thro' the mercy of the Executive.

I am &c

(signed) William Brooks, sheriff of Adams County.

Pardons to Prisoners.

William C. C. Claiborne Governor of the Mississippi Territory:

To all whom these presents shall come, Greeting:

Whereas Daniel Ryan late of the District of Adams, was lately convicted in the Superior Court of the Mississippi Territory, for the same district of the crime, of manslaughter, in feloniously killing and slaying of a

negro; and thereupon the said Daniel Ryan, was adjudged by the same Court, among other things should be burned in the brawn of the left Thumb, and pay a fine of thirty dollars, as by the record thereof remaining in the same Court will more fully appear.

Whereupon I William C. C. Claiborne, Governor of the Mississippi Territory, by virtue of the powers in me vested and for divers good causes and considerations me thereunto moving, do hereby remit the said *fine of thirty dollars*, which was imposed upon him the said Daniel Ryan.

In Testimony whereof, I have caused these letters to be made Patent and the seal of the Territory to be hereunto affixed.

Given under my hand at the Town of Washington, the 10th: day of December, in the year 1802 and of the Independence of the United States of America the twenty seventh.

(signed) William C. C. Claiborne.

A Pardon in the same form as the above, and dated the 10 day of December, 1802, remitting a fine of *one hundred dollars*, imposed upon John Frieker who was convicted of manslaughter.

A Pardon in the same form as the above, and dated the 10th: day of December 1802. remitting a fine of *fifteen dollars*, imposed upon James Burns, who was convicted of Assault and Battery.

To Henry Dearborn.

Natchez
Decem: 11: 1802.

Sir, I have this day drawn a bill of Exchange upon you, in favor of Ferdinand L. Claiborne, for the sum of two hundred and five dollars, payable at five days sight;

This bill is drawn, to enable me to meet the expenses incurred by the freight of thirty three boxes of rifles from N. Orleans to Natchez. The accompt and vouchers will be forwarded by the next mail.

I am &c

(Signed) William C. C. Claiborne

To the Same

Natchez Dec: 11: 1802.

Exchange for 205 dollars

Sir,

At five days sight of this my first of Exchange (sec- one of same tenor and date remaining unpaid) pay to Ferdinand Lee Claiborne, merchant, Natchez, or his order, the sum of two hundred and five dollars and charge the same with or without further advice to your mo: ob: Servt:

(Signed) William C. C. Claiborne

To Gov. Claiborne, from House of Representatives.

Mississippi Legislature.

The answer of the House of Representatives to the Governor's address.

To his Excellency William C. C. Claiborne Governor of the Mississippi Territory.

We the Representatives of the people of the Mississippi Territory, have received with much satisfaction, your Excellency's personal communication at the opening of the present session of this Assembly.

We unite most sincerely with your Excellency in offering up to the Almighty Ruler of the Universe our tribute of thanksgiving for the manifold blessings, which have been showered down upon this happy land. For whether we take into view the abundant returns with which this fertile soil, has rewarded the toil of the husbandman, the facility, with which his products (in the midst of the calamities of War) have been carried to profitable markets, or the uninterrupted state of tranquility & repose, in which he has enjoyed in profusion these advantages, in the plentitude of civil and religious liberty, the divine favor is equally conspicuous and cannot fail to call forth the liveliest effusions of our gratitude.

To promote a continuance of these blessings will be the most ardent wish of our hearts, and our humble endeavors, shall be wholly dedicated, to the accomplishment of so great an object. Your Excellency has well observed, that the result of the deliberations of this Assembly, influenced by harmony and wisdom, will be favorable to our supreme object the *general good*. We beg your Excellency to be assured, that on our part nothing shall be wanting, consistent with our duty, to promote so desirable an object, as the general harmony of the different branches of the Legislature, and we possess the fullest confidence that we shall not be disappointed in our expectation, of a reciprocity of sentiment, a spirit of conciliation, and mutual accommodation, on the part of our fellow labourers, from which must result the happiest consequences to the public and to ourselves.

We shall consider it as our duty to pay particular attention to such objects as are pointed out in your communication and shall most cheerfully co-operate with your Excellency, in all measures calculated to promote our grand object the general good.

The suspension of the deposit at New Orleans for the wares and merchandizes of the Citizens of the United States, is an object of most serious regret, and if not speedily remedied, its results will be most severely felt by this Territory, and by our Brethren of the Western States. We rely with your Excellency on the Wisdom and energy of the general government of the United States possessing the fullest assurance that such measures will be adopted as shall be dictated by the soundest policy.

(signed) Roger Dixon, Speaker
 Representative Chamber
 December 13: 1802
 Attest Saml S. Mahan, Clerk.

To Gov. Claiborne, from Legislative Council.

Mississippi Legislature.

The Answer of the Legislative council, to the Governor's address.

Sir,

We desire to unite with your Excellency, in pious and grateful acknowledgements to the Almighty God, for the uninterrupted state of peace we have enjoyed:— the abundant products of our soil,— the progressive increase of our population agriculture and commerce; and above all, for the undisturbed possession of our liberties, both civil and religious. While sensible of, and thankful for these inestimable blessings, we are strongly impressed with the duty which devolves upon us, of endeavoring on our part, as far as human exertions are required to continue those blessings, and we trust that under the auspices

of the same Divine Benefactor, our endeavors will not be altogether unavailing.

It is highly gratifying to us to hear that the exertions of the officers, to organize & discipline the Militia, have been attended, with great success, but as we entertain all that solicitude for the pecculiar situation of *our* Country, which your Excellency has indicated, it is with much regret, we learn that this success has not been universal. We shall therefore carefully review the Militia law, and will readily co-operate in making such amendments as may be deemed necessary to command and enforce its execution.

We participate with your Excellency in a concern for the best Interests of the rising Generation, and will therefore cordially concur in adopting any additional measure that may appear calculated to meliorate the Institution of the late Legislature, for disseminating the invaluable advantages of education.

A law for the Inspection of Cotton we conceive as indispensable; this also, with the various objects of Legislation, your Excellency has suggested to our consideration, merits, and shall receive our serious attention.

The Spanish Government's withholding the usual stipulated privilege of depositing American merchandizes and effects at the port of N. Orleans is indeed a subject of much well grounded solicitude as it materially and universally effects the Interests of the Territory. Although we possess in common with our fellow Citizens those feelings which necessarily arise from such an injurious measure, yet from the liberal indulgence which this Territory has already experienced from Congress, and from the pecculiar, early and unceasing attention, it has received from the present Executive of the Union, we rest with full confidence that our grievance will be redressed as speedily and effectually as possible. We were happy to observe your Excellency's diligence on this oc-

casion, in obtaining Intelligence relative to the event and communicating to the National Administration.

Permit us, Sir, to express what we continue to entertain, the highest sense of your Excellency's Patriotism, and constant attention to the interests of the Territory.

(Signed) John Ellis, President of the Council.

Washington

December 15: 1802

To Judges Lewis, Bruin and Ker.

William C. C. Claiborne, Governor &c of the Mississippi Territory.

To the Honorable Seth Lewis, chief Justice, Peter Bryan Bruin, second Judge, and David Ker, third Judge of the Mississippi Territory.

Whereas several persons are now confined in the jail for the District of Adams charged with offences against the laws of this Territory and it is deemed expedient to bring the said persons speedily to trial, I have thought proper "by and with the advice and consent of two of the Legislative Council," to issue this my Commission, to the said Seth Lewis, Peter Bryan Bruin, and David Ker Judges of the Superior Courts of this Territory authorising them or any two of them to hold (at the usual place of holding Courts in the Town of Natchez) on Tuesday next, the 21st of December, in and for the District of Adams "A Court of Sessions of the peace, Oyer and terminer, for the trial of offenders and to hear, try and determine all crimes and misdemeanors, of what nature or crime soever, wherewith such offenders or any of them

shall stand charged and to give Judgement and award execution thereon.

In Testimony, whereof, I have caused these letters to be made Patent and the Seal of the Territory to be hereunto affixed.

Given under my hand at the Town of Washington, the Tenth day of December in the year of our Lord one thousand eight hundred two, and in the Independence of the United States of America the twenty seventh.

(signed) William C. C. Claiborne

{ Seal
of the
Territory }

To William Scott.

Sir, Town of Washington Dec. 18: 1802

I shall cause your appointment, as one of my aids de Camp, to be notified in general orders and flatter myself that you will for the future consider yourself as fully vested with the powers attached to that office.

I wish you to furnish yourself with all convenient despatch with a suit of Uniform and to hold yourself in rediness to accompany me to *Jefferson County* on the first day of January next, when I have promised to dine with the officers of the first Batallion of the second Regiment.

You will rank as my second aid;— The appointment of first aid has been conferred upon Captain Claiborne,¹ who I have understood was the senior Captain, while you were brother officers in the army of the United States.

Present me respectfully to your Lady and believe me to be, with great sincerity—

your friend

(signed) William C. C. Claiborne

¹ Ferdinand L. Claiborne, captain regular army October 23, 1799.

To Abner L. Duncan.

Washington Decem: 18: 1802.

Sir,

On yesterday, I issued a Commission to the Judges of the Superior Court, authorising them, or any two of them, to hold in and for the District of Adams on Tuesday next the twenty first of December, "A Court of Sessions of "the Peace, Oyer & Terminer, for the trial of offenders." — This information is communicated to you, in order that you may attend and be prepared to prosecute in behalf of the Territory.

I am &c

Signed William C. C. Claiborne

To Henry Dearborn.

Natchez Decem: 21: 1802

Sir,

On the 11th: instant, I drew a bill upon you for two hundred and five dollars, payable at five days sight, to Ferdinand L. Claiborne, merchant at Natchez, or to his order, and now enclose you the accompt and vouchers, which occasioned that draft, in order that the accompt may be closed in the Books of the War Department.

The expense for freight &c: of the rifles has been greater than I expected, but they are such as are usually paid.

The rifles which have been distributed to the Militia, were sold at fourteen dollars, each, payable in Cotton at the Cash price:— the Cotton to be delivered on or before the first day of February next— no payments have yet been made.

An early acknowledgement of this letter with its enclosures, will be to me satisfactory, I not having taken

duplicates of one of the vouchers (*viz*) the Bill of lading and the receipt thereon for one hundred and twenty three dollars & seventy five cents.

I am &c

Signed William C. C. Claiborne

To James Madison.

Near Natchez
December 21: 1802.

Sir,

On the 5th: instant, the Legislature of this Territory (agreeable to law) met at the town of Washington, and on the 8th: a quorum of the two houses, being assembled, I delivered to them an address, a copy of which together with the answers returned thereto by the Houses respectively, you will find in the papers enclosed.

The Commission which was forwarded to Mr. David Ker, was received by the last mail and he has entered on the duties of his Office¹

Mr. Ker's appointment has given much satisfaction *to a great portion* of the citizens, and he is in my opinion a valuable acquisition to our Territorial Bench.

The Port of Orleans still remains shut against the American deposit:— American produce is permitted to be received by vessels laying in the stream, but the landing of the produce *is unconditionally forbidden*. Indeed so rigorous is the Government in this point, that in a late instance where a cotton boat was upset by wind opposite to the Port of Orleans, there was some difficulty in obtaining permission to place the cotton taken from the river on the Levee.

Notwithstanding the declaration of the Governor

¹ One of the territorial judges.

General of Louisiana in his letters to me, I am firmly persuaded that the Intendant's Proclamation was directed by the Spanish Court, this is the opinion of some of the best informed Citizens of the United States residing at Orleans.

It is believed that the French will take possession of Louisiana in the course of the Winter or early in the Spring.

I am &c

(Signed) William C. C. Claiborne

To James Wilkinson.

Near Natchez 24: Dec: 1802

Sir,

Your letter of the 14 instant, was yesterday handed to me, by Cap: Shaumburgh, and I am gratified with your approbation of my application to the Governor of Louisiana:— It being my first wish, that my acts should be approved of, by just and wise men:— I have however concluded, not to give the correspondence between that Governor and myself publicity, because having transmitted to the President of the United States, it will by him, be given to the public, if the publication be proper.

The paragraph, marked, in your letter relative to your red associates, and the difficulties you have had to encounter in establishing the boundary line between the Choctaws and the United States, shall be given to the public:— its effect upon the Indians, as well as our Citizens may be beneficial.

It is continued to be understood here that the French will take possession of Louisiana, in the course of the Winter, or early in the Spring, but how far this understanding may be correct, I cannot say:— but it would seem from the information of your Eastern friend, that

if they intend doing so, that their movements in relation thereto, must be made very secretly.

I am truly anxious to see you as well on subjects of public as personal interest, and no common impediments shall prevent my leaving this on the 4: of January next for the purpose of passing with you two or three days;—perhaps I may set out an earlier day but then most certainly.

I am &c

Signed Wm. C. C. Claiborne

To Henry Dearborn.

Natchez Jany. 3 1803

Sir,

I have this day drawn on you, in favor of Capt. James Ryan, for one hundred dollars and twenty five cents:—this draft is drawn to meet the payment of a draft drawn on me by Silas Dinsmoor agent to the Choctaws, in favor of General Wilkinson and by him endorsed. Mr. Dinsmoor's draft is in the following words:

“Sir,

At sight please to pay to Brigadier General James “Wilkinson or his order a hundred dollars and twenty “five cents being for cash advanced for contingencies in “the Choctaw Agency, and you will oblige Sir,

your most obedient
signed Silas Dinsmoor

Agent to the Choctaws

“23d: October 1802.

“His Excellency

Governor Claiborne”

I deem it proper to be thus particular in this my letter of advice, in order that you may be well informed of the detailed expenses of the Indian Agencies under my

superintendance, expecting that to be so, will be satisfactory to you

I have the honor to be &c

signed Wm. C. C. Claiborne

To James Madison.

Natchez January 3rd: 1803

Sir,

The enclosed hand bill has this moment reached me;— it has every appearance of being an official publication—

The conduct of the Spanish Government in Louisiana, is indeed extraordinary; of late their acts manifest a determined hostility to the U. States.

The violation of the Treaty, so far as related to the deposit at Orleans, gave rise to much agitation in this Territory, and this recent attack upon every principle of friendly intercourse, and of those acts of civility which ought to take place, between two nations in a state of peace, has rendered the ferment still greater.

We have in this part of the Territory, about two thousand Militia, pretty well organized, and with a portion of this force (say six hundred men) my opinion is, that New Orleans might be taken possession of provided there should be only Spanish troops to defend the place.

I deem it my duty to inform you, that there are in Orleans and on the Coast, a number of Inhabitants devoted to the American interest, and in the event of hostilities, would most certainly join the American standard.

I am &c

(Signed) William C. C. Claiborne

To Gov. Claiborne, from Gideon Granger.

Genl: Post Office

Novr: 12: 1802

Sir,

I have the pleasure to acknowledge the receipt of yours of the 6: of Sept: and to inform you, an office is established at Greenville, and Doctor Shaw appointed Postmaster.

I am &c

(Signed) Gidn Granger

To Gov. Claiborne, from David Rawn, Clerk in Treasury.

Treasury Department

Comptroller's Office

Decemr: 4: 1802.

To the Same

Sir,

Your accompt, for stationary, furnished for the use of your office, from the 1st of January to the 30: of June 1802, has been adjusted at the Treasury and the sum of thirty seven dollars and seventy five cents, stated to be due you from the United States, agreeably to the accompt rendered, which will be paid under the direction of the Secretary of the Treasury.

I am &c

David Rawn

Actg as Comptr.

From James Madison to Gov. Claiborne.

Department of State

Novem: 29: 1802

I commit to your particular attention the inclosed letter to Mr. Hulings which covers others from the Spanish Minister here on the subject of the late decree at New Orleans against the deposit of American merchandize at that place. The letter to Mr. Hulings is left open that you may know the light in which this proceeding is viewed by the President, and the steps taken in consequence of it. You will be sensible of the importance of hastening the transmission of the dispatch. If a satisfactory conveyance be not at hand, and particularly if the progress of the merchandize down the river should require an immediate one, the President wishes you to make use of a hired Express.

I am &c

Signed James Madison

To Wm. E. Huling.

Near Natchez,

January 12: 1803

Sir,

The enclosed letter I have just received and from the importance of the subject referred to, I have thought proper to forward it to you by express. The general Government feels seriously the insult that has been offered us, and will take the necessary measures to insure reparation for the injuries our commerce has or may sustain. The Executive (as I expected) views the Proclamation of the Intendant as a direct violation of our Treaty with Spain, and has demanded an immediate explanation from that Court.

By the return of the express, I solicit your opinion

upon, the following particulars, as I wish to make a communication relative to them, to the Secretary of State.

Was the Proclamation of the Intendant under the direction of his Court, or did it proceed from his own will?

At what period is it supposed the French will take possession of Louisiana, and are any, and what preparations, making by the Spanish Officers, for the delivery of the Province? and finally, I pray you to transmit me, any general information as to the state of things at Orleans, which may effect the American Interest; the more particular, the more acceptable, as the most minute matters may be of importance to our Country.

I am &c

Signed Wm. C. C. Claiborne

To Gov. Claiborne, from Wm. E. Hulings.

Translation of the Royal Order for the delivery of the Province of Louisiana. viz.

“I have received the following information from the Minister of War. By a paper of the 15th. Current, the Senr. Dn: Pedro Cevallas, informs me as follows.

The King having ceded to the french Republic, the Colony, or Province of Louisiana, in its actual extent, and as it was possessed by the French, when they ceded it to his C. M. I communicate to you the Royal Order, that disposition may be made for the delivery of the said Province to the french Commissary, or Commissaries that for such effect shall present themselves, with due authority, from the Government of the said Republic, which Royal resolution I have transmitted to the Capt. General of Louisiana, advertising him that it was also the will of the King, in what respects the fixed Regiment, and other veteran troops that Garrison that Province, that the Individuals, that voluntarily wish to remain under the domin-

ion of his Majesty may pass (the delivery of the province being made) to Havanna, where they will receive their destination'' I communicate to you this Royal Order, that you may concur in what respects you — towards the accomplishment of this Sovereign determination. God preserve you many years.

Madrid 30: July 1802.

Signed Solen

Sen. Intendant of the
Prov. of Louisiana
Per Intn

New Orleans December 24: 1802

Sir the preceding is a translation of the Order for the delivery of the Province, I procured the Spanish Copy from a Friend; It is not yet communicated publicly by Government.

I am &c

Signed Wm. E. Hulings

To Wm. E. Huling.

Near Natchez

January 13: 1803

Sir, I this day received your favor of the 24th: ulto: containing a translated copy of the Royal Order, for the delivery of the Province of Louisiana to the French Commissary or Commissaries that for such effect shall present themselves, with due authority from the Government of said Republic. This order I consider as official, and its contents of material concern under existing circumstances, to the Government of the United States.

In my letter under date of the 12: inst: I have communicated in detail my wishes relative to the acts of the Provincial Government at New Orleans, that letter, will be handed you together with this by the express.

I am &c

Signed Wm: C. C. Claiborne

To Gov. Claiborne, from Henry Dearborn.

War Department

Decem: 6: 1802

Sir,

Your letters of the 4: & 5th. of October have been duly received, with their enclosures. The character and conduct of Mr. Mitchell, is so little known, as to render it doubtful whether any augmentation of his compensation would be proper or not— the general impressions relative to him as an agent, have not been the most favorable, but if it shall appear on further enquiry, that he is entitled to the confidence of the Executive, and that his situation and exertions will warrant an additional allowance it will be given. In the meantime I will thank you Sir, for your opinion of him as an agent, and on the propriety of making him an additional allowance.

The President is disposed to gratify Maj: Colbert, in his request respecting the education of his son and requests that he may be sent to this place for the purpose.

I am happy in hearing of the recovery of Mr. Dinsmoor, altho' I cannot approve of his conduct in the duel; I am persuaded that he will be very useful as an Agent: — I think he possesses as many of the necessary requisites, as any man of my acquaintance. And I trust that Mr. Chambers will execute the duties of his trust as Agent to the Factory with the Choctaws, with fidelity and propriety— The President is extremely anxious for the increase of population on our South Western frontiers and will give every encouragement in his power to so important an object: It is expected that a settlement will be made this session of Congress with the purchasers of Georgia lands, and that boundaries will be determined by General Wilkinson, will afford openings for many new settlers.

I am &c

(Signed) H. Dearborn.

To Henry Dearborn.

Near Natchez
January 17: 1803

Sir,

Your letter of the 6: ult. I have had the pleasure to receive,

Mr. Mitchell has been known to me, for several years, and I have thought him a very honest man, but of his general conduct as an agent, I am not sufficiently informed to say, how far he has merited the confidence reposed in him for some time past, Mr. Mitchell has experienced a great share of sickness and which occasioned inattention to his Agency. He however is now restored to health and promises to exert himself in forwarding the views of the Executive, in relation to the Indians. I think it advisable for the present, to retain Mr. Mitchell in office, but the question as to the increase of salary I would wish suspended until his situation and exertions as an agent are better understood.

Major Colbert shall be informed of the President's disposition to grant his request, respecting his *son*, and I will direct *him* to be sent to the city of Washington in the Spring.

I am much pleased with Mr. Dinsmoor and am persuaded, he will be very useful as an Agent, to the former exertions and good conduct of this Gentleman, may be attributed the progress of civilization, among the Cherokees, and I flatter myself his endeavors will prove alike successful among the Choctaws.

Mr. Dinsmoor is now in Natchez, but will set out for the nation in twelve or fourteen days; he will take with him the Choctaw annuity for 1803, and I have it in contemplation to direct his passage by the route of Orleans.—Altho' the Spanish Government have of late acted so base and treacherous a part towards the American com-

merce, I presume, they will not be disposed to intercept the presents for the Choctaws, and I suppose, I run no risque in sending the annuity by the way of Orleans and Mobile. Indeed if the Spaniards should stop the Annuity, it would not be to me a cause of much regret, for the certain consequences would be a loss of their *influence* among the Choctaws, which of late they have discovered an uncommon solicitude to preserve.

The extension of the line (running parallel with the Mississippi) between the U. States and the Choctaw Nation, will, I suppose, be completed in about twenty days. I very lately paid a visit to General Wilkinson, and found him progressing rapidly with the work. The line embraces a much larger tract of fertile land than was expected, and is consequently highly satisfactory, to the citizens in this quarter. My visit to the General, arose principally from a desire to confer personally with him, on the business of the Choctaw factory:— He is decidedly of opinion, that the establishment should be made on the Tombigbee, and anticipates no difficulty in making the necessary arrangements with the Government at Orleans. — But his employment on the line having prevented his immediate attention to this subject, a delay in the establishment of the Factory, has been unavoidable.

Mr. Chambers, the Factor greatly regrets the delay of his business:— He seems to have the welfare of the Institution much at heart, and will in my opinion execute the duties of his trust, with fidelity & Propriety.

Until the Site for the Factory, is finally determined on, which I sincerely hope will be done in a few weeks, I have requested Mr. Chambers to remain with me, for his assistance, which he has been polite enough to tender, I find very essential in my *office*, the business of which is amply sufficient to Justify the employment of a permanent Clerk, and here allow me to say, that if I had per-

mission to employ *one* it would conduce to the benefit of the public service.

I have received no recent dispatches from New Orleans:—At the date of my last letters, the port still remained shut against the American Deposit, and it was not understood, that the decree of the Intendant is likely to be revoked.

I am &c:

(signed) Wm C. C. Claiborne

To Henry Dearborn.

Mississippi Territory

Town of Washington

January 19th. . 1803

Sir,

I this day bargained with Mr. Joseph Calvit, for forty one acres of land which includes the Site which had been selected for the new post;¹ an ample supply of timber for the contemplated buildings and of firewood for the use of the Garrison for several years.

The price Pr. acre, is fifteen dollars, which I fear, will appear to you extravagant, but I do assure you Sir, that from the singular advantages which this little tract possesses;— Its contiguity to the town of Washington, the healthiness of the situation:— the great elegance of the Site, fertility of the soil, the plentiful supply of good Spring Water, the consideration Pr. acre is far from being high:—Indeed I could at private sale, sell the premises for a greater sum, than I have contracted to give.

The expense of the contemplated establishment (exclusive of the land) will be very inconsiderable. The

¹ Fort Dearborn, which for many years was the most important military post in Mississippi Territory.

hauling of the timber may be done by a public team, and the necessary sawing hewing &c: and putting up the block houses will be performed by the soldiers.

General Wilkinson has ordered a company from Fort Adams, to occupy the new post, and to erect the block houses, which when completed, I must again recommend as a proper place to deposit the spare arms and Military stores, which are now at Fort Adams. Fort Adams is a barrier post on our extreme frontier, and consequently, not a fit position for a large Military deposit, but the new Garrison is near the center of our population and could be resorted to by the great body of the people in the time of danger.

I shall send you by the next mail a plan of the survey of the Site, and I flatter myself, that the discretion I have exercised in relation to the quantity of land purchased will receive your approbation.

I am &c

Signed Wm— C. C. Claiborne

To James Madison.

Near Natchez
January 19: 1803.

Sir,

On the 10th: instant, I had the honor to receive your favor of the 29th: of November last, together with its enclosures. A private opportunity not having offered, I despatched by a hired express the letter to Mr. Hulings, and I presume it has by this time reached him.

At the date of the last advices from New Orleans, that post continued shut to the American deposit, and it was not understood that the Intendant was likely to revoke his decree;— I am however fully persuaded, that the seri-

ous light in which the subject is viewed in the United States:— the demand of reparation for the injury our commerce may sustain, together with the advice from the Spanish Minister, will induce the Intendant to rescind his Edict, if it has really arisen from his own will.

The enclosed paper purports to be a copy of the Royal Order for the delivery of the Province to the Republic of France; It was forwarded to me, by Mr. Hulens, and there is little ground to doubt its authenticity.

I am Sir &ca.

Signed William C. C. Claiborne

To James Madison.

Near Natchez
January 20: 1803

Sir,

I have lately received a return of the claims which have been filed in the County of Washington, general abstract of which, I now have the honor to enclose you.

Most titles which have been exhibited in Washington County, are very incomplete. It is not believed, that any of the Citizens claiming under Spanish sales, had obtained patents previous to October 1795, but remained in possession of their lands, by virtue of an order of survey from the Governor General, which is commonly called a Grant; with regard to this species of title, I was explicit in my letter of the 5th: of November, and to which I beg leave to refer you, with this additional observation, that it was not until after the conquest of Florida, by Spaniards, that they introduced the custom of issuing patents; previous to that time a warrant of survey and possession was the only mode of Spanish conveyance, and subsequent to the period alluded to, this kind of title after three years occupancy was esteemed valid.

Abstract No. 1. exhibits the quantity of land claimed under British and Spanish Grants.

Abstract No. 2 exhibits the quantity of land claimed under British and French Patents.

Abstract No. 3 exhibits the quantity of land claimed (under Occupancy) by persons who were actual settlers within the Ceded Territory in October 1795.

There are also, in the County of Washington one hundred and eight heads of families, who have settled vacant land, and made considerable improvements subsequent to 1795.

I flatter myself that to these Citizens a right of preemption will be given, and I do sincerely believe, it would be good policy to sell the land low to actual settlers:— It will be the only means of preventing a considerable emigration to Louisiana, from this most remote and vulnerable part of the United States.

A letter from Mr. Richard Lee Clerk of Washington County accompanying the return of Claims is also enclosed.

I am &c

(signed) Wm C. C. Claiborne

N.B.

The original papers exhibiting the Claims of the Citizens of Washington County to their lands are filed in my Office, it having been considered not material to forward them, as their substance is selected and brought into due view, in the enclosed abstracts, if however they should be wanted, on intimation thereof they will be forwarded.

W. C. C. C.

To Gov. Claiborne, from James Wilkinson.

National boundary

January 23: 1803.

Sir, I have the pleasure to inform you, that I the last evening completed the Choctaw boundary, but was somewhat perplexed to ascertain this boundary, which is not more obvious than an ordinary Choctaw trace:— to ascertain my distance from the Mississippi, I shall measure Mr. Ellicotts traverse, until I find some clear Testimonial to satisfy me in this particular, and if not delayed by high Waters, I will reach Fort Adams the 27 or 28th:— To save time and expense, I send you under cover a memorandum of articles which I wish for the accommodation of Choctaw Commissioners and Guides:— which I will thank you to order down to Fort Adams, where the Cloaths may be made by the Regimental Taylors and properly fitted.— These articles being promised to them, I shall be obliged to purchase if they are not furnished from the public goods, which is consonant to the ideas of the Executive conveyed to me by the Secretary of War.

I am &c

signed Ja Wilkinson.

Memo: of Articles for the Choctaw Commissioners and Guides, transmitted his Exceley. Govr. Claiborne—

- 3 full trimmed long coats, blue & buff.
- 2 Blue Capots, red cuffs & Capes.
- 3 white Watch Coats.
- 5 Hats.
- 6 fine white Shirts.
- 4 Calico————do—
- 5 Pr. scarlet leggins.
- 5 Blue flaps.

January 23. 1803

(Signed) Ja: Wilkinson

Commissioner of the United States.

To James Wilkinson.

Washington

January 29: 1803

Sir,

I received yesterday your letter of the 23rd: inst and am happy to learn that you have completed the Choctaw Boundary. After you have ascertained your distance from the Mississippi and shall have arrived at Fort Adams, I will thank you (when leisure permits) to give me an opinion as to the quantity of land, to which the Indian Claim has been extinguished.

The presents which you have promised the Choctaw Commissioners and guides, they have well deserved. It however is not in my power to furnish them from the fund you suggest; since among the Choctaw Annuity (now at Natchez) there is no clothing of the description you have mentioned, and if there was, it would seem unjust to reward the Commissioners and guides from that source; and I have no authority to appropriate (in this way) any of the goods destined for the Factory.

I have understood, that there are two stores at Fort Adams, where I presume you might purchase the articles specified in your memorandum and no doubt the cost thereof, would be, immediately, paid to your draft by the Secretary of War,— Or if you should prefer to draw a bill upon me in my Character as superintendent of Indian affairs, it will be duly honored.

In your letter of the 15: instant which was handed me by Captn: Shaumburg, you express an intention (after the line was completed) by calling upon me, “for such aid, as might be necessary to reimburse expenses.”— Upon reflection, it appears to me most proper that these expenses should be met by your draft, immediately, on the Secretary at War; in as much as from our correspond-

ence copies of which have been transmitted to the War office, it appears that the expenses of the line, were to have been directed exclusively by you.

I am &c

Signed Wm. C. C. Claiborne

To James Madison.

Mississippi Territory

Near Natchez

Jany. 28: 1803

Sir,

The express which I despatched to New Orleans, on the 11: instant, returned yesterday and brought me the enclosed packet, accompanied by a letter from Mr. Hulings, a copy of which is herewith forwarded.

It seems the Intendant is firm to his purposes and that the deposit will not be restored.

This Intendant is represented to be a man of handsome talents, and extensive fortune, that he should risque his reputation and estate by persisting in a measure of this kind without authority from his Court appears to me extraordinary.

The boats from the Westward are arriving daily at Natchez: I have understood that there are many vessels now in the port of Orleans waiting for freight, which they received on board, while lying at anchor in the stream. But as the American Deposit, is no longer permitted, and foreign *vessels* prohibited from trading to Orleans, it will probably follow that few for the future will enter the river. The consequence then will be, that the number of vessels will be insufficient for the demand, and the surplus produce of the West, will be lost to our Country and to the industrious farmer.

I am &c

Signed Wm. C. C. Claiborne.

To Henry Dearborn.

Near Natchez
January 31. 1803.

Sir,

Your circular letter of the 8th of Decem: together with its enclosures, I have had the honor to receive, I shall give the necessary directions for carrying the law of Congress, you refer to, into effect, and in a short time, I shall transmit you a compleat statement of the Military strength of this Territory.

In my letter of the 17: of September last, I suggested the propriety of appointing a Brigadier General, in the Militia of this Territory, and took the liberty to express a wish, that Colo: Benajah Osmun, the Officer at present commanding the Brigade might be promoted.

The appointment of a General would certainly tend to the perfecting of the Militia, and I am firmly persuaded, that if the President, should confer the appointment upon Colo. Osmun, he would discharge his duty with usefulness to his Country and credit to himself. If a Junior officer of the Militia was appointed General, it would certainly create great dissatisfaction in the Brigade.

I am &c

signed Wm C. C. Claiborne

To Henry Dearborn.

Near Natchez, February 15th. 1803.

Sir,

Enclosed is a Map of forty three acres of land purchased for the new Garrison. I have obtained a deed for the land and so soon as it is recorded in the proper office, I will forward to you, the Original Copy.

After the Surveyor had made an accurate calculation he found there was forty three acres included within the survey, two acres more than I named to you in my letter of the 19th. ulto.

To avoid the expense of purchasing timber for the contemplated buildings, and fuel for the use of the Garrison and to secure ground sufficient for convenient gardens, and to prevent the Citizens from erecting tipping houses immediately in the vicinity of the Fort, which invariably produces irregularities among the troops, I deemed it expedient to contract for the quantity of land above mentioned.

I am &ca

signed Wm. C. C. Claiborne

To Gov. Claiborne, from James Wilkinson.

Fort Adams

February 18: 1803

Sir,

My incessant engagements since my arrival at this place, have prevented the earlier acknowledgement, of your letter of the 29: Ultimo.

The sketch of the Indian concession is nearly completed, soon after which I shall transmit you a copy with a calculation of the contents, which will exceed 1.900.000 Acres.— When I addressed you on behalf of the Choctaw Guides and Commissioners, for the small presents promised to them, the idea of furnishing them from the donation goods rested on the enclosed extract of a letter from the Secretary of War to me; and my reference to the goods destined for the Factory, was suggested by a desire to save the public the heavy advance of the Country on such articles. But as the amount will be inconsiderable,

I have determined to furnish them agreeable to your recommendation, and when the Chiefs are Equiped will transmit you the account.

The remark offered to you in my letter of the 15: Ultimo, respecting the reimbursement of the expenses incurred in establishing the Choctaw boundary, was founded on information received from yourself, that the Secretary of War, had instructed you to make the necessary provision for the occasion, and had authorized you to draw on him for the amount; It must certainly be considered a happy circumstance, that I should be able to save the expenses contemplated, and to accomplish the business without imposing the least trouble on your Excellency; It was obviously the intention of the Executive, that the disbursements should pass through your hands, and as I have received no Counter Orders, altho' copies of our correspondence were transmitted by me to the Secretary of War, in November, I think it may be fairly inferred, that no change of disposition has ensued, and therefore with the utmost deference to your opinion, I remain under the impression that this is the proper course for the business, and that it would be manifestly improper for me, to draw on the Secretary of War, without being instructed to do so. I have therefore felt it my duty to submit to you Sir, under another cover, a Genl: acct: of the disbursements in question, and to make application to you for reimbursements, without which the further views of the Executive of the United States, confided to me, must be delayed and may be defeated: I will therefore hope that you may on reconsideration, see the subject in the same light it strikes me, and that you may think proper to favor this address - with much consideration and respect.

I am &c

(signed) Ja Wilkinson

To Gov. Claiborne, from James Wilkinson.

Fort Adams

Feb. 18: 1803.

Sir,

I have the honor to inform you that having closed the account of the expenses incidental to the establishment of the Choctaw boundary, conformably to the stipulations of the Treaty of Fort Adams, (as far as was practicable) I find the amount to be correspondent to the within statement, which I have discharged and shall hold the vouchers for the final adjustment of my accounts at the Treasury, in the meantime it becomes essential to the further objects of Government, that I should be reimbursed this sum, and my only resort in this case is to your Excellency, who has been authorised by the Secretary of War to provide for the occasion of these expenses:— I will therefore request of you to be so obliging as to transmit me the amount of the within account, for which I shall give you duplicate receipts to be passed to my debit in the proper office.

With &c

Signed Ja Wilkinson

Dr'' The united States in a|c with-

Brigadr. General James Wilkinson

For various disbursements made by him, incidental to the establishment of the Choctaw boundary line agreeably to the Treaty of Fort Adams, for which he holds regular vouchers. Dollrs. 2.155.00.

Certified this 18: day of Feby. 1803

signed Ja Wilkinson

To James Wilkinson.

Town of Washington

February 23: 1803

Sir,

Your letters under the date of the 18th: were duly received.

Upon mature reflection, it continues to be my opinion that the expenses of the line, should be met by your drafts immediately on the Secretary of War.

In a letter from the Secretary of War to me, of the 7th. of June last (an extract from which, I have heretofore enclosed you) he thus expresses himself "should General Wilkinson succeed with the Choctaws in obtaining their consent (and of which you will be informed) I have to request that your Excellency, will appoint some capable person to assist him, as Surveyor, and also to procure chain men, pack horses, provisions and stores on the most reasonable terms. Your bills on this Department for any *expense which you may incur* in the business will be accepted and paid on the shortest notice." It appears to me that from the letter as well as the Spirit of the above quotation, I am not authorised to draw for any other than such expenses as I had either directed or incurred.

Previous to my communicating to you, the tenor of the Secretary's letter of the 7: of June, you had adopted a course for the establishment of the Choctaw boundary, different from that prescribed to me by the Secretary of War, and which you deemed it your duty to prefer as being the most *aeconomical and expeditious*; your letter to me *on this subject* of the 11th of November last I transmitted to the Secretary of War, and at the same time expressed it as my own opinion "that the arrangement (you had adopted) would fully answer the object, and in point of Oeconomy and expedition, was perhaps the best

that could have been resorted to." In this opinion I am now confirmed.

Under the circumstances it seems to me there can no difficulty arise to the War Office in honoring your drafts to meet the expenses incurred in establishing the Choctaw boundary. If my endorsement of your bills drawn to meet these expenses would afford you any accommodation, I will with pleasure do so: -As it will be to me always highly satisfactory, to cooperate with you, in forwarding the public interest.

I am &c

(signed) Wm. C. C. Claiborne

To Gov. Claiborne, from James Madison.

Department State

January 17: 1803

Sir,

I duly received your letter of the 25 Novr- inclosing the letter to you from the Governor at New Orleans, in which it was stated that the Intendant in arresting the course of our trade had acted without orders from the Spanish Government as well as contrary to the opinion of the Governor. This communication was laid before Congress by the President. You will find by the resolution of the House of Representatives herewith inclosed the principles and purposes entertained by that branch of the Government on the subject of the Western rights and interests of the Union. The President having them not less at heart has with the concurrence of the Senate appointed Mr. Monroe the late Governor of Virginia a Minister Plenipotentiary and Extraordinary immediately to France, and eventually, if expedient to Spain; where he will be joined by the respective Ministers at

those places in negotiations for more effectually securing and if practicable enlarging the rights of the United States on the Mississippi and the Territories Eastward thereof.

Mr. Monroe will proceed on his mission as soon as he can make himself ready for it.

From the steps which have been taken in order to effect a revocation of the prohibitory ordinance of the Intendant, it is hoped that the stipulated channel of trade is by this time again open. Considering however the importance and urgency of the case, it has been suggested to the Spanish Minister here, that as he now knows that the Intendant had no instructions from his government, and has seen more fully the effects of this violation of Treaty on the Councils of the United States, he might advantageously renew his interpositions with that office. He has accordingly put into my hands the letter enclosed which I beg the favor of you to forward to Mr. Hulings, with a copy of this letter by the quickest conveyance; particularly in case the right of deposit should not have been reestablished.

I am &

(signed) James Madison

To Wm. E. Huling.

Natchez

February 18. 1803

Sir,

I must ask the favor of you to deliver in person the enclosed letter to the Intendant.

I have forwarded for your information, a copy of a communication, which I last evening received from the Secretary of State.

I am &c.

(signed) Wm. C. C. Claiborne.

To James Madison.

Near Natchez
March 3, 1803

Sir

I duly received your letter of the 17 January, enclosing one from the Spanish Minister to the Intendant, which I immediately forwarded to Mr. Hulings together with a Copy of yours.—

The enclosed copy of a Proclamation lately issued at Orleans by the Intendant, will shew to you, how far the steps taken to effect a revocation of the prohibitory Ordinance of the Intendant, have been successful.— The Port is now partially open, but much remains yet to be done, before the Trade is restored to its Stipulated Channel.

I heard with great satisfaction of the appointment of Mr. Monroe, as a Minister to negotiate “for more effectually securing, & if practicable, enlarging the rights of the United States on the Mississippi, and the Territory Eastward thereof.” I have the highest confidence in this Gentleman’s Capacity, as well as his Zeal, for the accomplishment of his mission in its fullest latitude.

I am inclined to the opinion that the Intendant will not immediately revoke his prohibitory ordinance, unless the last letter from the Spanish Minister to him, or other orders from his Government recently given, impels him to do so.

At the date of my last dispatches from Orleans, the French had not arrived, but they were daily expected.—

I am &c

Wm- C, C, Claiborne—

To Henry Dearborn.

Town of Washington.

March 2. 1803

Sir

I now enclose you a Draft of the Fort erecting near to this Town, which was presented me by Lieutenant Hopkins of the First Regiment.—

The work is commenced, & will be completed in conformity to the plan pointed out in your letter to me of the 8th- of April last.¹

As Fort Dearborn (the name which has been given to the new Post) will *frequently be visited by the Citizens*, & the Officer commanding consequently subjected to increased Expence, I ask the liberty to suggest the propriety of allowing him double Rations.

I am &c

Wm- C, C, Claiborne—

To Wm. E. Huling.

Town of Washington 4 March 1803

Sir

I hasten by Mr. Chambers to acknowledge the receipt of yours of 25 February.

The Intendants decree I had received some days since, & forwarded it by the last mail to the Secretary of State; That he has acted in pursuance of orders, has always been my own opinion, altho' with you I am in the dark respecting the *Power*—

You may rely upon Secrecy relative to your communications—Policy alone would dictate this, not only as it

¹ For details see that letter.

regards yourself privately but also as our Government might otherwise be deprived of your active Services.—

I am &c

Wm- C, C, Claiborne

To James Madison.

Near Natchez

March 5— 1803

Sir

I enclose you a letter which I have lately received from Mr Hulings; it communicates the latest Intelligence from N. Orleans—

The Western Boats are arriving daily at Natchez; out Markets are low but there is no difficulty, in exporting Produce from hence to the Atlantic States or to Europe— There are many *Vessels* yet lying opposite to Orleans, waiting for return Cargoes, & thirty two dollars-62 Cents, Payable at five days sight to freight, which I understand is not high—

I am &c

Wm- C. C. Claiborne

To Henry Dearborn.

Natchez. 7. March 1803

Sir

To meet some expenses which have accrued in the Indian Department, I have this day drawn a Bill upon you for two hundred thirty two dollars-62 Cents, Payable at five days sight to Benjn- Wilkinson or to his order.— I shall by the next mail enclose you the vouchers which occasioned the draft—

I am &c

(Signed) Wm- C, C, Claiborne

To Henry Dearborn.

Natchez 7 March 1803

Exchange for 232 62-100 Dollars —

Sir

At five days sight of this my first of Exchange (second of the same tenor & date remaining unpaid) pay to Benj. Wilkinson or order the sum of two hundred and Thirty two dollars and Sixty two cents, and charge the same with or without further advice to your most Obedt-Servt-

(Signed) Wm- C, C, Claiborne—

Remission of Fine.

William C, C, Claiborne, Governor of the Mississippi Territory—

To all whom it may concern *G r e e t i n g*

Whereas George Dickerson, a citizen of the State of Kentucky was lately convicted before Samuel Brooks and James Ferrall esquires Justices of the Peace in and for the County of Adams in said Territory under the Statute of said Territory in such case made and provided, of selling Spirituous Liquor, to wit three Gallons of Whiskey to certain Indians within the limits of said County and thereupon by the same Justices was adjudged to pay the sum of one hundred and twenty dollars as a fine one half to be paid to the said territory and one half to the Informer, & likewise the costs of prosecution, *N o w K N O W Y E* that in and by virtue of the powers in me vested as Governor of the said Territory and for divers good causes and considerations me hereunto moving I do hereby remit the aforesaid moiety of the abovementioned fine, so adjudged as aforesaid to be paid to the said Territory, and

the said George Dickerson from the same and the payment thereof, do forever release and acquit, the said judgment in all other respects to be fully carried into execution according to Law—

In testimony whereof I have caused these letters to be made patent, & the Seal of the Territory to be hereunto affixed

Given under my hand at the Town of Washington this ninth Seal of the day of March in the year of our Lord Mississippi one thousand eight hundred three, and of Territory the Independence of the United States of America the twenty Seventh

(Signed) Wm- C, C, Claiborne—

Appointment of Justices of the Peace.

1803, On the 12th day of March the Governor appointed the following Gentlemen Justices of the Peace & Justices of the County Court in the County of

————— Washington —————viz—————

Figuire Lewis
 Ranson Howell
 William H. Hargrove
 James Callier
 William Pierce—

To James Madison.

near Natchez 15 March
 1803

Sir

The enclosed Memorial & Petition from the House of Representatives of the Mississippi Territory, upon the subject of the free Navigation of certain navigable

Rivers, “falling into the Bay of Mexico, from the Territories of the United States, and passing thro’ the Dominions of his Catholic Majesty, ” I have been requested to forward to the Department of State, & I must ask the favor of you, to lay the same, before the President of the United States.—

On the 12th Instant, the two houses of Assembly elected Doctor William Lattimore of Natchez a Delegate from the Territory of Congress for two years. Doctor Lattimore is a young man of promising Talents, & a *firm & Genuine republican*.—

On the 12th Instant the Legislature adjourned, to meet again in October next. — The Laws which were passed are now in the press, & so soon as they are printed a Copy shall be transmitted to you.—

I have received no late Intelligence from New Orleans—

I am Sir &c

(Signed) Wm- C, C, Claiborne

To Henry Dearborn.

Natchez 17 March

Sir

1803

I have this day drawn a Bill upon you for Six hundred & fifty five dollars, payable at five days sight to Robert Boyce, or to his order, & now enclose you the accompt & vouchers which occasioned the Draft, in order that the accompt may be closed in the Books of the War Department.—

I am &c

(Signed) W. C. C. Claiborne—

To Henry Dearborn.

Natchez 17 March 1803

Exchange for 655 Dollars—

Sir, At five days sight of this my first of Exchange (second of the same tenor and date remaining unpaid) pay to Robert Boyce, or his order, the sum of Six hundred & fifty five dollars & charge the same with or without further advice to your mo: obdt- Servt-

(Sign'd) W, C, C, Claiborne—

City Officers of Natchez.

On the 17th- of March, (1803) the Governor appointed
John Girault, an Alderman in & for the City of
Natchez—

On the 21 of March, the Governor appointed

Samuel Brooks—Mayor

Samuel Neil

Joseph Newman

} Aldermen

and Peter A Vandorn—Marshale in & for the City of
Natchez-

On the 22 March, the Governor appointed

Samuel Brooks

Chief Justice of the Orphans Court,
for the County of Adams.—

On the 25th of March, the Governor appointed William Nicholas, Sheriff of Adams County vice, William Brooks resigned.

To Gov. Claiborne, from James Madison.

Department of State Feby 14th :
1803

Sir

Your letters of the 20th. . & 21st: December and January 3d: have been duly received. The rigor in abolishing hospitable intercourse between the Spaniards and the Citizens of the United States navigating the Mississippi explained in the latter, justly increase the indignation excited by the Original measure of the Intendant. Still the stronger presumption is that the whole proceeding is chargeable on that officer, rather than on orders from his Government. The arrival of dispatches of November the 29th: from this department will probably lead to a further developement of the case, I am sorry that these dispatches had not reached you at the date of your last as I infer from its silence on that point as soon as it was rendered highly probably tho' not officially certain that orders had been issued by the Spanish Government to the local authorities at New Orleans to deliver over to French Commissioners the Province of Louisiana, M. Pichon, the French Minister here was called on to interpose with a view to prevent the example of the Spanish Intendant in violating our rights, from being followed by the new Occupants, he readily undertook to do so. and I now enclose a duplicate of his letter the original having been sent by a vessell engaged at Baltimore for the express purpose of conveying it. It will be proper to hasten the receipt of it as much as possible and consequently to do this by a hired express; It is proposed by M. Pichon as well as myself, that it should be addressed to the care of our Consul at New Orleans, and I accordingly ask the favor of you to put it under cover to him. By a letter I have just received from the partner of Mr. Daniel Clark in Phila-

delphia it is probable he will have returned to that place, should this not have happened Mr. Hulings will no doubt pay the necessary attention to the subject.

with sentiments of great respect, I have the honor to be Sir

yr. mo: ovt: Servt.

(Signed) James Madison

William C. C. Claiborne Esq: &c &c &c

To James Madison.

Near Natchez March 27th: 1803

Sir,

Your letter of the 14th: Ultimo with its enclosures reached me on the evening of the 24th: Instant and on the next day I forwarded the packet for New Orleans by express to Mr. Hulings; it is reported that several french officers have arrived at Orleans and Certain information received of the sailing of the fleet with the army for Louisiana. If this report be true I shall be advised thereof on the return of my express, but at present I do not myself give much credit to the Rumour.

Mr. Monroe's Mission is highly satisfactory to most of the reflecting Citizens of this territory; but there are some few Characters among us (from whose standing in society a contrary conduct was expected) who either from sinister views or sanguine temperaments reprobate the policy pursued, and have not been wanting in exertions to inflame the public and excite among them a spirit of discontent. But happily the reason and fears of these men having obtained the ascendancy of their passions, no difficulty has been experienced in suppressing in the bud such insurgent and disorderly efforts.

Mr. Daniel Clark has returned from Europe and is at this time in Natchez.

I am sir with great respect & Esteem yr. mo. obt. servt.

(Signed) William C. C. Claiborne

To James Madison

Near Natchez November 18th 1803

Sir,

On last evening I received by the express Mail, your letter of the 31st ultimo together with its several enclosures.— The appointments with which I have been Honoured by the President demand from me the warmest expression of gratitude.

Impressed as I am with the importance of our newly acquired Territories to the glory and permanent Interest of my Country, I cannot express the pleasure I shall take in contributing tho even in so small a degree, to the peaceful and happy establishment of the American Government in Louisiana. I lament that I have too much reason to distrust my Talents for the high stations to which I am called. But if Honest views, zealous and faithful attention to the duties intrusted to me will be accepted in lieu of more Brilliant Abilities, I hope to retain that confidence of my Government, which at this time constitutes a principal Happiness of my life.²

The part I am to act as one of the United States Commissioners for receiving possession of the Ceded Territory stands first among the object of my cares. And here

¹ Beginning of Volume II.

² At this time Claiborne was only twenty-eight years old; President Jefferson had complete confidence in his administrative and diplomatic ability.

permit me to say that my greatest cause of Solicitude arises from the unfortunate absence at present, of my Colleague General Wilkinson from this part of the Territory. After retracing and remaking the Boundary Line—in the Tombigby District—between the United States and the Chactaw Nation, he was about four weeks since in the vicinity of Pensacola. His delay there however, it was said, would be short, and his arrival at Fort Adams is daily expected, but with what degree of certainty I cannot pretend to say. Knowing however as I do, the earnest anxiety with which the eyes of all America are turned to this quarter of the Union, and how deeply the Interests of my Country are involved in a successful issue to the Measures in contemplation, I shall proceed upon my own responsibility, to make in conjunction with the Commanding Officer at Fort Adams, such immediate preparatory arrangements as may be necessary, with a Sincere wish that I may be soon joined by my experienced Coadjutor. In pursuance of this determination, immediately on the receipt of your Dispatches, I forwarded an Express to Capt. Turner the Commanding officer at Fort Adams, requesting him to be at my House in the course of this day. With Capt. Turner I shall consult as to the means proper to be pursued, to procure sufficient means of immediate transport for such additional Forces as the urgency of the occasion may require; and also for the necessary supply of Arms, Ammunition, Provisions, &c &c.

I have also addressed a Letter to Mr. Clark,¹ and another to Mr. Laussat, copies of which (Nos. 1 and 2) are herewith enclosed. These letters I have committed instead of the Express Mail, to the care of a Confidential Messenger, having occasion to believe that at this junct-

¹ Daniel Clark had business ability and great force of character; but seems to have been fussy and domineering; this was also true of Laussat, which accounts for the trouble.

ture they will be more secure from interruption by these means.

You will observe by my letter to Mr. Clark that I lament the personal differences which I understand to subsist between him and Mr. Laussat. I cannot but consider that such a misunderstanding is peculiarly unlucky at this Critical moment, when so much is expected, and may be gained from the Friendship and sincere cooperation of that Minister. A sense of duty and Patriotism however, will I trust induce Mr. Clark to forget at least for the present, any animosity which may have existed, and that he will prove a faithful and useful Agent of the United States in this Affair, for which service his Talents and local information seem fully adequate. I also enclose two several Letters which I received in the course of this week from Mr. Clark and my answers thereto (marked A and B) from these you will discover, that tho there was reason to believe that an unwillingness existed on the part of the Spanish offices to delay the delivery of the Province, and some grounds to fear that expedients would be resorted to in order to procure delay, yet that on the 10th of this Month no preparations had been made on the part of that Government for an effective resistance to our claims.

I also learn from a Gentlemen just from New Orleans that the works at that City were still unattended to, and almost perfectly useless as a means of defense, and that the regular Troops there were too few in number even for the common Duty of the Garrison. Were General Wilkinson now here, I therefore should not hesitate to urge an immediate Descent, with such Troops as are already prepared, and a small Body of Volunteers from the Territory.

My future conduct should not General Wilkinson soon arrive here, shall be regulated by the Answers which I shall receive from Mr. Laussat and Mr. Clark, and which

I expect in nine or ten days; and in the mean time I shall be wholly employed in perfecting the Military preparations already in train. I can not as yet say with certainty what number of Militia I shall be enabled to bring effectively into the Field. But I shall endeavor to Muster as respectable a force as the population of our Territory and the scattered situation of our Settlements can afford.

The order for the Mounted Infantry from Tennessee is a wise and provident measure, as that reinforcement will at all events be useful, if they arrive in time as an addition to our little Army, and if not as an excellent protection for the Country in our absence, against any annoyance which our Indian Neighbors may be induced to meditate. I have at present only to add, that your letter shall be carefully kept in view and attended to by me in all its parts, and that I shall from time to time diligently communicate to the Government the progress of events in this quarter. The Territorial Legislature have been in Session for seven weeks past but will rise tomorrow, when I shall be discharged from much of the Business that has lately occupied a large portion of my Time.

Accept I pray you Sir, Sincere Assurances of my Esteem and high Consideration.

(Signed) Wm. C. C. Claiborne

The Honble. Jas. Madison
Secretary of State

To Daniel Clark.

Near Natchez November 18th 1803

Sir,

I enclose a letter to you from the Department of State, which I received on this evening by the Express Mail, and to the objects of that communication I earnestly re-

quest your prompt and active attention. You will perceive that the necessity of using force in favour of our rights is contemplated. In this event information from you on the following particulars will be highly acceptable, Viz.

The present Military Strength of the City of New Orleans and other posts within a short distance of it.

The Force that would probably be requisite to overpower any resistance that may be attempted;— Accompanied with any hints which you may be able to give as to the most advisable mode of proceeding with an Army, and Approaching the City. These are enquiries which would come more regularly from General Wilkinson, but he has not yet returned to this Territory, and as the utmost dispatch is required by Government in this affair, it is my duty not to loose one moment unnecessarily.

I recently received information from a Source in which I can confide, that you relied with confidence on being able to command the Services of a Strong party at New Orleans, which in case a recourse to arms were had, are ready to embrace with zeal and Fidelity the Interests of the United States. I presume it is unnecessary to urge to you, the propriety of great precaution in the preparation of such a Co-operation. In the mean time, I pray you to inform me, the numbers, Strength, and Influence of the Party alluded to. With what degree of certainty you calculate on Such Support, and the manner in which they will be willing, or best able to Co-operate with us.

You will perceive by the enclosed that much assistance is expected from Mr. Laussat. I have understood with great regret, that you did not maintain as friendly an understanding with that Minister, as I could wish. His Countenance and Co-operation with us, is all important at this critical juncture. You will excuse me I hope,

for Suggesting that should your disagreements with Mr. Laussat be of such a nature, as to render the "frank and friendly Communication" with him recommended by the enclosed Letter unpleasant on your part, it might be advisable to call to your aid the Services of Mr. Hulings.

I am Solicitous to learn in what manner Mr. Laussat will act in case of a resistance by the Spanish Government.¹ How far he will countenance our resorting to force, and whether he will feel so much interested on our behalf, as to exert that influence which he is supposed to possess.

It has been conjectured, if the Spanish Government be really disposed to resist our claim by Arms, that some reinforcements may shortly be expected at New Orleans from the Havannah. I intreat you to make such enquiries on this point as may be safely ventured on, and acquaint me with your opinion of the probability of such an event, and how soon it might possibly occur. The apprehension of such a reinforcement at this momentous crisis, makes me uncommonly anxious for immediate and decisive measures on the part of the Commission. You will therefore see the importance of the greatest dispatch in answering this Letter.

It will perhaps be better to send me an immediate answer by a fresh express to be forwarded with all convenient expedition. To Major Trask you may afterwards give a duplicate of your communication. I have taken the precaution to send Major Trask as a private Citizen on his own Business, and therefore wish you to be alike guarded in the manner of forwarding your answer.

¹ There was well-defined opposition on the part of the Spaniards of Louisiana against American Dominion. There was also opposition among the French, but they regarded the transfer with much greater toleration.

Permit me before I conclude to remind you of the Pacific principles on which the present negotiation was commenced, and on which I sincerely hope it may be finally adjusted. We are to draw the Sword only on a last emergency; till then our language ought to be "Peace and Amity with all Parties."

Accept assurances of my confidence and respect.

Your obedt. Servt.

(Signed) Wm. C. C. Claiborne

Daniel Clark Esqr.

To Laussat.

Near Natchez November 18th 1803

Sir,

I am honoured with the receipt of your Letter of the 8th of November, together with its enclosures, and I pray you to be assured of the pleasure it affords me, to forward in the most respectful manner, the official communications which pass through my hands, between you and the American Seat of Government.

A mail from the Northward which arrived last evening, has conveyed under cover to me, the enclosed dispatches for you, which I commit to the care of a confidential messenger, with instructions to deliver them into your own hands. The Treaty between the French Republic and the United States which cedes to the latter the Colony and Province of Louisiana, has been duly ratified on the part of the Government of the United States, and General Wilkinson and myself are appointed Commissioners to receive possession of the Province. I daily expect the arrival of the General at Natchez, and shortly thereafter, we shall probably descend the river.

I have learned with much pleasure that you have been

appointed the Commissioner on the part of the French Government and anticipate that the Negotiation between us will be conducted with mutual candour and friendship.

Should you already have received the Province from the Spanish Authorities commissioned in that behalf, I shall esteem it a favour, if you will as soon as convenient communicate that result to me. But should the delivery not yet have taken place, I should be happy to learn from you, whether preparations were in forwardness for the final adjustment of the Cession, as well on the part of the Spanish officers as between yourself and us, or if you have reason to apprehend that any delay or other embarrassments are likely to be interposed.¹

The bearer of this will take charge of any dispatches which you may wish to forward to me or to the City of Washington.

I pray you to accept assurances of my high and respectful consideration.

(Signed) Wm. C. C. Claiborne

Mr. Laussat.

To Albert Gallatin.

Near Natchez November 18th 1803

Sir,

Your confidential communication came to me safe on last evening by the Express Mail. On all occasions your opinions are entitled to my respect, but the sentiments you favoured me with, upon the Subject of taking possession of Louisiana are particularly acceptable, as they

¹This distrust of Spain was quite general among the Americans of the Mississippi Valley; it was especially strong in Tennessee, Claiborne's old home.

contain some suggestions which will doubtless be of advantage to the cause in which I am embarked.

Among the powers with which the President has been pleased to invest me, I perceive that the Monies arising from the existing duties in Louisiana, on exports and imports will temporarily pass through my hands; I shall therefore look with earnest wishes for your Official Letter with further information upon this point, as well as for the receipt of a Law, which will relieve me from the serious accountability I shall be under to the Treasury. The interference of Spain with regard to the Cession of Louisiana is an unpleasant occurrence; but I persuade myself that if an armed opposition is attempted, it will be easily and speedily overpowered.

The absence of General Wilkinson from Fort Adams is an unfortunate circumstance, and by me most seriously regretted. The General has for some time past, been engaged in Running the Boundary Line in the Tombigby District between the United States and the Chaetaw Nation; and was about four weeks since in the Vicinity of Pensacola; his stay there however it is said would be short, and his arrival at Fort Adams is now daily expected, but with what certainty I know not.

On the 10th of the present month there were no preparations making at Orleans for a resistance to the claims of the United States; but from some expressions which had fallen from the Marquis De Casa Calvo apprehensions were entertained that on the part of the Spanish Government every expedient would be practised, to produce delay in Surrendering the Province.¹

I shall by Letter apprise Mr. Clark fully of the views of our Government and request from him early information of the present Military Strength at New Orleans and

¹ It was feared the Spaniards would seek to delay the transfer after the manner of postponing the giving over of the Natchez District.

the Posts adjacent; the prospects of opposition; and in the even that recourse to arms be necessary, his opinion as to the number of Troops which may be necessary to insure success. My communication will be forwarded this morning by express, and I expect an answer in nine days. In the mean time I will take measures to prepare a part of the Militia of this Territory for active service, and will in conjunction with the commanding Officer at Fort Adams make every possible preparation for a speedy movement.

The Government having placed (and with great propriety too) their principal reliance on General Wilkinson for the management of a *Coup De Main* if it should be deemed expedient, I cannot describe to you the painful anxiety which I feel at the absence of this experienced and valuable officer. I indulge however some hope that his speedy arrival will relieve me from my present embarrassment. But should I be disappointed in this expectation; and the advices from Mr. Clark should urge (as I much Suspect) the necessity or pressing expediency of an immediate Descent, I shall hold myself bound by the high trust reposed in me under existing circumstances to use all the exertions in my power, to carry into effect the wishes of the Government.

Accept assurances of my great Respect and Sincere esteem

(Signed) Wm. C. C. Claiborne

Honble. Albert Gallatin

Secty. Treasury

To James Madison.

Near Natchez November 18th 1803

Sir,

Shortly after closing my Dispatches of this Morning I received the enclosed letter from Mr. Clark to which I returned an answer a copy of which is likewise enclosed.

I have the Honour to be with Esteem

Your obdt. Sert.

(Signed) Wm. C. C. Claiborne

The Honble. James Madison
Secty. State

To Daniel Clark.

Near Natchez November 18th 1803

Sir,

Your Letter of the 11th Instant has reached me, and it affords new proofs of your zeal in promoting the Interests of our Country. As Louisiana has not yet been delivered to the French Commissioner, your application to the Spanish Government for permission for one or more Companies of Cavalry to pass by land to New Orleans as an escort to the Commissioners to that place, was well timed, And I am sollicitous to receive the response.

My communications by Major Trask I presume have reached you, and your answer will greatly influence my future conduct. A few of the Militia of this Territory will accompany the regular Troops from Fort Adams to New Orleans. I have reason to believe that a Printer with all the necessary apparatus will arrive at New Orleans in the course of two weeks.

I take this occasion to renew to you assurances of my confidence and respect.

(Signed) Wm. C. C. Claiborne

Daniel Clark Esqr.

To James Madison.

Near Natchez November 18th 1803

Sir,

Captain Turner the commanding officer at Fort Adams has just arrived. He tells me that by Letters from General Wilkinson Dated at Pensacola on the 27th of last Month he learns, that in three days the General was to set out from that place by the way of New Orleans for Fort Adams, and would probably arrive there on tomorrow. Captain Turner adds, that all the Troops at Fort Adams in sufficient Health to bear Arms will be ready to March in three days. The Sick List there remains nearly the same as last reported to the War office. I am making exertions to raise all the Militia I possibly can.

The Assembly adjourns today and my whole attention therefore may now be directed to the New Orleans Expedition— With great respect I am Sir Your very

Obdt. St.

(Signed) Wilm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To Daniel Clark.

Natchez November 21st 1803

Sir,

I have this moment received your favours of the 14th & 15th Instant. They were delayed in consequence of the Mail from Natchez not being dispatched (owing to the non-arrival of the Northern Post) until the morning of the 18th and the rider from New Orleans was detained at *Baton Rouge* until the rider from hence had arrived there. I hope a similar delay will not occur in future.

My Letters by Major Trask have no doubt reached you, and I flatter myself that I shall receive your answer in a few days. The General has not yet arrived. We have received certain information of his departure from Pensacola to this Territory *Via* New Orleans; there is therefore good ground to expect his arrival in a few days.

I have said to Several Captains of the Militia of this Territory, that I would accept of the services of any Company (as Volunteers) to accompany the Commissioners to New Orleans, and in consequence thereof I am persuaded that two hundred at least will offer their services.

I deem it good policy for the American Commissioners *not* to proceed to New Orleans until our Army is ready to move:— With a number of brave Men at our Command, the Negotiations may be considerable accelerated, if delays should be attempted. The express Mail will leave this on tomorrow, and by that conveyance I shall again write to you

With Respect and esteem I am Sir

Your obdt. Sert.

(Signed) Wm. C. C. Claiborne

Daniel Clark Esqr.

To Daniel Clark.

Natchez November 22nd 1803

Sir,

The Northern Mail has arrived but brings me no official communications. I am making all the preparations in my power to descend the river. On Monday next a detachment of Militia will march to Fort Adams, where they will remain until the General arrives, unless the immediate approach of the Army to New Orleans should become advisable. I hope Major Trask has reached New

Orleans, and that your answer to my dispatch is on the way.

I am with Esteem your obdt. St.

(Signed) Wm. C. C. Claiborne

Daniel Clark Esqr.

To James Madison.

Natchez November 26th 1803

Sir,

I have certain information that on the 11th Instant General Wilkinson left Fort St. Stephens for Mobile from whence by the way of the Lakes he would proceed to New Orleans, and thence to Fort Adams, where his arrival may be soon expected. To my dispatches to the Prefect and Mr. Clark (copies of which I transmitted to you by the last Mail) I have not yet received answers, but I expect them in two or three days.

I enclose for your perusal the latest communications which have been made to me by Mr. Clark. They confirm me in opinion, that the presence of the Commissioners is immediately Necessary at New Orleans, and that they should be accompanied by a respectable Military force. Under this impression, no exertions shall be wanting on my part to be in readiness for a speedy movement. Being unwilling to direct a peremptory draft of the Militia, unless the Measure should become absolutely necessary, I have as yet only solicited the Services of Such Volunteers as are willing to proceed as an escort to the Commissioners; and in about four or five days I expect they will muster to the number of Two hundred men at least, and probably a more respectable force.

I find on more minute enquiry, that the Military preparations at Fort Adams, are not in such forwardness as I expected and wished. But a few pieces of the ordnance there are yet mounted; and I should suppose it inexpedi-

ent to move without a handsome train of Artillery: for should opposition be made and a *Coup De Main* prove impracticable, it would be highly necessary for us to be in a situation to carry on offensive operations with promptitude against the Enemies Works. The Officer Commanding at Fort Adams in a Letter to me Dated the 23 Inst. says "If it will be deemed necessary to take no other means of offence "than our Muskets, after the 27th "we shall be ready at a moments warning; I have now "fourteen Boats afloat, and in six days will have two or "three more: but I cannot complete the ordnance in less "than ten days." The Works around the City of New Orleans are not in a State of defense, but Plaquemines and a fort at the Lake, are strong and regular fortifications, against which it may become necessary to use heavy Cannon.

I have also to regret, that the situation of Individuals with respect to their Cotton Crops, and other private business at this particular season of the year, has retarded our volunteer enrollments in the Militia. An Idea also prevails that the force required is intended more for Parade, than Service as the people here cannot believe that any serious opposition is meditated by the Spanish Government at New Orleans. But should such opposition be attempted, I am convinced that a large Majority of the Men capable of bearing arms in this Territory, would join the army with alacrity.

I have incurred some public expense for the equipment and comfort of the volunteers, which I hope will meet the approbation of Government.

With Sentiments of high respect I have the Honor to be Your

Very obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Madison.

Near Natchez November 29th 1803

Sir,

The Special Messenger whom I dispatched to New Orleans on the 18th Instant returned this evening, and brought the enclosed communications from Mr. Clark and Mr. Laussat. The French Officer Mr. Laudais whose arrival at Orleans was so much wished for by the Prefect, passed through Natchez three days ago, and I presume that before this time he has placed in the hands of the French Commissioner his original powers.

Notwithstanding the pleasing intimation from the Prefect, I am inclined to think with Mr. Clark that the appearance of a respectable force with the Commissioners, would probably facilitate the Negotiations, and expedite the final delivery of the Province to us. I have not been able to collect so many Volunteers in this Territory as I calculated on: many circumstances operated against me in this particular, and none more seriously than the Wet and unsettled weather, which we have experienced here for some considerable time past without intermission.

It is however my intention to proceed with such Volunteers as I have enlisted to fort Adams within three days, and from thence to New Orleans with all possible expedition. I still hope that the Volunteers will amount to upwards of two hundred Men; these with the Regulars will make about five hundred strong: and even with that force, I am disposed to think that whatever Spain may intend, we shall be able in a short time to Hoist the American flag at New Orleans.

I have the Honour to be &c &c

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison

To James Madison.

Near Natchez November 30th 1803

Sir,

I have had the honour to receive your communication of the 14th Instant together with its several inclosures, and I pray you to be assured that their contents will receive my faithful attention.

I am pleased to find that provision has been made to relieve me from the labours and responsibility of the Revenue Department at New Orleans, and I learn with Satisfaction that the President has selected for the Collector Mr. H. B. Trist; a gentleman whom I hold in high estimation, and with whom I promise myself a cordial Co-operation in whatever relates to the public Interest.

I have the Honor to be with Respect Your
The Honble. most Obdt. Servt.

James Madison (Signed) Wm. C. C. Claiborne
Secty. of State

To James Madison.

Natchez December 1st 1803,

Sir,

This day having proved fair, I embarked a Company of the Natchez Artillery, another of Riflemen, and one Company of Militia Infantry, in all about one hundred Men, on Board of a Vessel at the Natchez Landing, with orders to Sail immediately for Fort Adams. I impressed on this occasion, into Public Service, a Schooner which lay in the River opposite this City. The Same Schooner will assist considerably in Transporting from the Heights Troops and Stores to New Orleans. Tomorrow morning I shall myself proceed to Fort Adams by Land. And I expect on my route to fall in perhaps with eighty more

Volunteers on their way to that Garrison which is appointed the place of Rendezvous. I have learned with great pleasure that General Wilkinson had arrived at New Orleans on the 25th ultimo, and is hourly expected at Fort Adams.

There are two or three Companies of Volunteers raising in Jefferson County, but I fear they will not arrive in time to accompany us to New Orleans. The mounted Infantry from Tennessee have not yet reached Natchez; but it is reported that they are on their way.

I have the Honour to be with great respect Your
The Honble. Most obdt. Servant
James Madison (Signed) Wm. C. C. Claiborne
Secty. of State

To James Madison.

Natchez December 2nd 1803

Sir,

The Mail this evening brought me a Letter from Mr. Clark, which I here enclose with Sincere pleasure, as it contains additional grounds of expectation, that the Province of Louisiana &c will be delivered over to us without the necessity of our having recourse to Hostile extremities. As there is I believe no doubt but that Mr. Laudais brought with him the original papers alluded to by Mr. Clark, all difficulties respecting the Cession seem to be removed.

I have the Honour to be with great respect Your
The Honble. Most obdt. St.
James Madison (Signed) Wm. C. C. Claiborne
Secty. of State

To James Madison.

Fort Adams December 4th 1803

Sir,

I arrived here this evening and had the pleasure to meet General Wilkinson. I find that the Boats &c are not yet ready for embarkation; but the General supposes he will be able to make a movement on the 6th Instant.

On my route hither I met the Express Mail from New Orleans, and received by that conveyance a communication from Mr. Clark, of which the enclosed is a copy. I congratulate Sir, on the contents of that communication, since it justifies a hope that the Province of Louisiana will be surrendered to the United States immediately on the Arrival of the American Commissioners; and that no blood will be shed on the occasion.

I am now the less anxious to have a large Militia Force, and shall discontinue my exertions to collect numbers. But I presume it will be advisable to take with us as many of the Volunteers as have already been enrolled, and are either here, or on their way hither; I suppose they may amount to between *one hundred and sixty* and *two hundred men*; and in this opinion I presume the General will concur. I at this place met with the owner of the Schooner (Bilbow) which I impressed into the Public Service at Natchez, and he appears much dissatisfied with that impressment; and affects to be in expectation of no small indemnity for the injury he sustains.

I feel this to have been the most Arbitrary Act of my Life, but one which not only the Public Service required, but absolute necessity at the time seemed to demand. The Schooner has already been serviceable in conveying to this place a large part of the Militia, and future services will be still more valuable, as without the assistance of such a Vessel, there is much of the ordnance, fixed ammunition, and other necessary Military

Stores that could not at this time be transported to New Orleans.

I have the Honour to be &c &c

Signed Wm. C. C. Claiborne

The Secty. of State

To James Madison.

Fort Adams December 5th 1803

Sir,

The General is apparently making every possible preparation to embark immediately, but I fear we shall not be able to proceed tomorrow, as we expected. The Boats are not covered, but will probably be completed this evening. I feel great anxiety to be at New Orleans, but I find it is no easy Task to put even a small army in Motion. I am happy at the pleasing prospect now before us of a peaceable entry into Louisiana, as the expenditure of National Blood and Treasure might otherwise be great and the consequence calamitous.

The Volunteers from this Territory to the Number of about *one hundred and sixty*,¹ have already assembled at this Garrison, and it is expected that between *thirty five* and *forty* more will be here tomorrow or next day. I find that these Men having been called into Service upon so short a notice, are inadequately prepared with clothing &c for the season, and understanding that there is a surplus of clothing, Blankets &c in the Public Stores, I shall intreat the General to direct that the Detachment of Militia be furnished with some necessary supplies. Nothing shall be asked but what is essential to the Comfort of the Volunteers, and I persuade myself that the Executive

¹ From Adams and Jefferson Counties.

will approve my application, and Sanction the Conduct of the General should the request be granted.

We are in hourly expectation of a Letter from Mr. Laussat, announcing the delivery of Louisiana to him by the Spanish Authorities.

I have the Honour to be with great Respect
Your most obdt. Servant

The Honble. (Signed) Wm. C. C. Claiborne
James Madison
Secty. of State

To James Madison.

Fort Adams December 6th 1803
Sir,

The Transports as fast as they are completed receive their lading, and there is a prospect of a final embarkation tomorrow evening. I am daily learning the serious expense of Military preparations, and shall therefore pray to my God more fervently than ever, that our Country may never be forced to the ruinous necessity of extensive Armaments. In preparing Transports, equipping Soldiery, and furnishing our new raised Volunteers with the variety of Comforts necessary even for a short Campaign, I find that much money is required.

The Volunteers from Tennessee have not arrived, and I flatter myself that Services in Louisiana may be dispensed with. The owner of the impressed Schooner (Billow) continues dissatisfied, but I am inclined to suspect that his dissatisfaction is only effected, to enhance the price of her Service.

I have the Honour to be very Respectfully your obdt. Sert.

The Honble. (Signed) Wm. C. C. Claiborne
James Madison
Secty. of State

To James Madison.

Fort Adams December 7th 1803

Sir,

Yesterday evening, and until about 12 o'clock this day, we had so heavy a fall of Rain as greatly to retard our embarkation. The General however expects that we shall be able to proceed in the Course of tomorrow. I understand that there is a small Corps of Riflemen on their way hither from Jefferson County. But I should Suppose that the *Volunteers* already here, together with the *Regular Troops* now at this Garrison, amounting in the whole to between *four hundred and fifty and five hundred* men would be a Sufficient force to proceed with to New Orleans under existing circumstances, and therefore am not solicitous for further reinforcements.

I have the honour to be very respectfully

Your obdt. Sert.

(Signed) Wm. C. C. Claiborne

The Secretary of State

To James Madison.

Fort Adams December 8th 1803

Sir,

I am still at this place. An embarkation is talked of on tomorrow, but so many preparatory arrangements yet remain to be performed, that I fear much longer delay. Our Militia were Mustered this evening, and amount to about two hundred. I wish for myself no greater force in addition to the Regular Troops, and I presume that in this opinion, the General will concur. The Militia are already to proceed, and are becoming extremely restless.

General Wilkinson has been so entirely engaged in Military arrangements, that we have had as yet very little conference on the objects of our Mission. But I persuade myself that the *utmost harmony*, in opinion and action will exist between us. I consider it essential to the Interests of my Country, and a Spirit of Sincere Accomodation therefore shall be uniformly observed on my part.

I have the Honour to be very Respectfully

Your Obedt. Sert.

(Signed) Wm. C. C. Claiborne

The Honable.
James Madison
Secty. of State

To James Madison.

New Orleans December 20th 1803

Sir,

The Letter from the American Commissioners will inform you that we are now in possession of this City and I hasten to inform you of the measures which I have taken as Governor of Louisiana.¹

A Proclamation of which the enclosed is a Copy, was issued by me immediately after the Surrender of the Province. You will observe, that it is silent, concerning the Militia (a Subject deeply interesting to the feelings of many here) as for many reasons I am induced to await a further acquaintance with the nature of the present establishment, before I attempt any organization of that force.

I also enclose for your perusal, a copy of a Short ad-

¹ For Laussat's account of the transfer see Vol. 11, p. 277, Fortier's Louisiana.

dress from myself to the Citizens of Louisiana, and I persuade myself that the Sentiments I have conveyed will meet with the Presidents approbation. The Standard of my Country was, this day unfurled here, amidst the reiterated acclamations of thousands. And if I may judge by professions and appearances, the Government of the United States is received with joy and gratitude by the People. I shall write to you more fully by the next Mail. At present let it suffice to say, that the surrender of the province to us has been happily accomplished under as favourable omens as we could wish.

Accept assurances of my sincere esteem and high consideration

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

Proclamation issued on surrender of Louisiana.

Proclamation

By his Excellency Wm. C. C. Claiborne, Governor of the Mississippi Territory, Exercising the Powers of Governor General and Intendant of the Province of Louisiana.

Whereas by stipulations between the Governments of France and Spain, the latter ceded to the Former the Colony and Province of Louisiana, with the same extent which it had at the date of the above mentioned Treaty in the hands of Spain, and that it had when France possessed it, and such as it ought to be after the treaties subsequently entered into between Spain and other States, and whereas the Government of France has ceded the

same to the United States by a Treaty duly ratified, and bearing date the 30th of April in the present year, and the possession of said Colony and province is now in the United States, according to the tenor of the last mentioned Treaty; and whereas the Congress of the United States on the 31st day of October in the present year did enact that until the expiration of the Congress then Sitting (unless provisions for the temporary Government of the said Territories be sooner made by Congress) all the Military, Civil, and Judicial powers exercised by the then existing Government of the same, shall be vested in such person, or persons, and shall be exercised in such manner as the President of the United States shall direct; for the Maintaining and protecting the Inhabitants of Louisiana, in the Free enjoyment of their Liberty property and religion, and the President of the United States, has by his Commission, bearing date the same 31st of October invested me with all the powers, and charged me with the several duties heretofore held and exercised by the Governor General and Intendant of the Province.

I have therefore thought fit to issue this my proclamation making known the Premises, and to declare that the Government heretofore exercised over the said Province of Louisiana, as well under the Authority of Spain, as of the French Republic has ceased, and that of the United States of America is established over the Same; that the Inhabitants thereof will be incorporated into the United States, and admitted as soon as possible according to the Principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of Citizens of the United States; that in the mean time they shall be maintained and protected in the free enjoyment of their Liberty, Property and the Religion which they profess; that all Laws and municipal regulations which were in existence at the Cession of the late Gov-

ernment remain in full force, and all Civil Officers charged with their Execution, except those whose powers have been specially vested in me, and except also such officers as have been entrusted with the Collection of the Revenue are continued in their Functions during the pleasure of the Governor for the time being, or until provision shall otherwise be made.

And I hereby exhort and enjoin all the Inhabitants and other persons within the said Province, to be faithful and true in their allegiance to the United States, and obedient to the Laws and Authorities of the Same, under full assurance that their just rights will be under the Guardianship of the United States, and will be maintained from all force and violence from without and within. In Testimony whereof I have hereunto set my hand.

Given at the City New Orleans the 20th day of December 1803 and of the independence of the United States of America the 28th.

(Signed) Wm. C. C. Claiborne

The following address was delivered by the Undersigned to a large Assemblage of Citizens in the Grand Salee of the City Hall, on the 20th day of December 1803.

Fellow Citizens of Louisiana!

On the great and interesting event which is now finally consummated;— An event so advantageous to yourselves, and so glorious to United America, I cannot forbear offering you my warmest congratulations.— The wise Policy of the Consul of France, has by the Cession of Louisiana to the United States secured to you a connection *beyond the reach of change*, and to your posterity the sure inheritance of Freedom. The American people receive you as Brothers, and will hasten to extend to you

a participation in those invaluable rights which have formed the basis of their own unexampled prosperity. Under the Auspices of the American Government, you may confidently rely upon the security of your Liberty, your property and the religion of your choice;— You may with equal certainty rest assured that your commerce will be promoted, and your agriculture cherished; in a word that your interest will be among the principal cares of the National Legislature. In return for these benefits the United States will be amply remunerated, if your growing attachment to the *Constitution* of our Country, and your veneration for the principles on which it is founded, be duly proportioned to the blessings which they will confer.

Among your first duties therefore you should cultivate with assiduity among yourselves the advancement of Political information; you should guide the rising generation in the paths of republican economy and virtue: you should encourage Literature, for without the advantages of education, your descendants will be unable sufficiently to appreciate the intrinsic worth of the Government transmitted to them.

As for myself fellow Citizens, receive a sincere assurance that during my continuance in the situation in which the President of the United States has been pleased to place me, every exertion will be made on my part, to foster your internal happiness, and to promote your general welfare, for it is by such measures alone, that I can Secure to myself the approbation of those great and just men who preside in the Council of our nation.

(Signed) Wm. C. C. Claiborne

Circular

New Orleans December 20th 1803

Sir,

I have the pleasure to inform you that on this day the Island of New Orleans and Province of Louisiana were Amicably Surrendered to the Commissioners of the United States, by the French Commissioner, Mr. Laus-sat; on this Occasion I pray you to receive my Sincere Congratulations.

(Signed) Wm. C. C. Claiborne

The Governor of Ohio

The Governor of Kentucky

The Governor of Tennessee

The Secty. of the Mississippi Territory.

By William C. C. Claiborne

Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

Conceiving that the office of Notary public is inconsistent with that of Auctioneer, I have determined that the Several persons now exercising the office of Notary Public, whether in virtue of Commissions heretofore granted or otherwise, shall no longer exercise the office of Auctioneer in virtue of such Commissions, and that the said offices of Notary Public and Auctioneer shall hereafter be considered as distinct offices.

Given under my hand and Seal at the City of New Orleans this twenty third day of December in the year 1803 and of the Independence of the United States the 28th.

(Signed) Wm. C. C. Claiborne

[S. L.]

By Wm. C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

Whereas much public injury may arise from the unlimited Sale of Spirituous liquors to the Soldiery of the United States now Stationed in this City, I have thought fit to issue this my decree strictly forbidding the Sale of any Wines, or Spirituous, or other Strong liquors by any person or persons whatsoever to any Non-Commissioned officer or private in the Service of the United States, unless such Non-Commissioned Officer or private, shall have a written order to that effect, under the hand of some Commissioned officer and addressed particularly to such person or persons as shall sell such liquor; and I do further declare that if any person or persons shall be convicted of having sold to any non-commissioned officer of private any Wines, or Spirituous, or other Strong liquors, otherwise than as this decree directs, shall be punished by a fine of not exceeding fifty dollars, and all alcaedes, Justices and conservators of the Peace, and other Magistrates having cognizance of offences against the police of this City, are hereby ordered and enjoined to cause all persons offending in the premises, to be forthwith arrested and fined accordingly.

Given under my hand and Seal of the Administration at the City of New Orleans, this 24th day of December in the year 1803 and of the Independence of the United States of America the 28th.

(Signed) Wm. C. C. Claiborne

[S. L.]

To James Madison.

New Orleans December 27th 1803

Sir,

Since my last I have been as busily engaged as circumstances would admit, in making such arrangements for the temporary Government of the Province, as I esteemed

most consonant to the intentions of the President, and the expectations of the inhabitants. The difficulties I meet with in this undertaking, are peculiarly embarrassing on account of the neglected State in which I found the Colony:—The functions of Government have been nearly at a stand for some time, and considerable arrears of business have accumulated in every department.

The French Prefect during the time he held the Country, exerted himself to remedy this evil and his efforts were so happily directed as to give pretty general Satisfaction. But he could feel only a temporary interest in the concerns of the Country, and his time was too short for extensive operations. There is one of his measures however, to which I feel myself not a little indebted: *He abolished the Cabildo, or City Council: This body was created on principles altogether incongruous with those of our Government;*—It was in part an Hereditary Council. In action feeble and arbitrary and supposed to be devoted to the views of the Spanish Government. In their place I found a Municipality established, consisting for the most part of approved Characters, and well disposed towards the expected change of Government, and I therefor, did not long hesitate to sanction the new arrangement.

Being a stranger in the Country, I of course stand in need of much local information as I proceed; and the suspicions which I have too much reason to apprehend from latent Interests in almost every quarter to which I can look, have often induced me to deliberate perhaps longer than is consistent with the promptitude expected from me. Among my other difficulties I have to mention the re-organization of the Militia. I have to regret that the Prefect was not so fortunate in his arrangements on this head as I could have wished. I have found several very young men holding rank above their years, and some others who are unpopular as officers and under whom the

Militia will serve very reluctantly if at all. But my principal difficulty arises from two large Companies of people of Colour, who are attached to the Service, and were esteemed a very Serviceable Corps under the Spanish Government. On this particular Corps, I have reflected with much anxiety. To re-commission them might be considered as an outrage on the feelings of a part of the Nation, and as opposed to those principles of Policy which the Safety of the Southern States has necessarily established; on the other hand not to be re-commissioned, would disgust them, and might be productive of future mischief. To disband them would be to raise an armed enemy in the very heart of the Country, and to disarm them would savour too strongly of that desperate System of Government which Seldom Succeeds. Should therefore no necessity urge me to a hasty decision on this point, I shall await some opinions and instructions from the Department of State, and have therefore to beg, that I may be favoured with them as soon as possible. In my first proclamation I did not insert the Treaty as was intended by the draft forwarded to me some time since;— I omitted it because in the course of the week before my arrival, it appeared in the several New Orleans Papers, in the English and French Languages, and had already got into general circulation: The insertion of it in my proclamation, would moreover have considerably retarded the publication, and the lively anxiety of the people at that interesting crisis, forbad the delay of my proclamation.

I had formed very favourable expectations of the Country, but I have had the satisfaction to find them surpassed. The Banks of the River from Baton Rouge to the City exhibit almost uninterrupted Streets of comfortable, and frequently magnificent buildings, with every appearance of prosperity around them. The principal Streets of the City are well built, many of the Houses are

elegant, and improvements seem to progress. New Orleans appears to me, to be, not unlike what Baltimore was four years ago, with every prospect of rapid advancement. The Governors House is large and I am told Commodious. I took an early opportunity of communicating to the late Governor, through his eldest son, that I wished him to consider that House as his own, until it was perfectly convenient to leave it. I however learn that he means to quit it in the course of a few days.¹

I yesterday paid a visit of Ceremony to the Convent here and returned I assure you deeply impressed with the importance of that establishment at the present period. There is an Abbess and eleven Nuns, the sole *object* of whose temporal cares *is*, the Education of Female youth;— they at present accomodate *seventy three Boarders* and a hundred day Scholars, each of whom contribute to the Support of the House, in proportion to the means and conditions of their respective parents, and many receive their tuition gratis.

In the name of the President of the United States I undertook to give the Nuns a Solemn assurance, that they would be protected in their persons, their property, and the Religion of their Choice; and they in return expressed the highest confidence in the Government. They even indulge an expectation, that several of the Nuns who, on the arrival of the French Officers retired to the Havanna would return, it being now certain that nothing is to be apprehended from the French, and that with us, they would enjoy the advantage of Just and Mild Laws. Our Army here is so small, that General Wilkinson has not yet thought it expedient to dismiss the Militia of the Mississippi Territory. I think it necessary to mention, that the General at my request furnished many

¹ The population of Louisiana in 1803 was about 50,000, of New Orleans about 8,000.

of them at Fort Adams with clothing, Blankets &c as the men were too poor to provide themselves, and the weather was inclement and severe. For the sake of these Patriotic Men I have to intreat that the articles furnished, may be considered by the Government as a present. They deserve well of their Country, they turned out in the middle of Winter when a serious Campaign was apprehended. Their duty has been hard, and if at the expiration of their time, the price of the equipment be deducted from their pay, they will go home poorer than they came, with the fatigues of the expedition, the only reward of their Services.

Accept assurances of my high and Respectful Consideration!

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

By William C. C. Claiborne

Governor of the Mississippi Territory exercising the powers of Governor General and intendant of the Province of Louisiana.—

To all who shall see these presents Greeting.

Know ye that good and urgent reasons me hereunto moving, I do hereby Pardon Benjamin Payatt and John Quarles prisoners now in confinement in this City and do release and forever remit and consign to oblivion such offences as they may have been heretofore convicted of or charged with, and on account of which they have been confined as aforesaid, and I do therefore order that the said Benjamin Pyatt and John Quarles, be forthwith released from confinement and set at large. Given under

my hand and the Seal of the administration at the City of New Orleans, this 28th day of December 1803 and of the Independence of the United States of America the 28th.

(Signed) Wm. C. C. Claiborn

[S. L.]

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

To aid in the administration of Justice, I have determined, and do hereby declare that until some provision shall be made by Congress for the temporary Government of Louisiana, a Court of Pleas is hereby established in and for the City of New Orleans and the limits thereof, to consist of not less than seven justices, to be from time to time appointed by the Governor for the time being, at and during his pleasure, which Court shall sit at some convenient place within the City of New Orleans, at least once in every week, to wit on Monday and at such other times as the Court by adjournment shall appoint; and at such Sessions three of the said Justices shall be sufficient to form a court for all purposes, but no decision shall pass in any cause, unless a majority of the justices present shall concur therein. And the said Court shall have cognizance of all Manner of Debts, dues, claims and demands, not exceeding the sum of three thousand Dollars; and the said Court shall have power to issue all manner of original mesne, and final process, as well against the persons as the estates of parties, by writs or warrants of Summons, Capias, attachments and Sequestration, and execution against persons and estates, and likewise the process of Summons, Subpoena, and attachment of person or goods, to re-

quire and compel the appearance and testimony of Witnesses; and all such process shall be directed to, and executed by the Alguazil Mayor or Sheriff, returnable to the said Court under the direction thereof, and the said Alguazil Mayor or Sheriff, shall be entitled to receive and have for such services, such or Similar fees and allowances as have been heretofore received for the same or like services by the Alguazil Mayor and other officers performing Such Services under the Spanish Government, and the Governor for the time being will appoint a Notary or Clerk for the said Court, who shall under the direction of the Court issue all manner of process as aforesaid, and faithfully record the proceedings of the said Court, in duplicate, in the French and English languages: and as a compensation for his Services he shall be entitled to have and receive such fees and allowances as the said Court by a Table of Fees to be by them prepared, and approved by the Governor, for the time being, shall appoint, all which said Fees as well those of the Alguazil Mayor as of the said Notary or Clerk, shall be paid by one or both of the parties in each suit, in such manner as the Court shall award, and judgment and execution shall pass therfor in the same causes respectively. And the said Justices are hereby made and invested with the powers of Conservators of the peace within the Limits aforesaid, and shall each and every of them Singly, have full power and authority to try and determine in a summary way, all civil causes which shall be brought before them respectively, for the recovery of any Sum not exceeding twenty dollars, and likewise on their own knowledge, or information to them on Oath given of any breach of the peace, or other offense against the Police of the City, by warrants under their hands and Seals respectively, to cause all offenders to be arrested and committed for trial, or at their discretion in cases of small offences,

to be brought before any two of the said justices; and thereupon such two justices are hereby authorized to proceed immediately to the trial of such offenders, and on conviction to cause them to be fined or imprisoned or either at their discretion; *Provided* that the fine in no case shall exceed two hundred dollars, or the Term of imprisonment be extended beyond sixty days; or at their like discretion, to discharge such offenders on Sufficient Security being given for their good behaviour for a term of time thence next ensuing, not to exceed two years: but it is at the same time provided, that the aforesaid Court of Pleas shall not try any disputed Titles to lands or Houses, and it is also provided that in all cases wherein the parties may conceive themselves aggrieved by the decision of the said Court, and the matter in dispute shall exceed five hundred Dollars, there shall be a right of appeal to the Governor in the premises, and on sufficient security being given to the Court, that the party appealing will abide by, and without delay fulfil and perform the judgement to be finally rendered, all proceedings in the Said Court in such causes respectively shall be stayed, until the Governors decision be known. And if the Appellant in any case shall not succeed in Appeal, such Appellant, besides the amount of the costs, or debt and Usual Interest and costs which may be recovered against such Appellant, shall pay at the rate of fifteen P. Ct Per Annum as a satisfaction for such damages, as the Appellant may have sustained by the stay of proceedings, or other delay which may have accrued by reason of such appeal.

Given under my hand and the Seal of the Administration, at the City of New Orleans, this thirtieth day of December in the year 1803. and of the Independence of the United States of America the 28th.

[S. L.]

(Signed) Wm. C. C. Claiborne

By Wm. C. C. Claiborne

Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

For the better arrangement of the Shipping and the Security thereof in the Port of New Orleans, it is ordained and directed that the following

Regulations

relative thereto, be strictly observed and enforced!

Article 1st. All Vessels within twenty four Hours after their arrival, shall have their yards top'd, and Jib-boom in, with the Sprit-Sail yard fore and aft.

Art. 2nd. All Vessels lying in an outside tier at the Levee, shall have at least one large anchor in the stream.

Art. 3 All Vessels shall discharge their Ballast at such place, or places, as the Collector of the Customs for the time being shall from time to time appoint.

Art. 4 All Vessels having cargoes to discharge, shall have a preference as to Station &c to those that may be loading.

Art. 5 Vessels lying by, or in ordinary, shall not be suffered to be at the Levee, between the gates of the City; unless in the opinion of the Harbour Master, no inconvenience may result therefrom.

Art. 6 Vessels lying at the Levee, between the Gates of the City, and having no crews on Board, may be removed by the Harbor Master, at the expense of the owner of consignee.

Art. 7 Any Master, or other person commanding a Vessel, who shall, when required by the Harbour Master, refuse or delay to remove the same, shall be fined for such refusal in the sum of fifty dollars in the first instance, and for delay in the execution of such orders afterwards,

at the rate of twenty five dollars per day, and be moreover liable for all damages Sustained in consequence thereof.

Art. 8 All Vessels on their Arrival, shall bring to, or anchor in the Stream, and afterwards warf into such Stations at the Levee as may be deemed most proper, or the Harbour Master designate.

Art. 9 A part of the Levee opposite to the Market House, the Limits of which shall be defined by the Harbour Master, shall be enclusively appropriated to small boats arriving with Marketting for the City.

Art. 10 All rafts or flat Boats descending the river, and destined for this port, shall come to and lie at such part of the Levee above the upper gate, as the Harbour Master shall appoint.

Art. 11 The Harbour Master shall be entitled to receive from every sea vessel arriving at this port, a sum at the rate of two cents for each registered ton, and for all barges, flats and other Crafts laden with Merchandize twenty five cents each.

Art. 12 In all cases in which no penalty is herein before Specified Such Masters of Vessels and others refusing or delaying to comply with any of those regulations, according to the true intent and meaning of the same, shall be fined in a sum not more than one hundred, nor less than twenty Dollars, at the discretion of the Magistrate, before whom such delinquency shall be tried. And all fines or other demands accruing or becoming payable, in virtue of these regulations, shall be recovered in a summary way, before any Magistrate, Justice or Conservator of the peace in the said City, and all fines shall be paid into the Treasury of the City to the use thereof.

And I do further ordain and declare that the above regulations shall remain in force until permanent provision be made in the premises.

Given under my hand and the Seal of the administration at the City of New Orleans on the 29th day of December 1803 and in the 28th year of Independence of the United States of America.

[S. L.]

(Signed) Wm. C. C. Claiborne

To James Madison.

New Orleans January 2nd 1804

Sir,

The tranquility in which I found this Province is uninterrupted, and every appearance promises a continuation of it. This is the Season of Festivity here, and I am pleased to find that the change of Government has given additional Spirit to the Public amusements.

It gives me great satisfaction to learn from every side the favourable inclinations of the People and their confidence in the justice and generous intentions of the American Government towards the Province. You may be assured that no thing on my part has been left undone which could strengthen that friendly opinion. If I have a Political uneasiness at this moment it arises from the great latitude of the powers with which I am temporarily entrusted, the exercise of discretionary power in matters of moment is to me an irksome duty. I feel sensibly the weight of the responsibility which rests on me; I however indulge an anxious hope that Congress will soon relieve me from that difficulty. The establishment of a Government for this Province will I presume be a matter of immediate consideration, and cannot be determined more speedily than I wish. In the mean time I propose no exercise of my Authority except such as the peace of

the Province and the conciliation of general confidence in the Government shall peremptorily require.¹

To attempt a General renovation of the late System of Government would be a vain labour. The original principals of the System have been long lost sight of;—Government had scarcely a nerve not wounded by corruption; the Business in every department was wrapped up in Mystery and intrigue and has been left in confusion perhaps inexplicable. I once had a respect for the character of Governor Salcedo, but my good opinion of him has ceased; for it is a shameful fact that under his administration, not only many posts of Honour and profit in his gifts were sold, but that even when exercising the sacred Character of a Judge, he often vended his decisions to the highest bidder.

This only can be said in extenuation of his conduct, that he is superannuated, and that his eldest son, a young man who bears an unfortunate character in this place, had acquired and still maintains a ruinous influence over his aged father. After such account of the Head, you will not be surprised that the same depravities pervade the System in every direction. The State in which I found the Jurisprudence of the Country embarrasses me extremely.

The arrears of Business in this department are very great. Many of the causes are of Considerable importance, and some of them have been pending for upwards of twenty years: corruption had put her Seal upon them, but now, that Seal being broken, few can see the necessity of further delay. Much is expected by the people from the upright and pure character of the American Judiciary, and they manifest great impatience for it to be put

¹ The exercise of unusual powers to an executive of decided views of constitutional limitations naturally caused Claiborne much worry. He dwells upon it in many of his letters to Jefferson and Madison.

into operation, but it is impossible to indulge their expectations immediately.

To go through the several causes now pending and the prodigious accumulation of written Testimony with which I understand them to be loaded, would require not only an intimate knowledge of the Spanish Language (for to Translate the records I am credibly informed would be the work of years) but also the of Spanish Laws and habits of Practise.

Characters with such qualifications and Men to whom may safely be confided so important a trust are not easily to be found. I wish it were possible to recommence all those causes without injury to the parties, but in many of them there is I understand material testimony on record which never can be had again. Under existing circumstances I feel a great reluctance in exercising any judicial Authority. Under the Spanish Government there was a right of appeal to the Governor General of the Havannah, from the Governors Court here, and, as that of course no longer exists, were I to perform the office of Judge my decisions must be final, and I might be accused of arrogating to myself a plentitude of power which the haughtiest of my predecessors had never employed.¹

I at first thought of appointing merely alcades or Magistrates for the preservation of order and the recovery of small Debts, but from a number of urgent applications from the Mercantile interest and other influential characters, I have been induced to establish a temporary Court to consist of seven Magistrates; and at the recommendation of the Municipality their jurisdiction is extended to the recovery of Debts not exceeding three thou-

¹The union of executive, legislative and judicial functions in one man under the administration of Jefferson looks autocratic even today, but it has always been an incident of expansion policy.

sand dollars. The establishment of a Court with powers thus extensive may perhaps for a time reconcile the inhabitants at this place; to a suspension of the functions of a Governors Court. The jurisdiction of this temporary Court will not at present extend beyond the Limits of the City, and the Characters who compose it are, Men whose standing in Society, and talents, appear to me most likely to render their appointment acceptable to the People. To this Measure I was pressed by the actual Necessities of the society. I have endeavored to make the arrangement in such a manner as to be most efficient and agreeable to the wishes and habits of the inhabitants, and I hope it will meet with the Presidents approbation.

Mr. Trist has I presume apprized Government of the present State and prospects of the Revenue. I have therefore only to add that all his measures appear to me to have been dictated by sound policy, and a conciliating disposition, and that his attentions to the duties of his department have been exemplary. Permit me also to mention that the Military Arrangements made by General Wilkinson meet my approbation, and that his measures have been well directed to maintain good order and Support for the Civil Authority.

I have taken no measures for the re-organization of the Militia, and shall await instructions from the president. At present I have no reason to apprehend any public inconvenience from a short delay. I however propose to commission two or three Volunteer companies who contemplate offering their Services. In the different prisons of this City I have found upwards of one hundred prisoners, some of whom had been there from ten to thirteen years, on Suspensions of crimes of which it does not appear they were ever convicted; and Some for offences of a very trivial nature. I was anxious to plan among the first acts of the American Government one in

which justice and humanity united but understanding that the Spanish Authorities claimed some of the Prisoners, I had an explanation on the Subject with M. Laussat, and it seems a principal had been settled between him and the Marquis De Casa Calvo, that all prisoners confined for Territorial offences, or offences merely against the country passed with the Sovereignty of the Country, but that the Spaniards were entitled to retain such as were confined for offences against the Crown or Flag of Spain—As Treason, Military crimes & & The Marquis however has given me reason to believe that the Spanish prisoners will be set at large immediately, and requested that they might be detained until arrangements could be made to that effect.

Of the prisoners who have fallen within my province I have already released five, and shall proceed to set I believe the whole at large. Their detention would be attended with a heavy public expense, and would answer no good purpose, as it appears to me very questionable, whether any principle of Law would justify our noticing offences of which we had no cognizance at the time of their commission. It is also to be presumed that many of them are innocent, and if others less deserving should be included in the general Amnesty, it is more pleasing that our error should be on the Side of Mercy. Less happy events have in other places thrown open the prison doors, and I confess I should feel a pang, if the present occasion so glorious to my country, should be disgraced by the rattling of a Single chain.

I flatter myself I shall be able to bring the expences of the present temporary Government within narrower limits than I at first expected; and from Mr. Trists representations, I am induced to hope that his receipts will be commensurate to my demands. The Merchants as well as the planters in this Country appear to be wealthy, their habits of living are luxurious and expensive, but by

far the greater part of the people are deplorably uninformed. The wretched Policy of the late Government having discouraged the Education of youth. The attainments of *some of the first people* consist only of a few exterior accomplishments. Frivolous diversions seem to be among their primary pleasures, and the display of Wealth and the parade of power constitute their highest objects of admiration.

Republicanism has many professed admirers here. There is something in the plain principle of equal rights which comes within the Scope of the meanest Capacity, and is sure to be agreeable because it is flattering to the self complacency of every individual. But I fear that Republicanism among all her Friends here will find but few who have cultivated an acquaintance with her principles. But when the minds of the people become a little expanded, I doubt not but they will be useful, if not zealous members of our Common Wealth. Among the first objects therefore to be attended to is some effectual plan of immediately introducing into this Province some system of Education.¹ I have already communicated to the Municipality of the City my wishes on this subject, and shall urge them to some prompt measures. The City is rich in Lands and Houses, as well as contingent revenues, and has it in its power to be liberal in the encouragement of public establishments.

The Sons of ignorance and affluence are too apt to be content with their condition, and I do fear that if the Task of Education be left entirely to private institutions, but little improvement will ensue: I therefore hope that the Government will take early Measures to erect Schools, and as soon as possible, some superior seminaries of Literature in this Province.

¹ Claiborne was a faithful disciple of Jefferson in his solicitude for the education of the people. One of his first acts was the establishment of Jefferson College in Mississippi Territory.

Permit me before I conclude to repeat my Solicitude for the early establishment of some permanent Government for this province, not merely on account of my personal interest in the acceleration of that measure, but for the sake of the country. When the charms of novelty have faded, and the people have leisure to reflect, they will I fear become very impatient in their present situation. I could wish that the Constitution to be given to this District may be as republican as the people can be safely intrusted with. But the principles of a popular Government are utterly beyond their comprehension. The Representative System, is an enigma that at present bewilders them. Long inured to passive obedience they have, to an almost total want of political information, superadded an inveterate habit of heedlessness as to measures of Government, and of course are by no means prepared to make any good use of such weight as they may prematurely acquire in the national Scale. For nearly the same reasons the establishment of a Judiciary on American Principles will have to encounter the most serious difficulties. Not one in fifty of the old inhabitants appear to me to understand the English Language. Trials by Jury at first will only embarrass the administration of Justice; tho I presume a short experience would be sufficient to convince any reasoning society of the inestimable advantages of that happy System. The Services of the Volunteers from the Mississippi Territory will I presume be dispensed with in a few days. Their return will be directed by General Wilkinson.

I cannot forbear again recommending this Spirited little Corps to the attention of the President. Their duty has been hard, and the Season Severe; yet no Single instance of desertion has occurred among them, and their conduct has been, with the exception of five or six individuals, uniformly orderly and obedient. Some Complimentary communication to them through the Secretary

of War, would be a just tribute to their merits, and might have a happy effect in case of future emergencies.

I have the Honour to be with great respect

Your obdt. Sert.

The Honble.

(Signed) Wm. C. C. Claiborne

James Madison

Secty. of State

To James Madison

New Orleans January 10th 1804

Sir,

I have the Honour to enclose to you a Copy of the ordinance for establishing a Court of Justice in this City, which was alluded to in my last communication. I have only to repeat that this measure was essential to the interests of the City, and was called for by the Voice of the Society, and I persuade myself that the proceedings of this Tribunal will be marked with justice and moderation. I also enclose for your perusal a copy of some regulations prescribed by me for the arrangement of the Shipping in the Port of New Orleans. These regulations were recommended by Mr. Trist, and as far as I can learn are approved of by the Merchants.

The more I become acquainted with the inhabitants of this Province, the more I am convinced of their unfitness for a representative Government. The Credulity of the People is indeed great, and a virtuous Magistrate resting entirely for Support on the Suffrages and good will of his fellow Citizens in this quarter, would often be exposed to immediate ruin by the Machinations of a few base individuals who with some exertion and address, might make many of the people think against their will, and act against their Interests.

I know indeed that *Misrepresentation throughout*

America has had its effects in respect to the worthiest men and best measures; but here it would have an unlimited field for Mischief. Until therefore the progress of information shall in some degree remove that mental darkness which at present so unhappily prevails, and a general knowledge of the American Language, laws and customs be understood, I do fear that a representative Government in Louisiana, would be a dangerous experiment.

God forbid that I should recommend for this people Political provisions under which oppression of any kind could be practised with impunity, by persons in power, but I do think that their own happiness renders it advisable that they remain for some years under the immediate Guardianship of Congress, and that for the present a local and temporary Government for Louisiana upon principles somewhat Similar to our Territorial Government in their first grade, be established.

I have discovered with regret that a strong partiality for the French Government still exists among many of the inhabitants of this City, and it appears to me, that Mr. Laussat is greatly Solicitous to encrease that partiality. With what views I know not, but I have learned that in some circles a Sentiment is cherished, that at the close of the War between England and France, the great Buonaparte will again raise his standard in this country. For my part, I attach no importance to this little Political Speculation;— It is directed more by the wishes of those who busy themselves on the subject, than by any reasonable ground of expectation.

The harmony of Society here has experienced some interruptions since my last letter. I find that M. Laussat and an adjutant General of the Freney Army, who accompanied him hither, have been for sometime Seriously at variance, and have much divided the sentiments of the French officers and Citizens. The dispute between

these Men is carried to great lengths, and their different partizans are violent. M. Laussat was lately grossly insulted (and the safety of his person menaced) in his own house by a French Marine officer. He claims what the Laws of Nations entitle him to, and demands redress for the injury. The officer has been arrested and is now in confinement.

A *Fracas* also took place at a Public Ball, on Thursday last, which altho' it arose from trifling causes, has occasioned some warmth. It originated in a contest between some young Americans and Frenchmen, whether the American or French Dances should have a preference. I believe this affair is at an end, but being desirous at the present juncture of communicating every circumstance which might have a political tendency, I have deemed it worthy of mentioning. I have as yet incurred but little expense in the exercise of my temporary authority. A prudent economy shall be kept constantly in view, and I have little doubts that Mr. Trists receipts will meet my disbursements. I found it necessary to employ an Interpreter of the French, and Spanish Languages, and a private Secretary, which together with the expense of printing constitute at present the principal items in my account.

I propose taking immediate possession of the Governors House, which Governor Salcedo quitted about ten days ago. It is a large Building, handsomely situated, but much out of repair, and should it be appropriated for the residence of the permanent Governor, some expensive repairs will be necessary to preserve the Building from decay, and to render it comfortable.

The Merchants of the City express great anxiety that some Law should pass to regulate their commerce. They complain of great injury for want of Registers for their Vessels, and being yet subject to export duties and other commercial inconveniences. I believe Mr. Trists conduct

has given general satisfaction. This much I can confidently say that he is attentive to his duties, and faithful to the Interests of the United States. Among the Inhabitants of this place who stand highest in Public estimation is a Mr. William E. Hulings late Vice Consul at this Port. He is a man of integrity great commercial information, and a sincere Friend to the Government of the United States. I have taken the Liberty to name Mr. Hulings with a view of bringing him to the notice of the President, if he should deem it advisable to confer any Subordinate office in the Revenue Department, on a Citizen of this City.

Mr. Kirby and Mr. Nicholas¹ on their way to Tombigby, arrived in this City on the evening before last, and will proceed in two or three days to their place of destination. They have had a tedious passage, but as the Business on which they are employed will be speedily dispatched (for the titles to Lands in that quarter are neither numerous nor complicated) I presume no public injury will arise from the delay. I find that Mr. Kirby is much pleased with Louisiana, and I learn Mr. Robert Williams² is equally so with the Mississippi Territory. Should a Territorial Government be established in Louisiana, I am induced to think Mr. Williams and Mr. Kirby would each accept of Commissions as Judges of the New Territory. The Merits of these worthy men are too well known at the seat of Government to need any recommendation of mine.

Since my arrival here, I have not received a single Letter from the Department of State. In the exercise of my present great discretionary powers, it would be a great relief to me, to learn (from time to time) the views and wishes of the Executive in relation to this province.

¹ Charged with commission to examine local titles.

² Of North Carolina afterwards governor of Mississippi Territory.

I must confess Sir, that I every day feel an increased Solicitude that some arrangements be made by Congress for the temporary Government of this Province. But until this event takes place I will do every thing in my power to promote the general good. Accept assurances of great respect and sincere esteem.

(Signed) Wm. C. C. Claiborne

The Secty. of State

*To Julien Poidras*¹

New Orleans January the 14th 1804

Sir,

Inclosed you will receive your commission as civil Commandant of Point Coupée and also a Letter to the late Commandant, which I request you to deliver immediately. The Archives, Public papers and documents of every description, which are to be surrendered to you, will remain in your possession, until further orders, and I expect that the necessary precautions will be taken for their safe Keeping.

The same powers in *Civil matters* which heretofore were exercised by the Commandant of Districts under the Spanish Government, will devolve upon you, and I rely on your intelligence and judgment to discharge with prudence and ability the trust committed to you.

You will be careful to preserve a record of all your Official Acts, and keep me advised, from time to time, of the State of your District. Doubtful questions and cases of great importance, which can admit of delay are to be

¹ A man of unusual constructive ability for biographical data. See Fortier's Louisiana, Vol. 11, p. 66.

reported to me, and I shall thereupon transmit you particular instructions.

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

To Mr.

Julien Poidras

To Mayor Boré¹

New Orleans January 15th 1804

Sir,

Your Letter of the 11th Inst. enclosing an extract from the deliberations of the Municipal body, has been duly received and read with respectful attention. I will premise that the regulations for the Shipping in the Harbour, were adopted upon the representations of Mr. Trist the Collector of the Port, and the pressing necessity which existed for some provisions of the kind. The Collector in recommending, and myself in prescribing the regulations, were influenced by a disposition to promote the Interest of this City, and if any part of the regulations should have a contrary tendency, an amendment will be made with pleasure and promptitude. Under the Government of Spain, the Harbour Master was a Salary Officer, but at this time no provision is made for a Salary, and therefore the office must either be abolished, or some perquisites established.

I agree with the Municipality that the Ballast of Vessels, should be appropriated for the repair of the Levee, and with this object in view, it was directed to be deposited on such part of the Levee as the Collector might from time to time designate. But for the future, the Harbour Master will be instructed to have the Ballast

¹ For sketch of Boré see Fortier's Louisiana, Vol. 11, p. 159.

deposited at such place or places, as the Municipality may point out. The charge of twenty five cents is laid upon Boats loaded with Merchandize, and not *generally* on craft that are going back and forward into the Country. I am myself inclined to think that this perquisite may probably be dispensed with altogether, or at least reduced, and the Subject will be attended to on tomorrow. The Municipality State that "the Bridge or gang boards, the former Harbour Master possessed himself of wrongfully." This shall be an object of immediate enquiry. It is represented to me, that the former Harbour Master claimed the Bridge or Gang Boards as his own private Property, and as such they have been sold to the present Harbour Master for a valuable consideration.

I am also informed that the using them or not is at the option of the owner of the Vessel, and that the Spanish Government did Sanction the practise of charging for their use, but as I at first observed, this matter shall be enquired into, and I will readily do that which justice seems to dictate.

I thank the Municipality for the remarks which through you, they have offered for my consideration. I beg you to assure them of my great disposition to do every thing in my power for the Interest of the City of New Orleans.

Accept assurances of my great Respect and high consideration.

(Signed) Wm. C. C. Claiborne.

Mr. Boré Mayor of the
City of New Orleans

To Henry Hopkins¹

New Orleans, January the 20th 1804

Sir,

I enclose you a Commission as Civil Commandant of the Districts of Atakapas and Opelousas, and I rely upon your intelligence and abilities to execute the trust reposed in you with Judgment and discretion. You will find the Citizens of these Districts distracted by local parties, and extremely bitter in their enmities to each other. To allay this evil Spirit and to preserve harmony and good order, will require all your address and the exercise of great prudence.

From what I can learn, you will find no man in either of the two Districts, who does not partake strongly of party feeling, and therefore it becomes you to act perfectly independent. Be civil to every body:— Be just to everyone:— Hear all parties, but think and act for yourself, for you alone will be responsible. Monsieu Le Blanc the present Commandant is represented to me as a man of information, but he is supposed to be strongly attached to one of the parties; I suppose however that you may make him useful to you, and with a view of conciliating his good will towards our Government, I have given him a Commission as Deputy Civil Commandant for the Atakapas District. In the Opelousas a Deputy Commandant was appointed by the French Commissary; you will enquire into his character, and if you find it respectable, it is my wish that he be continued.

The Unfortunate Division which exists in the Atakapas Settlement, owes its rise principally to the prosecution of a Man by the name of St. Julien, charged under the Spanish Government with having murdered his wife.

¹ For military record of Hopkins see Heitman's Historical Register of U. S. Army, Vol. 1, p. 541.

During the short time which the French Authorities existed in Louisiana, St. Julien was liberated by the Prefect, under a recognizance for his appearance, whenever he might be called upon by the Tribunals of Louisiana. The prosecutors of St. Julien are influential people, and are desirous that the matter may be enquired into. The friends of St. Julien are numerous, view him as a persecuted Man, and charge his prosecutors as the real murderers. St. Julien Solicits an enquiry, and claims an opportunity of rescuing his character from so infamous an accusation;— To Accomodate the wishes of all parties, and the society in general I desire that so soon as it may be convenient after your arrival at the Atakapas, you will appoint a time and place for the taking of depositions for and against St. Julien giving previous Notice thereof to St. Julien, and to a Captain Alexander De Clouet, who seems most desirous to maintain the charge which has been exhibited against St. Julien.

You will act on this occasion with great decision and impartiality. The depositions taken, you will forward to me by some safe opportunity. The same powers in Civil Matters which were heretofore exercised by the Civil Commandant under the Spanish Government you will consider yourself as vested with, and you will be entitled to receive the same fees for your services as were formerly allowed by law. Upon these two points, you may acquire particular information from your predecessor. You will be careful to preserve a record of all your Official acts, and keep me advised from time to time of the State of your District.

Doubtful questions, and cases of great importance which can admit of delay are to be reported to me, and I shall thereupon transmit you particular instructions. A Captain Worthington of Kentucky a Revolutionary officer who is now poor and aged, has a claim against an in-

habitant of the Atakapas; you will be pleased to give Captain Worthington a passage in your Boat, and on your arrival enquire into the nature of his demand, and if you find it just, endeavor to obtain for him payment. If the demand should exceed your jurisdiction, the case must be referred to me for decision; but I should suppose that if the claim be just, a settlement between the parties might through your agency be effected.

In making you Civil Commandant of the Districts of Atakapas and Apelousas, I have given you a strong proof of my confidence in your judgment and discretion. You will cautiously guard yourself against the intrigues of the Districts, and keep aloof from all their party feuds.

I shall expect to hear from you very frequently, and should you be enabled to preserve good order, and promote harmony in a settlement where there is now great contention, you will merit and receive my Sincere thanks.

Accept assurances of my great Respect and Sincere esteem!

(Signed) Wm. C. C. Claiborne

Lieut. Henry Hopkins

AN ORDINANCE.

William C. C. Claiborne Governor of the Mississippi Territory Exercising the powers of Governor General and intendant of the Province of Louisiana

Decrees.

That from and after the passing of this ordinance, it shall not be lawful for the Harbour Master of the Port of New Orleans, to exact or receive fees from any barges, flats or other crafts, anything in a former ordinance to the Contrary Notwithstanding. And it shall hereafter

be the duty of the Harbour Master, to cause all vessels arriving at the Port of New Orleans, to deposit their Ballast at such place or places on the Levee as the Municipality of the City shall from time to time designate.

Given under my hand and Seal of the Administration at the City of New Orleans, on the 16th day of January, in the year 1804, and of the Independence of the United States of America the twenty eighth.

(Signed) Wm. C. C. Claiborne

By the Governor
Thos. H. Williams¹
Private Secty.

To James Madison

New Orleans January 17th 1804

Sir,

Since my last Letter, I have organized in this City, four Companies of Volunteers Militia; they are Armed with Public Muskets, appear to possess an ardent Military Spirit and a Sincere attachment to the United States. On yesterday I received an address from the Free People of Colour; the original of which I now enclose for your perusal. To this address I made a verbal response, they were informed "that under the protection of the United States, their Liberty, Property and Religion were safe, and that their confidence in the Justice and liberality of the American Government would increase as they became acquainted with its principles and the wisdom and virtue with which it was administered." With respect to the tender of their Military Services, I observed "that I should not attempt a general re-organ-

¹For sketch of Williams see Encyclopedia of Mississippi History, Vol. 11, p. 972.

zation of the Militia, until I had received particular instructions from the President; that in the mean time, they would remain in the same situation in which the former Governor had placed them." I concluded by offering "assurances of my confidence in their Military Zeal, and in the sincerity of their professions of attachment to the United States."

The difference between the French Commissioner and his officers still exists. The French Captain of the Navy who I mentioned in a former Letter, continues in confinement. It is absolutely necessary to treat this officer with rigour. If his insult to the Prefect had remained unnoticed by the Authorities of the United States, the Prefect's person would again have been attacked, and encouraged by the example the Enemies of the *Spanish Commissioners who are still here*, might have resorted to violent means to avenge their real or supposed wrongs. Having Sufficient evidence of this angry Spirit, we have Supposed that decided measures were essential to the preservation of Harmony.

On yesterday morning I received information that a Vessel with French Troops to the number of about two hundred from one of the West India Islands, had entered the Mouth of the Mississippi, and were destined to this City; that their Situation was very distressing, being Short of Provisions, and infested with a disease, of which from four to Seven died every day; orders were immediately issued to prevent the Vessels passing Fort Plaquemines, and the commanding Officer at that Post was instructed to contribute all in his Power to the comfort of the distressed on Board. For further particulars I must refer you to the Letter from the Commissioners of this date. I do suppose that it would more properly have developed upon myself as Governor of the Province, to direct measures relative to this Vessel and crew, but finding that General Wilkinson was disposed to

divide with me the responsibility, I have availed myself of his advice and prompt assistance.

At the request of a Committee of Merchants, I take the Liberty to commit to your care the enclosed memorial, and must ask the favour of you to solicit Some Member to present it to Congress,

Accept assurances of my high and respectful consideration

The Honble.

(Signed) Wm. C. C. Claiborne

James Madison

Secty. of State

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory exercising the powers of Governor General and Intendant of the province of Louisiana.

Until Provision shall be made by Congress for the Government of Louisiana

It is Decreed

That the Court of Pleas of the City of New Orleans is hereby authorized and directed, to have and take cognizance of all matters relating to the due administration of the Estates of persons dying intestate within the said City, and the Limits thereof, and to grant Letters of administration in the premises to Such persons as shall be thereto entitled, and to demand and receive from such administrators such securities as may be thought expedient for the due execution of the trust in them reposed, and to prescribe certain terms of time for the due administration of such estates, and at the expiration of such time to require, have, examine, and approve, reject or amend the accounts of such administration: and in all

things to take care that the Estates of persons so dying intestate as aforesaid, shall be faithfully, honestly, and economically administered to the best advantage of the Heirs and representatives of the Deceased.

Given under my hand and the Seal of the administration at the City of New Orleans, the 19th day of January in the year 1804 and of the independence of the United States the 28th.

[S. L.]

By the Governor

Signed Wm. C. C. Claiborne

Thos. H. Williams P. Sec.

An Ordinance

William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of Louisiana.

Decrees

That the Levee in front of the city of New Orleans, and for six leagues up and down the Mississippi River on each shore, shall be entrusted to the care and superintendance of the Municipality of the City of New Orleans. Such Citizens, therefore as claim lands bordering on the river, and within the above prescribed limits, and all others whom it may concern, are hereby required to conform to such regulations and to execute such measures as the Municipal body may, from time to time, direct for the Suitable repairs and preservation of the Levee as aforesaid.

Given under my hand and the Seal of the administration, at the City of New Orleans, on the 2th day of Jan-

uary, in the year of our Lord 1804, and of the independence of the United States of America the 28th.

[S. L.]

(Signed) Wm. C. C. Claiborne

By the Governor

Thos. H. Williams P. Sec.

New Orleans January 20th 1804

To the Officer Commanding the French Brig from St. Domingo now ascending the Mississippi River.

Sir,

Being informed that your crew and company are infected by a Contagious disease, it becomes necessary to the safety of the good inhabitants of this Province, that you should on the receipt of this order, fall down the River and *come* to below the Post of Plaquemines, without suffering any person to Land from your Vessel. I lament the necessity of this rigorous treatment, but it is enjoined by the Principles of Self-Preservation, and the obligation attached to my particular Station.

The Officer commanding at Plaquemines has orders to do every thing in his power, for your comfort, and that of the unfortunate fugitives who accompany you, and every additional comfort in my power to offer you, will be most cheerfully contributed!

I am Sir Respectfully your Obedt. Sert.

(Signed) Wm. C. C. Claiborne

Governor General and Intendant of the Province of Louisiana.

To Postmaster at Nashville, Tenn.

New Orleans January the 24th 1804

Sir,

The enclosed dispatches relating to the Surrender of the Posts of upper Louisiana to the United States, being of great importance, I have to request that you will cause them to be forwarded by express to Fort Mossoe, (Mas-sac) from whence the commanding officer will transmit them to Kaskaskias.

You may charge to me the expense which may be incurred on this account, and have the goodness to transmit me the necessary Vouchers to enable me to obtain the amount from the United States.

I am Sir Respectfully

To the Post Master at Your obdt. Servt.
Nashville Tennessee (Signed) Wm. C. C. Claiborne

P. S. When you transmit me the vouchers you may draw a Bill upon me for the amount of the expense and it shall be immediately paid.

Signed Wm. C. C. Claiborne

To James Madison

New Orleans January 24th 1804

Sir,

The French Vessel, which I mentioned to you in my last Letter, has been *brought to* at Plaquemines but not having yet received an official report from the Officer, I am unable to give you a particular account of the Passengers.

The period allowed by the Treaty for the withdrawing of the French and Spanish forces from the ceded Territory expires this day, and still little or no prepara-

tion is made for an Embarkation. The Commissioners of the United States addressed a letter to M. Laussat on yesterday and urged the strict execution of the Treaty in this particular; his answer is not yet received.

The Spaniards have in this City (I understand) about two hundred Men, and near thirty officers; they retain a part of the Barracks, and the Public Ware houses are still occupied by their Military Stores. But otherwise the United States experience no injury by their remaining. The Spanish Officers since the delivery of the City to the American Commissioners, have conducted themselves with great propriety, and manifested a friendly disposition to the Authorities of the United States. The Spanish Troops are in excellent subordination, and have not in the least degree interrupted the harmony of the City. I cannot speak equally favourable of the French forces; these are indeed inconsiderable, I believe they have no soldiers, but few Sailors, and only *eight or ten officers*; but some of these are mischievous, riotous, disorderly characters, and have contributed greatly to interrupt the harmony of this City. There are also in New Orleans between twenty and thirty young adventurers from Bordeaux and St. Domingo who are troublesome to this Society, they are men of some information, desperate fortunes, and inflated with the Idea of the invincibility of Bonaparte, and the power of the French nation; they feel mortified at the possession of this Province by the United States, and seem determined to sour the Inhabitants as much as possible with the American Government. The Means they use are the dissemination of falsehood (which among the uninformed and credulous pass current) and incessant efforts to foment divisions among the Creoles of the Country and the natives of the United States who are here. These disorderly Men have an extensive range for the display of their Mischievous dispositions, the language, manners and

habits of the people here are French, and a strong partiality still exists for the French Nation; added to this, the ignorance and credulity of the Mass of the people, and here Sir is the great Source of Misfortune. Until information is more generally diffused, the American Government will not have fair play in this Province, and a virtuous magistrate may be ruined by misrepresentation, for the people may be made to believe any thing.

I consider that the diffusion of information among this people, is so essential to their political happiness and to the Welfare of the American Government, that I would think it wise policy in Congress to appropriate one hundred thousand dollars annually for the encouragement of Education in Louisiana. Many of the citizens of New Orleans and its vicinity, have expressed some inquietude at not being invited to take the Oath of Allegiance to the United States, and I learn that the Americans who are here, censure me greatly for not calling upon the people of Louisiana generally to take oaths of abjuration and allegiance. I conceived it my duty to await instructions from the President on this point. In a Proclamation upon this subject, it might have been proper to define the Limits of the Ceded Territory, and this I was not authorized to do. The prevailing sentiment here is, that West Florida is not included in the Cession to the United States. M. Laussat avows this opinion, and in this particular the Spanish Commissioners accord with him most heartily. There are few Men of fortune in New Orleans, but have been engaged in the Land Speculations in Florida, and it is strongly suspected that the French and Spanish Officers who are here, are also concerned, and hence arises their Solicitude. I should suppose however, that this question must be decided by the Treaty, and it seems to me that a just construction thereof, must extend the Cession Eastward

to the Limits of Louisiana as possessed by France. I believe myself that Spain is jealous of our pretensions to the West, and that it would be no difficult task to obtain, a cession of both Floridas for a relinquishment of our claims to all the Country West of the Sabine River. I believe also, that if we were to insist upon our claim (under the Treaty of Cession) to the Country as far as Perdido, Spain would be disposed to concede; unless indeed she should be encouraged in a refusal by France, and on this point Mr. Laussat of late, evidences so lively an Interest, that I suspect his feelings are either in unison with those of his Court, or the Suspicions which are partially entertained here, of his being concerned in the Land Speculations in Florida are well founded.¹

A detachment of Troops under the Command of a Lieutenant Hopkins have proceeded to the Atakapas, and over that District I have appointed Lieut. Hopkins Civil Commandant. He is a young Man of prudence, good information, and possesses some knowledge of the French Language. The inhabitants of the Atakapas District, are divided into Factions, and much disorder prevails among them. A man by the name of St. Julien an inhabitant of Atakapas, and a zealous Frenchman, was charged about six or seven months ago, by the then Spanish Commandant of the District, with the murder of his wife. St. Julien was arrested and conveyed to the Jail of this City, where he remained until the Province was surrendered to France, when St. Julien was released by the Prefect, and the Commandant of the District removed.²

The Prefect in his Decree releasing St. Julien, made

¹ The play of local interests on the home government in connection with the question of boundaries should be an interesting subject for special study.

² This case seems to have been one in which the facts were forgotten in the ill will of French against Spaniard.

some preliminary remarks which were viewed by the Marquis De Casa Calvo, as impeaching the Honour of the Government of Spain, and excited in his Breast angry sensations. The Prefect however bound St. Julien in a recognizance to appear whenever called upon by the Tribunals of Louisiana. Immediately on my arrival, attention was Solicited to St. Julien's case. The Prefect and the Marquis manifested equal anxiety, and the subject seemed to excite much Public Solitude. I at first determined to do nothing in the Business, but St. Julien and his friends prayed that I would direct an enquiry in order that he might prove his innocence, and the *guilt of his accusers*. The latter and *their* friends were equally solicitous for an enquiry, in order that they might exonerate themselves from the Suspicions of Murder and persecution which had attached to them. I have therefore continued St. Julien in his recognizance, and directed Lieut. Hopkins to examine witnesses for and against St. Julien, and to forward the depositions to me, and await my further orders.

I have been thus particular on this subject, because I have understood, that one Alexander De Clouet who is St. Juliens accuser supposes that great injustice is done him, in St. Juliens not being remanded to prison, and that he contemplates seeking redress by a memorial to the President. There is another case in which I learn I have given dissatisfaction to the parties, and they propose appealing to the President. A citizen of this place claims the Land on which one of the Forts in this City is erected, he says the Land was taken from him (without any compensation) by the Baron De Carondelet, and that the Treaty having secured to the inhabitants their property, that instrument will be violated if the ground is not immediately restored to him. This man was informed that the Forts of the City, were surrendered to the United States and could not be relinquished by me.

That if he would state his case, I would transmit it to the Executive, who would do him strict justice.

The other day I granted permission to the Mayor of the City to remove the dirt from some useless outworks adjoining the Fort (alluded to) to repair a breach in the Levee. The Citizen again remonstrated, and says his private rights are violated, and that he must look to the President for redress. Thus you see Sir, that it will not be an easy task to give satisfaction to these uninformed people.

Accept assurances of my high and respectful consideration.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana!

Lewis St. Julien has permission to return to the Atakapas, and is directed to report himself to the Commandant of the Atakapas, who is instructed by me to enquire into the Truth of the charge which has been exhibited against him (the said St. Julien) by Alexander De Clouet and others.

Lewis St. Julien is still bound by recognizance to appear whenever he may be called upon by the Tribunals of Louisiana.

Given under my hand the 24th day of January in the year eighteen hundred and four.

(Signed) Wm. C. C. Claiborne

*To Armos Stoddard*¹

Sir,

New Orleans January 24th 1804

Inclosed you will receive your commission as first Civil Commandant of the District of Upper Louisiana. The Archives, Public Papers and documents of every description which may be surrendered by the Commandants of the different Posts will remain in your possession, or with those whom you may authorize to receive them until further orders, and I expect that the necessary precautions will be taken for their safe keeping. The same powers in *civil matters* which heretofore were exercised by the first Civil Commandant of the District of Upper Louisiana under the Spanish Government will devolve upon you, and I rely on your intelligence and judgment, to discharge with prudence and ability the trust committed to you.

If you find it expedient you may lessen the number of deputy Commandants in your district, and appoint such characters to exercise these Offices temporarily as you may deem most deserving. You will be careful to preserve a record of all your official Acts, and keep me advised from time to time of the State of your district!

Accept assurances of my Consideration and Respect.

(Signed) Wm. C. C. Claiborne

Capt. Armos Stoddard

To Don Juan Ventura Morales.

Sir,

New Orleans January 26th 1804

I have had the Honour to receive your letter of the 25th instant, informing me that a certain Don Pedro

¹ For military record of Stoddard see Heitman's Historical Register of U. S. Army, Vol. 1, p. 928.

Villamil late Steward of the Royal Hospital of this place, had been adjudged by the Superiour Tribunal and royal Audience of accounts of Havannah to be indebted in the sum of 9734 dollars, and that certain Slaves, the property of the said Villamil now in the Public Deposit of this City, had been ordered by the Auditor of War, to be valued and sold, and the proceeds paid into the Public Treasury, upon giving notice, in the Gazette, of such sale and previously requesting of me my cooperation.

I hasten Sir to make known to you my assent to the Sale of the Slaves aforesaid, in the manner you propose; — I take the more pleasure in acceding to your request, since it presents an opportunity of evincing my readiness to promote the interest of your Sovereign; and to comply personally with your wishes!

Accept assurances of my great respect and high consideration.

(Signed) Wm. C. C. Claiborne
 Don Juan Ventura Morales
 Intendant &c &c

To Mayor Boré.

Sir, New Orleans January 28th 1804

I have been honoured with the receipt of your Several Letters of the 21st 26th and 28th instant; the pressure of business has hitherto prevented me from considering them, but they shall shortly receive from me that respectful attention which they merit.

I have given to Colonel Bellechasse, orders to station a small detachment of Militia at the Ball room in conformity to your request, and I sincerely hope that the prudent measures prescribed by the Municipality for the Police of the Public Balls, will tend to the preservation

of good order. Harmony and Social intercourse sweeten Society, and render life agreeable; it is therefore the duty and interest of every Citizen to forward the views of the Municipality, and I do confidently trust that the Amusements of the City will hereafter meet with no interruption.

Accept assurances of my great respect and high consideration.

(Signed) Wm. C. C. Claiborne

Mr. Boré

Mayor of New Orleans

Head Quarters

New Orleans January 28th 1804

General Orders

Colonel Bellechasse, Commandant of the Militia of New Orleans, will on the Evening of every Public Ball within this City, detach an Officer and fifteen Men to take Post at the Ball Room to be at the disposal of such two members of the Municipality as may be charged with the Police of the Ball on each evening respectively.

(Signed) Wm. C. C. Claiborne

Governor General of the Province of Louisiana

To James Madison

New Orleans January 31st 1804

Sir,

A Vessel arrived at this Post a few days ago with fifty African Negroes for Sale. Being unwilling to permit so barbarous a Traffic,¹ if my powers Authorized me to prevent it, I immediately applied to a Mr. Leonard, the late Spanish Contador at this place, a man of great integrity

¹ An interesting view of the slave trade which was not uncommon in the South of Claiborne's time.

of character for information as to the Laws and customs of Spain relating to the African trade, and received from him a letter upon the subject, which is herewith inclosed. Finding by Mr. Leonards communication that the bringing of African Slaves to Louisiana, had been permitted by the Spanish Authorities and doubting whether I was vested with power to forbid their Sale, the importer has been left to pursue his own wishes.

The Vessel from St. Domingo which I mentioned in my last is still at Plaquemines. It seems that the passengers consisted chiefly of Sick and wounded Soldiers coming from Cape Nichola Mole. We have proposed to accomodate these People at the Garrison of Plaquemines, with as comfortable quarters as any allowed our Troops. But with this Mr. Laussat is much dissatisfied, and insists upon their being brought to New Orleans. I have myself thought that we were bound to extend to these People, humane and hospitable attentions; but that the means of doing so ought to be left to our own Discretion. I have also thought that the duty of neutrality made it necessary that we should cause them to depart as soon their situation will enable them to proceed. With a view therefore, to that departure, Plaquemines presented itself as the most proper position for their temporary residence. Were they admitted to this City, the Soldiers would locate themselves in the Country, and the officers would await opportunities to return to France in some neutral Vessels.

Indulgencies of this kind might be complained of by Great Britain. Our opinions with regard to their departure were formed from the duties of Neutrality as defined in Vattels Laws of Nations and particularly in Section 133, Chapter 7. Book 3. But for more particular information on this point, I will refer you to a Letter from the Commissioners, which you will receive by the next Post.

I am sorry to inform you that a few of the French Officers and Citizens who are here, continue to evidence a disorderly disposition; they are mortified at the loss of this delightful Country and seem to foster great hatred to the *Americans* who are here;— Among *these* (the Americans) there are also some warm and imprudent young Men, and I can assure you Sir, that it requires much address and prudence to preserve the Harmony of the City.

Some unpleasant Diplomatic Letters have passed between M, Laussat and the American Commissioners, upon the disorderly conduct of some of the French Officers which he denies, and charges it to the Americans. Copies of these Letters will be transmitted to you. I have reason however, to hope that no further disturbances will ensue. Every thing is at present tranquil, and the most perfect good understanding apparently exists between the Natives of the United States, and those of Louisiana.

The Public Ball room has been the Theatre of all this Disorder. During the Winter Season, there has for many years been a Ball twice a week. Every white Male Visits it who will pay at the door 50 cents, and the Ladies of every Rank attend these assemblies in great numbers. The Consequence is that the company is generally composed of a very heterogenous Mass. To keep order at these Balls (under the Spanish Government) a Strong guard was Stationed at the Ball room, and on the first appearance of disorder the persons concerned were committed.

On my arrival at New Orleans, I found the people very Solicitous to maintain their Public Ball establishment, and to convince them that the American Government felt no disposition to break in upon their amusements (as had been reported by some mischievous per-

sons) General Wilkinson and myself occasionally attended these assemblies.

Under the Spanish Government, the Governor General was the Regulator of the Balls, but this Gallant duty I have cheerfully surrendered to the Municipality of the City. I fear you will suppose that I am wanting in respect in calling your attention to the Balls of New Orleans, but I do assure you Sir, that they occupy much of the Public mind, and from them have proceeded the greatest embarrassments which have heretofore attended my administration.¹

The three months allowed by the Treaty for the Withdrawal of French and Spanish forces, have expired; but the evacuation has not yet taken place. The Public Store Houses are still occupied by the French and Spanish authorities.

A part of the records have been delivered to the American Commissioners, but many important documents yet remain to be received.

I have experienced such repeated interruptions, and my attention in the course of this day has been so frequently called off to some local Business of the Province, that I cannot write you as fully by the Post as I could wish.

Accept assurances of my great respect and high consideration.

(Signed) Wm. C. C. Claiborne

The Honorable
James Madison
Secty. of State

P. S. I enclose you a Pamphlet, being the vindication of Adjutant General Burth, who has had a serious misun-

¹ These balls were an important part of the social life of the French and Spanish rule in Louisiana. New Orleans of to-day is famous for its beautiful, enjoyable balls.

derstanding with Mr. Laussat. Its perusal perhaps will not be interesting to you.

(Signed) Wm. C. C. Claiborne

To Henry Dearborn.

New Orleans January the 31st 1804

Sir,

General Wikinson read to me a paragraph from one of your late Letters to him, when speaking of the Vessel which I impressed at Natchez for conveying the Mississippi Militia to New Orleans, you observe that "the mode was not, perhaps the most Judicious; But that the necessity of the Case might justify the measure." My Letters from the Government, urged a speedy movement of the Army; advices from Mr. Laussat and Mr. Clark evinced great Solicitude for the arrival of the American Commissioners at New Orleans, and the Commanding Officer at Fort Adams stated the want of the necessary means of transportation for the Cannon and fixed Ammunition, and suggested the propriety of chartering the Schooner. The Militia were encamped near Natchez, and in readiness to move, the owner of the Schooner was absent and as the most advisable Step which under existing circumstances could be taken, that Vessel was impressed. Her usefulness to the Service has been fully proven. I give you my Honour Sir that if this Vessel had not been employed, the Army would have been longer detained at Fort Adams. The Boats which had been prepared at the Fort, were scarcely sufficient to accomodate the Men; they were flat-bottomed and many of them old and crazy. The Provision, Cannon, Powder and fixed Ammunition were all conveyed in the Schooner. The Vessel was retained in Service about three weeks after her arrival at New Orleans; She could not be discharged sooner; for during

that time no place of Deposit for the Articles she brought could be procured. From this circumstance the charge of the Schooner will be heightened, but I trust no blame will attach to me on that account.

I do regret that the taking possession of Louisiana, has been attended with such great public expenditures, but under existing circumstances it could not be avoided. The Volunteers from Tennessee will cost several thousand Dollars; as events have terminated their Services were not wanting, but at the time they were called out, the measure was advisable, and I do Sincerely believe that the firm determination of our Government to possess themselves of the Ceded Territory, evinced by their Military movements, had great weight in inducing the Spanish Authorities to Surrender the Province so promptly to the French Commissioner.

I procured some supplies for the Mississippi Militia; when the accounts are all sent in I will advise you therof; the amount is not considerable; the principal items are knapsacks and utensils for Cooking. I also furnished them with a few Blankets. A late letter from Mr. Dinsmore gives me a favourable account of the State of things in the Chactaw Nation. The Red Bird has received two hundred dollars in full payment for his relations Blood, and declares his entire Satisfaction. I understand that the Chickasaws might be prevailed upon to sell their claim to the Duck River Land. If this purchase was made it would tend to Satisfy the North Carolina Claimants who so frequently Memorialize Congress.

Accept assurances of my great Respect and high Consideration.

The Honble
Henry Dearborne
Secty. of War

(Signed) Wm. C. C. Claiborne

Head Quarters
New Orleans Feby. 2nd 1804

General Orders

The Non Commissioned Officers and privates, of the original Corps of Militia within Louisiana, who have attached themselves to the Volunteer Companies in the City of New Orleans, are transferred to these Companies respectively, and will do duty accordingly. But in future the officers Commanding Volunteer Companies are not to enroll any Non Commissioned officer, or private belonging to the original Corps.

Colonel Bellechasse will cause this order to be communicated and enforced.

(Signed) Wm. C. C. Claiborne
Governor General of Louisiana

To James Madison.

New Orleans Feby 4th 1804

Sir,

On yesterday we had nearly witnessed in this City a serious riot. A guard of Spanish Soldiers being on duty at the House of the Marquis De Casa Calvo¹ and very much intoxicated, made an attack upon a Sailor who was passing the Street.

The Citizens interfered and beat off the guard. Our Citizen was slightly wounded, and a Spanish Soldier very much beaten.

Early information of this *Fracas* having reached me, I communicated the same to the Officer Commanding the Spanish Troops, and requested that the guard might be

¹ The Marquis was absent.

immediately relieved, and the aggressors confined; all which was promptly done, and thus a riot was instantly quelled, which in the beginning had a very alarming aspect. When the guard was relieved, (the guard consisted of twelve or fourteen Men and within whose view there was a detachment of Spanish Dragoons) there had collected about two hundred citizens, who were apparently much enraged, and Solictous for a Battle.

I have for some time viewed the tranquility of this City as somewhat insecure. The materials for a mob are abundant, and it requires all my vigilance to prevent disorders. There are *adventurers* here from several different nations, of *various Characters* and among them many Vagabonds. There are in this Port, American, French and Spanish Sailors, among whom their exists no cordiality. We have also, American, French, and Spanish Officers and Soldiers who possess a great Share of National Pride, and whose jealousies and resentments might easily be excited.

Some Americans who are here, would wish me to act to the extent of my Authority, and to suppress by the force of Terror even a tumultuous thought. These men will attribute, to what they please to term *my Lenity and want of firmness*, every little disorder which has, or may hereafter arise, and it is not improbable but representations upon this point, either have or may shortly through indirect Channels reach the Executive. In reply to them I beg leave to State, that my great object has been to impress forcibly upon the Inhabitants, the justice, the Moderation—in a word the Principles of the American Government, and to enlist in support of the New order of things the affections of the People. That fearful and *Sullen calm* which dispotism produces, *has* no charms for me, and to such a *State*, I would prefer even anarchy. When indeed the occasion demands, (and of which without Special instructions from the President I shall judge

for myself) I will exercise with promptitude and energy, the great discretionary powers intrusted to me; but I do trust and believe that the conciliating and mild Policy, which I have, and shall continue to observe, will promote the Welfare and harmony of the Province.¹

I will endeavour to make you another communication by this Post

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

To the Honble.
James Madison
Secty. of State

To Beverly Chew.

New Orleans February 4th 1804

To Beverly Chew Esquire
Sir,

I wish to Commit to your care, the receipt and delivery of the Express Mail. If you will undertake this duty, you will as heretofore, charge and receive such rates on Letters and other Packets as are directed by Law on Letters &c passing through the United States, and in general be guided by the rules and regulations established by the Post Master General, for the Government of the different Post offices, throughout the United States as far as may be practicable.

You will continue to discharge the duties here required, until provision shall be made by congress in the Premises.

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

¹ Claiborne has been described as despotic by more than one careless writer. His policy was marked by statesmanship of a high order.

By William C. C. Claiborne

Governor of the Mississippi Territory, exercising powers of Governor General and Intendant of the Province of Louisiana!

Whereas by an ordinance passed on the 20th of January last, the Levee in front of the City of New Orleans, and for Six Leagues up and down the Mississippi River on each shore, was committed to the care and Superintendance of the Municipality. And whereas it is essential to the Security of the property of the Citizens generally, that the Measures for the preservation of the Levee, which may from time to time be directed, should be promptly executed

It is Decreed—

Art 1st. That it shall be the duty of the several Syndicks, to carry into effect such measures touching the Levee, as the Municipality may direct; and in all cases when the owner or owners of Land, shall refuse or neglect, to make timely repairs to the Levee as prescribed, and the same shall have been made by order of the Mayor of the City of New Orleans, or of either of the Syndicks, by any neighbour or Neighbours, of the person or persons so refusing or neglecting as aforesaid, any one or more of the Syndicks shall have Authority, and it shall be his or their duty to estimate the value of the work so done, and to give judgment for the amount which shall be paid by the owner or owners of the Land, and in case of delay of refusal to make payment, such Syndicks, shall issue Execution against the property either real or personal of the owner or owners as aforesaid. PROVIDED that nothing herein contained shall be so construed as to authorize the sale of any Lands belonging to the United States.

And Whereas doubts have arisen in relation to the proper authorities for superintending the Levee beyond the jurisdiction of the Municipality as defined in the ordinance of the 20th of January last past

It is Decreed

Art 2nd. That the Several Commandants of Districts and the Syndicks, are hereby declared to be vested with the same power for the preservation of the Levee in their Respective Districts as was heretofore exercised by them under the Spanish Government!—

Given under my hand, and the Seal of the administration at the City of New Orleans the 5th day of February in the year 1804 and of the Independence of the United States of America the twenty eighth.

[S. L.]

(Signed) Wm. C. C. Claiborne

By the Governor
Thos. H. Williams
P. Secretary

*To Lewis Deblanc.*¹

New Orleans February the 5th 1804

Sir,

I have received your Letter of the 21st ultimo, accompanied by an address from a number of the inhabitants of the Atakapas District. You will be pleased to make known to these people individually, the great pleasure I experienced in receiving assurances of their attachment to, and confidence in, the Government of the United

¹The appointment of Deblanc was evidence of Claiborne's tact, as he had the confidence of the French of his district.

States:— And you need not hesitate to declare to them, that the more they become acquainted with the just and mild laws of the American Government, and the equitable principles with which they are administered, the more will their attachment and confidence increase.

The Patriotic Sentiments you have yourself expressed in the interesting event which is the subject of the address, has confirmed the good opinion heretofore conceived of your understanding and integrity; and for the respectful expressions towards myself personally, I owe you a warm acknowledgement.

Accept Assurances of my high consideration & respect.

(Signed) Wm. C. C. Claiborne

Capt. Lewis Deblanc

Dep. Civil Commandant, Atakapas District.

To James Madison.

New Orleans February 6th 1804

Sir,

New Orleans at this time is perfectly tranquil, and I hear of no disturbances in any part of the Province. The inhabitants generally manifest great Solicitude for a form of Government, and the Merchants of this City in particular, await with great anxiety some commercial provisions.

I believe a decided Majority of the inhabitants continue well disposed to the Government of the United States, but there is certainly a Strong party here fixed in their attachments and devoted to the interests of France. The emigration from the French West India Islands, is

considerable; a Vessel is now in the river with about one hundred French Citizens on Board, and a ship is known to have sailed from *Jamaica* for New Orleans with several hundred Frenchmen, who were refused an assylum in *that Island*. I do not think that these are the best description of Settlers for Louisiana, but if they seek a residence here, it cannot I suppose be refused to them.

In a former Letter I named to you, that an impression was received in some circles that Louisiana would revert to France, on the conclusion of the present European War; this opinion still prevails, and it has acquired additional currency, by a remark which Mr. Laussat, is said lately to have made, that "the harvests of Louisiana were not yet Secured to the United States." I do not know that this remark is properly attributed to Mr. Laussat, but it is so reported upon the Authority of a man of some respectability.

I should not regret Mr. Laussat's departure from Louisiana:—He feels some chagrin at the loss of his Prefectorial Authority, and manifests a disposition to interfere in the interior police of the Province. While he remains among us, his *Counsels will be Solicited*, and *pursued* by many of the Citizens, and I doubt much whether on all occasions, *these counsels* would be consistent with the interest of the United States. Mr. Laussat professes handsome talents, and in private Life is an agreeable Man; but as a public character I am not one of his admirers. He is always intemperate, and often assuming; relying with confidence upon the infallibility of his own Sentiments, he pays no respect to the opinions of others when opposed to his.

The Spanish Commissioners and Mr. Laussat were early at variance, and the American Commissioners have of late found it impossible to preserve a perfect good understanding with *him*, unless they would yield on all occa-

sions to his wishes, which could not be done consistently with their own duty.¹

Accept Assurances of my great Respect and high Consideration.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To F. L. Claiborne.

New Orleans Feby 7th 1804

Sir,

I consider those surveys of Land which were made by permission of Capt. Videl,² after the Cession of Louisiana to the United States, as conferring no Title either in Law or equity; these Lands are therefore in my opinion vacant, and as I have no Authority to permit the Lands of the United States in Louisiana to be settled, I can delegate none to you. In a very few weeks Congress will make some permanent provisions for the Government and disposition of our newly acquired Territories; and until these provisions are made, I conceive it my duty to prevent the Settling of vacant Lands, and must therefore claim your faithful co-operation in this particular.

Accept assurances of my Respectful consideration.

(Signed) Wm. C. C. Claiborne

Major F. L. Claiborne
Commandant District of Concord

¹ All the evidence confirms the correctness of Claiborne's estimate of Laussat.

² Spanish Commandant of District of Concord.

To F. L. Claiborne

New Orleans February 7th 1804

Sir,

A packet for Capt. George W. Carmichael¹ at the Chickasaw Bluffs, has been addressed to your care. Should Mr. Samuel Mitchell be at Natchez, you will deliver the packet to him, with directions to have it sent to the place of its destination. If however he has returned to the nation, you will enclose it to him there, with instructions as coming from me, that he will take the proper measures for having it forwarded to the Chickasaw Bluffs with all convenient dispatch—the expense of which is to be defrayed by the United States.

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

Major F. L. Claiborne

To Major Bore.

New Orleans February 8th 1804

Sir,

I have had the Honour to receive your Letter of the 6th Instant. The precautions recommended by the Municipality, with respect to the introduction of Negroes and free Mulattoes from the Antillee into this Territory, appear to me highly expedient, and I shall with pleasure and promptitude give the necessary orders upon this subject, to the Commandants of Plaquemines and the Balize.² I shall also give such general instructions to Officers Commanding different Posts, as will serve to prevent Masters

¹ See Heltman's Register, Vol. 1, p. 283.

² Posts below New Orleans.

of Vessels from facilitating the escape of slaves from the service of their owners.

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

Mr. Boré

Mayor of New Orleans

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and intendant of the Province of Louisiana.

To all whom these presents shall come!

Know ye, that Jacob Bright has permission to establish a store on the Arkansaw, for the purpose of carrying on trade with the inhabitants of that District, and such Indians as may still visit that Post. This permission is to continue in force during the pleasure of the Governor for the time being, or until provision shall be made by Congress for regulating trade and intercourse with the Indian Tribes west of the Mississippi river.

Given under my hand and the Seal of the administration at the City of New Orleans the 8th day of February 1804, and in the 28th year of American Independence!

[S. L.]

(Signed) Wm. C. C. Claiborne

By the Governor

Thos. H. Williams

P. Sec.

To John Watkins.¹

New Orleans February 9th 1804

Sir,

You will proceed with all convenient dispatch, to the

¹ Member of the city council at the time of the transfer.

different Parishes or Districts above the City, on the Island of New Orleans and also to those on the West of the Mississippi, and adjoining the River as high up as opposite Baton Rouge, and make Suitable appointments of Commandants for the same. In all cases where the perfect Commandants are desirous of remaining in office under the United States (unless indeed some good exception to their Characters exists) I wish them re-appointed, but if they decline a re-appointment you will nominate Successors. You are furnished with Blank Commissions and instructions, which you will fill up with the names of the persons you may Select as Commandants of the different districts.

In charging you with this Mission, I have given a high proof of my confidence in your discretion and judgment. In Selecting Commandants, Talents will be a great recommendation, but integrity and attachment to the Government of the United States you must consider indispensable requisites. You will administer to the several Commandants, oaths of allegiance and of Office, and in your conversations with them, you will endeavour to impress upon their minds the propriety of administering strict and impartial justice, and of preserving good order in their respective Districts.

In your Conversations with the people generally, you will give them assurances, that under the Government of the United States, their liberty, property and religion will be protected; that their Political connection is now fixed, and that whatever some mischievous or ignorant men may insinuate, the Province of Louisiana will never revert to France, or be detached from the United States.

On your return, you will make to me a report, in detail, of your proceedings.

Wishing you health & happiness I remain very respectfully

Your obd. St.

(Signed) Wm. C. C. Claiborne

Doctor Watkins

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and intendant of the Province of Louisiana.

To all who shall see these Presents

Know ye, that Doctor John Watkins visits certain Parishes or Districts in Louisiana, charged with Public Business and under my immediate instructions!

Given under my hand and the Seal of the administration at the City of New Orleans, the 9th day of February 1804 and in the 28th year of American independence!

[S. L.]

(Signed) Wm. C. C. Claiborne

By the Governor

Thos. H. Williams

P. Secty.

To A. D. Tureaud & Samuel Winter.

New Orleans February 9th 1804

To Messrs.

A. D. Tureaud

&

Samuel Winter

Gentlemen,

In a matter of dispute relating to some Commercial Transactions, between Captain Manuel Salcedo of the

Spanish Army, and Mr. Benjamin Morgan of New Orleans, the parties have, at my request, agreed that the affair should be submitted to an arbitration; and you Gentlemen, have been Selected two of the aribrators; with authority to name a third person, who shall also act as an Arbitrator, and the decision of two of you shall be final, and binding on the parties. You will oblige me Gentlemen, by undertaking this business, and advising the parties of the time when, and the place where, it may be convenient for you to hear the case.

You will be good enough to enclose me a copy of your award.

Accept Assurances of my Respectful consideration.

(Signed) Wm. C. C. Claiborne

To Major Boré.

New Orleans February 12th 1804

Sir,

Mr. Archibald Sherman has represented to me that a quantity of Tile now lying at the Bayou St. Jean, which was brought from Pensacola, is stolen property, you will therefore suffer it to remain in its present situation until the merits of the case can be ascertained.

I am respectfully your obd. St.

(Signed) Wm. C. C. Claiborne

Mr. Boré

Mayor of New Orleans

To Gen. Wilkinson.

New Orleans Feby 13th 1804

Sir,

To preserve the Garden adjoining the Government House, and to have it put under cultivation for the Comfort and Convenience of the Permanent Governor, are considerations which appear to me worthy of attention. To meet these objects I would propose for your consideration, the propriety of having a small *fatigue party*, detached on this duty as long as it may be necessary. Should you agree with me and give the necessary orders for carrying the plan into effect, I will undertake to say, on the part of the *permanent Governor*, that the vegetables which may be cultivated in persuance of this arrangement, shall be for the joint and common use of yourself and *him*, or in the case of your absence, that the Privilege shall accrue to the Senior officer in this place.

I am Sir very Respectfully

Your most Obedt. St.

(Signed) Wm. C. C. Claiborne

General Wilkinson

To James Madison.

New Orleans February 13th 1804

Sir,

I continue without any advices from the Department of State, since my arrival in this City. Two Mails from the Seat of Government are now due. The failure is attributed to the High Waters in the Wilderness between Natchez and Nashville. Mr. Granger has made great improvements in the Post establishment, and greatly accelerated the Passage of Mails. But as it is impossible

for him to controul the elements, we must at this Season of the year expect occasional interruptions.

The State of things in this City remain as they were at the date of my last Letter. The Spanish and French forces are still here; preparations for an evacuation are making, but they progress slowly. The Archives and documents recognized in the Treaty are not all delivered, but they are promised in a few days. The Merchants of New Orleans are becoming extremely impatient for some commercial regulations, and the anxiety of the people generally for some permanent Government greatly increases.

I had supposed that the establishment of the temporary Court of pleas for the City of New Orleans, would have reconciled the people to a suspension of the functions of the Governors Court; but I find myself so pressed by parties Litigant that I am compelled to exercise judicial powers; the day after tomorraw I propose holding a special Court, and shall set apart one day in every week for the hearing and deciding of causes until the provisions of Congress for some fixed Government, shall relieve me from this painful duty.

The population of Louisiana will probably advance with rapidity. Every Boat from the Western Country, and every vessel from the Atlantic States, bring hither adventurers, among them, are many valuable Emigrants but there are others of desperate fortunes, and well calculated to encrease the dissipation which is fostered in New Orleans, and pervades more or less the whole Province. I appointed a few days ago a Mr. Mendez, who had been represented to me an Honest Capable Man, Civil Commandant of a District about Six leagues below New Orleans. This District is inhabited principally by an humble, poor indolent, ignorant people, emigrants from the Canary Islands, who Idolize their Priests, and feel little attachment for any one else. Mr. Mendez altho a

Catholic; is said to be of Jewish extraction, and on this account (and for other reasons unknown to me) is by no means a favorite with his neighbors, who manifested inquietude at his appointment, and a few were imprudent enough to talk of not recognizing him as their Commandant. This Affair was represented to me as an alarming event, and strong measures on my part were advised. In pursuance however of that conciliatory Policy which I have adopted, I sent for some influential characters of the District, and on this day had an Audience with them; they professed attachments for the Government of the United States, respect for its officers, and a determination to be obedient to the Laws; but as well for themselves as their neighbors they intreated me to nominate for them another Commandant. I determined to grant their request, and they have returned to their homes apparently well pleased.

I have given you these particulars, since this Transaction has been greatly misrepresented here, and should it reach (by way of report) the City of Washington, the exaggeration will probably be great.

Accept assurances of my high and respectful consideration.

The Honble.

(Signed) Wm. C. C. Claiborne

James Madison

Secty. of State

To Henry Dearborn.

New Orleans February 16th 1804

Sir,

Inclosed herewith you will receive an account with the necessary Vouchers, for sundry supplies in the Indian Department, amounting to one hundred and fifteen dollars and thirty nine cents. For this Sum I have

drawn on you this day at five days sight in favour of Peter L. B. Duplisses. You will observe that the account States the payment of a quarters Salary to David Barry an Indian Interpreter, without specifying dates. I believe it to be for the quarter ending the 30th September 1803, tho cannot say with Certainty, not having it in my power to advert to my Indian Journal which is at Natchez. I presume, however, that a reference to the Books of the Accountant for the Department of War, will remove all difficulty in this respect.

Accept assurances of my high and respectful consideration.

The Honble. (Signed) Wm. C. C. Claiborne
Henry Dearborne
Sect. at War

To Gov. Folch.

New Orleans February 17th 1804

Sir,

Archibald Sherman has represented to me that a quantity of Tile, attached at Pensacola to satisfy a Debt due himself, has been removed from thence, and is now lying at the Bayou St. John— and prays that I would take measures for having it detained until enquiry into the matter can be made!

I shall therefore feel myself particularly indebted to you, for a statement of the circumstances attending this case, so far as the same may have fallen within your knowledge!

Accept assurances of my high & Respectful consideration.

(Signed) Wm. C. C. Claiborne
His Excellency Governor Folch

To James Madison.

New Orleans February 18th 1804

Sir,

I have the happiness to inform you, that good order continues to prevail in this City, and I believe throughout the Province. The people manifest great solicitude for some fixed Government, but evidence at present great respect for the existing Authorities.

In my Judicial character I receive daily applications. I put off every case than can possibly admit of delay, in full expectation, that in two or three weeks I shall be informed that a regular Judiciary for Louisiana is established by an act of Congress.

After the Cession of Louisiana to the United States a number of Speculators in Natchez and in different parts of the Mississippi Territory, surveyed Lands by permission of a Captain Videl (a late Spanish Commandant) in the District of Concord, and which they are now desirous of settling and improving. To a Letter on this Subject which I received from Major Claiborne, the present Commandant of Concordia, I returned an answer of which the enclosed is a copy.¹

The Lands in Concordia are very valuable, and will command Luerative and immediate Sales; I thought it my duty to continue them unincumbered with unjust claims, until Congress should make some provision for the disposition of vacant Lands in Louisiana. I have incurred greatly the displeasure of these Speculators, and I learn that they unite in calumniating me; but if my conduct in this particular meets the approbation of the Executive, I shall not regard the abuse or censure of others.

The Spanish and French Commissioners and forces

¹ The District of Concord was situated just across the Mississippi from Natchez.

are still here— they continue to talk of a speedy evacuation, but I fear it will be delayed for some weeks. All the Archives are not delivered, as Soon as they are Received we shall close the Commission, and I believe General Wilkinson will then return to the United States. If after our Commission is closed Mr. Laussat and the Spanish Commissioners should continue in this City, I would wish to learn from you, whether I am still to consider them as diplomatic Characters entitled to all the Privileges of foreign Ministers. I wish your opinion upon this point because I learn that several suits will probably be commenced against them, so soon as it shall be known that our correspondence as Commissioners shall have closed!

Accept assurances of my high and respectful Consideration!

William C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Madison.

Sir, New Orleans February the 18th 1804

Since my letter of this Morning the Northern Mail has arrived; But brought me no dispatches from the Department of State.

The Merchants of this City are very much discontented with their situation. It was generally expected that the Mail would have brought on the Revenue Act for Louisiana, and in consequence of the disappointment, an influential Man here was heard to say, that “in all Governments there was favouritism, and favouritism was like *fire*; when near *it*, you feel its warmth, that Louisiana was too distant from the Seat of Government for her interests to be attended to.” Such a Sentiment as

this, will at all times be improper, but at this particular period; it was highly imprudent; I have reprobated the suggestion, and will continue to do so, whenever the occasion shall offer.

A Gentleman from Natchez just arrived in this City, tells me, that my Letter to Major Claiborne a Copy of which was enclosed to you in my communications of this Morning, has excited in Natchez and its vicinity a terrible clamour against me. These Speculators are so void of virtue that I well know they will resort to every expedient short of Assassination of my person to injure me. At the head of these Speculators is a certain Lyman Hardin,¹ a Lawyer, a violent Federal Partisan, and a Man of some Talents and great intrigue. This Man has Petitioned the President to Supercede me as Governor of the Mississippi Territory, but I learn he is not likely to obtain a numerous subscription.

Accept assurances of my high and respectful consideration.

The Honble.
James Madison
Secty. of State

(Signed) Wm. C. C. Claiborne

To James Madison

Sir, New Orleans, February the 20 1804

The Citizens of Louisiana passing by water to the United States or to Europe, have requested of me passports or Letters of protection. No instructions having been given me on this point, I have acted with some regret, but upon the exercise of my best judgment, I thought the request was reasonable, and have given to such applicant an instrument of writing, of which the

¹ For a sketch of Harding see Encyclopedia of Mississippi History, Vol. 1, p. 834.

enclosed is a copy, provided the applicant had previously, by his own and the oath of another person taken before a Notary Public, proved that he was *before*, and *on the 20th of December 1803* (the day on which the Province was surrendered) an Inhabitant of Louisiana. The attestation or Certificate of the Notary I have uniformly annexed to the passport. I am this particular on this point under an expectation, that if there is any thing wrong in the proceeding you will inform me thereof.

Accept Assurances &c &c

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To Don Juan Ventura Morales

New Orleans February 20th 1804

Sir,

Your communication of the 18th Instant I have had the Honour to receive. You have my permission to expose at Public Venue, at such time as may suit your convenience, the effects alluded to, belonging to his Catholic Majesty, and whether the sale be at your own house or at the Public Stores, the proceeding will be equally agreeable to me.

The Polite Letter which you have addressed to me on the present occasion, furnishes a new proof of your respect for the constituted Authorities of the United States, and affords me an opportunity of renewing to you assurances of the pleasure, I shall always take in promoting the Interest of your Sovereign, and rendering you any personal services.

I wish you Health and Happiness!

(Signed) Wm. C. C. Claiborne

Don Juan Ventura Morales.

Form of Passport

The following is the form of a passport enclosed to the Secretary of State, in a Letter of the 20th of Feby. 1804.

William C. C. Claiborne Governor of the Mississippi Territory Exercising the powers of Governor General and Intendant of the Province of Louisiana.

To all whom these Presents shall come Greeting.

Know ye that the Bearer thereof A B is a Citizen of the Province of Louisiana, under the Government and protection of the United States of America.

These therefore are to request of all Admirals, Governors, Captains, Commandants &c &c that the said A B a passenger on Board the Ship or Vessel called----- whereof one----- is Master, and bound for----- be permitted to pass to and from said Port, or elsewhere without hindrance or molestation, and that all succour and assistance be rendered him if necessity requires it.

Given under my hand and the Seal of the Administration, in the City of New Orleans the day of in the year of our Lord 1804 and in the 28th year of American Independence.

(Signed) Wm. C. C. Claiborne

[S. L.]

By the Governor
Thos. H. Williams
P. Sect.

A Proclamation

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and intendant of the Province of Louisiana.

It having been represented to me that a number of

Negroes belonging to Citizens of Louisiana, had escaped from the service of their Masters, and were running at large to the injury of such their owners and whereas, I have been requested by the Honorable the Municipality of the City of New Orleans, to take some measures to induce such runaway Slaves forthwith to return to their duty; and whereas it appears to me that the fear of punishment might in many cases induce such runaway Slaves to remain in the Woods and swamps, where they are necessarily subjected to continued inquietude, and compelled to seek a livelihood by plundering, to the great injury and terror of the good inhabitants. Now therefore, influenced by motives of humanity, and a desire to do every thing in my power to promote the Welfare of the Province, I have thought proper to issue this my Proclamation, hereby earnestly exhorting all runaway Slaves, immediately to return to the services of his, her or their owner or owners, and as an inducement to such return, I do hereby declare and make known to one and all of those who have committed no other offence, but that of running away, that he, she, or they shall receive no punishment of any kind for the said offence;— provided such slave or slaves shall report himself, herself, or themselves to their owners within two Months from the date of this proclamation. And all and Singular the Citizens of this Province whom it may concern, are enjoined and required to respect the Amnesty hereby declared, and to regulate their conduct accordingly. But such runaway Slave or Slaves, as shall not avail himself, herself or themselves of this Proclamation, within two Months as aforesaid shall not again experience the benefit of my interposition, but will be pursued, and may receive such punishment as their owner or owners, may under the Law, choose to inflict.

In order that no one may plead ignorance of this amnesty, I direct that this proclamation be printed in the

American and French Languages, published in the Newspapers, set up, at the public places in this City, and sent to all the different Parishes and Districts.

Given under my hand and the Seal of the Administration, at the City of New Orleans the 21st day of February 1804 and in the 28th year of the American Independence.

(Signed) Wm. C. C. Claiborne

[S. L.]

By the Governor
Thos. H. Williams
P. Sec.

A Proclamation

By William C. C. Claiborne Governor of the Mississippi Territory, Exercising the powers of Governor General and Intendant of the Province of Louisiana!

Whereas I have received information that several attempts have recently been made to set fire to this City, I have thought fit to issue this my Proclamation, hereby offering a reward of five Hundred Dollars, to any person or persons who shall discover the incendiary or incendiaries to be paid on his, her, or their conviction.

Given under my hand and the Seal of the administration at the City of New Orleans the 21st day of February 1804, and in the 28th year of American Independence.

(Signed) Wm. C. C. Claiborne

[S. L.]

By the Governor
Thos. H. Williams
P. Sec.

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

Art 1 The Municipality of the City of New Orleans shall have authority to issue Licenses to authorize the keeping of Taverns, Coffee Houses, public Billiard Rooms or Shops for retailing Spirits &c &c within the City aforesaid, and the Suburbs thereof:

Art 2 The tax laid on each and every License as aforesaid, shall be paid at the time of issuing the same, and the monies arising therefrom, shall be deposited in the City Treasury, to be applied under the direction of the Municipality, to such City purposes as they may in their discretion deem proper.

Given under my hand and the Seal of the Administration, at the City of New Orleans the 25th day of February 1804 and in the 28th year of American Independence.

(Signed) Wm. C. C. Claiborne

[S. L.]

By the Governor

Thos. H. Williams

P. Sec.

A Proclamation

By William C. C. Claiborne Governor of the Mississippi Territory exercising the Powers of Governor General and Intendant of the Province of Louisiana.

A representation having been made to me by Beverly Chew and Eugene Dorcier Esqrs. Justices of the Court of Common Pleas, and conservators of the peace in and for the City of New Orleans, that a Sailor named Cecile

belonging to the French Merchant Ship "Happy Star", Commanded by Captain Pignot, died on Monday the 20th Instant, of wounds received on the Evening of the 17th by the hand of some assassin, at or near the House of one Domingo Rodicque, Tavern Keeper in the said City, and that from the evidence adduced there are strong grounds to suspect that this murder was committed by a Spaniard named *Coura* who cannot be found, and is supposed to be Secreted, in or about this City:— I have thought fit to issue this my proclamation, hereby requiring and enjoining all officers civil and Military, within the Province of Louisiana to make diligent Search for the said *Coura* and to use their best efforts to have him apprehended and committed to Jail, in order that he may be brought to Justice; and as a further inducement for the apprehension of the said *Coura*, charged with murder as aforesaid, a reward of two Hundred dollars is hereby offered to any person or persons who will arrest, and Lodge him in Jail, to be paid on his conviction of the offense aforesaid.

Given under my hand and the seal of the administration at the City of New Orleans the 25th day of February 1804 and in the 28th year of the American Independence.

(Signed) Wm. C. C. Claiborne

[S. L.]

By the Governor
Thos. H. Williams
P. Secty.

To Julien Poidras

New Orleans February 25th 1804

Sir,

Your two Letters of the 8th instant are now before me, and I have read with great satisfaction the patriotic Sentiments they contain. I place great confidence in the assurances you give me, that you will discharge with impartiality and justice the duties assigned to you; and permit me to add that it is by pursuing this course and this only, that an officer acting under the Authority of the United States, can receive the approbation of his Government.¹

The valuation of the public Edifices at Point Coupee being a question between the French and Spanish Commissioners, and in which the United States were not interested, I had no instructions to give you on that subject. However, your forwarding to me a copy of the proceedings in this affair, is a proof of your zealous vigilance as an Officer.

To your request for leave of absence, to visit this City in the Spring I cheerfully assent, and to meet this event I would wish that Captain Allon should act as your deputy, in case of his refusal to act, you will select some other discreet character for the appointment.

I authorize you to appoint a constable to execute your orders, and to allow him an adequate compensation for his Services, to be paid at your discretion, by both or either of the parties who may have their disputes settled by you. The fees you will allow to the Constable, I wish to be no more, than an adequate compensation for his Services. Captain Turner who will hand you this Letter, is an officer in the Service of the United States, and on his way to the Post of Natchitoches; I recommend him to your polite and friendly attentions.

¹ The attachment of Poydras to American interests made easy many of Claiborne's early difficulties.

Captain Turner will deliver into your hands a stand of American colours, which you will display in the District of Point Coupee. These Colors are the National Badge of the happiest and finest people upon the earth, and therefore cannot fail to command the Love of the *Freemen of your District*; to *their care* I commit this *Standard*, and I confidently Trust that in peace or War, they will, *Honour, respect* and defend *it*.

Accept assurances of my high consideration and respect!

(Signed) Wm. C. C. Claiborne

Julien Poidras Esqr.

Civil Commandant Point Coupée

To Edward Turner

New Orleans February 25th 1804

Sir,

Inclosed herewith you will receive your Commission as Civil Commandant of the District of Natchitoches on the Red River. The Archives, Public papers and documents of every description which are to be surrendered to you, will remain in your possession until further orders, and I expect that the necessary precautions will be taken for their safe keeping.

The Same powers in *Civil Matters* which heretofore were used by the Commandants of Districts under the Spanish Governments, will devolve upon you, and I rely on your intelligence, and judgment, to discharge with prudence and ability the trust committed to you. You will be careful to preserve a record of all your official Acts, and keep me advised from time to time of the state of your District.

Doubtful questions, and cases of great importance, which can admit of delay, are to be reported to me, and I shall thereupon transmit you particular instructions. Natchitoches is a frontier Post, and at a great distance

from New Orleans, in committing therefore to you, the Civil command of that District, I have given a high proof of my confidence.

The attachment of the people of Louisiana generally to the Government of the United States, is an important object, but the Friendly disposition, of the more remote and frontier Settlements, is particularly desirable. To excite this friendly disposition you are selected as the agent, and I doubt not but your conduct will recommend you to the Government of your Country.

Let it be your great care to cause good order to reign throughout your district, and to conciliate the affections of good Men, by the observance of Strict and impartial justice in all your official proceedings, and the exercise of every act of civility and friendly hospitality in your private intercourse with the Inhabitants. Should there exist any local parties at Natchitoches or in its vicinity, you will carefully avoid them, and be also guarded against the intrigues of designing Men — hear all parties; reflect maturely, but act from your own judgment, for you alone will be responsible.

On the Waters of the Red River, there reside two small Nations of Indians — the Paunies and Caddoes, who Trade at the Post of Natchitoches — You will receive these people with friendly attention and have a regard to their interest. No person is to be permitted to trade with them, who has not been heretofore Licensed under the Spanish Authority, and the period for which such License was granted has not expired, or who shall not produce a License in writing from myself.

Accept assurances of my Respect & Esteem.

(Signed) Wm. C. C. Claiborne

Captain Edward Turner
Commandant Natchitoches

N. B. A Letter of the Same Tenor and date was addressed the Civil Commandant of the Ouchitas District.

To James Madison

Sir, New Orleans February 26th 1804

The Mail due on last evening from the Northward arrived, but brought me no official dispatches. I fear the Post has become an uncertain conveyance, and under this impression I shall cause duplicate Copies to be taken of all my official communications to you, and will forward them by Mr. Isaac Briggs,¹ who will leave this City for the Seat of Government in two or three days.

No unpleasant event has occurred, since my last Letter. The French Brig *Argo*, left this Port yesterday, taking with her a few French officers, and I understand will also convey to France the French Soldiers who were detained at Fort Plaquemines.

I dined this day with the Marquis De Casa Calvo. He told me that on this morning he received dispatches from his Court which announced the prospect of a continuance of Peace, between Spain and the European powers. It was also mentioned to me by a Member of the Marquis's family, that he (the Marquis) was now constituted the sole Commissioner on the part of Spain in Louisiana, and that his late colleague Governor Salcedo was discontinued, and permitted to retire to the Canary Islands, with the pay for life of a Colonel. I was also informed by a Spanish officer, that in two or three days the Spanish forces would commence a movement for Pensacola, and that in about twenty days the Spaniards would remove all their Toops and Military Stores from this City.

It is said that Pensacola is to be strongly fortified, and that a reinforcment is ordered from Havannah to St. Augustine it is also stated with confidence that a large force is moving from Mexico to the Province of Tacus. I will not be answerable for the truth of these reports;

¹ Surveyor General for the District South of Tennessee.

I communicate them to you, as they came to me, and if they be correct, which I am inclined to believe, you can as well as myself form an idea as to the real objects of these Military preparations.

General Wilkinson contemplates taking his departure for Washington, in twelve or fourteen days, but I much question whether he will be enabled so soon to set out. Mr. Laussat has not yet delivered to the American Commissioners, all the Archives &c appertaining to the Sovereignty of Louisiana.

The Emigration from the West India Islands to this Province is considerable, there are now on the Mississippi River Several hundred French Emigrants from Jamaica, and two or three other Vessels filled with Passengers are daily expected.

Accept assurances of my great respect and Sincere Esteem.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secyry. of State

*To Ferdinand L. Claiborne*¹

New Orleans, February 26th 1804

Sir,

You will receive herewith enclosed sundry Proclamations, offering an amnesty to all runaway Negroes who shall return in a limited time to their respective Masters. You will take the necessary Measures for having these Proclamations posted up in the most public places of

¹ A brother of the governor. See *Encyclopedia of Mississippi History*, Vol. 1, p. 423.

your District, for the information of all parties concerned.

Accept assurances of my high consideration and respect.

(Signed) Wm. C. C. Claiborne
Major Ferdinand L. Claiborne
Commandant of the District of Concordia

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the Powers of Governor General, and Intendant of the Province of Louisiana!

Whereas it has been represented to me, that the Court of Pleas recently established in the City of New Orleans, from the great diligence of the judges in the performance of their duty, have been so speedy in rendering judgments and awarding executions thereon, as in many instances to produce serious injury to Debtors, who having sufficient property to pay their Debts, were nevertheless unable under the circumstances of the Province, to raise immediately money therefrom without great Sacrifices;— Now Therefore, with a view to remedy this inconvenience for the future, I do ordain and establish the following rules to be observed in the proceedings of the Court aforesaid.

1st No Trial shall be had in less than ten days after the Defendant shall have been summoned or served with a copy of the writ.

2nd The Service of no process shall be deemed valid unless the same is read to the Defendant, or a copy thereof is left at his or her usual place of abode, with some free person belonging to his or her family, or to the family in which he or she may reside.

3rd No goods or chattels taken in execution, shall be sold in less than fifteen days after the same is seized, unless by consent of the Defendant, and no real estate whatever shall be sold by execution, until the same shall have been duly advertised in one or more of the public papers printed in the City of New Orleans, for four weeks successively in the American and French Languages, nor in any other manner than by Public Auction.

4th No Execution shall issue against the person of any Defendant residing in the City of New Orleans, until it shall be ascertained by the return of an execution or executions, against his or her personal and real estate, that sufficient personal or real estate cannot be found to satisfy such execution.

5th No real estate shall be taken in execution, unless it shall appear by the return of the proper officer, that no personal estate is found sufficient to satisfy the same.

6th No person shall be held to Bail in any civil process, unless the plaintiff shall declare on oath before some one of the Justices, that he has good cause to believe that the Defendant will depart without the Jurisdiction of the Court, before the process can be returned and judgment awarded thereon.

Given from under my hand and the Seal of the Administration at the City of New Orleans, the 27th day of February 1804, and in the 28th year of the Independence of the United States of America.

(S. L.)

(Signed) Wm. C. C. Claiborne

By the Governor
Thos. H. Williams
P. Secty.

*To Cato West.*¹

New Orleans Feby. 27th 1804

Dear Sir,

Your letter of the 15th Instant was handed to me, by Mr. Robert Williams. The Execution of Sutton and May² presents a good example; it will tend to deter others from committing rapine and murder, and to give safety to those who visit the Territory either by Land or Water.

The expences attending the arrest, confinement and execution of these abandoned Men, seem to me, to be a just charge against the United States; they offended not against the Territory alone, but made war on the Lives and properties of all who fell in their way, and selected for their *Scene of action positions* where the United States are particularly bound to extend protection to her Honest Citizens. I shall however, write fully to the Secretary of State on this subject, and will commit my Letters to Mr. Robert Williams, who can himself make such explanations as will greatly assist in the attaining our object.

It gives me real satisfaction to hear that the Territory is tranquil, and I hope that a pleasant state of things may long continue. I am well aware that your duties have been arduous, and I am sorry to learn that your Health is not yet restored.

When it may be in my power to leave this City I know not, nor am I yet made acquainted with my future destination. Your Bills on the Secretary of War will I am persuaded be duly honoured. The Tennessee Militia were in the service of the United States, and of course

¹ Secretary and active governor of Mississippi Territory. See Encyclopedia of Mississippi History, Vol. 2, p. 950.

² Members of Mason's band of robbers and outlaws.

entitled to the same pay and rations as the regular Troops of the United States. No special contract having been made for furnishing this detachment with provisions, it seems to me, that you exercised a sound discretion in directing their supplies. I hope you have obtained regular Vouchers for all your disbursements; in settling accounts at the Seat of Government great strictness is observed, and such vouchers as are not clear and explicit are invariably rejected.

A great anxiety exists in this City to learn the proceedings of Congress in relation to Louisiana, but in no other respects everything is quiet, and as far as I have learned a like tranquility reigns throughout the Province.

With Respect & Esteem I am D. Sir

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Colo. Cato West

To the Officer Commanding at the Balize.

New Orleans Feby. 28th 1804

To the Officer Commanding at the Balize
Sir,

A Ship called the *Lady Nugent* to the Westward of the Balize is in Distress for provisions, and to relieve the wants of the Crew and passengers a Boat has been dispatched from this City with the necessary comforts. You will oblige me and Serve the cause of humanity by doing every thing in your Power to facilitate the Passage of the Boat to the Ship aforesaid.

I am Sir Respectfully

Your obdt. St.

(Signed) Wm. C. C. Claiborne

To the Officer Commanding at Bayou St. Jean.

New Orleans Feby 29th 1804

To the Officer Commanding at the Bayou St. Jean

It is represented to me that three slaves employed as Sailors on Board the Schooner *L'Esperance* and belonging to Pierre Bailey, have been detained at the Fort. You will on the receipt of this permit the said Slaves to proceed wheresoever their owner may wish.

(Signed) William C. C. Claiborne

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and intendant of the Province of Louisiana.

From and after the passing of this ordinance, each and every of the justices of the Court of Common Pleas in and for the City of New Orleans, shall have authority to try and determine in a summary way all civil causes that may be brought before them respectively for the recovery of any sum not exceeding one hundred dollars. Provided Nevertheless that if either of the parties feel themselves aggrieved by the Judgment of such Magistrate, he or she shall have a right of Appeal to the Court of Common Pleas, upon giving sufficient surety that the party appealing will abide by, and without delay fulfil and perform the judgment to be finally rendered. And if the appellant in any case, shall not succeed in appeal, such appellant besides the amount of Debt and costs, shall pay at the rate of twelve and one half Pr. Cent Per Annum, as a satisfaction for such damages as the appellee may have sustained by the stay of proceedings in consequence of the said appeal.

Given under my hand and the seal of the administration at the City of New Orleans the 1st day of March 1804, and in the 28th year of the Independence of the United States of America.

[S. L.] (Signed) Wm. C. C. Claiborne
By the Governor
Thos. H. Williams
P. Secty.

To Mayor Boré.

New Orleans March 1st 1804

Sir,

Annexed to your Letter of yesterday I was favoured with a Copy of your communication of the 5th of February, the original of which I do not recollect to have received.

The Expense of detaining prisoners committed for offences perpetrated in the several Districts of the Province out of the City, cannot be a charge on the City funds, but must be defrayed out of the Territorial Revenues as soon as they shall be designated and raised by the proper Authorities. In the mean time, I will pay the charges alluded to in your Letter, out of the contingent funds allowed me; Provided the Municipality will take measures to adjust and certify the amount due, and designate *the persons* for whom the charge accrued, and the place from which they are brought.

I am Sir very Respectfully yours

(Signed) Wm. C. C. Claiborne

The Honble.

The Mayor of New Orleans

University of California Library
Los Angeles

This book is DUE on the last date stamped below.

NON-RENEWABLE

ILL/JTV

FEB 20 1998

DUE 2 WKS FROM DATE RECEIVED

UNIVERSITY OF CALIFORNIA LIBRARY

Los Angeles Research Library

1000 UNIVERSITY DRIVE - 575

JUN 1 - 1998

UNIVERSITY OF CALIFORNIA
AT
LOS ANGELES
LIBRARY



3 1158 00757 8890

JK

UC SOUTHERN REGIONAL LIBRARY FACILITY



AA 000 000 065 3

